Project consultants:

In association with:

Megan Hobson Research
EXECUTIVE SUMMARY

The consultant team was retained by the Town of Oakville in 2011 to undertake the preparation of a Heritage Conservation District Study and Plan related to Downtown Oakville. The direction to undertake the Downtown Oakville Heritage Conservation District Study was identified in the Downtown Oakville Strategic Action Plan (DOSAP), and as such Town Staff undertook the preparation of a request for proposals in June 2011 to undertake the work.

Heritage Assessment Report

This study is the first part of a two-part process that comprises the Downtown Oakville Heritage Conservation District Study. This first part comprises the heritage assessment component that describes and evaluates the cultural heritage value of the Downtown Oakville study area. The area comprises approximately 219 properties occupied by 411 built features (i.e., those that have street addresses). The study area being examined for the purpose of undertaking this work is generally defined by Sixteen Mile Creek-Dunn Street-Sumner Avenue (north and west), Allan Street (east), and Robinson Street (south) (shown below).

This report examines a number of aspects of the potential district, including: historical growth and development of Downtown Oakville; the built and architectural character of the study area; streetscape and landscape attributes; land use character; geographic boundaries of the area to be potentially designated; objectives of the designation and the content of the heritage conservation district plan; and potential changes that will be required to the Town of Oakville’s Official Plan and to any municipal by-laws.

Based on the work completed by the study team, a portion of the study area has been identified as a potential heritage conservation district. The proposed boundary appropriately contains a majority of properties of cultural heritage value, whether buildings, structures and streetscapes, that together, provide a rationale for the designation of this area as a heritage conservation district under Part V of the Ontario Heritage Act. The proposed district boundary (as revised following public consultation and further described in Section 3) is shown below.
Within the proposed district, there are 60 inventoried properties or parcels of land containing 82 buildings or structures with street addresses. Of these 60 inventoried properties:

- 24 are designated under Part IV of the Ontario Heritage Act;
- 12 are listed in the Town of Oakville’s Register of Property of Cultural Heritage Value or Interest as non-designated property;
- 11 are considered to be of cultural heritage value and identified through this study inventory; and,
- 13 are considered to be of contemporary construction.

Accordingly, approximately 78% of the properties and 82% of buildings or structures within the proposed district are of cultural heritage value. The proposed district also contains properties and features that do not readily fall into the category of “cultural heritage” and are of more recent origins. It is not unusual to find these features co-existing with cultural heritage resources. Appropriate guidelines in the heritage conservation district plan (if one is prepared) will address the management of these more recent changes in the landscape, especially with respect to matters of urban design and potential streetscape master plans.

In summary, it is concluded that there is merit in proceeding to the second phase of the heritage conservation district study, namely the preparation of a heritage conservation district plan containing guidance on the management of the district’s character and attributes.

If as a result of the heritage assessment report the Town determines that it is feasible to proceed with potential designation then the second phase of work would begin. The second part of the Downtown Oakville Heritage Conservation District process will be the Downtown Oakville Heritage Conservation District Plan and Guidelines which provide the basis for the careful management and protection of the area’s heritage character including its buildings, spaces and landscape features. The work prepared in this report will assist in the preparation of the second phase of the project, should it proceed.

**Downtown Oakville Heritage Conservation District Plan and Guidelines**

If Council determines to proceed with the preparation of the Downtown Oakville Heritage Conservation District Plan and Guidelines, this heritage assessment report has identified some potential initiatives that will be pursued in this second phase of work. All initiatives will be subject to further public discussion and input from property owners but will include a review of the following matters:

- The heritage conservation district plan will provide detailed guidelines related to the maintenance and repair of existing buildings, as well as guidance related to new construction and sympathetic additions to buildings.

- The heritage conservation district plan will provide guidance for conservation and enhancement of identified landscapes, their character and contributing features. It is anticipated that the guidelines will provide advice to private property owners and public authorities, most notably the Town of Oakville. Within the public realm, guidance will be provided on street tree removal and replanting, maintaining boulevards and other streetscape initiatives, particularly for Lakeshore Road East.
• There is potential for future development within the proposed heritage conservation district, and it appears that the zoning by-law permits uses that are generally in keeping with the character of the area. The study team will further review zoning regulations as part of the Heritage Conservation District Plan and may make recommendations to assist with maintaining the character of the proposed heritage conservation district.

• Given the predominant height characteristics of the commercial and residential areas, consideration will be given to amending the provisions of the zoning by-law within the District as part of the InZone project to accommodate appropriate building heights or building step-backs within the potential heritage conservation district. As there are a variety of alternatives and not necessarily any single correct answer, this will be more fully discussed and informed by community consultation as part of the Heritage Conservation District Plan and Guidelines.

• The heritage conservation district plan will provide clearer direction on a successful strategy of financial incentives through a system of heritage grants.

• The Town of Oakville has a well-established system of heritage permit administration and minor changes to process may be provided in the District Plan focusing on any potential enhancements that could lessen processing time or allow for ease of co-ordination with other municipal processes such as tree preservation by-laws, sign by-laws and site plan control administration, as referenced in Section 2.
Downtown Oakville
Heritage Conservation District Study

Heritage Assessment Report
(Final Draft)

Prepared for:

The Town of Oakville
May 2012

MHBC
In association with
George Robb Architect
Megan Hobson Research
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1.0  INTRODUCTION

1.1  Background
The Downtown Oakville Heritage Conservation District Study originated as part of both the public engagement process for Livable Oakville, the Town of Oakville’s new Official Plan, and in the Downtown Oakville Strategic Action Plan (DOSAP) that flowed from that initiative. The DOSAP re-confirmed the vision for the downtown that was established in the Livable Oakville Plan as well as identified an objective to “Protect and enhance the historic importance of the downtown”. This formed the focus of a key action, notably to “undertake the process to designate downtown Oakville as a heritage conservation district”.

The Council-approved study area being examined for the purpose of undertaking a heritage assessment is generally defined by the Sixteen Mile Creek-Dunn Street-Sumner Avenue (north and west), Allan Street (east), and Robinson Street (south). The district study area is also located immediately adjacent to three other existing Heritage Conservation Districts designated under Part V of the Ontario Heritage Act: the Trafalgar Road district to the north (outlined in red), Old Oakville Downtown Residential Area District to the south, (outlined in green) and First and Second Street District (outlined in blue).

Figure 1.1: Downtown Oakville and adjacent heritage conservation districts
Figure 1.2: The Council approved heritage conservation district study area

The Town of Oakville’s study area comprises all or portions of the following streets (see Figure 1.2):

**East-West**
- Dunn Street (portion)
- Randall Street
- Church Street
- Lakeshore Road East (formerly Colborne Street)
- Robinson Street

**North-South**
- Water Street
- Navy Street
- Thomas Street
- Dunn Street
- Trafalgar Road (formerly Dundas Street)
- Reynolds Street
- Allan Street

The direction provided in the DOSAP (approved by Council in August 2010) served as the basis for pursuing the designation of a heritage conservation district under the *Ontario Heritage Act*. In June 2011, Town of Oakville staff initiated the Request for Proposals process to retain a consulting team to undertake the preparation of both a heritage conservation district study and an accompanying district plan and guidelines. The decision to move forward with the plan and guidelines portion would only be considered after Council had received and approved the findings and recommendations in the heritage conservation district study.

**1.2 Provisions of the Ontario Heritage Act and provincial guidance**

The *Ontario Heritage Act* is the key provincial legislation that enables municipalities to conserve, protect and manage heritage properties and areas. There are two parts to the Act that concern cultural heritage: Part IV enables a municipality to designate individual properties that are of cultural heritage value or interest and Part V that enables a municipality to designate groups or areas of properties that demonstrate cultural heritage value. The Town of Oakville has designated 140 properties under Part IV and three heritage conservation districts under Part V containing 354 properties. (Old Oakville – 117, First and Second Street – 66, and Trafalgar Road – 171).
Part V of the *Ontario Heritage Act* enables a municipality to designate by by-law all or any part of a municipality as a heritage conservation district. Prior to designating a district it has become conventional practice to study an area in order to identify the cultural heritage values and character of a prospective district. Sometimes this is formally undertaken by defining an area by by-law.

Guidance on what constitutes a heritage conservation district is provided by a number of sources. The Ontario Ministry of Tourism, Culture and Sport in its published guidelines (*Heritage Conservation Districts, A Guide to District Designation Under the Ontario Heritage Act*) note that a heritage conservation district:

“...may comprise an area with a group or complex of buildings, or a larger area with many buildings and properties. It may also comprise an entire municipality with a concentration of heritage resources with special character or historical association that distinguishes it from its surroundings.”

Designating a heritage conservation district is clearly concerned with identifying groups of heritage properties that together with other distinguishing features or attributes form a distinctive place worthy of informed protection and management. The Ontario Ministry of Tourism, Culture and Sport has also noted in its published guidelines “Heritage Conservation Districts: A Guide to District Designation under the Ontario Heritage Act” that a heritage conservation district typically displays a number of characteristics:

“A concentration of heritage buildings, sites, structures; designed landscapes, natural landscapes that are linked by aesthetic, historical and socio-cultural contexts or use.

A framework of structured elements including major natural features such as topography, land form, landscapes, water courses and built form such as pathways and street patterns, landmarks, nodes or intersections, approaches and edges.

A sense of visual coherence through the use of such elements as building scale, mass, height, material, proportion, colour, etc. that convey a distinct sense of time or place.

A distinctiveness which enables districts to be recognised and distinguishable from their surroundings or from neighbouring areas.”

The Town of Oakville’s Official Plan is generally silent on any criteria or characteristics that would need to be met in order to qualify for district designation. Accordingly, any recommendation concerning the prospective delineation and designation of a district is best considered in the context of the provincial advice noted above.

The specific purpose of the heritage conservation district study assessment is discussed further in Section 1.3.

### 1.3 Purpose of this heritage district study

This study is the first part of a two-part process that comprises the Downtown Oakville Heritage Conservation District Study. This first part comprises the heritage assessment component that describes and evaluates the cultural heritage value of the Downtown Oakville study area. The area
comprises approximately 219 properties occupied by 411 built features (i.e., those that have street addresses) and is shown in Figure 1.2.

The scope of the heritage conservation district study was guided both by the Town of Oakville’s terms of reference for this study as well as the requirements of the *Ontario Heritage Act*, notably subsection 40(2) which prescribes that a study shall:

(a) examine the character and appearance of the area that is the subject of the study, including buildings, structures and other property features of the area, to determine if the area should be preserved as a heritage conservation district;

(b) examine and make recommendations as to the geographic boundaries of the area to be designated;

(c) consider and make recommendations as to the objectives of the designation and the content of the heritage conservation district plan required under section 41.1;

(d) make recommendations as to any changes that will be required to the municipality’s official plan and to any municipal by-laws, including any zoning by-laws.

Accordingly, the heritage study report specifically examines the following aspects of the prospective district:

- historical growth and development of Downtown Oakville (Section 2),
- the built and architectural character of the study area (Section 2),
- streetscape and landscape attributes (Section 2),
- land use character (Section 2),
- geographic boundaries of the area to be potentially designated (Section 3),
- objectives of the designation and the content of the heritage conservation district plan (Section 4), and
- potential changes that will be required to the Town of Oakville’s Official Plan and to any municipal by-laws (Section 5).

If as a result of the heritage assessment report the Town determines that it is feasible to proceed with potential designation, then the second phase of work would begin. The second part of the Downtown Oakville Heritage Conservation District process will be the Downtown Oakville Heritage Conservation District Plan and Guidelines which provide the basis for the careful management and protection of the area’s heritage character including its buildings, spaces and landscape features.

1.4 Sources


2.0 CHARACTER AND APPEARANCE OF THE STUDY AREA

2.1 Introduction
This section of the Downtown Oakville Heritage Conservation District Study examines the character and appearance of the study area as required under the Ontario Heritage Act. The various report sections that follow contain summaries and conclusions from more detailed survey work or analysis, including the heritage building inventory (See Appendix A and B) and landscape survey. Together the findings and conclusions of this section provide the rationale for the boundary delineation that is found in Section 3.

The research has focused on four main components: historical settlement and context; built heritage character; streetscape and landscape survey; and policy review. The research was performed through a combination of site visits and research, which varied depending on the specific tasks being undertaken. Related to the historic settlement and built heritage character, information from the Town of Oakville was reviewed, as well as various historic maps, historic background, photos, and architectural information. Various Regional and Town policies were consulted when completing the policy review exercise. All disciplines conducted various site visits to examine portions of the study area applicable to the various reviews undertaken.

2.2 The physiographic context
The Downtown Oakville Heritage Conservation Study Area is generally located to the north of the Lake Ontario shoreline and to the east and south of Sixteen Mile Creek (or Oakville Creek). All of that area to the south of the Queen Elizabeth Way within the Town of Oakville comprises a gently sloping but otherwise flat terrain that has been referred to as the Iroquois Plain. This feature is the remnant lake bed of the former Lake Iroquois the pre-cursor to present day Lake Ontario. The former lake was created by the retreating melt waters of the last glacier, approximately 10,000 years ago, and its former shoreline is most clearly evident, as a raised embankment, just to the north of the Queen Elizabeth Way. The Plain comprises areas of clay till, red shales and sandy soils, with the sandy soils prevalent in the area from Aldershot to Humber Bay.

Figure 2.1: The table land of the Iroquois Plain and the bridging points over Sixteen Mile Creek with the predominant east-west orientation of the commercial core and the surrounding residential areas.
The well-drained sandy soils and favourable number of frost-free days encouraged both pre-contact First Nations or aboriginal settlement as well as later Euro-Canadian settlement and a variety of related horticulture activities. The Lakeshore fruit and vegetable district in Oakville thrived with its popular local market for hardier fruit such as apple, pears and bush fruits as opposed to the soft, tender fruits in the Niagara Peninsula.

Drainage of the northern shore of Lake Ontario between Hamilton Harbour and the Bay of Quinte is characterized by many short rivers, with the Oakville area being sourced from the Niagara Escarpment. The soft shales comprising the underlying rock to the sandy soils are easily eroded and account for the steep sided, narrow valleys that characterize Sixteen Mile and Bronte Creeks. Notable harbours have been formed at the mouth of both these rivers now that they are drowned at their mouths. The physiographic characteristics of the Iroquois Plain allowed for relatively easy construction of roads paralleling the lake shore with only the deeply incised river valleys proving to be challenging bridging points over the past 150 years. With Lake Ontario to the south and Sixteen Mile Creek to the west and north providing clearly definable limits to early settlement with their steep valley sides this table land, provided a key settlement site.

2.3 Historical settlement and context

The underlying topography, drainage system, ameliorating climate and proximity to the Lake Ontario shoreline inevitably made this area ideal for human settlement, both in the pre-contact period prior to Euro-Canadian settlement and in later years as the area transformed and evolved from wilderness to lakeport, and eventually a fully urbanized landscape. The following section briefly summarizes those key themes of historical activity that have accounted for the changing landscape and its appearance today.

2.3.1 Origins

The Euro-Canadian settlement of Oakville was founded in 1827 by Colonel William Chisholm. Chisholm purchased 980 acres of land at public auction previously reserved by the Crown for the Mississauga. The land was advantageously situated at the mouth of Sixteen Mile Creek (or Oakville Creek) on the north shore of Lake Ontario, midway between York (current day Toronto) and the head-of-the lake at Hamilton. In 1833 Chisholm had a plan prepared for a new town and produced a full colour promotional map of Oakville in 1835 to attract settlers. The town laid out by Chisholm consisted of a grid of streets with two blocks, Market Block and George’s Square, set aside for public use. The streets were named after Chisholm family members and friends, including prominent early settlers and influential Members of the Government of Upper Canada.
Figure 2.2: Extract from Plan of Oakville, Township of Trafalgar, Upper Canada, 1835, showing the orderly street grid broken by Sixteen Mile Creek. The lack of building lots on the north side of Randall Street allowed uninterrupted views of the river corridor that remain today.

The 1835 town plan remains reflected in the present-day street plan. The original street names have been preserved with two notable exceptions being Lakeshore Road East and Trafalgar Road which were originally Lake Road (also called Colborne Street East) and Dundas Street/Road, respectively. These were the principal early land routes linking Oakville to other settlements.

The original settlement site straddled Sixteen Mile Creek and was bisected by the Lake Road, the historical east west route. Early industries quickly established favourable sites along the west bank of the river with warehouses and a commercial district located on the east side along the Lake Road. The Oakville section of the Lake Road was renamed Colborne Street after Sir John Colborne, Lieutenant Governor of Upper Canada, who was instrumental in improving the lakeshore route. The best residential streets were located south of the Colborne Street to the lakefront. The study area comprises the northeast quadrant of the original town layout of 1833, an area historically defined by commercial activities along Colborne Street East (now Lakeshore Road East). Historically this was a mixed area with commercial buildings, workshops, professional offices, residential buildings, hotels and churches located here. Smiths Canadian Gazetteer (1842) provided a glowing account and thumbnail sketch of the settlement as follows:

“A Village in the township of Trafalgar, situated on Lake Ontario, at the mouth of Sixteen-mile Creek, sixteen miles west from Toronto. It contains about 550 inhabitants. This is a place of considerable business for its size; about 150,000 bushels of wheat, besides large quantities of lumber, being annually shipped here. Twelve schooners are owned in Oakville; and there are three extensive warehouses for storing grain. Churches and chapels, three; viz., Episcopal, Catholic and Congregational.
Professions and Trades. - One steam grist mill, one water do., one saw mill, one distillery, one physician and surgeon, six stores, one druggist, one threshing machine maker, three taverns, two wagon makers, five blacksmiths, one watch and clock maker, three cabinet makers, two saddlers, two butchers, two bakers, one tinsmith, four tailors, twelve shoemakers.”

2.3.2 Harbour development
Oakville was one of the principal early shipping ports on Lake Ontario, reaching its height of importance around 1860. In the 1830s, a shipyard and water-powered grist mill were established and the port at Oakville shortly became the market and shipping port for Trafalgar Township. Stave making and ship building industries developed around the harbour. The principal street leading from the Harbour was called Navy Street. Town founder, William Chisholm, built a fine residence and Custom House at the foot of Navy Street overlooking the harbour. Wheat was one of the principal exports and at one time Navy Street provided access to the grain warehouses along the east bank of Sixteen Mile Creek. The Granary (1856) on Robinson Street is the last surviving building associated with these activities. Navy Street connected the harbor with the commercial area that was located a few blocks to the north.

2.3.3 Colborne Street and Lakeshore Road
In addition to its excellent harbour facilities, Oakville was located on early land routes, notably the important east-west route, ‘Lake Road’ from York to Hamilton and was 22 miles from York, 10 miles from Wellington Square or Burlington Beach, and 18 miles from Hamilton. In the 1850s, the building of the Great Western Railway along the lakeshore connected Oakville’s port and industries to principal trade networks.

The Oakville section of the Lake Road was renamed Colborne Street and this section of road became the ‘Main Street’ of Oakville. Historically the commercial core extended from Sixteen Mile Creek to the Dundas Road (now Trafalgar Road) and was confined to Colborne Street. Beyond Dundas (Trafalgar), Colborne Street was mainly residential. A number of early commercial buildings along Colborne Street have survived from this early era. Many of the properties fronting on other streets in the area contained wood-frame workshops that housed blacksmiths, tinsmiths, carriage works, harness and saddler makers. None of these workshops have survived, but some of the small residential buildings associated with them have. These include the Blakelock Residence on Randall, which is associated with the Blakelock Brothers Lumber and Planing Mill.

At one time, there were hotels and taverns located at several intersections along Colborne Street. These large buildings were frame construction and were 2 or 3 storeys in height. These establishments are associated with the stagecoach, steamboat and train traffic that once thrived in Oakville. Most are gone now, but there are some surviving remnants of these once-prominent buildings.
Colborne Street was originally a dirt road with board sidewalks. Efforts to improve the road included laying gravel that was wet down to control dust. In the 1870s, W.F. Romain, a prominent businessman, formed a committee to plant trees in public parks along major thoroughfares. The south side of Colborne, east of Dunn, which was still mainly residential, was planted with maples. The more commercial north side of Colborne was planted with horse chestnuts and other shade trees at intervals in front of the shops. Colborne Street was not paved until 1915 when the first all concrete highway was constructed between Toronto and Hamilton, finally being completed in 1918. Until road widening in the twentieth century, there were wide grass boulevards on either side of concrete sidewalks along much of Colborne Street.

2.3.4 Development of surrounding residential area

Most of the early commercial buildings along Colborne (Lakeshore) had residential quarters on the upper floors, several of which had side yards with small gardens. East of Dunn Street, Colborne (Lakeshore) was primarily residential and there were a number of larger brick residences established on spacious lots. These were replaced or altered as the commercial strip along Lakeshore expanded east of Dunn Street. There were also numerous small residences north of Colborne (Lakeshore) associated with businesses and workshops in the area, a few of which have survived. Remnant substantial single detached residences survive on Navy Street below Colborne (Lakeshore), at the corner of Church and Thomas, and on Dunn and Dundas (Trafalgar) north of Randall. Certainly by 1910, however, the residential area appeared to comprise a landscape of modest frame residences.
There are two large brick churches on Dunn Street that serve the residential community in this area. Both date from the late nineteenth century and both were preceded by earlier frame churches located on Lakeshore Road. The earlier sites were abandoned as Lakeshore Road became more commercial and residential areas east of Dunn Street became more established.

An elementary school, formerly located on the west side of Navy Street north of Colborne (Lakeshore), built in 1850 was enlarged in 1854 to accommodate increased enrollment. This school was demolished in the 1950s and the site developed in 1967 for the Oakville Centre. Historically, there were no public parks located within the study area. The closest public park was St. George’s Square which is located just north of the study area on Dundas (Trafalgar).

Today, virtually all of the single detached residences in the area have been converted for other uses, mainly retail, commercial, professional, or restaurant. Modern residential accommodations in the area primarily consist of small apartments above commercial buildings or larger units in modern condominium developments.

2.3.5 1820s to 1900: boom, bust and building evolution

Many of the earliest buildings in Oakville were frame construction with horizontal weatherboard cladding, typically two storeys divided into two or three bays with an end-gable roof above. A few of these simple frame buildings have survived but none with original weatherboards. Various forms of cladding applied to these frame buildings over the years include stucco, brick and modern vinyl siding. Other alterations typically include changes to the storefront at street level.

Prosperity in the 1850s resulted in the construction of many new brick buildings in the commercial area. In 1857, the village was incorporated as a town with a population of approximately 2,000. The building boom of the 1850s was short-lived due to economic depression in 1860s, after which the town did not grow substantially until after 1900. A decline in harbour activities due to competition from the Great Western Railway (1855) contributed to this stagnation.

Many early frame and some brick buildings in the commercial area succumbed to fires. The most disastrous fires occurred in 1868 and 1883. The 1868 fire on the north side of Colborne (Lakeshore) destroyed the three-storey brick Barclay Building and many of the surrounding frame buildings between Thomas and Navy Street. The 1883 fire on the South side of Colborne (Lakeshore) destroyed the four-storey brick Romain Building which occupied one third of the block. The present Barclay Building and Anderson Block are located on the site formerly occupied by the Romain Block.

By the end of the nineteenth century, with the decline of the port and surrounding industries, Oakville had become primarily a quiet residential community and a summer resort. A new bridge over Sixteen Mile Creek was constructed in 1895. The bridge deck was elevated, making the crossing a little easier to maneuver so that travelers were less inconvenienced by the steep banks on either side of the river. The new bridge, named the Aberdeen Bridge, was a swing bridge that allowed boats to navigate upriver. By this time, most boats coming to the Oakville Harbour were passenger steamboats and recreational sail boats.

The character of Oakville at the turn of the century is documented in a publication called Beautiful Oakville published in 1898. Photographs illustrate the town’s many picturesque qualities and amenities, including the many leafy residential streets lined with fine homes and the impressive commercial district lined with thriving businesses.
2.3.6 1900 to the 1960s: the automobile age

In the first decades of the twentieth century the Town Council undertook improvements to attract new industries. These improvements included the installation of electric power, water and sewage systems, and a telephone network. New concrete sidewalks were laid, and electric street lights installed at the intersections along Colborne Street and in front of the churches.

![Colborne Street East, Oakville, Ont., Canada](image)

Figure 2.4: The 1914 character of Lakeshore Road East as a dirt and gravel road would soon disappear with the introduction of the car and all-concrete highway. The pedestrian environment on either side of the busy road would remain enhanced with street trees and shop awnings that shade the sidewalks.

In 1906, a new bridge called the Anderson Bridge traversing the Sixteen Mile Creek at Randall Street was completed. The tracks of the electric radial railway from Hamilton were extended over this bridge to a new terminal located at Thomas Street. The Radial provided hourly service from Hamilton to Oakville. Tracks were laid as far east as Reynolds in hopes of extending the line to Toronto but this did not happen. Radial service in Oakville ended in 1924.

In 1915, Colborne Street was paved as part of the all-concrete route from Toronto to Hamilton, complete with a new concrete bowstring truss span over the Sixteen Mile Creek. The rapid increase in the use of the automobile as a means of travel made Oakville a popular summer resort and it soon became a dormitory for businessmen working in Hamilton and Toronto. The commercial area was revived by this new influx. Residential buildings were converted for commercial uses, as the commercial activities expanded East of Dunn Street. New amenities established in the commercial area included banks, department stores, theatres, gas stations and garages. The Aberdeen Bridge was replaced at the end of the 1920s to accommodate the increase in automobile traffic. Infill that
occurred in the first half of the twentieth century was generally similar in scale to the existing building stock. New building styles were historically derived and were generally compatible with earlier buildings.

In the post-war period, greater impacts occurred. In the 1950s, after almost a century, Oakville experienced a second building boom. These developments, which continue today, tend to be much larger in scale than the existing building stock. In general, these buildings have a very different character to the existing building stock due to their modern style and construction. Buildings constructed in this period include large bank buildings, a post office, commercial buildings, office towers and new residential blocks.

Figure 2.5: The 1950s and 1960 redevelopment, east of Trafalgar Road, characterized by multi-unit residential apartment buildings contrasts with the blocks of single-detached residential dwellings north of Lakeshore Road East.

The building of the Queen Elizabeth Highway, a four lane highway between Toronto and Hamilton, in the 1930s had an indirect impact on the area and contributed to post-war development. It ran north and parallel to Lakeshore Road and by-passed the historic core of Oakville. This meant that Trafalgar Road became a major corridor linking the old town to the new highway. This resulted in road widening and large-scale development on properties along Trafalgar and nearby, including large apartment towers and office towers, and more recently condominium developments.
Lakeshore Road continues to be a thriving commercial area. The western part of Lakeshore Road has seen the least amount of impacts due, in part, to protective measures under the *Ontario Heritage Act* that have prevented demolition and major alterations. Most of the other streets in the study area, particularly in the former residential areas, have been significantly affected by building demolition and subsequent new development.

### 2.3.7 Conclusions

The growth and transformation of the Downtown Oakville area from wilderness to urban landscape over three centuries is accounted for by a variety of historical themes or strands of human activity that when woven together provide a richly patterned cultural heritage resource. Early harbor and milling activity, together with the development of a strategic bridge crossing of Sixteen Mile Creek focused initial settlement in and around the creek banks and adjacent table land. The development of the road system, particularly the east-west link from Toronto and Hamilton, together with the construction of a variety of spans consolidated and focused the settlement’s growth as an important port and harbor facility.

As dependence on river and lake borne traffic declined, land and road ties to neighbouring Toronto and Hamilton were sustained and the commercial corridor that had been associated with this initial development blossomed as a self-sustaining entity, despite changing economic circumstances and the inevitable boom and busts accounting for surges and slowdowns in building construction and investment. The advancement of the first all-concrete highway in Canada, during the early years of the twentieth century, also served to refocus the Lakeshore Road corridor’s function as an “auto” oriented environment with a proliferation of gas stations and service-related commercial uses. Nineteenth century buildings were re-purposed to accommodate new uses but the commercial “street wall” that had characterized the Lakeshore Road still managed to maintain its presence and streetscape continuity.

The residential area to the north, however, was less successful in maintaining its character. From 1910 to the late 1940s the smaller, modest frame residential structures appear to have been demolished and replaced by either larger brick structures with new uses or sometimes lots were simply left vacant. Certainly by 1967, gaps were appearing in the urban fabric with vacant lots providing needed parking to support the Lakeshore Road commercial uses.
Figure 2.6: This aerial view towards Sixteen Mile Creek shows the distinctive contrast between the naturalized river corridor and the urban core area. The river corridor view has remained unchanged in contrast to many of the blocks in the core.

As well, the first multi-storey apartment buildings started to appear around the periphery of the downtown core, notably adjacent to Allan Street. A subsequent municipal limit on building height within the core area assisted in putting off immediate pressures for tall buildings, although compact residential terraces soon started to proliferate in proximity to Lakeshore Road. Again, the commercial “streetwall” of Lakeshore Road provided the element of continuity maintained since the mid-1800’s.

The historic development pattern of downtown Oakville has shaped the study area, and has resulted in the form that appears today. There are links to the past remaining within the study area, and these important historical components contribute to the understanding of the development of the downtown area.

2.4 Built heritage character
The overall character of the area is an eclectic mix that includes commercial and residential buildings that range in date from the 1830s to the present. While Lakeshore Road is entirely commercial, other streets exhibit a mix of residential and commercial buildings.

The greatest concentration of heritage structures occurs along Lakeshore Road East, from Navy Street to Dunn Street. This corresponds to the historically defined commercial area of the Old Town as it was laid out in 1833 by the town’s founder William Chisholm. Surrounding streets contained a mixture of
modest frame workshops and residential buildings. None of these workshops survive to the present
day, although some of the early residential buildings remain scattered throughout the study area.

Buildings associated with early settlement in the 1830 and 1840s are wood frame buildings, small in
scale and typically Classic Revival, Gothic Revival or Regency in style (See Appendix C for a glossary of
architectural styles). Some of these buildings were re-located and re-configured, and all were re-clad
at some time, with brick, stucco or modern siding. These changes often altered their original context
and use as well as resulting in the removal of original features.

In the 1850s and 1860s, wealthy merchants erected substantial and architecturally-impressive brick
commercial buildings on Lakeshore Road East. Remaining examples from this period are three to four
storeys tall and typically Italianate in style. None of the industrial or warehouse buildings associated
with the port and river have survived, with the exception of the Granary on Robinson Street. In the
1880s, two large brick churches were built on Dunn Street by the now well-established Methodist and
Presbyterian congregations that lived in the area.

The study area did not experience substantial growth until after World War II. Infill prior to this period
occurred on lots that became vacant due to fires or where large workshops associated with carriage-
makers, harness-makers, blacksmiths and other obsolete trades were demolished. Between 1906 and
1924 the Hamilton Radial Railway serviced the area, and a terminal that was built at the corner of
Randall Street and Thomas Street still survives.

The town’s first purpose-built post office was built in 1939 and located near the corner of George and
Lakeshore. The first purpose-built bank buildings were established on Lakeshore Road in 1910 and
1921. The sophisticated Beaux Arts style of these buildings brought a renewed architectural grandeur
to Oakville’s main street.

In the 1950-1970s, most new development was connected with the extension of the commercial area
on Lakeshore further east. Some of this development involved the conversion of existing residential
buildings for commercial use, or the building of new commercial buildings on land between existing
residential structures. Demolition provided opportunities for one and two storey commercial blocks
and large bank buildings at several intersections. The first large-scale developments appeared in this
period, including a large Post Office building at the corner of Church Street and George Street, and
two large multi-purpose civic buildings on the west side of Navy Street between Lakeshore Road and
Randall Street. A few large apartment complexes and office blocks also appeared at this time.

Recent development since the 1980s has primarily been associated with the construction of large
residential complexes, starting with the 10-storey Granary Apartments at the corner of Navy Street
and Lakeshore Road. During this period, some areas were drastically transformed, most notably along
Robinson Street and Church Street. Robinson Street was changed from a street lined with single
detached residences on large lots to one lined with multi-unit townhouses and condominiums.
Considerable development along Church Street includes the creation of large municipal parking lots, a
large multi-storey parking structure and several 4-5 storey condominium blocks that occupy entire
city blocks.

Early twentieth century infill is fairly unobtrusive, since the materials, scale and historically derived-
stYLES generally fit well with the earlier buildings. In contrast, mid-century buildings generally stand
out because of their large scale, use of modern materials and rejection of historical styles. Buildings
built since 1970 have been identified in the building inventory (See Appendix A and B) as contemporary in style. A large number of these buildings exhibit a conscious effort to imitate historical styles. Most of these buildings, despite their historically derived vocabulary, present a marked contrast in materials, scale and form to historic buildings in the study area.

2.4.1 Commercial built form
Commercial buildings are scattered throughout the area, with the exception of the south side of Robinson Street which is almost entirely residential, and the north side of Randall Street which is still largely residential in character. Surviving nineteenth-century and early twentieth-century commercial buildings in the study area are located on or near Lakeshore Road East. The majority of these buildings are two storeys, but there are also a few three-storey commercial blocks as well as a number of single-storey commercial buildings.

Nineteenth-century commercial buildings were built with residential quarters above. There are some surviving examples of early frame buildings, which are typically two-storeys with a gable end facing the street. These buildings originally had fenced yards and a complementary domestic character. The commercial area was located at the front, with residential quarters located in the back and on the upper floors. Surviving examples in the study area have been significantly altered over the years. They are typically Classic Revival or Italianate in style.

The other typical nineteenth-century commercial building found in the study area is the “two-part” commercial block, typically two or three storeys tall. The two-part division reflects differences in use inside and is characterized by a horizontal division between commercial uses at street level and other uses above. Surviving examples are of brick construction and Italianate in style with ornate cornices and decorative treatments around upper floor windows. The lower street level is configured for commercial use, with large windows to display merchandise. Shop-fronts have a recessed central door flanked by large display windows. A separate entrance to the upper floor(s) is located to one side of the shop-front.

Moderately-sized commercial blocks continued to be popular in later periods and there are a range of examples in various forms including two-part, one-part and arcaded blocks that range in date from 1900 to the present. Many of these are brick with subtle Italianate or Classical references.

2.4.2 Residential built form
Although most shopkeepers and their families in the nineteenth century generally lived above the store, there are a number of other early residential buildings in the study area associated with different groups. These residences range in date from the 1830s-1870s and are typically frame or frame with stucco with Classic Revival, Regency, Gothic Revival or Italianate features. Larger residences are associated with merchants and professional men. The more modest are connected with tradesmen and craftsmen associated with trades once common in the area. The brick row house on Reynolds Street is the only surviving example of this type of nineteenth century workers’ housing.

Around the turn of the twentieth century, a few large brick detached residences appeared in the study area. These houses are typically two-and-a-half storeys in height and are Queen Anne Revival or Edwardian Classical in style. There are a few small Arts and Crafts inspired bungalows on the south side of Randall Street which probably date from the 1920s or 1930s.
After this period, single-detached residential buildings are rare in the study area. Post-war expansion of the commercial area resulted in the conversion of a number of residential buildings for commercial use. High land prices influenced the development of large multi-unit residential buildings including town-houses (typically 2- and 3-storeys), condominium apartments (typically 4-6 storeys) and apartment towers (typically greater than 8 storeys in height).

The following section discusses in greater detail some of the conservation issues associated with changes in building function and the refinishing of wall surfaces and the introduction of new materials.

2.4.3 Building stock condition and integrity
As part of the heritage assessment report, an overview of the building stock condition contained within the study area was undertaken to ascertain any patterns of alterations, deterioration or maintenance issues related to both building type and component construction materials. This review will assist in providing conservation and design guidelines anticipated to be prepared as part of the heritage conservation district plan and guidelines.

2.4.3.1 Three centuries of building design and construction
Most nineteenth century village commercial cores have a building stock that represents a narrow window of time. Usually, institutional builders, such as the banks, have occupied intersection corners and constructed mid-twentieth century buildings, but otherwise contemporary architecture is not to be found. Oakville is unusual in that the vibrant commercial area along Lakeshore Road has examples of architectural styles, well executed, spanning three centuries.

The earliest common commercial buildings were two storey gable-roofed structures with their gable ends facing the street.

The William Busby Store, c 1881, has become Starbucks Coffee at 191-195 Lakeshore Road East
Historic photos from Oakville and the Sixteen, Hazel C. Mathews
A number of these still exist from the second quarter of the nineteenth century. These Gothic revival inspired buildings include Fraser Hardware, c 1834 (215 Lakeshore Road East) and Urquhart’s Medical Hall, c 1835 (182 Lakeshore Road East). Examples of this configuration lasted into the last quarter of the nineteenth century and includes William Busby Store, c 1881 (191A-195 Lakeshore Road East). Two storey commercial buildings, in a more vernacular style with horizontal parapets and decorative brick patterns at the cornice level became common. Farrah’s Bakery, c 1870 (174 Lakeshore Road East) is one early example. This style lasted well into the twentieth century with some mid-twentieth century buildings east of Trafalgar Road demonstrating the same characteristics. These have been referred to as the “two-part commercial block” (See section 2.4.1).

The late nineteenth century also brought some notable examples of Italianate inspired decorative commercial buildings at the south east corner of Navy Street and Lakeshore Road East; Oddfellows Hall, c 1883, on the corner and the Anderson Block, c 1887, next door to the east. The Oddfellows Hall is a particularly well restored example of this building type.
Nineteenth century commercial buildings were characterized by:

- 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 (typically 85% glazed on the ground floor). Two storey glazed storefronts were not possible.

- 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.

- Storefronts were generally defined by decorative surrounds which incorporated their own decorative cornice, pilasters and sign panels.

As twentieth century steel framing techniques and materials improved, larger spans were possible. Storefronts could span full width of the shop front without intermediate support. Second storey window openings could be wider with steel lintels that did not rely on arching masonry. The vernacular commercial building with storefront at grade and residential uses above continued well into the mid-twentieth century.

Most of the nineteenth century buildings of potential heritage value or interest are found west of Trafalgar Road along Lakeshore Road East. There are six early buildings east of Trafalgar fronting on Lakeshore Road. All are house forms, suggesting this area was originally residential, but now have been adapted for commercial uses. The infill that has occurred to complete these blocks contains some unusual juxtapositions of mid to late twentieth century architectural design.

302-304 Lakeshore Road East (following), a former residential dwelling now has a new commercial facade that incorporates a two storey glazed storefront with angular planes. It is set between a three storey brick building with a two storey storefront and a single storey multiple tenant building; both from the 1970’s.

305 Lakeshore Road East is a red brick dwelling now converted to restaurant use. Its side yard provides pedestrian access to the multi-tenant commercial addition to the rear and the three storey parking garage behind accessed from Church Street. A freestanding brick kiosk that appears to sell to the sidewalk trade has been built in front of the building.
315 Lakeshore Road East is a similar red brick late-nineteenth century house and has been enclosed on two sides with a one storey commercial addition and to the rear with a two storey addition that abuts the three storey parking garage at the corner of Allan and Church Streets.

In the twenty-first century, frameless structural glass storefronts provide increased commercial display area and allow greater flexibility in window dressing. This strategy has been applied to new as well as re-worked facades. **Touch de l’Afrique** at 229 Lakeshore Road East (below) has undergone a recent alteration that provides a plain dark stone surround to a full width glazed storefront. A decorative wood screen conceals the balance of the facade.

2.4.3.2 Overall structural condition

From the public realm, the overall structural condition of the building stock within the study area is good. The residences, commercial buildings and institutional structures that comprise the building stock are well cared for. The commercial enterprises are thriving with no evidence of any building left abandoned. The former Radial Station at Thomas and Randall streets is currently vacant, and is to be restored in the future. The former post office building is also currently vacant, and has recently been purchased by the Town of Oakville.

Very few buildings were displaying signs of lack of maintenance; peeling paint, shingles in need of replacement, broken shutters, etc. None of these showed signs of structural damage as a result of a lack of maintenance. There did not appear to be any buildings that have experienced subsidence. Even the former stone granary which sits in the river embankment and therefore would be expected
to have undergone some subsidence appears to be newly restored and with no signs of deterioration in the stonework.

2.4.3.3 Overall maintenance condition
Generally, windows, shingles and gutters have been replaced throughout the study area. Often, the only evidence of the heritage character of an altered or much changed building is an older window still remaining or an original brick chimney still visible above a roof line. These original building features are generally still in good repair.

There was no evidence of serious efflorescence (i.e. mineral deposits left by evaporated water) on brick buildings visible from the public realm. Spalling of brick (i.e. loss of brick surface) was very limited as well. The major challenge for maintaining the integrity of the building stock will be, in future years, if the large number of buildings treated with EIFS (Exterior Insulation and Finish System) show signs of failure (see EIFS figure, following).

Throughout the study area, there are many buildings that have been stuccoed, either originally with rough cast, or more recently with EIFS. These stucco installations show no evidence of the use of control joints to help control the locations of cracks in the wall surface. Furthermore, the EIFS installations tend to extend right down to the ground, which is technically not recommended, yet still there was no evidence of deterioration or discoloration. This speaks to the high degree of maintenance these buildings have enjoyed. It may also be a sign that sidewalks and driveways are not heavily salted and that downspouts are appropriately draining water away from buildings. No evidence of staining or streaking of wall surfaces from gutters in disrepair was evident. All gutters have been replaced with new materials and are in good repair and well placed for positive drainage away from buildings.

2.4.3.4 Alterations-major
A few of the buildings west of Trafalgar Road along Lakeshore Road East have been subject to major alterations. Most recently the 1910 Merchant’s Bank of Canada underwent a substantial restoration with a new addition at the rear. The original Lakeshore Road East and the Thomas Street facades were restored and the substantial rear addition was created with contemporary curtain wall construction. Where the Lakeshore Road facade was extended to the west, the new construction steps back to define the original corner of the building. The new Thomas Street facade is subdivided in a horizontal rhythm that reflects the narrow nineteenth century storefronts. This successful alteration conserves the original facades and adapts the building for on-going twenty-first century uses. Alteration of this scale is not, generally, reversible.

The alterations described previously at 302-304, 305 and 315 Lakeshore Road East each represent major alterations that are likely not reversible. While technically restoration to an earlier period would be possible, the cost and the loss of market value due to diminished size and street presence would be unreasonable for most owners.
2.4.3.5 Alterations-minor
Most of the commercial buildings within the study area have been altered in some way over the years. Change of occupancy will have, at a minimum, required changes to signage. What follows describes the common types of alterations, although minor by comparison to those major interventions noted above, that have the potential to diminish the appreciation of the heritage value of older buildings and damage the exterior fabric of any building.

The application of synthetic finishes has been a common solution, in most urban areas with nineteenth century buildings, to either freshen the appearance or create a new visual image for an aging building stock. Paint, cementitious coatings, prefinished metal or vinyl siding or, more recently, exterior insulation and finish systems (EIFS) may provide an economical ‘face lift’, but most come with a cost, not the least of which is that they conceal historic original material and detail.

Paint, particularly oil-based paints, reduces the ability of a masonry wall to dry and consequently increase the likelihood of spalling during winter freeze thaw cycles. While some would argue that a painted surface provides a level of protection from saturation during a rain, water may enter the structure in a number of other ways. Dampness in the ground adjacent to a masonry foundation can wick its way up through the masonry. Moisture can enter a wall from flashing leaks at roof level, old or improperly caulked joints around window and door opening and even high interior humidity’s where no vapour barrier exists in older construction. This moisture needs to be allowed to escape from the masonry in the drying cycle through the inherent porosity of the masonry and its mortar joints.

There are ‘breathable’ coatings and stains for masonry but these are relatively expensive products. Painting should be avoided and further guidance will be provided as part of the District Plan and Guidelines if a decision is made to proceed with their preparation.

Prefinished metal and vinyl sidings can have negative effects as well. It is inevitable that fastenings for these products, whether applied directly or over strapping, will damage original finishes where they exist underneath. If these products are installed to cover up deteriorating conditions, this is often done without correcting the original problem. Deterioration can continue out of sight.
Most recently, exterior insulation and finish systems have become popular. These systems generally consist of foam insulation mechanically or adhesively applied to a building wall. This substrate is then coated with a thin layer of acrylic based stucco like material. The finish acrylic coat can be reinforced with fibreglass in varying weights to suit the loads that might be placed on the surface. Early failures with these systems, whose popularity began in the 1980’s, resulted in the insurer carrying architect’s professional liability insurance to delete these products from the insurance coverage. Failures were primarily due to the fact that moisture that entered the wall system behind could not escape. Mould and other forms of deterioration were common as a result. “Vented” installation details were developed by the manufacturers of these systems and their popularity continues for residential and commercial buildings.

Paint can be removed from masonry with chemical strippers or a combination of chemical strippers and non-abrasive cleaning, such as the Joss System. More aggressive ‘sand blasting’ is not recommended and will damage a masonry substrate. This process is not inexpensive. Prefinished sidings can usually be quite simply removed. Damage to wood or masonry substrates will require repair but that should be minor in nature. EIFS can be removed as well. The success of EIFS removal depends on the method of attachment; the residue of adhesive applications may be difficult or impossible to remove and the mechanical attachment will require repair of fastener holes and flashing attachments.

It should be noted, with the removal of any of these products that if they were originally applied to conceal other forms of deterioration or overdue maintenance, those conditions will need to be addressed once exposed. Guidance on these conservation, maintenance and repair issues will be provided as part of the District Plan and Guidelines if a decision is made to proceed with their preparation.

2.4.4 Conclusion
As noted, the built heritage character of the study area consists of a range of building types and ages. These buildings provide a context for the historical development and construction of the building stock within the study area. Many buildings have undergone modifications over the years in order to accommodate new uses or simply to update the look, but there are a number of historic buildings remaining in the area. In general, the building stock is in good condition, which is a reflection of the level of maintenance undertaken as well as the vitality of the downtown area.

2.4.5 Heritage conservation district plan guidance
The heritage conservation district plan will provide detailed guidelines related to the maintenance and repair of existing buildings, as well as guidance related to new construction and sympathetic additions to buildings.
2.5  Landscape context and character

2.5.1  Introduction
The landscape context and visual character of the study area is the result of many combined elements: topography, soils, microclimate and two centuries of human intervention in creating a new cultural environment distinct and separate from the natural environment. This section of the study examines this context and character, and presents the results of the landscape inventory and assessment.

This evaluation assisted in determining the contribution of open spaces, vegetation and “hard” landscaping to the overall heritage character of the area. These elements include street trees, boulevards, building setbacks, building heights, parking, and views. Combined, these elements create a distinctive character that complements the existing variety of the building stock in the study area.

There are three distinct landscape forms within the study area:

- Designed urban landscapes,
- Urban open spaces including parking lots and vacant parcels, and
- The natural landscape of the river corridor.

The detailed results of the landscape survey are contained in Appendix B, and a summary is provided below in subsection 2.5.2.

2.5.2  Landscape character of the study area
As noted previously, the landscape character of the study area can be distinguished as three distinct areas, notably: designed urban streetscape; urban open spaces including parking lots and vacant parcels; and the natural landscape of the river corridor. The latter area is part of the framework which defines the northern border of the core area. The river corridor of Sixteen Mile Creek was the northern limit of settlements as indicated in early plans. The river is much lower than the table land of the core area, providing viewing opportunities from the north side of Randall Street. The visual relationship between the urban area and the river has remained unchanged in this part of the study area. In all other areas, the river is lower than the table land in which the commercial core is centred, and is not visible from the study area.

The designed urban streetscape of the blocks within the study area consists of a twentieth century pattern of street furniture, benches, decorative trash receptacles, street lights, street trees in tree grates and wells, and concrete sidewalks with decorative interlocking paver, borders and banding.

Historical photographs illustrate a streetscape pattern that has a similar emphasis on pedestrian amenities, such as a number of street trees and wide sidewalks. Within the private realm, enhancements to the streetscape have historically included colourful signage and storefront awnings that add visual interest, shade and a comfortable scale to the street. The designed streetscape is primarily concentrated on Lakeshore Road East. The streetscape features date from various late-twentieth century streetscape revitalization initiatives. None of the original street trees planted in the 1870’s remain.
Figure 2.7: In 1946 Lakeshore Road East balances the pedestrian environment with vehicular traffic. Note the angle parking on the south side.

Figure 2.8: The commercial character of the core in the 1950s is dominated by colourful signage, decorative light poles and shop front awnings. The streetscape design balances parking and vehicular traffic with wide sidewalks.

The urban open space, including parking lots and vacant parcels, has an impact on the visual character of the study area. The majority of these spaces are located north of Lakeshore Road East. There is one large, deliberately-created open space on Lakeshore Road East, located at the former road allowance.
of George Street. The pedestrian route following the former street alignment allows for a mid block access from the core area to the residential area to the south. Further, this access route, like all the north south streets, allows for a view of the distant Lake Ontario waters. These southern lake views are an important visual component of the study area.

Town Square, located between the former post office and George Street consists of a late twentieth century designed parkette with a sod central plaza suitable for public gatherings. This development is at a lower level than Lakeshore Road and is a rare example of public open space within the study area.

The street wall along both sides of Lakeshore Road East is generally uniform, with little opportunity for pedestrian seating areas. On the blocks north of Lakeshore Road, primarily on Randall and Church Streets, there are numerous vacant parcels of land which have been created on previously developed lots. Several of the parking lots that have been created have been designed with a landscape treatment along their boundary. An example is the low decorative stone wall located along the parking lot of the 1958 Post Office Building. Other property owners have used decorative fencing and plant materials to define their parking areas. These additions are important contributions to the pedestrian environment. They follow the historic pattern of providing amenities for pedestrians.

### 2.5.3 Conclusion
The landscape context and character of the study area is important in contributing to the significance of downtown Oakville. The commercial street wall (primarily along Lakeshore Road) is indicative of the historical development of the area, and provides an important context for the study area. The pedestrian environment (street landscaping, gathering places, etc) has been modified from the original form and does not have historic value.

Recommendations for guidelines in the Plan portion of work should focus on the enhancements of the commercial streetscape, the integration of appropriate infill development on the vacant parcels and the improvement of the pedestrian environment along parking lots.

Consideration should be given to improvements to site furniture, way finding signage and the street tree collection. Renewal of the vegetation collection and reconstruction of obsolete hardscaping should be planned through an Urban Design Master Plan or Streetscape Master Plan process for each of the key streetscapes.

### 2.5.4 Heritage conservation district plan guidance
The heritage conservation district plan will provide guidance for conservation and enhancement of these identified landscapes, their character and contributing features. It is anticipated that the guidelines will provide advice to private property owners and public authorities, most notable the Town of Oakville. Within the public realm, guidance will be provided on street tree removal and replanting, maintaining boulevards and other streetscape initiatives, most notable for Lakeshore Road East.
2.6   Land use character and policy review

2.6.1   Introduction
The special character of a conservation district derives largely from the heritage attributes of the physical environment: buildings, structures, surrounding spaces, and distinctive plantings such as tree lines and tree canopies. The designation of a heritage conservation district is intended to assist in the protection and conservation of these features and their attributes by maintaining heritage elements free from any adverse physical changes, and ensuring that new development complements the existing heritage resources within the area.

The control of physical change to properties, buildings and structures within a heritage conservation district falls under the purview of the Ontario Heritage Act. The use of lands and property, the configuration and placement of buildings on lots, and a variety of other provisions relating to physical development generally, is governed by a number of provisions under the Planning Act, such as Official Plans, Zoning By-laws, and Site Plan Control.

Policies and procedures affecting the use of lands and the siting of buildings and structures have direct and indirect bearing on the appearance and character of a heritage conservation district. For instance, planning initiatives encouraging new development either in or around a prospective heritage conservation district may well be in conflict with desired objectives for conserving and maintaining the special character of the district. Policies that permit or encourage offices, restaurants or other commercial uses in an area of distinctive residences will have repercussions on the physical fabric of these structures and their surroundings.

Fire escapes, signage, required car parking spaces, venting and air conditioning systems, increased commercial traffic all have the capacity to impinge upon and detract from the special qualities of heritage buildings and the spaces around them.

Accordingly, a number of planning policies and control mechanisms are examined in this section, including the Town of Oakville Official Plan (Livable Oakville) and Zoning By-law, to ensure that there is no conflict with conservation initiatives, as well as to identify opportunities to encourage sound heritage conservation district planning by advocating complementary changes to planning policies and guidelines. This section also includes information about other planning mechanisms applicable within the study area.

2.6.2   Study area land uses
The study area primarily consists of the traditional or core shopping area of the Town of Oakville together with adjacent residential districts. This results in a variety of land uses and varying built form, including commercial buildings, places of worship, recreation and open space close to Sixteen Mile Creek, single detached residences and tall apartment buildings. The main draw for visitors to the area is commercial activity, as evidenced by a variety of specialized shops and restaurants. The residential uses within the study area are located either above the various businesses, or in newer condominium apartment developments located within the study area. A detailed building inventory is contained in Appendix A and B, and the building condition (as found in Section 2.4) is generally good condition and well-kept.

The study area abuts Sixteen Mile Creek to the north and west, and there are a number of recreational uses present within this precinct. These include marinas, parks, trails, the lawn bowling club, and
tennis courts. There are also a number of Town facilities located within the western portion of the study area, including the Oakville Public Library (Central Branch) and the Oakville Centre for the Performing Arts, centennial pool, and a fire station (Station #3). As the study area is a significant draw for commercial activity, there are a number of off-street parking areas present, generally located to the rear of the main shopping areas.

2.6.3 Study area policy review

Municipal planning policies typically set the context for the broader pattern of development in any community, and are usually implemented by an array of more specific initiatives under the Planning Act and Municipal Act, such as zoning by-laws, site plan control, and property standards by-laws. The following subsections identify key policies and tools, and examine either potential for conflict with heritage conservation management or opportunities for change. Other municipal policies and guidelines, such as management and master plan documents relating to capital and other physical improvements will be more specifically reviewed as part of the heritage conservation district plan if it proceeds.

2.6.3.1 Halton Region Official Plan

The Halton Region Official Plan provides general land use guidance for the lands within its boundaries, and includes policies relevant to growth and development in the Town of Oakville. Halton Region concluded a review of their Official Plan, and the new policies were adopted by Regional Council in December 2009. The Official Plan modifications are currently being reviewed by the Ministry of Municipal Affairs and Housing. A review of the proposed changes did not identify anything that would significantly impact the study area. The current Halton Region Official Plan was approved in 2006, and remains in effect until the new Regional Official Plan is granted final approval.

The study area is predominantly designated as Urban Area in the Regional Official Plan. This designation permits a very broad range of uses, with the detailed land use provisions being left to the local municipalities.

Figure 2.9: Halton Region Official Plan Map 1 excerpts.
Map 3 of the Regional Official Plan identifies the various classifications of regional roads, and notes that Trafalgar Road, Lakeshore Road, and Randall Street are identified as Minor Arterial roads. Map 4 shows the right-of-way widths for the regional roads, but there are no specific widths given for Trafalgar Road, Lakeshore Road, or Randall Street.

Section 165 of the Regional Official Plan contains policies related to cultural heritage resources, and provides some overall policy guidance. Objectives contained in this section are focused on promoting awareness and appreciation of Halton’s heritage, and also promoting and facilitating public and private stewardship of Halton’s heritage. The policy directions contained in this section generally encourage the study and preservation of historic buildings and structures, and speak to incorporating buildings or structures in development proposals.

2.6.3.2 Town of Oakville Official Plan (Livable Oakville)
The Town of Oakville recently concluded a process to create a new Official Plan, and the current guiding document (Livable Oakville) came into force in May 2011. Livable Oakville was initially adopted by Council in June 2009, and approved by Halton Region in November 2009. The Livable Oakville Plan provides overall policy guidance related to land use decisions within the Town of Oakville.

The majority of the study area is designated Growth Area on the Land Use Plan (Schedule G) in the document. There are small areas designated as Natural Area (adjacent to Sixteen Mile Creek), Low Density Residential (south of Robinson Street and north of Randall), and Medium Density Residential (north of Randall). These areas are show on Figure 2.10 below.
It should be noted that the area designated Growth Area on Schedule G is also designated as Central Business District on Schedule Q of the Livable Oakville Plan.

Policies regarding Growth Areas are contained within Part E of the Livable Oakville Plan, and specific policies to downtown Oakville are found in Section 25 of the Plan. It is noted in the introduction of Section 25 that Downtown Oakville is the Town’s historic business and commercial area adjacent to Oakville Harbour and that it is a destination for residents and visitors. It is further noted that the area is characterized by many historic commercial buildings, churches and homes and surrounded by older residential neighbourhoods. The introduction also notes that although the downtown is identified as a Growth Area, new development is to “recognize and enhance the existing vibrant mix of commercial, residential, cultural and institutional uses which contribute to its unique heritage character and sense of place.”

The goals and objectives speak to the downtown providing a broad range of uses, encouraging mixed-use buildings, and maintaining the downtown as a vibrant area. A high level of urban design is promoted to contribute to the look and feel of the area. The protection and enhancement of the historic importance of downtown is highlighted, and it is noted that this will be achieved through integrating cultural heritage resources with new development, requiring new development to be compatible and complementary with adjacent uses, and minimizing the impacts of new development.

It is noted in Section 25.3 that the Central Business District designation is intended to accommodate new retail, service commercial and residential uses through intensification. Section 25.4 states that the maximum building height shall be four storeys for the downtown area, and that development shall be of a high quality design that considers the integration of new and existing buildings as well as facade treatment. Related to actual growth numbers, it is noted in 25.4.4 that an additional 80 residential units can be accommodated within downtown Oakville.

Section 11.2 contains policies regarding the Low Density Residential designation, and it is noted that a range of low density housing types are permitted. This includes detached dwellings, semi-detached dwellings, and duplexes at a density up to 29 units per hectare.

Section 11.3 contains policies related to the Medium Density Residential designation, and provides for a range of medium density housing types (including multiple-attached dwellings, stacked townhouses, and apartments) that are permitted at a density of between 30 and 50 units per hectare.

Section 13.2 of the Livable Oakville Plan contains policies related to the Central Business District. It is noted that this area is intended to serve as a downtown centre with a main street function, and at the same time also provide community shopping facilities for the surrounding communities. Permitted uses include a range of retail and service commercial uses appropriate to a main street, pedestrian-oriented function. Office, hotels, convention centres, entertainment and recreation uses and similar functions may be permitted, as well as residential uses up to four storeys in height. Section 13.2.2 prohibits drive-through facilities, automobile sales and automobile related uses, including automobile service stations, although it is noted that the section remains subject to appeal at the Ontario Municipal Board.

Section 8 of the Livable Oakville Plan contains policies related to transportation. Various aspects of transportation are addressed, including the transportation network, road classification, rights-of-way, future road projects, different transportation modes, parking, and noise and vibration.
Schedule D identifies the various classifications of roads within the study area. Not all roads in the town are identified, however the roads that are identified are either classified as Minor Arterial (Trafalgar Road, Reynolds Street, Lakeshore Road, Church Street, and Randall Street) or Minor Collector (Robinson Street, and portions of Trafalgar Road/Allan Street/Navy Street south of Lakeshore Road). Right-of-way widths are identified on Table 5 of the Livable Oakville Plan, and there is little change planned. In general, road widths are either staying the same as they currently are, or subject to special right-of-way widths to be determined through specific studies. The Heritage Conservation District Plan (if proceeded with) will further investigate the road network and streetscape and provide appropriate guidance. This will complement current work underway by the Town to implement the Downtown Oakville Strategic Action Plan, including the Transportation, Access and Mobility Study, and the Downtown Oakville Culture Master Plan. The study team also understands that there will be work undertaken by Town Staff that will make overall recommendations for road improvements and streetscape enhancements.

Section 5 of the Livable Oakville Plan contains policies related to cultural heritage. The overall objectives of this section provide for the safeguarding and protection of heritage resources through the use of available tools, as well as the promotion of cultural heritage initiatives. It is further noted that "The Town will use the power and tools provided by legislation, policies, and programs, particularly the Ontario Heritage Act, the Planning Act, the Environmental Assessment Act, and the Municipal Act in implementing and enforcing the cultural heritage policies of the Town."

Section 5.2 sets out the various actions that the Town will undertake to protect and conserve cultural heritage resources, and matters such as: maintaining a register of cultural heritage resources; designating cultural heritage resources; establishing heritage conservation districts and adopting heritage conservation district plans; establishing guidelines for the management of resources; and designating cultural heritage landscapes are noted.

Section 5.3 addresses a number of ways in which the Town will encourage the conservation of heritage resources. It is noted that the character of Heritage Conservation Districts shall be preserved, maintained and enhanced through the careful consideration of plans for change within the district, and that the Heritage Conservation District Plan would guide the review of development proposals. Adjacent properties to those designated under the Ontario Heritage Act are also addressed, and it is noted that a heritage impact analysis may be required where development is proposed adjacent to or in the immediate vicinity of properties designated individually or as part of a district. Other policies of interest within Section 5.3 include direction to conserve and enhance the scenic character of Lakeshore Road (5.3.8), and direction to develop a set of criteria for determining trees of cultural heritage value (5.3.10).

2.6.3.3 Town of Oakville Zoning By-law
The study area is predominantly zoned for commercial purposes, and is identified as C3R. There are open space (O1, O3) zones located near Sixteen Mile Creek, and also just north of the study area along Trafalgar Road. There are various pockets of residential uses located throughout the study area (R4, R04, R8, R08, R9). The zoning for the study area is shown on Figure 2.11 (following).
Permitted uses within the C3R zone include a very broad range of commercial uses, as well as various types of residential uses (such as detached, semi-detached, multiple-attached, maisonettes, and apartment) either free-standing or in combination with commercial uses. The maximum building height is listed as 13.5 m, or four storeys, however there are portions of the study area (northeast) where this is further reduced to 10 m above grade (3 storeys). There is no minimum front yard identified for commercial uses, however for residential or commercial-residential uses the minimum front yard is identified as 4 m. There are some additional regulations permitting a 0 m front yard along Lakeshore Road as well.

The various residential zones permit different types of residential development, and are generally related to specific development projects. The permitted building heights range from 9 m – 12 m. Setbacks generally range from 6.0 m to 9.0 m for front yards, but there are provisions within the residential regulations permitting some flexibility related to front yard setbacks to ensure a consistent streetscape.

The open space zones (O1, O3) permit a limited range of recreational and institutional uses that are operated by public authorities. These include public parks, stadia, arenas, schools, day care/day nursery, parking facilities, group homes, a foster home, and bed and breakfast in a detached dwelling. The maximum building height permitted is 10.5 m.

It should be noted that the Town of Oakville has initiated a comprehensive update to the current Zoning By-law 1984-63 called “InZone” to implement the new Livable Oakville Official Plan. Any recommendations related to zoning coming out of a future Heritage Conservation District Plan could be used to inform the “InZone” project.
2.6.3.3.1 Heritage conservation district plan guidance

There is potential for future development within the study area, and it appears that the zoning permits uses that are generally in keeping with the character of the area. The study team will further review zoning regulations as part of the Heritage Conservation District Plan (if one is prepared) and may make recommendations to assist with maintaining the character of the study area.

In particular, there will be further examination of building heights within the proposed district. Approximately 70% of the building stock comprises two-stories or less. Options for managing building height include: zoning for a specific maximum building height and allowing height increases through a Council-approved heritage permit; or determining a “datum” line on building façades, above which appropriate building setbacks may be established in the zoning by-law.

As there are a variety of alternatives and not necessarily any single correct answer, this will be more fully discussed and informed by community consultation as part of the Heritage Conservation District Plan and Guidelines.

2.6.3.4 Site Plan Control

In some heritage conservation districts, it has become a standard practice to use Site Plan Control provisions authorized under the Planning Act to complement the development review mechanisms of the Ontario Heritage Act.

In some municipalities, any property designated under the provisions of the Ontario Heritage Act is subject to Site Plan Control pursuant to Section 41 of the Planning Act. Development which involves new construction, or making alterations or additions to an existing building or structure to allow a substantial increase in size or usability requires the approval of municipal Council (unless authority has been delegated).

Site Plan Control allows the municipality to require facilities or improvements to the subject site, and in particular address matters such as landscaping and some architectural details (such as elevations) in the review of the proposed development of a property.

Whereas the provisions of the Ontario Heritage Act are concerned primarily with the details of changes to properties as a means to conserve the character of the property, site plan control seeks to ensure that an acceptable standard of site amenity and maintenance is achieved. Site Plan Control and heritage conservation district permits have considerable potential to complement each other, although procedures and differing time spans for processing applications may be considered cumbersome.

The entire Town of Oakville is designated as a Site Plan Control area under By-law 2005-062. Classes of development identified as requiring site plan approval include the following:

- All medium and high density residential development, including a residential building containing 25 units or more;
- All development in residential zones comprising 24 dwellings or less that occurs on: a lot where site plan approval was required as a condition of another approval, a lot created by consent, a lot zoned R01 – R10;
- All non-residential development in residential zones;
- All development in commercial zones including residential development in a C3R or other commercial-residential zone;
- All development on properties within 50 m of the Lake Ontario shoreline;
- All development within Community Improvement Areas;
- All development in employment or industrial zones;
- All development in open space, public use, agricultural, or parkway belt zones.

Accordingly, the majority of the properties within the study area are already subject to Site Plan Control, given that most of the lands are zoned C3R. The heritage conservation district plan (if prepared) will describe appropriate procedures for ensuring that approval procedures under Site Plan Control and the Ontario Heritage Act proceed expeditiously.

### 2.6.3.5 Property Standards By-law

The Town of Oakville has a Property Standards By-law (2007-100), which provides general direction related to property maintenance. The By-law addresses various matters, such as structural adequacy, foundations, walls, columns, beams, floors, roof slabs, balconies, roofs, stairs, heating and ventilation, and mechanical aspects. Standards are also included for yards, lighting, fences, and vacant properties.

There is a separate section dealing with heritage properties designated under Part IV or Part V of the Ontario Heritage Act. The focus of these standards is protecting the heritage attributes of buildings, maintaining the property in a manner to ensure protection of the heritage attributes, and obtaining a permit prior to performing required work. There are also sections guiding repair of properties, replacement of heritage attributes, clearing properties, and vacant properties.

### 2.3.6.6 Sign By-law

The Town of Oakville has a Sign By-law (2006-005), which contains information and regulations related to the installations of signs. The Sign By-law addresses various types of signs, and describes what signs are permitted to be installed within the various zones of the town. There are a number of sign types permitted within the C3R zone (which covers the majority of the study area), such as ground and landscape signs, fascia signs, awning signs, banner signs, and projecting signs. Some sign types have specific regulations for the C3R zone.

It should also be noted that through the recent delegation of authority under the Ontario Heritage Act, the Town of Oakville is permitted to issue permits related to new or modified signage without having to proceed through the formal Heritage Permit process. The two processes can therefore complement each other.

### 2.6.3.7 Potential development issues

The study area is characterized by a variety of commercial, residential and institutional land uses. There have been a number of recent development projects constructed within the downtown area, and these have resulted in more people living and working in the core area. It is conceivable that there will continue to be some development pressure within the area, with new construction occurring on currently vacant lots or through demolition of existing structures and their redevelopment.

Vacant lots and infill development can present challenges within established areas, as there is the potential for new building forms to be out of character with the existing development. There are a
number of vacant and underused lots within the study area, including a number of parcels currently used for parking in conjunction with downtown businesses. The Livable Oakville Plan generally encourages intensification and infill development within the downtown, and it is therefore expected that there will continue to be development opportunities within the area.

Although the designation of all or a portion of the study area as a heritage conservation district may regulate demolition, the district guidelines (if prepared) will provide guidance on matters such as building height, setbacks, construction materials, and roofing to help ensure that any proposed development is compatible with the surrounding area.

Development adjacent to a heritage conservation district can be as important as development within a district. Adjacent lands may be of interest for future heritage designation, and unsympathetic development of lands adjacent to a district could affect the character of the district itself. Height, building type, use, and the protection of public views and vistas are important potential considerations. It is important for development adjacent to heritage conservation districts to be sympathetic to the district itself, and one way to ensure this is to prepare an impact assessment statement that describes the development, area potentially impacted, description of effects, and any necessary mitigation. This can be thought of as similar to the way in which environmental features are assessed as part of development proposals. The Town of Oakville provides some guidance in this respect in the Livable Oakville Plan. The district plan will examine this aspect further and may make appropriate recommendations to refine existing policies that guide the preparation of impact statements as well the requirements of the Provincial Policy Statement 2005.

2.6.3.8 “Adjacency” under the Provincial Policy Statement, 2005

During the course of public consultation in presenting the Preliminary Draft of this Heritage Assessment Report, the matter of “adjacency” was raised as it pertains to potential effects on the development of property that is adjacent to a designated heritage conservation district under Part V of the Ontario Heritage Act and the potential requirements for the preparation of a heritage impact assessment.

The Province has refined policy guidance for land use planning and development matters in the Provincial Policy Statement, 2005 (Under subsection 2.6, Cultural Heritage and Archaeology). The Provincial Policy Statement (PPS), prepared pursuant to Section 3 of the Planning Act and in particular the provincial interest in cultural heritage identified in Subsection 2 (d) of the Planning Act includes the following provision:

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.

A number of supporting definitions accompany the PPS that assist in the interpretation of these cultural heritage management policies, 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.

Policy 5.3.4(b) in Livable Oakville, Town Of Oakville, Official Plan, 2009, also requires a heritage impact analysis where development is proposed “adjacent to, or in the immediate vicinity of, the boundaries of a Heritage Conservation District.”

In response to public concerns about “adjacency” and potential requirements for heritage impact assessment or analysis the consultant team has reconsidered the delineation of the heritage conservation district boundary at its eastern limit, notably 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 has been reduced to only include a portion of Lakeshore Road East to the west of Dunn Street.

This satisfies the concern of the consultant team of still including a portion of Lakeshore Road East to assist in focusing any related streetscaping improvements that may be considered as part of Phase 2 work (i.e., the District Plan and Guidelines). For adjacent property owners, it also assists in reducing the number of properties that would be subject to the “adjacency” policy. As an additional precaution and to assist in clarifying when a heritage impact analysis is required, it is proposed that in the District Plan and Guidelines it will 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 their property as it pertains to effects upon the public road right-of-way.
The consultant team is of the opinion 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.

### 2.6.3.9 Heritage conservation district plan guidance

In order to ensure that there is no conflict between planning and development objectives and the pursuit of sound heritage conservation and management, the heritage conservation district plan, if Council directs that one be prepared, will identify appropriate changes to the Town of Oakville policies and By-laws, as well as outline any new measures to be pursued. These potential policy revisions are outlined in further detail in Section 5 of this study.

### 2.7 Heritage conservation and financial incentives

Currently the Town of Oakville has no regular funding initiatives in place that can assist in the implementation of its heritage conservation programs for properties designated under Parts IV and V of the Ontario Heritage Act. The Town of Oakville has received a one-time contribution of $40,000 from the Davis-Minardi Home Corporation for the establishment of the Oakville Heritage Fund, which could form the foundation of a reserve account for a heritage incentive program in Oakville.

Municipal heritage conservation activities typically comprise two fundamental components: firstly, a system for regulating changes to the cultural heritage resource usually through a formal process of designation and subsequent permit approval and secondly, a complementary program of financial assistance to assist in conserving heritage resources and their component features and materials. Balancing the “carrot and stick” approach to conservation is usually an uneven process with municipal regulation remaining relatively consistent while financial incentives varying depending on sometimes irregular municipal or provincial budget commitments that may change from year to year.

The authority to provide financial incentives to heritage resource conservation is established under both the Ontario Heritage Act and the Municipal Act. Sections 39 and 45 of the Ontario Heritage Act provide that municipalities may establish by-laws to make grants or loans to owners of designated heritage properties and Section 365.2 of the Municipal Act makes provisions for enabling municipal tax rebates to such properties.

#### 2.7.1 Municipal tax incentives

In 2001, the Province enacted legislation allowing municipalities the ability to provide property tax relief to heritage buildings. The program is discretionary (i.e., municipalities are not required to offer this type of property tax relief), however if established, the tax relief (which can be either in the form of a property tax reduction or refund) must be between 10 and 40 percent of the taxes levied on the property. The Province funds the education portion of the tax relief. The definition of an “eligible heritage property” as per section 365.2 of the Municipal Act, 2001 is:

A property or portion of a property,

a. that is designated under Part IV of the Ontario Heritage Act or is part of a heritage conservation district under Part V of the Ontario Heritage Act,

b. that is subject to,

i. an easement agreement with the local municipality in which it is located, under section 37 of the Ontario Heritage Act,
ii. an easement agreement with the Ontario Heritage Foundation, under section 22 of the Ontario Heritage Act, or

iii an agreement with the local municipality in which it is located respecting the preservation and maintenance of the property, and

c. that complies with any additional criteria set out in the by-law passed under this section by the local municipality in which it is located.

The additional criteria as stated in (c.) could potentially include such matters as: the property being in a sound and habitable condition (therefore excluding vacant/derelict properties), not subject to any municipal or provincial contraventions, work orders, outstanding municipal fines or tax arrears. The municipality may also apply different percentages of tax relief to different property classes or types of properties and may specify a minimum or maximum relief amount.

As the tax rebate or refund is only applicable to the portion of the property that is designated and has an easement, the Municipal Property Assessment Corporation (MPAC) would be required to determine the portion of the property’s assessment that would be eligible.

In isolation, the Heritage Tax Rebate Program appears to be a useful tool to provide tax relief to owners of heritage properties, in recognition of the popularly perceived added cost of conserving these valuable properties. Several municipalities have established this rebate program (e.g., Kingston, Toronto, Markham, Thunder Bay, Kitchener and Cornwall), however, with the exception of Toronto, the amount of relief is not very significant. Unless specifically included in the program criteria that the applicant must provide details on the anticipated work and a method by which to confirm this, there is no measurable way of ensuring that the tax rebate would be used to preserve the heritage features of the property.

Added costs in administering a heritage tax rebate program include negotiating individual heritage conservation easement agreements on a property by property basis, registering these on title, establishing a base year of building condition (usually by photographic and documentary recording) and subsequent yearly monitoring of conditions to ensure compliance with the easement agreement and consequent release of funds.

2.7.2 Loans
Heritage loans may be organized and administered in a similar manner and under the same circumstances as grants. The fundamental difference is determining an appropriate interest rate (from interest free to a rate below that of current commercial interest rates) and establishing administration fees. The most notable disadvantage of a loans program is the internal administration costs of managing such a municipal initiative, often involving staff time of the legal and financial departments.

2.7.3 Grants
Heritage grants are usually the most manageable of all financial incentives. Capital budget allocations are typically made in a municipality’s budgeting process. Ideally a program commitment of at least three to five years is beneficial so that the local community and property owners can plan within a known framework. The 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 industrial and so on), building features (roofs, foundations, or windows) or specific areas within a municipality such as brownfields or heritage conservation districts.
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 a re-roofing 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.

### 2.7.4 Conclusions

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.

Heritage grants or loans specifically target restoration and conservation efforts and 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 property standards.

### 2.7.5 Heritage conservation district plan guidance

The heritage conservation district plan will provide clearer direction on a successful strategy of financial incentives through a system of heritage grants.

### 2.8 Sources

#### 2.8.1 Primary Sources

*Beautiful Oakville* (Oakville; J.E. Commins, 1897).


#### Maps and Plans

- 1833 Plan of Oakville
- 1835 Palmer Plan of Oakville
- 1877 Plan of Oakville
- 1910 Goad’s Fire Insurance Plan
- 1949 Underwriters’ Survey Bureau Fire Insurance Plan
- 1967 Underwriters’ Survey Bureau Fire Insurance Plan
2.8.2 Secondary Sources

Architectural Guides

Historical Background
Creighton, Sheila. *The Oakville Book; Oakville Then and Now.* (Oakville: Rubicon Publishing Inc., 1993)
Mathews, Hazel C. *Oakville and the Sixteen; The History of an Ontario Port* (Toronto; University of Toronto Press, 1953, reprinted 1994).
Young, Cecil. *Oakville’s 100 Years 1857-1957.* (Oakville: 1957).

Pamphlets and Brochures

Websites
3.0 HERITAGE CONSERVATION DISTRICT DELINEATION: A RECOMMENDED BOUNDARY

3.1 Introduction
The Ontario Ministry of Tourism, Culture and Sport has noted in its published guidelines “Heritage Conservation Districts: A Guide to District Designation Under the Ontario Heritage Act” that a heritage conservation district typically displays a number of characteristics:

“A concentration of heritage buildings, sites, structures; designed landscapes, natural landscapes that are linked by aesthetic, historical and socio-cultural contexts or use.

A framework of structured elements including major natural features such as topography, landform, landscapes, water courses and built form such as pathways and street patterns, landmarks, nodes or intersections, approaches and edges.

A sense of visual coherence through the use of such elements as building scale, mass, height, material, proportion, colour, etc. that convey a distinct sense of time or place.

A distinctiveness which enables districts to be recognised and distinguishable from their surroundings or from neighbouring areas.”

The Town of Oakville’s Official Plan is generally silent on any criteria or characteristics that would need to be met in order to qualify for district designation. Accordingly, any recommendation concerning the prospective delineation and designation of a district must be considered in the context of the provincial advice noted above. The following section summarises the key characteristics of the study area.

3.2 Summary of the Downtown Oakville study area character
As described in Section 2, the study area contains a number of distinctive features and attributes. Key amongst these is the Lakeshore Road corridor and its component built heritage features and associated road right-of-way. The corridor is located 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. While the underlying topography has its roots firmly established in the post-glacial landscape, it is human activity from the early nineteenth century, twentieth century and twenty-first century that has also contributed to the appearance of the current-day urban landscape. The early bridging point over the Sixteen-Mile Creek, witnessing a variety of spans over the past 170 years, is still in existence today and remains an important gateway to the community.

This early nineteenth century crossing area and table land quickly assisted in the establishment of the Oakville settlement area as a thriving setting for industry and commerce. Several buildings remain from this period of the 1830s to 1850s. As the settlement boomed, Colborne Street, (later Lakeshore Road) became populated by new structures 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.

Residential structures developed in more modest ways with wood frame and brick predominating as building materials with the Regency, Gothic Revival, Queen Anne Revival Edwardian Classicism, and Arts and Crafts all being used at one time or another. Vernacular building was also used extensively.
whereby no explicit “style” can be readily identified yet architectural elements or motifs were borrowed from some of the named design types.

3.3 District boundary delineation
The delineation of the district boundary (See Figures 3.1 and 3.2) has been based upon the results of analysis contained in Section 2 and those characteristics identified by the Ontario Ministry of Tourism, Culture and Sport, notably: structuring elements, concentrations of cultural heritage resources, visual coherence, and distinctiveness.

The boundary of the proposed heritage conservation district is markedly reduced from the area originally identified as the study area approved by Council. Its delineation has attempted to follow wherever possible private property boundaries, public road rights-of-way, distinctive features or simply lines of convenience (specifically in crossing over the public road right-of-way) where known points are joined by straight lines. The proposed district boundary delineation has also always been mindful of those four characteristics identified previously and are reviewed in greater detail below.

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

Since the 1830s, the settlement of Oakville was planned around a grid network of streets and roads which established the overall pattern of settlement. This form of settlement was not unusual in many early lakeside settings where the mouth of a river or creek and the ever-present lake shoreline provided easily definable and often constraining or formidable barriers to easy expansion. While Lake Ontario to the south and the Sixteen Mile or Oakville Creek to the west and north proved clearly definable limits to early settlement on this table land, it was the Lake Road, later Colborne Street and even later Lakeshore Road that provided the key spine from which the surrounding grid of streets hinged upon.

As waterborne craft and lake travel slowly declined in favour of routes across land, this critical linear component was enhanced over the decades and centuries with the establishment of a successful bridging point, first as a relatively low-level, bottom of bank, valley bridge crossing of the Sixteen Mile Creek to the high-level span now evident today. As with many bridges, the Lakeshore Road span affords commanding views not only of the Creek but provides a prominent entranceway and exit to and from the downtown. It was around this spine that commercial buildings first aligned themselves with the remainder of the street grid slowly filling in on the north and south sides with a variety of stone, frame and brick residential structures, together with other community enterprises such as places of worship.
Figure 3.1: Area attributes of heritage value: street grid layout
3.3.2 Concentration of heritage resources

The presence of the grid framework, however, is not enough upon which to solely and firmly establish a heritage conservation district. The provincial guidance clearly points to the obvious notion of the “framework”, in this case the grid plan and creek presence, being complemented by a concentration of heritage buildings, sites, structures, and designed and natural landscapes.

While Lakeshore Road is in itself a heritage feature with historical associations that reach back over 170 years, much of the study area has witnessed considerable change. Review of the Fire Insurance Plans from 1910 to 1969 reveals a pattern of development with two quite discernible threads: firstly one of the establishment, consolidation and maintenance of the nineteenth and early twentieth century commercial street wall along Lakeshore Road from Navy Street to Dunn Street and beyond to Allan Street; and secondly the transformation of the former rear service areas of the commercial uses and surrounding residential areas. These residential areas surrounding Lakeshore Road were typically characterised by single buildings occupying single lots along Robinson Street in the south and along Church and Randall Streets to the north. Over the years many of these smaller lots were consolidated to form larger parcels of land used either as parking lots or occupied by terraces of residential townhousing.

This form of attrition with its loss of former building fabric and replacement with new building forms has resulted in concentrations of heritage buildings that still retain some of their integrity, both in materials and in form in just a few definable areas. This concentration is based primarily along Lakeshore Road from Navy Street to midway between George and Dunn Streets, characterised by the street wall of commercial buildings; and the connecting streets of George and Thomas, northwards to Randal Street and the banks of the Sixteen Mile Creek. These latter streets provide important physical linkages between Lakeshore Road and the Creek, tying together two key defining framework components. The Thomas Street intersection contains a grouping of modest vernacular frame and brick structures including the Scout Hut and former electric radial station at the intersection with Randall Street. The George Street intersection is characterised by modest vernacular frame structures on the north side of Randall with the Canada Post building and parking area anchoring the south side of Randall Street.
Figure 3.2: Area attributes of heritage value: built heritage
3.3.3 Visual coherence of study area

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.

Of particular note is that the overall character of the proposed district is distinguished by 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. All provide a distinct sense of place. The absence of parkland or other large defining open space, (found elsewhere, such as St. George’s Square adjacent to Trafalgar Road and parkland associated with the Erchless Estate and the Lake Ontario shoreline), while usually considered a detriment in terms of overall community amenity value simply serves to reinforce the cohesiveness exhibited through building form and the public road rights-of-way.

There are several pedestrian amenities that contribute to the visual coherence of the study area. These pedestrian amenities include the stone wall at the site of the former post office (at George Street and Randall Street), landscaping along George Street (south of Lakeshore Road), and the pedestrian environment created by the commercial storefronts along Lakeshore Road East.

Another important aspect of the visual coherence of the study area is the views from the study area to the surrounding landscape. These include the views towards Sixteen Mile Creek from Randall Street, views south towards Lake Ontario, and the street wall along Lakeshore Road East.
Figure 3.3: Area attributes of heritage value: pedestrian amenities
Figure 3.4: Area attributes of heritage value: historic views to lake and river, and historic street wall
3.3.4 Distinctive character

Together, all of the forgoing attributes combine to create an environment and landscape of *distinctive* character. Certainly the Creek to the west and north with its steep sided banks contribute to the idea 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 the residential area of Robinson Street and residential lands to the south. Importantly, the area from Navy Street to midway between Dunn and George Streets contains commercial heritage buildings that are distinct from those commercial buildings to the east which tend to be of more recent origin, much altered and with less architectural detailing.

Figure 3.5: Area attributes of heritage value: complete overlay of district
3.4 District boundary definition
The proposed heritage conservation district boundary is shown in Figures 3.1 and 3.2 and, as discussed previously, follows the established early nineteenth century gridwork of streets. Commencing at the west end of the district the boundary contains the road-right-of-way and intersection of Lakeshore Road and Navy Street, including a small portion of the landscaped area associated with the Oakville Public Library. It is anticipated that this will form the basis of the area as an enhanced gateway to be addressed as part of the Conservation District Plan and Guidelines.

The boundary on both the north and south side of Lakeshore Road East typically runs along the rear of those lots and properties fronting on Lakeshore Road East. At intersections with north-south streets, notably Navy, George, Thomas and Dunn the boundary extends into those streets and follows the established road right-of-way. This allows for potential streetscaping initiatives and matters of design and implementation to be addressed in the District Plan if one is prepared. In particular, wayfinding and promoting enhanced pedestrian linkages from the commercial core to the Lake Ontario shoreline, Sixteen Mile Creek and nearby heritage conservation districts will be critical areas for future consideration.

At the intersection with both George and Thomas Streets the boundary generally extends northwards to meet the bottom of bank on the south side of the Sixteen Mile Creek River. The delineation of the boundary is established at the rear of property lines with buildings fronting on George and Thomas Streets as well as properties fronting on the intervening east–west alignments of Church and Randall Streets. The potential district in this area contains a number of private and public parking lots, as well as a variety of building types, including the former Canada Post building, Masonic Hall, Fire Hall and radial station.

As noted previously, the proposed district boundary excludes a number of roads, streets and areas that were originally part of the Downtown Oakville Heritage Conservation District study area. Although they do form part of the original structure of the 1835 grid plan associated with early settlement, those other qualities that are critical in sustaining district character specifically a concentration of heritage buildings, visual coherence and distinctiveness are considered to be either lacking or of insufficient strength to support their inclusion. Many of these streets contain only a few heritage buildings which are generally isolated from one another and do not form a coherent group. These streets are summarised as follows:

- Lakeshore Road east of Dunn Street contains an eclectic grouping of commercial buildings which have been altered since their original construction;
- Robinson Street, which comprises predominantly construction of more recent origin with only a few number of heritage properties;
- Dunn Street, is also characterised by a collection of building types and forms with a scattering of heritage properties;
- Trafalgar Road, comprising a mix of recent construction with a small number of heritage properties, many of which have been substantially altered;
- Reynolds Street, comprises a mix of recent construction with substantially altered heritage properties; and
- The west side of Allan Street comprising a mix of recent construction.
Figure 3.6: Preliminary proposed Heritage Conservation District Boundary (April 2012) within context of original study area
Figure 3.7: Preliminary proposed Heritage Conservation District Boundary (April, 2012) showing street numbers
3.4.1 Public consultation and district boundary re-definition

Following public consultation on the preliminary draft of this heritage assessment report and comments respecting the matter of development adjacent to designated heritage properties (See subsection 2.6.3.8, “Adjacency” under the Provincial Policy Statement, 2005), the consultant team in consultation with Town staff amended the proposed heritage conservation district boundary to exclude portions of the road rights-of-way of Lakeshore Road East and Dunn Street. For property owners adjacent to the public road-right-of-way, this assists in reducing the number of properties that would be subject to the “adjacency” policy prescribed in the Provincial Policy Statement and the Town’s Official Plan. As discussed in subsection 2.6.3.8, “Adjacency” under the Provincial Policy Statement, 2005 it is proposed that the District Plan and Guidelines will clearly state 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 their property as it pertains to effects upon the public road right-of-way.

A portion of Lakeshore Road East immediately to the west of Dunn Street remains part of the proposed district. This will help the Town in promoting a comprehensive and coherent streetscaping program of improvements and works from the intersection of Navy Street through to the Dunn Street intersection. These intersections are also important as prospective entrances and exits to the proposed district. Such locations provide opportunities for enhancements as “gateways” or other embellishments with design motifs related to wayfinding.

It is also anticipated that any future Town-initiated streetscaping program along Lakeshore Road to the east of Dunn Street (and not part of the proposed heritage conservation district), would also be informed by design themes or motifs developed as part of the district. These could be carried through eastwards in their entirety or implemented in a series of new design themes and features.
Figure 3.8: Amended proposed Heritage Conservation District Boundary (May 2012) showing street numbers
3.5 Conclusions
The proposed boundary appropriately contains a majority of properties of cultural heritage value, whether buildings, structures and streetscapes, that together, provide a rationale for the designation of this area as a heritage conservation district under Part V of the Ontario Heritage Act. Within the proposed district there are 60 inventoried properties or parcels of land containing 82 buildings or structures with street addresses (See Appendix A).

Of these 60 inventoried properties:

- 24 are designated under Part IV of the Ontario Heritage Act;
- 12 are listed in the Town of Oakville’s Register of Property of Cultural Heritage Value or Interest as non-designated property;
- 11 are considered to be of cultural heritage value and identified through this study inventory; and,
- 13 are considered to be of contemporary construction.

Accordingly, approximately 78% of the properties (and 82% of buildings or structures) within the proposed district are of cultural heritage value.

Inevitably the proposed district contains a number of properties and features that do not readily fall into the category of “cultural heritage” and are of more recent origins. Most, if not all designated heritage conservation districts in Ontario, contain contemporary buildings and spaces and it is not unusual to find these features co-existing with cultural heritage resources. Appropriate guidelines in the heritage conservation district plan will address the management of these more recent changes in the landscape, especially with respect to matters of urban design and potential streetscape master plans.

It is concluded that there is merit in proceeding to the second phase of the heritage conservation district study, namely the preparation of a heritage conservation district plan containing guidance on the management of the district’s character and attributes.
4.0 RECOMMENDED OBJECTIVES OF PROPOSED DESIGNATION AND PLAN CONTENT

4.1 Introduction

Section 1 of this report noted that the scope of the heritage conservation district assessment study was guided both by the Town of Oakville’s terms of reference for this study as well as the requirements of the Ontario Heritage Act, notably subsection 40(2) which prescribes that a study will contain a number of components and shall:

(c) consider and make recommendations as to the objectives of the designation and the content of the heritage conservation district plan required under section 41.1;

As prescribed in the Ontario Heritage Act, the planning and management of a heritage conservation district involves two stages: the preparation of a study followed by preparation of a plan. The key aim of the heritage assessment study is to detail the heritage character and attributes of an area and provide a rationale for designating the place as a heritage conservation district.

While proceeding with, and preparing, the district plan can only be directed by Town Council as advised by staff it is important that in keeping with the requirement noted above that some idea of what the district plan may contain be explored here. The district plan is intended to provide the basis for the sensitive conservation, management and protection of the district’s identified heritage features, notably its nineteenth century and twentieth century buildings and streetscapes. The plan will provide a series of tailored guidelines for change within both the public and private realms of the proposed heritage conservation district.

The district plan is also intended to provide guidance on a variety of other matters including changes to planning, development and policy matters as well as other municipal activities such as financial incentives, public works and related streetscape improvements.

At the core of designating any district is the implicit assumption that much of the conservation implementation related to managing physical change within the area will be undertaken in reviewing and making decisions about heritage permit applications under Part V of the Ontario Heritage Act. It is important that all potential participants in the decision making process be aware of all those who will be using the heritage conservation district plan. The conservation district plan should be used and consulted by the following people, agencies and authorities:

- Property owners;
- Town Council;
- Heritage Oakville;
- Municipal staff; and
- Local utilities.

Given the various 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 assumptions and objectives that are to be sought in conserving, protecting and managing the heritage conservation district. These are contained in the following sections and will form the part of the heritage conservation district plan if a decision is made to proceed with that phase of the district designation process.
4.2 **Statement of 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 Street 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.

4.2.1 **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; inevitably 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.

4.2.2 **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 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.
4.2.3 **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.

4.2.4 **Custodial responsibility**

Council recognizes that:

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

4.2.5 **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.

4.2.6 **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.

4.2.7 **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.
4.3 **Objectives of proposed designation for the Downtown Oakville Heritage Conservation District**

In designating the Downtown Oakville Street 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.

- 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.

4.4 Downtown Oakville Heritage Conservation District Plan content

It is expected that the Downtown Oakville Heritage Conservation District Plan and Guidelines will contain a number of provisions that satisfy the requirements of Subsection 41.1(5) of the Ontario Heritage Act including the following:

- A statement of the objectives to be achieved in designating the area as a heritage conservation district.

- A statement explaining the cultural heritage value or interest of the heritage conservation district.

- A description of the heritage attributes of the heritage conservation district and of properties in the district.

- Design guidelines for alterations and additions to commercial buildings and structures, including facades and signage.

- Design guidelines for alterations and additions to residential heritage buildings and structures.

- Design guidelines for alterations and additions to contemporary commercial and residential buildings and structures.

- Guidelines on new construction as infill development.

- Guidelines on demolition and removal of buildings and structures.

- Landscape conservation guidelines for both public and private property.

- Guidelines for streetscape improvements within the district.

- Funding initiatives.

- Changes to municipal planning and administrative procedures.

- Descriptions of alterations or classes of alterations that can be carried out without obtaining a heritage permit under section 42 of the Ontario Heritage Act.
5.0 RECOMMENDED CHANGES TO MUNICIPAL PLANNING MECHANISMS AND BY-LAWS

5.1 Background
The successful maintenance and protection of a designated heritage conservation district relies in part on ensuring that local planning policies, by-laws and initiatives complement, support or provide an appropriate framework for realistic and achievable conservation measures anticipated by the District Plan.

The Official Plan and Zoning by-law, reviewed earlier in this study are generally supportive of the protection and conservation of the overall character of the proposed district and its heritage attributes. Accordingly no major land use changes or new directions are being sought as a result of this study.

In order to refine and direct conservation, change and potential new development within the boundaries of the proposed heritage conservation district, a number of matters were identified which require minor changes or modifications to existing zoning provisions. Additionally, there are a number of other matters that assist in ensuring ease of administration and help in reducing potential delays in processing of heritage permit applications, most notably a heritage permit application form for consistent and traceable record keeping as well as provisions for delegated approval of permits to municipal staff.

5.2 Zoning by-law
The current zoning provisions recognize existing uses of buildings and lands, and no changes are recommended. The permitted maximum building height in the commercial and residential zones do however permit four storey buildings to be built. The permitted building height could permit the construction of a structure or additions to structures which would be out of keeping with the one-and-a-half to two-storey residential dwellings and the predominant two-storey commercial form.

5.2.1 Heritage conservation district plan guidance
It is recommended that given the predominant height characteristics of the commercial and residential areas, consideration be given to amending the provisions of the zoning by-law within the District as part of the InZone project to accommodate appropriate building heights or building step-backs within the potential heritage conservation district.

5.3 Heritage permit application form and approvals
The efficient administration of a heritage conservation district relies on both clear guidelines as well as a complementary system of processing heritage permit applications for alterations to property, the erection of buildings and structures and the demolition or removals of buildings and structures. Section 42 (1) of the Ontario Heritage Act requires that none of the foregoing may be undertaken “unless the owner obtains a permit from the municipality to do so”.

Section 42(3) also requires that where Council receives such an application, a notice of receipt shall be served on the applicant. Notice of receipt essentially starts the formal maximum 90 day review process during which a decision must be made by Council. Only with a sound process of administration can permit applications be appropriately tracked and processed from submission to decision.
Additionally, section 8(2)(a) of the Ontario Building Code Act provides that the chief building official of a municipality shall issue a building permit under the Act unless

“the proposed building, construction or demolition will contravene this Act, the building code or any other applicable law”

Ontario Regulation 350/06 under the Building Code Act contains a series of provisions respecting the definition of applicable law and subsection 1.4.1.3(1) (xix) states that for the purposes of section 8 of the Act, applicable law means,

“Section 42 of the Ontario Heritage Act with respect to the permit given by the council of a municipality for the erection, alteration or demolition of a building,”

This reinforces the concept of a heritage permit under the Ontario Heritage Act being distinct and separate from that of a building permit under the Building Code Act.

### 5.3.1 Heritage conservation district plan guidance

The Town of Oakville has a well-established system of heritage permit administration both under Parts IV and V of the Act and no major changes are recommended at this time. Minor changes to process may be provided in the District Plan focussing on any potential enhancements that could lessen processing time or allow for ease of co-ordination with other municipal processes such as tree preservation by-laws, sign by-laws and site plan control administration, as referenced in section 2.

### 5.4 Delegated approval authority for alterations

Section 42 (16) of the Ontario Heritage Act provides for the delegation of Council’s authority to grant permits for the alteration of property in a designated heritage conservation district to an employee or official of the municipality. The Town of Oakville has enacted such a by-law. The granting of permit approvals for alterations by Town staff is considered to be a means of expeditiously processing permits and substantially reducing staff reports to Council for decision making. It must be noted that delegation of approvals does not extend to the construction of new buildings or structures or the demolition of buildings and structures.

Experience to date suggests that delegated is working well, speeding up processing times for staff, lessening the requirement for time consuming staff report writing and essentially better and more efficient delivery to the Town’s customers. No changes are recommended at this time.

### 5.5 Heritage property standards

It was noted in Section 2 of this study that the Town of Oakville has adopted a property standards by-law to regulate the maintenance of property. Section 45.1(1) of the Ontario Heritage Act provides that the municipality may by by-law make additional provisions for the maintenance of the heritage attributes of property in a designated heritage conservation district. Where a property does not comply with the standard, the Town can require the property to be repaired and maintained to meet the standard.

It is good practice for any municipality to provide itself with appropriate tools to manage the sensitive attributes of heritage properties. The Town has enhanced its property standards by-law to address heritage properties. Given the sound condition and generally good repair of properties within the
study area and potential district, the requirement to vigorously enforce such a by-law appears not to be pressing. No changes are recommended at this time.

5.6 Ontario Heritage Act Part IV designations, heritage conservation easement agreements and other measures

The Town of Oakville required advice respecting the merits of designating a heritage conservation district under Part V of the Act as well as the appropriateness of other tools for conserving cultural heritage in the Downtown area.

Sections 2 and 3 of this study have provided a sound rationale for district designation under Part V of the Ontario Heritage Act. It is recognized that this is a reduced area from the original study area. As noted in Section 3 the most cohesive grouping of cultural heritage resources falls within the area bounded by Navy Street and Dunn Street to the west and east, and Randall Street and Lakeshore Road to the north and south. It has been concluded that the heritage character of the area is best protected and managed through Part V district designation. No additional protective heritage mechanisms or regulations are warranted or recommended for this specific area at this time.

It is recognised that there are properties on Robinson Street, Trafalgar Road, Reynolds Street and Allan Street that have been subject to major changes in the twentieth century. As a result, surviving or remnant heritage properties in those areas are generally isolated from one another and do not form a coherent grouping. Such properties may, however, be candidates for re-examination using evaluation criteria under Ontario Regulation 9/06 pursuant to Part IV of the Ontario Heritage Act. These are as follows:

- 128 Reynolds Street
- 132 Reynolds Street
- 296 Robinson Street
- 130 Robinson Street
- 304 Robinson Street
- 123 Trafalgar Street
- 127 Trafalgar Road
- 152 Trafalgar Road
- 159 Trafalgar Road
- 131-137 Dunn Street
- 145 Dunn Street
- 149 Dunn Street
- 236 Lakeshore Road

Aside from potential individual designations under Part IV of the Ontario Heritage Act, heritage conservation easement agreements may also be negotiated on these properties on a case-by-case basis with individual property owners.

It is also reasonable in certain instances to use those provisions under the Planning Act to negotiate protection or conservation measures under plans of subdivision or condominium, zoning by-law amendments, site plan approvals and consents. Conditions that are reasonable, relevant, necessary and equitable may be used in land division and the creation of new lots. Zoning by-law amendment provisions, or variations thereof, may stipulate retention of properties or uses within specified heritage buildings as of the date of passing of the by-law and retention of buildings, structures and features may also be specified in site plans. Authority is typically derived from Section 2(d) of the Planning Act (identifying a provincial interest in heritage conservation) and related provincial policy statements.

The Town is aware of these provisions and may use these tools as appropriate.
5.7 The need and timing for an Interim Control By-law under the Ontario Heritage Act
The Town of Oakville’s terms of reference for this study required that there be a review of the need for and the suitability and timing for the use of an interim control by-law for the project area. The Ontario Heritage Act provides that where a municipality undertakes a study it can implement a complementary by-law that provides for temporary regulation of the alteration of property or demolition of buildings or structures while the study is being undertaken, as follows;

40.1 (1) If the council of a municipality undertakes a study under section 40, the council may by by-law designate the area specified in the by-law as a heritage conservation study area for a period of up to one year. 2005, c. 6. s. 29.

Same
(2) A by-law made under subsection (1) may prohibit or set limitations with respect to,
(a) the alteration of property situated in the heritage conservation study area; and
(b) the erection, demolition or removal of buildings or structures, or classes of buildings or structures, in the heritage conservation study area. 2005, c. 6. s. 29.

At the time of preparing this report, representing the first phase of the heritage conservation district process and given the progress of the overall study process the benefits of a one year term of protection must be weighed against continuing to advance the study project. The Act also provides for an appeal process of the interim control by-law which has the potential to slow the process if the by-law is appealed to the Ontario Municipal Board.

Accordingly, pursuing an interim control by-law under the Act is not recommended at this time.