

**LPAT Case Nos. PL171084  
PL180158  
PL180580  
MM180022  
MM170004**

**LOCAL PLANNING APPEAL TRIBUNAL**  
Tribunal d'appel de l'aménagement local

**PROCEEDING COMMENCED UNDER** subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: ClubLink Corporation ULC and ClubLink Holdings Ltd.  
Subject: Request to amend the Official Plan - Refusal of request by the Town of Oakville  
Existing Designation: Private Open Space and Natural Area  
Proposed Designation: Site Specific (to be determined) – including Residential, Mixed Use and Community Commercial  
Purpose: To permit the redevelopment of the Subject Lands for a mix of residential, commercial and open space uses  
Property Address/Description: 1333 Dorval Drive  
Municipality: Town of Oakville  
Approval Authority File No.: OPA.1519.09  
LPAT Case No.: PL171084  
LPAT File No.: PL171084  
LPAT Case Name: ClubLink Corporation ULC v. Oakville (Town)

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: ClubLink Corporation ULC and ClubLink Holdings Ltd.  
Subject: Application to amend Zoning By-law No. 2014-014 - Refusal of Application by the Town of Oakville  
Existing Zoning: Private Open Space (O2), Private Open Space-Special (O2- Sp. 114), and Natural Area (N)  
Proposed Zoning: Site Specific (to be determined)  
Purpose: To permit the redevelopment of the Subject Lands for a mix of residential, commercial and open space uses  
Property Address/Description: 1333 Dorval Drive  
Municipality: Town of Oakville  
Municipality File No.: Z.1519.09  
LPAT Case No.: PL171084  
LPAT File No.: PL171085

**PROCEEDING COMMENCED UNDER** subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: ClubLink Corporation ULC and ClubLink Holdings Ltd.  
Subject: Proposed Plan of Subdivision - Failure of the Town of Oakville to make a decision  
Purpose: To permit the redevelopment of the Subject Lands for a mix of residential, commercial and open space uses  
Property Address/Description: 1333 Dorval Drive  
Municipality: Town of Oakville  
Municipality File No.: 24T-17003/1519  
LPAT Case No.: PL171084  
LPAT File No.: PL171086

**PROCEEDING COMMENCED UNDER** subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: ClubLink Corporation ULC and ClubLink Holdings Ltd.  
Subject: Proposed Plan of Subdivision - Failure of the Town of Oakville to make a decision  
Purpose: To permit the redevelopment of the Subject Lands for a mix of residential, commercial and open space uses  
Property Address/Description: 1333 Dorval Drive  
Municipality: Town of Oakville  
Municipality File No.: 24T-17003/1519  
LPAT Case No.: PL171084  
LPAT File No.: PL171167

**PROCEEDING COMMENCED UNDER** subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: ClubLink Corporation ULC and ClubLink Holdings Ltd.  
Subject: Proposed Plan of Subdivision  
Property Address/Description: 1333 Dorval Drive  
Municipality: Town of Oakville  
Municipality File No.: 24T-17003/1519  
LPAT Case No.: PL171084  
LPAT File No.: PL180034

**PROCEEDING COMMENCED UNDER** subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: ClubLink Corporation ULC & ClubLink Holdings Ltd.  
Subject: Proposed Official Plan Amendment No. 24  
Municipality: Town of Oakville  
LPAT Case No.: PL180158  
LPAT File No.: PL180158  
LPAT Case Name: ClubLink Corporation ULC et al. v. Oakville (Town)

**PROCEEDING COMMENCED UNDER** subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: ClubLink Corporation ULC & ClubLink Holdings Ltd.  
Subject: By-law No. 2018-016  
Municipality: Town of Oakville  
LPAT Case No.: PL180158  
LPAT File No.: PL180159

**PROCEEDING COMMENCED UNDER** subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: ClubLink Corporation ULC & ClubLink Holdings Ltd.  
Subject: Proposed Official Plan Amendment No. 15  
Municipality: Town of Oakville  
LPAT Case No.: PL180580  
LPAT File No.: PL180580

**PROCEEDING COMMENCED UNDER** subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: ClubLink Corporation ULC & ClubLink Holdings Ltd.  
Subject: Proposed Official Plan Amendment No. 16  
Municipality: Town of Oakville  
L.P.A.T. Case No.: PL180580  
L.P.A.T. File No.: PL180581

**PROCEEDING COMMENCED UNDER** subsection 34.1(1) of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended

Appellant: ClubLink Corporation ULC & ClubLink Holdings Ltd.  
Subject: Appeal of a decision of Council on an application to demolish a building or structure  
Municipality: Town of Oakville  
LPAT Case No.: MM180022  
LPAT File No.: MM180022

**PROCEEDING COMMENCED UNDER** subsection 69(3) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: ClubLink Corporation ULC & ClubLink Holdings Ltd.  
Subject: Appeal against the levying of an application fee  
Municipality: Town of Oakville  
LPAT Case No.: MM170004  
LPAT File No.: MM170004

**WITNESS STATEMENT OF SUSAN SCHAPPERT,  
MCIP, RPP, CAHP**

**Qualifications**

1. I hold a Bachelor of Arts Degree with a major in history and a minor in studio arts from the University of Guelph. I graduated in 2002 with honours.
2. I am currently a full member, in good standing, of the Canadian Institute of Planners and the Ontario Professional Planning Institute. I am entitled to use the titles of Registered Professional Planner and Member of the Canadian Institute of Planners.
3. I am also a full member, in good standing, of the Canadian Association of Heritage Professionals (CAHP) with the designation of 'historian'. I have recently completed a four year term on the Board of Directors for CAHP, serving as Past President (2019-2020), Vice President (2017-2018) and President (2018-2019) on the Executive Committee of the Board of Directors.
4. I have been qualified to give evidence as a 'heritage expert' at both Ontario Municipal Board and Conservation Review Board hearings.
5. I have over twelve years of experience as a heritage professional in both the public and private sectors. Before joining the Town of Oakville as a heritage planner, I held various roles including: Community Programs Officer at the Ontario Heritage Trust; Heritage Researcher at the City of Peterborough; a private heritage consultant for public sector clients including municipalities, the Heritage Canada Foundation and Fleming College; and Community Planning Assistant at the Town of Aurora.
6. A copy of my Curriculum Vitae is attached to this Witness Statement.
7. A copy of my executed Acknowledgement of Expert's Duty is attached to this Witness Statement.

**Role in the Town of Oakville Planning Services Department**

8. I currently hold the position of Heritage Planner with the Town of Oakville in the Planning Services Department, Community Development Commission. I have been in this position since May 2009.
9. As part of my duties I complete historical research and prepare background reports for the designation and listing of properties under the *Ontario Heritage Act* (“OHA”). I also develop and implement policies to integrate heritage conservation strategies within the larger municipal planning framework, and I review and comment on heritage-related development applications under the *Planning Act* and on heritage impact assessments.
10. I also regularly provide reports to the Heritage Oakville Advisory Committee (“Heritage Oakville”). Heritage Oakville is a municipal heritage committee established under section 28 of the OHA to advise and assist Council on the identification, conservation and promotion of heritage resources in Oakville. The committee reviews and makes recommendations on proposed designations of heritage properties, and on proposed alterations, removal or demolition of heritage attributes, buildings or structures on designated properties. The committee also reviews and comments on planning and development applications for heritage properties. The committee also supports heritage conservation through providing advice on proposed heritage policy matters and participating in initiatives to raise public awareness of Oakville’s historical resources.
11. Since 2013, I have been the lead heritage planner in the development and implementation of the Town’s 2014 Cultural Heritage Landscapes Strategy (cultural heritage landscapes will be referred to as CHLs).

## **Conservation of Cultural Heritage Landscapes in Provincial Policy**

### *The Ontario Heritage Act*

12. The OHA assigns to Ontario municipalities significant powers and obligations in relation to the conservation of cultural heritage under Part IV, entitled “Conservation of Property of Cultural Heritage Value or Interest” and Part V, entitled “Heritage Conservation Districts”.
13. Section 27 of the OHA requires municipalities to keep a register of property in the municipality that is of cultural heritage value or interest. The register must include all properties that have been designated by the municipality or by the Minister under Part IV of the OHA. The heritage register may also list property that the council of the municipality believes to be of cultural heritage value or interest, but that has not been designated. Where the owner of property on the heritage register that has not be designated proposes to demolish or remove a building or structure on the property, it must give the municipality at least 60 days notice in writing of the owner’s intention to do so, during which time the municipality may consider the designation of the property.
14. Section 29 of the OHA allows a municipality to designate a property to be of cultural heritage value or interest if the prescribed criteria (O. Reg 9/06) for determining whether property is of cultural heritage value or interest are met, and the process for designation set out in the section have been followed. The designation process requires a municipality to prepare a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property, and to have notice of the intended designation provided to the owner of the property and published in a newspaper. As it read when the proposed designation of the Glen Abbey property was considered by Town Council, any person, including the owner, could within 30 days of the notice of designation being completed, file an objection to the designation. Any objection would be referred to the Conservation Review Board (CRB) for a hearing and report to council. The

purpose of the CRB hearing is to assess whether the property in question should be designated. The CRB makes a report to Council setting out its findings of fact, its recommendations as to whether or not the property should be designated and any information or knowledge used by it in reaching its recommendations. After considering the CRB's report, Council can enact a by-law designating the property, or withdraw the notice of intention to designate the property.

15. Under section 33 of the OHA, the owner of a designated property is not entitled to alter the property in a manner that is likely to affect the property's heritage attributes, unless consent to the alteration is first obtained. Under section 34 of the OHA, the owner of a designated property is not entitled to demolish or remove a building or structure on the property, unless consent to the demolition or removal is first obtained.
16. The OHA does not contain a definition of cultural heritage value or interest; although the prescribed criteria that must be applied in determining whether a property may be designated under section of the OHA provide guidance on the categories of heritage value to be considered and criteria relevant to determining heritage value or interest. Heritage attributes are defined in section 1 of the OHA as:

“heritage attributes” means, in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest.
17. The OHA has been reviewed and amended a number of times since it was first enacted in 1975. For example, *Government Efficiency Act*, which came into force on November 26, 2002, made changes to the OHA, including:
  - a change the title of Part IV of the Act was changed from “Conservation of Buildings of Historic or Architectural Value” to “Conservation of Property of Cultural Heritage Value or Interest”;
  - the introduction of the definition of “heritage attributes”;
  - changes to section 29 regarding the designation of properties by municipalities from a focus on designating properties of “historic and

architectural value or interest” to the broader “cultural heritage value or interest”;

- amendments to sections 33 and 34 relating to alterations to designated properties that affect heritage attributes and the demolition or removal of buildings or structures from designated properties.

18. Shortly after the 2002 amendments, the Ministry of Culture (now, the Ministry of Culture, Tourism and Sport) (the “Ministry”) published “Changes to the Ontario Heritage Act - Discussion Guide”, dated December 2002, to consult on future proposed changes to the OHA.

19. The Province passed further comprehensive amendments to the OHA in 2005 through the enactment of the *Ontario Heritage Amendment Act, 2005*. Included in those amendments were:

- changes relating to the process for designation under section 29;
- the introduction of an appeal from the council refusal of an application to demolish or remove a building or structure from a designated property to the Ontario Municipal Board for a final determination (under the 2002 amendments, such a refusal simply delayed an owner’s ability to demolish for a period of 180 days).

20. The term “cultural heritage landscapes” was first introduced into Ontario’s Provincial Policy Statement in the 1994 Comprehensive Set of Policy Statements, with a policy that provided:

*Policies and decisions regarding development and infrastructure should conserve significant cultural heritage landscapes and built heritage resources.*

21. The 1996 PPS included a policy requiring that:

*Significant built heritage resources and cultural heritage landscapes will be conserved.*

22. The 2005 PPS strengthened the policy language for the conservation of heritage resources. Section 2.6.1 of 2005, 2014 and 2020 versions of the PPS provide:

*“Significant built heritage resources and significant cultural heritage landscapes shall be conserved.”*



23. The 2005 PPS introduced a definition of “conserved”, which was amended in both the 2014 and 2020 versions of the PPS. The current definition in the 2020 PPS is:

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

24. The first Growth Plan for the Greater Golden Horseshoe (*Places to Grow*, 2006) also included policies requiring the conservation of “cultural heritage resources”, which is defined to include cultural heritage landscapes. The latest Growth Plan for the Greater Golden Horseshoe (*A Place to Grow*, 2019, as amended by Amendment 1, 2020) carries forward these policies. Section 1.1 of *A Place to Grow* provides that:

Unmanaged growth can degrade the region’s air quality; water resources; natural heritage resources, such as rivers, lakes, woodlands, and wetlands; and *cultural heritage resources*.

Section 1.2 further provides that:

Our *cultural heritage resources* and open spaces in our cities, towns, and countryside will provide people with a sense of place.

Section 1.2.1 provides that one of the guiding principles of the Growth Plan is to:

Conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities.

Section 4.1 under 'Protecting What is Valuable' states that:

The GGH contains a broad array of important hydrologic and natural heritage features and areas, a vibrant and diverse agricultural land base, irreplaceable cultural heritage resources, and valuable renewable and non-renewable resources. ...

These valuable assets must be wisely protected and managed as part of planning for future growth....

...A balanced approach to the wise use and management of all resources, including those related to water, natural heritage, agriculture, cultural heritage, and mineral aggregates, will be implemented in the GGH.

Section 4.2.7 regarding Cultural Heritage Resources provides that:

*Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.*

25. The Ministry also published the Ontario Heritage Toolkit in 2006, which the Ministry describes as “a series of guides for municipal councils, municipal staff, Municipal Heritage Committees, land use planners, heritage professionals, heritage organizations, property owners and others” designed to help them “understand the heritage conservation process in Ontario” following recent amendments to Provincial policy. The Toolkit has several components, which include:

- “Heritage Property Evaluation”, a guide to listing, researching and evaluating cultural heritage property in Ontario communities;
- “Heritage Resources in the Land Use Planning Process” explains cultural heritage and archaeology policies of the Ontario Provincial Policy Statement, 2005, and
- “Designating Heritage Properties”, a guide to municipal designation of individual properties under the Ontario Heritage Act.

### **Heritage Policies of the Livable Oakville Official Plan**

26. When I joined the Planning Services Department in 2009, the Town was in the process of reviewing its Official Plan to ensure conformity with provincial policy, as required by the Planning Act. As part of that review, which started in 2006,

- the Town was updating the heritage resources policies in the Official Plan so they would be consistent with the 2005 amendments to the OHA and the Provincial Policy Statement 2005 (“PPS 2005”), and the 2006 Growth Plan for the Greater Golden Horseshoe (the “Growth Plan 2006”). As discussed below, both the PPS 2005 and Growth Plan 2006 directed that significant CHLs shall be conserved.
27. In the context of that official plan review, Town Planning Services Department presented the “Official Plan Review – Preliminary Directions Report” to Council in May 2006. The report identified key issues to be addressed in the development of a new Town Official Plan, including the following three action items with respect to the Town’s approach to cultural heritage resources:
    - a. *Direction 41: That the heritage resources policies in the Official Plan be amended so that they are consistent with the Ontario Heritage Act and the Provincial Policy Statement.*
    - b. *Direction 42: That policies be added to the Official Plan to define the role of Heritage Oakville in the planning process and development matters that affect heritage resources.*
    - c. *Direction 43: That policies be added to the Official Plan regarding the designation of heritage properties and conservation districts.*
  28. In response to the above three directives, Town Planning staff developed “The Cultural Heritage Resources Policy Discussion Paper”, dated March 2009, recommending policies relating to the conservation of cultural heritage resources for the new official plan for the Town that was being developed.
  29. The Town adopted its new official plan entitled the Livable Oakville Official Plan (“Livable Oakville”) on June 22, 2009.
  30. Section 5 of Livable Oakville addressed “Cultural Heritage,” and included objectives and policies to conserve “cultural heritage resources,” including built heritage resources, archaeological resources, and cultural heritage landscapes.

## **History of the Glen Abbey Property as a Heritage Resource**

### *RayDor Heritage Designation 1993 and CRB Appeal*

31. The Town designated the portion of the Glen Abbey property municipally known as 1333 Dorval Drive under the OHA almost 30 years ago in 1993 through By-law 1993-112. By-law 1993-112 designated the property “as a property of historic and architectural value and interest.” It limited the reasons for designation “to the exterior portion of the RayDor estate house, and does not extend outward to include the golf course.”
32. The focus of the designation on the building is reflected in the Conservation Review Board’s report dated February 10, 1993. For example, the Board’s recommendation that consideration be given to including in the designation a “heritage envelope” covering “the immediate proximity of the house,” was related to the designation of the building and “its historic status as an estate house.”
33. Limiting the designation of the property in 1993 to the RayDor Estate House building was consistent with the focus of the Ontario heritage conservation field at the time on the conservation of buildings and structures. I also note that it was before cultural heritage landscapes were mentioned in provincial planning policy.

## **Cultural Heritage Landscape (CHL) Strategy**

### *Rationale behind CHL Strategy*

34. Heritage Planning staff increasingly encountered issues related to cultural heritage landscapes in our work following the adoption of Livable Oakville. By January 2013, the Heritage Planning Workplan for 2013 included the development of a cultural heritage landscape strategy to ensure that cultural heritage landscapes were identified, evaluated and conserved by the Town in

a clear and consistent manner that was compliant with current provincial legislation, guidelines and policies.

35. Heritage Planning staff began preparing the CHL Strategy in 2013, and the final CHL Strategy was adopted by Council, after consulting with Heritage Committee, in January 2014.

36. The purpose of the CHL Strategy was to provide a framework and strategy for cultural heritage landscape identification and conservation. The CHL Strategy explains that:

“...there can be difficulty in identifying and managing such broad and diverse resources that may also involve a variety of land uses and ownership. It is necessary to ensure that such areas, rather than simply being picturesque, have true heritage significance and have retained their essential integrity. In order to do this, and thereby justify the preservation of such places in the face of many competing planning issues, it is necessary to develop a process for their examination, and criteria through which they can be identified and protected.”

37. The CHL Strategy describes the three categories of cultural heritage landscapes: designed, organically evolved, and associative landscapes. It describes processes to be used by the Town for the identification and evaluation of cultural heritage landscapes, including a discussion of applicable legislation and planning policy. It also includes a discussion of the conservation strategies and tools that may be used by the Town to protect significant cultural heritage landscapes. It also recommended a proactive review of Town-owned properties that may contain cultural heritage landscapes.

38. Also in 2013, on the recommendation of Heritage Planning staff and supported in the March 2009 Cultural Heritage Resources Policy Discussion Paper, the Town approved and adopted the 2011 second edition of the Standards and Guidelines for the Conservation of Historic Places in Canada for application in the planning, stewardship and conservation of all listed and designated heritage resources in the Town.

39. The resolution by Planning and Development Council on April 8, 2013 was:

That the *Standards and Guidelines for the Conservation of Historic Places in Canada* be endorsed for application in the planning, stewardship and conservation of all listed and designated heritage resources within the Town of Oakville, in addition to existing heritage plans and policies.

*Council request for town-wide inventory*

40. During the presentation of the “Heritage Planning Work Plan Update 2015 – 2017” to Council on February 9, 2015, Town Council requested that staff “undertake a review of the Town major open space areas in order to determine if they should be appropriately designated as a cultural heritage landscape”.
41. In response to Council’s resolution, the Community Development Commission prepared a staff report dated February 12, 2015, for consideration by the Budget Committee at its March 5, 2015 meeting. The staff report addressed the required resources to complete the requested work in 2015, and attached an inventory list of over 50 potential cultural heritage landscapes to be assessed. The Glen Abbey Property was one of 36 privately-owned properties identified in the inventory list.
42. The Budget Committee approved the 2015 Budget on March 23, 2015, including an increase to the Heritage Planning Studies capital project, and funding that would allow the first step of the CHL Strategy to be completed in 2015.

*CHL workplan – RFP*

43. The Town issued a request for proposal (“RFP”) for consulting services for the CHL Strategy implementation. The RFP divided the implementation into three phases:
- a. Phase 1 – Inventory of Public and Private Potential Cultural Heritage Landscapes;

- b. Phase 2 – Cultural Heritage Landscape Assessments of recommended properties from Phase 1; and
- c. Phase 3 – Implementation of Protection.

*Implementation – Phase One – Inventory*

- 44. In July 2015, the Town retained experts Laurie Smith Heritage Consulting, in partnership with Amy Barnes Consulting, Chris Uchiyama Heritage, Hoyle & Associates and Katherine E. Smit Consulting, to provide consulting services for Phase 1 of the CHL Strategy implementation. The objectives of Phase 1 included identifying the potential CHLs to be inventoried, and providing a recommendation for future action on each candidate CHL.
- 45. Staff, stakeholders and the retained experts identified 63 potential CHLs to be inventoried. The owners of privately-owned properties included in the candidate CHL list were notified of the project by mail on July 31 and August 4, 2015. ClubLink was notified that the Glen Abbey Golf Club was identified as a potential property to be inventoried by letter dated July 31, 2015.
- 46. The retained experts visited the Glen Abbey Property on September 21, 2015.
- 47. The staff report 'Cultural Heritage Landscapes Strategy Implementation: Phase One Inventory' dated January 27, 2016 was recommended by the Heritage Oakville Advisory Committee on January 26, 2016 and endorsed by Council on February 16, 2016. The list of candidate CHLs and a description of the project was included as Appendix A to the staff report as the 'Cultural Heritage Landscape Strategy Implementation Summary Report' dated January 13, 2016 completed by Laurie Smith Heritage Consulting. Eight properties, including the Glen Abbey Property, were identified as high priorities for an assessment under Phase 2 of the Cultural Heritage Landscape Strategy Implementation.
- 48. In the Final Inventory Report regarding the Glen Abbey Property (referred to as 1333 Dorval Drive), approved by Planning and Development Council on February 16, 2016, the retained experts recommended a full evaluation of the Property and indicated that the full evaluation should be given high priority. The

high priority arose from the high potential for development and because all existing built and natural cultural heritage resources may not have been identified or included in the then-current designation.

*Implementation – Phase Two – Research and Assessment*

49. In June 2016, the Town retained a multidisciplinary team of experts to carry out Phase 2 of the CHL Strategy with respect to the eight high-priority cultural heritage landscapes, including the Glen Abbey Property, that were identified through the Phase 1 process. This team included Letourneau Heritage Consulting, with Contentworks Inc., DTAH, Creative Golf Design and This Land Archaeology. The objective of Phase 2 was to build on the findings of Phase 1, and complete cultural heritage landscape evaluations for those properties identified during Phase 1.
50. On April 25, 2017, the Oakville Heritage Advisory Committee (“Heritage Oakville”) considered six Phase 2 Reports, including a report assessing the cultural heritage landscape of the Glen Abbey Property. Heritage Oakville recommended to Council that the draft Heritage Assessment report for the Glen Abbey Property be approved and implemented.
51. The Final Phase 2 Report for the Glen Abbey Property, dated May 8, 2017, provides a thorough review of the property’s history, existing site conditions and potential cultural heritage value. It assessed the heritage value of the property using four evaluation methods:
  - The criteria for determining cultural heritage value or interest under section 29(1) of the OHA in Ontario Regulation 9/06,
  - The criteria for determining cultural heritage value or interest of provincial significance under section 34.5(1)(a) of the OHA in Ontario Regulation 10/06,
  - The Historic Sites and Monuments Board of Canada’s Criteria, General Guidelines, & Specific Guidelines for evaluating subjects of potential national historic significance (2008),
  - The European Institute of Golf Course Architects (EIGCA) evaluation methodology from the 2007 document *Golf Courses as Designed Landscapes of Historic Interest*.



52. The multidisciplinary expert team concluded that the Glen Abbey Property meets the criteria of the four evaluation methods applied and is a significant cultural heritage landscape as defined within the PPS 2014, which was the PPS in effect at the time.
53. The Planning Services Department Staff Report dated May 8, 2017, submitted to Town Council for the May 15, 2017 Planning and Development Council Meeting stated:

*1333 Dorval Drive – Glen Abbey/RayDor*

*This property has been evaluated and found to have local, provincial and national significance... The existing protection for this property is insufficient to recognize and protect a significant cultural heritage landscape. Heritage Planning staff recommend that this property proceed to Phase Three – Implementation of Protection Measures. As per Council's direction to give priority to the Glen Abbey property in its February 1, 2016 resolution, this will be the first property addressed in Phase Three.*

54. On May 15, 2017, following public deputations, Town Council completed the Phase 2 process by publicly recognizing four new significant cultural heritage landscapes in Oakville, including the Glen Abbey Property. Council directed staff to lead the Phase-3 process in respect of these four properties, which was directed at implementing appropriate measures to protect the significant cultural heritage landscapes, with priority being given to the Glen Abbey Property because of the applications that had been filed to redevelop the property.
55. The town's work on implementing the Cultural Heritage Landscape Strategy has continued. A status update on all potential and recognized cultural heritage landscape properties is discussed later in this witness statement.

*Implementation – Phase Three – Implementation of Protection Measures*

56. During Phase 3 of the CHL Strategy, the Town retained two independent experts to provide reports assessing the property's cultural heritage value or

interest and its heritage attributes, which would be required to consider a section 29 OHA designation:

- a. The Town retained Ken Moodie, a golf course architect with expertise in golf course design and experience working with heritage golf courses, to provide a detailed review of the Glen Abbey golf course heritage attributes.
  - b. The Town also retained Julian Smith, an architect with expertise on cultural heritage landscapes, to provide recommendations related to the potential designation of the Glen Abbey Property under the OHA.
57. Ken Moodie's report, "Glen Abbey Golf Course Heritage Review" dated August 9, 2017, concluded that the golf course has a number of key heritage attributes.
58. Julian Smith's report "Cultural Heritage Landscape Values and Attributes of the Glen Abbey Property" dated August 10, 2017, applies the OHA framework and criteria for identifying properties having cultural heritage value or interest under Ontario Regulation 9/06, and concluded based on those criteria that the Glen Abbey property, including the designed cultural heritage landscape known as the Glen Abbey Golf Course, has heritage value and significance. Mr. Smith's report included a proposed statement of cultural heritage value, and a description of the heritage attributes of the property.

### **Notice of Intention to Designate – Glen Abbey Property**

#### *Chronology of events*

59. On August 15, 2017, the Heritage Oakville Advisory Committee considered the Planning Services Department staff report, August 10, 2017, which recommended that the Town issue a Notice of Intention to Designate the Glen Abbey Property as a heritage property under section 29, Part IV of the OHA. Provided to the Heritage Oakville Advisory Committee with that staff report were the reports prepared by Mr. Moodie and Mr. Smith, and a draft notice of intention to designate the Glen Abbey Property, which contained, as required by section 29 of the OHA the following:
- a description of the property;

- statement explaining the cultural heritage value or interest of the property; and
  - a description of the heritage attributes of the property.
60. Heritage Oakville agreed, and endorsed the recommendation at its meeting on August 15, 2017.
61. On August 21, 2017, following public depositions, Council approved a Notice of Intention to Designate under section 29, Part IV of the OHA for the entire Glen Abbey property that included a statement of cultural heritage value and a description of heritage attributes.
62. On August 24, 2017, the section 29 Notice of Intention to Designate was provided to the property owners and the Ontario Heritage Trust, and published in the Oakville Beaver newspaper.

*Clublink letter re: objection*

63. By letter dated September 25, 2017 to the Town clerk, ClubLink's legal counsel Mark Flowers advised that ClubLink would not be serving a Notice of Objection in response to the proposed designation and, likewise, was not requiring that the matter be referred to the CRB for a hearing.

*Pacific Life Objection and Withdrawal*

64. By letter to the Town clerk dated September 25, 2017, Pacific Life Insurance Company ("Pacific Life"), gave notice to the Town that it objected to the proposed designation pursuant to subsection 29(5) of the OHA. Pacific Life holds first position security in the Glen Abbey Golf Course. As required under subsection 29(7) of the OHA, the Town referred the matter to the Conservation Review Board ("CRB") for a hearing and report.
65. On December 18, 2017, Pacific Life advised the CRB that it had withdrawn its objection to the notice issued by the Town respecting the Glen Abbey property. Subsection 29(15.1) of the OHA provides that if the CRB has received a notice of withdrawal for all of the notices of objection that were served, the CRB shall

not hold a hearing into the matter, and the Council shall act in accordance with subsection 29(6) as if no objection had been served. Accordingly, on December 18, 2017, the CRB advised Pacific Life's legal counsel that it had closed its file in respect of the objection.

### **Heritage Designation By-law for the Glen Abbey Property**

66. On December 20, 2017, Council passed By-law 2017-138, a by-law to designate the Glen Abbey Golf Course property located at 1333 Dorval Drive as a property of cultural heritage value and interest pursuant to section 29, Part IV, of the OHA. Schedule "B" to the by-law sets out the statement of cultural heritage value or interest, and description of heritage attributes, for the property as a designed cultural heritage landscape.
67. The Statement of Cultural Heritage Value or Interest and the list of Heritage Attributes were not changed from how they appeared in the Notice of Intention to Designate.
68. ClubLink owns a 0.29 hectare parcel of land adjacent to 1301 Greeneagle Drive, which was included in the Notice of Intention to Designate. As Clublink did not object to the Notice of Intention to Designate and the objection from Pacific Life was withdrawn, there were no changes made to the Designation By-law from what was published in the Notice of Intention to Designate. Should the property owners wish to amend the By-law 2017-138 to remove this parcel from the legal description of the By-law, they may submit a request to amend a heritage designation by-law. To date, the Town has not received this request.

### **Other CHLs**

69. The Town is currently implementing the CHL Strategy across the Town, on both publically and privately owned properties.
70. Phase Two: Research and Assessment Reports have been completed and endorsed by Council for the following additional candidate cultural heritage

landscapes since Phase One of the CHL Strategy Implementation in January 2016:

- a. 1086 Burnhamthorpe Road West – Bowbeer Farmstead/Joshua Creek Heritage Art Centre (private ownership), endorsed by Council on May 15, 2017.
  - b. 2031 North Service Road West – Hilton Farm (private ownership), endorsed by Council on May 15, 2017.
  - c. 3367 Dundas Street West – Rivaz Farm (private ownership), endorsed by Council on May 15, 2017 (deemed not a significant CHL).
  - d. 3451 Tremaine Road – Van Sickle Farmstead (private ownership), endorsed by Council on May 15, 2017 (deemed not a significant CHL).
  - e. 4243 Sixth Line – Biggar Farm (private ownership), endorsed by Council on May 15, 2017.
  - f. Bronte Harbour and Bluffs (public and private ownership), endorsed by Council on October 1, 2018.
  - g. 8 Navy Street – 110-114 King Street – Erchless Estate (public ownership), endorsed by Council on December 10, 2018.
  - h. 1288-1306 Lakeshore Road East – Gairloch Gardens (public ownership), endorsed by Council on April 15, 2019.
  - i. 258 Lakeshore Road West – St. Jude’s Cemetery (public ownership), endorsed by Council on September 9, 2019.
  - j. Oakville Harbour (public and private ownership), endorsed by Council on December 2, 2019.
  - k. 1150 Dundas Street West – Knox Sixteen Presbyterian Church and Cemetery (private ownership), endorsed by Council on October 26, 2020. (Not part of Phase One: Inventory, review of existing heritage designation requested by property owner)
71. The following properties that were recognized by Council as significant cultural heritage landscapes in the Phase Two: Research and Assessment report have completed the following Phase Three: Implementation of Protection Measures:
- a. 1086 Burnhamthorpe Road East – Bowbeer Farmstead/Joshua Creek Heritage Art Centre (private ownership) designated under Part IV of the OHA by By-law 2018-136, dated October 9, 2018.

- b. 8 Navy Street, 110-114 King Street – Erchless Estate (public ownership), designated under Part IV of the OHA by By-law 2019-057, dated November 4, 2019. Conservation Plan for Cultural Heritage Landscape endorsed by Council on November 4, 2019.
  - c. Oakville Harbour (public and private ownership), designated under Part IV of the OHA by By-law 2020-127 dated November 23, 2020. Conservation Plan for Cultural Heritage Landscape endorsed by Council on November 23, 2020.
  - d. 258 Lakeshore Road West – St. Jude’s Cemetery (public ownership) designated under Part IV of the OHA by By-law 2020-041 dated November 23, 2020. Conservation Plan for Cultural Heritage Landscape endorsed by Council on November 23, 2020.
  - e. 1288-1306 Lakeshore Road East – Gairloch Gardens (public ownership) designated under Part IV of the OHA by By-law 2021-006 dated January 18, 2021. Conservation Plan for Cultural Heritage Landscape endorsed by Council on January 18, 2021.
  - f. 1042 Sixth Line – Brown Estate (private ownership). Not part of Phase One: Inventory, CHL identified through development application. Recognized by Council as a significant cultural heritage landscape on October 1, 2018. Designated under Part IV of the OHA by By-law 2020-047 dated May 25, 2020.
72. The following properties are currently in progress of Phase Three: Implementation of Protection Measures:
- a. Bronte Harbour and Bluffs (public and private ownership), Notice of Intention to Designate issued February 22, 2020 and reissued on September 14, 2020 (due to the COVID-19 pandemic), appealed to the Conservation Review Board (on-going).
  - b. 1086 Burnhamthorpe Road East – Bowbeer Farmstead/The Joshua Creek Heritage Art Centre (private ownership). Designation by-law in place. Conservation Plan for Cultural Heritage Landscape in progress.
  - c. 1042 Sixth Line – Brown Estate (private ownership). Designation by-law in place. Conservation Plan for Cultural Heritage Landscape is in progress.
  - d. 4243 Sixth Line – Biggar Farm (private ownership). Review of condition underway after fire on property in June 2020.
  - e. 1150 Dundas Street West – Knox Sixteen Presbyterian Church and Cemetery (private ownership). Designation by-law and conservation plan in progress.

*Development Application and ERA Assessment*

73. In November 2016, ClubLink submitted applications with the Town for official plan and zoning by-law amendment and approval of a plan of subdivision for the redevelopment of the Glen Abbey Golf Course (Planning Act Applications). The applications included a two-part report prepared by ERA Architects Inc. (“ERA”) including a cultural heritage landscape assessment and heritage impact assessment of the proposed development on the Property.
74. Heritage Planning staff reviewed the Cultural Heritage Landscape Assessment & Heritage Impact Assessment: Proposed Redevelopment of the Glen Abbey Golf Club, Oakville prepared by ERA Architects Inc. dated November 9, 2016 (ERA report).
75. The ERA report was completed prior to Council’s identification and recognition of the property as a significant cultural heritage landscape on May 15, 2017, but after the property was identified as a candidate CHL and by that time, the property had already been identified by Council as a high priority potential cultural heritage landscape on February 16, 2016, and had proceeded to the detailed research and evaluation phase.
76. Heritage Planning staff’s initial review of the ERA report revealed concerns with the evaluation of the cultural heritage landscape of the property, the statement of cultural heritage value or interest, the listing of heritage attributes and the resulting assessment of the impact of the development application, and as a result recommended that the town retain the services of a peer reviewer to assist with the town’s review of the ERA report. The peer review of the ERA report was completed by Julian Smith, of Julian Smith & Associates Architects.
77. The comments of Heritage Planning staff were set out in Appendix D to the staff report presented to the Heritage Oakville Advisory Committee at their special meeting on September 19, 2017.

78. The conclusion of Heritage Planning staff as described in Appendix D was that:
- *The proposed development would remove the current designed cultural heritage landscape - the Glen Abbey golf course - and replace it with a new urban landscape. Heritage Planning staff are of the opinion that any proposed development that removes the golf course would therefore fail to conserve the cultural heritage value and the heritage attributes of the cultural heritage landscape.*
  - *Heritage Planning staff are of the opinion that, as the proposed development fails to conserve the cultural heritage value provided by the Glen Abbey golf course designed landscape, it is not consistent with the PPS 2014 and also does not conform to the 2017 Growth Plan.*
  - *Heritage Planning staff are also of the opinion that the failure of the proposed development to conserve the cultural heritage value of the Glen Abbey property as a designed cultural heritage landscape means that the development fails to conform to the Livable Oakville Plan regarding its cultural heritage objectives and policies. This conclusion is reinforced by the application of policies set out in the proposed official plan amendment on cultural heritage policies.*

### **ClubLink OHA s. 34 Demolition Application**

#### *Chronology*

79. On November 21, 2017, the property owners of 1313 and 1333 Dorval Drive delivered an application to demolish/remove the entirety of the golf course at 1333 Dorval Drive (the “demolition application”) to the town. The demolition application did not seek consent to demolish/remove either of the following buildings: (1) the RayDor estate house; and (2) the main stable building and two adjacent sheds.
80. The demolition application confirms that ClubLink’s intention to “remove the entirety of the golf course, including the demolition of most of the buildings on the Lands” in order “to accommodate its redevelopment proposal...”
81. The property owners, ClubLink, enclosed a number of documents in support of their demolition application. These included the Cultural Heritage Landscape Assessment and Heritage Impact Assessment prepared by ERA Architects Inc.



dated November 9, 2016 (the “ERA Report”), and an addendum report by ERA dated November 20, 2017 (the “ERA Addendum”).

82. The demolition application was reviewed by the Heritage Oakville Advisory Committee at their meeting on February 6, 2018. The Heritage Oakville recommendation to Council was to refuse the demolition application.
83. Planning and Development Council considered the demolition application at their meeting on February 12, 2018 and resolved:

*That the application seeking consent under section 34 of the Ontario Heritage Act to the demolition/removal of the existing golf course at 1313 and 1333 Dorval Drive in its entirety, other than the RayDor Estate house and the main stable building and two adjacent sheds, be refused based on Town review of its heritage and planning merits.*

#### *Staff Review and Recommendation*

84. ClubLink’s demolition application did not include any discussion of the planning or heritage merits of the proposed demolition/removal of the golf course apart from placing it in the context of its redevelopment proposals. Notably, ClubLink’s application cover letter did not mention the provincial and town directives to conserve cultural heritage resources. Nor did it provide any consideration of whether the proposal is consistent with the Notice of Intention to Designate (now the Glen Abbey heritage designation by-law 2017-138).
85. The ERA Addendum contains 12 pages of commentary regarding the proposed demolition. Its appendices contain over 100 pages of condition assessments completed for buildings located within the golf course that had not been included or assessed in the ERA Report. Within the 12 pages of commentary of the ERA Addendum, ERA provides seven pages of “initial” comments on the town’s Notice of Intention to Designate focused on the description of heritage attributes; however, no meaningful of analysis of the cultural heritage landscape as designated was included in these comments.

86. Following the response to the Notice of Intention to Designate in the ERA Addendum is a one page explanation of the condition assessments (attached in the addendum appendices) that have been completed as part of the application to demolish/remove the golf course. The condition assessments concern the buildings proposed for demolition, but the appendices do not contain any analysis or evaluation of these buildings using Ontario Regulation 9/06 either as individual buildings or as part of a cultural heritage landscape.
87. Despite this lack of analysis and evaluation, on page 12 of the Addendum, ERA concludes that “in our opinion, the retention of the buildings proposed to be demolished is not necessary to conserve the cultural heritage value of the property”. The ERA Addendum concludes that while ERA does not accept the town’s heritage attributes, ERA recognizes that the Notice of Intention to Designate [now heritage designation By-law 2017-138] “seeks to emphasize the historical significance of Glen Abbey as a golf course that has hosted a number of Canadian Open championships”. Despite this, it remains ERA’s opinion “that the development proposed by ClubLink appropriately conserves this historical connection and does so in accordance with the PPS”.
88. The ERA Addendum, together with the ERA Report, did not provide a full and complete heritage impact assessment of the proposal to demolish/remove the golf course. They should have, but did not, consider relevant provincial and municipal heritage policy and the heritage value and attributes of the designated property under the Ontario Heritage Act. In addition, the ERA Addendum does not specifically support the application to demolish/remove the entire golf course, instead referencing the appropriateness of the Planning Act applications. The ERA Addendum and Report do not address why the preferred approach is removal of the golf course cultural heritage landscape. The ERA Addendum and Report also fail to acknowledge that a complete cultural heritage landscape may be conserved on the property.
89. Town staff reviewed the application to demolish/remove the entire golf course, including the materials submitted by the property owner, and Julian Smith’s

report. Town staff applied provincial and local policies to the application to demolish/remove the golf course. It was staff's opinion that the proposed demolition/removal would remove the significant designed cultural heritage landscape of the Glen Abbey golf course.

90. As set out in the staff report for ClubLink's demolition application, the proposal fails to conserve the cultural heritage value or interest and the heritage attributes of the significant cultural heritage landscape that has been protected by the town through the heritage designation By-law 2017-138. As the proposed demolition/removal fails to conserve the cultural heritage value of the Glen Abbey golf course designed cultural heritage landscape, it is not consistent with and does not conform to provincial and local policy.
91. It was staff's recommendation that the application for demolition/removal of the entire golf course of the Glen Abbey property be refused. This recommendation was supported by Planning and Development Council on February 12, 2018.



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S. Schappert, MCIP, RPP, CAHP

March 13, 2021

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Date

**Documents referred to in Witness Statement – Susan Schappert**

1. CV
2. Expert's Duty
3. Ontario Heritage Act, 2005
4. Cultural Heritage Landscapes Strategy
5. Government Efficacy Act, 2002
6. Changes to the Ontario Heritage Act – Discussion Guide from MTC, Dec 2002
7. PPS 1994, 1996, 2005, 2014, 2020
8. Places to Grow 2006, 2019/2020
9. Ontario Heritage Toolkit
10. Official Plan Review Preliminary Report, May 2006
11. Cultural Heritage Resources Policy Discussion Paper, March 2009
12. Livable Oakville Plan
13. Heritage Designation By-law 1993-112
14. Conservation Review Board Report Feb 10 1993
15. Heritage Planning Workplan 2013
16. Standards and Guidelines for the Conservation of Historic Places in Canada
17. Staff report and Council minutes accompanying the S&G, April 8, 2013
18. Heritage Planning Work Plan Update 2015 – 2017 presentation to Planning and Development Council on February 9, 2015
19. Planning and Development Council minutes of February 9, 2015
20. Staff report dated February 12, 2015 to the Budget Committee, with appendices
21. Budget Committee minutes of March 23, 2015
22. Cultural Heritage Landscape Strategy Implementation RFP 2015
23. Letter to property owners re: Phase 1 of CHL Strategy July/Aug 2015
24. 'Cultural Heritage Landscapes Strategy Implementation: Phase One Inventory' staff report dated January 27, 2016
25. Planning and Development Council minutes of February 16, 2016.
26. 'Cultural Heritage Landscape Strategy Implementation Summary Report' dated January 13, 2016 by Laurie Smith Heritage Consulting
27. CHL Inventory Report for 1333 Dorval Drive 2016
28. Staff report to Heritage Oakville on April 25, 2017 for Phase 2 of the CHL Strategy Implementation
29. Phase 2 Research and Assessment Report for 1333 Dorval Drive, May 8, 2017
30. Minutes of May 15, 2017 Planning and Development Council Meeting
31. Ken Moodie's report, "Glen Abbey Golf Course Heritage Review" dated August 9, 2017
32. Julian Smith's report "Cultural Heritage Landscape Values and Attributes of the Glen Abbey Property" dated August 10, 2017
33. Planning Services Department staff report, August 10, 2017 re: Notice of Intention to Designate
34. Heritage Oakville Advisory Committee minutes of August 15, 2017
35. August 21, 2017 Planning and Development Council minutes
36. Notice of Intention to Designate for 1333 Dorval Drive
37. Clublink letter dated September 25, 2017 to the Town Clerk
38. Pacific Life objection letter dated September 25, 2017 to the Town Clerk

39. Pacific Life withdrawal letter dated December 18, 2017 to the Conservation Review Board
40. Heritage Designation By-law 2017-138
41. CHL Implementation Master Table
42. Cultural Heritage Landscape Assessment & Heritage Impact Assessment: Proposed Redevelopment of the Glen Abbey Golf Club, Oakville prepared by ERA Architects Inc. dated November 9, 2016 (ERA report).
43. Peer review of the ERA report was completed by Julian Smith
44. Heritage staff report to Heritage Oakville Advisory Committee on September 19, 2017
45. November 21, 2017 Clublink demolition application
46. ERA Addendum to the CHLA and HIA report dated November 20, 2017 (the "ERA Addendum").
47. Heritage Oakville Advisory Committee minutes of February 6, 2018
48. Planning and Development Council minutes of February 12, 2018

# CURRICULUM VITAE

Susan Schappert, Hon. B.A., MCIP, RPP, CAHP

## RELEVANT WORK EXPERIENCE:

### **Heritage Planner**, Town of Oakville, May 2009 to present

- Completing historical research and preparing background reports for the designation and listing of properties under the *Ontario Heritage Act*;
- Development and implementation of the Cultural Heritage Landscapes Strategy, including research and evaluation of cultural heritage landscapes; designation of cultural heritage landscapes and conservation plans for cultural heritage landscapes;
- Project team lead for the design and implementation of the Town's Heritage Grant Program;
- Project team lead for the Downtown Oakville Heritage Conservation District Study, Plan and Guidelines;
- Project team lead for the Update to the First and Second Street Heritage Conservation District Plan and Guidelines;
- Developing and implementing policies to integrate heritage conservation strategies within a larger municipal planning framework, including Official Plan Amendments to the Livable Oakville Plan and the Bronte Village Heritage Resources Review and Strategy;
- Preparing studies and policy reports on heritage planning and conservation;
- Participating in Conservation Review Board (474 Lakeshore Road East - Appeal of Notice of Intention to Designate) and Ontario Municipal Board/LPAT (68-70 Navy Street - Appeal of Minor Variance, First and Second Street Heritage Conservation District Plan and Guidelines Appeal) hearings as an expert witness in heritage planning;
- Provided expert witness testimony to the Superior Court of Ontario regarding heritage issues;
- Processing heritage permit applications and completing ongoing inspections of properties;
- Reviewing and commenting on heritage related development applications under the *Planning Act* and heritage impact assessments;
- Laying orders under the Property Standards By-law and charges under the *Ontario Heritage Act*;
- Preparing and participating in community outreach events and presentations, including Doors Open, Heritage Volunteer Awards;
- Presenting information to and consulting with the local municipal heritage advisory committee;
- Developing and providing educational and outreach material regarding heritage conservation, including presentations to the southern Ontario heritage planners network, the local realtor association and historical societies.

### **Community Programs Officer**, Ontario Heritage Trust, May 2008 to May 2009

- Administration of Heritage Community Recognition Program, Young Heritage Leaders Program, Lieutenant Governor's Ontario Heritage Awards for Lifetime Achievement, Youth Leadership, and Community Leadership;
- Event planning and management, and community outreach for Provincial Heritage Plaque unveilings, and Premier's Gravesites plaque unveilings;
- Management of Barnum House Museum in Grafton, ON. Duties included hiring, training and management of summer staff, community programming and special events, outreach activities.

# CURRICULUM VITAE

Susan Schappert, Hon. B.A., MCIP, RPP, CAHP

## **Heritage Researcher**, City of Peterborough, May 2004 to May 2008

- Researched, photo-documented and wrote heritage designation briefs and by-laws;
- Coordination and implementation of the Heritage Tax Relief Program;
- Nomination of 51 designated properties to the Canadian Register of Historic Places;
- Researched and wrote reports and policy for the Archaeology Master Plan;
- Presented information to and consult with the local municipal heritage advisory committee;
- Assisted in the review of demolition permits, and evaluation and photo-documentation of heritage resources;
- Developed the Built Heritage Inventory, the basis for the City's official Register of Properties of Heritage Interest;
- Supervised and trained interns and students on heritage evaluations, heritage designations and report writing.

## **Heritage Consultant**, Susan E. Schappert Heritage Consulting, 2007-2008

- 50 Nominations to the Canadian Register of Historic Places for the Municipality of Port Hope, including the creation of statements of significance and photo-documentation;
- Research and first-person interviews for Heritage Canada Foundation: Integration of Heritage and Development Case Studies: Twisted Sisters, Halifax; Lister Block, Hamilton;
- General consultative services for the Town of Aurora, including: Coordination, planning and event implementation for Doors Open Aurora 2007 and 2008, writing of heritage designation briefs and by-laws;
- Workshop Seminar for Fleming College Museum Management and Curatorship Program on 'Writing about Heritage Value'.

## **Community Planning Assistant**, Town of Aurora, April 2006 to December 2006

- Researched and wrote heritage designation briefs, notifications and by-laws;
- Nominated 22 designated properties to the Canadian Register of Historic Places;
- Assisted in review of demolition permit applications, including evaluations and photo-documentation of heritage resources and salvage requirements, as well as development applications affecting heritage properties;
- Documented and evaluated heritage properties for the Town of Aurora Register of Properties of Cultural Heritage Value or Interest;
- Created Aurora Architectural Salvage Program policy document, Aurora Property Owner's Guide to Heritage Designation, and Urban Design Awards program proposal;
- Presented information to and consult with the local municipal heritage advisory committee.

## **Outreach Advisor**, Ministry of Culture, February 2007 to May 2007

- Wrote and edited nominations for the Canadian Register of Historic Places for municipalities across Ontario;
- Coordinated and presented 2 workshops on 'Writing Statements of Significance' to 2 municipalities in southwestern Ontario;
- Provided outreach and support for municipal staff and heritage committees on nominating designated properties to the Canadian Register of Historic Places.

# CURRICULUM VITAE

Susan Schappert, Hon. B.A., MCIP, RPP, CAHP

## MEMBERSHIPS:

- Professional Member of the Canadian Association of Heritage Professionals 2012- present
  - CAHP Board of Directors Member 2016-2020
    - President 2018-2019
    - Vice President 2017-2018
    - Past President 2019-2020
    - Communications Committee
    - Conference Committee
    - Nominations Committee
    - New Members Task Force
    - Strategic Planning Committee
  - OAHP (Ontario Chapter) Board Member 2015-2017
    - Communications Committee
    - Co-Editor of OAHP Newsletter
- Full Member of the Ontario Professional Planners Institute – 2012-present
- Full Member of the Canadian Institute of Planners – 2012-present

## EDUCATION:

### **Bachelor of Arts (Honours) with Distinction**

April 2002

- Major in History
- Minor in Studio Arts

University of Guelph, Guelph, Ontario

### **Museum Management and Curatorship Certificate**

October 2004

Fleming College, Peterborough, Ontario

## AWARDS:

EMT Significant Achievement Award (Town of Oakville), Glen Abbey Golf Course Interim Control By-law and Planning Studies, 2018

(Municipality)

Town of Oakville, Prince of Wales Prize, 2010

Town of Oakville, Lieutenant Governor's Ontario Heritage Award for Community Leadership, 2009

## PRESENTATIONS:

2019 – *Additions to Historic Buildings: A Vital Dialogue for Practitioners* - Part 2: Planners Panel, Moderator, National Trust for Canada Conference

2019 – Heritage Hackathon, National Trust for Canada Conference

2018 – *Heritage Properties in Oakville*, The Oakville, Milton and District Real Estate Board

2017 – *Heritage Properties in Oakville*, The Oakville, Milton and District Real Estate Board

2016 – National Forum on Heritage Planning – *What is the Role of Municipal Heritage Planning in Communities and Society?* National Trust for Canada

2016 - *The Planner, the Architect, the Engineer, and the Contractor: Spanning Professions for the Betterment of Heritage*, Ontario Heritage Conference

2016 – *Heritage Easement Agreements*, Ontario Heritage Planners



## **CURRICULUM VITAE**

Susan Schappert, Hon. B.A., MCIP, RPP, CAHP

2016 – *Heritage Planning in the Town of Oakville*, The Oakville, Milton and District Real Estate Board

2015 – *Heritage Planning Issues*, Trafalgar Township Historical Society

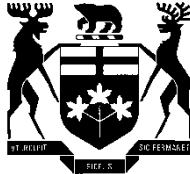
2013 – *Heritage Planning and the OLRA*, Oakville Lakeside Resident's Association

2012 – *Heritage Planning in the Town of Oakville*, The Oakville, Milton and District Real Estate Board

2010 – *Heritage in Bronte*, Bronte Resident's Association

2010 – *Built Heritage in Ontario*, Fleming College

2009 – *Built Heritage in Ontario*, Fleming College



Ontario

Local Planning Appeal Tribunal  
Tribunal d'appel de l'aménagement local

**ACKNOWLEDGMENT OF EXPERT'S DUTY**

Case Number	Municipality

1. My name is Susan Schappert.....(name)  
I live at the City of Guelph.....(municipality)  
in the.....(county or region)  
in the Province of Ontario.....(province)
2. I have been engaged by or on behalf of the Town of Oakville.....(name of party/parties) to provide evidence in relation to the above-noted LPAT proceeding.
3. I acknowledge that it is my duty to provide evidence in relation to this proceeding as follows:
  - a. to provide opinion evidence that is fair, objective and non-partisan;
  - b. to provide opinion evidence that is related only to matters that are within my area of expertise; and
  - c. to provide such additional assistance as the LPAT may reasonably require, to determine a matter in issue.
  - d. not to seek or receive assistance or communication, except technical support, while under cross examination, through any means including any electronic means, from any third party, including but not limited to legal counsel or client.
4. I acknowledge that the duty referred to above prevails over any obligation which I may owe to any party by whom or on whose behalf I am engaged.

Date May 12, 2021.....

.....  
Signature

	STREET	NAME	PUBLIC/PRIVATE	EXISTING DESIGNATION	Status as of May 2021
	Balsam Drive	[streetscape]	Public	none	
37-53	Bond Street	IOF Orphanage	Public	Listed	Municipal designation not possible due to provincial ownership
1470	Bronte Road	W.C. Inglehart Farm/Oakhurst	Public	Removed from Heritage Register	Property suffered a fire during the inventory evaluation, destruction of the farmhouse. Removed from Heritage Register in 2016. Not a CHL.
1219-1311	Burloak Drive	Bronte Creek Provincial Park	Public - Provincial	Listed	Municipal designation not possible due to provincial ownership
	Cross Avenue Bridge	Sixteen Mile Creek Bridge	Public - Provincial	Listed	Municipal designation not possible due to provincial ownership
2417	Fourth Line	Sixteen Hollow/Lion Valley Park	Public	none	Not a CHL. No further action required.
	Fourth Line Bridge	Glenorchy Bridge remnants	Public	Listed	
144	Front Street	Lakeside Park	Public	Oakville Harbour CHL By-law 2020-127 passed on November 23, 2020. Conservation Plan complete.	CHL By-law and Conservation Plan complete. OPA/ZBA not completed.
204 & 240	Front Street	George Street Parkette & Dingle Park	Public	Old Oakville HCD	Part of Old Oakville HCD/CHL. Update pending 2021/2022.
24	Holyrood Avenue	Holyrood Park	Public	Listed	Not a CHL. No further action required.
210	Lakeshore Road East	Towne Square	Public	Downtown HCD	Not a CHL. No further action required.
1288-1306	Lakeshore Road East	Gairloch Estate	Public	CHL By-law 2021-006 passed on January 18, 2021. Conservation Plan complete.	CHL By-law and Conservation Plan complete. OPA/ZBA not completed.

	STREET	NAME	PUBLIC/PRIVATE	EXISTING DESIGNATION	Status as of May 2021
258	Lakeshore Road West	St. Jude's Cemetery	Public	CHL By-law 2020-127 passed on November 23, 2020. Conservation Plan complete.	CHL By-law and Conservation Plan complete. OPA/ZBA not completed.
2197	Lakeshore Road West	Bronte Athletic Field	Public	none	
3014	Lakeshore Road West	Bronte Harbour	Public	Subject to Bronte Harbour NOID	NOID issued in 2020. Appealed to CRB. Hearing date not set as of May 2021. Conservation Plan started but on hold pending hearing.
659	Lyons Lane	Oakville/St. Mary's Cemetery	Public	Designated Part IV	Phase 2 Research and Assessment underway as of May 2021.
148	Morrison Road	Ray Lawson Park	Public	Listed	
8	Navy Street (& 110-114 King Street)	Erchless Estate	Public	CHL By-law 2019-057 passed on November 4, 2019. Conservation Plan complete.	CHL By-law and Conservation Plan complete. OPA/ZBA not completed.
2222	North Service Road	Merton-Mt. Pleasant Cemetery	Public	Designated Part IV	Phase 2 Research and Assessment underway as of May 2021.
	Seneca Drive	[streetscape]	Public	none	
	Sovereign Street	[streetscape]	Public	none	Not a CHL. No further action required.
179	Trafalgar Road	George's Square	Public	Trafalgar Road HCD	
5	Walker Street	Oakville Harbour & Shipyard Park	Public	Oakville Harbour CHL By-law 2020-127 passed on November 23, 2020. Conservation Plan complete.	CHL By-law and Conservation Plan complete. OPA/ZBA not completed.
10-22	Walker Street	Tannery Park	Public	Oakville Harbour CHL By-law 2020-127 passed on November 23, 2020. Conservation Plan complete.	CHL By-law and Conservation Plan complete. OPA/ZBA not completed.

	STREET	NAME	PUBLIC/PRIVATE	EXISTING DESIGNATION	Status as of May 2021
145	Wedgewood Drive	Cox Estate Cemetery	Public	Designated Part IV	Phase 2 Research and Assessment underway as of May 2021.
7	West River Street	Sovereign House	Public	Designated for structure, subject to Bronte Harbour NOID	NOID issued in 2020. Appealed to CRB. Hearing date not set as of May 2021. Conservation Plan started but on hold pending hearing.
35	West River Street	Bronte Bluffs	Public	Subject to Bronte Harbour NOID	NOID issued in 2020. Appealed to CRB. Hearing date not set as of May 2021. Conservation Plan started but on hold pending hearing.
32	West Street	Bronte Cemetery	Public	Designated Part IV	Phase 2 Research and Assessment underway as of May 2021.
126	Bath Street	Belair Farms [estate]	Private	Designated Part IV	
1242	Bronte Road	Woodlands	Private	Listed	
185	Burnhamthorpe Road East	Featherstone Farm	Private	Listed	
191	Burnhamthorpe Road East	McDuffie Farm	Private	Barn subject to NOID, ongoing CRB appeal	Not a CHL. Barn subject to NOID - appealed to CRB. No further action for CHL required.
1086	Burnhamthorpe Road East	Bowbeer Farmstead	Private	CHL By-law 2018-136 passed on October 9, 2018.	Completed Phase 2 in 2017. Phase 3 - CHL designation by-law completed in 2018. Conservation Plan still in progress as of May 2021.
1141	Burnhamthorpe Road East	William Secord House	Private	Listed	


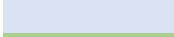

	STREET	NAME	PUBLIC/PRIVATE	EXISTING DESIGNATION	Status as of May 2021
1158	Burnhamthorpe Road East	Bowbeer Farm	Private	Removed from Heritage Register	Developer undertook Phase 2 review, accepted by Council in December 2018. Not a CHL.
1265	Burnhamthorpe Road East	Hoffman-Mayne Farm	Private	Listed	
1495	Burnhamthorpe Road West	Slacer Cabin	Private	Listed	
2381	Burnhamthorpe Road West	[remnant farmstead]	Private	Listed	
2483	Burnhamthorpe Road West	Schellenberg Stables	Private	Listed	
40	Cox Drive	Ennisclare/Cox Estate	Private	Designated Part IV	
1333	Dorval Drive	Raydor Estate/Glen Abbey	Private	CHL By-law 2017-138	Completed Phase 2 - Identified as Significant Cultural Heritage Landscape 2017 . Phase Three implementation: designation of CHL 2017, OPA/ZBA 2018 appealed. Revised Conservation Plan to be completed following LPAT hearing.
1297	Dundas Street East	Turner Farm	Private	Listed - for house and barn only	CHL status removed by Council in September 2020. No further work required.
2165	Dundas Street West	Smith-Carrique Barn & Shed	Private	Listed	
2391	Dundas Street West	Jacob Lawrence House	Private	Listed	

	STREET	NAME	PUBLIC/PRIVATE	EXISTING DESIGNATION	Status as of May 2021
3367	Dundas Street West	McMichael Farm	Private	Listed - for house only	Completed Phase 2 in 2017 - NOT a CHL, removed from further CHL study.
4022	Fourth Line	Ford-Slacer Farm	Private	Listed - for house only	Completed Phase 2 in October 2020 (part of barn demolition notice) - NOT a CHL, removed from further CHL study.
2	Holyrood Avenue	Holyrood Estate House	Private	Listed	
1118	Lakeshore Road East	Hopgood Estate	Private	Designated Part IV	
1248 - 1250	Lakeshore Road East	Grenvilla Lodge	Private	Listed	
1475	Lakeshore Road East	Ryrie Estate	Private	Designated for estate house	
2108 - 2134	Lakeshore Road East	[estate remnants]	Private	Listed	Not a CHL. No further action required.
2182	Lakeshore Road East	Horizons [estate]	Private	Listed	
372	Lakeshore Road West	[estate]	Private	Listed	
390	Lakeshore Road West	[estate]	Private	Listed	
540	Lakeshore Road West	Appleby College	Private	Listed	
549	Lakeshore Road West	Old McCraney House	Private	Designated Part IV (house only)	Not a CHL. No further action required.
2031	North Service Road	Hilton Farm	Private	Designated Part IV	Revised assessment accepted by Council in September 2020. No longer a CHL. Property remains designated for house only.
1285	Sedgewick Crescent	Rotary Gardens	Private	none	

	STREET	NAME	PUBLIC/PRIVATE	EXISTING DESIGNATION	Status as of May 2021
4243	Sixth Line	Bigger (Biggar) Farm	Private	Listed	Completed Phase 2 2017. Phase 3 is underway 2018-2019, discussions ongoing with property owner (Bell Canada). Fire at property in summer 2020 destroyed barns. Update expected summer 2021.
3371	Trafalgar Road	Clements Family Farmhouse	Private	Removed from Heritage Register	Not a CHL. Removed from Heritage Register in March 2017.
3437	Trafalgar Road	Matthew Clements House	Private	Listed	
3451	Tremaine Road	[remnant farmstead]	Private	Listed	Completed Phase 2 - NOT a CHL, removed from further CHL study
658	Winston Churchill Boulevard	[remnant farmstead]	Private	Listed	Contact with owner 2018. Research in preliminary stage.
1150	Dundas Street West	Knox Presbyterian Church Sixteen	Private	Designated - Part IV (1978) existing by-law requires updating	Update of designation by-law requested by property owner. Completed Phase 2, recognized as significant CHL in October 2020. Phase 3 ongoing as of May 2021.
1042	Sixth Line	Brown Family Estate	Private	CHL By-law 2020-047 passed on May 25, 2020.	CHL designated after CRB appeal withdrawn. Conservation Plan still in progress as of May 2021.



	STREET	NAME	PUBLIC/PRIVATE	EXISTING DESIGNATION	Status as of May 2021
1326	Bronte Road		Private	Listed - for house only	CHL investigated as precursor to development application. Phase 2 undertaken by applicant. Council approved not a CHL November 2020.

-  Not a CHL
-  CHL protection in progress
-  CHL protection complete (except for OPA/ZBA)

Public Properties	Private Properties
<b>MUNICIPALLY OWNED</b>	
Glenorchy Bridge Remnants	540 Lakeshore Road West, Appleby College
Bronte Harbour	1333 Dorval Drive, Dorfman Estate/ Glen Abbey
Bronte Bluffs	Rotary Gardens Project and Community
Ray Lawson Park	<b>Historic Farmsteads:</b>
Tannery Park	• 1242 Bronte Road, The Woodlands Farm
Post Office and Thomas House, Lakeside Park	• 191 Burnhamthorpe Road East
Museum, OHS & Lodge	• 1086 Burnhamthorpe Road East, Bowbeer Farmstead
Gairloch Estate	• 1141 Burnhamthorpe Road East
Lyon's Log Cabin and Lighthouse	• 1158 Burnhamthorpe Road East
Sovereign House	• 1265 Burnhamthorpe Road East
George St. Parkette, Dingle Park	• 185 Burnhamthorpe Road West
George's Square and Cenotaph	• 1495 Burnhamthorpe Road West, Slacer Log Cabin
Towne Square	• 2381 Burnhamthorpe Road West
Holyrood Park	• 2483 Burnhamthorpe Road West
Balsam Drive Streetscape	• 1297 Dundas Street East
Seneca Drive Streetscape	• 2165 Dundas Street West
Sovereign Street Streetscape	• 2391 Dundas Street West
Sixteen Hollow, Lions Valley Park	• 3367 Dundas Street West
Bronte Athletic Field	• 4022 Fourth Line
Bronte Cemetery	• 549 Lakeshore Road West, Old McCraney House
Cox Estate Cemetery	• 2031 North Service Road West, Hilton Farm
Merton Mount Pleasant Cemetery	• 4243 Sixth Line
Oakville/St. Mary's Cemetery	• 3371 Trafalgar Road
St. Jude's Cemetery	• 3437 Trafalgar Road
<b>PROVINCIAALLY OWNED</b>	• 3451 Tremaine Road
Historic Rail Bridge	• 658 Winston Churchill Boulevard
Bronte Provincial Park	<b>Lakefront Estates:</b>
IOF Orphanage	• 126 Bath Street
1470 Bronte Road, W.C. Inglehart Farm	• 40 Cox Drive, Ennisclare/Cox Estate
	• 2 Holyrood Avenue, Holyrood Estate House
	• 1118 Lakeshore Road East, Bush House/Hopgood Estate
	• 1248-1250 Lakeshore Road East, Grenvilla Lodge
	• 1475 Lakeshore Road East, Rynie Estate
	• 2108-2134 Lakeshore Road East, Estate remnants
	• 2182 Lakeshore Road East
	• 372 Lakeshore Road West
	• 390 Lakeshore Road West

Access Granted		No Access		Access Denied	
1219-1311 Burloak Drive	Bronte Creek Provincial Park	37-53 Bond Street	IOF Orphanage	372 Lakeshore Road East	[estate]
126 Bath Street	Belair Farms [estate]	1470 Bronte Road	W.C. Inglehart Farm/Oakhurst	390 Lakeshore Road East	[estate]
1242 Bronte Road	Woodlands	185 Burnhamthorpe Road East	Featherstone Farm	2031 North Service Road	Hilton Farm
1086 Burnhamthorpe Road East	Bowbeer Farmstead	191 Burnhamthorpe Road East	McDuffie Farm	4022 Fourth Line	Ford-Slacer Farm
1495 Burnhamthorpe Road West	Slacer Cabin	1141 Burnhamthorpe Road East	William Secord House	2381 Burnhamthorpe Road West	[remnant farmstead]
2483 Burnhamthorpe Road West	Schellenberg Stables	1158 Burnhamthorpe Road East	Bowbeer Farm		
40 Cox Drive	Ennisclare/Cox Estate	1265 Burnhamthorpe Road East	Hoffman-Mayne Farm		
1333 Dorval Drive	Raydor Estate/Glen Abbey	2165 Dundas Street West	Smith-Carrique Barn & Shed		
1297 Dundas Street East	Turner Farm	2391 Dundas Street West	Jacob Lawrence House		
2 Holyrood Avenue	Holyrood Estate House	3367 Dundas Street West	McMichael Farm		
540 Lakeshore Road West	Appleby College	1118 Lakeshore Road East	Hopgood Estate		
4243 Sixth Line	Bigger (Biggar) Farm	1248 - 1250 Lakeshore Road East	Grenvilla Lodge		
658 Winston Churchill Boulevard	[remnant farmstead]	1475 Lakeshore Road East	Ryrie Estate		
Cross Avenue Bridge		2108 - 2134 Lakeshore Road East	[estate remnants]		
		2182 Lakeshore Road East	Horizons [estate]		
		549 Lakeshore Road West	Old McCraney House		
		1285 Sedewick Crescent	Rotary Gardens		
		3371 Trafalgar Road	Clements Family Farmhouse		
		3437 Trafalgar Road	Matthew Clements House		
		3451 Tremaine Road	[remnant farmstead]		
<b>TOTAL</b>	<b>14</b>	<b>TOTAL</b>	<b>20</b>	<b>TOTAL</b>	<b>5</b>

HIGH PRIORITY		MEDIUM PRIORITY		LOW PRIORITY		N/A	
144 Front Street	Lakeside Park	Balsam Drive	[streetscape]	37-53 Bond Street	IOF Orphanage	1470 Bronte Road	W. C. Inglehart Farm/Oakhurst
8 Navy Street (& 110-114 King Street)	Erchless Estate	Cross Avenue Bridge	Sixteen Mile Creek Bridge	1219-1311 Burloak Drive	Bronte Creek Provincial Park	2417 Fourth Line	Sixteen Hollow/Lion Valley Park
1086 Burnhamthorpe Road East	Bowbeer Farmstead	1288-1306 Lakeshore Road East	Gairloch Estate	Fourth Line Bridge	Glenorchy Bridge remnants	204 & 240 Front Street	George Street Parkette & Dingle Park
1333 Dorval Drive	Raydor Estate/Glen Abbey	3014 Lakeshore Road West	Bronte Harbour	2197 Lakeshore Road West	Bronte Athletic Field	24 Holyrood Avenue	Holyrood Park
3367 Dundas Street West	McMichael Farm	Seneca Drive	[streetscape]	659 Lyons Lane	Oakville/St. Mary's Cemetery	210 Lakeshore Road East	Towne Square
2031 North Service Road	Hilton Farm	5 Walker Street	Oakville Harbour & Shipyard Park	148 Morrison Road	Ray Lawson Park	258 Lakeshore Road West	St. Jude's Cemetery
4243 Sixth Line	Bigger (Biggar) Farm	35 West River Street	Bronte Bluffs	2222 North Service Road	Merton-Mt. Pleasant Cemetery	Sovereign Street	[streetscape]
3451 Tremaine Road	[remnant farmstead]	32 West Street	Bronte cemetery	179 Trafalgar Road	George's Square	2 Holyrood Avenue	Holyrood Estate House
		1242 Bronte Road	Woodlands	10-22 Walker Street	Tannery Park	1118 Lakeshore Road East	Hopgood Estate
		1141 Burnhamthorpe Road East	William Secord House	145 Wedgewood Drive	Cox Estate Cemetery	1248 - 1250 Lakeshore Road East	Grenvillia Lodge
		1265 Burnhamthorpe Road East	Hoffman-Mayne Farm	7 West River Street	Sovereign House	2108 - 2134 Lakeshore Road East	[estate remnants]
		2381 Burnhamthorpe Road West	[remnant farmstead]	126 Bath Street	Belair Farms [estate]	549 Lakeshore Road West	Old McCraney House
		1475 Lakeshore Road East	Rylie Estate	185 Burnhamthorpe Road East	Featherstone Farm		
		1285 Sedgewick Crescent	Rotary Gardens	191 Burnhamthorpe Road East	McDuffie Farm		
		3437 Trafalgar Road	Matthew Clements House	1158 Burnhamthorpe Road East	Bowbeer Farm		
		658 Winston Churchill Boulevard	[remnant farmstead]	1495 Burnhamthorpe Road West	Slacer Cabin		
				2483 Burnhamthorpe Road West	Schellenberg Stables		
				40 Cox Drive	Ennisclare/Cox Estate		
				1297 Dundas Street East	Turner Farm		
				2165 Dundas Street West	Smith-Carrique Barn & Shed		
				2391 Dundas Street West	Jacob Lawrence House		
				4022 Fourth Line	Ford-Slacer Farm		
				2182 Lakeshore Road East	Horizons [estate]		
				372 Lakeshore Road West	[estate]		
				390 Lakeshore Road West	[estate]		
				540 Lakeshore Road West	Appleby College		
				3371 Trafalgar Road	Clements Family Farmhouse		
<b>TOTAL</b>	<b>8</b>	<b>TOTAL</b>	<b>16</b>	<b>TOTAL</b>	<b>27</b>	<b>TOTAL</b>	<b>12</b>