

**Conservation
Review Board**

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**Commission des
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**RE: TOWN OF OAKVILLE - INTENTION TO DESIGNATE
210 RANDALL STREET**

Barbara A. Humphreys, Member
Andrew S. Mathers, Member

November 28, 1996

The hearing was convened at the Town of Oakville, 2274 Trafalgar Road, on November 28, 1996, pursuant to section 29(8) of the Ontario Heritage Act, R.S.O. 1990, Ch.O.18 (as amended), for the purpose of reporting to the Council of the Town of Oakville whether, in the opinion of the Board, on the basis of the evidence heard, that the property known municipally as 210 Randall Street should be designated by by-law under the Act, an objection having been raised by Mr. Martyn Beckett, spouse of the owner; Mr. Bruce Rae, former owner; and five members of the public.

Notice of Hearing was given by the Board, under the Act, in the Oakville Beaver, a newspaper having general circulation in the Town of Oakville, in its issue of November 17, 1996.

This Board, in accordance with its custom, had the opportunity to view the site and the surrounding area prior to the hearing.

Present:

For the Town:

Jennifer Huctwith, Assistant Town Solicitor, Town of Oakville
Diana Ottosen, Assistant Town Solicitor, Town of Oakville
Richard Unterman, Consultant with the firm Unterman, McPhail Cuming
Associates, Heritage Conservation and Planning Consultants, Toronto

For the Objector:

Martyn Beckett, Spouse of Owner (Sandra Dawn Ramsay), Oakville
Bruce Rae, Real Estate Appraiser and former owner, Oakville

The Case for the Town of Oakville

Presenter: Ms. Jennifer Huctwith

Ms. Huctwith identified the property registration and noted that the present registered owner is Sandra Dawn Ramsay. Documents of registration were presented as Exhibit #3.

Ms. Huctwith submitted the "Notice of Hearing" as Exhibit #1.

Ms. Huctwith submitted, as Exhibit #2, the Declaration of "Notice of Intention to Designate", dated June 25, 1997, 210 Randall Street, by the Town of Oakville.

A document entitled "Witness Statement", which included a brief resume of Richard Unterman, the experience of his firm and his evaluation of 210 Randall Street with respect to designation of the property, was submitted as Exhibit #4.

Ms. Huctwith submitted as Exhibit #5, a document entitled "Part C, General Policies, 8. Heritage Resource Conservation", which is an excerpt from the Official Plan, 1983, of the Town of Oakville.

Ms. Huctwith also submitted, as Exhibits 6A, 6B and 7, a plan and drawings of the geographic area and exterior photographs of the subject property. A document entitled "Heritage Inventory - Oakville Inventory of Buildings Not Designated as of December 1995," was submitted as Exhibit #8; the subject property appears in this document.

Ms. Huctwith submitted as Exhibit #9, an excerpt from the Town of Oakville Official Plan (1983), entitled, "Part D. Land Use Policies, pages 47, 48, 49, which describes land use policies with respect to the commercial aspects of various areas in Oakville, including the area in which the subject property is situated.

Witness: Richard Unterman, Consultant, Heritage Conservation and Planning Consultants

Richard Unterman presented his opinion, as recorded in his undated report entitled "Witness Statement" and recorded as Exhibit #4, regarding the merits of designating 210 Randall Street as a building worthy of a heritage designation. Mr. Unterman briefly reviewed the criteria by which buildings may be judged with respect to their heritage significance i.e. "A building may be of architectural significance due to its style or as the work of a notable architect or builder." A building may also be significant if its physical location contributes to the context of the area.

Mr. Unterman stated the subject building was one of three remaining frame buildings of nine original buildings on the south side of Randall Street. The building is one of the few of its type remaining in the centre of the Town. Mr. Unterman described the building's architecture as being of a vernacular type seen throughout Ontario. The existing stucco was probably original and the LACAC estimated that the building was built around 1870, with the verandah added at a later date. Mr. Unterman said that the *Harker* family occupied the building between 1890 to 1970.

In Summary, Mr. Unterman supports the Intention to Designate, citing as his reasons, "historical associations, architectural qualities and context significance."

The Case for the Objectors:

Witness: Bruce Rae, Real Estate Appraiser

Mr. Bruce Rae, a member of the public and a former owner of 210 Randall Street, addressed the hearing. Mr. Rae asked for a structural report and was advised by Mr. Unterman that the Heritage Act does not require an engineer's report in the assessment of a building for designation. Mr. Rae submitted correspondence, noted as Exhibit #10, from four objectors wherein objections were expressed either to the process followed by the Town of Oakville leading to the designation of a property or to the actual designation which could result in a potential future loss in economic value being experienced by the current owner.

Mr. Rae, a real estate appraiser, maintains that designation of the subject property would reduce its market value. He referred to Exhibit 10.A, a letter from Mr. M.G. Millman of the firm MGM Property Appraisals Ltd., November 14, 1996, wherein Mr. Millman supports the position that generally a property is diminished in value following its designation since the "highest and best use has been affected in a negative mode."

Mr. Millman was not formally retained to provide an appraisal on the subject property, however, in his letter to Mr. Rae he says that if he was requested to "complete an appraisal on the property," he "would have no option but to utilize a discount to help mitigate the difference in value from any valuation data not similarly affected. . ."

The other documentation presented by Mr. Rae dealt with the alleged inappropriate nature of the designation process rather than specific points relating to the architectural or heritage character of the property itself.

Mr. Rae indicated that he did not believe that LACAC nor the Oakville Town Council was interested in his opinion.

Witness: Martyn Beckett

Martyn Beckett, spouse of the present owner (Sandra Dawn Ramsay), addressed the hearing expressing objections to the proposed designation on behalf of the owner as well as himself. Their objection to the proposed designation was due to the fact that the property had been purchased in May 1996 with the intention of using the building for a small business operation for a few years but subsequently to redevelop it as a medical clinic and that designation of the property would render execution of this plan very difficult if not impossible.

Mr. Beckett said that the building required major repair work due to the ravages of dry rot. He had worked with LACAC when the porch was renovated and maintained that LACAC did not examine the condition of the house interior.

Mr. Beckett stated that he was not aware at the time of purchase that the property was included in the aforementioned document prepared by the Town of Oakville, "Heritage Inventory - Oakville Inventory of Buildings Not Designated as of December, 1995". He said that the property assessment is based upon a four-storey commercial use and that the property is zoned for business/residential uses. He pointed out that the property immediately to the south had been redeveloped within the last seven years.

Summation:

Ms. Huctwith commented that the LACAC had been interested in the subject property since 1992 and summarized the position of the Town of Oakville stating that the subject property has both historic and architectural significance as the families who resided therein were notable at their time and the vernacular nature of the architecture still remains intact despite alterations. The building is one of the few remaining structures which reflect the character of the previous neighbourhood, showing the lifestyle of families of modest incomes.

Those present representing the objectors had nothing further to add.

FINDINGS:

Based on the evidence presented by the witness for the Town of Oakville and that of the objectors to the designation of the subject property, a compelling case was made that 210 Randall Street is of architectural and historical significance and is worthy of designation.

RECOMMENDATIONS:

1. The Board believes 210 Randall Street to be of architectural and historical significance and therefore recommends that it be designated under Part IV of the Ontario Heritage Act.
2. The Board, while fully appreciating the concerns of the objectors for the economic future of the property, encourages the owners to work with the Town to determine a viable use which would respect the heritage character of the building.

(Signed)

Barbara A. Humphreys, Member

Andrew S. Mathers, Member

List of Exhibits

- 1 Notice of Hearing, Oakville Beaver, November 17, 1996.
- 2 Declaration of Notice to Designate 210 Randall Street, Oakville.
- 3 Parcel Register (abbreviated) for Property Identifier.
- 4 Witness Statement and Resume - Richard Unterman, Unterman McPhail Cuming Associates, Heritage Conservation and Planning Consultants.
- 5 Excerpt from Official Plan 1983 - Part C. General Policies
8. Heritage Resource Conservation
- 6A Plan (Partial), Dated November 28, 1996, of Town of Oakville, Re: Heritage and Central Business Districts.
- 6B Photographs of 210 Randall Street.
- 7 Photograph of 210 Randall Street.
- 8 Copy of "Heritage Inventory" - Oakville Inventory of Buildings Not Designated as of December 1995.
- 9 Excerpt from Official Plan 1983 - Part D., Land Use Policies.
- 10 Copies of Documentation Objecting to Designation:
 - A. Letter dated November 14, 1996 from M. G. Millman.
 - B. Memorandum dated November 26, 1996 from M. Rae.
 - C. Memorandum dated November 26, 1996 from P. Rae.
 - D. Letter dated November 26, 1996 from S. Beeston.