

Ministry of Tourism,
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Conservation Review Board

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Commission des

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**RE: TOWN OF OAKVILLE INTENTION TO DESIGNATE
1054 THIRD LINE, OAKVILLE, ONTARIO**

Heather Broadbent, Vice-Chairman
Nathalie Boutet, Member

December 10, 1993

A hearing was convened under Section 29(8) of the Ontario Heritage Act R.S.O. 1990, Ch. O.18 for the purpose of reporting to the Town of Oakville whether, in the opinion of the Board, the property known as 1054 Third Line, Oakville, should be designated for historical and architectural reasons.

For the Town of Oakville: Beatrice Howell, Lawyer and David Cuming, Consultant,
Unterman McPhail Cuming Associates

There were no Objectors present. After delaying the hearing for about fifteen minutes the hearing was convened.

Ms. Howell opened for Oakville by introducing the witness, David Cuming, and entering Exhibits 1 through 5. Mr. Cuming's credentials were accepted as those of an expert witness by the Board and he introduced his comprehensive report contained in Exhibit 2.

The building was described as a one-and-a-half storey stone farmhouse, in a rectangular plan with a projecting centre gable, side gable roof and a bay. It has a centre hall, a symmetrical arrangement of doors and windows. The Hilton family were the first tenants and owners of the farm and had the house constructed in 1858 to replace their former frame house.

Located on the Iroquois Beach Ridge the property became a fruit farm. *The Illustrated Historical Atlas of Halton County 1877* reveals it was by far the largest fruit farm in the area at that time.

The witness listed the historical background of the structure, the families that occupied it and its architectural significance. He specifically mentioned the very unusual golden brown, red and grey stone (material that was probably available in the beach ridge) which was used to build the house. In addition, Mr. Cuming referred to the setting of the home, historically on Middle Road and presently on that road's replacement by the Queen Elizabeth Way, and the retention of its landscape context. Mr. Cuming also noted that the earlier report had described the building as having stone lintels. The correct term is in fact "voussoirs".

The witness concluded his evidence by listing 1054 Third Line as having several heritage attributes, historical associations and architectural qualities and he listed its landscape significance. He noted that the building had all the attributes necessary to make it worthy of designation under the Act. At the conclusion of the witness's testimony, the Board recessed for ten minutes while Ms. Howell telephoned the Objectors to ascertain if they wished to be present.

After reconvening, Ms. Howell reported that she had contacted Mrs. Malcolmson who indicated that the owners objections were contained in their original letter to the Town of Oakville. A copy of the letter was then submitted as Exhibit 6.

FINDINGS:

The Board heard evidence of the history of the building; its vernacular architecture; the original and subsequent owners; the successful historic fruit growing business that occurred on the land; and its context in the landscape.

In consideration of the eight objections to designation listed in Mr. & Mrs. Malcolmson's letter, only one is related to a consideration of heritage designation under the Ontario Heritage Act. All others relate to whether the mailing address is correct; whether the building is visible from nearby roads; proposed additions to the fencing; the zoning of nearby property, and items of necessary and regular maintenance to an approximately one hundred and forty year old building.

The final item of the objections claims that the building is of no historical importance other than being an old farmhouse similar to many others north of Oakville.

The Town had also received another objection to the designation of this building (and several others) from Kenneth Argue. Although not submitted as an exhibit the letter was circulated to the Board in the hearing preparation material. The letter did not challenge the historical or architectural integrity of the site nor was Mr. Argue present at the hearing.

CONCLUSIONS:

In the opinion of the Board, based on the evidence it heard, the Town of Oakville acted appropriately in initiating the Heritage Designation of the property at 1054 Third Line, Oakville. It meets all of the criteria necessary to qualify under the Ontario Heritage Act R.S.O. 1990 for historic designation.

The Board noted that historic designation will not preclude the re-zoning of the property to an alternative use in the future.

(Signed)

Heather R. Broadbent
Vice-Chairman

Nathalie Boutet
Member

LIST OF EXHIBITS

EXHIBIT

- 1 Affidavit from Nancy Smith, Secretary of the Conservation Review Board, Notice of Hearing published in the Oakville Beaver, November 19, 26 and December 3, 1993.
- 2 Report prepared on 1054 Third Line, Town of Oakville, prepared by David Cuming, Unterman McPhail Cuming Associates.
- 3 Certified copy of the Council Minutes of the Town of Oakville dated January 18, 1993, recording the designation of 1054 Third Line.
- 4 Certified copy of the Land Titles Record of the property.
- 5 Certified copy of the Land Ownership records.
- 6 Copy of letter of Objection to Heritage designation from Barbara and Donald Malcolmson to the Town of Oakville.