

**Conservation
Review Board**

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**Commission des
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**RE: TOWN OF OAKVILLE INTENTION TO DESIGNATE
134 THOMAS STREET, OAKVILLE, ONTARIO**

Heather Broadbent, Vice-Chairman

March 10, 1994

A hearing was convened under Section 29(8) of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18 for the purpose of reporting to the Council of the Town of Oakville whether the building known as 134 Thomas Street should be designated for historical and architectural reasons. The hearing was held March 10, 1994 at the Oakville Arena, 133 Rebecca Street, Oakville.

Representing the Town was Beatrice Howell, Town Counsel, with Anne Bobyk. The objector, Steve Peros Sr. was present with William (Bill) Kent, Solicitor, Ryrie, Ford, Kerr.

As is its custom, the Board visited the site prior to the hearing and in this instance returned to the site at the conclusion of the hearing.

Ms. Howell introduced Anne Bobyk as the Town's witness and a number of Exhibits (Appendix 1) were entered. Mrs. Bobyk had been a member of the Oakville LACAC for six years and also served for five years with York LACAC in the past. Mrs. Bobyk has degrees in Anthropology and Archaeology and now serves on the local Museum Board.

In her evidence, the witness described the building, commented on its context within the streetscape, and discussed Oakville's deep commitment to historic preservation. In an elaboration of the completed and proposed Heritage District designations, Mrs. Bobyk noted that to date there are no commercial district designations because most streets now contain inappropriate infill, but that there are examples of individual designations. The witness said that context and historic ambience were the strongest argument for conservation and that later additions to any building do not affect the historical integrity and can be noted and taken into

consideration in a structure description for designation. In this particular case it is the oldest part of the building that is to be designated. Although the building started life as a residence and is now zoned to commercial use this has proven to be appropriate and works as both local and visiting shoppers love the old Town and it is a tourist attraction.

The witness said that the older commercial district is developing an historic ambience which continues to attract visitors. She noted that modern commercial districts are available to the north.

At the conclusion of this witness's evidence the Board asked if the owner, who was not the objector, was present and was informed that she was not. The Board also noted that Mr. K. Argue, who had been an objector to this and several other designations, was again not present.

Mr. Steve Peros then gave his impressions of the building at 134 Thomas Street and questioned its structural stability. His evidence did not question the historical, architectural or contextual significance of the structure. Mr. Bill Kerr discussed the volume of traffic along Randall Street. Mr. Peros concluded the building was not worthy of designation nor was it comparable to the existing zoning.

In her summation, Ms. Howell indicated that the Town wished to designate the building for historical, architectural and contextual reasons. Further, the Town does not believe that designation impacts on the value, feels that this is a very special building and that it contributes to the character of the neighbourhood.

Findings

The land on which this house sits has been severely impacted by the subtraction of a portion of the lot and its subsequent addition to 156 Randall Street.

The subject building is a one and a half storey frame building in a vernacular style popular in Oakville in the 19th century. It has a three bay window and original six over six pane windows. There have been some additions and replacements compatible with a building of approximately 150 years of age. Contextually the building is entirely compatible with its neighbours and immediate surroundings. Originally this house was the home of John Brown, an early Oakville resident and shoemaker.

Claims that the building is not structurally sound were not substantiated and no evidence of any type of building failure was noticed during the second site visit by the Board member who has considerable experience in such matters. Visually the building

was in good condition, the walls were square and true and its surroundings were well maintained. However, the Board noted heritage designation does not have to take into account the condition of a structure. In relation to the suggested zoning of the site the Board would have appreciated hearing the evidence of a Town planner.

The Board also noted that there was no objection to this proposed designation by the owner and the objections by Mr. K. Argue by letter to the Town of Oakville did not indicate any objections relevant to the reasons for designation under the Ontario Heritage Act. The Board further noted that the zoning for this area is not entirely supportive of heritage designation.

Recommendation:

In the opinion of the Board the older portion of the building known as the John Brown House, presently the location of the Harvest Kitchen at 134 Thomas Street, is worthy of designation under the Ontario Heritage Act for historical, architectural and contextual reasons.

The Board further recommends to the Town of Oakville that if consideration of lost development potential is given in the case of 156 Randall Street, then comparable consideration should be given to this property in light of the conflicting heritage implications and zoning definitions.

(Original Signed by)

Heather Broadbent
Vice-Chairman

Appendix 1

LIST OF EXHIBITS

Exhibit #

- 1 Affidavit by Nancy Smith re Notice of Hearing
- 2 Certified copy of Minutes of Town of Oakville relating to the designation of 134 Thomas Street.
- 3 Certified copy of land ownership
- 4 Heritage Structure Report
- 5 Photographs dated 1981 and 1991
- 6 Copies of Town Maps of site