



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2019-013

A by-law to amend By-law 2009-079, being a by-law to designate the Old Smith Houses at 531-533 Kerr Street as a property of historical, architectural and/or contextual significance, for the properties known as the Smith Houses at 66-70 Shepherd Road.

WHEREAS section 30.1 of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended (OHA), authorizes the Council of a municipality to amend a by-law designating property made under section 29 of the OHA to: clarify or correct the statement explaining the property's cultural heritage value or interest or the description of the property's heritage attributes; correct the legal description of the property; or otherwise revise the language of the by-law to make it consistent with the requirements of the OHA or the regulations;

AND WHEREAS the Council for the Town of Oakville on June 9, 2009 passed By-law 2009-079, being "A by-law to designate the Old Smith Houses at 531-533 Kerr Street as a property of historical, architectural and/or contextual significance";

AND WHEREAS the Council for the Town of Oakville on July 9, 2018, after consultation with the Heritage Oakville Advisory Committee, approved a proposal to amend By-law 2009-079 to clarify the statement explaining the property's cultural heritage value or interest and the description of the property's heritage attributes, to amend the legal description of the property and to revise the language of the by-law to make it consistent with the requirements of the OHA;

AND WHEREAS the Council for the Town of Oakville on July 9, 2018, pursuant to the requirements of subsection 30.1(4) of the OHA also authorized a Notice of Council's Intention to so amend By-law 2009-079 to be served on the owners of the lands and premises at 66-70 Shepherd Road and upon the Ontario Heritage Trust with an explanation of the purpose and effect of the proposed amendment and an indication that the owner may, within 30 days of receiving the Notice (by January 9, 2019), file notice of objection to the amendment with the Town Clerk setting out the reasons for the objection and all relevant facts;

AND WHEREAS no notice of objection to the proposed amendment was filed with the Town Clerk of the Town of Oakville on or before January 9, 2019;

AND WHEREAS pursuant to subsection 30.1(7) of the OHA, the Council of the Town of Oakville may now pass the proposed amending bylaw;

COUNCIL ENACTS AS FOLLOWS:

1. That section 1 of By-law 2009-079 be deleted and replaced as follows:

“The following real property, more particularly described in Schedule “A”, is hereby designated as being of cultural heritage value or interest, for the reasons set out in Schedule B:

Old Smith Houses
66-70 Shepherd Road
Town of Oakville
The Regional Municipality of Halton”

2. That section 2 of By-law 2009-079 be deleted and replaced as follows:

“That the Schedules hereto form part of this By-law.”

3. That Schedule “A” of By-law 2009-079 be deleted and replaced with Schedule “A” attached hereto;
4. That Schedule “B” of By-law 2009-079 be deleted and replaced with Schedule “B” attached hereto;
5. That the Town Solicitor be authorized on behalf of the Town Clerk to cause a copy of this by-law to be served on the owner of the designated property and on the Ontario Heritage Trust; and to be registered against the property described in Schedule “A” at the Land Registry Office.

PASSED this 18th day of March, 2019

Rob Burton Mayor

Kathy Patrick Acting Town Clerk

SCHEDULE "A" TO
BY-LAW 2019-013

In the Town of Oakville in the Regional Municipality of Halton, property description
as follows:

66 Shepherd Road

Unit 9, Level 1, Halton Standard Condominium Plan No. 658 and its appurtenant
interest; subject to and together with easements as set out in Schedule A as in
HR1383594; Town of Oakville
Regional Municipality of Halton

77 Shepherd Road

Unit 8, Level 1, Halton Standard Condominium Plan No. 658 and its appurtenant
interest; subject to and together with easements as set out in Schedule A as in
HR1383594; Town of Oakville
Regional Municipality of Halton

SCHEDULE "B" TO
BY-LAW 2019-013

STATEMENT OF SIGNIFICANCE

Description of Property – Old Smith Houses, 66-70 Shepherd Road

The properties at 66-70 Shepherd Road are located on the south side of Shepherd Road east of Kerr Street. The properties contain the historic buildings known as the Old Smith Houses.

Statement of Cultural Heritage Value or Interest

Historical Value or Associative Value

The Smith Houses are of cultural heritage value for their historical associations with the Smith family, first generation Scottish immigrants who settled in the area in 1907. The two houses are rare examples of adjacent houses representing two generations on the same property.

The houses also have cultural heritage value for their associations with the stonehooking industry in Oakville. The type of lakestone shale used on the houses was dredged from the bottom of Lake Ontario from the 1830s until after World War I, when concrete was more readily available. This was known as 'stonehooking' and became a successful industry between the Credit River and Burlington Bay along the lake. Small boats called stonehookers were used, along with barges, to collect and transport the large pieces of stone, which were lifted from the lake with long rakes. The stone was used to construct building foundations and, in some rarer cases, full walls like on the Smith Houses. Many of these foundations and walls have been covered up or replaced with concrete over the years, making the Old Smith Houses rare and significant surviving examples of this industry and type of construction.

Design Value or Physical Value

The Smith Houses are of cultural heritage value for their architectural significance as a rare pair of shale stone houses built by two generations of the same family at the beginning of the 20th century. The homes were built with the influence of the Arts and Crafts movement and, apart from minor cosmetic alterations, are largely unaltered from their historic appearance.

The house at 70 Shepherd Road is unique in Oakville, and was constructed to reflect the architecture of the Smith family's ancestral home in Aberdeenshire, Scotland. This two storey house was constructed c.1911 of shale stone with a natural finish. The intersecting gable roof has three triangular dormers on the front façade of the house. The original house was symmetrical with the front door in the centre of the façade; a third bay was later added to the south end of the house, which included a third dormer to match the other two. The original portion of the house and all additions are included in this designation. Other notable features of the house include a field stone chimney, arched stone radiating voussoirs, multipaned wood windows and wood trim.

The house at 66 Shepherd Road is also unique as a shale stone house built with the influence of the Craftsman style which was popular in Canada in the early decades of the 20th century. Constructed in the 1930s, this 1 ½ storey house has a front gable roof with shingled gables. The front porch was possibly built in the 1940s and has a shingled front gable, stone plinths and simple wood columns. Other notable features of the house include the shed dormer, multipaned wood windows and concrete lintels and sills.

Contextual Value

The Smith Houses are considered to be of cultural heritage value for their contextual significance as rare survivors of the early 20th century settlement in the Kerr Street Area. The houses were constructed on the westerly most point of an 11-acre orchard which stretched back to Sixteen Mile Creek.

Description of Heritage Attributes

Key exterior attributes which embody the historical, associative, design and physical significance of the house at 66 Shepherd Road include:

- The rectangular form of the 1 ½ storey house;
- The form of the gable roof including gables and shed dormer;
- Shale stone walls;
- The use of wood shingles in the front gable, front porch gable, rear gable and on the dormer;
- The fenestration on all four elevations;
- The use of wood windows and associated wood trim;
- The use of wood doors and associated wood trim;
- Front porch with stone walls and tapered square wood columns; and
- Concrete lintels and sills.

Key exterior attributes which embody the historical, associative, design, physical and contextual significance of the house at 70 Shepherd Road include:

- The form of the 1 ½ storey house with rear one-storey lean-to wing;
- The form of the gable roof including all gables and dormers;
- Shale stone walls, including radiating stone voussoirs;
- Field stone chimney;
- The use of wood shingles in the gables and on the upper half of the west elevation;
- The fenestration on all four elevations;
- The use of wood windows and associated wood trim;
- The use of wood doors and associated wood trim; and
- Concrete sills.

Key attributes of the two houses which contribute to their contextual significance include:

- The proximity of the houses to each other and to Kerr Street, which illustrates the historical contextual relationship of the houses to one another and the road.