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THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2020-127

A by-law to designate the cultural heritage landscape of the Oakville Harbour as property of cultural heritage value or interest

WHEREAS pursuant to Section 29, Part IV of the *Ontario Heritage Act*, R.S.O. 1990, chapter O.18, the council of a municipality is authorized to enact by-laws to designate a real property, including all buildings and structures thereon, to be of cultural heritage value or interest;

AND WHEREAS the council of the Corporation of the Town of Oakville, by resolution passed on February 10, 2020, has caused to be served on the owners of the lands and premises in:

Oakville Harbour
Cultural Heritage Landscape
Oakville, ON

and upon the Ontario Heritage Trust, notice of intention to designate the Oakville Harbour Cultural Heritage Landscape as a property of cultural heritage value or interest, and further, has caused the notice of intention to be published in the *Oakville Beaver*, being a newspaper of general circulation in the municipality;

AND WHEREAS no notice of objection to the proposed designation was served on the municipality by September 28, 2020, being the last date for filing an objection;

COUNCIL ENACTS AS FOLLOWS:

1. That 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:

Oakville Harbour
Cultural Heritage Landscape
Town of Oakville
The Regional Municipality of Halton



2. That the attached Schedules form part of the by-law.
3. And that the Town Solicitor be authorized to cause a copy of this by-law to be registered against the property described in Schedule “A” at the Land Registry Office.

PASSED this 23rd day of November, 2020.

Rob Burton Mayor

Kathy Patrick Acting Town Clerk

SCHEDULE "A" TO
BY-LAW 2020-127

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

Oakville Harbour
Cultural Heritage Landscape



SCHEDULE "B" TO
BY-LAW 2020-127

STATEMENT OF SIGNIFICANCE

Description of Property – Oakville Harbour

The Oakville Harbour Cultural Heritage Landscape (CHL) is an organically evolved and associative landscape located at the mouth of Sixteen Mile Creek in downtown Oakville. The site contains a combination of natural and built features that have shaped and been shaped by ongoing human activity for hundreds of years at least. The Oakville Harbour environment is defined by steep banks dropping to river flats on both sides of the water. The CHL is comprised of several parcels including Oakville Harbour, Lakeside Park, Erchless Estate, Market Square, the Oakville Lawn Bowling Club, the Oakville Club, Water Street Park, Lakeshore Road Bridge, Shipyard Park, Tannery Park, and part of Sixteen Mile Creek. The CHL is roughly 11 hectares in size, and is bounded generally by Lakeshore Road to north, Forsythe Street and private dwellings to the west, Lake Ontario to the south, and residential areas to the east.

Oakville Harbour was established in the late 1820s and quickly developed into a busy commercial port with industries, shipyards, warehouses and commercial schooners crowding its banks. By the 1880s, the harbour was transitioning to recreational usage characterized by water-based activities, something that continues to define the area. Comprised largely of parkland, the CHL is characterized by open spaces, both manicured and semi natural and intimately connected to water with trees and planting, grass, paths and trails, slips and harbour infrastructure, historic buildings, recreational facilities, and clubhouses.

While the Erchless Estate is contained within the Oakville Harbour CHL, it has been designated as a separate CHL and is governed by its own designation by-law.

Statement of Cultural Heritage Value or Interest

The Oakville Harbour CHL is of cultural heritage value or interest for its design, historical/associative, and contextual values. The Oakville Harbour CHL is considered an Associative Cultural Landscape for its cultural connections to the Mississaugas of the Credit First Nation, who value the mouth of the river as a place of traditional practices and spirituality within their ancestral territory. It is also an Associative Cultural Landscape as it represents the town of Oakville's origins and historic town centre, and it reflects later efforts to commemorate Oakville's early history.

As a historic harbour, it is considered an organically evolved landscape (continuing) for cultural practices in response to the natural environment, including ongoing recreational activities, that have sustained the landscape's evolution.

Design Value or Physical Value

The Oakville Harbour CHL has design value as a representative example of a semi-natural, river harbour -- where a harbour is formed naturally along a river but requires human-made elements for protection against wind and waves. Sixteen Mile Creek flows from the Niagara Escarpment south to Lake Ontario where it straightens and widens to form a harbour environment. In 1828, William Chisholm was granted permission by the Upper Canada House of Assembly to construct a harbour comprised of parallel east and west piers built on cribs. This was followed by dredging of the harbour in 1830. Since then, the area has been altered, repaired and consistently dredged to ensure its viability as a harbour for commercial and then recreational use.

Historical Value or Associative Value

The Oakville Harbour CHL has historical/associative value for its direct associations with the Indigenous use of Nanzuhzaugewazon (Sixteen Mile Creek) and the surrounding area, part of Anishinaabe and Haudenosaunee traditional territories. Historically documented Indigenous use of the creek dating to the early 1700s, when the Mississaugas established summer camps in the vicinity of the harbour area. Here they hunted, fished, and cultivated corn on river flats before returning to northern hunting grounds for the winter months. The Mississauga formally gave up use of the lands at the mouth of Sixteen Mile Creek with the signing of Treaty 22 in 1820. As the confluence of Sixteen Mile Creek and Lake Ontario, the area is a notable water locale and continues to hold spiritual significance for the Mississauga of the Credit First Nation.

The Oakville Harbour CHL has historical/associative value for its direct associations with the theme of town of Oakville's founding and development. After the harbour's establishment, a townsite was surveyed in 1833 and Oakville grew around the booming commercial harbour to become a thriving port town with important civic institutions situated in the area. As an official Port of Entry into Canada, customs operations were based on the Erchless Estate grounds from at least the 1850s until 1910. An adjacent Market Square was planned in the original 1833 townsite and later housed the Market Building and Town Hall.

The Oakville Harbour CHL has historical/associative value for its direct associations with the theme of ship and boatbuilding. Shipbuilding began in 1827 when William Chisholm established his shipyard to construct commercial schooners to export wheat, white oak and white pine. Commercial shipbuilding continued at a number of

shipyards into the 1860s after which boatbuilding for competitive racing and recreation took over.

In the 1880s, Captain James Andrew established his shipyard in the harbour and produced successful racing yachts including the Aggie (1887) and Canada (1895). The Oakville Harbour CHL has historical/associative value for its direct associations with the theme of industrialization of Oakville beginning in the 1830s. Located primarily on the west side of the harbour these enterprises included the John Doty sawmill that operated between the 1850s and 1870s and the Marlatt & Armstrong Tannery which operated between the 1850s and 1920s in various forms.

The Oakville Harbour CHL has historical/associative value for its direct associations with the theme of recreational activities and organizations. The rise of recreation and leisure activities in the harbour began in the late 1880s when a growing middle class in Ontario had the time and resources to enjoy leisure pursuits. Oakville's position on Lake Ontario made it a prime summer destination for day-trippers and longer term vacationers arriving by steamship and train. As commercial shipping declined in the harbour popular leisure activities included sailing, boating, paddling, swimming and fishing. This growing public use of the area led the town to purchase property along the waterfront in 1877 and formally establish Lakeside Park in 1897. Several organizations related to recreation were established including the Oakville Club (1907), the Oakville Yacht Squadron (1946) and the Oakville Power Boat Club (1953). Additionally, the harbour has direct associations with competitive paddling having produced several Olympians including Larry Cain (sprint canoeist) and Adam van Koeverden (sprint kayaker).

The Oakville Harbour CHL has historical/associative value for its direct associations with the activities of conservation, commemoration and volunteerism which began in the 1950s. As an area associated with Oakville's founding and development, the Oakville Harbour CHL is home to numerous relocated and restored structures, several dating to the early 1800s. These include Lyon's Log Cabin (built c1820; moved 1966), Merrick Thomas House (built c1829; moved 1955), Post Office (built c1835; moved 1952), Oakville's Second Lighthouse (built 1889; moved 1960). Additional conservation initiatives recognizing the area's historical import include the Old Oakville Heritage Conservation District (1981), and restoration of the Erchless Estate by the town of Oakville. Commemorative activities include plaques, markers, memorial trees and trails acknowledging important people, events and structures in Oakville's history. In large part, these conservation and commemorative activities are the result of ongoing volunteer activities of the Oakville Historical Society (1953) and the Oakville Lakeside Residents' Association (1966). In addition, the Town of Oakville Water Air Rescue Force (1954) relies on a substantial body of volunteers to provide search and rescue activities.

The Oakville Harbour CHL has historical/associative value for its direct associations with several members of the Chisholm family. The Chisholm family was responsible for constructing the harbour in 1828 (William) and the Erchless Estate in 1856 (Robert Kerr), serving as local business owners and public officials (William and Robert Kerr), establishing organizations including the Oakville Club (Allan Stuart) and the Oakville Historical Society (Hazel Mathews) and for restoring the Erchless Estate and providing property for public use as Lakeside Park (Hazel Mathews).

The Oakville Harbour CHL has historical/associative value for its direct associations with the christening of the H.M.C.S Oakville . The Oakville was an armoured submarine hunter and convoy escort and part of Canada's World War II effort. On November 5, 1941, the Oakville anchored off shore and thousands of local citizens gathered in Lakeside Park to cheer on the ship and crew. The town presented several items to the crew including the clock from the Aggie .

The Oakville Harbour CHL has historical/associative value for archaeological potential at Lakeside, Shipyard and Tannery parks as well as the Erchless Estate.

Contextual Value

The Oakville Harbour CHL has contextual value for its role in defining the character of the area. Sixteen Mile Creek, with its steep banks on the east and west, define the area as a harbour with the area's topography affording numerous views and visual connections to the creek and Lake Ontario.

The Oakville Harbour CHL has contextual value as a place functionally linked to its surroundings. With its wide creek mouth and shoreline flats, it was a natural location for a harbour. Its historic function as a commercial harbour, and current function as a recreational harbour have always been related to the physical situation and conditions of the creek mouth where it meets Lake Ontario.

The Oakville Harbour CHL has contextual value as a landmark. It is a prominent feature in the town of Oakville and a well-used public amenity space.

Description of Heritage Attributes

The heritage attributes of the Oakville Harbour CHL relate to its historical/associative and contextual values.

These include:

Historical/Associative Attributes

As a site with direct associations to the theme of Oakville's founding and development, the Oakville Harbour CHL contains the following attributes:

-) The historic site of the Market Square.
-) Lakeside Park as a historic town park and public amenity space, including:
 - o its number of sizable trees that are amongst the earliest plantings, including Sugar Maples, Norway Spruce, Bur Oak, Black Walnut and Red Oak.
 - o its historic connection to the Chisholm Family as the former site of Mount Vernon.
 - o its relocated and restored structures including the Post Office Museum, Merrick Thomas House as well as the replica historic bandstand
-) Tannery Park, including:
 - o its number of sizable trees including Black Walnut and substantial stand of Black Locust.
-) Shipyard Park, including:
 - o its relocated and restored structures of Lyon's Log Cabin and Oakville's second lighthouse as well as shipyard relics.
 - o its relic semi-natural vegetation.

As a site with direct associations to the theme of recreational activities and organizations, the Oakville Harbour CHL contains the following attributes:

-) The Oakville Club as an early recreational organization established in 1907 and utilizing the Granger's Warehouse building which dates to c1878.
-) Ongoing water and land-based recreational activities, both active and passive.

As a site with direct associations to the activities of conservation, commemoration and volunteerism, the Oakville Harbour CHL contains the following attributes:

-) Ongoing commemorative and interpretive activities including panels, plaques, trails and signage throughout.
-) Ongoing conservation activities including the town's memorial tree program.

Contextual Attributes

As a defining characteristic of the area, the Oakville Harbour CHL contains the following attributes:

-) The topography of the area with its steep banks on the east and west and flats flanking the river through to Lake Ontario.
-) Significant views to and from Oakville Harbour CHL, including:

- o View 1: View from Lakeshore Road bridge, looking southeast toward the harbour entrance at Lake Ontario.
- o View 2: View from Tannery Park observation deck, looking northwest up Sixteen Mile Creek along both banks of Oakville Harbour.
- o View 3: View from Navy Street northwest of Front Street, looking southeast at the relationship between the Erchless Estate and Lakeside Park, with the topography giving way to Lake Ontario in the distance.
- o View 4: View from Tannery Park observation deck, looking north to the Erchless Estate.
- o View 5: View south from the foot of Navy Street, looking along the east pier and terminating at the navigation aid.
- o View 6: View from Lakeside Park, looking east out onto Lake Ontario.