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Town of Aurora
General Committee Report
No. PDS23-018

Subject: Heritage Permit Application
60 Fleury Street
File Number: HPA-2023-01

Prepared by: Adam Robb, MPL, MCIP, RPP, CAHP, Senior Planner

Department: Planning and Development Services

Date: March 7, 2023

Recommendation

1. That Report No. PDS23-018 be received; and
2. That Heritage Permit Application HPA-2023-01 be approved to permit the demolition and replacement of the existing fire-damaged structure at 60 Fleury Street with a new, heritage compatible Edwardian-style dwelling (Figures 3-5).

Executive Summary

This report seeks Council's approval of Heritage Permit Application HPA-2023-01 to demolish and replace the existing structure at 60 Fleury Street.

- The subject property is located within the Northeast Old Aurora Heritage Conservation District and is designated under Part V of the Ontario Heritage Act.
- The existing building was constructed circa 1922 and is a representative example of the Edwardian architectural style.
- The property was subject to a fire in January of 2022, and as a result, the building has sustained structural damage and elevated levels of combustion by-product particulate (smoke particulate/soot), with there being urgency to move forward from the unfortunate circumstance.
- The proposed replacement dwelling is in keeping with the heritage character of the area and aligns with the policies of the Northeast Old Aurora Heritage Conservation District Plan by being designed in the Edwardian architectural style.

Background

Application History

The subject Heritage Permit Application is in response to a house fire at the property

Approval by Council is required for any demolition or alteration of properties within the Town's Heritage Conservation District. This subject Heritage Permit Application has resulted specifically from a house fire at the property, with there being urgency to move forward in this process due to the unfortunate circumstances faced by the homeowners. The subject Heritage Permit Application was received by the Town and deemed complete via notice of receipt issued on January 27, 2023.

As part of the design process for the new build, the homeowner has engaged with staff to ensure conformity with the heritage neighbourhood character and policies of the Northeast Old Aurora Heritage Conservation District Plan. It is a priority for the homeowner to move forward and provide a safe home and living space for their family.

Location / Land Use

The property was constructed circa 1922 and is located on the west side of Fleury Street, between Maple Street and Catherine Avenue. The property is located within the Northeast Old Aurora Heritage Conservation District area, with the Heritage Conservation District Plan approved by Council in 2006. The existing structure is recognized as an Edwardian architectural style building.

Policy Context

Town of Aurora Official Plan:

The property is designated as "Stable Neighbourhoods" within the Town of Aurora Official Plan.

Zoning By-law 6000-17, as amended:

The property is zoned "R7 – Special Mixed Density Residential" in the Town of Aurora's Comprehensive Zoning By-law 6000-17, as amended.

Northeast Old Aurora Heritage Conservation District Plan:

The owners have worked with staff to review the details of the Northeast Old Aurora Heritage Conservation District Plan and make sure the new design aligns with the Plan

and heritage character of the area. Fleury Street is defined by a high concentration of Edwardian style homes, which the proposed design is sympathetic to.

Reports and Studies:

The Owner submitted the following documents as part of a complete application:

Report Name	Report Author
Site Plan	Custom CADD Inc.
Elevations	Custom CADD Inc.
Combustion By-product Particulate Screening Tests	Prime Analytical Inc.
Homeowner Letter to Council	Ryan and Michelle Panet
Engineering Inspection	T. Smith Engineering Inc.

Analysis

Heritage Permit Application

Ensuring heritage and design compatibility of the replacement building has been a primary objective of the subject Heritage Permit application. Staff worked with the homeowner to ensure the design of the new building would reflect the existing Edwardian character of the area, with the proposed dwelling characterized by a hipped roof with wide gable end, a dormer, classical brick, shutters, and verandah with columns on brick piers. Fleury Street is also defined by its mature tree canopy and larger front yard setbacks, with the proposed work not impacting any trees nor altering the front yard setback distance. The proposed massing is also in keeping with the original dwelling and scale of neighbouring properties, which will ensure a uniform streetscape and view from the public realm. The proposed dwelling features white brick which is deemed appropriate by the Northeast Old Aurora Heritage Conservation District Plan as a classical colour. Overall, the proposal conforms to the requirements of the Heritage Conservation District Plan and is a design that is sympathetic to the heritage attributes of the area.

Council's approval of the subject Heritage Permit application is to ultimately permit the demolition of the existing structure and subsequent design of the new build. Should any

minor variances or other Planning Act requirements be triggered as part of the more technical review and building permit process, additional applications will be required to be pursued by the owner.

The opportunity to repair the existing structure was also explored by the homeowner, but it would represent a significantly high cost, impact re-sale value, and also not alleviate the concerns of the homeowner related to raising a family in a structure exposed to smoke penetration and combustion by-product particulate. Requirements for repair would involve re-framing of the house and replacement of the brick veneer, amongst other items. The homeowner has also provided a letter, attached to this report, which further details their concerns about the property.

Building Division review

The proposed application was circulated to the Building Division for review. The Building Division also conducted a review of the existing property and fire damage. The Building Division notes that the fire started at the rear and that a building permit was issued on July 5, 2022, as a restoration effort for the rear of the building that was ultimately not further pursued by the homeowner for the reasons noted above and in the attached homeowner letter.

It is acknowledged that the rear of the building is beyond repair. Additionally, brick veneer of the existing house on the west and north side are also in need of replacement. Engineering reports provided to the Building Division indicate that the building sustained structural damage and although it may not be in immediate jeopardy the concerns of the homeowner regarding costs and combustion by-product particulate are warranted. The demolition and replacement of the building is ultimately considered the most reasonable approach as desired by the homeowner, and a detailed zoning review will also occur as part of the future building permit application for the property. Council's approval through this report is to ultimately approve the demolition and proposed general design.

Advisory Committee Review

Due to the circumstances of a fire at the property and recognizing the need for the homeowner to move forward in the design and build process and provide a safe home for their family, Heritage Permit application approval is proceeding directly to Council for a decision. The new Heritage Advisory Committee for the Council term is not yet meeting, and the final approval authority over Heritage Permits like the proposed ultimately still lies exclusively with Council. The previous Heritage Advisory Committee

(term 2018-2022) was also previously made aware of the circumstances of the fire at the subject property, with the property currently also being taped off.

Notice to seek members for the new Heritage Advisory Committee has just recently been posted, with initial training to also occur prior to the first meeting being held, and as mentioned there is urgency for the homeowners to be able to move forward after the unfortunate circumstances of the fire.

Legal Considerations

Under Section 42 of the Ontario Heritage Act, a demolition of a property located within a Heritage Conservation District requires Council's consent. This legislative requirement is implemented in the Town of Aurora through the process of a Heritage Permit Application, which is subject to Council's approval and can be in consultation with the Heritage Advisory Committee. Council must make a decision on a heritage permit application within 90 days after the notice of receipt is served on the applicant, otherwise Council shall be deemed to have consented to the application. The 90-day deadline for this permit application is April 27, 2023. Council may extend the review period of a heritage application in a heritage conservation district without any time limit under the Ontario Heritage Act provided it is agreed upon by the owner.

If Council refuses the application, the owner may appeal the refusal to the Ontario Land Tribunal.

Financial Implications

There are no financial implications.

Communications Considerations

The Town will inform the public of the information contained in this report by posting the report to the Town's website. On January 27, 2023, a Notice of Complete Application/Receipt was delivered to the applicant. Heritage Permit Applications do not require public notification, however the homeowner has discussed the subject application material and circumstances with neighbours, and has generally indicated levels of support being received.

Climate Change Considerations

There are no climate change considerations resulting from this report.

Link to Strategic Plan

Promoting our culture and strengthening the fabric of our community: Despite the unfortunate circumstances of a fire at the subject property, the replacement dwelling has been designed to be compatible with the significant heritage character of the area, in accordance with the goal of promoting and protecting heritage resources.

Alternative(s) to the Recommendation

1. Refusal of the subject heritage permit application.

Conclusions

Planning and Building Services reviewed the proposed Heritage Permit Application in accordance with the provisions of the Northeast Old Aurora Heritage Conservation District Plan, the Town's Official Plan, Zoning By-law and municipal development standards respecting the subject lands. The proposed application is sympathetic to the heritage character of the area and supports the owner's intent to move forward with the property in the most feasible and appropriate manner after the fire.

Attachments

Figure 1 – Location Map

Figure 2 – Site Plan

Figure 3 – Proposed Exterior Elevation view from East

Figure 4 – Proposed Exterior Elevation view from Northeast

Figure 5 – Proposed Exterior Elevation view from Southeast

Appendix A – Engineering Report

Appendix B – Combustion By-product Particulate Testing Report

Appendix C – Homeowner Letter

Previous Reports

None.

Pre-submission Review

Agenda Management Team review on February 16, 2023

Approvals

Approved by Marco Ramunno, Director, Planning and Development Services

Approved by Doug Nadorozny, Chief Administrative Officer