

Notice of Objection

31 Tyler Street

TOWN OF AURORA
PLANNING AND DEVELOPMENT SERVICES
Development Planning Division

MAR 01 2023

RECEIVED



**Refusal to Designate
31 Tyler Street, Aurora**

Receipt of Intent to Designate letter from the Town of Aurora

- On February 3, 2023 we received a registered letter from Michael de Rond, Town Clerk, at the Town of Aurora. It was a Notice of Intention to Designate our house as a property of Cultural Heritage Value or Interest.
- It also stated that any objection to this designation must be launched within 30 days of the notice contained in the Aurora Banner, which was published February 9, 2023.
- Reasons for the objection must outlined , including all relevant facts.
- We formally **OBJECT to designation.**
- The following outlines the reasons this house and property **SHOULD NOT** be designated.

Reasons for Refusal to Designate

Design and Physical Value:

Our house is not representative of a late two story dwelling as every stick of lumber, windows, doors, electrical, plumbing, heating, insulation and drywall has been replaced less than 25 years ago. The property was for sale on the market for 6 months and nobody wanted to purchase it. The roof was caving in, windows were broken, the walls were bowing outward from the weight of the roof, which surely would have collapsed within a year. The foundation was crumbling and the basement was full of water. The foundation most likely would have failed within a short period of time as well. The entire back half of the house was sloping precariously to the east because the brick and stump foundation under that section had already failed. There was extensive water damage throughout the building. The coach house had collapsed in the center as it was built on the ground with no foundation and had rotted three feet up from the middle. The house and garage were completely derelict with squirrels, raccoons, bats, mice and hornets living in them.

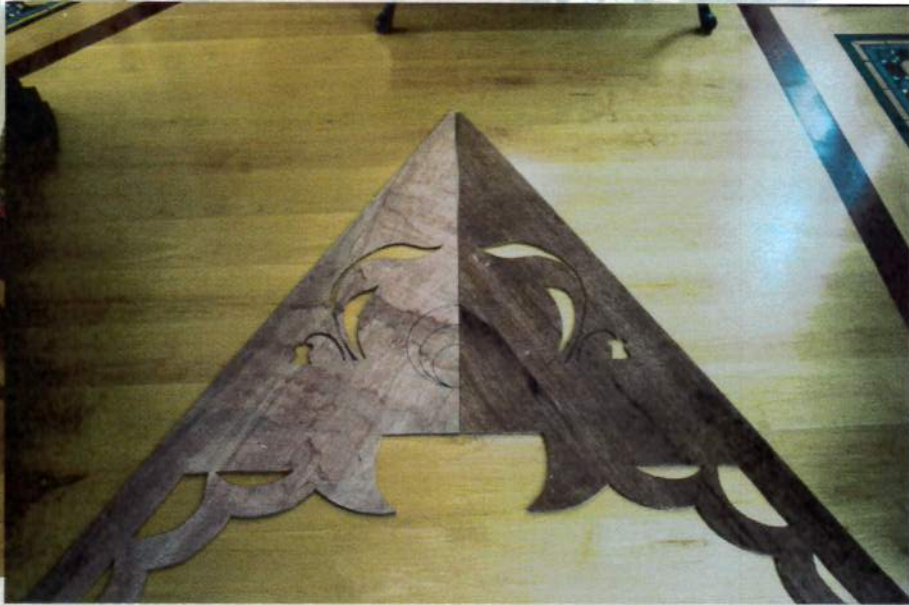
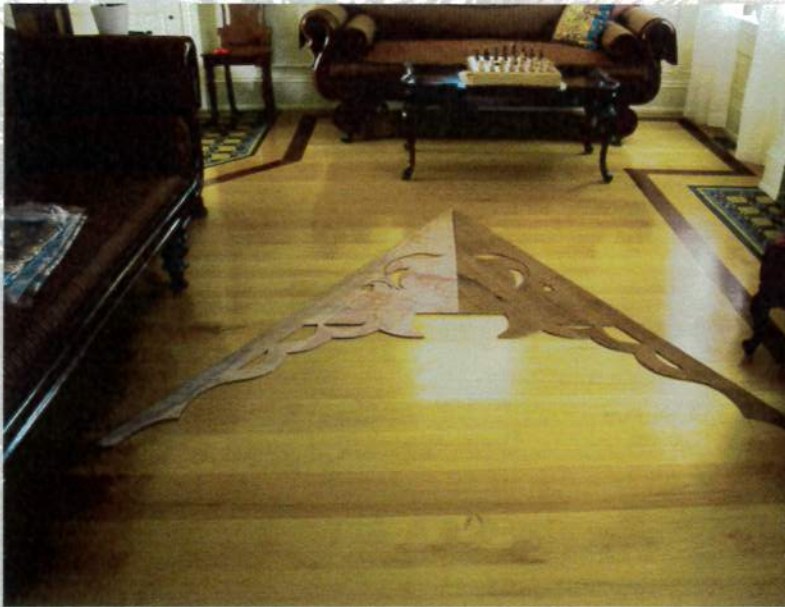
Design and Physical Value continued

Rebuilding not Preserving:

We purchased this house in 1996 and decided that instead of demolishing it, which probably would have been the better course of action given it's condition, we decided to rebuild it. Not preserve it because there was NOTHING left to preserve! Here is a list of the extensive rebuilding that was done:

- Completely tore down the back of the house as it was not salvageable.
- Replaced every joist, wall stud, floorboard and baseboard. Literally every stick of wood in the house is new.
- Gutted and replaced all wood in the front half of the house, joists, walls, floorboards, ceilings.
- Raised the front of the house and poured a new foundation, three feet higher than the original elevation of the house to accommodate LSRCA rules, as this property falls under their jurisdiction due to the stream located beside our house.
- Rebuilt the entire back of the house.
- Removed the roof, bargeboard, and trusses on the house.
- Re-created the bargeboard as the original was not salvageable (rotten and chewed by rodents. We still have the templates showing the re-created bargeboard.

Template created to build new bargeboard (original unsalvageable)



Design and Physical Value continued

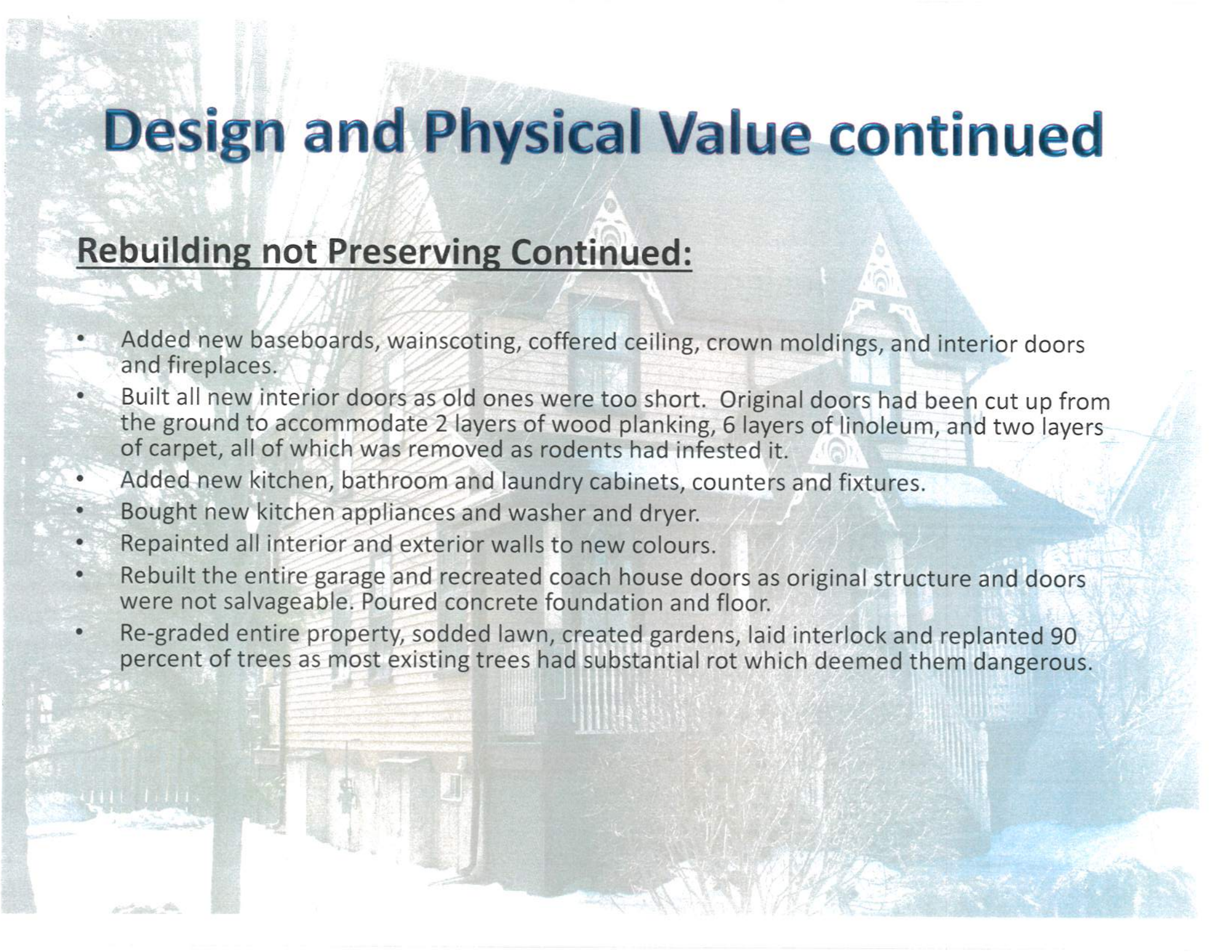
Rebuilding not Preserving Continued:

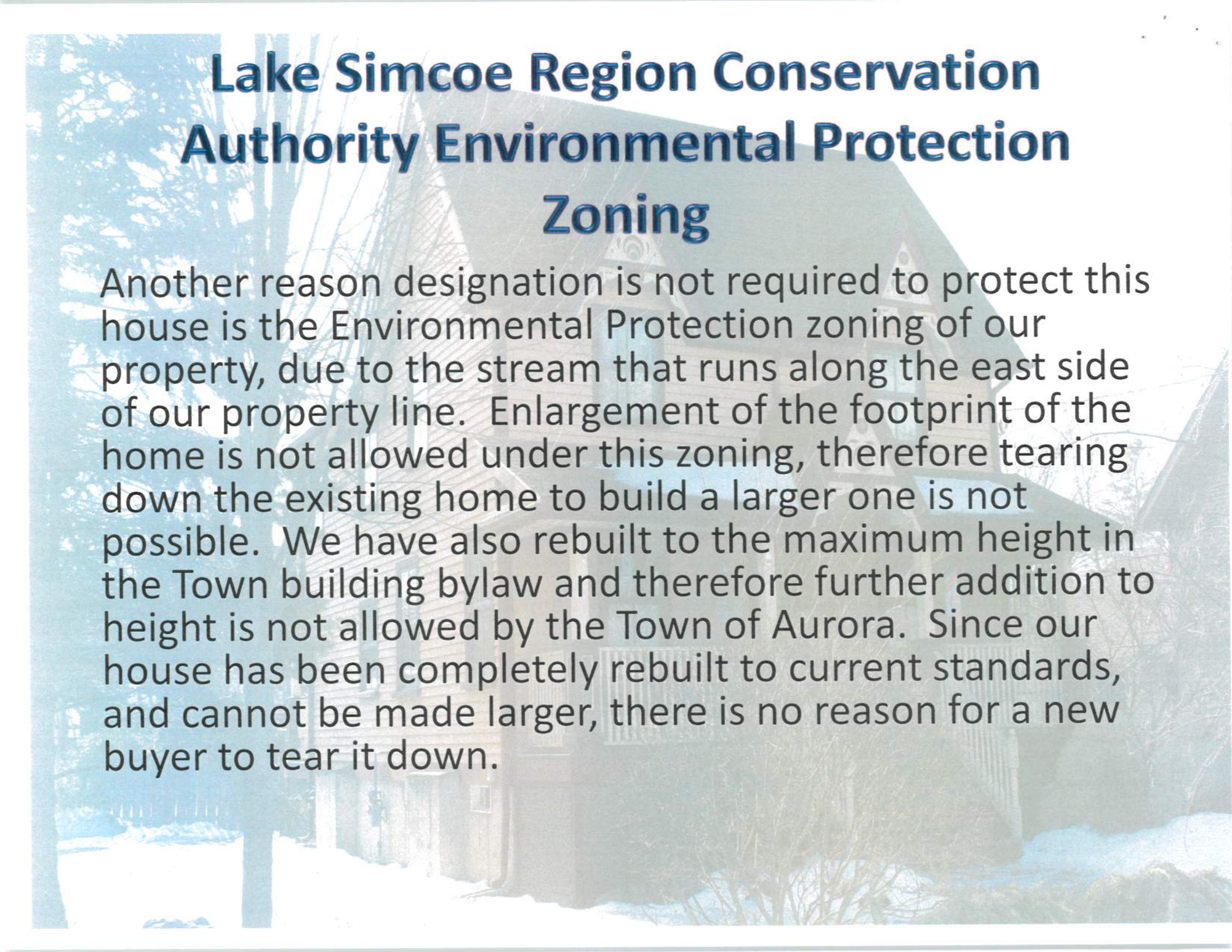
- Rebuilt the roof to higher than the original to accommodate a loft and third floor. Original structure was only two stories in the front and only one and a half stories in the back. New structure is three stories.
- Replaced all windows and doors with aluminum-clad windows and steel doors, except the front door. Front door was rebuilt, not original, as it was rotted and etched glass was broken.
- Added front and back porches with recreated bargeboard on the front. Original structure did not have porches.
- Completely replaced all wood siding with new cedar siding as original siding was rotten.
- Added new insulation and drywall in the entire rebuilt house. Plaster and lath was water damaged, cracked and dangerous as pieces were falling from the ceiling and walls and had to be removed. There was no insulation in the original walls.
- Installed new plumbing, furnace, water tank, air conditioner, electrical wiring, electrical panel, alarm system, lighting, ejector system, and sump system.
- Hooked up to city sewer as original house was on a septic system that no longer functioned.

Design and Physical Value continued

Rebuilding not Preserving Continued:

- Added new baseboards, wainscoting, coffered ceiling, crown moldings, and interior doors and fireplaces.
- Built all new interior doors as old ones were too short. Original doors had been cut up from the ground to accommodate 2 layers of wood planking, 6 layers of linoleum, and two layers of carpet, all of which was removed as rodents had infested it.
- Added new kitchen, bathroom and laundry cabinets, counters and fixtures.
- Bought new kitchen appliances and washer and dryer.
- Repainted all interior and exterior walls to new colours.
- Rebuilt the entire garage and recreated coach house doors as original structure and doors were not salvageable. Poured concrete foundation and floor.
- Re-graded entire property, sodded lawn, created gardens, laid interlock and replanted 90 percent of trees as most existing trees had substantial rot which deemed them dangerous.

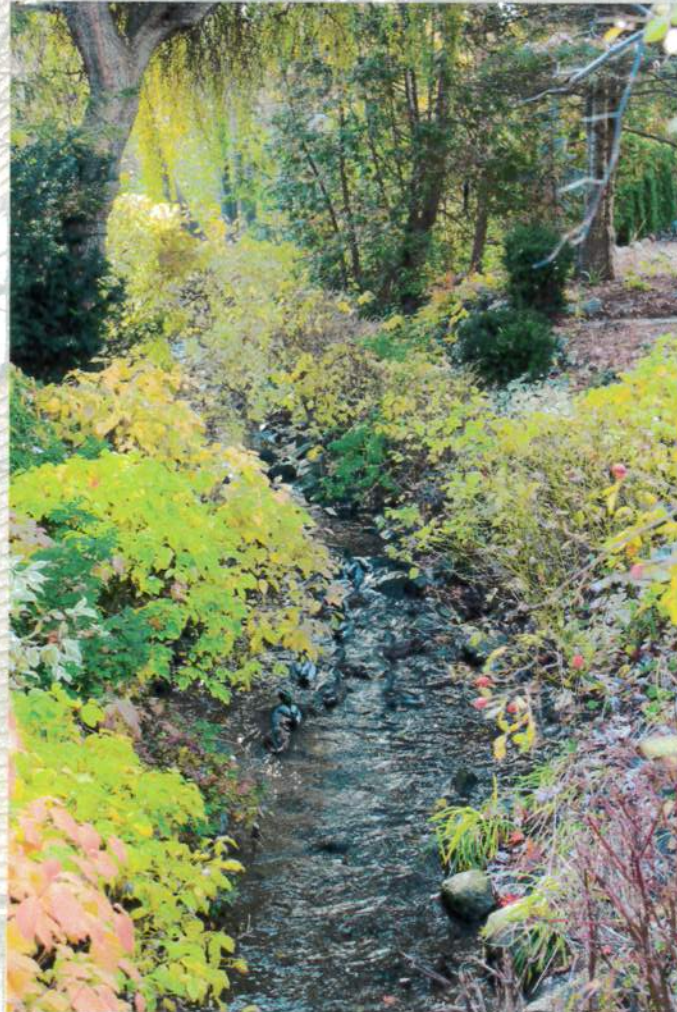




Lake Simcoe Region Conservation Authority Environmental Protection Zoning

Another reason designation is not required to protect this house is the Environmental Protection zoning of our property, due to the stream that runs along the east side of our property line. Enlargement of the footprint of the home is not allowed under this zoning, therefore tearing down the existing home to build a larger one is not possible. We have also rebuilt to the maximum height in the Town building bylaw and therefore further addition to height is not allowed by the Town of Aurora. Since our house has been completely rebuilt to current standards, and cannot be made larger, there is no reason for a new buyer to tear it down.

Tannery Creek tributary located on east side of property



Before and After Rebuild Comparisons

Before



After: Higher roof, new porch, new bargeboard, new foundation, new windows and doors



Before and After Rebuild Comparisons

Before

After: no chimney, complete rebuild of back, new windows and doors, porch, bargeboard, railings, pickets and stairs.



Before and After Rebuild Comparisons

Before



After: complete rebuild of back, new dormer, new bay window, new window openings



Before and After Rebuild Comparisons

Before

After: back completely rebuilt, new balcony, new porch,



Before and After Rebuild Comparisons

Before

After: Back completely rebuilt, balcony added, porch added, coach house rebuilt



Before and After Rebuild Comparisons

Before



After: new rebuilt door, new tiles, drywall, trim, new stained glass



Before and After Rebuild Comparisons

Before



After: new stairs, drywall, newel post, pickets, wainscoting



Before and After Rebuild Comparisons

Before

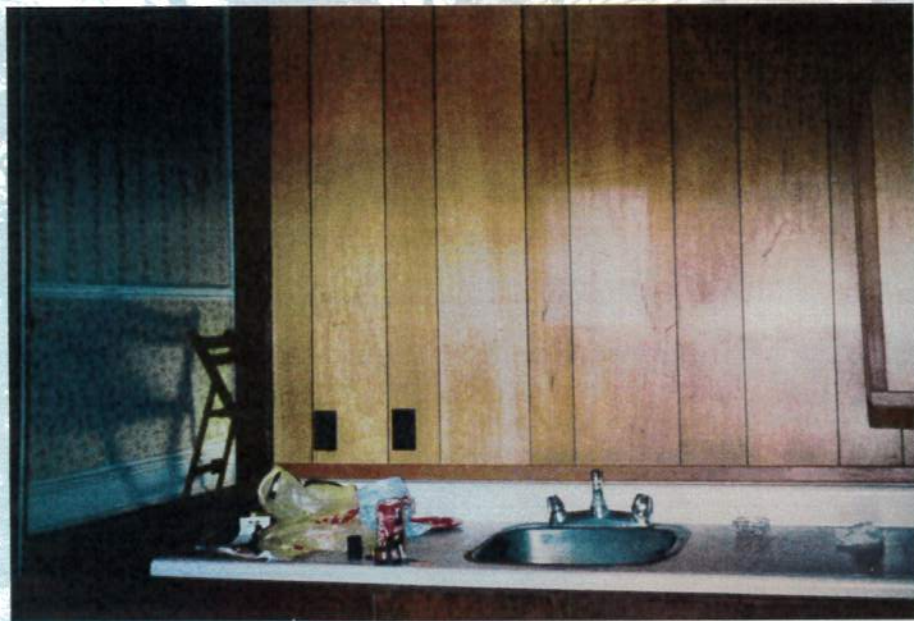


After: new wainscoting, flooring, newel post, door frames, pickets and railing



Before and After Rebuild Comparisons

Before



After: walls removed, new wainscoting, fireplace, crown moulding, flooring, tiles, ceiling medallions, light fixtures



Before and After Rebuild Comparisons

Before



After: Bay window added, wainscoting, flooring, ceiling medallion, lighting all new.



Before and After Rebuild Comparisons

Before



After: Back of house completely torn down. All new build. New cabinets, Island, faucets, sinks, appliances, granite, flooring, and lighting



Before and After Rebuild Comparisons

Before (after demolition)



After: Back of house completely torn down. All new build. New flooring, coffered ceiling, drywall, trim, drywall



Before and After Rebuild Comparisons

Before



After: Tore down back of house and completely rebuilt. New master bedroom



Before and After Rebuild Comparisons

Before

After: New flooring, cabinets, drywall



Before and After Rebuild Comparisons

Before



After: Back of house torn down, all new build. New master bathroom, new tiles, tub, shower, cabinets, sinks, flooring, lighting, under-floor heating



Before and After Rebuild Comparisons

Before



After: New loft edition, dormer, staircase, drywall, insulation, carpet, windows, wiring



Before and After Rebuild Comparisons

Before



After: Complete rebuild of back of house. Nothing is original.



Before and After Rebuild Comparisons

Before



After: Nothing left of the original rooms.



Before and After Rebuild Comparisons

Before



After: completely new build



Before and After Rebuild Comparisons

Before



After: gutted and completely rebuilt to modern standards



Before and After Rebuild Comparisons

Before



After: raised house, new rebar reinforced poured concrete foundation, new insulation, new joists and walls



Progression of Rebuild







Historical and Associative Value

Our historical plaque states that this house was built by Ann Ransom, 1872. Your report states that David Rogers, a former councilor and veterinary surgeon, lived here, but he did not build the house and apparently resided here for only ten years. We question whether David Rogers even lived on the property during this time. This house was not a high-end decorative house like it is currently, since we've rebuilt it. It was a plain, bare minimum, not well-constructed saltbox that we highly doubt a veterinary surgeon/ councilor would have lived in.

Also, given the proximity to the former Machell Brickworks located very nearby, the noise from cargo trains and manufacturing would not have been very desirable. We suspect that he bought this house but then rented it out to tenants during his ownership. Perhaps he bought this property so that he would be on Aurora's homeowner registry so that he could run for council? Is there any proof that David Rogers actually lived here?

During the time he owned the house it did not have an indoor bathroom or plumbing, hardly the residence befitting of a veterinarian or councilor. We know this for a fact since all water pipes were run on the outside of the walls, not inside the walls, which means that it was added long after the house was built. Don Egan, whose family we bought the house from in 1996, confirmed that when his family bought the home in the 1950's there was not any indoor plumbing or indoor bathroom facilities.

Contextual Value:

As for the contextual value of our house in this neighbourhood, the majority of houses in this area have either been renovated beyond recognition from their original, torn down to accommodate a 7 story building at the corner of Yonge and Tyler, or further along Tyler Street most historic houses have been torn down to build monster homes.

Across the street from us is a 1960's bungalow and beside that, to the east, is a Victorian house whose gothic and period windows were replaced with 1960's picture windows. The home at the corner of Temperance and Tyler, The Patrick House, was completely changed from the original. We were here when the owners did this. The home beside me to the east was a 1950's tiny bungalow that has been renovated to look like a two story Arts and Crafts. Should this house be designated as representative of the Arts and Crafts building style even though it is new? The semi-detached brick house to the west had all windows replaced, the bargeboard removed and destroyed, and the front doors enlarged and replaced.



Contextual Value: Surrounding houses



Contextual Value: Surrounding houses

Contextual Value Continued:

We also don't understand how our property was selected from the many listed properties on the street. For example number 59 Tyler Street was the former home of Edwin Machell, son of Richard Machell, the founder of Machells Corners that would later be renamed Aurora. Walter Machell, son of Edwin, created the Machell Brickworks in 1874, which was in operation for 40 years before it became Collis Leather.

This, in our opinion, is a far more important house for designation as it housed a VERY prominent member of Aurora's history and has not changed at all since 1867, which is another historic value point as it was built the year of Canada's confederation. And yet this house is not designated or on the list to be designated!



The Edwin Machell House

59 Tyler is the former home of Edwin Machell, son of Richard Machell, the founder of Machells Corners that would later become Aurora. Walter Machell, son of Edwin, created Machell Brickworks which was on the site that would later become Collis Leather.

Conclusion

We have spent 26 years, countless hundreds of hours, hundreds of thousands of dollars, blood, sweat and tears rebuilding this house. It is no longer a historic house. It is a new house made to look historic.

Twenty-six years ago, when we applied for our permits, nobody in the building department, historical society, or council showed any concern as to whether this house was torn down or not. **WE** decided to build this house to look old. We could have torn it down and built something modern, like most other people did in this neighbourhood.

Why didn't anyone think it was worthy of designation then? I'll tell you why: because it was ugly and derelict and it wouldn't look good to put something that horrible on the registry. But since we have spent all of our time and money, and the house looks beautiful now, it has suddenly has become worthy of designation. We didn't receive any help or money from the Town of Aurora or the heritage committee to do this but now they want to reap the benefits at our expense.

Conclusion Continued

We are very close to retirement and want to sell our house and move to a bungalow because I have hip issues and have difficulty with stairs. Although Adam Robb has sent me a study from the University of Waterloo showing that designation doesn't really affect resale value, I am getting a completely different picture from many real estate agents and owners of designated houses I have spoken to. I have included conversations from them in the next slides advising us not to have our house designated. Every single one of them has said that historical designation results in lower resale values, higher insurance premiums and higher renovation costs. We have spent an enormous quantity of money on this house to build a nest egg for our retirement. After all of our efforts we are now going to lose money on our sale because you feel our house is now worthy of designation.

Conclusion Continued

Recommendations from Real Estate Agents consulted:

Sean Herbinson: “In my opinion an Historical designation has a negative impact on the value of a home primarily because it places restrictions on what can and can not be done to the home and/or the property.” “ In short any prospective purchaser would see it as an issue to be looked into and in this day and age anything that complicates the ownership of a home is not a good thing.”

Carol Neira: “Great question, in my professional opinion I would push ‘not’ to have it designated as a historical property for these reasons:

- It will decrease the value and resale of your home,
- It will affect any renovation done to the exterior of the building,
- And you must comply with their rules and restrictions. As well as obtain permits etc.

Again, I would definitely tell them you do not want this designation on your home”

Todd Newinsky: “If your home is designated historical with restrictions on renovations to the interior and/or the exterior, this could potentially narrow the market for prospective Buyers who may be looking to do renovations. This could lower the price that Buyers would be willing to pay for the property”

Conclusion Continued

Recommendations from Real Estate Agents consulted:

Kevin John: "I'm a Realtor and I have dealt with this topic many times. I would never consider accepting this designation on my home. Even if we assume that you are perfectly happy with any and all restriction AND the eventual next owner feels the same way, it's still a detriment, namely as it relates to insurance. Generally speaking, insurance companies will charge a massive premium because in the event of a major destructive event the home will need to be rebuilt exactly as it was using the same masonry techniques etc. that in today's day and age are exorbitantly expensive. If your home is not designated, insurance can rebuild it using modern construction methods. I have seen insurance premiums on heritage properties 2 – 3 x what they should be based on comparable non-designated properties. Any good Realtor knows to warn their buyers about this, and you'll find buyers running away due to \$5K+ insurance policies. It will likely hurt the home's value. On top of this, buyers are usually hesitant to consider anything with heritage restrictions to begin with. You can honour your home's heritage without accepting a designation. Only accept the designation if you want to force future owners to do the same and you don't mind it costing you tens of thousands of dollars"



Conclusion Continued

Recommendations from Real Estate Agents consulted:

Chip Barkel: "I am a realtor. I had a house for sale in Thornhill, which was a farmhouse, built around 1850 and moved from Gormley to Thornhill. It was designated historical and we had trouble selling it because the real value was in the land and some people wanted to buy it to tear down to rebuild, it eventually sold but at a lesser price."

Owner of a designated house:

This person had a friend who suffered financial burden due to designation:

Bonnie Fleischaker: "I had a friend who bought a house in Newmarket unaware that it had been designated "historical" and when she went to upgrade windows, she was required to have custom made windows made which she simply couldn't afford. She elected to pay the high heating/cooling bills instead as she would never have lived long enough to recover the cost of custom replacement windows."

Formal Objection to Designate

We **DO NOT** want our house designated. If, after we sell, The Town of Aurora wants to approach the new owners that is fine. We would even be open to the Town of Aurora purchasing our property in two years time (at market value), when we plan to sell.

We do not want the historical designation while we live here. If you chose to pursue designating our house after this, we will fight historical designation with every avenue available to us.

We have been tax paying, contributing, and property improving citizens for 26 years. We should not be forced to do something, after all of this time, which is not warranted and will negatively impact us financially in our retirement years.

Registered co-owners of 31 Tyler Street: Angela Daust and Steve Horvath

Notice of Intent to Designate 31 Tyler Street

NOTICE OF INTENTION TO DESIGNATE 31 TYLER STREET

TAKE NOTICE THAT the Council of The Corporation of the Town of Aurora intends to designate the following property as a property of Cultural Heritage Value or Interest pursuant to the provisions of Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended. A statement of reasons is included.

31 Tyler Street
The Ann Ransom House
Pt Lt 24 Pl 9 Aurora as in R690648; Town of Aurora
PIN: 036530020

Description of Property

The property known municipally as 31 Tyler Street is located on the south side of Tyler Street, west of Temperance Street. The property includes a representative example of a 2 storey wood frame dwelling of Victorian architectural style. The building was constructed circa 1872 by Ann Ransom and was also the home of David E. Rogers, a veterinary surgeon who also was Deputy Reeve for the Town and served on Council during the turn of the 20th century (1900).

Statement of Cultural Heritage Value or Interest

31 Tyler Street is of Cultural Heritage Value or Interest based on its design and physical value, historical and associative value, and contextual value.

Design and Physical Value:

The property is a representative example of a 2 storey late Victorian dwelling, constructed over 150 years ago, circa 1872. The building includes key heritage attributes and features which are indicative of the architectural style and period of construction, including the steeply pitched gable roof, steeply pitched double gables along the front elevation, the ornate and highly decorative bargeboard, original windows and door openings, and the sloped covered porch with more highly decorative bargeboard and support columns. These features also display a high degree of craftsmanship with the building contributing positively to the streetscape and public realm.

Historical and Associative Value:

The building was originally constructed by Ann Ransom circa 1872 and then later owned by David E. Rogers, a local veterinary surgeon who also served in key political roles through the early growth of the Town. David E. Rogers initially served as Councillor from 1889-1891, immediately after the incorporation of the Town of Aurora in 1888. He then served again as Councillor from 1893-1895. In 1896 and 1897 he then served as Deputy Reeve for the Town before again returning to serve as Councillor in the centennial year of 1900. The property has direct associations with this important political figure and contributes to an understanding of community culture for that time period.

Contextual Value:

The property defines, maintains and supports the historic character of the Tyler Street neighbourhood, which was a subdivision that formed part of the original development of the Town of Aurora. The property is a rare, unique, and well-preserved example of the architectural style on the street, and it enhances the public realm while providing a link visually and historically to the period of early growth in Aurora - with proximity to the former Tyler Street Tannery to the west, and then proximity to Yonge Street and where the former Town Hall was located along Yonge just north of Tyler Street and where the owner would have served in his political roles.

Description of Heritage Attributes

The following provides a description of heritage attributes for the property which contribute to the reasons for which the property is of Cultural Heritage Value or Interest. Important to the preservation of the property are the original key attributes of the building that express its value, which include:

Exterior Elements

- Overall 2 storey scale and massing with wood frame construction
- Steeply pitched gable roof
- Steeply pitched double gables at front elevation with decorative bargeboard
- All original window and door openings visible from the street and side elevations
- Sloped porch with steeply pitched gable along the front elevation, including decorative bargeboard and wood support posts and railing

Notice of objection to this notice of intention to designate the property may be served on the Clerk of the Town of Aurora within 30 days after the date of publication of the notice of intention to designate in the local newspaper. This notice of objection must set out the reason for the objection and all relevant facts. If a notice of objection is received, the Council of the Town of Aurora shall consider the objection and make a decision whether to withdraw the notice of intention to designate the property or not.

Michael De Rond
Town Clerk
Town of Aurora, 100 John West Way, Box 1000, Aurora, ON, L4G 6J1
mderond@aurora.ca

For any other inquiries, please contact:

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arobb@aurora.ca
365-500-3104

Property Photos and Information

31 Tyler Street

2013 File Photo



2017 File Photo



31 Tyler Street – File Photos

1981 File Photo



Location Map

