

Notice of Objection

81 Tyler Street

Christine and David Butler
81 Tyler Street
Aurora, ON
L4G 2N4

March 6, 2023

Via Registered Mail

Adam Robb
Senior Planner
Town of Aurora
100 John West Way
Box 100
Aurora, ON
L4G 6J1



Dear Mr. Robb,

Re: Objection to the Notice of Intention to Designate 81 Tyler Street to be of Cultural Heritage Value or Interest

**81 Tyler Street
Part Lot 37 Plan 30 Aurora As In R643438; Town of Aurora
PIN: 036540048**

My husband and I are writing to inform you of our Objection to the Notice of Intention to Designate 81 Tyler Street to be of Cultural Heritage Value or Interest. We emphatically object to the designation of our home as a heritage property due to a lack of sufficient evidence to justify its designation under the *Ontario Heritage Act*, and it will place an unjust burden upon our family.

1. Lacks Substantial Historical and Associative Value:

The Notice of Intention outlines that our house at 81 Tyler Street has historical and associative value due to its association with two men named George McConnell and George Graham. To begin with, neither McConnell nor Graham are of ongoing historic significance. McConnell was a mechanic and Graham was a builder. Houses are constructed by builders and lived in by people. Every person who has lived in Aurora has had a job and lived in a house. Just because we know the names of the people associated with the house at 81 Tyler Street, does not give it historical or associative value. In contrast, a better example of a building with historical and associative value is the Aurora Cultural Centre which used to be the Church Street School. Lester B. Pearson, Canada's fourteenth Prime Minister, attended the Church Street School as a child. This building's connection to Pearson is of historical significance.

The Notice of Intention also states that "the [association with the] two George's...is believed to have been a contributing factor to the naming of the intersecting George Street ". This is incorrect. According to research by Aurora historian Jacqueline Stuart, the name "George Street" was given to the street as shown in a subdivision plan dating from 1874. George McConnell did not purchase the property until 12 years later in 1886. Therefore the historical and associative value of the house to the street name is not conclusive.

2. Lack of Contextual Value:

The Notice of Intention states that... "the property defines, maintains and supports the historic character of the Aurora core".

The Town of Aurora is supporting the revitalization of its downtown core with special planning projects such as the Aurora Promenade Project and the Aurora Cultural Precinct Project. These are two urban planning projects that have a major role in maintaining the nature of Aurora's core.

Our house falls outside of the Aurora core and it is not included in the designated Aurora Promenade and Aurora Cultural Precinct zones. As it is not located in the core nor these special planning districts, our home does not in any way help to "define Aurora's core".

Furthermore, the Ontario Heritage Toolkit explains that when assessing for contextual value, the property must be considered in reference to the neighbouring properties. It is important to recognize that over the last 20 years the majority of homes along Tyler Street and George Street have been torn down and rebuilt, or changed dramatically. There no longer exists any "historic character" to the neighbourhood, as most homes have been replaced with modern, energy efficient single-family homes. In fact, 11 out of 23 houses on our part of Tyler Street have been demolished and rebuilt.

The following homes are a few examples of those that have been demolished and rebuilt, or significantly altered so that they no longer represent their historic origins: 84 Tyler St., 86 Tyler St., 92 Tyler St., 93 Tyler St., 108 Tyler St., 109 Tyler St., 113 Tyler St., 117 Tyler St., and 119 Tyler St.

It does not make sense to place the responsibility of "maintaining historic character" on our family, when we are surrounded by newly constructed homes.

3. Consideration of the Physical Condition of the Property

According to the Heritage Property Evaluation - Ontario Heritage Toolkit...*"The ability of the structure to exist for the long term, and determining at what point repair and reconstruction erode the integrity of the heritage attributes, must be weighed against the cultural heritage value or interest held by the property."*

The Notice of Intention has been sent without any consideration for the physical condition of our home. We bought the property in 2000. The following year, severe flooding occurred in the basement. Upon investigation, we discovered that the previous owner had constructed an interior foundation. To understand the situation, we excavated around the foundation only to discover that the original 1886 foundation had failed. In its current state, the existing main floor is cantilevered past the interior foundation, and therefore exposed to the outside elements.

In some cities such as Toronto or Kingston, homeowners may apply for a grant or a tax refund to cover the expenses of maintaining a heritage home. However in the Town of Aurora, a heritage designation does not come with any financial support. To maintain this house for the long-term under a heritage designation, it would require an unreasonable investment by our family. This is a financial burden that our family simply cannot afford.

4. Our Dream of an Energy Efficient Home

Our long-time dream is to live in an energy efficient home. We are fully aware of the climate crisis and want to be part of the solution. In 2017, we conducted an energy audit and were able to make some improvements. During the audit we also learned that true energy efficiency would not be possible due to the deteriorated state of the foundation and the old construction techniques used such as 2x4 exterior walls, R12 insulation and a lack of vapor barrier. If a heritage designation were placed on our house, this would make it very difficult and expensive to integrate the new energy efficient construction techniques.

Aurora's Community Energy Plan shares this same understanding stating...

"In general, newer dwellings are more energy-efficient than older ones. According to Natural Resources Canada, homes built in 2017 used an average of 102 GJ (0.66 GJ/m²). Homes built during 1990 and 2000 used 145 GJ (1.11 GJ/m²) and 130 GJ (0.93 GJ/m²)³⁷. Increases in energy efficiency are largely due to improved building practices and building codes, despite increases in the average size of homes".

We look to the Town of Aurora to join us in our goals to reduce climate change and to create an energy efficient home that benefits future generations.

5. Advice from Real Estate Experts

We have reached out to five of the top real estate agents in Aurora. Every real estate expert has warned us that a heritage designation will negatively impact the resale value of our home. They also cautioned that a heritage designation reduces the flexibility and freedom to renovate, alter and upgrade the home now and for future owners.

The Town of Aurora needs to recognize that our home is our single largest investment. Other citizens of Aurora have the freedom to sell or renovate without the restrictions of a heritage designation. We insist on the same opportunity.

6. Lack of Communication and Inclusion in Designation Process

The original McConnell/Bilbrough family sold the property sixty years ago. In August 2000 we took up residence at 81 Tyler Street. Our family has lived in this house longer than any other family since the McConnell/Bilbrough family. We have lived, worked and raised our children in this house.

At no point over the last 22 years has the Town ever mentioned to us that they wanted to move to a full heritage designation. Our house, along with over 500 other properties, has been "listed" only. This has been the status quo.

The Ontario Heritage Toolkit states that the “*property owner is a key player in a designation under the Ontario Heritage Act. As early as possible in the process, designation should be discussed with owners to ensure that they are actively engaged in the process*”.

When we received the Notice of Intention on Monday February 6, 2023 we were shocked. Our house had been “listed” for over 22 years with no mention from the Town that they wanted to move to a full heritage designation.

In addition, the Notice of Intention stated that the Heritage Advisory Committee and the Town Council had resolved to designate our house on June 21, 2022. This was seven months earlier. Why did no one from the Heritage Advisory Committee or the Town contact us in June 2022? How are we, the homeowners, able to play a key role in this process if we have not been involved? Why were we, the homeowners, only informed recently and given just 30 days to respond?

Previously, homeowners initiated the heritage designation process by applying for designation. This was a very smart approach taken by the Town because participants were involved in the process from day one. This current rush to designate 30 private homes is opposite to the inclusive, careful and considered approach usually taken by the Town. The haste to designate has placed undue stress on our family.

In summary, we would like to clearly state that we strongly oppose the designation of our house under the *Ontario Heritage Act*. As you can see the historical and contextual aspects of 81 Tyler Street are inconclusive, and a heritage designation on our home will jeopardize our family’s finances and future. We would appreciate your careful consideration on this matter.

Sincerely,



Christine Butler
81 Tyler Street
Aurora, ON
L4G 2N4
d.c.butler@sympatico.ca



and David Butler

Notice of Intent to Designate
81 Tyler Street

NOTICE OF INTENTION TO DESIGNATE 81 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.

81 Tyler Street
The McConnell House
Part Lot 37 Plan 30 Aurora As In R643438; Town of Aurora
PIN: 036540048

Description of Property

The property known municipally as 81 Tyler Street is situated at the south side of Tyler Street, west of George Street. The building is considered an excellent representative example of an early dwelling constructed in the Gothic Revival architectural style.

Statement of Cultural Heritage Value or Interest

81 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 1.5 storey Gothic Revival dwelling. The dwelling itself includes features indicative of its period of construction and high craftsmanship and detail, including the side gabled roofline, three bay façade with wood framed central entrance, front elevation steeply pitched central gable with lancet door opening, 6x6 wood framed windows with sashes, and the front portico complete with second storey balcony and wood trim and support posts. These elements are particularly unique in enhancing the local streetscape and community area. The building is a rare and well preserved example of the style.

Historical and Associative Value:

The building was constructed circa 1886 for George McConnell. George McConnell was a mechanic who spent most of his working career at the Fleury works on Wellington Street. The McConnell family ownership would persist over the property until 1962 (note that George McConnell's daughter, Maragaret Amy, married Charles Stewart Bilbrough) until the property was sold in 1962. The house is considered to be one of the first and earliest homes built in the Alexandra Park subdivision of the Aurora community west of Yonge Street. The house was also built by George Graham for George McConnell, with the two George's being part of the first house in the neighbourhood and believed to have been contributing factors in the naming of the intersecting George Street. The subject property has very strong association with the original development of the Town and it helps contribute to our understanding of the development of the Town post Confederation, over approximately 135 years ago.

Contextual Value:

The property defines, maintains and supports the historic character of the Aurora core. The building and its orientation at Tyler and George Streets provides a significant link to the early growth and development of the area and its early history, specifically in relation to growth that occurred in and around early routes like Yonge Street. The building is believed to be the oldest surviving house on Tyler Street, and is integral in supporting the character and context of the neighbourhood.

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 1.5 storey scale and massing of wood frame construction
- Original side-gabled roofline as well as the rear addition visible along George Street
- Front elevation 3-bay façade with wood framed central entrance
- Front elevation steeply pitched central gable with lancet door opening/lancet shaped window
- Two large rectangular shaped wood framed window openings at the front elevation, including the wood framed window sashes with 6x6 panes
- Front elevation wood framed portico and second storey balcony completed with wood trim and wood support posts
- All original window and door openings visible from the public realm

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
mderrond@aurora.ca

For any other inquiries, please contact:

Adam Robb, MPL, MCIP, RPP, CAHP
Senior Planner, Development/Heritage
Planning and Development Services
arobb@aurora.ca
365-500-3104

Property Photos and
Information
81 Tyler Street

2010 File Photo

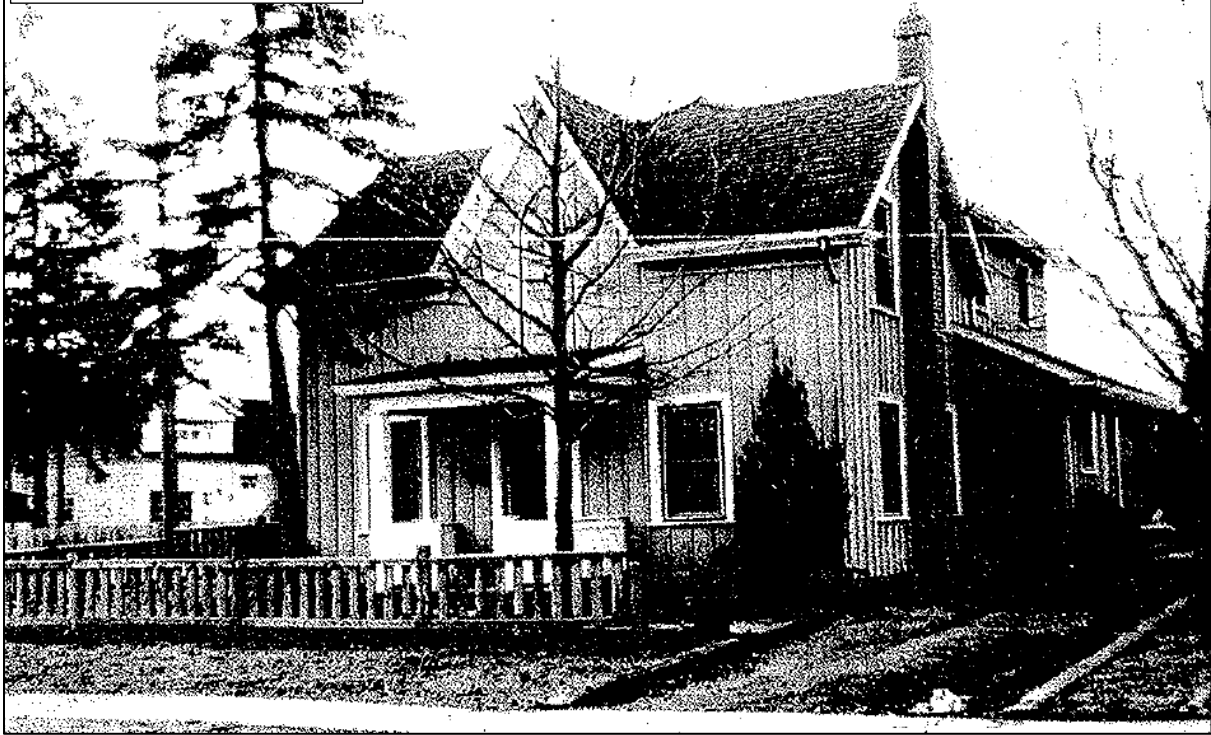


2014 File Photo



81 Tyler Street – File Photos

Undated File Photo



Location Map

