



100 John West Way
Aurora, Ontario
L4G 6J1
(905) 727-3123
aurora.ca

Town of Aurora

General Committee Report

No. PDS22-042

Subject: Review of Aurora Register of Properties of Cultural Heritage Value or Interest

Prepared by: Brashanthe Manoharan, Planner/Heritage Planning

Department: Planning and Development Services

Date: June 21, 2022

Recommendation

1. That Report No. PDS22-042 be received; and
2. That the "Town of Aurora Cultural Heritage Evaluation Checklist" to evaluate properties for cultural heritage interest be adopted.
3. That the 30 properties contained within the Aurora Register of Properties of Cultural Heritage Value or Interest be designated under Part IV of the *Ontario Heritage Act* in accordance with the Heritage Consultant's recommendations.
4. That the Town Clerk be authorized to publish and serve Council's Notice of Intention to Designate the 30 properties in accordance with the requirements of the *Ontario Heritage Act*;
5. That the designation by-laws for the 30 properties be brought before Council for adoption if no objections are received within the thirty (30) day period as per the *Ontario Heritage Act*.
6. That 57 properties contained within the Aurora Register of Properties of Cultural Heritage Value or Interest be delisted in accordance with the Heritage Consultant's recommendations.

Executive Summary

The purpose of this report is to seek Council's adoption of the updated Aurora Register of Properties of Cultural Heritage Value or Interest. This report also provides Council with the necessary information to designate 30 properties from the Aurora Register of

Properties of Cultural Heritage Value or Interest (“Register”) under Section 29(IV) of the *Ontario Heritage Act*, to remove 57 properties from the Register, and to formally adopt “Town of Aurora Cultural Heritage Evaluation Checklist” to evaluate properties for cultural heritage interest.

- Of the 374 properties listed on Aurora Register of Properties of Cultural Heritage Value or Interest, 287 properties have been identified to remain listed on the Register.
- 30 properties listed within the Aurora Register demonstrate cultural heritage value or interest and are recommended for long-term conservation through Part IV designation under the *Ontario Heritage Act*. Should Council proceed with the designation, a Notice of Intent to Designate will be served on the owner, Ontario Heritage Trust, and will be published in the local newspaper.
- 57 properties listed within the Aurora Register have minimal design/physical value, historical/associative value, and/or contextual value and do not demonstrate cultural heritage value or interest, therefore are recommended to be delisted from the Aurora Register.
- Under the *Ontario Heritage Act*, Ontario Regulation 9/06 provides the criteria for determining cultural heritage value or interest.

Background

In November 2019, Council approved a capital budget to fund a comprehensive review of the Town’s Heritage Register. The review focused on assessing the heritage value of the 374 properties currently listed on the Register for the Town better prioritize its conservation efforts and preservation programs. The findings of the study resulted in properties being recommended for Part IV designation under the *Ontario Heritage Act*, delisted, or continuing to be listed as properties of Cultural Heritage Value or Interest.

The Aurora Register currently includes a considerable volume of listed properties. This is likely a result of what is commonly referred to as “blanket listing”, whereby any properties which include structures constructed prior to 1940 are listed on the Register without providing clear information regarding the reasons the property has CHVI. This has resulted in a considerable amount of time for properties to change, some of which may have lost their heritage integrity since the time they were first identified. Several

properties have degraded or have been subject to alterations which renders the previously identified CHVI obsolete.

In October 2020, the Town awarded the contract to MacNaughton Hermesen Britton Clarkson Planning Limited (MHBC) to conduct historical research, undertake heritage evaluation, and to prepare Cultural Heritage Evaluation Reports for the properties that will be recommended for designation, removal, and to remain listed on the Town's Register of Properties of Cultural Heritage Value or Interest.

The work has been undertaken based on the following four phases:

- Phase 1: Data Collection, Inventory, Research
- Phase 2: Cultural Heritage Evaluation Reports Preparation
- Phase 3: Consultation with the Heritage Advisory Committee and Council
- Phase 4: Updates to the Register by Town Staff and Council.

Phase 1 to 3 of the project is complete. Comprehensive research has been conducted to gather the necessary information to understand the heritage context and Cultural Heritage Evaluation Reports have been prepared for each listed property in the Town's heritage register.

Recommendations from MHBC

The Town's Register is comprised of 374 listed properties. These properties were evaluated by MHBC, staff, the Steering Committee, and HAC for their appropriate level or protection, as outlined below:

Properties Recommended for Removal from the Register

Section 6.1 of Attachment 1

57 properties are recommended to be removed from the Register. As outlined in further detail in Section 6.1 of Attachment 1, a property with zero or minimal overall value as it pertains to the criteria of design/physical value, historical/associative value, or contextual value does not provide an argument for having significant CHVI. As such, these properties have been recommended for removal from the Register.

While the majority of properties identified for removal are due to lack of cultural heritage value, some removals were also due to administrative corrections.

Properties that are recommended to be removed from the Register, will receive a notice confirming that Council has consented to its removal from the Register.

Properties Recommended to Remain on the Register

Section 6.2 of Attachment 1

287 properties are recommended to continue to be listed on the register. As detailed in Section 6.2 of Attachment 1, these properties have met some of the criteria of *O. Reg. 9/06* and have generally maintained their overall heritage integrity. While these properties may meet the criteria for designation under Part IV of the OHA, they are recommended to remain on the Register in the short-term.

The properties that remain on the Register are protected against demolition control. Should demolition or redevelopment of the property be proposed, the Town of Aurora has the ability to request a Heritage Impact Assessment and/or a Cultural Heritage Evaluation Report in order to be conclusive on the heritage value of the property. Should the property demonstrate significant CHVI, the Town of Aurora has the ability to individually evaluate the property using the new Evaluation Criteria and proceed with a Part IV designation.

Properties Recommended for Part IV designation under the *Ontario Heritage Act*

Section 6.3 of Attachment 1

30 properties are recommended for designation under Part IV of the *Ontario Heritage Act*. These properties demonstrate cultural heritage value and provide a defensible argument for their long-term conservation. These properties may also be at risk and should be considered for designation to provide a level of protection against alteration or demolition.

These properties are to remain on the Register until Council is able to designate said properties under Section 29 of the *Ontario Heritage Act*.

Should Council proceed with designating the 30 properties under Part IV of the *Ontario Heritage Act*, staff will begin serving the Notice of Intention to Designate in a phased approach.

Properties that are recommended for designation under Part IV of the *Ontario Heritage Act* are eligible for a cast-aluminum plaque (see Attachment 8) following the 30-day objection period. Once the objection period lapses, the plaques will be available for pick-up at Town Hall.

Reviewing and updating the Register allows for a greater appreciation of the properties that remain on the Register as being truly significant to the Town. Having this review conducted therefore enhances the burden of proof to remove any property from the Register and allows for a greater overall appreciation of the key assets in Town that are worth preserving.

Cultural Heritage Evaluation Checklist

The evaluation and scoring of heritage properties through an established rating system can be a useful tool to help municipalities to prioritize efforts to preserve heritage resources and determine their relative value.

In February 2021, MHBC recommended that the Town's current evaluation scoring system, which is based on a guiding document titled "Evaluation of Heritage Resources in the Town of Aurora (2010)", be discontinued because it is outdated and does not appropriately place value on some criteria more than others. Upon review of the legislative requirements of the Provincial Policy Statement (2020) and the *Ontario Heritage Act*, MHBC recommended that the Town use Ontario Regulation 9/06 to evaluate properties of cultural heritage interest.

Under the *Ontario Heritage Act*, Ontario Regulation 9/06 provides the criteria for determining cultural heritage value or interest. Ontario Regulation 9/06 considers the following criteria:

1. The property has design value or physical value because it,
 - i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,*
 - ii. displays a high degree of craftsmanship or artistic merit, or*
 - iii. demonstrates a high degree of technical or scientific achievement.*
2. The property has historical value or associative value because it,
 - i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,*
 - ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or*
 - iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.*
3. The property has contextual value because it,

- i. is important in defining, maintaining or supporting the character of an area,*
- ii. is physically, functionally, visually or historically linked to its surroundings, or*
- iii. is a landmark. O. Reg. 9/06, s. 1 (2).*

It should be noted that the designation or demolition of a building should not be based solely on the results of this rating and classification exercise. There may be exceptions, for example where a building may possess one specific historical attribute of great significance, but otherwise receives a low rating. The evaluation system is an objective method of assessing heritage resources based upon a standard set of criteria. While the evaluation criteria and classification system will provide a valid guideline for both staff and Council, the Town should retain the option to make exceptions when necessary.

On November 23, 2021, Council approved Ontario Regulation 9/06 to evaluate properties for cultural heritage interest and discontinued the use of "Evaluation of Heritage Resources in the Town of Aurora (2010)." As such, MHBC has prepared a new Cultural Heritage Evaluation Checklist (Attachment 2) that requires Council's formal adoption.

Future Additions to the Register

The scope of the Aurora Register Review was to undertake a comprehensive review of the existing municipal Register. Overtime, the Town may add properties to the Register as deemed necessary. Future additions to the Register will be evaluated using the Town of Aurora Cultural Heritage Evaluation Checklist", once formally adopted by Council.

Phase 3 - Consultation with Steering Committee, HAC, and Council

The *Ontario Heritage Act* requires that the Council of a municipality consult with its Municipal Heritage Committee before adding or removing properties from its register. For this project the Town has appointed a Steering Committee to provide direction, guidance, and recommendations on the project. The members of Steering Committee include:

- Wendy Gaertner (Councillor)
- Sandra Humfries (Councillor)
- Bob McRoberts (Heritage Advisory Committee)
- John Green (Heritage Advisory Committee)
- Matthew Kinsella (Heritage Advisory Committee)

- Jacqueline Stewart (Aurora Historical Society and Historian)
- Marco Ramunno (Director of Planning and Development Services)
- Bill Jean (Chief Building Official)
- Brashanthe Manoharan (Planner)

Phase 2 of the project focused on evaluation of listed properties and the preparation of Cultural Heritage Evaluation Reports (CHERs) to assess its heritage value and to recommend the appropriate level of protection and/or preservation. MHBC has completed the individual CHERs and has received feedback over various meetings with the Steering Committee.

Throughout Phase 3, the Steering Committee pointed out a number of properties that should be revaluated and provided additional information that was not part of the historic record/uncovered through Phase 1, but nonetheless demonstrated that the property is of cultural heritage value or interest.

Statements of Significance (SOS) – Steering Committee Consultation

A Part IV designation under the *Ontario Heritage Act* will produce a designation by-law which is a mechanism to protect and conserve physical attributes of a property. A Statement of Significance (SOS) is contained within the designation by-law that identifies key aspects of the building and/or landscape that are of importance. The drafts of the SOS was provided to the Steering Committee for review, whereby additional information was provided and included in the SOS as appropriate.

Advisory Committee Review

The Committee requested clarification on the commemorative metal plaque program and suggested that displaying metal plaques on properties designated under Part IV of the Ontario Heritage Act would be well received. The Committee further requested that appropriate training on the revised evaluation methodology be provided to the Planning staff. The Committee expressed appreciation to the Consultant and supported the proposed project plan and recommendations.

Legal Considerations

According to Section 27 of the *Ontario Heritage Act* (the “Act”), a municipal register of cultural heritage value or interest may include properties that have not been designated under the Act, but that Council believes to be of cultural heritage value or interest.

Before deciding to remove a property from the list, Council shall consult with the Heritage Advisory Committee.

Should Council decide to proceed with the designation of 30 properties, a notice of intention to designate (the "Notice") will be served on the respective property owners and the Ontario Heritage Trust (the "Trust") and published in the local newspaper. Once the Town issues the Notice, the property is protected under the *Ontario Heritage Act* as designated. Any person may object to the Notice within 30 days of its publication.

If there are no objections within the 30-day period, the designation by-law for the subject property must be brought forward to Council for approval within 120 days after the date of publication of the Notice.

If there are objections, any person that objects to the proposed designation shall, within 30 days of the publication of the Notice, serve a notice of objection setting out the reason(s) for the objection and all relevant facts. Council shall consider the objection and decide whether or not to withdraw the Notice to designate the property, within 90 days after the end of the 30-day period.

If Council withdraws the Notice, then notice of the withdrawal must be given to the property owner, any person who objected, and the Trust and also published in the local newspaper. If Council decides to not withdraw the Notice thereby continuing with the designation of the property, then the designation by-law for the subject property must be brought forward to Council for approval within 120 days after the date of publication of the Notice. Anyone may appeal the passing of the designating by-law to the Ontario Land Tribunal for a hearing.

If the by-law is not passed within 120 days of the Notice, then the Notice is deemed to be withdrawn and notice of the withdrawal must be given to the property owner, any person who objected and the Trust and published in the local newspaper.

Financial Implications

Project No 81027 - Municipal Heritage Register Review and Update with total capital budget authority of \$100,000 was approved by Council as part of the 2020 capital budget.

To date approximately \$80,000 has been spent in the delivery of this project. Additional training costs may arise in the Town's implementation of Ontario Regulation 9/06 and the new "Town of Aurora Cultural Heritage Evaluation Checklist".

The results of the Register Review are anticipated to streamline the review time for staff and the Heritage Advisory Committee moving forward.

Communications Considerations

The Town will use 'Inform' as the level of engagement for this application. There are five different levels of community engagement to consider, with each level providing the community more involvement in the decision-making process. These levels are: Inform, Consult, Involve, Collaborate and Empower. Examples of each can be found in the Community Engagement Policy. These options are based on the International Association of Public Participation (IAP2) Spectrum and assist in establishing guidelines for clearly communicating with our public and managing community engagement. In order to inform the public, this report will be posted to the Town's website.

Climate Change Considerations

The recommendations from this report do not impact greenhouse gas emissions or impact climate change adaptation.

Link to Strategic Plan

The conservation of heritage resources supports the Strategic Plan goal of *Supporting an Exceptional Quality of Life for All* through its accomplishment in satisfying requirements in objective *Celebrating and Promoting our Culture*.

Alternative(s) to the Recommendation

1. That Council provide direction.

Conclusions

The Heritage Consultants have undertaken a comprehensive heritage evaluation of the properties contained within the Aurora Register of Properties of Cultural Heritage Value or Interest and have recommended properties for designation under Part IV of the *Ontario Heritage Act*, removal, and to remain listed on the Town's Register of Properties of Cultural Heritage Value or Interest.

Staff seek Council's adoption of the recommendations to update the Aurora Register of Properties of Cultural Heritage Value or Interest that is more reflective of cultural heritage resources in Town that meet the heritage criteria that is identified under the *Ontario Heritage Act*. Further, Staff recommend to Council that the Town formally adopt "Town of Aurora Cultural Heritage Evaluation Checklist" to evaluate properties for cultural heritage interest.

Attachments

Attachment 1 – Aurora Register Review, Final Report – Prepared by MHBC

Attachment 2 – Town of Aurora Cultural Heritage Evaluation Checklist

Attachment 3 – Inventory List by Recommendation

Attachment 4 – Statements of Significance (SOS)

Attachment 5 – Town of Aurora Heritage Plaque

Previous Reports

Heritage Memorandum - Review of Aurora Register of Properties of Cultural Heritage Value or Interest – May 2, 2022

Pre-submission Review

Agenda Management Team review on June 2, 2022

Approvals

Approved by Marco Ramunno, Director, Planning and Development Services

Approved by Doug Nadorozny, Chief Administrative Officer