

## Property owners, Town could be at odds over heritage designation

Property owners and the Town of Aurora could be at odds over efforts to designate heritage properties.

The Town of Aurora is currently working to formally designate up to 30 properties under the Ontario Heritage Act, following new rules handed down by the Provincial government.

Provincial Bill 23 made significant changes to the Ontario Heritage Act and, as such, 'listed' properties in Ontario will be removed from heritage registers maintained by towns and cities unless they are officially 'designated' under the act.

Since the new rules came in place, the Town has been reviewing properties on the municipal list and, with input from the Town's Heritage Advisory Committee, have identified 30 eligible properties.

In a consultation with property owners, however, just eight property owners indicated their support of designation, which could lead Aurora back to the Ontario Land Tribunal.

'These properties largely merit heritage designation not only due to their physical and historical value, but also due to their contextual value as part of established historic neighbourhood areas,' said Adam Robb, Heritage Planner for the Town of Aurora. 'Eight property owners are in support of designation, while 22 property owners are not in support of designation. The property owners in support of designation recognized that they themselves bought the properties for their charm and character and want to see that protected. Several owners had questions about the impacts of designation, with heritage designation largely intended to preserve built heritage and protect properties from demolition and unsympathetic alterations. Designation is not intended to overly restrict complementary building additions or any interior work, and this was viewed favourably by owners.'

'Those property owners who are not in support of designation generally were concerned about restrictions to their private property and potential impacts to real estate values (although evidence and scholarly articles tend to show no negative impact to re-sale values). Overall, a number of homeowners also simply did not want to pursue designation as they already considered themselves good caretakers of the property. To this regard, designation is often also about adding a level of 'future-proofing' to the protection of buildings in the event that they are sold in the future.'

At this month's Committee of the Whole meeting, staff recommended proceeding with designating the eight properties whose owners gave the thumbs-up - 71 Connaught Avenue, 15 Kennedy Street West, 19 Kennedy Street West, 29 Kennedy Street West, 77 Spruce Street, 80 Spruce Street, 139 Temperance Street, and 59 Tyler Street - while issuing a Notice of Intention to the owners of the balance.

Among the properties whose owners objected include 9 Wellington Street East, which was known to generations as the Knowles Butcher Shop and the Bacon Basketware property that was previously home to the Fleury Company.

'Eight of out 30 doesn't seem like a good number,' said Ward 1 Councillor Ron Weese, stating he was concerned about the 'dilution' of heritage buildings. 'I know we go out and I know we inform people about this and they have an opportunity to reject or include themselves, but it seems to me a decision that someone makes regarding economics as opposed to the value of the property and our need to maintain the heritage value of our community.'

The Councillor went on to question what the repercussions would be to the Town if they either left the 22 remaining properties undesignated or if they followed through with designation without the owner's consent.

'Council can choose to issue a Notice of Intention to Designate for any of these properties,' said Robb.

Mayor Tom Mrakas noted, with the agreement of Robb, property owners can formalize their objections and it could then go to

Tribunal.

"I think we need to think about it," said Ward 3 Councillor Wendy Gaertner. "We need to maintain our heritage. We want to designate all of the properties that were part of that report, but there was quite a backlash from some. I'm not sure where that leaves us if we decide to designate."

Ward 5 Councillor John Gallo said he believed the Town was following the right process and said the current method was an improvement from the last go-round on designation as there was ample public engagement.

He welcomed the fact there's still time for Aurora to revisit the properties and continue engaging the property owners holding out on their consent.

"Let's go through all of them, see how many we can get with residents that are positive and on board to designate," he said. "Once that process is done, we can evaluate all the ones that are remaining and where we go from there."

Added Councillor Weese: "There are certainly some properties on here I don't think anyone would not think they're heritage properties? these are historical buildings we need to protect. I understand everybody's interest economically to get maximum value out of a property they've owned for a long time. We have a responsibility to this community to protect heritage. Perhaps we can have some better communication to our residents about the value of heritage through official channels so people understand the rationale for what we're trying to do."

**By Brock Weir**