

1.1 Purpose of the Study

This Study is undertaken pursuant to Part V of the *Ontario Heritage Act*, RSO 1990, Chapter O.18. The purpose of the Study is to provide the supporting data necessary to effect the designation of a Heritage Conservation District for the a portion of the Town of Aurora, as called for in Sections 3.8, c (i) and 3.8, e (ii) of the Official Plan of the Town of Aurora.

Adoption of this Study will lead to the preparation of Heritage Conservation District Plan, in conformance with Section 41.1 of the *Ontario Heritage Act*. The Plan will include:

- a statement of the objectives to be achieved in designating the area as a heritage conservation district;
- a statement explaining the cultural heritage value or interest of the heritage conservation district;
- a description of the heritage attributes of the heritage conservation district and of properties in the district;
- policy statements, guidelines and procedures for achieving the stated objectives and managing change in the heritage conservation district; and
- a description of the alterations or classes of alterations that are minor in nature and that the owner of a property in the heritage conservation district may carry out our permit to be carried out on any part of the property, without obtaining a heritage permit.

The intent of the Plan will be to provide clear and readily understood guidance to the Town of Aurora and its

citizens for the conservation of important historical, architectural, and landscape elements in the heritage conservation district, and for the design of new development and redevelopment that preserves and enhances the district's heritage character.

1.2 The Heritage Conservation District Concept

District is a collection of buildings, streets, and open spaces that collectively are of special historical or architectural significance to the community. The legislation enables municipalities, through study, to define the areas to be designated and to prepare Official Plan provisions which regulate development activities within the area in order to ensure that the Heritage character of the District is maintained or enhanced.

A Heritage Conservation District designation is not intended to prohibit or discourage the changes required by contemporary needs. Its purpose is to guide those changes so that they preserve and enhance the District's architectural and historic character.

1.0 Introduction

1.3 Background of the Study

The Northeast Old Aurora Heritage Conservation District Study evolved from the efforts and interest of a local citizens group called the Olde Aurora Ratepayers Association, the Aurora Historical Society and the Town's Municipal Heritage Advisory Committee.

The provisions of the Ontario heritage Act allow a local municipality to study specific parcel of land as a heritage conservation district for designation as a heritage conservation district.

The Town of Aurora is very conscious of preserving its past as reflected in the goals and policies outlined in its corporate mission statement, strategic plan and official plan. The Official Plan devotes Section 3.8 to heritage concerns. The sole stated Goal is "Aurora's heritage shall be preserved to enhance the community." Policy 3.8 ,c (i) refers specifically to the Historic Core Community Commercial Centre and the adjacent neighbourhoods, and states that it "shall be considered for designation as a Heritage Conservation District based on the appropriate plan. Policy 3.8, e(ii) calls on Council to achieve the heritage goals and objectives of the Official Plan through the use of Part V of the Ontario Heritage Act to evaluate an area for designation as a heritage conservation district.

The Town of Aurora contains a number of historically significant neighbourhoods in the historic core which are worthy of consideration to become heritage conservation districts. One of those areas is in the northeast quadrant of the downtown core, a picturesque neighbourhood of 19th and early 20th Century heritage homes on streets lined with mature trees.

The northeast Old Aurora neighbourhood is the first in the Town to be evaluated as a heritage conservation district.

The concept of a proposed Heritage Conservation District for the area of Northeast Old Aurora was initiated by residents of the area in 2003. The Town of Aurora Heritage Advisory Committee worked with local residents to introduce the concept of a heritage conservation district and address any questions that local residents may have had concerning heritage district designation. Three public information meetings were held, a survey was conducted, and website established by the residents to introduce the heritage conservation district concept and to gauge public interest. Through the public consultation process for the core area, it became evident that there was significant public interest raised in extending boundary of the area to be studied for heritage district designation.

In consideration of this request, 80 additional properties in adjacent areas which form a natural continuation of the core study area such as parts of Mark Street, Centre Street, the eastern part of Catherine Avenuet, McMahon Park and the heritage buildings immediately to the north of the Core area fronting onto Yonge Street were included in the area to be studied. The Olde Aurora Ratepayers Association undertook considerable efforts to communicate the heritage district concept with the property owners in the neighbourhood, answer questions and address issues. The response was positive, and the local ratepayers association formally requested that the Town proceed with the Heritage Conservation District Study. Council agreed, and authorized the terms of reference for a study on June 28, 2005.

A request for proposals, RFP PL2005-69, was put out in July, and after careful evaluation of responses, the consulting team of Phillip H. Carter Architects and Planner, in association with Paul Oberst Architect was selected to prepare the Northeast Old Aurora Heritage Conservation District Study and Plan.

1.0 Introduction

1.4 Implications of Designation as a Heritage Conservation District.

Planning for Change

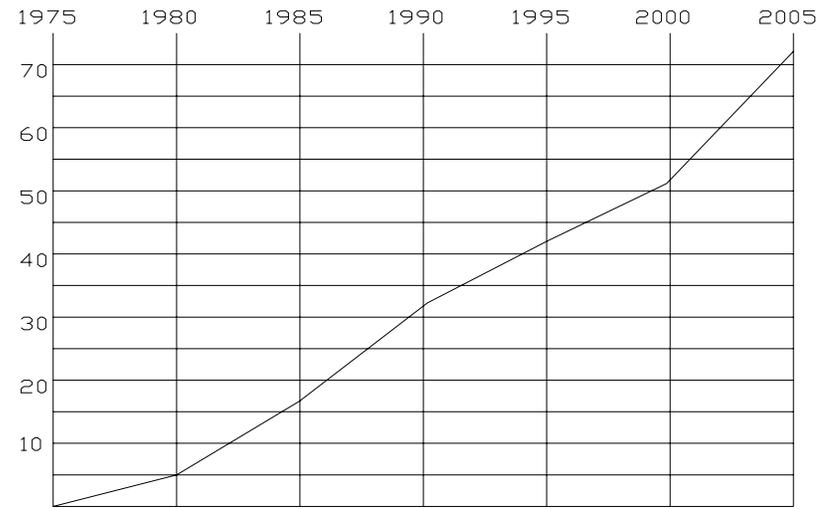
All municipalities plan for the future, using their powers under The Planning Act. The instruments of these powers are Official Plans, Secondary Plans, zoning by-laws, and site-plan approvals. Property owners who are contemplating changes in the built form of communities must seek approval under these instruments, in accordance with The Planning Act.

Heritage Conservation District Plans are also planning instruments, although they derive their authority from the Ontario Heritage Act, rather than from the Planning Act. They provide municipalities with additional, and different, tools for accommodating and shaping change.

A significant difference is that the Heritage Act addresses issues of visual appearance, which the Planning Act explicitly excludes from its concerns. The ability to preserve community character is greatly enhanced when a heritage plan is part of the municipal tool kit, along with the regulation of building size, site-plan, use, and so on, under the Planning Act.

Growing Use of Heritage Districts.

Since the original passage of the Heritage Act in 1975, there has been continued growth in the number of Districts in Ontario. There has been a strong recent up-trend, particularly in smaller municipalities where modern growth threatens to overwhelm older towns and villages. Thirteen municipalities have been sufficiently satisfied with their first districts that they have created additional ones.



This graph shows the growth in the number of heritage conservation districts in Ontario since the enactment of the Ontario Heritage Act in 1975. Information from the Ontario Ministry of Culture.

A Stable Environment

Public consultation in the development of a heritage conservation district plan allows local people to plan for the future appearance of their own neighbourhood, as changes occur over time—as they inevitably will. It's way for neighbours to promise each other to maintain the integrity of the place that they all call home. This kind of stability preserves and enhances the desirability of the neighbourhood.

1.4 Implications of Designation as a Heritage Conservation District.

Property Values

The fear of negative impact on property values is a common source of concern about heritage designation. The theoretical argument is that designation restricts what the owner can do with a property, that this limits the number of buyers willing to accept such restrictions, and that the law of supply and demand necessarily diminishes the market price. This fear, and the theory that supports it, is not borne out by research.

The most recent study, by Robert Shipley of the University of Waterloo, investigated market trends over time, for 2,707 designated properties in 24 Ontario communities, including 5 Heritage Districts. The study found that approximately 74% of designated properties performed above or at average in price-trend compared to similar but undesignated properties in their communities. Results for properties in the Heritage Districts studied were similar. In addition, the prices of Designated properties showed a marked resistance to general real-estate market downturns, retaining value at average or better rates in 79% of the cases, and rate-of-sale figures for Designated properties were generally higher than average, showing that Designation does not hamper sales.¹

Results from similar studies in the United States tend to confirm Shipley's conclusions that the impact of Heritage Designation on property values is positive rather than negative.

Financial Incentives

Some municipalities provide a variety of financial assistance to owners of designated heritage properties, including both those individually designated under Part IV or those within a district designated under Part V of the *Ontario Heritage Act*. Recent provincial legislation allows property tax relief of up to 40%, which some municipalities have taken advantage of. Other municipalities provide grants or loans for restoration of heritage features. In most cases, the property owner enters into a heritage easement agreement to ensure that the historical character of the property is maintained. Currently, Aurora doesn't provide programs of this kind.

Education

A good heritage district plan will provide information about proper techniques for maintaining heritage properties, and will point the way to other sources of such information. There are many publications that provide such guidance, and there are also excellent internet resources, provided by the Canadian and American governments.

1.0 Introduction

1.4 Implications of Designation as a Heritage Conservation District.

Heritage Permits

Heritage Permits are the administrative instruments of a heritage conservation district.

Section 42.1 of the Ontario Heritage Act requires an owner of property in a heritage conservation district to obtain a permit from the municipality to:

“1. Alter, or permit the alteration of, any part of the property, other than the interior of any structure or building on the property.

“2. Erect, demolish or remove any building or structure on the property or permit the erection, demolition or removal of such a building or structure.”

Certain classes of work may be exempted from the requirement of a permit, as seen in Section 41.1 (5) (e), below.

The Heritage Act sets standards for a heritage district plan in Section 41.1 (5):

“(5) A heritage conservation district plan shall include,

“(a) a statement of the objectives to be achieved in designation the area as a heritage conservation district;

“(b) a statement explaining the cultural heritage value or interest of the heritage conservation district;

“(c) a description of the heritage attributes of the heritage conservation district and of properties in the district;

“d) policy statements, guidelines and procedures for achieving the stated objectives and managing change in the heritage conservation district.

“e) a description of the alterations or classes of alterations that are minor in nature and that the owner of property in the heritage conservation district may carry out or permit to be carried out on any part of the property, other than the interior of any building or structure on the property, without obtaining a permit under Section 42. “

To simplify the legal language, heritage permits are required for all work except that which has been exempted in the district plan, and the objectives, policies and guidelines in the district plan establish the framework for approval of permit applications.

Demolition Control

A noteworthy change in the 2005 amendments to the Ontario Heritage Act is the new ability of municipalities to control the demolition buildings in heritage conservation districts. Previously, demolitions could only be delayed for a period of 180 days. This change brings Ontario in line with most North American jurisdictions is the power to preserve heritage.

Maintenance Standards

Under Section 45.1 of The Ontario Heritage Act, a municipality that has a property standards by-law under the Building Code Act, can pass a similar by-law setting minimum standards for maintenance of heritage attributes of property in a heritage conservation district.