



**Heritage  
Advisory Committee  
Meeting Agenda**

**Monday, October 16, 2017  
7 p.m.**

**Holland Room  
Aurora Town Hall**

Public Release  
October 11, 2017



## **Town of Aurora Heritage Advisory Committee Meeting Agenda**

**Date:** Monday, October 16, 2017

**Time and Location:** 7 p.m., Holland Room, Aurora Town Hall

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### **1. Approval of the Agenda**

**Recommended:**

That the agenda as circulated by Legislative Services be approved.

### **2. Declarations of Pecuniary Interest and General Nature Thereof**

### **3. Receipt of the Minutes**

**Heritage Advisory Committee Meeting Minutes of September 11, 2017**

**Recommended:**

That the Heritage Advisory Committee meeting minutes of September 11, 2017, be received for information.

### **4. Delegations**

**(a) Joanne Russo, Owner**

**Re: Item 1 – HAC17-022 – Heritage Permit Application, 29 Mark Street,  
File: NE-HCD-HPA-17-15**

## **5. Matters for Consideration**

### **1. HAC17-022 – Heritage Permit Application 29 Mark Street File: NE-HCD-HPA-17-15**

#### **Recommended:**

1. That Report No. HAC17-022 be received; and
2. That the Heritage Advisory Committee recommend to Council:
  - (a) That Heritage Permit Application NE-HCD-HPA-17-15 for a 118.8 m<sup>2</sup> second-storey addition and a 3 m<sup>2</sup> rear addition be approved.

### **2. HAC17-020 – Request to Designate under Part IV of the *Ontario Heritage Act*, 49 Wells Street “Town Park”**

#### **Recommended:**

1. That Report No. HAC17-020 be received; and
2. That the Heritage Advisory Committee recommend to Council:
  - (a) That the Town Park located at 49 Wells Street be designated under Part IV of the *Ontario Heritage Act* as a property of cultural heritage value or interest; and
  - (b) That the Town Clerk be authorized to publish and serve Council's Notice of Intention to Designate as per requirements of the Act; and
  - (c) That the designation by-law be brought before Council for passing if no objections were received within the thirty (30) day objection period as per requirements of the Act.

**3. HAC17-023 – Doors Open Aurora 2017 – Event Summary Report**

**Recommended:**

1. That Report No. HAC17-023 be received; and
2. That the Heritage Advisory Committee extend a thank you to the following individuals and groups for their support of Doors Open Aurora 2017:
  - (a) All site owners/operators;
  - (b) All volunteers and site staff;
  - (c) The Auroran newspaper; and
  - (d) The Mayor, Members of Council, and supporting Town staff.

**4. Memorandum from Acting Manager of Parks**

**Re: Tree Removal Permit Application #064 for 52 Centre Street**

**Recommended:**

1. That the memorandum regarding Tree Removal Permit Application #064 for 52 Centre Street be received; and
2. That the Heritage Advisory Committee provide comment with respect to the proposed Tree Removal Permit Application for 52 Centre Street.

**6. Informational Items**

**5. Extract from Council Meeting of September 12, 2017**

**Re: Heritage Advisory Committee Meeting Minutes of July 17, 2017**

**Recommended:**

1. That the Extract from Council Meeting of September 12, 2017, regarding the Heritage Advisory Committee meeting minutes of July 17, 2017, be received for information.



**6. Extract from Council Meeting of September 12, 2017**

**Re: Summary of Committee Recommendations Report No. 2017-08**

**Recommended:**

1. That the Extract from the Council Meeting of September 12, 2017, regarding Summary of Committee Recommendations Report No. 2017-08, be received for information.

**7. New Business**

**8. Adjournment**



**Town of Aurora  
Heritage Advisory Committee  
Meeting Minutes**

<b>Date:</b>	Monday, September 11, 2017
<b>Time and Location:</b>	7 p.m., Holland Room, Aurora Town Hall
<b>Committee Members:</b>	Councillor Wendy Gaertner (Chair), Councillor Jeff Thom (Vice Chair), Neil Asselin, Barry Bridgeford, James Hoyes (arrived 7:12 p.m.), John Kazilis, Bob McRoberts (Honorary Member), and Martin Paivio
<b>Member(s) Absent:</b>	None
<b>Other Attendees:</b>	Marco Ramunno, Director of Planning and Building Services, Jeff Healey, Planner, and Linda Bottos, Council/Committee Secretary

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The Chair called the meeting to order at 7:02 p.m.

**1. Approval of the Agenda**

**Moved by Councillor Thom  
Seconded by Barry Bridgeford**

That the agenda as circulated by Legislative Services be approved.

**Carried**

**2. Declarations of Pecuniary Interest and General Nature Thereof**

There were no declarations of pecuniary interest under the *Municipal Conflict of Interest Act*.

**3. Receipt of the Minutes**

**Heritage Advisory Committee Meeting Minutes of July 17, 2017**

Heritage Advisory Committee Meeting Minutes  
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**Moved by Neil Asselin  
Seconded by John Kazilis**

That the Heritage Advisory Committee meeting minutes of July 17, 2017, be received for information.

**Carried**

#### **4. Delegations**

None

#### **5. Matters for Consideration**

None

#### **6. Informational Items**

##### **1. HAC17-019 – Heritage Conservation District Designation Process**

Staff provided a brief overview of the report and general process to implement a Heritage Conservation District as prescribed in the *Ontario Heritage Act*, and noted that an Ontario Heritage Tool Kit is available online.

The Committee discussed various aspects and options of the designation process, and staff suggested that an inventory of listed, designated, and other significant properties, including background information, could be provided for the Committee's review.

The Committee inquired about tax incentives and staff provided information regarding the Community Improvement Plan program in place along the Aurora Promenade, which is currently relevant to designated heritage properties within the Aurora Promenade.

**Moved by Councillor Thom  
Seconded by Neil Asselin**

1. That Report No. HAC17-019 be received; **and**
2. **That the Heritage Advisory Committee recommend to Council:**

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Monday, September 11, 2017

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- (a) **That staff provide an information report regarding listed, designated, and potentially historic properties on Yonge Street between Wellington Street and Kennedy Street.**

**Carried as amended**

**2. HAC17-021 – Wood Plaque Applications, 41 Kennedy Street West, 56 Spruce Street and 83 Temperance Street**

Staff provided a brief overview of the report and distributed copies of the Wood Plaque Program Guide to the Committee.

The Committee discussed various aspects of the plaques including material, finish and lettering, and made suggestions regarding the significance criteria and wording of the proposed plaques for the subject properties.

**Moved by Martin Paivio**

**Seconded by Bob McRoberts**

1. That Report No. HAC17-021 be received for information.

**Carried**

**3. Heritage Advisory Committee Pending List**

Staff provided a brief overview of items on the Pending List and it was agreed that the Pending List would be included on a Committee meeting agenda upon any update.

The Committee commented on the unique architecture of the Baldwin's property on Wellington Street East and staff reviewed the criteria for designation.

The Committee inquired about the potential impact of the Metrolinx GO Transit rail expansion project on properties and streetscape in the Wellington Street East area, and staff provided an update.

**Moved by Neil Asselin**

**Seconded by Martin Paivio**

1. That the Heritage Advisory Committee Pending List be received for information.

**Carried**

Heritage Advisory Committee Meeting Minutes  
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**4. Extracts from Council Meeting of July 11, 2017**

**Re: Heritage Advisory Committee Meeting Minutes of May 8, and June 12, 2017**

**Moved by Bob McRoberts**

**Seconded by Councillor Thom**

1. That the Extracts from Council Meeting of July 11, 2017, regarding the Heritage Advisory Committee meeting minutes of May 8 and June 12, 2017, be received for information.

**Carried**

**5. Extract from Council Meeting of July 11, 2017**

**Re: Summary of Committee Recommendations Report No. 2017-06**

**Moved by Bob McRoberts**

**Seconded by Councillor Thom**

1. That the Extract from the Council Meeting of July 11, 2017, regarding Summary of Committee Recommendations Report No. 2017-06, be received for information.

**Carried**

**6. Extract from Council Meeting of July 11, 2017**

**Re: Summary of Committee Recommendations Report No. 2017-07**

**Moved by Bob McRoberts**

**Seconded by Councillor Thom**

1. That the Extract from the Council Meeting of July 11, 2017, regarding Summary of Committee Recommendations Report No. 2017-07, be received for information.

**Carried**

**7. New Business**

The Committee inquired about the archaeological excavation at the Aurora United Church site, and staff provided an update.

The Committee inquired about the former Collis Leather factory site at 45 Tyler Street, and staff agreed to investigate and provide an update.

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Monday, September 11, 2017

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The Committee inquired about the status of the Brookland Avenue culvert and road reconstruction work, and staff provided an update.

The Committee inquired about the site construction at 32 Wellington Street East, and staff agreed to bring forward the plans for information at a future meeting.

The Committee inquired about the reconstruction and lot coverage at 32 Wells Street, and staff agreed to investigate and provide an update.

The Committee inquired about business signage on a Mosley Street residential property, and staff agreed to investigate the matter.

The Committee inquired about the tree pruning status at 81 Catherine Avenue, and staff agreed to investigate the matter.

The Committee inquired about the status of the light armoured vehicle (LAV) memorial to be installed in Aurora's War Memorial Peace Park, and staff agreed to follow up on the matter.

## **8. Adjournment**

**Moved by James Hoyes**

**Seconded by Martin Paivio**

That the meeting be adjourned at 8:27 p.m.

**Carried**

Committee recommendations are not binding on the Town unless otherwise adopted by Council.



Legislative Services  
905-727-3123  
[Clerks@aurora.ca](mailto:Clerks@aurora.ca)  
Town of Aurora  
100 John West Way, Box 1000  
Aurora, ON L4G 6J1

## Delegation Request

This Delegation Request form and any written submissions or background information for consideration by either Council or Committees of Council must be submitted to the Clerk's office by the following deadline:

**4:30 p.m. Two (2) Days Prior to the Requested Meeting Date**

<b>Council/Committee/Advisory Committee Meeting Date:</b> Monday October 16, 2017	
<b>Subject:</b> 29 Mark Street	
<b>Name of Spokesperson:</b> Joanne Russo	
<b>Name of Group or Person(s) being Represented (if applicable):</b>	
<b>Brief Summary of Issue or Purpose of Delegation:</b> Application for approval on home renovation + 2nd floor addition.	
<b>Please complete the following:</b>	
Have you been in contact with a Town staff or Council member regarding your matter of interest? Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>	
If yes, with whom? Jeff Healey + Kyle Purcell	Date: August 1 <sup>st</sup> - ongoing
<input checked="" type="checkbox"/> I acknowledge that the Procedure By-law permits five (5) minutes for Delegations.	

And The Heritage Design Review Board (Meeting Sept 29/2017)



**Town of Aurora  
Heritage Advisory Committee Report No.HAC17-022**

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**Subject:** Heritage Permit Application  
29 Mark Street  
File: NE-HCD-HPA-17-15

**Prepared by:** Jeff Healey, Planner

**Department:** Planning and Building Services

**Date:** October 16, 2017

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## **Recommendation**

1. That Report No. HAC17-022 be received; and
2. That the Heritage Advisory Committee recommend to Council:
  - (a) That Heritage Permit Application NE-HCD-HPA-17-15 for a 118.8m<sup>2</sup> 2<sup>nd</sup> storey addition and a 3m<sup>2</sup> rear addition be approved.

## **Executive Summary**

The purpose of this report is to provide Council with direction from the Heritage Advisory Committee regarding Heritage Permit Application NE-HCD-HPA-17-15 regarding a proposed second storey addition and rear yard addition located at 29 Mark Street, designated under Part V of the *Ontario Heritage Act* as part of the Northeast Old Aurora Heritage Conservation District.

- The existing house on the subject lands was constructed in 1966 and is therefore a non-heritage building within the Heritage District.
- The proposed 2<sup>nd</sup> floor addition and rear addition is considered to meet the policies of the Heritage Conservation District Plan
- The property is a Designated, non-listed property on the Aurora Register of Properties of Cultural Heritage Value or Interest

## **Background**

The owner of 29 Mark Street submitted Heritage Permit Application NE-HCD-HPA-17-15 on August 21, 2017.



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Report No. HAC17-022

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The owner proposes to remove the existing roof and construct a 118.8m<sup>2</sup> 2<sup>nd</sup> storey addition above the existing structure. The owner is also proposing a 3m<sup>2</sup> rear addition on the first storey of the existing building. The owner has removed some of the existing windows in anticipation of the proposed alteration.

The subject property was designated in 2006 under Part V of the *Ontario Heritage Act* as part of the Northeast Old Aurora Heritage Conservation District. Section 42 of the *Act* states that,

*No owner of property situated in a heritage conservation district that has been designated by a municipality under this Part shall do any of the following, unless the owner obtains a permit from the municipality to do so: "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.*

The Heritage Permit Application was deemed complete by staff on August 25, 2017. Council has 90 days to respond to the Application or else the Application is automatically approved.

## **Location**

The subject property is located on the south side of Mark Street, located three lots west of Spruce Street (See Attachment 1). The property is a Designated, non-listed property on the Aurora Register of Properties of Cultural Heritage Value or Interest, located within the Northeast Old Aurora Heritage Conservation District.

## **Analysis**

### **Architectural and Historical Value**

The existing building can be described as a 1 storey ranch house with a front gable and side gable split roofline (see Attachment 2). According to Town records, the building was constructed in 1966. The building is a wood framed structure finished with brick siding and vertical wood clapboard siding. The front entrance features an overhang from the front gable roof. The façade features a picture window on the west side and two 1 over 1 double hung windows on the east side. Below the picture window features a second entrance, which was converted from a garage in the past. Two existing sheds are located in the rear yard. Due to the topography of the south side of Mark Street a stone retaining wall runs along the front property line stretching from 29 Mark Street to 19 Mark Street to the west.

There is no historical information available for the property. There are no fire insurance maps available for Mark Street. Upon review of York Maps historical imagery, a previous structure appears to have existed on both 29 Mark and 31 Mark circa 1954.

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### **Neighbourhood Context**

The property is located within the Northeast Old Aurora Heritage Conservation District. The existing building is contextually linked to the surrounding residential buildings on Mark Street, forming an important component to the heritage character of the District.

### **Non-Heritage Buildings within the Northeast Old Aurora Heritage Conservation District Plan**

Section 4.4. of the District Plan states that *non-heritage buildings are in the minority in the Northeast Old Aurora Heritage Conservation District are non-heritage buildings. Most of these properties are good neighbours to the heritage buildings in scale, massing and design.*

### **Proposed Concept Plan**

The owner wishes to construct a 2<sup>nd</sup> storey addition above the existing designated, non-listed property. With the proposed alteration, the owner proposes to maintain the brick on the existing first storey. All architectural elements above the brick line, including windows, roof and the vertical wood clapboard are proposed to be removed.

The proposed new second storey is to be finished in James Hardie board and batten siding. The 2<sup>nd</sup> storey is proposed to be capped with a hipped roof comprising of asphalt shingles. The windows are proposed as casement windows, which is appropriate for non-heritage buildings such as ranch houses.

The existing concrete stone finish around the foundation is proposed to be replaced with a grey-mix Permacon Lafitt stone finish. Finally, the owner has removed the existing wood retaining wall surrounding the existing driveway and replace with a stone retaining wall to match the proposed foundation finish. The stone retaining wall facing Mark Street is to remain.

The owner has provided elevations for the proposed building (see Attachment # 4). Sections 4.4.2 and 9.4 of the District Plan outline the design approach for alterations and additions to non-heritage buildings within the Heritage Conservation District.

Section 4.4.2: Additions and alterations to these non-heritage buildings can either introduce changes that reflect the historic architectural styles and features of the area so as to better fit into the area's historic character, or they can make changes that are consistent with the existing style of the building.

*The proposed design has conducted a complementary alteration approach and has selected building materials which is complementary to adjacent heritage resources to the west.*

Guideline: Additions and alterations using the complementary design approach should respect, and be consistent with, the original design of the building.

*Existing brick, window and door openings on the front elevation will be preserved.*

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Section 9.1.2.2 of the district plan includes siting specifications new and existing buildings within the District. The maximum permitted building depth for structures is 16.8 metres.

*The proposed rear addition will create a maximum building depth of 12.2 metres, which is in keeping with the building depth provisions of the District Plan.*

Section 9.2.3 of the district plan requires total glazing to not exceed 40% of the façade. Traditionally glazing is to encompass 15-20% of the façade.

*The owner has proposed 28.5% glazing on the front elevation and 40% on the rear elevation. The owner has reduced the glazing of the front elevation to bring a more appropriate proportion in keeping with the District Plan. The 40% glazing in the rear elevation will not face the street.*

Guideline: In siting garages and additions, follow the polices in Section 4.2 of this plan.

*The owner proposes to convert the existing door opening on the basement level back to a garage. A garage was originally located in the lower level as hinted by existing non-heritage buildings to the east.*

Section 5.7b) :Existing mature trees and other vegetative amenities in the public realm should be retained and preserved except where removal is necessary due to disease or damage, or to ensure public health and safety.

*All existing trees on the site are proposed to be preserved.*

Section 4.5.1: Historically appropriate heights for new residential buildings are considered to be 1 ½ to 2 ½ storeys, subject to an actual height limit of 9 metres to the mid-slope of the roof.

*The proposed height of the 2<sup>nd</sup> storey is 8.96 metres, which complies with the District Plan.*

The proposed siting specifications for the building are as follows:

	<b>Existing R7 Residential Zone Requirement</b>	<b>Proposed</b>
Lot Area (minimum)	460 m <sup>2</sup>	568.9 m <sup>2</sup>
Lot Frontage (minimum)	15 m	15.2 m
Front Yard (minimum)	6.0 m	4.3 m (existing)
Rear Yard (minimum)	7.5 m	24 m

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Interior Side Yard (minimum)	1.5 m	1.8 m
Lot Coverage (maximum)	35%	20%
Height (maximum)	10.0 m	8.96 m (to midpoint of roof)

It is noted that a Minor Variance for a front porch encroachment may be required for the proposed development.

### **Design Review Panel**

The application was reviewed by the Design Review Panel on September 29, 2017. The Design Review Panel provided comments to the proposed development including consistency in board and batten or wood clapboard materials and a request to remove the eyebrow arch over the east window (front elevation) on the 2<sup>nd</sup> storey. There was a discussion surrounding the proposed landscaping, grading and the size of the proposed driveway. The owner's contractor has clarified that the existing driveway width will be maintained.

### **Financial Implications**

There are no financial implications.

### **Communications Considerations**

No Communication Required.

### **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.

### **Alternatives to the Recommendation**

1. Deny Heritage Permit Application NE-HCD-HPA-17-15.

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## **Conclusions**

The existing home at 29 Mark Street is a non-heritage building within the heritage Conservation District. Staff recommend that the Heritage Advisory Committee approve the proposed alteration for the existing building located at 29 Mark Street. The proposed alteration is found to be in keeping with the Northeast Old Aurora Heritage Conservation District Plan.

## **Attachments**

Attachment #1 – Location Map  
Attachment #2 – Photos of Existing Building  
Attachment #3 – Proposed Building Elevations and Site Plan

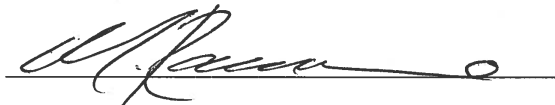
## **Previous Reports**

None.

## **Pre-submission Review**

Agenda Management Team Meeting review on October 5, 2017

## **Departmental Approval**



**Marco Ramunno**  
Director, Planning and Building Services

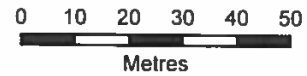


**LOCATION PLAN**

HAC17-022  
29 MARK STREET  
ATTACHMENT 1



**SUBJECT LANDS**



Map created by the Town of Aurora Planning and Building Department, September 20, 2017. Base Data Provided by York Region.

Attachment #2

Photos of 29 Mark Street- September 2017



29 Mark- Front Elevation



29 Mark- Front Elevation, Construction preparation ongoing. Existing Tree to be retained.



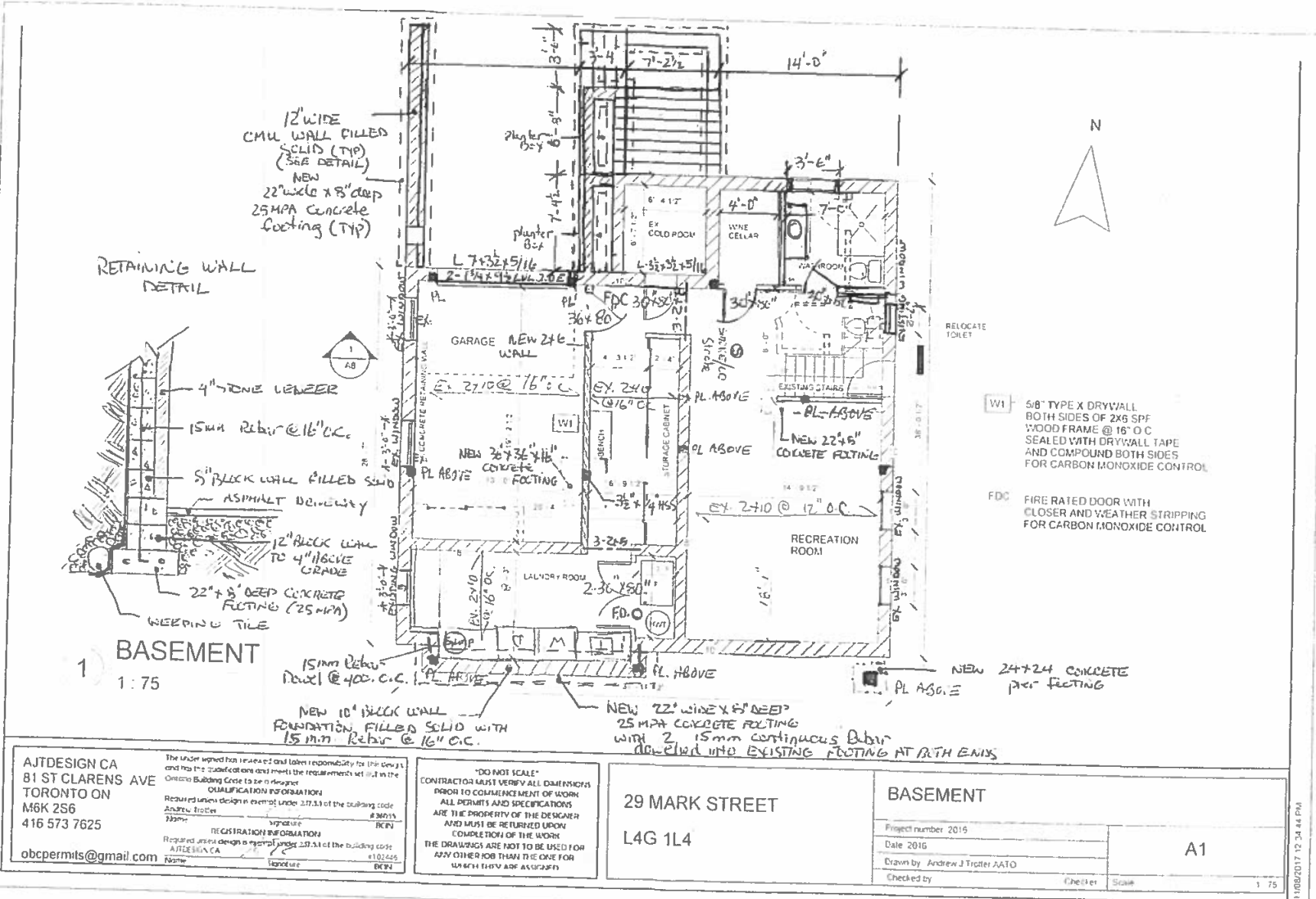
Attachment #2



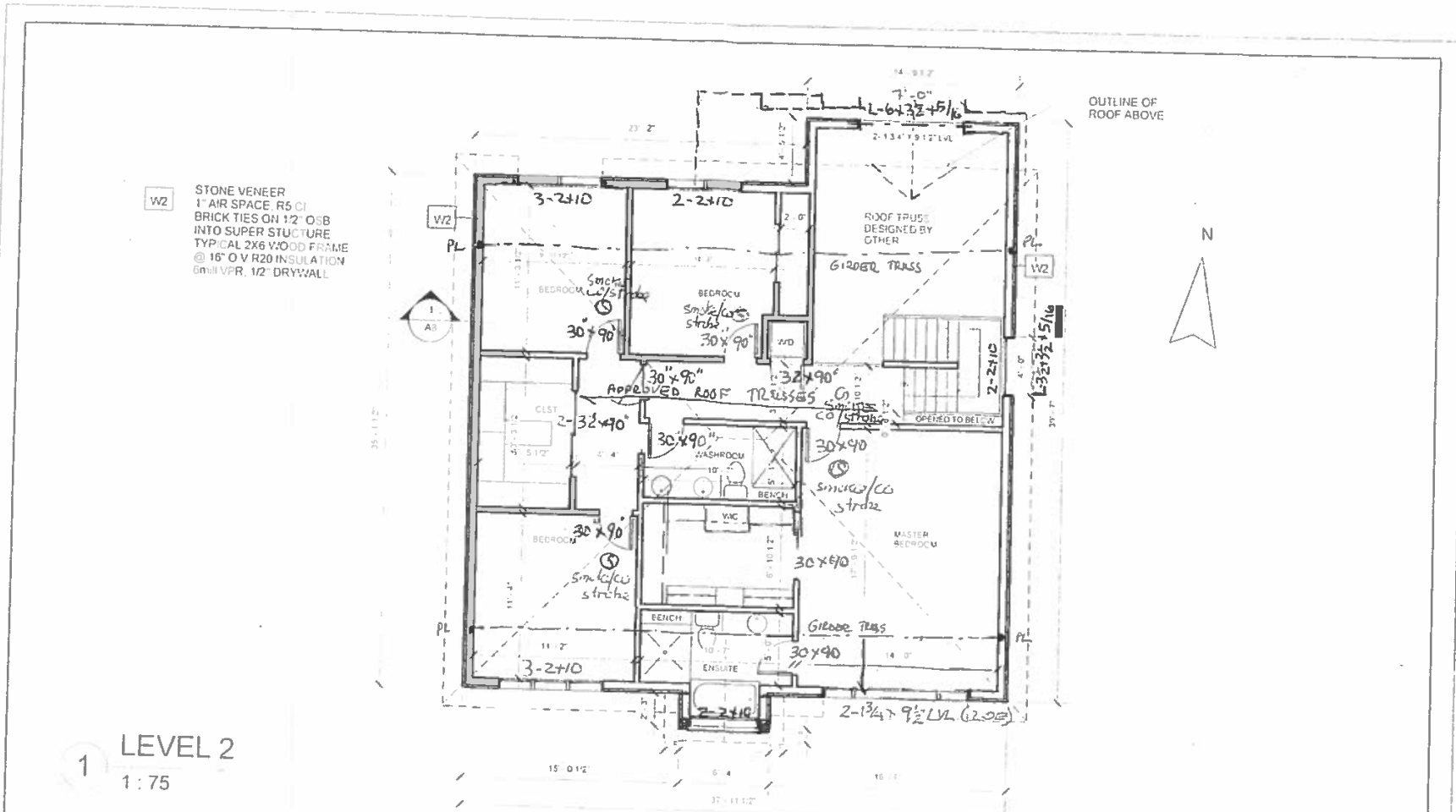
29 Mark- Existing Retaining Wall to be maintained.











1 LEVEL 2  
 1:75

AJTDESIGN CA  
 81 ST CLARENS AVE  
 TORONTO ON  
 M6K 2S6  
 416 573 7625  
 obcpermits@gmail.com

The undersigned has reviewed and taken responsibility for this design and has the qualification and meets the requirements set out in the Ontario Building Code to be a designer.  
 QUALIFICATION INFORMATION  
 Required when design is exempt under 117.5.1 of the building code  
 Andrew Trotter # 96013  
 Name # 96013 BCIN

REGISTRATION INFORMATION  
 Required when design is exempt under 117.5.1 of the building code  
 AJTDESIGN CA #102425  
 Name #102425 BCIN

"DO NOT SCALE"  
 CONTRACTOR MUST VERIFY ALL DIMENSIONS  
 PRIOR TO COMMENCEMENT OF WORK  
 ALL PERMITS AND SPECIFICATIONS  
 ARE THE PROPERTY OF THE DESIGNER  
 AND MUST BE RETURNED UPON  
 COMPLETION OF THE WORK  
 THE DRAWINGS ARE NOT TO BE USED FOR  
 ANY OTHER JOB THAN THE ONE FOR  
 WHICH THEY ARE ASSIGNED

29 MARK STREET  
 L4G 1L4

LEVEL 2		A3
Project number 2016	Date 2016	
Drawn by Andrew J Trotter AATD	Checked by	Scale
		1/75

1:10/2017 12:36:00 PM



1 SOUTH  
 1:75

AJTDESIGN CA  
 81 ST CLARENS AVE  
 TORONTO ON  
 M6K 2S6  
 416 573 7625  
 obcpermits@gmail.com

The undersigned has reviewed and takes responsibility for this design, and I, as the qualified person, meet the requirements set out in the Ontario Building Code to be a designer.  
**QUALIFICATION INFORMATION**  
 Required unless design is exempt under 2.2.3.1 of the building code  
 Name: Andrew Trotter #130115 BCIN  
 Signature: [Signature] Date: [Blank]  
**REGISTRATION INFORMATION**  
 Required unless design is exempt under 2.2.3.1 of the building code  
 Name: AJTDESIGN CA #102446 BCIN  
 Signature: [Signature] Date: [Blank]

"DO NOT SCALE"  
 CONTRACTOR MUST VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF WORK  
 ALL PERMITS AND SPECIFICATIONS ARE THE PROPERTY OF THE DESIGNER AND MUST BE RETURNED UPON COMPLETION OF THE WORK  
 THESE DRAWINGS ARE NOT TO BE USED FOR ANY OTHER JOB THAN THE ONE FOR WHICH THEY ARE ASSIGNED

29 MARK STREET  
 L4G 1L4

SOUTH ELEVATION	
Project number 2016	A4
Date 2016	
Drawn by Andrew J Trotter AATD	
Checked by	Checker
Scale 1:75	

11/11/2017 12:36:35 PM



1 NORTH  
 1:75

- FRONT ELEVATION  
 FACADE AREA: 921 sq ft
- ROOF 25'-2" 12/8  
 CEILING AREA: 762 sq ft
- LEVEL 3 18'-11" 4'-8"  
 PERCENTAGE RATIO OF OPENINGS: 29.45 %
- LEVEL 2 10'-10 1/2" 4'-8"  
**EXTERIOR FINISHES**
- ① JAMES HARDIE SIDING VERTICAL HORIZONTAL CEDRHILL PRODUCT
  - ② EXISTING BRICK
  - LEVEL 1 0'-0" 263.2 MASL
  - ③ HARDIE TRIM BOARDS

GRADE 3'-7 1/2" 262.09 MASL

  - ④ PERMACON LA FITT STONE CHAMPAGNE GREY MIX

BASEMENT -7'-10" 259.41 MASL

  - ⑤ Asphalt Shingles Cambridge AD Daffinwood
  - ⑥ Pella Architect series CASEMENT WINDOWS

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 416 573 7625  
 abcpermits@gmail.com

The undersigned has reviewed and takes responsibility for the design and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer  
**QUALIFICATION INFORMATION**  
 Required where design is exempt under 2.17.5.1 of the building code  
 Andrew Trotter  
 Name  
 Signature  
 Date  
**REGISTRATION INFORMATION**  
 Required where design is exempt under 2.17.5.3 of the building code  
 AJTDESIGN CA  
 Name  
 Signature  
 Date

"DO NOT SCALE"  
 CONTRACTOR MUST VERIFY ALL DIMENSIONS  
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 ALL PERMITS AND SPECIFICATIONS  
 ARE THE PROPERTY OF THE DEMANDER  
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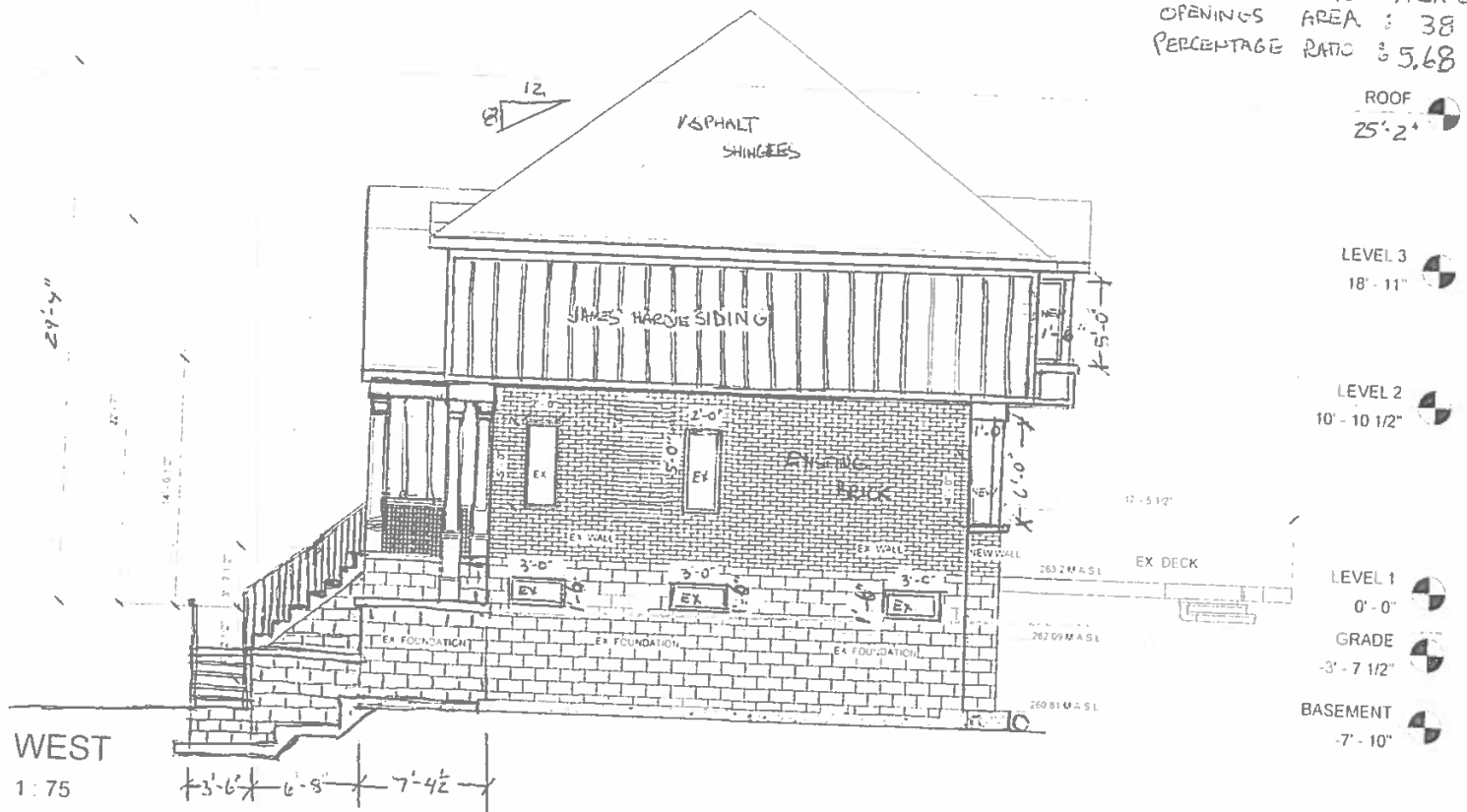
29 MARK STREET  
 L4G 1L4

NORTH ELEVATION

Project number 2016	A5
Date 2016	
Drawn by Andrew J Trotter AATO	
Checked by	
Checker	Scale
1:75	

1:10002016.12.31.20 PM

WEST ELEVATION FACADE AREA: 668 sq. ft.  
 OPENINGS AREA: 38 sq. ft.  
 PERCENTAGE RATIO: 5.68 %



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 obcpermits@gmail.com

The undersigned has reviewed and taken responsibility for the design and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer.

QUALIFICATION INFORMATION  
 Required unless design is exempt under 2.27.3.1 of the building code  
 Andrew Trotter  
 Signature  
 260555  
 BCPJ

REGISTRATION INFORMATION  
 Required unless design is exempt under 2.27.3.1 of the building code  
 AJTDESIGN.CA  
 #107446  
 Name  
 Signature  
 BCPJ

"DO NOT SCALE"  
 CONTRACTORS MUST VERIFY ALL DIMENSIONS  
 PRIOR TO COMMENCEMENT OF WORK  
 ALL PERMITS AND SPECIFICATIONS  
 ARE THE PROPERTY OF THE DESIGNER  
 AND MUST BE RETURNED UPON  
 COMPLETION OF THE WORK  
 THE DRAWINGS ARE NOT TO BE USED FOR  
 ANY OTHER JOB THAN THE ONE FOR  
 WHICH THEY ARE ASSIGNED

29 MARK STREET  
 L4G 1L4

WEST ELEVATION	
Project number 2016	A6
Date 2016	
Drawn by Andrew J Trotter AATD	1/75
Checked by	
Checker	Scale

11/08/2017 12:37:30 PM

EAST ELEVATION FACADE AREA: 871 sq. ft.  
 OPENINGS AREA: 82 sq. ft.  
 PERCENTAGE RATIO: 9.4 %



1 EAST  
 1:75

AJTDESIGN CA  
 81 ST CLARENS AVE  
 TORONTO ON  
 M6K 2S6  
 416 573 7625

The undersigned has reviewed and taken responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to be a designer  
**QUALIFICATION INFORMATION**  
 Required unless design is exempt under 1.17.3.1 of the building code  
 Andrew Trotter  
 Name Signature BCIN  
**REGISTRATION INFORMATION**  
 Required unless design is exempt under 2.17.3.1 of the building code  
 AJTDESIGN CA  
 Name Signature #102446 BCIN

**"DO NOT SCALE"**  
 CONTRACTOR MUST VERIFY ALL DIMENSIONS  
 PRIOR TO COMMENCEMENT OF WORK  
 ALL PERMITS AND SPECIFICATIONS  
 ARE THE PROPERTY OF THE DESIGNER  
 AND MUST BE RETURNED UPON  
 COMPLETION OF THE WORK  
 THE DRAWINGS ARE NOT TO BE USED FOR  
 ANY OTHER JOB THAN THE ONE FOR  
 WHICH THEY ARE ASSIGNED

29 MARK STREET  
 L4G 1L4

EAST ELEVATION

Project number 2016  
 Date 2016  
 Drawn by Andrew J Trotter AATO  
 Checked by

A7  
 Checker Scale  
 1/75

10/16/2017 12:38:31 PM







**Town of Aurora  
Heritage Advisory Committee Report No.HAC17-020**

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**Subject:** Request to Designate under Part IV of the *Ontario Heritage Act*  
49 Wells Street “Town Park”

**Prepared by:** Jeff Healey, Planner

**Department:** Planning and Building Services

**Date:** October 16, 2017

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### **Recommendation**

1. That Report No. HAC17-020 be received; and
2. That the Heritage Advisory Committee recommend to Council:
  - (a) That the Town Park located at 49 Wells Street be designated under Part IV of the *Ontario Heritage Act* as a property of cultural heritage value or interest; and
  - (b) That the Town Clerk be authorized to publish and serve Council’s Notice of Intention to Designate as per requirements of the Act; and
  - (c) That the designation by-law be brought before Council for passing if no objections were received within the thirty (30) day objection period as per requirements of the Act.

### **Executive Summary**

The purpose of this report is to provide the Heritage Advisory Committee with all background materials so it can recommend to Council that the lands located at 49 Wells Street be designated as a property of cultural heritage value or interest under Section 29 (Part IV) of the *Ontario Heritage Act* for its cultural heritage value and interest.

- Town Park was purchased by the Village of Aurora in 1867
- Town Park has historically served as a community focal point, hosting hundreds of community events
- Town Park is contextually linked to the surrounding neighbourhood, the Queen’s York Rangers and the Wells Street Public School (formerly the Aurora High School)

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Report No. HAC17-020

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## **Background**

On February 13 2013, a Memorandum was provided to the Heritage Advisory Committee in regards to the heritage status of the Aurora Armoury located at 89 Mosley Street and Town Park located at 49 Wells Street. As the memorandum was prepared during the development of the Southeast Heritage Conservation District Study, staff referred the appropriate means for designation of Town Park to the heritage consultant retained for the study. The following recommendation was provided by the Heritage Advisory Committee:

*THAT the Heritage Advisory Committee receive the memorandum regarding the Town Park/ Armoury Designation and Southeast Old Aurora Heritage Conservation Study Update; and*

*THAT the Heritage Advisory Committee recommend to Council:*

*THAT the Program Manager, Heritage Planning proceed with the designation of the Armoury located at 89 Mosley Street and the Town Park under Part IV of the Ontario Heritage Act.*

The Committee recommendation was subsequently approved by Council on February 26 2013.

The Armoury was Designated under Part IV of the *Ontario Heritage Act* by Council on April 22 2014.

## **Location**

The subject property is located southeast of Yonge Street and Wellington Street East, bounded by Mosley Street to the north, Larmont Street to the east, Metcalfe Street to the south and Wells Street to the west (See Attachment 1). The property is neither a designated or listed property on the Aurora Register of Properties of Cultural Heritage Value or Interest.

## **Existing Policy Context**

### *Ontario Heritage Act*

The *Ontario Heritage Act* provides municipalities the ability to protect significant Cultural Heritage Resources within its jurisdiction. Conservation measures under the *Ontario Heritage Act* are outlined in Section 33 of the *Act*.

*33. (1) No owner of property designated under section 29 shall alter the property or permit the alteration of the property if the alteration is likely to affect the property's heritage attributes, as set out in the description of the property's heritage attributes that was required to be served and registered under subsection 29 (6) or (14), as the case may be, unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the alteration*

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Municipal processes within the Town of Aurora require the owner to submit a Heritage Permit application should a request to alter the property under Section 33 of the *Ontario Heritage Act* be requested by the owner. Approval of a Heritage Permit is provided either by Council or through staff (via delegation By-law 5365-11).

#### *Provincial Policy Statement (2014)*

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest. The PPS identifies that significant built heritage resources and significant cultural heritage landscapes shall be conserved.

#### *York Region Official Plan*

The York Region Official Plan requires local municipalities to conserve significant cultural heritage resources and ensure that development and site alteration of adjacent lands to protected heritage properties will conserve the heritage attributes of the protected heritage property.

#### *Aurora Official Plan*

Section 13 of the Official Plan outlines the policies for conserving Cultural Heritage Resources in the Town of Aurora. The Official Plan states that all significant heritage resources shall be designated as being of cultural heritage value or interest in accordance with the *Ontario Heritage Act* to ensure effective protection and their continuing maintenance, conservation and restoration. Evaluation Criteria for assessing the cultural heritage value will include: the aesthetic design or physical value; the historical or associative value; and/or the contextual value of the property. Furthermore, the plan states that heritage resources will be conserved in accordance with the Standards and Guidelines for the Conservation of Historic Places in Canada, the Appleton Charter for the Protection and Enhancement of the Built Environment and other recognized heritage protocols and standards.

## **Analysis**

### **Historical or Associative Value**

The original 1853 Plan for Aurora (formerly Machells Corners) comprised of lots for new housing stretching from Yonge Street in the West to Berczy Street in the East. By the mid-1860's, the lands comprising of Town Park remained vacant, but were quickly becoming a gathering place for Village residents. In 1867, the Village of Aurora purchased from John Mosley, the lots bounded by Mosley Street to the north, Metcalfe Street to the south, Larmont Street to the east and Wells Street to the west. Town Park was the first public park in Aurora.

By 1874, a drill shed was constructed for the 12<sup>th</sup> Battalion of the Queen's York Rangers at the northeast corner of the Town Park. The Town Park was used as parade grounds for the Queen's York Rangers from the mid 1870's to 2014. The Aurora Armoury remains as an important linkage to the Town Park and Aurora's military past.

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The Town Park has been a gathering place for Aurora. The Town Park has hosted community-wide events, sporting events, musical performances, fairs and markets. Examples of such events include the Aurora Horse Show, Victoria Day & Dominion Day celebrations and the Aurora Farmer's Market. The Town Park continues to serve as an important gathering place for the community. Events, markets, festivals and celebrations continue to attract residents and visitors.

### **Architectural Value**

The Town Park has historically comprised of recreational open space for Aurora citizens and a parade ground for the Queen's York Rangers. By 1950, the first permanent structure was constructed on the lands, a band shell, which was donated by the Aurora Lions Club and located at the northwest quadrant of the Town Park. The Band Shell would be constructed in two phases: the first was the concrete stage completed in 1950 and the second was an arched roof, supported by curvilinear steel beams, this phase was completed in 1962.

The park is lined with mature deciduous trees such as Red Oaks and Sugar Maples around the perimeter of the Town Park, immediately west of the Armoury and along the east-west walking path. Many of the trees around the perimeter of the park are over 100 years old.

It is noted that approximately six (6) Norway Maples exist within Town Park. Although the existing Norway Maples are to be preserved, Parks and Recreation staff have noted that Norway Maples are an invasive species within Aurora.

### **Contextual Value**

Situated within the heart Southeast Old Aurora neighborhood, Town Park can be considered as a well-known landmark that has defined the residential character and history of Aurora. Town Park is contextually linked to the surrounding neighborhood as it serves as a recreational use for the Southeast Aurora residents. The Town Park is contextually linked to the identity of Aurora as it serves as a focal point for frequently occurring concerts, events, festivals and markets attended by residents from across the municipality and beyond. Town Park was utilized as a parade ground for the Queen's York Rangers between 1874 and 2014, therefore is contextually linked to the Aurora Armoury and Aurora's military past. Furthermore, Town Park is contextually linked to the former Wells Street Public School for its use as a play area from 1892 to 2010.

The current configuration of the east-west walking path and trees leading from Wells Street into Town Park is symmetrical with the main entrance to the former Wells Street Public School. This creates a significant vista looking west towards Wells Street.

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### **Existing Structures and Sports Fields**

Town Park comprises of a series of structures all built in the late 20<sup>th</sup> or early 21<sup>st</sup> Century. The existing Band shell and community washrooms were constructed in 2002, the existing playground has been generally located in the southeast quadrant of Town Park since the 1940's, however a modern play area has existed in its current location since the mid-1990's. Both a hardball and a softball diamond existed together at Town Park with the Softball diamond continuing to exist at the southwest quadrant of the property.

Understanding that these structures and recreation areas are modern Town facilities, the structures themselves carry no particular historical value. However, these structures carry considerable contextual value given their role as gathering places for the community through music, recreation, festivals or sports.

### **Financial Implications**

There are no financial implications associated with this report.

### **Communications Considerations**

A Notice of Intent to Designate and a Notice of Passing of a Designation By-law is required to be issued in the local newspapers in keeping with the *Ontario Heritage Act*.

### **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.

### **Alternatives to the Recommendation**

None.

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### **Conclusions**

Town Park located at 49 Wells Street is a significant heritage resource in Aurora and worthy of designation under Part IV of the *Ontario Heritage Act*. The designation of the subject property will help in the preservation of the park and its significant historical contextual value in Aurora.

### **Attachments**

Attachment 1 – Location Map

Attachment 2 – Heritage Designation Brief – Town Park

### **Previous Reports**

None.

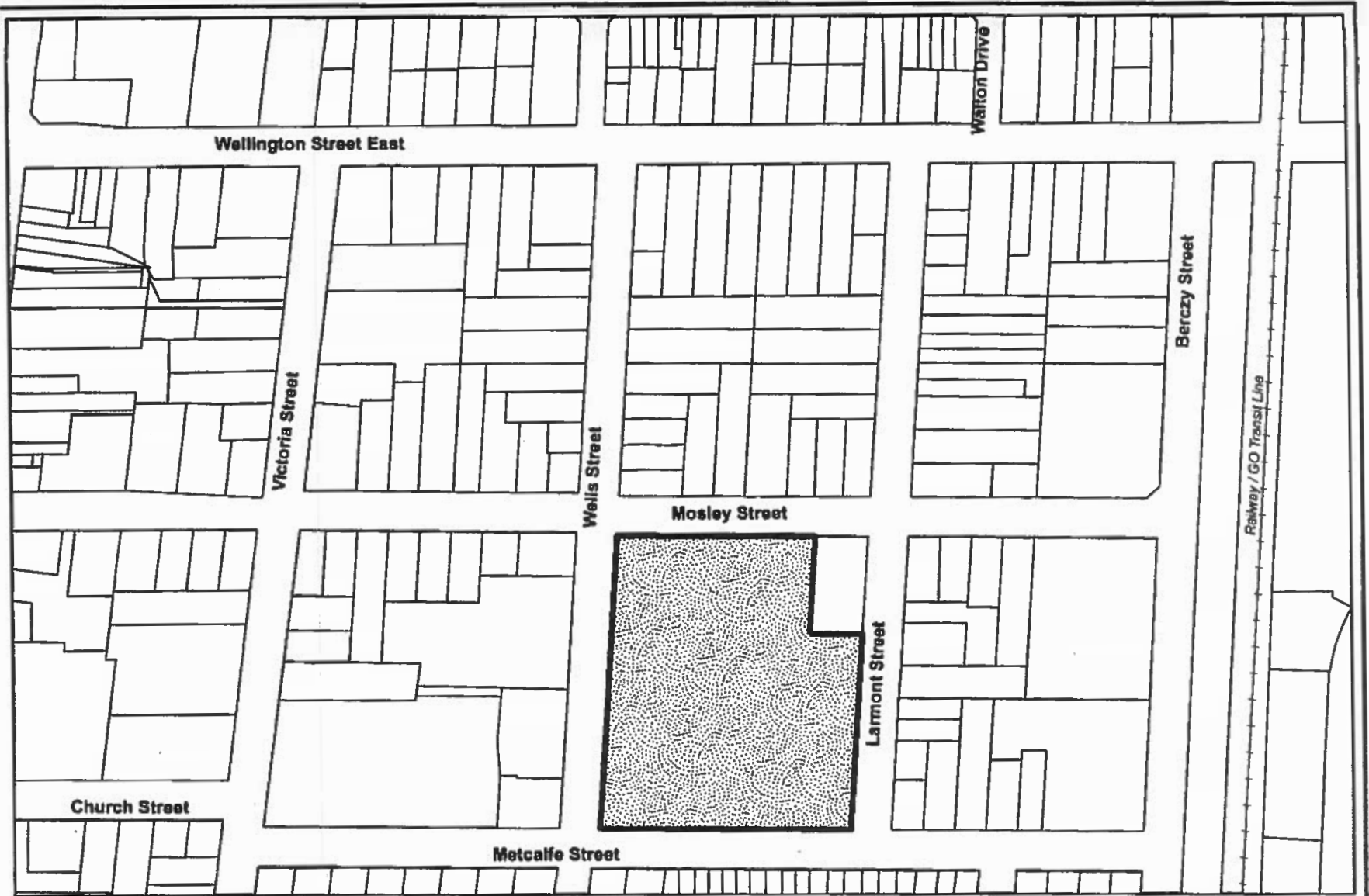
### **Pre-submission Review**

Agenda Management Team Meeting review on October 5, 2017

### **Departmental Approval**

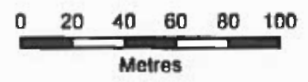


**Marco Ramunno**  
Director, Planning and Building Services



**LOCATION PLAN**  
HAC17-020  
49 WELLS STREET  
ATTACHMENT 1

 **SUBJECT LANDS**

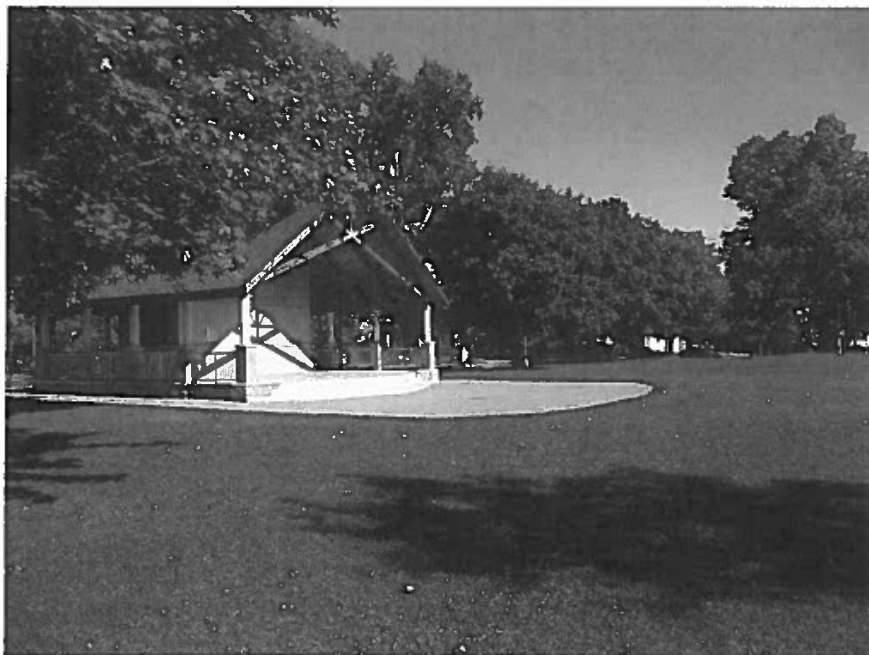


Map created by the Town of Aurora Planning and Building Department, Aug 17, 2017. Base Data Provided by York Region.



Attachment 2

## **Heritage Designation Brief**



### **Town Park**

**Established in 1867**

**49 Wells Street**

**Aurora, ON**

September 2017

**HERITAGE PROPERTY STATUS SHEET**

Street address: 49 Wells Street  
Roll number: 1946-000-040-24700-0000  
Short Legal description: PLAN 68 LOT 1 LOT 3 LOT 6 and LOT 19  
Zoning: Public Open Space (O1)  
Acquired by Town: 1867  
Current owners: Corporation of the Town of Aurora  
Name: "Town Park"  
Builder: Village of Aurora  
Owner's concurrence: Yes  
Original use: Park  
Current use: Park  
Heritage status: No current heritage status  
Reasons for report: Designation request by Council  
Heritage Brief Completion Date: September 2017  
Prepared by: Jeff Healey, Planner  
Historical research: Shawna White, Curator  
Submission date: October 16, 2017  
Report number & date: HAC17-020, October 16, 2017

**DESIGNATION POLICY:**

**Ontario Regulation 9/06**

According to Regulation 9/06 of the *Ontario Heritage Act*, Section (2) outlines that, "A property may be designated under section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest." The criteria is described as being related to the following:

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).

## Statement of Cultural Heritage Value or Interest

### Historical or Associative Value

The original 1853 Plan for Aurora (formerly Machells Corners) comprised of lots for new housing stretching from Yonge Street in the West to Berczy Street in the East. By the mid-1860's, the lands comprising Town Park remained vacant, but were quickly becoming a gathering place for Village residents. In November 1867, the Village of Aurora purchased from John Mosley, the lots bounded by Mosley Street to the north, Metcalfe Street to the south, Larmont Street to the east and Wells Street to the west. The Village purchased the lands for \$1,000<sup>1</sup>. Town Park was the first public park in Aurora.

By 1874, a drill shed was constructed for the 12<sup>th</sup> Battalion of the Queen's York Rangers at the northeast corner of Town Park. Town Park was used as parade grounds for the Queen's York Rangers from the mid 1870's to 2014. The Aurora Armoury remains as an important linkage to Town Park and Aurora's military past.

Town Park has always been a meeting place for Auroran's and tourists throughout its history. The Town Park has hosted community-wide events, sporting events, musical performances, fairs and markets. Examples of such events include the Aurora Horse Show, Victoria Day & Dominion Day celebrations and the Aurora Farmer's Market. Town Park has also hosted prominent politicians, including Edward Blake and Sir Wilfrid Laurier, for visits to the York North riding.

When Aurora High School (later known as the Wells Street Public School) was established on the west side of Wells Street in 1892, it lacked a large yard for outdoor play. With Town Park directly across the street, students and teachers quickly claimed it to be their school field as former student, John Anderson remembers:

*"The School used the Town Park daily for all the outdoor PT and sport activities, recesses and lunch breaks thanks to having the steel gates that closed off the street to traffic all day. We even occasionally went over as a whole school activity to pick up all the litter after many of the major events. We were very proud of our park."<sup>2</sup>*

Despite closure of the Wells Street Public School and the Aurora Armoury, Town Park continues to serve as an important gathering place for the community. Events, markets, festivals and celebrations continue to attract residents and visitors.

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<sup>1</sup> Jacqueline Stuart. 2016. An Aurora ABC: Stories from Aurora's Forgotten Past

<sup>2</sup> Town Park: A Community Storybook, Aurora Museum & Archives. [http://www.virtualmuseum.ca/community-stories\\_histoires-de-chez-nous/a-community-storybook\\_le-parcours-d-une-communaute/](http://www.virtualmuseum.ca/community-stories_histoires-de-chez-nous/a-community-storybook_le-parcours-d-une-communaute/)

## **Architectural Value**

Town Park serves as a very early example of an intentionally planned municipal park. Town Park has historically been used as a recreational open space for Aurora citizens and a parade ground for the Queen's York Rangers. The Aurora Armoury was constructed in 1874 at the northeast corner of the Town Park, further architectural details with respect to the Aurora Armory is described in Designation By-law 5615-14. By 1950, the first permanent Band Shell was constructed on the lands, which was donated by the Aurora Lions Club and located at the northwest quadrant of the Town Park. The Band Shell would be constructed in two phases: the first was the concrete stage completed in 1950 and the second was an arched roof, supported by curvilinear steel beams, this phase was completed in 1962<sup>3</sup>.

As baseball grew in popularity, both a hardball diamond, and a softball diamond were created. The hardball diamond was located between the Armoury and the Band Shell, and a softball diamond still exists in the southwest quadrant<sup>4</sup>. By the mid 1960's the hardball diamond was removed.

By 2001, the original Band Shell was removed and replaced with a larger Band Shell constructed circa 2002. Public washrooms were installed immediately west of the new children's playground in 2002.

The park is lined with mature deciduous trees including Sugar Maple, Red Oak, Ash, Norway Maple and Silver Maple around the perimeter of Town Park. Many trees located around the perimeter of Town Park are over 100 years old. Other tree species in Town Park include Hackberry, Locust, Chestnut, Freeman Maple, White Oak and Pear Tree.

## **Contextual Value**

Situated within the heart Southeast Old Aurora neighborhood, Town Park can be considered a well-known landmark that has defined the residential character and history of Aurora. Centrally located between Yonge Street and the railroad made Town Park a natural place to greet and host visitors and dignitaries. Town Park is contextually linked to the surrounding neighborhood as it serves as a recreational use for the Southeast Aurora residents. Town Park is contextually linked to the identity of Aurora as it serves as a focal point for frequently occurring concerts, events, festivals and markets attended by residents from across the municipality and beyond. Town Park was utilized as a parade ground for the Queen's York Rangers between 1874 and 2014, therefore is contextually linked to the Aurora Armoury and Aurora's military past. Furthermore, Town Park is contextually linked to the former Wells Street Public School for its use as a play area from 1892 to 2010.

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<sup>3</sup> Town Park: A Community Storybook, Aurora Museum & Archives. [http://www.virtualmuseum.ca/community-stories\\_histoires-de-chez-nous/a-community-storybook\\_le-parcours-d-une-communaute/](http://www.virtualmuseum.ca/community-stories_histoires-de-chez-nous/a-community-storybook_le-parcours-d-une-communaute/)

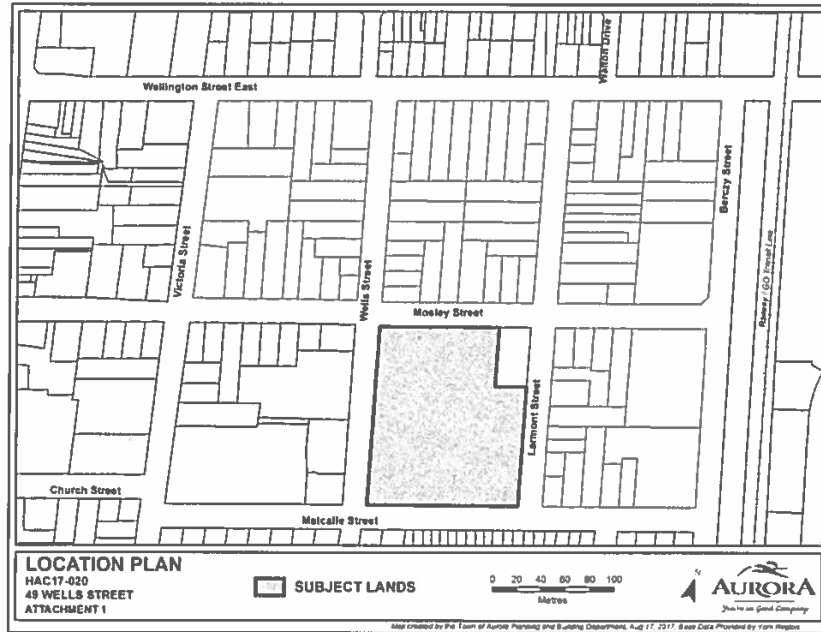
<sup>4</sup> Town Park: A Community Storybook, Aurora Museum & Archives. [http://www.virtualmuseum.ca/community-stories\\_histoires-de-chez-nous/a-community-storybook\\_le-parcours-d-une-communaute/](http://www.virtualmuseum.ca/community-stories_histoires-de-chez-nous/a-community-storybook_le-parcours-d-une-communaute/)

The current configuration of the east-west walking path and trees leading from Wells Street into the Town Park is symmetrical with the main entrance to the former Wells Street Public School. This creates a significant vista looking west towards Wells Street.

### **Summary of Heritage Attributes**

- The overall park setting
- Its location in the core of the Southeast Old Aurora Neighbourhood, adjacent to the Aurora Armoury and the former Wells Street Public School.
- Its orientation to the Wells Street Public School, which forms a significant vista
- Band Shell
- LACAC Heritage Plaque

Map of Subject Lands



Photos of Subject Lands



49 Wells Street – Park entrance located at the north west corner of the Park. The iron fencing and brick pillars are featured  
2007 - Source: Town of Aurora



49 Wells Street – Existing band shell, looking north west  
2017 - Source: Town of Aurora



49 Wells Street – West entrance to Park looking west. Significant vista towards the former Wells Street School  
2017 - Source: Town of Aurora

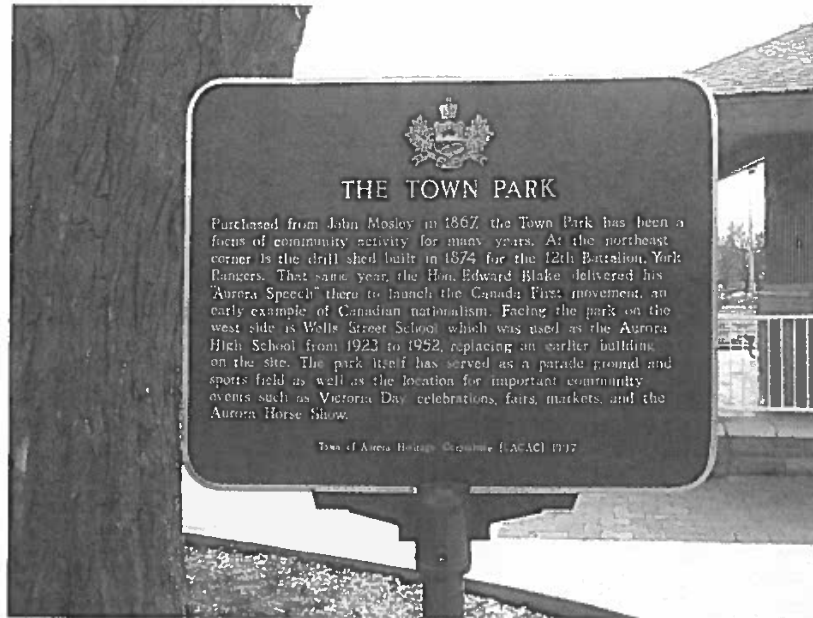




49 Wells Street – West entrance to Park looking east. Pathway is lined with Locust trees. Pedestrian connections to the Armoury and the Playground  
2017 - Source: Town of Aurora



View of Softball Field- Looking south west  
2007 - Source: Town of Aurora



**49 Wells Street – LACAC Heritage Plaque  
2005 - Source: Town of Aurora**



**Town of Aurora  
Heritage Advisory Committee Report No. HAC17-023**

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**Subject: Doors Open Aurora 2017 – Event Summary Report**

**Prepared by: Jeff Healey, Planner/ Heritage Planning**

**Department: Planning and Building Services**

**Date: October 16, 2017**

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## **Recommendation**

- 1. That Report No. HAC17-023 be received; and**
- 2. That the Heritage Advisory Committee extend a thank you to the following individuals and groups for their support of Doors Open Aurora 2017:**
  - (a) All site owners/operators;**
  - (b) All volunteers and site staff;**
  - (c) The Auran newspaper; and**
  - (d) The Mayor, Members of Council, and supporting Town staff.**

## **Executive Summary**

The purpose of this report is to provide the Heritage Advisory Committee with a summary of the Doors Open Aurora 2017 event, which took place on Saturday, August 19, 2017 and to seek Council authorization for registration of the 2017 Doors Open Aurora event with the Ontario Heritage Trust.

- The Town of Aurora held its 12<sup>th</sup> annual Doors Open Aurora event on August 19, 2017 from 10 a.m. to 4 p.m., which attracted 2,691 site visitors to 17 participating sites and walking tours.
- The completed visitor surveys indicate that 65% of visitors to the Doors Open Aurora event were from outside of Aurora.
- The most used method to gain awareness of the Doors Open Aurora event were through the Doors Open Ontario brochure and local newspaper articles.

- The event was advertised through printed material, newspaper articles, public/community engagement at the Aurora Farmers' Market and Artisan Fair, social media and website pages.

## **Background**

The Town of Aurora held its 12<sup>th</sup> annual Doors Open Aurora event on August 19, 2017 from 10 a.m. to 4 p.m., with visitors touring sites of local, natural, historic or architectural significance. Doors Open Aurora is part of the Doors Open Ontario event, which has been hosted by the Ontario Heritage Trust since 2002.

### **Doors Open Aurora 2017 Participating Sites**

The Aurora Farmers' Market and Artisan Fair located in Town Park served as the Doors Open Aurora headquarters from 9 a.m. to 4 p.m. At this location, visitors were able to pick up printed materials such as the Doors Open Aurora 2017 Brochure. The Doors Open Aurora headquarters also served as the meeting location for one of the walking tours.

The following 17 sites and walking tours participated in Doors Open Aurora 2017:

- Hillary House and Koffler Museum of Medicine, 15372 Yonge Street
- Aurora Historical Society Walking Tour, 15372 Yonge Street (Hillary House)
- Horton Place, 15342 Yonge Street
- George Russell House, 42 Temperance Street
- The Patrick House Art Studio & Gallery, 58 Temperance Street
- Theatre Aurora, 150 Henderson Drive
- Aurora Public Library, 15145 Yonge Street
- Aurora Cultural Centre, 22 Church Street
- Victoria Hall, 27 Mosley Street
- Aurora Lawn Bowling, 76 Maple Street (McMahon Park)
- The Rising Sun Masonic Lodge, 57 Mosley Street
- The Aurora Farmers' Market and Artisan Fair, Town Park, 49 Wells Street
- Aurora Armoury, 89 Mosley Street
- Creepy Tours, Town Park, 49 Wells Street
- Royal Canadian Legion Branch 385, 105 Industrial Parkway North
- Merlin's Hollow, 181 Centre Crescent

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- Charles Henry Sheppard House and Sheppard's Bush Conservation Area, 93 Industrial Parkway South

The Aurora Historical Walking Tour, Creepy Tours and The Royal Canadian Legion Branch 385: were new participating sites and walking tours in Doors Open Aurora this year.

Returning community favourites to Doors Open Aurora included the Hillary House and Koffler Museum of Medicine, Aurora Public Library, Aurora Cultural Centre, Aurora Farmers' Market and Artisan Fair, Charles Henry Sheppard House and Sheppard's Bush Conservation Area and Merlin's Hollow.

### **Doors Open Aurora 2017 Volunteers**

Preparation for and execution of the Doors Open Aurora 2017 event involved Site Operators, Town staff and community volunteers. These individuals dedicated their time and efforts to make Doors Open Aurora 2017 success. Their efforts in helping to encourage the appreciation for sites of local, natural, historic and architectural significance are greatly appreciated.

## **Analysis**

### **Doors Open Aurora Event Date – August 19**

This year, there were four Doors Open Ontario events including Doors Open Aurora taking place in August. While the event was well attended by members of the community and tourists from the Greater Toronto Area, as the event is held in the summer it should be noted that many residents are on vacation or out of town. It is recommended that the Heritage Advisory Committee take this into consideration when planning the date for the 2018 event.

### **Participating Sites and Site Visits**

This year, there were 17 participating sites, an increase from the 14 sites that participated in Doors Open Aurora 2016.

A total of 2,691 site visits were recorded amongst the 17 participating sites and walking tours, an increase from the 2,254 site visits recorded in 2016. The majority of the sites and walking tours were located within walking distance from each other in the historic

core and Southeast Old Aurora community. The close proximity of participating sites created a centralized area of activity and lessened the need for parking spaces at each participating site.

The increase in site visits may be attributed to an increase in participating sites. Furthermore, some Doors Open Sites which have been featured year after year included new features such as the Great Canadian Songbook and the Aurora Artist Studio Tour. Both walking tours were well attended. The Aurora Farmers' Market & Artisan Fair experienced a large volume of visitors, in part due to the Community Corn Roast which took place during the Doors Open Aurora operating hours. It must be noted that the unsettled weather during the morning may have delayed or prevented site visits in the morning hours.

Another factor to this year's Doors Open Aurora is the event's walkability. Most of the sites are within close walking distance to each other, however some sites which are outside a close walking distance or are separated from other Doors Open Sites by a major road, tended to yield much fewer site visits. This year, sites such as the Aurora Lawn Bowling Club, the Aurora Theatre and the Aurora Legion could not generate more than 30 site visits. In future years, should these sites request to participate, staff may wish to consider including a special event within the site to assist in drawing more visitors.

#### Visitor's Survey

The Town distributed surveys to each participating site of Doors Open Aurora 2017 to obtain visitors' feedback for the event. Key questions included whether the visitor was a resident of Aurora or from another community, the municipality the visitor was coming from and how the visitor heard about the Doors Open Aurora 2017 event. The survey was made available in a hardcopy format. In total, 55 surveys were returned. Key information collected from the surveys is summarized in Attachment 2.

#### Signage

Doors Open signage is routinely posted on the day of the event. Each site displays a Doors Open Aurora sign with a corresponding number to the map guide contained in the Doors Open Aurora 2017 brochure. Additionally, for sites which are not in easily accessible locations, directional arrow signs were provided. The signs provide greater visibility and acknowledge that the site is participating in the Doors Open Aurora event.

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### T-Shirts

Each Doors Open Aurora volunteer and site operator received a free t-shirt displaying the Doors Open Aurora logo. These t-shirts make volunteers easily identifiable to visitors and are a way of thanking volunteers. Additional Doors Open T-shirts will be required for Doors Open Aurora 2018. It is recommended that the Committee continue to support this expense for future Doors Open Aurora events.

### Financial Implications

A registration fee of \$1,695.00, including applicable taxes, was paid to the Ontario Heritage Trust for the Doors Open Aurora 2017 event.

A total of \$2,860.67 was spent to facilitate the Doors Open Aurora 2017 event, which included a registration fee paid to the Ontario Heritage Trust for the Doors Open Aurora 2017 event, brochures containing a Map Guide and brief information about each Doors Open Aurora site.

A registration fee of \$1,695.00, including applicable taxes, will be required to register for a Doors Open Aurora 2018 event with the Ontario Heritage Trust.

### Communications Considerations

No communication is required as a result of this Report.

The assistance of the Town's Corporate Communications staff was essential to the Doors Open event and is greatly appreciated.

### Advertising Materials

Printed materials for the event included a brochure for the whole event, individual brochures for each participating site, posters and display boards for each participating site. It is recommended that the Committee continue to direct Town staff in advertising through social media, the Town of Aurora website, public/community engagement at the Aurora Farmers' Market and Artisan Fair and to work in co-operation with local news media. Additionally, it is recommended that the Committee continue to direct Town staff in ordering printed materials for future Doors Open Aurora events.

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Furthermore, it is recommended that brochure for the whole event, individual brochures for each participating site, and display boards for each participating site be prepared two weeks in advance of the event so that each Doors Open site has the opportunity to promote themselves with the advertising materials provided.

#### Newspaper Articles

Articles were published in the Auroran bi-monthly for 5 weeks (July 13 to August 17) leading up to the Doors Open Aurora 2017 event. The event was featured on the front page of the Auroran on August 17, 2017.

#### Social Media

The Doors Open Aurora event was featured on the Town of Aurora Twitter and Facebook pages for two weeks leading up to the event. Social media posts of Doors Open Aurora were posted in the week after the event. It is recommended that Social Media strategies be adjusted to attract more visitors from the Greater Toronto Area.

#### Websites

The Doors Open Aurora event was featured on the Town of Aurora website (<http://www.aurora.ca/doorsopen>), which included a Virtual Tour map to provide an interactive experience for visitors to the Town's Doors Open Aurora website. The Doors Open Aurora event was also featured on Doors Open Ontario website (<http://www.doorsopenontario.on.ca/Events/Aurora.aspx>).

#### **Public/Community Engagement**

To increase local awareness of Doors Open Aurora, Town staff set up a booth at the Aurora Farmers' Market and Artisan Fair from 9 30 a.m. to 1 p.m. on Saturday, August 6, 2017 and Saturday, August 12, 2017. The booth displayed Doors Open Aurora and Doors Open Ontario Signage as well as a Map Guide for the participating sites of Doors Open Aurora 2017. Town staff also handed out Doors Open Aurora brochures.

#### **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**

None.

### **Conclusions**

The Town of Aurora held its 12<sup>th</sup> annual Doors Open Aurora event on August 19, 2017 from 10 a.m. to 4 p.m., which attracted 2,691 site visits to 17 participating sites and walking tours. The majority of visitors to the Doors Open Aurora event were from outside of Aurora. The most used method to gain awareness of the Doors Open Aurora event were through the Doors Open Ontario brochure and local newspaper articles.

Doors Open Aurora continues to create local awareness of local sites of natural, architectural and historical significance. Additionally, the event encourages community spirit, local tourism and economic development and stimulates the arts and culture community. It is recommended that the Town of Aurora continue to participate in Doors Open Ontario 2017 and that staff be directed to prepare for the 2018 event.

October 16, 2017

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Report No. HAC17-023

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## **Attachments**

Attachment #1 – Doors Open Aurora 2017 Recorded Site Visits

Attachment #2 – Doors Open Aurora 2017 Survey Results

Attachment #3 – Doors Open Aurora 2017 Event Photos

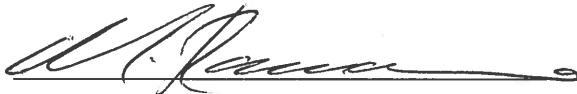
## **Previous Reports**

None.

## **Pre-submission Review**

Agenda Management Team Meeting review on October 5, 2017

## **Departmental Approval**



**Marco Ramunno**

**Director, Planning and Building Services**

**Attachment 1**

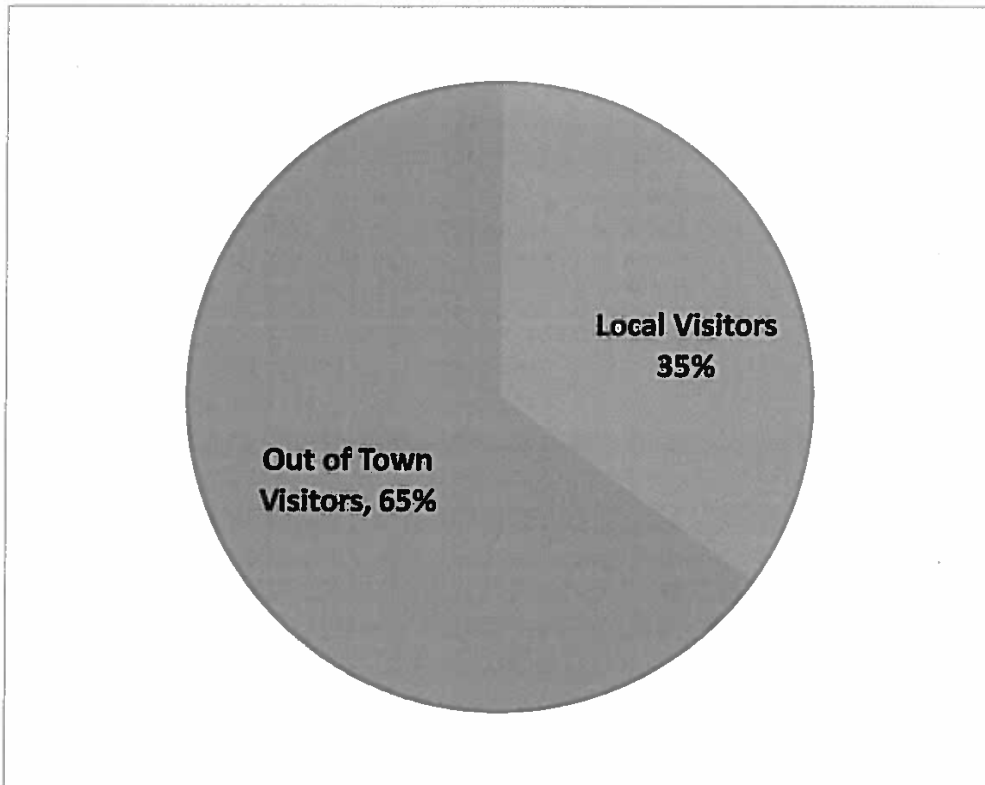
**Doors Open Aurora 2017 Recorded Site Visits**

<b>Site #</b>	<b>Site Name</b>	<b>Address</b>	<b>Site Visits</b>
1	Hillary House and Koffler Museum of Medicine	15372 Yonge Street	220
2	Aurora Historical Society Walking Tour	15372 Yonge Street (Hillary House)	50
3	Horton Place	15342 Yonge Street	180
4	George Russell House	42 Temperance Street	140
5	The Patrick House Art Studio & Gallery	58 Temperance Street	72
6	Theatre Aurora	150 Henderson Drive	30
7	Aurora Public Library	15145 Yonge Street	262
8	Aurora Cultural Centre	22 Church Street	253
9	Victoria Hall	27 Mosley Street	175
10	Aurora Lawn Bowling Club	76 Maple Street (McMahon Park)	27
11	The Rising Sun Masonic Lodge	57 Mosley Street	190
12	Aurora Farmer's Market	Town Park, 49 Wells Street	285
13	Aurora Armoury	89 Mosley Street	355
14	Creepy Tours	49 Wells Street (Town Park)	72
15	Royal Canadian Legion Branch 385	Industrial Parkway North	10
16	Merlin's Hollow	181 Centre Crescent	248
17	The Charles Henry Sheppard House and Sheppard's Bush Conservation Area	93 Industrial Parkway South	122
<b>Total:</b>			<b>2,691</b>

**Attachment 2**

**Doors Open Aurora 2017 Survey Results**

**Percentage of Out of Town Visitors vs. Local Visitors**



<b>Communities of Visitors</b>	
Aurora	35%
Markham	5%
Mississauga	2%
Newmarket	11%
Pickering	2%
Richmond Hill	11%
Stouffville	2%
Toronto	25%
Vaughan	7%
Unknown	7%

**Attachment 2**

<b>Number of People in Visitor Groups</b>	
One person	31%
Two People	51%
Three People	5%
Four People	9%
Five or More People	1%
N/A	1%

<b>Number of Sites Planned to Visit During Doors Open Aurora</b>	
1 to 4	29%
5 to 8	31%
9 to 12	15%
12 to 14	2%
All	4%
N/A	19%

<b>Number of Doors Open Ontario Events Planned to Attend</b>	
1 to 2	47%
3 to 4	18%
5 to 6	13%
7 to 8	2%
9 or more	13%
N/A	7%

<b>Awareness of Event</b>	
Doors Open Ontario Brochure	24%
Doors Open Ontario Website	11%
Online advertising/ Event Listing	11%
Doors Open Map Guide	3%
Aurora Doors Open Website	11%
Local newspaper article	8%
Radio Ad/ interview	3%
Social Media	9%
Word of Mouth	11%
Other	5%

**Attachment 3**

**Doors Open Aurora 2017 Event Day Photographs**



**Volunteers at the Doors Open Aurora Headquarters**



**Site Visitors gathered for Creepy Tours**

**Attachment 3**



**Residents at the Farmer's Market**



**Attachment 3**



**Site Visitors at Merlin's Hollow**



**Queens York Rangers, Aurora Armoury**



**Attachment 3**



**Interior of the Rising Sun Masonic Lodge**

**Attachment 3**



**Aurora Historical Society Volunteers at the Hillary House**



100 John West Way  
Box 1000  
Aurora, Ontario  
L4G 6J1  
**Phone:** 905-727-3123 ext. 3223  
**Email:** stienkamp@aurora.ca  
**www.aurora.ca**

**Town of Aurora  
Parks Recreation and Cultural  
Services**

## **Memorandum**

**Date:** October 16, 2017  
**To:** Heritage Advisory Committee  
**From:** Sara Tienkamp, Acting Manager of Parks  
**Copy:** Marco Ramunno, Director of Planning and Building Services  
**Re:** **Tree Removal Permit Application #064 for 52 Centre Street**

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### **Recommendation**

- 1. That the memorandum regarding Tree Removal Permit Application #064 for 52 Centre Street be received; and**
- 2. That the Heritage Advisory Committee provide comment with respect to the proposed Tree Removal Permit Application for 52 Centre Street.**

### **Background**

The subject property is listed within the Heritage Conservation District as designated under, Part V of the OHA.

Tree Protection By-law No. 5850-16, Section 9 (1) (b) states:

“If a tree subject to an application is found by the Director to be a Heritage Tree, the director shall not issue a permit unless the injury, destruction or removal is approved by Council following a review by the Town’s Heritage Advisory Committee.”

On October 2, 2017, the Owner at 52 Centre Street arranged for the removal of a mature 67cm Black Walnut tree. A concerned resident called the Town regarding tree cutting and Bylaw Services subsequently deployed an officer to the site. When the officer arrived, the tree company was actively removing the tree and approximately 40-50% of the crown of the tree had been removed. The Officer immediately asked for the work to cease, explaining that the tree was in the Heritage District and that its removal was not permitted without approval of the “Tree Removal Permit” by Council, after review by the Heritage Advisory Committee.

October 16, 2017

-2-

Tree Removal Permit Application #064  
52 Centre Street

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The Parks Division received Tree Removal Permit Application #064 from the owner for the removal of the Black Walnut tree on October 3, 2017.

The consulting Arborist report, provided by Sequoia Treescape, describes the health of the existing tree prior to initiation of pruning works to facilitate the removal, the impact it is having on the surrounding infrastructure and residents. As well, it describes the impact the pruning work will have on the health of the walnut in the future and makes recommendations for removal of the tree.

Supporting the removal of the tree, are letters from the adjacent neighbours who have been impacted by the trees location to their properties.

### **Attachments**

Attachment #1 – Tree Removal Permit Application

Attachment #2 – Sequoia Treescape Arborist Report

Attachment #3 – Tree Protection By-law No. 5850-16

Attachment #4 – Letters of Support from Adjacent Neighbours

Attachment #5 – Photo of Black Walnut Tree Prior to Pruning

TREE PERMIT APPLICATION

APPLICATION # 064



Application to Permit the  
Injury or Destruction  
Of Trees on Private Property

Town of Aurora  
Municipal Drive  
Box 1000  
Aurora, Ontario L4G 6J1  
Phone 905-727-3123

ext.3223

The personal information on this form is collected under Bylaw 5850-16 and will be used for the purposes of this application only. Questions should be directed to the Freedom of Information Co-ordinator, Office of the Town Clerk, 1 Municipal Drive Box 1000, Aurora, Ontario L4G 6J1, Tel. 905-727-3123 ext. 3223

THIS IS NOT A PERMIT

Instructions for Completion of Application:

1. Application form to be completed by applicant. Please type or print CLEARLY. Incomplete applications will delay approval.
2. Municipal address: Street name and number must be included for applications to be considered complete.
3. Provide an Arborist Report completed by an Arborist as defined in the by-law, at the direction of the Parks Manager.
4. If replanting, provide 2 copies of the replanting plan or landscape plan.
5. Payment of the required fees: See item 12 on page 2 for fee requirements. Written consent is necessary from an adjacent property owner where the base of a tree straddles a property line.
6. If this application is signed by an applicant other than the owner, or by an agent, the written authorization of the owner is required.
7. File this application and other supporting documentation to the Department of Parks and Recreation 100 John West Way Aurora, Ontario L4G 6J1.
8. Applications submitted after 3:30 p.m. local time will not be processed until the next business day.

I am applying for a permit to remove tree/s on private property (please check one)

- Three (3) or more trees 20cm (8 inches) in diameter measured at 1.37 m in a 12 month period
- Two (2) trees have already been removed between 20cm (8 inches) in diameter measured at 1.37 m in a 12 month period and require a permit for the removal of the third (3<sup>rd</sup>) or more tree/s in the same 12 month period
- One (1) or more tree/s larger than 70cm (30 inches) in diameter measured at 1.37
- One (1) or more tree/s in the designated heritage district
- One (1) or more designated heritage tree/s

APPLICANT INFORMATION

1. Municipal address of subject property: 52 centre street, Aurora
2. Name of Applicant/Agent: [Redacted]
3. Mailing Address of Applicant: 52 centre street, unit E
4. Telephone: [Redacted] Work No.: [Redacted] Fax: [Redacted]
5. Name of Registered Owner (if different from above): [Redacted]
6. Mailing address of Owner (if different from above): [Redacted]
7. Existing Land Use: RESIDENTIAL
9. Are the tree(s) located on or near any neighbouring property line resulting in the joint ownership of the tree/s. Yes  No
10. If yes, do you have authorization from the neighbouring property owner to act as their representative in this application to injure or remove tree(s). Yes  No
11. Reason why trees are being injured or removed. Please circle letter:
 

A. trees interfere with proposed construction	B. Landscaping on the property
<input checked="" type="radio"/> C. all trees are dead, dying or <u>hazardous</u>	D. trees are interfering with utilities/dwelling/foundation
E. installing pool	F. other (please specify): _____

WALNUTS FALL ON NEIGHBOURS BACK YARD AND  
ALONG THE BACK OF THE PROPERTY  
\* ROOTS STARTING TO EFFECT FOUNDATION

TREE PERMIT APPLICATION

12 Fee Requirements:

If all trees are considered dead, dying or hazardous  
by the Parks Manager

No Fee but permit must still be obtained

Trees over 20cm in diameter

3 trees .....	\$200.00
4 trees .....	\$300.00
5 trees .....	\$400.00
6 trees .....	\$500.00
7 trees .....	\$700.00
8 or more trees	\$100.00 per additional tree to a maximum of \$2,500.00

Trees over 70 centimeters in diameter \$500.00 per tree

(Methods of payment major credit cards, interact, cash, or cheque fees are non-refundable and must be remitted at the time of initial permit application)

ADDITIONAL REQUIREMENTS

- I am the owner of the property or acting on behalf of the owner with written authorization (attached)
- The property is not a designated Heritage Property under the Town of Aurora designation
- the property is designated Heritage and the Heritage Advisory Committee has approved the injury or destruction of the tree/s as per the attached Approved Heritage Permit
- Applicable fees have been submitted

**DECLARATION 1**

I /we \_\_\_\_\_ hereby declare print name  
that I have read and understand the required procedures and provisions under the Town of Aurora's Private Tree By-law and the statements and plans made by me upon this application are, to the best of my belief and knowledge, a true and complete representation of the purpose and intent of this application. I consent to allowing Town of Aurora employees to enter the property to conduct inspections

Signed at the Town of Aurora this 3rd day of October, 2017

Signature of Applicant: \_\_\_\_\_

DOES THE TRUNK OF THE TREE/S AT GROUND LEVEL BISECT OR STRADDLE A PROPERTY LINE? YES  NO   
IF YOU ANSWERED YES  
PLEASE COMPLETE DECLARATION 2 BELOW

**DECLARATION 2**

I /we \_\_\_\_\_ hereby declare print name  
That I am the owner of the adjacent property have read and understand the required procedures and provisions under the Town of Aurora's Private Tree By-law and I /we consent to the intentions respecting the proposed work for which this application is being made and that the statements and plans made by me upon this application are, to the best of my belief and knowledge, a true and complete. . I consent to allowing Town of Aurora employees to enter the property to conduct inspections

Signed at the Town of Aurora this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Signature of Adjacent property owner \_\_\_\_\_

Address \_\_\_\_\_




*See attached arborist report*

**TREE PERMIT APPLICATION**

PART A				Tree and Site Information					
TREE #	TREE SPECIES	TREE DIA. IN CM. MEASURED AT 1.37M	DRIP LINE	HEALTH			STRUCTURAL INTEGRITY		
				POOR	FAIR	GOOD	POOR	FAIR	GOOD
1									
2									
3									
4									
5									

(IF MORE THAN 5 ATTACH ADDITIONAL PAGES)

PART B	SKETCH OF PROPERTY
<p>Please show all property lines, buildings, driveways and the individual tree/s that are to be removed. Tree/s shall be numbered and cross referenced to match tree # in Part A Tree and Site Information</p>	

PART C	ARBORIST CONFIRMATION
<p>I/WE _____ CERTIFY THAT THE INFORMATION IN PARTS A, B &amp; C IS CORRECT</p> <p style="text-align: center;">PLEASE PRINT</p> <p>SIGNATURE (INCLUDES PROFESSIONAL DESIGNATION WHERE APPLICABLE) _____ (INCLUDE PROFESSIONAL DESIGNATION and #. WHERE APPLICABLE)</p> <p><b>NOTE: COMPLETION OF PARTS A, B &amp; C WILL BE RECOGNISED AS AN ARBORISTS REPORT</b></p> <p style="text-align: right;">DATE _____</p>	

Attachment #2

*Arborist Report October 2, 2017*

SEQUOIA TREESCAPE  
Willow Beach, On L0E 1S0  
TEL: 416 770 8733  
E-MAIL: [mattgladwin@me.com](mailto:mattgladwin@me.com)

**LOCATION:** 52 Centre Street, Aurora Ontario. The tree is in the back along the north side of the property line.

**SPECIES:** Tree #1 67cm DBH Juglans nigra

**NATURE OF WORK:** Request permission to remove 1 permit size Black walnut tree.

**CONDITION:** Tree #1 grows in the backyard along the north property line, just beside the back fence. The tree grows along the north property line and the crown grows well over 2 houses and backyards. The tree is showing average health and vigour for its age, as evidenced by the roughly 5-10% dieback in the crown. The tree is roughly 60' tall and was 50' wide before the October 2 pruning, with a single stem to roughly 7m above grade. There is some Included Bark where the two main sections of the crown meet at the trunk. The bottom 20% of the crown has previously been pruned off for elevation and clearance to the houses below. There were no sign of insect or disease issues at the time of inspection.

**ARBORIST RECOMMENDATION:** I believe this Black walnut tree should qualify for a permit to destroy, based on the fact that the trunk is growing within 1.5m of the clients house and foundation. The interlock and stairs to all of the rental units are heaving and cracking. As well several tenants of the clients multi dwelling house, as well as the direct north neighbors, have requested for years that the tree be removed, due to the fact that they cannot sit outside on their patios, without being pelted by falling walnuts, that are the size of apples. This is evidenced by the dents in the bbq's below, and scattered walnuts everywhere. The pruning work that took place on October 2, 2017 has removed roughly 40% of the live crown, and if left standing, will spiral the tree into significant decline. Though this is a beautiful tree, it was planted in a very poor location, and growing in a very awkward space. The neighborhood would be much better suited with a newly planted native tree elsewhere on the property.

**REPLANTING PLAN:** The client would like to replant a significant 50mm Autumn Blaze maple tree (*Acer x freemanii* Jeffersred) in the backyard, roughly 3m north east of the NE corner of the house, due north of the driveway.



Matthew Gladwin  
M.T.C.U. Certificate of Qualification  
No. 400119323  
Ontario Certified Arborist



**Matt Gladwin**  
**Certified Arborist**  
**Owner, Sequoia Treescape**  
[416-770-8733](tel:416-770-8733)  
[www.sequoiatreescape.com](http://www.sequoiatreescape.com)

*We love hearing from our clients so we know what we're doing right and what we can improve! Please [click here](#) to share your experience with us in a [Google Review](#)! We appreciate your feedback.*





From: [REDACTED]  
Subject: [REDACTED] - can we print off Pictures  
Date: Oct 3, 2017, 10:18:24 AM  
To: [REDACTED]

---

Sent from my iPhone

Begin forwarded message:

From: Matt Gladwin <[mattgladwin@me.com](mailto:mattgladwin@me.com)>  
Date: October 2, 2017 at 8:47:49 PM EDT  
To: [REDACTED]  
Subject: Pic



**THE CORPORATION OF THE TOWN OF AURORA**

**By-law Number 5850-16**

**BEING A BY-LAW to prohibit  
and/or regulate the Injury or  
Destruction of Trees on Private  
Property in the Town of Aurora.**

**WHEREAS** subsection 135(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25 (the "Act") provides that a local municipality may prohibit or regulate the destruction or injuring of trees;

**AND WHEREAS** trees provide real value in the ecological, social, economic and communal fabric of the community;

**AND WHEREAS** trees are among the most important living organisms in their ability to absorb air pollutants, expel life giving oxygen and provide a host of other environmental goods and services;

**AND WHEREAS** subsection 135(7) of the Act provides that a municipality may in a by-law require that a permit be obtained to injure or destroy trees and may impose conditions to a permit, including conditions relating to the manner in which destruction occurs and the qualifications of persons authorized to injure or destroy trees;

**AND WHEREAS** the Council of The Corporation of the Town of Aurora (the "Town") desires to repeal By-law Number 4474-03.D, as amended, and enact a new replacement by-law to deal with matters relating to injury and destruction of trees located wholly on private property within the jurisdiction of the Town;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF AURORA ENACTS AS FOLLOWS:**

**1. DEFINITIONS**

1.(1) The following words as set out in this by-law shall have the following meanings:

- (a) "Act" means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended;
- (b) "Applicant" means the Owner or an authorized agent of the Owner who submits an Application under the provisions of this by-law;
- (c) "Application" means an application for a Permit on a form prescribed by the Director;
- (d) "Arborist" means an expert in the care and maintenance of trees, and includes:
  - (i) an arborist qualified by the Ontario Ministry of Training, Colleges and Universities;
  - (ii) a Forest Technician or Forestry Technologist with an applicable college diploma and a minimum of two (2) years urban forestry experience;
  - (iii) a certified arborist qualified by the Certification Board of the International Society of Arboriculture;
  - (iv) a consulting arborist registered with the American Society of Consulting Arborists;
  - (v) a Registered Professional Forester designated pursuant to the *Professional Foresters Act, 2000*, S.O. 2000, c. 18, as amended; or
  - (vi) such other person with other similar qualifications as approved by the Director;

- (e) "Arborist's Report" means a technical report prepared by an Arborist or Registered Professional Forester which identifies the surveyed location, species, size and condition of a tree, provides the reasons for any proposed Injuring or Destruction of a tree, and describes tree protection measures or other mitigating activities to be implemented;
- (f) "Council" means the Council of The Corporation of the Town of Aurora;
- (g) "Cultivated Orchard" means a property that is used for the dominant purpose of growing and maintaining fruit or nut Trees for the commercial harvesting and sale of their fruits or nuts;
- (h) "DBH" means the diameter at breast height, which shall be the diameter of the trunk of a Tree at a point of measurement 1.37 metres above the ground. DBH of multi-trunk Trees shall be measured as prescribed by the Director. Where a Tree has been cut down and the remaining stump is less than 1.37 metres in height, the DBH shall be the extrapolated as prescribed by the Director;
- (i) "Destroy" and/or "Destruction" means to kill by cutting, burning, uprooting, chemical application, or other means;
- (j) "Director" means the Director of Parks & Recreation Services for the Town or his/her designate;
- (k) "Emergency Work" means work necessary to terminate an immediate threat to life or property and includes maintenance works arising from natural events (e.g. ice storm, high winds, lightning, etc.) as well as maintenance works associated with emergency drain repair, utility repair and building repairs;
- (l) "Golf Course" means a property that is used to commercially operate a golf course in compliance with all applicable laws;
- (m) "Hazard Tree" means a Tree that is a safety concern to property or life but not an immediate threat;
- (n) "Heritage Tree(s)" means any Tree, including but not limited to, pairs of Trees, avenues or windrows of Trees, grove or arboreal remnants, or one (1) or more Trees that form part of a cultural heritage landscape that is on private property and is:
  - (i) located within a heritage conservation district as designated under Part V of the *OHA*;
  - (ii) designated under, or located on a property designated under, Part IV of the *OHA*;
  - (iii) designated by the Ontario Urban Forest Council;
  - (iv) listed on the Town's Register of Properties of Cultural Heritage Value or Interest;
- (o) "Injure and/or Injury" means to damage or attempt to Destroy a Tree by:
  - (i) removing, cutting, girdling, or smothering of its roots;
  - (ii) interfering with its water supply;
  - (iii) setting fire to it;
  - (iv) applying chemicals on, around, or near it;
  - (v) compacting or re-grading within the drip line of it;
  - (vi) causing damage by new development or construction related activities that are not evaluated as part of an approval under the *Planning Act*;
  - (vii) storing any materials within the drip line; or



- (viii) any other means resulting from neglect, accident or design;
- (p) "Local Board" means a municipal service board, public library board, transportation commission, board of health, police services board, or any other board, commission, committee, body or local authority established or exercising any power under any legislation with respect to the affairs or purposes of the Town, but does not include a school board, a conservation authority, or a private cemetery corporation;
- (q) "Municipal Law Enforcement Officer" means an individual appointed by the Town by by-law pursuant to subsections 15(1) and 15(2) of the *Police Services Act*, R.S.O. 1990, c. P.15, as amended, for the administration and enforcement of Town by-laws;
- (r) "Nursery Stock" means coniferous or hardwood seedlings, transplants, grafts, or trees propagated or grown in a nursery and with the roots attached, and includes cuttings with or without the roots attached;
- (s) "OHA" means the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended;
- (t) "Owner" means the person having the right, title, interest or equity in the land containing a subject Tree, or his or her agent authorized in writing;
- (u) "Permit" means a permit to Injure or Destroy a Tree issued by the Director;
- (v) "Permit Application Fee" means the prescribed fee as set out in the Town's Fees and Charges By-law, as may be amended from time to time;
- (w) "Person" and/or "Persons" includes a corporation, a partnership, an individual, a public utility and its heirs, executors, directors, or other legal representatives of a person to whom the context can apply according to law;
- (x) "*Planning Act*" means the *Planning Act*, R.S.O. 1990, c. P. 13, as amended;
- (y) "Property" means a parcel of real property under registered ownership;
- (z) "Pruning" means the removal of branches from living Trees by cutting at a point outside the branch collar (but does not include the removal of more than one-quarter ( $\frac{1}{4}$ ) of a Tree's leaf-bearing crown), for the purpose of thinning the crown of a Tree to increase light penetration and air movement, providing clearance and eliminating interference with utility lines, buildings, pedestrians or vehicles, or eliminating dead, hazardous or diseased wood;
- (aa) "Registered Professional Forester" means a member of The Ontario Professional Foresters Association entitled to use the designation of "Registered Professional Forester" pursuant to subsection 14(6) of the *Professional Foresters Act, 2000*, S.O. 2000, c. 18, as amended;
- (bb) "Region" means The Regional Municipality of York;
- (cc) "Town" means The Corporation of the Town of Aurora;
- (dd) "Tree" means any perennial woody plant, including its root system, which has reached or can reach a height of at least four and a half (4.5) meters at physiological maturity and having its trunk located wholly on private property;
- (ee) "Tree Farm" means a property on which Trees are grown and maintained for the dominant purpose of commercial sale;

- (ff) "Tree Inventory and Preservation Plan" means a plan required by the Town as a condition of development or re-development approval pursuant to sections 41, 51, or 53 of the *Planning Act*, which plan determines, among other things, the Trees to be: (i) preserved through an assessment process identifying Trees, shrubs and other specific areas of natural habitat and their ecological function or importance; (ii) the impacts of any proposed development on the Trees, shrubs, and other specific areas of natural habitat and their ecological function or importance; (iii) mitigation measures and measures to protect and manage Trees to be preserved (not limited to protective barriers and/or hoarding); and (iv) proper practices to remove Trees to be destroyed;
- (gg) "Woodlands" means land at least one (1) hectare in area and with at least:
- (i) 1000 trees, of any size, per hectare;
  - (ii) 750 trees, measuring over five (5) centimeters DBH, per hectare;
  - (iii) 500 trees, measuring over twelve (12) centimeters DBH, per hectare; or
  - (iv) 250 trees, measuring over twenty (20) centimeters DBH, per hectare;
- but does not include a cultivated fruit or nut orchard or a plantation established for the purpose of producing Christmas trees or Nursery Stock;
- (hh) "York Region Forest Conservation By-law" means by-law No. TR-0004-2005-036, as amended, or successor thereto, as enacted by the Region.

## 2. APPLICATION OF THE BY-LAW

- 2.(1) Except as otherwise provided in this by-law, the provisions of this by-law shall apply to any Tree whose trunk is located wholly on private property.
- 2.(2) Despite subsection (1), the Region shall have jurisdiction over the issuance of any type of permit allowing the Injury or Destruction of Trees on Woodlands.

## 3. EXEMPTIONS FROM THE BY-LAW

- 3.(1) The provisions of this by-law do not apply to:
- (a) activities or matters within Woodlands that are governed by the York Region Forest Conservation By-law;
  - (b) activities or matters within a building or structure, a solarium, rooftop garden, or an interior courtyard having a soil depth of less than one and a half (1.5) metres above a built substructure;
  - (c) activities or matters undertaken by the Town or a Local Board;
  - (d) activities or matters undertaken under a license issued under the *Crown Forest Sustainability Act, 1994*, S.O. 1994, c. 25, as amended, or successor thereto;
  - (e) Trees having its trunk located wholly or partially on municipal lands;
  - (f) the Injuring or Destruction of Trees within a Tree Farm that are being actively managed and harvested for the purpose for which the Trees were planted;
  - (g) the Injuring or Destruction of Trees within a Cultivated Orchard;

By-law Number 5850-16

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- (h) the Injuring or Destruction of Trees by a person licensed under the *Surveyors Act*, R.S.O. 1990, c. S.29, as amended, or successor thereto, to engage in the practice of cadastral surveying or his or her agent, while making a survey;
- (i) the Injuring or Destruction of Trees imposed after December 31, 2002, as a condition to the approval of an site plan, plan of subdivision or a consent under section 41, 51 or 53, respectively, of the *Planning Act*, or as a requirement of a development agreement, including a site plan agreement and a subdivision agreement, entered into under those sections (including the Injury or Destruction of a Tree in compliance with a Tree Inventory and Preservation Plan);
- (j) the Injuring or Destructing of Trees imposed after December 31, 2002, as a condition to a development permit authorized by regulation made under section 70.2 of the *Planning Act* or as a requirement of an agreement entered into under the regulation;
- (k) the Injuring or Destruction of Trees by a transmitter or distributor, as those terms are defined in section 2 of the *Electricity Act, 1998*, S.O. 1998, c. 15, Sched. A, as amended, or successor thereto, for the purpose of constructing and maintaining a transmission system or a distribution system, as those terms are defined in that section;
- (l) the Injuring or Destruction of Trees undertaken on land described in a licence for a pit or quarry or a permit for a wayside pit or wayside quarry issued under the *Aggregate Resources Act*, R.S.O. 1990, c. A.8, as amended, or successor thereto;
- (m) the Injuring or Destruction of Trees undertaken on land in order to lawfully establish and operate or enlarge any pit or quarry on land:
  - (i) that has not been designated under the *Aggregate Resources Act* or predecessor legislation; and
  - (ii) on which a pit or quarry is a permitted land use under a by-law passed under section 34 of the *Planning Act*;

#### **4. PERMIT REQUIREMENT**

- 4.(1) Unless otherwise exempted under this by-law, no person shall permit or cause the Injury or Destruction of:
  - (a) more than two (2) Trees on any one Property less than 0.25 hectares in area within any twelve (12) month period having a trunk diameter of more than twenty (20) centimetres DBH and less than seventy (70) centimeters DBH;
  - (b) on Properties greater than 0.25 hectares in area, more than two (2) Trees per every 0.25 hectares of area on a given Property within any twelve 12 month period having a trunk diameter of more than twenty (20) centimeters DBH and less than seventy (70) centimeters DBH
  - (c) any Tree having a trunk DBH greater than seventy (70) centimeters; or
  - (d) any Heritage Tree;without first obtaining a Permit pursuant to this by-law.
- 4.(2) Where a Permit has been issued under this by-law, no person shall permit or cause the Injury or Destruction of any Tree unless it is done in accordance with the conditions of the Permit and any other supporting documentation relevant to the issuance of the Permit.
- 4.(3) Despite subsection (1), a Permit is not required:
  - (a) to Injure, Destroy or remove any Tree, or a part of a Tree, as a necessary part of Emergency Work pursuant to section 6;



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- (b) to perform Pruning;
- (c) where the Injury or Destruction of a Tree is specifically required in an order made under this by-law, the Act or the Town's Property Standards By-law;
- (d) to Injure, Destroy or remove any Tree located on a Golf Course.

**5. DEAD, DISEASED AND HAZARD TREES**

- 5.(1) Where a person wishes to Injure, Destroy or remove any dead, diseased or Hazard Tree, or any portion of such a Tree, such a person shall provide to the Town an Arborist certificate, or a report satisfactory to the Director, confirming that any such Tree is dead, diseased or a Hazard Tree along with an application required pursuant to section 8.
- 5.(2) Notwithstanding subsection 8(1), an Application fee is not required to be submitted in relation to an Application relating to a dead, diseased or Hazard Tree. However, should the Director deem a certificate or report provided under subsection (1) to be incomplete, insufficient or deficient in any way, the Director shall not issue a Permit until a satisfactory certificate or report is provided or a new Application is submitted to the Town that satisfies all the requirements of this by-law, including the fee requirement.
- 5.(3) No Injury, Destruction or removal activity shall be taken by any person beyond what is contemplated in any applicable certificate or report provided under subsection (1).

**6. EMERGENCY WORK**

- 6.(1) Injury, Destruction and removal of any Tree may be conducted without a Permit provided that any such Injury, Destruction or removal was necessary and a part of Emergency Work.
- 6.(2) Following any Emergency Work, the Owner of the property on which Tree(s), for which a Permit would have otherwise been required, affected by any such Emergency Work are located shall, within seventy-two (72) hours of completing or abandoning such Emergency Work, submit evidence satisfactory to the Director that any Injury, Destruction or removal of a Tree was required as part of the Emergency Work.
- 6.(3) The Director has the authority to deem any Injury, Destruction or removal of a Tree, or of any portion of a Tree, done pursuant to subsection (1), to not have been necessary and/or not in the category of Emergency Work based on the materials provided under subsection (2) and any other information deemed relevant by the Director, in which case, the Director may require that a retroactive Permit application be made and/or pursue any enforcement steps permitted under this by-law.

**7. ADMINISTRATION**

**Administration Authority Delegated to the Director**

- 7.(1) The Director is hereby delegated the authority and responsibility for the administration of this by-law, including the authority to receive Applications, certificates from Arborists, and any associated fees, to issue, to revoke and to refuse to issue Permits and also to impose conditions on any Permits in accordance with this by-law.
- 7.(2) The Director is authorized to delegate responsibilities for the administration and enforcement of this by-law to any Town staff or external third parties deemed to be qualified and appropriate by the Director for such purposes.

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**Enforcement**

- 7.(3) The Director and Municipal Law Enforcement Officers of the Town are hereby delegated the authority to enforce this by-law, including the authority to conduct inspections of Tree(s) pursuant to the exercise of their authority under this by-law and any other enacted Town by-law or legislation.

**Fees**

- 7.(4) All fees and charges pursuant to this by-law may be set by the Town's Council from time to time and shall be set out in the Town's Fees and Charges By-law.

**8. PERMIT APPLICATIONS**

**Permit Application Requirements**

- 8.(1) Where an Applicant applies for a Permit for the Injury or Destruction of a Tree(s), he/she shall submit the following to the Director:
- (a) an Application form completed to the satisfaction of the Director;
  - (b) the name, address and telephone number of the Owner;
  - (c) Application fee;
  - (d) description of the purpose for which the Permit is required;
  - (e) an Arborist's Report, if deemed to be required by the Director;
  - (f) where the trunk of a Tree straddles a property line, the written consent to the Permit issuance from the property owner(s) on whose property the affected Tree is partially located; and
  - (g) where the Applicant is not the Owner, the written authorization of the Owner consenting to the Application;
  - (h) any other information deemed necessary by the Director.

**Director's Authority to Refund and Waive Fees**

- 8.(2) Notwithstanding 8(1)(c), should the Director determine that a Permit is not required for an activity, matter or Tree subject to an Application or that such activity, matter or Tree is exempt from this by-law, any application fee submitted as part of such an Application shall be refunded to the Applicant, unless it is determined by the Director, at his/her discretion, that Town staff had expended considerable time and resources to process such Application due to an error on the part of the Applicant.
- 8.(3) Notwithstanding 8(1)(c), the Director is authorized to reduce or waive the Application fee if deemed appropriate, at his/her discretion.

**False or Misleading Information**

- 8.(4) No person shall submit false or misleading information in support of an Application. Together with any other penalties or fines that may be otherwise imposed, if such false or misleading information is found to have been submitted in support of an Application, the Director will have the authority to refuse any such Application under consideration by the Town and to revoke any Permit issued by the Town on the basis of any such false or misleading information.

**9. ISSUANCE OF A PERMIT**

**Permit Approval Process**

9.(1) Upon receipt of an Application, the Director shall:

- (a) Make a decision as to whether or not a Permit will be issued and whether any conditions will be imposed on such a Permit considering the following:
  - (i) the species of the Tree;
  - (ii) the condition of the Tree;
  - (iii) the location of the Tree;
  - (iv) the protection of ecological systems and their functions, including the protection of native flora and fauna;
  - (v) erosion, sedimentation of watercourses, and flood control;
  - (vi) impacts to surrounding properties, including loss of shade, vistas or privacy;
  - (vii) any public comments received;
  - (viii) comments received from such persons, staff and agencies as deemed necessary, in the Director's opinion, for the proper review of the Application;
  - (ix) whether or not a Tree is a Heritage Tree;
  - (x) any conflicts with existing agreements or plans of the Town; and
  - (xi) any other information that the Director deems to be relevant to the Application.
- (b) If a Tree subject to an Application is found by the Director to be a Heritage Tree, the Director shall not issue a Permit unless the Injury, Destruction or removal is approved by Council following a review by the Town's Heritage Advisory Committee.
- (c) If the Director determines that a Permit will not be issued pursuant to an Application, the Director shall notify the Applicant of the decision in writing and provide reasons for the refusal.

**Signage**

- 9.(2) Upon receipt of an Application, the Director may Post an informational sign, as established by the Director, relating to the Application in a conspicuous place at or near the property on which the Tree subject to the Application is located and leave such sign in place for a period determined by the Director.
- 9.(3) No person shall temper with or remove any sign posted pursuant to subsection (2), unless following an Application, a Permit is issued and work pursuant to such Permit is completed, a Permit is issued and expires or it is otherwise directed by the Director.

**Permit Not Issued**

- 9.(4) A Permit shall not be approved or issued where:
  - (a) a Tree to be Injured or Destroyed is an endangered species as defined in the *Endangered Species Act, 2007*, S.O. 2007, c. 6, as amended, or the *Species at Risk Act*, S.C. 2002, c. 29, as amended;
  - (b) approval would be in contravention of the *Migratory Birds Convention Act, 1994*, S.C. 1994, c. 22, as amended;
  - (c) issuance of a Permit is under the jurisdiction of the Region and/or addressed under the York Region Forest Conservation By-law; or
  - (d) approval is inconsistent with an approved Tree Inventory and Preservation Plan.

**Subdivision Not Yet Draft Approved**

- 9.(5) Where an Application is made with respect to a Tree that is located on land that is subject to an application for a subdivision approval or a consent that has not received a draft approval or a provisional consent, the Director shall not issue a Permit until such approval or consent is obtained or Application otherwise approved by Council.

**Planning Application Not Approved**

- 9.(6) Where an Application is made with respect to a Tree that is located on land that is subject to a re-zoning application, an application for site plan approval, or an application to amend the official plan that has not received final approval, the Director shall not issue a Permit until such approval or consent is obtained or Application otherwise approved by Council.

**Permit Approved Subject to Conditions**

- 9.(7) The issuance of a Permit may be subject to conditions imposed by the Director or Council, as the case may be, which may include any or all of the following requirements:
- (a) submission of a Vegetation Management Plan ("VMP"), satisfactory of the Director, prepared by a certified Landscape Architect and, if required by the Director or Council, an Arborist and the VMP may include, but not be limited to, the following:
    - (i) a vegetation inventory and assessment, including species size and condition, identifying all vegetation greater than 80mm DBH for individual Tree assessments, the perimeter at canopy of woodlands, groups or stands of vegetation, and trees and vegetation on adjacent properties that may be impacted;
    - (ii) identification of all vegetation removals and protection measures for vegetation designated to be preserved, including an impact assessment to support vegetation removals and/or preservation measures;
    - (iii) provision of compliance monitoring and protection/mitigation specifications including all arboricultural requirements for Trees designated to be preserved during construction;
    - (iv) provision of post-construction performance monitoring and rehabilitation specifications;
    - (v) an estimate of the monetary replacement value of the Tree(s) as set out in the International Society of Arboriculture ("ISA") Guide for Plant Appraisal or approved equivalent completed by an Arborist and financial compensation, paid to the Town based on the aforementioned ISA appraisal process for Tree(s)/vegetation lost or destroyed; and
    - (vi) provision for replacement plantings at another suitable location on the property including provision of cash securities in an amount equal to one-hundred and twenty percent (120%) of the cost of replanting and maintaining the Trees for a period of two (2) years or where restoration planting is not physically possible on the site for which the Permit is being issued, provision of a cash payment to the Town to be placed in the Town's Tree Planting reserves for future Tree planting by the Town in an alternative location in the Town of Aurora;
  - (b) the submission of a written undertaking and release to ensure that replacement plantings are carried out and maintained in accordance with landscaping and restoration plans approved by the Director; and/or
  - (c) undertaking that the tree cutting work only occur under the supervision of an Arborist.



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**Permit Expiry Date**

- 9.(8) The Director shall include an expiration date on any Permit being issued by Town, which shall not exceed one (1) year from the date of issuance, upon taking into account the work to be completed under the Permit and any third party or Town activities or interests that might be affected by the work. No Injury or Destruction activity is permitted pursuant to any Permit after the expiration date.

**10. APPEALS**

- 10.(1) Where the Director refuses to issue a permit, an Applicant may, within five (5) business days of the date of receipt of a written refusal, appeal the decision of the Director to the Council, or such other tribunal or committee designated by Council, by submitting a written request to the Town Clerk.

**11. SEVERABILITY**

- 11.(1) If a court of competent jurisdiction declares any provision, or any part of a provision, of this by-law to be invalid or to be of no force and effect, it is the intention of the Town in enacting this by-law that such provision or part of a provision shall be severable, and such a decision shall not affect the validity of the remaining sections, subsections, clauses or phrases of this by-law.

**12. ENFORCEMENT**

**Power of Entry – Inspection**

- 12.(1) The Director and/or a Municipal Law Enforcement Officer may, at any reasonable time, enter on any land for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
- (a) this by-law;
  - (b) direction or order made pursuant to this by-law or the Act;
  - (c) condition of a Permit issued under this by-law; or
  - (d) an order made under section 431 of the Act.
- 12.(2) For the purposes of an inspection under subsection (1), the person conducting the inspection may:
- (a) require the production for inspection of documents or things relevant to the inspection;
  - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
  - (c) require information from any person concerning a matter related to the inspection; and
  - (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- 12.(3) The Director and/or a Municipal Law Enforcement Officer may undertake an inspection pursuant to an order issued under section 438 of the Act.
- 12.(4) Submission of an Application is deemed to be a consent of the Owner for persons designated as an inspector by the Canadian Food Inspection Agency, pursuant to the *Plant Protection Act*, S.C. 1990, c. 22, as amended, or successor thereto, to inspect the lands subject to the Application for the presence of pests (as defined in the said legislation) and to take any and all action deemed appropriate by such an inspector, including the removal of any

Tree(s) on such private property of the Owner, in accordance with the said legislation.

**Contravention Orders**

12.(5) Where the Director or any Municipal Law Enforcement Officer is satisfied that a contravention of this by-law or a Permit has occurred, such Director or Municipal Law Enforcement Officer may make an order requiring that the person who caused or permitted such contravention or the Owner or occupier of the land on which the contravention occurred to discontinue the contravening activity and/or to do work to correct the contravention.

12.(6) An order pursuant to subsection (5) shall set out the following:

- (a) the municipal address and/or the legal description of the land or property on which the contravention occurred;
- (b) reasonable particulars of the contravention;
- (c) what is required of the person subject to the order (i.e., what activity is to be seized and/or actions or work to be done);
- (d) the date by which there must be compliance with the order and/or, if any work is ordered, the date by which any such work must be done;
- (e) if any work is required to be done, a statement that if such work is not done in compliance with the order and within a specified time period, the Town will have the work done at the expense of the person directed or required to do it; and
- (f) information regarding the Town's contact person.

12.(7) An order issued pursuant subsection (5) may be served:

- (a) personally on the person that is subject to the order; or
- (b) by sending it by prepaid registered mail to the last known address of the Owner or occupier of the land on which the contravention occurred or, if the person subject to the order is not the Owner or occupier, to the last known address of such person subject to the order.

12.(8) Where service of an order is made by registered mail, the service shall be deemed to have been made on the fifth (5<sup>th</sup>) day after the day of mailing.

12.(9) In the event that service of an order cannot be effected under subsection (7), the Director or a Municipal Law Enforcement Officer may place a placard containing the terms of the order in a conspicuous place on the property subject to the order and the placing of the placard shall be deemed sufficient service of the order on the Owner and/or occupier of such subject property.

12.(10) Wherever this by-law or an order issued under this by-law directs or requires any matter or thing to be done by any person within a specified time period, in default of it being done by the person directed or required to do it, the action may be taken under the direction of Director or a Municipal Law Enforcement Officer at that person's expense and the Town may recover the costs incurred through a legal action or by recovering the costs in the same manner as taxes.

12.(11) For the purposes of taking remedial action under subsection (10), the Town, its staff and/or its agents may enter, at any reasonable time, upon any lands on which a default to carry out a required thing or matter occurred.

**13. OFFENCES**

13.(1) Any person who contravenes any provision of this by-law or an order issued pursuant to this by-law or the Act, or fails to comply with an order issued pursuant to this by-law or the Act, is guilty of an offence.

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13.(2) Pursuant to paragraph (a) of subsection 429(2) of the Act, all contraventions of this by-law or of orders issued under this by-law are designated as multiple offences and continuing offences. A multiple offence is an offence in respect of two (2) or more acts or omissions each of which separately constitutes an offence and is a contravention of the same provision of this by-law. For greater certainty, when multiple Trees are Injured or Destroyed, the Injury or Destruction of each Tree is a separate offence.

**14. PENALTIES**

14.(1) Upon conviction of an offence under this by-law a person is liable to a fine as follows:

- (a) a minimum fine for any offence under this by-law is five-hundred dollars (\$500.00) and the maximum fine is one-hundred-thousand dollars (\$100,000).
- (b) in the case of a continuing offence, for each day or part of a day that the offence continues, the minimum fine shall be five-hundred dollars (\$500.00) and the maximum fine shall be ten-thousand dollars (\$10,000.00). Despite paragraph (a), the total of all the daily fines for an offence is not limited to one-hundred-thousand dollars (\$100,000).
- (c) in the case of a multiple offence, for each offence included in the multiple offence, the minimum fine shall be five-hundred dollars (\$500.00) and the maximum fine shall be ten-thousand dollars (\$10,000.00). Despite paragraph (a), the total of all fines for each included offence is not limited to one-hundred-thousand dollars (\$100,000).

14.(2) In addition to fine under subsection (1), a person convicted of an offence under this by-law may be liable to a special fine in the amount of the economic advantage or gain that such a person obtained from the contravention of this by-law.

**15. REPEAL**

15.(1) By-law Number 4474-03.D, as amended, is hereby repealed on the day of this by-law coming into full force and effect.

**16. SHORT TITLE**


16.(1) This by-law shall be known and may be cited as the "Private Tree Protection By-law".

**17. EFFECTIVE DATE**

17.(1) This by-law comes into full force and effect on May 24, 2016.

**READ A FIRST AND SECOND TIME THIS 24<sup>th</sup> DAY OF MAY, 2016.**

**READ A THIRD TIME AND FINALLY PASSED THIS 24<sup>th</sup> DAY OF MAY, 2016.**

Approved as to Form  
By Legal Services  
Signature:   
Date: May 15, 2016

\_\_\_\_\_  
**GEOFFREY DAWE, MAYOR**

\_\_\_\_\_  
**LISA LYONS, TOWN CLERK**

Attachment #4

Hello [REDACTED]

Yes, I am in complete agreement with the need to remove the tree in between the 2 homes. The walnut tree causes significant damage. I had to replace the roof sooner than should have been needed and the deck is a mess after spending a thousand to refinish. The tree roots will be doing damage to the aging foundation.

Yes, please move ahead to remove as per your plan.

Thank you.

Armand LeBlanc  
[REDACTED]

(my neighbor)



October 3, 2017

To: Town of Aurora

Topic: 52 Centre Street Tree Removal

To whom it may concern:

The Walnut tree at the rear of 52 Centre St. has been a safety concern for many years due to falling walnuts. The tree is located right at the sidewalk for rear access to all three units. There have been injuries from falling nuts over the years. After having lived next door for many years we have always tried to preserve all our trees as much as possible but it is time for this one to go. It looked like our wish was finally to come about but the removal was stopped by Bylaw when half done.

We feel that the removal should be completed as soon as possible.

Bert Vande Beek

  
.....

Cora Vande Beek

  
.....

  
Aurora, on

October 2nd 2017

Hi [REDACTED],

I am so disappointed that the tree didn't come down today. I was looking forward to being able to sit out and enjoy my patio.

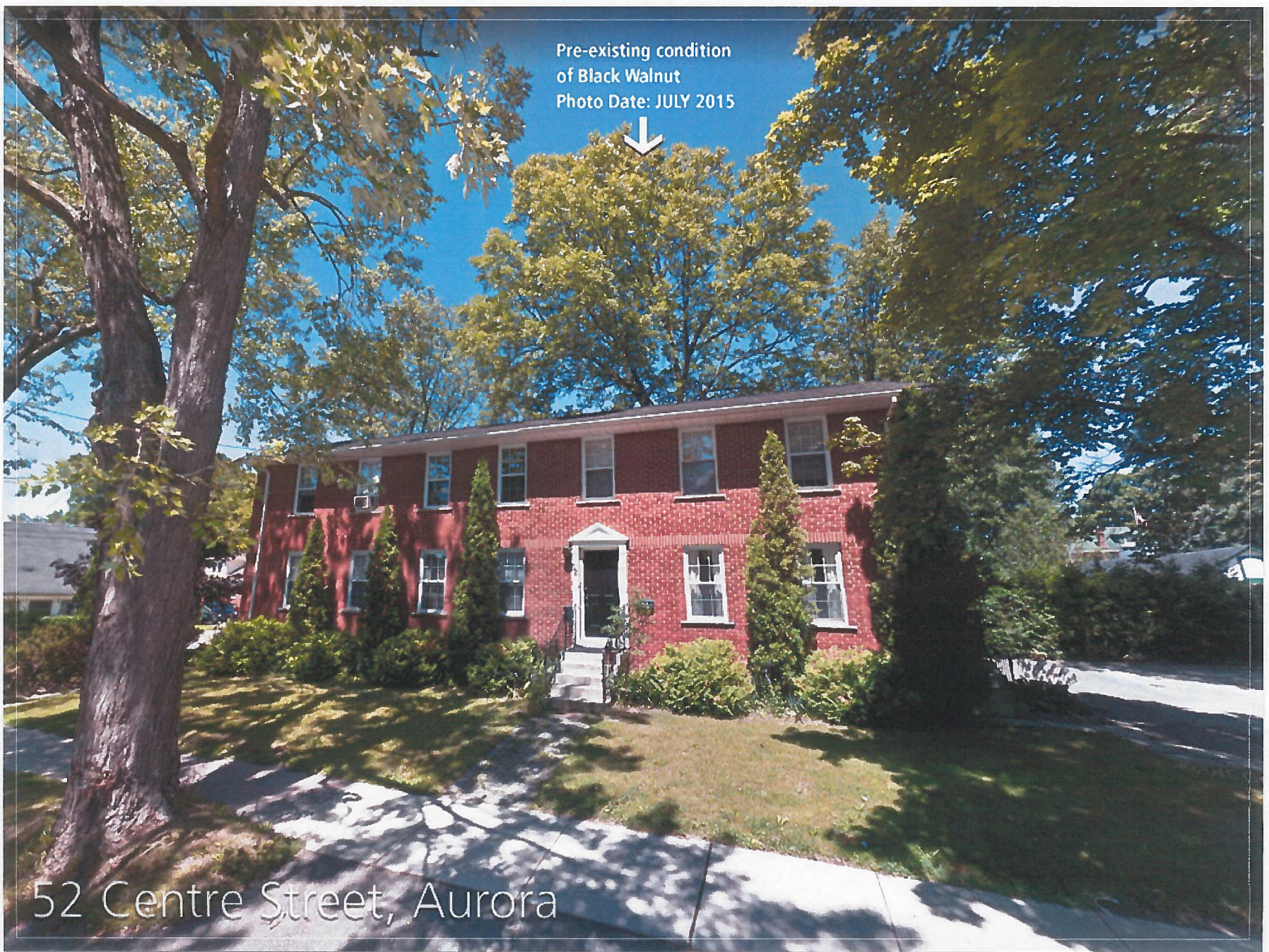
I also worry every time someone walks down the sidewalk and especially my grandson because at 5 years of age if he got hit with a falling chestnut it could really do damage. It is also lifting the sidewalk and making it so easy to trip especially when carrying groceries etc.

Regards,  
Linda

*Linda Jerry*

[REDACTED]





Pre-existing condition  
of Black Walnut  
Photo Date: JULY 2015



52 Centre Street, Aurora





**Extract from  
Council Meeting of  
Tuesday, September 12, 2017**

**5. Consent Agenda**

**Moved by Councillor Mrakas  
Seconded by Councillor Gaertner**

**C1. General Committee Meeting Report of September 5, 2017**

1. That the General Committee meeting report of September 5, 2017, be received and the following recommendations carried by the Committee be approved:

**(C10) Heritage Advisory Committee Meeting Minutes of July 17, 2017**

1. That the Heritage Advisory Committee meeting minutes of July 17, 2017, be received for information.

**Carried**



**Extract from  
Council Meeting of  
Tuesday, September 12, 2017**

**5. Consent Agenda**

**Moved by Councillor Mrakas  
Seconded by Councillor Gaertner**

**C1. General Committee Meeting Report of September 5, 2017**

1. That the General Committee meeting report of September 5, 2017, be received and the following recommendations carried by the Committee be approved:

**(R9) Summary of Committee Recommendations Report No. 2017-08**

1. That Summary of Committee Recommendations Report No. 2017-08 be received; and
2. That the Committee recommendations contained within this report be approved.

**Carried**

**Heritage Advisory Committee Meeting Minutes of July 17, 2017**

**2. HAC17-016 – Heritage Permit Application**

**64 Catherine Avenue, File: NE-HCD-HPA-17-12**

- (a) That Heritage Permit Application NE-HCD-HPA-17-12 be approved to permit the construction of a 44.5 m<sup>2</sup> rear addition; and
- (b) That the doorway on the proposed addition facing Catherine Avenue be amended to include less glazing; and
- (c) That the existing façade of the house not be changed.

**3. HAC17-017 – Proposed Addition – Sunroom and Garage – to a Listed Heritage Property, 46 Tyler Street**

- (a) That staff be directed to continue working with the owner on the type of materials, colour, and architecture to be more reflective of the heritage period and existing structure.

**New Business Motion No. 1**

- (a) That staff be directed to take steps toward designation of Monk's Walk.

**New Business Motion No. 2**

- (a) That staff be directed to research the steps for Part IV and Part V designation of various properties along the Yonge Street downtown core and report back to the Heritage Advisory Committee.