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ONTARIO HERITAGE TRUST

APR 30 2012

RECEIVED

CLERK'S OFFICE  
John D. Leach  
Director, Customer and  
Legislative Services

905-727-3123 ext. 4771  
JLeach@aurora.ca

Town of Aurora  
100 John West Way  
Box 1000, Aurora, ON L4G 6J1

May 3, 2012

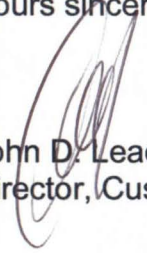
Mr. Jim Leonard, Registrar  
**Ontario Heritage Trust**  
Heritage Programs and Operation  
10 Adelaide Street East  
Toronto, Ontario M5C 1J3

Dear: Mr. Leonard

**RE: Notice of Passing of By-law number 5404-12 to repeal By-law number 5254-10, being a by-law to designate a property as being of historical and/or architectural value or interest**  
**"The George Browning House"**  
**15086-15088 Yonge Street**  
**Lot 52, Plan 246, subject to R160971 (PIN 03653-0078)**  
**Town of Aurora, Regional Municipality of York**

Please find attached a copy of By-law 5404-12 passed by Aurora Town Council on April 10, 2012 which includes reasons for repealing the existing designation By-law 5254-10 for the above-noted property.

Yours sincerely,



John D. Leach  
Director, Customer and Legislative Services

c. Mai Al Nabhan, Manager of Heritage Planning and Urban Design

## **THE CORPORATION OF THE TOWN OF AURORA**

### **By-law Number 5404-12**

**BEING A BY-LAW to repeal By-law Number 5254-10, being a by-law to designate a property as being of historical and/or architectural value or interest (The George Browning House – 15086-15088 Yonge Street)**

**WHEREAS** on September 14, 2010, The Corporation of The Town of Aurora (hereinafter the "Town") enacted By-law Number 5254-10, being a by-law to designate certain lands including the house situated thereon known as the "George Browning House", to be of historical and/or architectural value or interest, which By-law was registered on title to the land described as Lot 52, Plan 246, subject to R160971, Town of Aurora, Regional Municipality of York on March 4, 2011 as Instrument No. YR1617730;

**AND WHEREAS** on December 9, 2011 the owner of the Property submitted a request for demolition of the subject property pursuant to subsection 34(1) of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended (the "Heritage Act"), which states no owner of property designated under section 29 shall demolish or remove a building or structure on the property or permit the demolition or removal of a building or structure on the property unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the demolition or removal;

**AND WHEREAS** on November 22, 2011 the Town enacted By-law Number 5365-11, wherein Council delegated authority to the Manager of Heritage Planning and Urban Design to receive and issue notices of receipt for Heritage Permit Applications received by the Town pursuant to section 34 of the Heritage Act;

**AND WHEREAS** on December 9, 2011 the Manager of Heritage Planning and Urban Design served a notice of receipt on the owner pursuant to subsection 34(1.2) of the Heritage Act, which states that the council, on receipt of an application under subsection (1) together with any information it may require under subsection (1.1), shall serve a notice of receipt on the applicant;

**AND WHEREAS** subsection 34(2) of the Heritage Act, states that within 90 days after the notice of receipt is served on the applicant under subsection (1.2) or within such longer period as is agreed upon by the owner and the council, the council, after consultation with its municipal heritage committee, if one is established: (a) may, (i) consent to the application, (i.1) consent to the application, subject to such terms and conditions as may be specified by the council, or (ii) refuse the application; (b) shall give notice of its decision to the owner and to the Trust; and (c) shall publish its decision in a newspaper having general circulation in the municipality;

**AND WHEREAS** subsection 31(2) of the Heritage Act states that where the council of a municipality has appointed a municipal heritage committee, the council shall, before repealing a by-law or part thereof designating property, consult with its municipal heritage committee;

**AND WHEREAS** on January 24, 2012 Council of the Town approved the recommendations of its Heritage Advisory Committee, as amended, to consent to the demolition application with the understanding that the applicant will salvage any and all items that can be used from the building;



**AND WHEREAS** on February 28, 2012 Council of the Town approved the recommendations of the Heritage Advisory Committee meeting on February 13, 2012, amending the recommendation to consent to the demolition application with the understanding that the applicant will salvage any and all items that can be used from the building in the new one and that a display be set up in the lobby along with relevant historical information on George Brown and the house;

**AND WHEREAS** the Council of the Town deems it necessary and expedient to enact a by-law to repeal By-law Number 5254-10 designating the land to be of historical and/or architectural value or interest;

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

1. THAT By-law Number 5254-10 be and is hereby repealed.
2. THAT the lands described on Schedule "A" attached hereto and forming part of this By-law, be removed from the Aurora Register of Property of Cultural Heritage Value or Interest.
3. THAT the Town Clerk shall serve a copy of this By-law on the owner of the land described on Schedule "A" attached hereto and the Ontario Heritage Trust and publish notice of the passing of this By-law in a newspaper having general circulation in the municipality.
4. THAT the Town Solicitor shall register against the land described on Schedule "A" attached hereto in the proper Land Registry Office, a copy of this By-law including an Affidavit of the Town Clerk respecting the giving of notice referenced herein to be attached to and forming part of this By-law.
5. THAT this By-law shall come into full force and effect on the date of final passage hereof.

**READ A FIRST AND SECOND TIME THIS 10<sup>th</sup> DAY OF APRIL, 2012.**

**READ A THIRD TIME AND FINALLY PASSED THIS 10<sup>th</sup> DAY OF APRIL, 2012.**

  
GEOFFREY DAWE, MAYOR

  
JOHN D. LEACH, TOWN CLERK

Approved as to Form  
By Legal Services  
Signature Naveh Ma  
Date: April 4, 2012

**SCHEDULE "A"**  
**BY-LAW 5404-12**

Description of Property

All and singular those certain parcels or tracts of land and premises situate, lying and being in the Town of Aurora, in the Regional Municipality of York, municipally known as 15086-15088 Yonge Street, and being composed of Lot 52, Plan 246, subject to R160971 (PIN 03653-0078), including the George Browning House and all other buildings and structures thereon.

**Explanatory Note**

Re: Heritage Designation By-law 5404-12

By-law Number 5404-12 to repeal By-law 5254-10 designating the property municipally known as 15086-15088 Yonge Street, Aurora, as a property of cultural heritage value or interest pursuant to the provisions of Part IV, subsection 34(3), of the *Ontario Heritage Act*, R.S.O., 1990, Chapter O.18, as amended.