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**CLERK'S OFFICE**  
John D. Leach  
Director, Customer and  
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Town of Aurora  
1 Municipal Drive,  
Box 1000, Aurora, ON L4G 6J1

September 7, 2010

Ontario Heritage Trust  
Heritage Programs and Operations Branch  
10 Adelaide Street East, Suite 203  
Toronto, Ontario, Canada  
M5C 1J3

Att: Mr. Sean Fraser, Manager, Acquisitions and Conservation Services

Dear: Mr. Fraser

**RE: Notice of Passing of By-law 5269-10 to Repeal Heritage Designation By-law 5053-08.R**

**"The Blacksmith Tree", 15278 Yonge Street  
Lots 17, 18, 19, 21, Part Lots 15 & 16, Plan 246  
Part Lots D, E & F, Plan 36  
Parts 2 & 3 65R31549; Aurora  
T/W Easement over Part Lot 15, Plan 246, Part 4, 65R311549 as in R292152  
Town of Aurora, Regional Municipality of York**

Please find attached a copy of By-law 5269-10 which repeals By-law 5053-08.R for the above-noted property.



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 5269-10**

***BEING A BY-LAW to repeal By-law 5053-08.R, being a by-law to designate a property as being of Historical and/or Architectural value or interest (The Blacksmith's Tree – 15278 Yonge Street)***

**WHEREAS** on November 10, 2008, The Corporation of The Town of Aurora (hereinafter the "Town") enacted By-law 5053-08.R, being a by-law to designate certain lands including the burr oak tree situated thereon known as "The Blacksmith's Tree", to be of historical and/or architectural value or interest, which By-law was registered on title to the lands described on Schedule "A" attached hereto and forming part of this By-law (the "Property") on October 1, 2009 as Instrument No. YR1383530;

**AND WHEREAS** on December 8, 2009, the Town approved the recommendations of its Heritage Advisory Committee to amend By-law 5053-08.R for the purposes of correcting the municipal address of the Property from 15260 Yonge Street to 15278 Yonge Street in the Town of Aurora;

**AND WHEREAS** on February 11, 2010, the owner of the Property, in response to the Town's notice of intention to amend By-law 5053-08.R, filed a Notice of Objection upon the Town;

**AND WHEREAS** on May 5, 2010, the owner of the Property requested the repeal of By-law 5053-08.R;

**AND WHEREAS** subsection 32(2) of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O.18, as amended, requires the council of a municipality, after consultation with its municipal heritage committee, to consider an application for a repeal of a heritage designation by-law within ninety (90) days of receipt;

**AND WHEREAS** on June 8, 2010, the Town approved the May 10, 2010 recommendations of its Heritage Advisory Committee to repeal By-law 5053-08.R, and therefore the proposed amendment to By-law 5053-08.R to correct the municipal address was no longer required;

**AND WHEREAS** the Town Clerk caused notice of the intention to repeal By-law 5053-08.R to be served on the owner of the Property and the Ontario Heritage Trust and published in a newspaper having general circulation in the municipality;

**AND WHEREAS** no objections to the proposed repeal of By-law 5053-08.R were served on the Town;

**AND WHEREAS** the Council of the Town deems it necessary and expedient to enact a by-law to repeal By-law 5053-08.R designating the Property 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 5053-08.R be and is hereby repealed.
2. THAT the lands described on Schedule "A" attached hereto 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

Property 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 of The Corporation of the Town of Aurora shall register against the lands 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.

READ A FIRST AND SECOND TIME THIS 17<sup>TH</sup> DAY OF AUGUST, 2010.

READ A THIRD TIME AND FINALLY PASSED THIS 17<sup>TH</sup> DAY OF AUGUST, 2010.



PHYLLIS M. MORRIS, MAYOR



JOHN D. LEACH, TOWN CLERK

Approved as to form  
By Legal Services

Signature Walter Ma

Date: August 10, 2010

**SCHEDULE "A"**  
**BY-LAW 5269-10**

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 15278 Yonge Street, and being composed of Lots 17, 18, 19 and 21, Part Lots 15 and 16, Plan 246, Part Lots D, E and F, Plan 36, designated as Parts 2 and 3 on Plan 65R-31549..

**Explanatory Note**

Re: Heritage Designation By-law 5269-10

By-law Number 5269-10 to repeal By-law 5053-08.R designating the property municipally known as 15278 Yonge Street, Aurora, as a property of cultural heritage value or interest pursuant to the provisions of Part IV, subsection 32(2), of the *Ontario Heritage Act*, R.S.O., 1990, Chapter O.18, as amended.