



An agency of the Government of Ontario



Un organisme du gouvernement de l'Ontario

This document was retrieved from the Ontario Heritage Act Register, which is accessible through the website of the Ontario Heritage Trust at **[www.heritagetrust.on.ca](http://www.heritagetrust.on.ca)**.

---

Ce document est tiré du registre aux fins de la *Loi sur le patrimoine de l'Ontario*, accessible à partir du site Web de la Fiducie du patrimoine ontarien sur **[www.heritagetrust.on.ca](http://www.heritagetrust.on.ca)**.

THE CORPORATION OF THE TOWN OF WHITBY  
In the Regional Municipality of Durham

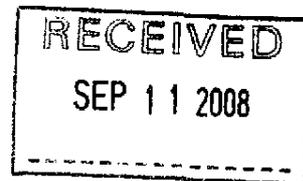
Telephone  
905-668-5803  
Toronto  
905-686-2621  
Fax  
905-686-7005



MUNICIPAL BUILDING  
575 Rossland Road East  
Whitby, Ontario  
Canada  
L1N 2M8

September 10, 2008  
(By-law No. 6085-08)

Ontario Heritage Trust  
10 Adelaide Street East  
Toronto, ON M5C 1J3



**RE: Heritage Designation By-law No. 6085-08**

Enclosed is a Clerk's Declaration affirming that notice of the passing of Heritage Designation By-law No. 6085-08 was given as required by Subsection 41(3) of the *Ontario Heritage Act*, R.S. O. 1990, c. O.18 as amended.

As no notice of appeal was filed within the time allowed for appeal, By-law No. 6085-08, is now in force. A Statutory Declaration from the Town Clerk as well as a certified true copy of the By-law has been enclosed for your records. Town staff will register this designation on the title of each property within the designated area.

I assume this matter will receive the Trust's full attention. If you require further information regarding this issue, please contact the Town of Whitby's Planning Department at 905-430-4306.

Yours truly,

A handwritten signature in black ink, appearing to read "Martha A. Pettit".

Martha A. Pettit  
Deputy Clerk

Encl.

Copy: B. Short, Director of Planning  
S. Pohjola, Town Solicitor  
S. Beale, Director of Public Works  
J. Taylor, Principal Planner  
M. Crowe, Assessment Review Officer



**STATUTORY DECLARATION**

Canada )  
PROVINCE OF ONTARIO ) In the Matter of Section 41 of the  
 ) Ontario Heritage Act, R.S.O. 1990, c.O.18, as amended;  
 )  
 ) - and -  
 )  
 ) In the matter of Heritage Designation By-law 6085-08

I, William John Paul Jones, Town Clerk  
of the Town of Whitby  
in the Regional Municipality of Durham

**Solemnly Declare, that**

- 1. I am the duly appointed Town Clerk of the Corporation of the Town of Whitby and, as such, have knowledge of the facts herein deposed to;
- 2. Notice of the passing of Zoning By-law No. 6085-08 passed by Council of the Corporation of the Town of Whitby on the 7<sup>th</sup> day of July, 2008, was given in accordance with Subsection 41(3) of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended, and in the manner and form and to the persons prescribed by the said Act;
- 3. No notice of appeal to Zoning By-law No. 6085-08 was filed with me within the time allowed for appeal under the provisions of Section 41(4) of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended; and,
- 4. By-law No. 6085-08 is therefore deemed to be in full force and effect.

AND I make this solemn Declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

Declared before me at the Town )  
of Whitby in the Region of Durham )  
this 8<sup>th</sup> day of September, 2008 )



A Commissioner, etc.

**Martha A. Pettit, a  
Commissioner, etc., Deputy Clerk  
for the Corporation of the  
Town of Whitby.**

100

100

Dated September 8, 2008

---

---

In the matter of

Section 41 of the  
*Ontario Heritage Act*, R.S.O. 1990, c.O.18 as amended  
and

In the matter of Heritage Designation By-law 6085-08 of  
The Corporation of the Town of Whitby

---

---

Statutory Declaration  
Of

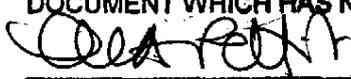
William John Paul Jones,  
Town Clerk

---

---



THIS PHOTOCOPY IS A TRUE COPY OF THE ORIGINAL DOCUMENT WHICH HAS NOT BEEN ALTERED IN ANY WAY.



BY-LAW NO. 6085-08

MARTHA A. PETTIT, DEPUTY CLERK

**BEING A BY-LAW TO DESIGNATE AN AREA OF THE TOWN OF WHITBY KNOWN AS THE BROOKLIN HERITAGE CONSERVATION DISTRICT AS A HERITAGE CONSERVATION DISTRICT PURSUANT TO PART V OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, c.O.18, AS AMENDED**

WHEREAS the Official Plan of the Town of Whitby Planning Area, as amended, supports the use of available legislation such as the Ontario Heritage Act, R.S.O.1990 c.O.18, as amended, to achieve heritage preservation;

AND WHEREAS Official Plan of the Town of Whitby Planning Area provides that Council shall achieve the goals, objectives and policies of section 6.1, Heritage Resources, of the Plan by applying the power to pass by-laws to examine an area for future designation as a heritage conservation district under Part V of the Ontario Heritage Act, R.S.O. 1990, c.O.18, as amended;

AND WHEREAS, the examination of the Brooklin Heritage Conservation District Study Area has now been completed and the Council of the Town of Whitby has adopted the "Brooklin Heritage Conservation District Plan" identified as the District Plan and the District Study;

AND WHEREAS, Section 41 of the said Ontario Heritage Act enables the Council of a municipality to designate, by By-law, an area as a Heritage Conservation District, where there is in effect in a municipality, an Official Plan that contains provisions relating to the establishment of Heritage Conservation Districts;

NOW THEREFORE, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

1. THAT the area known as the "Brooklin Heritage Conservation District" as illustrated in Schedule "A" attached hereto, be designated as a Heritage Conservation District pursuant to Part V of the Ontario Heritage Act, R.S.O.1990,c.O.18, as amended; and,

2. THAT this By-law does not come into force until approved by the Ontario Municipal Board or no notice of appeal is given to the clerk within the time period specified in section 41.4 of the Ontario Heritage Act, R.S.O. 1990,c.O.18, as amended.

BY-LAW READ A FIRST, SECOND, AND THIRD TIME AND FINALLY PASSED THIS  
7<sup>TH</sup> DAY OF JULY, A.D., 2008.



---

Paul Jones, Clerk



---

Patricia Perkins, Mayor

### **Purpose and Effect**

The purpose and effect of By-law 6085-08, is to designate the 'Brooklin Heritage Conservation District' pursuant to Part V of the Ontario Heritage Act R.S.O. 1990, as amended, for the area shown as the 'Subject Lands' in Schedule 'A-1' attached to and forming part of this By-law.

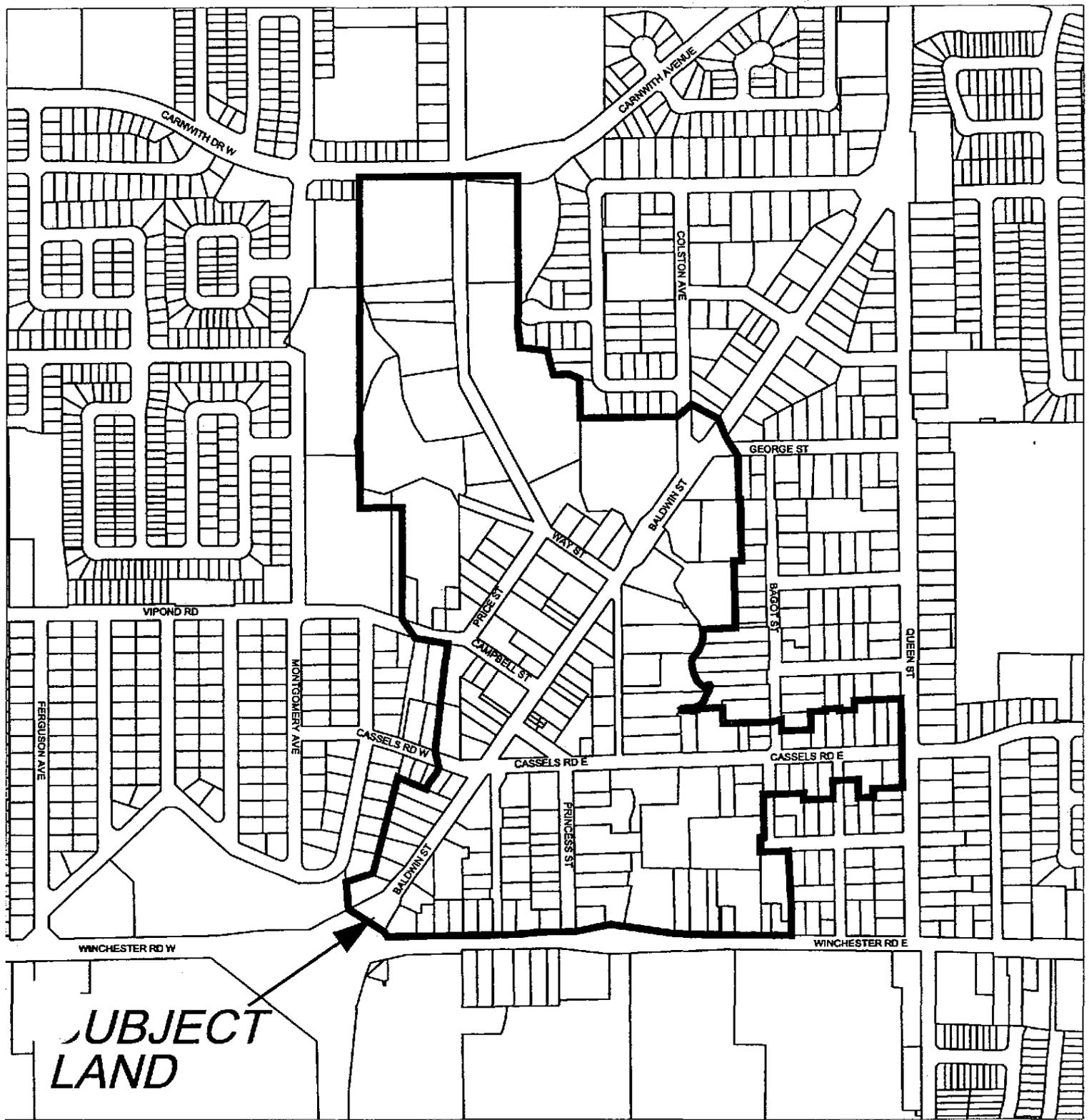
# SCHEDULE A-1 TO BY-LAW NO. 6085-08

This is Schedule A-1 to By-Law No. 6085-08 passed by the

Council of the Town of Whitby this 7<sup>th</sup> day of JULY, A.D. 2008

*[Signature]*  
CLERK

*[Signature]*  
MAYOR



**SUBJECT  
LAND**