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# NOTICE OF INTENTION TO AMEND DESIGNATION BY-LAW 1812-85



**Date of Notice:** February 28, 2022

**Last Day to File an Objection:** March 30, 2022

Take notice that the Council of The Corporation of the Town of Whitby intends to amend By-law 1812-85, a By-law to designate the property at 601 Victoria Street East (Emanuel Sleep House), as a property of cultural heritage value or interest under Part IV of the Ontario Heritage Act, R.S.O. 1990.

The purpose of the amendment is to correct the legal description of the subject property, to accommodate the Region of Durham's road widening requirement to accommodate infrastructure upgrades, including the construction of a new multi-use path along the south side of Victoria St. E. The legal description of Schedule "A" of Designation By-law #1812-85 must be amended to reflect the parcel fabric associated with the heritage resource, the Emanuel Sleep House, after the road widening. The remainder of the Heritage Designation By-law #1812-85 is not required to be amended as there have been no modifications to the exterior heritage attributes of the Emanuel Sleep House. The Region of Durham has confirmed that the existing mature silver maple trees will be protected and retained during the construction of the new multi-use path.

A copy of the draft proposed Amending By-law is attached for your review and consideration.

Further information regarding the proposed amendment to By-law 1812-85 can be obtained by contacting the Town of Whitby's Planning and Development Department during regular business hours between 8:30 a.m. and 4:30 p.m. from Monday to Friday, 905.430.4306, [planning@whitby.ca](mailto:planning@whitby.ca).

## Objection

A person who objects to the proposed amending by-law shall, within thirty (30) days after the date of publication of this Notice, serve on the Clerk of the municipality a notice of objection setting out the reason(s) for the objection and all relevant facts. Such objection shall be received **no later than 4:00 p.m. on March 30, 2022**. If such notice of objection is received, the matter will be brought forward for consideration by Town of Whitby Council as per the requirements of the Ontario Heritage Act.

Dated at the Town of Whitby this 28th day of February, 2022.

Christopher Harris | Town Clerk | Town of Whitby  
T: 905.430.4300 X4315 | E: [clerk@whitby.ca](mailto:clerk@whitby.ca)  
[Whitby.ca/Notices](http://Whitby.ca/Notices) | 905.430.4300 | [info@whitby.ca](mailto:info@whitby.ca)





# **Town of Whitby**

## **By-law # Insert Number**

### **By-law to Amend By-law #1812-85**

Being a By-law to amend By-law #1812-85 to correct the legal description of the Heritage Property known as the Emanuel Sleep House, municipally known as 601 Victoria Street East, as being of cultural heritage value and interest.

Whereas, Section 30.1 of the Ontario Heritage Act, R.S.O. 1990, c. O.18, as amended, authorizes the Council of a municipality to amend a By-law to designate property made under Section 29 to correct the legal description of the property;

And whereas, the Council of the said Corporation has cause to be served on the owners of the lands known as the Emanuel Sleep House, municipally known as 601 Victoria Street East, a Notice of Intent to change the legal description of the Heritage Property known as the Emmanuel Sleep House;

And whereas, no Notice of Object to the proposed amendment has been served on the Town Clerk;

Now therefore, the Council of The Corporation of the Town of Whitby hereby enacts as follows:

#### **1. General**

- 1.1. That By-law #1812-85 be amended to correct the legal description of the Heritage Property municipally known as 601 Victoria Street East (Emanuel Sleep House) to Part of Lot 24, Broken Front Concession, being Parts 2 and 3 on Plan 40R-31627, SAVE AND EXCEPT Part 1 on Plan 40R-31627, Town of Whitby, Regional Municipality of Durham, being a portion of PIN 26487-0143 (LT).
- 1.2. That By-law #1812-85 be deleted from the title of the property legally described as Part Lot 24, Broken Front Concession, being Part 18 on Plan 40R-14006, Town of Whitby, Regional Municipality of Durham, being all of PIN 26487-0142 (LT).
- 1.3. That the legal description contained in Schedule "A" of By-law #1812-85 be replaced with the legal description contained in Schedule "A" of this By-law.
- 1.4. That the Town Solicitor is hereby authorized to cause a copy of this By-law to be registered against the properties described herein in the property Land Registry Office.

#### **2. Schedule(s)**

- 2.1. Schedule 'A' – Legal Description

### 3. Effective Date

3.1. The provisions of this by-law shall come into force and take effect on the day of the final passing thereof.

By-law read and passed this Select date day of Insert Month, Year.

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Don Mitchell, Mayor

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Christopher Harris, Town Clerk

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**SCHEDULE 'A'**  
**TO BY-LAW NO. XXXX-XX**  
**LEGAL DESCRIPTION**

Part of Lot 24, Broken Front Concession, being Parts 2 and 3 on Plan 40R-31627,  
SAVE AND EXCEPT Part 1 on Plan 40R-31627, Town of Whitby, Regional Municipality  
of Durham, being a portion of PIN 26487-0143 (LT).