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Notice of Passing of Heritage Designation By-law 8194-25 to Designate a Property of Cultural Heritage Value or Interest under the Provisions of Part IV, Section 29 of the Ontario Heritage Act, R.S.O. 1990 (Mayfield House)

Take notice that the Council of The Corporation of the Town of Whitby Passed By-law 8194-25 on May 26, 2025, to designate lands municipally known as 780 Garden Street (Mayfield House), in the Town of Whitby, in the Regional Municipality of Durham, Ontario, as a property of Cultural Heritage Value or Interest under Part IV, S.29 of the Ontario Heritage Act, R.S.O 1990.

Description of Property:

Mayfield House (aka John Thomson House) generally located at the northwest corner of Garden Street and Manning Road, on a portion of the property currently municipally known as 780 Garden Street, Town of Whitby, Ontario and legally described as Part of Block 1, Plan 40M-2785, designated as Parts 1 and 2, Plan 40R-32970.

As required under S.29 of the *Ontario Heritage Act*, the Town of Whitby is hereby providing notice of its decision to the property owner and the Ontario Heritage Trust.

Appeal to the Ontario Land Tribunal (OLT):

TAKE NOTICE that an appeal of the Designation By-law for the Property by those persons permitted to appeal under Section 29 of the *Ontario Heritage Act* may be made by submitting a Notice of Appeal with the OLT and Town Clerk of the Corporation of the Town of Whitby by 4:30 p.m. on or before July 10th, 2025 (within 30 days of this notice). A Notice of Appeal must set out the reasons for the objection to the Designation By-law. If you wish to appeal to the Ontario Land Tribunal (OLT), please see below for options to file a notice of appeal. The filing of an appeal, either electronically through the OLT e-file service, by email, or in-person after 4:30 p.m. on the date noted above will be deemed to have been received the next business day.

Appeals may be submitted by filing a notice of appeal with the Clerk of The Corporation of the Town of Whitby and making online payment of the applicable appeal fee via the OLT e-file service. First-time users will need to register for a My Ontario Account at <https://olt.gov.on.ca/e-file-service/> and will select 'Whitby (Town): Clerk' as the Approval Authority for the appeal submission.

If the e-file portal is down, appeals may be submitted to the Clerk of The Corporation of the Town of Whitby by email to clerk@whitby.ca using the appropriate OLT forms found at <https://olt.gov.on.ca/about-olt>. Your notice of appeal must set out the reasons for the appeal.

Alternatively, appeals may be filed by mail to the Clerk of The Corporation of the Town of Whitby, 575 Rossland Road East, Whitby, ON L1N 2M8 using the appropriate OLT forms found at <https://olt.gov.on.ca/about-olt>. Your notice of appeal must set out the reasons for the appeal.

For information about fees, please contact the OLT directly at 1-866-448-2248 or by email to OLT.Registrar@ontario.ca.

Further information regarding this matter may be obtained by contacting the Town's Planning and Development Department at 905-430-4306.

Dated at the Town of Whitby this 10th day of June, 2025.

Christopher Harris

Town Clerk

Town of Whitby

905.430.4300

clerk@whitby.ca

RECEIVED
2025/07/10
(YYYY/MM/DD)
Ontario Heritage Trust



Town of Whitby By-law # 8194-25

Registered as
DR2423548
July 25, 2025

Heritage Designation of the Mayfield House as being of Cultural Heritage Value and Interest

Being a By-law to designate the Mayfield House on the property municipally known in 2025 as 780 Garden Street, and legally described as Part of Block 1, Plan 40M-2785, designated as Parts 1 and 2, Plan 40R-32970, as being of cultural heritage value and interest.

Whereas in accordance with the provisions of Section 29 of the Ontario Heritage Act, R.S.O. 1990, c. 0.18, as amended, the Council of The Corporation of the Town of Whitby considers it desirable to designate the building known as the Mayfield House on the property hereinafter described to be of cultural heritage value and interest;

And whereas, the Council of the said Corporation has caused to be served on the owners of the property municipally known as 780 Garden Street, Whitby, Ontario, and upon the Ontario Heritage Trust, notice of its intention to designate the Mayfield House and the associated property at the aforesaid address to be of cultural heritage value and interest and notice was published in accordance with the Town's Public Notice Policy;

And whereas, no person has served a notice of objection to the proposed designation on the Clerk of the said Corporation;

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

1. General

- 1.1. The building known as the Mayfield House and its associated property, municipally known as 780 Garden Street, and legally described as Part of Block 1, Plan 40M-2785, designated as Parts 1 and 2, Plan 40R-32970, on the west side of Garden Street, and more particularly described in Schedule 'A' attached to and forming part of this by-law is hereby designated as being of cultural heritage value and interest in the Town of Whitby, under Part IV, Section 29 of the Ontario Heritage Act, R.S.O. 1990, c. 0.18, as amended.
- 1.2. This designation shall not preclude any changes that may be deemed necessary for the efficient use of the building provided that any changes shall be in keeping with the current character of the building and shall be carried out in accordance with the applicable Heritage Permit processes at the Town of Whitby.
- 1.3. That, if applicable, a copy of this By-law be registered in the appropriate Land Registry Office on title to the lands set out herein.

2. Schedule(s)

- 2.1. Schedules 'A' and 'B', attached hereto, form part of By-law 8194-25.
- 2.2. Schedule 'A' – Legal Description

2.3. Schedule 'B' – Statement of Cultural Heritage Value and Interest for Mayfield House, 780 Garden Street

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 26th day of May, 2025.



Elizabeth Roy, Mayor



Christopher Harris, Town Clerk

SCHEDULE "A"
TO
BY-LAW NO. 8194-25

LEGAL DESCRIPTION

Part of Block 1, Plan 40M-2785, designated as Parts 1 and 2, Plan 40R-32970, subject to an easement as in DR2322973, in the Town of Whitby, Regional Municipality of Durham (being part of PIN 26529-0370 (LT)).

SCHEDULE “B”
TO
BY-LAW NO. 8194-25

DESCRIPTION OF PROPERTY – Mayfield House, 780 Garden Street

The Mayfield House is located at the address municipally known in 2025 as 780 Garden Street in the Town of Whitby, approximately 500 metres south of the Rosland and Garden Urban Central Area, at the intersection of Manning Road and Garden Street, legally described as Part of Block 1, Plan 40M-2785, designated as Parts 1 and 2 on Plan 40R-32970.

The Mayfield House was built using the Georgian architectural style and constructed entirely of Kingston limestone. The limestone remains in its original condition and is one of the only limestone houses in the area apart from the 1849 Henry House Museum in Oshawa harbour. The Mayfield House is a unique structure within the built context of Whitby. The construction method used is usually associated with Scottish settlers such as the Thomson family. The front façade is divided into three bays consisting of a central doorway and windows on either side.

STATEMENT OF CULTURAL HERITAGE VALUE AND INTEREST

The property has a design or physical value because it is rare, unique and representative of the Georgian architectural style in the Whitby community. It was constructed entirely of Kingston limestone with a high degree of craftsmanship and artistic merit in detailed elements seen in the exterior and interior components of the dwelling.

The property has historical or associative value as it reflects the construction method, which is associated with an early Scottish settler in the Town of Whitby, specifically built for John Thomson, and its style in a demonstration of Scottish settler traditions. Thomson and his family are some of the earliest immigrants from Scotland to Durham County and are an important part of the cultural heritage of Whitby. Mayfield House also has an important recent association with Christine Elliott and Jim Flaherty, both important political leaders in this community.

The Mayfield House has contextual value because it contributes to the character and identity of the Town of Whitby. Being one of the finest built dwellings of the early stages in Whitby, its unique limestone construction makes the Mayfield House a local landmark, which is visible from both adjacent major streets.

An archaeological site identified as the Thomson AIGr-490 and subject to Section 48(1) of the Ontario Heritage Act is present within this property. There is further cultural heritage value or interest for the archaeological site within Part 2, Plan 40R-32970, the area identified as ‘Archaeological Site’ on the plan of survey prepared by Stantec Geomatics Ltd.

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For further information about archaeological site AIGr-490 and its attributes, please see the report prepared by Parslow Heritage Consultancy Inc. under Project Information Form Number P1056-0164-2022 required to be entered into the Ontario Public Register of Archaeological Reports.

As an archaeological site of further cultural heritage value or interest, there shall be no alteration, excavation, disturbance, interference with, destruction, removal or modification of the land or the soil situated within the limits of the archaeological sites by any person other than by prior agreement with the Ministry of Citizenship and Multiculturalism.

Under section 48(3) of the Ontario Heritage Act, the restriction on alteration or the removal of an artifact or other physical evidence of past human use activity from the archaeological site will no longer apply when a licensee has completed archaeological fieldwork, within the meaning of the regulations, on the archaeological site and an archaeological report has been provided to the Minister stating that the archaeological site has no further cultural heritage value or interest and the report is entered into the Ontario Public Register of Archaeological Reports. Any alterations or soil disturbance to an archaeological site prior to having met the requirements of Section 48(3) is an offence subject to penalty under Section 69(1) of the Ontario Heritage Act.

Any application to amend the terms of this by-law with respect to the unexcavated part of the archaeological site or any application to remove this by-law from title to the property will require the approval and consent of the Ministry of Citizenship and Multiculturalism.

DESCRIPTION OF HERITAGE ATTRIBUTES

Attributes related to its style as a Georgian farmhouse in the original structure constructed in 1845:

- Rectangular plan
- Simple massing with side gable roof and paired stone chimneys
- Symmetrical composition of the 3-bay principal elevation (south elevation)
- Wooden fascia, soffit, projected eaves & eave returns, and related mouldings
- Use of rectangular window and door openings throughout
- Wooden 8-over-8 sashes, double hung windows and flat stone arch lintels above
- The attic quarter fanlight wood windows and stone arch lintels above
- The 12-over-8 sashes wood window at stair hall
- Principal entrance comprises enclosed panel recessed, exterior panel door with transoms, exterior woodwork including modified Doric pilasters with a dentilated entablature

Attributes related to its craftsmanship / artistic merit:

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- Its Kingston limestone masonry, including:
 - Rock-faced stone surface
 - Finely laid coursed ashlar with tight joints
 - Window/ door flat and arched stone lintels with the voussoirs and keystones

Attributes related to an Archaeological site:

An archaeological site identified as the Thomson AIGr-490 and subject to Section 48(1) of the Ontario Heritage Act is present within this property. There is further cultural heritage value or interest for the archaeological site within Part 2, Plan 40R-32970, the area identified as 'Archaeological Site' on the plan of survey prepared by Stantec Geomatics Ltd.

For further information about archaeological site AIGr-490 and its attributes, please see the report prepared by Parslow Heritage Consultancy Inc. under Project Information Form Number P1056-0164-2022 required to be entered into the Ontario Public Register of Archaeological Reports.

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Any application to amend the terms of this by-law with respect to the unexcavated part of the archaeological site or any application to remove this by-law from title to the property will require the approval and consent of the Ministry of Citizenship and Multiculturalism.

CONTEXT

The Georgian style architecture of the Mayfield House at 780 Garden Street was brought by British settlers to Canada around the years of 1780. Georgian Architecture is a modified version of the Renaissance and experiments with the Palladian style of design. Georgian architecture is generally symmetrical, geometrically proportionate and incorporates various decorative assemblies throughout the structure. The

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characteristics that identify the house as a Georgian Style is the symmetry of the three bay south façade. It incorporates two storeys and has a central doorway with windows placed on opposite sides of it. The windows are identical creating perfect symmetry on either side of the façade.

Traces of the Regency style of architecture are also seen within the Mayfield House. These influences are in the simplicity of the woodwork and openness of the rooms. The simple designs of the mantelpieces, front entry, and overall detailing of the house suggest a stylistic approach influenced by Regency architecture.

Masonry Construction

The whole residential dwelling was constructed using Kingston limestone. The stones have been prepared with a rock faced surface meaning the face of the stones were chiseled and left rough. When the stones were laid, they were done so using the “coursed ashlar” method in which all stones are uniformly sized, and the bed joints are continuous. The stonework has regular courses and is tightly joined showing high levels of craftsmanship. The limestone was supplied by a grain merchant named John Welsh in the 1840’s, and it is likely that the stones were cut in Kingston, Ontario by the Penitentiary prisoners. Overall, the masonry remains intact and structurally stable due to its skillful construction.



West Elevation

The West Elevation of the Mayfield House overlooks Mayfield Crescent and has a gabled end with a stone chimney and a projecting eave with eave returns. There are two pairs of symmetrical windows, two on the ground floor and two on the second floor. The double-hung windows are generously scaled, with 8-over-8 sashes, and stone flat arches. On each gabled end there is a quarter fanlight window with two rows of five glass panes. The addition constructed in the 1990s on the North Elevation is visible from the west view and has an L-shaped layout.



East Elevation

The East Elevation overlooks Garden Street and has a similar layout as the West Elevation except for the exterior door replacing the lower-right window. The non-original door consists of four-panels in which the upper two are glazed and has an original arch opening. A porch was constructed on the elevation underneath the upper windows with asphalt shingle cladding and equally spanned pairs of columns. The porch forms an informal entry that leads to the kitchen and has minimal impact on the heritage attributes of the house. The porch was formerly constructed with screen mesh and light framing however was modified into the current design comprising pairs of posts with brackets.



North Elevation

The North Elevation has an addition at its west end, and, in its original stone façade, contains five window openings, three on the second storey and two on the ground floor. The lower windows are double hung, have stone arch lintels and wooden sills with 8-over-8 sashes. The first and third upper windows are identical to the lower ones while the middle window has 12-pane over 8-pane sashes. Connected to the North Elevation is an additional structure that was constructed approximately 20 years ago. Currently the addition is being used as office space with a meeting room on the upper floor and

desk space on the ground floor. The roof is clad with asphalt shingles while the walls are constructed from stone masonry.

South Elevation

The South Elevation is an indication of the principal and original orientation of the dwelling and forms the main view of the house. There are five identical window types, three upper and two on the lower storey. The elevation is perfectly symmetrical with a centered original exterior door. The windows are double hung with stone arch lintels and 8-over-8 sashes. The exterior door has been painted red sometime after 1983 along with modifications being made to the frame. The arched fanlight has four pane segments with thick glazing bars while the fanlight behind the recess has five pane segments and thin glazing bars. There are creeping vines on the left (west) side of the wall reaching up to the roof. Creeping vines can cause moisture problems in the wall assemblies and loosen up the stone mortar joints and they should be removed as part of regular maintenance.

