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Notice of Passing of Heritage Designation By-law 8195-25 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 (Ontario County House of Refuge)

Take notice that the Council of The Corporation of the Town of Whitby Passed By-law 8195-25 on May 26, 2025, to designate lands municipally known as 300 High Street (Ontario County House of Refuge), 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:

The Ontario County House of Refuge generally located on the west side of High Street, south of Walnut Street West, and north of Dundas Street West municipally known as 300 High Street, Town of Whitby, Ontario and legally described as Part of Lot 28, Concession 2, designated as Part 1 on Plan 40R-6075, Town of Whitby, Regional Municipality of Durham.

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



Town of Whitby

By-law # 8195-25

Registered as
DR2423558
July 25, 2025

Designation of the Ontario County House of Refuge, 300 High Street as being of Cultural Heritage Value and Interest

Being a By-law to designate the Ontario County House of Refuge on the property municipally known as 300 High Street and legally described as Part of Lot 28, Concession 2, designated as Part 1, on Plan 40R-6075, Town of Whitby, Regional Municipality of Durham 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 Ontario County House of Refuge 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 300 High Street, Whitby, Ontario, and upon the Ontario Heritage Trust, notice of its intention to designate the Ontario County House of Refuge 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 Ontario County House of Refuge and its associated property, municipally known as 300 High Street and legally described as Part of Lot 28, Concession 2, designated as Part 1, on Plan 40R-6075, and more particularly described in Schedule 'A' attached to and forming part of this by-law is hereby designated as a property 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 8195-25.
- 2.2. Schedule 'A' – Legal Description
- 2.3. Schedule 'B' – Statement of Cultural Heritage Value and Interest for Ontario County House of Refuge, 300 High 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. 8195-25

LEGAL DESCRIPTION

Part of Lot 28, Concession 2, designated as Part 1, on Plan 40R-6075, Town of Whitby, Regional Municipality of Durham (being all of PIN 26536-0035 (LT)).

SCHEDULE "B"
TO
BY-LAW NO. 8195-25

DESCRIPTION OF PROPERTY – Ontario County House of Refuge, 300 High Street

The subject property at 300 High St. is a roughly rectangular parcel of land situated on part of Lot 28, Concession 2, designated as Part 1 on Plan 40R-6075, in the Town of Whitby, Regional Municipality of Durham. It is located on the west side of High Street, south of Walnut Street West, and north of Dundas Street West. Observed land-use in the vicinity of the property is primarily residential with institutional and commercial use lands along Dundas Street, to the south.

The key resource is the four-storey apartment building constructed in 1903. The former 11-bay, red brick structure was built in 1903 and functioned as a poor house for the Town of Whitby. The structure has been in continual use since 1903 and today is an apartment complex.

STATEMENT OF CULTURAL HERITAGE VALUE AND INTEREST

The cultural heritage value or interest of the property at 300 High Street lies in its design and physical, associative, and contextual value.

The building has design or physical value because the four-storey, multi-unit dwelling was constructed in a Georgian Revival style between 1901 and 1903 as the County of Ontario's House of Refuge to house the poor and the elderly. The 11-bay brick structure, with stone foundations, was designed by a Mr. Miller and was constructed by Thomas Deverell Sr. and Thomas Deverell Jr.

The property has historical or associative value as the House of Refuge opened on February 11, 1903. Its first residents were Mr. and Mrs. LeBear. By the mid-20th century, demand to house the elderly had increased dramatically and the larger Fairview Lodge was constructed south of the House of Refuge. The property transferred into private ownership to Helen Chatterson, in 1951, only to be expropriated in 1967. In 1973, Steve Agh purchased and renovated 300 High Street, converting the structure – through a minimal intervention and material re-use approach - into 24 luxury apartments and renaming the property Heritage Estates.

The building has contextual value because, as an early-20th century institutional building, the former House of Refuge is a local landmark, the presence of which has influenced the development of its surrounding neighbourhood.

DESCRIPTION OF HERITAGE ATTRIBUTES

Heritage attributes that express the cultural heritage value of 300 High Street, lie in the four-storey, 1903, brick, multi-unit residential building (Ontario County House of Refuge) and are expressed through:

- Its location, orientation, scale and massing;
- Its four-storey height;
- Its eleven-bay south façade;
- Its multiple medium front-gable roof;
- The dormers located above the third-storey;
- The symmetrical composition and location of openings when viewed from the south;
- Three single stacked chimneys; and
- The location and configuration of the balconies, located along the east, south, and west elevations.

The property's heritage attributes do not include:

- Any of the interior features of the Ontario County House of Refuge;
- Any new development on the property;
- The property's driveways and footpaths; or
- Landscaping and gardens