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THE CORPORATION OF THE TOWN OF WHITBY

BY-LAW NO. 1660-84

BEING A BY-LAW TO DESIGNATE THE STRUCTURE KNOWN MUNICIPALLY AS 202 BYRON STREET NORTH AS BEING OF ARCHITECTURAL AND HISTORICAL VALUE AND INTEREST

WHEREAS, Section 29 of the Ontario Heritage Act, R.S.O. 1980, c. 337, authorizes the Council of a municipality to designate property, as defined therein, to be of architectural and historical value and interest;

AND WHEREAS, the Council of the Corporation of the Town of Whitby has caused to be served on the owners of the lands and premises known as 202 Byron Street North, Whitby, Ontario, and upon The Ontario Heritage Foundation, notice of intention to designate the structure at the aforesaid address and has caused such notice to be published in a newspaper having general circulation in the municipality;

AND WHEREAS, no notice of objection to the proposed designation has been served on the Clerk of the municipality in accordance with the provisions of said Act;

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

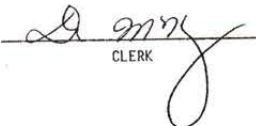
1. The exterior of the property known as 202 Byron Street North, Whitby, Ontario, more particularly described in Schedule "A" hereto attached, be and the same is hereby designated as being of architectural and historical value and interest in accordance with the provisions of the Ontario Heritage Act, R.S.O. 1980, c. 337. This designation shall not preclude any changes that may be deemed necessary for the efficient use of the building provided that any and all changes shall be in keeping with the original and present character of the building and are carried out in consultation with the Local Architectural Conservation Advisory Committee for the Town of Whitby.
2. The municipal solicitor is hereby authorized to cause a copy of this By-law, together with the reasons for designation, to be registered against the aforesaid property in the proper land registry office.

The Corporation of the Town of Whitby

By-law No. 1660-84 (cont'd.)

3. The Clerk is hereby authorized to cause a copy of this By-law to be served on the owner of the aforesaid property and on The Ontario Heritage Foundation and to cause notice of the passing of this By-law to be published in a newspaper having general circulation in the municipality once for each of three consecutive weeks.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 24th DAY OF APRIL A.D., 1984.

  
CLERK

  
MAYOR

SCHEDULE "A"

THOSE lands and premises located in the Town of Whitby, in the Regional Municipality of Durham (formerly in the County of Ontario) and being composed of Lots 52 and 53 West of Brock Street as laid out on Perry's Plan, now known as Plan Number H-50030, the Municipal Plan of Part of Lot 27, in the 2nd Concession of the Township of Whitby, now in the Town of Whitby;

EXCEPTING thereout that portion of Lot 53 conveyed by Mary Jane Smith in her lifetime to Benjamin Bryan and Annie Bryan by deed dated August 8, 1923, and registered as Number 9033, being more particularly described as follows:

COMMENCING at a point in the westerly limit of Byron Street where the same would be intersected by the line of a fence now forming the northerly limit of said Lot 53 produced easterly to Byron Street;

THENCE southerly along the westerly limit of Byron Street 54 feet, 7 inches to a point 5 feet North of a point where the North face of a brick wall being the North wall of the residence situated on the said Lot 53 if produced easterly would intersect the westerly limit of Byron Street;

THENCE westerly at right angles to the West limit of Byron Street 120 feet 9 inches to the westerly limit of said Lot 53;

THENCE northerly along the Westerly limit of Lot 53 to the said fence now forming the Northerly limit of said Lot 53;

THENCE easterly along the line of said fence and its production 120 feet 9 inches more or less to the place of beginning.

TOGETHER WITH a right-of-way, ingress and egress for persons, animals and vehicles over and along a strip of land 5 feet in width being part of that excepted parcel of Lot 53 hereinbefore described, extending Westerly from Byron Street to the West limit of Lot 53, which strip adjoins the parcel of land conveyed herein, and reserving to the owners of that excepted part of Lot 53 hereinbefore described, his heirs and assigns a like right-of-way over the Northerly 5 feet of land conveyed herein, it being the intention that there shall be established a lane or driveway 10 feet in width North of the North face of the North wall of the said residence situated on said Lot 53 extending westerly from Byron Street to the Westerly limit of said Lot 53 which shall be common to the owner of that excepted parcel of Lot 53 hereinbefore described and the Grantee herein and his successors in title, and which shall be kept open and unobstructed, and TOGETHER WITH AND SUBJECT to the covenants and agreements affecting said lands as also set forth in said conveyance to Benjamin Bryan and Annie Bryan which run with the land.

Being the same lands with right-of-way as described in registered instrument number 18140, being a conveyance from Elizabeth Martha Ward to Mary L. R. Gouldburn.

REASONS FOR DESIGNATION

202 BYRON STREET NORTH

Historical

202 Byron Street North was built around 1856 by Mr. John Michael. A significant owner of the house was Mr. George Hogarth, principal of Whitby Collegiate Institute from 1900 to 1910.

Architectural

Originally a frame structure, the house was bricked over in the late 19th Century. The house displays many features from different architectural styles indicating its evolutionary development over time.