

Cultural Heritage Impact Assessment Report

407 & Garrard Road, Whitby ON

Date:

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Prepared for:

Garrard Investments Inc.

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Table of Contents

Project Personnel.....	iii
Land Acknowledgment.....	iii
Glossary of Terms and Abbreviations.....	iv
Executive Summary.....	5
1.0 Introduction.....	7
1.1 Description of the Subject Lands	8
1.2 Heritage Status.....	8
1.4 Land Use and Zoning.....	9
1.5 Terms of Reference & Guiding Documents.....	10
2.0 Policy Context.....	12
2.1 Planning Act and Provincial Policy Statement 2020.....	12
2.2 Ontario Heritage Act, R.S.O. 1990, c. O.18 (as amended).....	13
2.3 Official Plan of the Regional Municipality of Durham.....	14
2.3 Town of Whitby Official Plan.....	15
2.4 Brooklin Community Secondary Plan.....	17
3.0 Historical Context and Property History.....	19
3.1 Town of Whitby.....	19
3.3 Historical Summary of the Subject Property and Adjacent Lands.....	20
4.0 Description of Subject Lands.....	25
4.1 Description of Context.....	25
4.2 Description of Subject Lands.....	27
4.3 Description of 5515 Garrard Road	27
4.3.1 Detailed Description of Dwelling.....	29
4.3.2 Detailed Description of Barn.....	32

4.3.3 Detailed Description of Outbuilding.....	33
4.3.4 Vegetation.....	35
5.0 Cultural Heritage Evaluation.....	36
5.1 Methodology.....	36
5.2 Evaluation of 5515 Garrard Road	37
5.2.1 Design/Physical Value.....	37
5.2.2 Historical/Associative Value.....	37
5.2.3 Contextual Value.....	38
5.2.4 Cultural Heritage Landscape Evaluation.....	38
5.2.5 Table of Evaluation	39
5.3 List of Heritage Attributes.....	40
6.0 Description of Proposed Development.....	42
7.0 Impact Analysis.....	43
7.1 Introduction	43
7.3 Analysis of Impacts on Cultural Heritage Resources at 5515 Garrard Road.....	44
8.0 Alternative Development Approaches & Mitigation Recommendations.....	45
8.1 Introduction	45
8.2 Alternative Development Approaches.....	45
8.2.1 'Do Nothing' Approach.....	45
8.2.2 Develop the Subject Property without Municipal Address Only.....	45
8.2.3 Develop the Subject Lands while Incorporating the Dwelling and Barn In-Situ.....	45
8.2.4 Re-Locate the Dwelling and/or Barn.....	46
8.3 Mitigation & Conservation Recommendations	46
9.0 Conclusion and Recommendations	47
10.0 References	48

Appendix **A** – Location Map.....50

Appendix **B** – 5515 Garrard Road, Whitby (Heritage Register)..... 51

Project Personnel

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Land Acknowledgment

This report acknowledges that the subject lands are situated on the territory of the Haudenosaunee, and the Wendake, -Nionwentsio. The subject lands are associated with the Williams Treaty (1923) which was part of three separate and large parcels of land in southern and central Ontario.

Glossary of Terms and Abbreviations

CHL	<i>Cultural Heritage Landscape</i>
CHER	<i>Cultural Heritage Evaluation Report</i>
HIA	<i>Heritage Impact Assessment</i>
HCD	<i>Heritage Conservation District</i>
MHBC	<i>MacNaughton Hermsen Britton Clarkson Planning Limited</i>
MHSTCI	<i>Ministry of Heritage, Sport, Tourism and Culture Industries (now the Ministry of Multiculturalism)</i>
MM “the Ministry”	<i>Ministry of Multiculturalism</i>
OHA	<i>Ontario Heritage Act</i>
OHTK	<i>Ontario Heritage Toolkit</i>
O-REG 9/06	<i>Ontario Regulation 9/06 for determining cultural heritage significance</i>
PPS 2020	<i>Provincial Policy Statement (2020)</i>
The “Ministry”	<i>Ministry of Multiculturalism, formerly the Ministry of Heritage, Sport, Tourism and Culture Industries</i>

Executive Summary

MHBC was retained by Garrard Investments Inc. (the “Owner”) to prepare a Cultural Heritage Impact Assessment (HIA) for the subject lands which includes two individual parcels. The first parcel does not have a municipal address and is legally described as Pt Lot 18 Con 5 Township of Whitby Pt 1 40r13544 (PIN 162640138). The second parcel is located at 5515 Garrard Road, which is listed (non-designated) under Section 27 of the *Ontario Heritage Act* (See Figure 1).

This Heritage Impact Assessment is required in order to determine whether or not the proposed development of the subject lands results in adverse impacts to the property located at 5515 Garrard Road. The proposed development includes the construction of two new industrial buildings on the subject property. The proposed development includes the removal of all buildings and features located at 5515 Garrard Road.

Summary of Evaluation

The evaluation of the property at 5515 Garrard Road provided in this report demonstrates that it meets 1 of 9 criteria under *Ontario Regulation 9/06*. Both buildings are considered early for their context given that they were constructed prior to Confederation. The barn is considered a representative example of a mid. 19th century bank barn. The dwelling is considered a representative example of a dwelling constructed in the Classical Revival architectural style.

Summary of Impact Analysis

The removal of the barn and dwelling constitutes an adverse impact given that they are considered early and representative of their respective architectural styles. However, the property does not qualify for designation under Part IV of the *Ontario Heritage Act* given that the property does not meet 2 or more criteria under *Ontario Regulation 9/06*.

Summary of Recommendations

Given that the property at 5515 Garrard Road is listed on the Whitby Heritage Register, notice to Council is required for the removal of any building or structure. Given that the proposed removal of buildings and features constitutes an adverse impact, the following is recommended:

- Completion of a documentation and Salvage report for the property at 5515 Garrard Road, identifying any items which may be salvaged and re-used as opposed to being deposited as landfill; and

- Identification of any specific cultural heritage features or materials which may be utilized on-site as a commemorative feature.

1.0 Introduction

MHBC was retained by Garrard Investments Inc. (the “Owner”) to prepare a Cultural Heritage Impact Assessment (HIA) for the subject lands which includes 2 parcels. The first is legally described as Pt Lot 18 Con 5 Township of Whitby Pt 1 40r13544 (PIN 162640138). The second parcel is located at 5515 Garrard Road and is listed (non-designated) under Section 27 of the *Ontario Heritage Act*.

The purpose of this HIA is to a) evaluate the cultural heritage value of the subject lands, and b) determine whether or not the proposed development results in adverse impacts to cultural heritage resources.

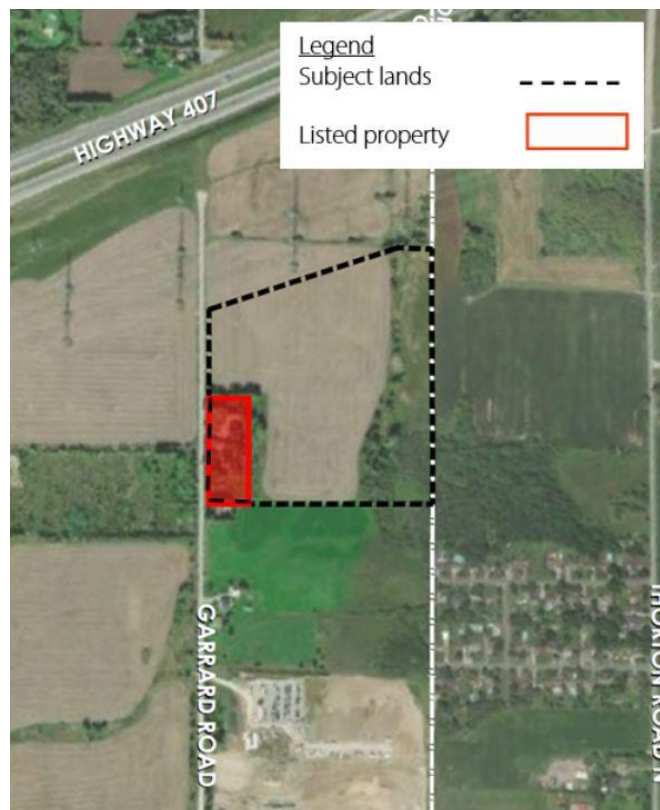


Figure 1: Aerial photograph noting the location of the subject lands (Source: MHBC, 2023).

1.1 Description of the Subject Lands

The subject lands are located east of Garrard Road, and is situated south of Highway 407 (See **Appendix A**). The subject lands are located north of residential lots containing single-detached dwellings, as well as agricultural lands. The property located on the subject lands without a municipal address is 3.0 ha in size and contains agricultural fields. No structures are located on this property. The property at 5515 Garrard Road is 1.3 hectares in size and is a residential lot with a barn, outbuilding, and single-detached dwelling.

1.2 Heritage Status

The Record of Pre-Consultation provided by Town staff dated February 25 2022 does not identify that the portion of the subject lands without municipal address is of Cultural Heritage Value or Interest to the Town. This portion of the subject lands is currently vacant. As such, a cultural heritage evaluation of this property not required. The property located at 5515 Garrard Road is listed under Part IV, Section 27 of the *Ontario Heritage Act*. An excerpt of the Town of Whitby register identifies that the “property” was constructed in 1855. The register provides the following description of the property,

5515 Garrard Road was built in circa 1855. The property features a house, barn and farm out-buildings. The red brick house is a one-and-a-half storey side gable and is rectangular in plan with a rear wing. The front façade is symmetrical with a centre door with windows on either side. The side elevations are symmetrical with two bays and two windows on each storey with shutters. There is a chimney in the gable end. The property was originally owned by Daniel Lamond who initially purchased fifty acres from Thomas Moore in 1834, and then purchased an additional twenty-five acres in 1837. In 1917, Margaret Lamond sold 75 acres to Robert J. Ellerington.



Figure 2: Photograph of the property at 5515 Garrard Road included in the Town of Whitby Property of Cultural Heritage Value or Interest summary (no date) (Source: Town of Whitby Planning, attached to Record of Pre-Consultation dated February 25 2022)

A copy of the register listing is provided in Appendix **B** of this report.

1.4 Land Use and Zoning

The subject lands are designated Prestige Industrial, General Industrial and Natural Heritage System (See Figure 3). The subject lands are located within the Brooklin Community Secondary Plan as per Schedule K of the Town of Whitby Official Plan.

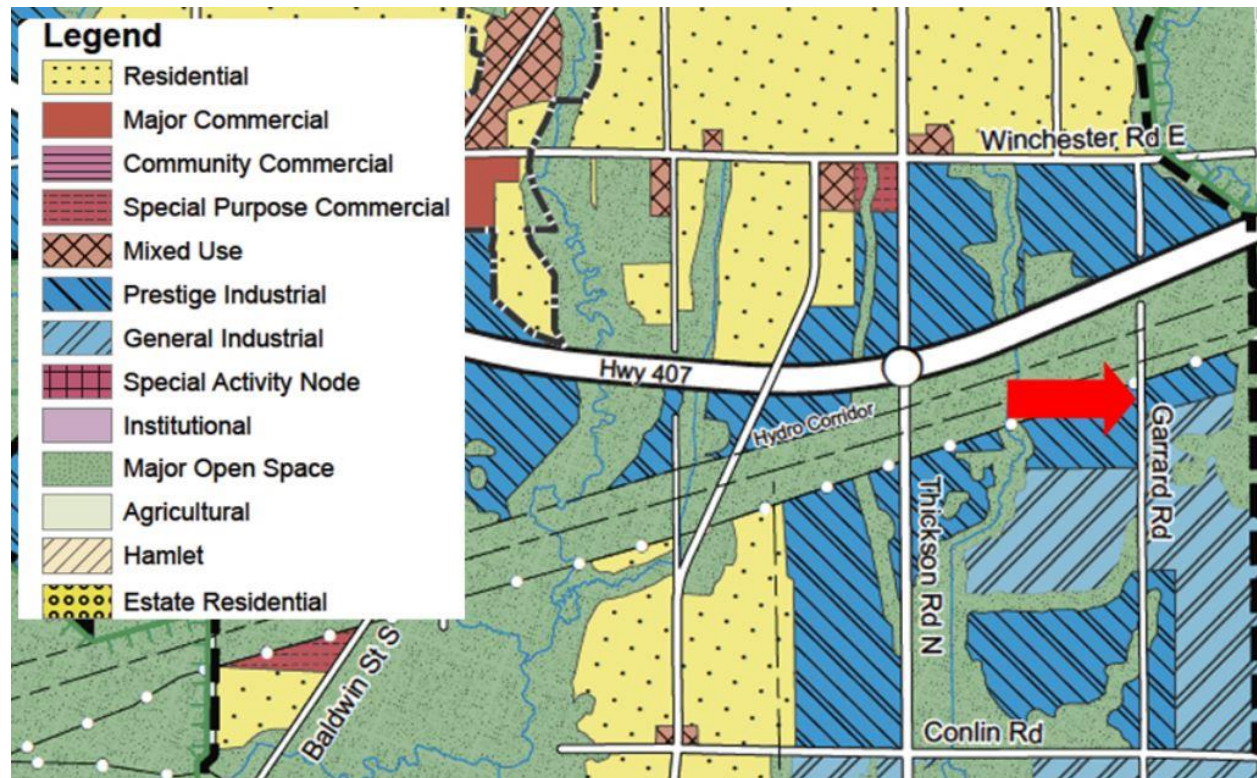


Figure 3: Excerpt of the Town of Whitby Official Plan noting land use. Approximate location of the subject lands noted with red arrow. (Source: Town of Whitby Official Plan,)

The subject lands are zoned Agricultural (A). Given that the industrial use of the property is not permitted in the Zoning By-law, a Zoning By-law Amendment is required for the proposed development.

1.5 Terms of Reference & Guiding Documents

Town of Whitby Staff indicated that a Cultural Heritage Impact Assessment was required as per the Record of pre-Consultation dated February 25 2022. The request for a Heritage Impact Assessment is as follows,

The subject property is adjacent to a property at 5515 Garrard Road, which is Listed on the Municipal Heritage Register. A scoped Cultural Heritage Impact Assessment, or other mitigation plans, may be required for the proposed development, in order to mitigate impacts on the adjacent property. To be determined in consultation with Heritage Planning staff and Development Planning staff. Please refer to the enclosed property information sheet for 5515 Garrard Road. Please also note that any future redevelopment of 5515 Garrard Road would require heritage review and potential related processes.

Note that since this time, the property at 5515 Garrard Road has been conditionally purchased by the proponent.

The preparation of this report has been guided by the *Standards and Guidelines for the Conservation of Historic Places in Canada* (Parks Canada, 2010), materials provided in the Ontario Heritage Toolkit (OHTK), provincial policy, and municipal policy.

A site visit to the subject property occurred on Tuesday March 7. At this time, all photographs were taken from the public realm or lands owned by Garrard Investments Inc. A second site visit was conducted on March 29, 2023, where access to the property at 5155 Garrard Road was granted.

2.0 Policy Context

2.1 Planning Act and Provincial Policy Statement 2020

The *Planning Act* contains a number of provisions respecting cultural heritage, either directly in Section 2 of the Act or Section 3 respecting policy statements and provincial plans. In Section 2, the *Planning Act* outlines 18 spheres of provincial interest. Regarding cultural heritage, Subsection 2(d) of the *Planning Act* provides that:

The Minister, the council of a municipality, a local board, a planning board and the Municipal Board, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as ...

(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;

The *Planning Act* provides the overall broad consideration of cultural heritage resources through the land use planning process.

In support of the provincial interest identified in Subsection 2 (d) of the *Planning Act*, and as provided for in Section 3, the Province has refined policy guidance for land use planning and development matters in the *Provincial Policy Statement, 2020* (PPS). Section 3 (5) identifies that all decisions of Council in respect of a planning matter shall be consistent with the PPS. When addressing cultural heritage planning, the PPS provides for the following:

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

The PPS defines the following terms:

Adjacent (as it relates to cultural heritage resources): means

Built Heritage Resource: means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community. Built heritage resources are located on property that may be designated under Parts IV or V of the Ontario Heritage Act, or that may be included on local, provincial, federal and/or international registers.

Conserved: means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Protected Heritage Property: means property designated under Parts IV, V or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of the Ontario Heritage Act; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.

Significant: e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act.

This report evaluates the subject lands to determine cultural heritage value or interest and overall significance.

2.2 Ontario Heritage Act, R.S.O. 1990, c. O.18 (as amended)

The *Ontario Heritage Act*, R.S.O, 1990, c.0.18 remains the guiding legislation for the conservation of significant cultural heritage resources in Ontario. The evaluation of resources contained in the HIA has been guided using the criteria provided in *Regulation 9/06* of the *Ontario Heritage Act* which outlines the mechanism for determining cultural heritage value or interest (CHVI).

2.3 Official Plan of the Regional Municipality of Durham

The subject lands are located within the boundary of the Durham Region. The subject lands are located within an area which is designated Employment Areas, as well as Major Open Space Areas (See Figure 4). The Durham Region Official Plan does not include cultural heritage policies which are related to the scope of this Heritage Impact Assessment.

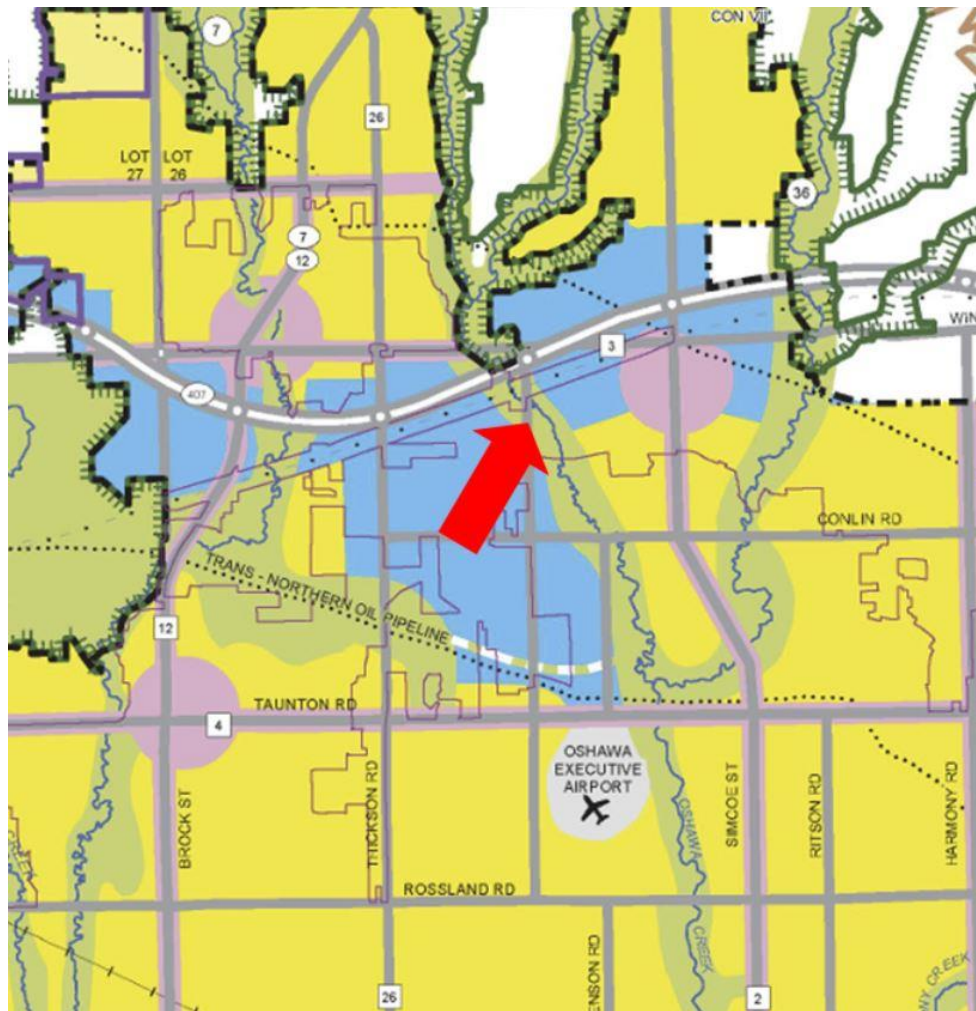


Figure 4: Excerpt of Schedule "A", Map "A4", Regional Structure. Approximate location of the subject lands noted with red arrow. (Source: Region of Durham Official Plan)

2.3 Town of Whitby Official Plan

Section 6 of the Town of Whitby Official Plan provides policies regarding community development and the management of cultural heritage resources. The goals and objectives of the Official Plan include the conservation of cultural heritage resources in accordance with the Ontario Heritage Act to contribute to community identity, sustainability, and economic vitality.

The following provides policies which are related to the scope of the proposed development and this Heritage Impact Assessment.

6.1.3 Cultural Heritage Resources

6.1.3.1 The Municipality shall protect and conserve cultural heritage resources in accordance with applicable legislation, policies, and recognized heritage protocols. In this regard, the Municipality:

a) shall maintain a publicly accessible Register of Properties of Cultural Heritage Value or Interest (Heritage Register) consisting of cultural heritage resources designated under Parts IV (individual) or V (district) of the Ontario Heritage Act and non-designated properties that have been identified by Council as having cultural heritage value or interest;

b) shall use applicable Federal, Provincial, and municipal legislation and guidelines to conserve and maintain all designated properties on the Heritage Register;

c) may designate built heritage resources and cultural heritage landscapes;

6.1.3.3 Prior to making decisions on cultural heritage matters, Council shall consult with the Municipality's heritage committee, established pursuant to the Ontario Heritage Act, to advise and assist Council on such matters.

6.1.3.4 The Municipality, in consultation with the municipal heritage committee, shall encourage the designation and retention of cultural heritage resources on the original site and that such resources be integrated into new development and redevelopment, where appropriate, through the development approval process and other appropriate mechanisms. Retention of façades alone will generally be discouraged.

6.1.3.5 Notwithstanding Section 6.1.3.4, the relocation of cultural heritage resources may be permitted provided:

- a) *it is supported by a cultural heritage impact assessment and other studies as required;*
- b) *the relocation does not conflict with any Heritage Conservation District Plans;*
- c) *a heritage property conservation plan is submitted that demonstrates that the removal and relocation of the building or structure, where applicable, will not pose any physical risk to the heritage building and/or structure, or its cultural heritage values and attributes, to the satisfaction of the Municipality; and*
- d) *a heritage easement agreement is executed, where appropriate, to address these and any other related conditions prior to removal and relocation.*

6.1.3.6 Council shall not restrict the right of the owner to alter a property designated under the Ontario Heritage Act provided the necessary permits are obtained and such alterations maintain the integrity of the heritage property's cultural heritage values and attributes and that such alterations conform to the policies of this Plan, any applicable Heritage Conservation District Plan, designating by-law, and the Zoning By-law.

6.1.3.9 The Municipality may require a cultural heritage impact assessment for the removal of a property from the Heritage Register or the demolition of part or all of a building or structure on a property identified on the Heritage Register.

6.1.3.10 The Municipality may impose, as a condition of any development approvals, the implementation of appropriate conservation, restoration, or mitigation measures to ensure the conservation of any affected cultural heritage resources.

6.1.3.11 Where cultural heritage resources cannot be retained, they shall be documented and are encouraged to be commemorated where appropriate.

6.1.3.12 The Municipality may use financial incentives programs to assist in the maintenance and conservation of cultural heritage resources for owners and/or long-term lessees of designated cultural heritage resources in Heritage Conservation Districts or properties with registered heritage easements. Such programs shall include guidelines to determine eligibility for funding and to advise on appropriate conservation techniques.

6.1.3.14 The Municipality shall develop a set of criteria for identifying cultural heritage landscapes and trees of cultural heritage value.

2.4 Brooklin Community Secondary Plan

The subject lands are located within the Brooklin Community as per Schedule K of the Town of Whitby Official Plan. The Secondary Plan indicates that the subject lands are designated “Prestige Industrial” as well as “Industrial” (See Figure 5). Section 4.7.3.2.1 of the Town of Whitby Official Plan specifies that lands are designated prestige industrial when they have prime exposure to Highways 401, 407, and 412.

Section 11.5 of the Town of Whitby Official Plan provides policies as it relates to the Brooklin Community Secondary Plan. The Secondary Plan provides policies as it relates to the conservation of heritage resources within urban centres, including downtown Brooklin. The policies of the Secondary Plan does not include policies related to the conservation of cultural heritage resources specific to the subject area and its immediate context. Instead, these lands are recognized as employment lands to provide for a diverse range of employment opportunities along Highway 407.

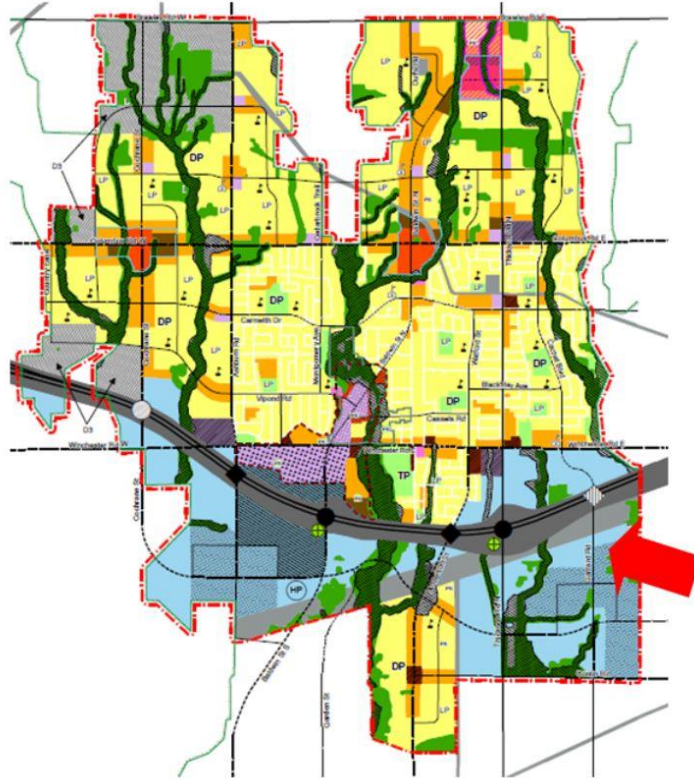


Figure 5: Excerpt of Schedule K of the Town of Whitby Official Plan, "Brooklin Community Secondary Plan". Approximate location of the subject lands noted with red arrow. Boundary of the Brooklin Secondary Plan Community outlined with red dashed line. (Source: Town of Whitby Official Plan)

3.0 Historical Context and Property History

This section of the HIA focuses on the historical development of the subject lands post European contact. This report does not include an assessment of archaeological potential as this report is primarily concerned with the impacts of the proposed development on built cultural heritage resources.

3.1 Town of Whitby

The Town of Whitby was originally known as Perry's Corners, after Peter Perry who settled in 1836. The community was later renamed Whitby after the seaside town in England. The location of Whitby, which is situated along Lake Ontario, made it a transportation hub. In the 1840s a thoroughfare was built connecting the Whitby port area to Lake Simcoe and Georgian Bay. This increased trade opportunities and efficiency, and led to increased settlement by Euro-Canadian farmers. The arrival of the Grand Trunk Railway in 1856 (Farewell, 1907) and the Port Perry Railway in 1869 and further road connections helped to establish the Town, grow industrial and manufacturing opportunities, as well as increase the resident population. In 1842, the population reached 5,714 inhabitants who were mainly of English, Irish, Scottish, Canadian, and American descent (Smith, 1846). By 1851, the population reached 6,900 and continued to grow throughout the 19th century.

Throughout the 20th Century, Whitby experienced industrial and economic growth with investment in factories, including Dunlop Canada Limited, Bathurst Containers (Whitby) Limited, Andrew Antenna Company LTD, and Lake Ontario Steel Company Limited (Winter et al., 1967). The agglomeration of factories attracted an inflow of labor and which fostered the development of residential subdivisions and community services (Winter et al., 1967). The Town of Whitby and the Township of Whitby were combined as the Town of Whitby within the Regional Municipality of Durham in 1968 (Carter, 1984).

3.3 Historical Summary of the Subject Property and Adjacent Lands

The subject lands are part of Lot 15, Concession 5. According to land registry records, all of Lot 15, Concession 5 was patented by the Crown to William Crooks in 1798. The lot was sold to Thomas Moore in 1833, and then in 1834 Thomas Moore sold 50 acres to Daniel Lamon.

Daniel Lamon is noted as the owner of part of Lot 18 on the Tremaine Map of Durham County. The map clearly indicates that a dwelling or farmstead has been constructed (See Figure 6). This is likely the existing building at 5515 Garrard Road.

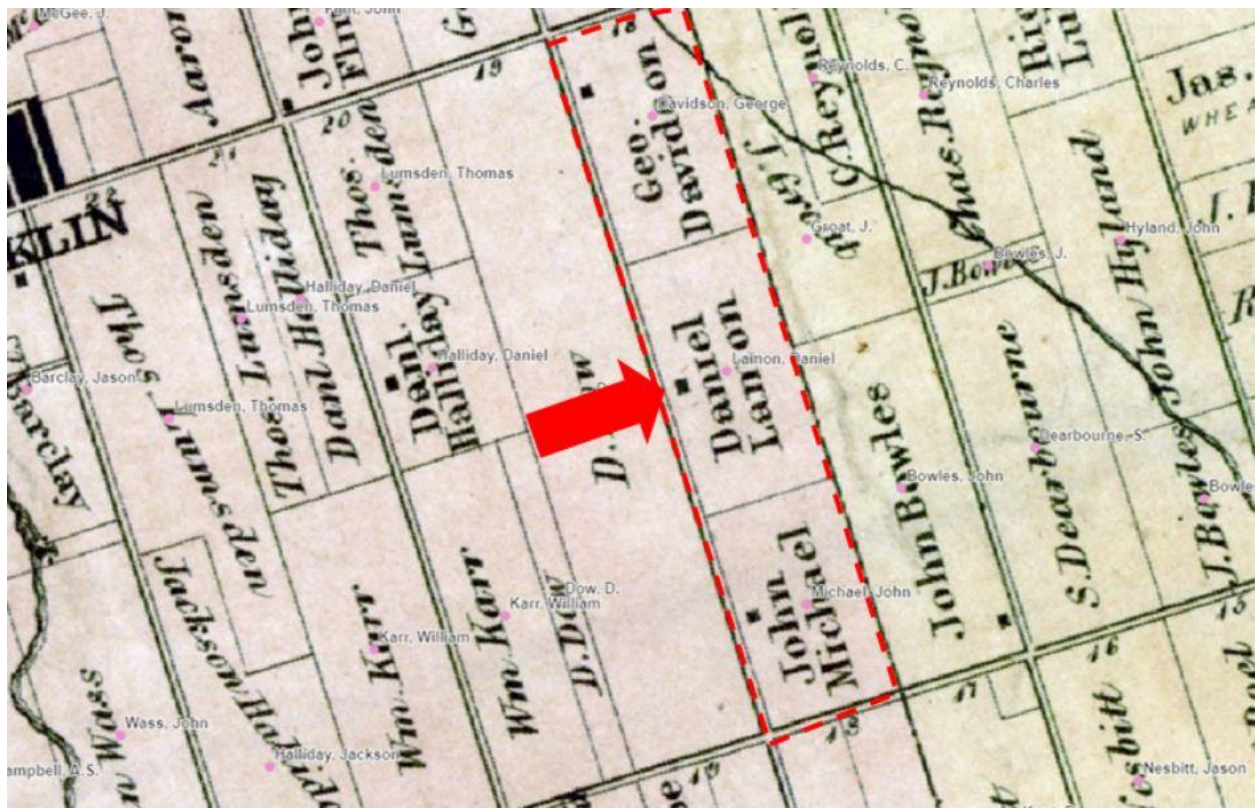


Figure 6: Excerpt of the 1861 Tremaine map of Ontario County. Location of all of lot 18, Concession 5 outlined with red dashed line. (Source: University of Toronto)

Daniel Lamon and his family are noted in the 1871 census of Whitby Township. Here, Daniel is noted as a farmer of Irish descent, born approximately 1801. He is noted as residing in the same household as his wife, Catherine (age 66), and their daughters Margaret, Katherine, and Matilda (See Figure 7).

5	5	Lamon Daniel	70	Ireland	Scotland	Irish			
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Figure 7: Excerpt of the 1871 Census records for Whitby Township noting Daniel Lamon and his family. (Source: Ancestry.ca)

Daniel Lamon is also noted on the 1877 Illustrated map of Ontario County. He is noted as residing on a 75 acre lot. The map notes the farmstead/dwelling in the same location as the Tremaine map.



Figure 8: Excerpt of the 1877 Illustrated County Map of Ontario County. Location of all of lot 18, Concession 5 outlined with red dashed line. (Source: University of Toronto)

According to the genealogical history of the Lamon family available at the Whitby Public Library, Daniel St. Lawrence Lamon was born in County Derry, Ireland in 1800. He died in Whitby Township in 1883. He married his wife Catherine in Whitby Township in 1835. His wife, Catherine (nee Ironside) was born in Scotland, 1803 and died in Whitby Township in 1876. According to an article in the Whitby Chronicle, Catherine died in her residence “near Brooklin”, likely in the house located at 5515 Garrard Road.

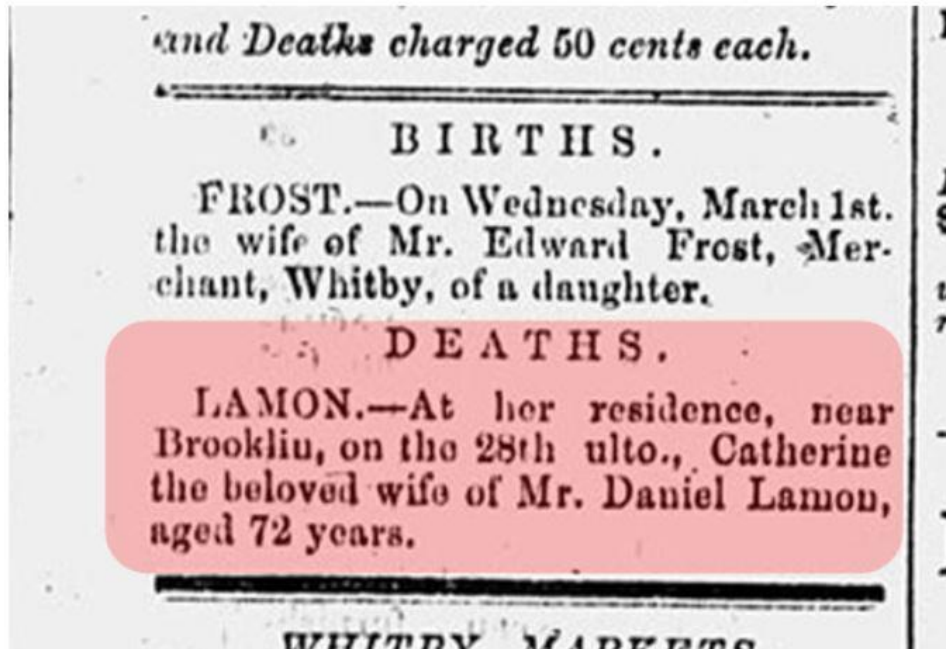


Figure 9: Excerpt of the Whitby Chronicle, December 1876. (Source: ourontario.ca, accessed 2023)

Together, Daniel and Catherine had 7 children, those being Margaret (b. 1836, d. 1935), James (b. 1838, d. 1918), William (b. 1839 d. 1842), Ellen (b. 1841), Elizabeth (b. 1845, d. 1909), Catherine (b. 1846), and Matilda (b. 1851).

Title records confirm that the property was transferred to Margaret Lamon in 1883 after the death of Daniel. According to the 1891 census of Whitby Township, Margaret Lamon was a farmer of Irish descent, residing in a 1 ½ storey brick house with servant Ella Hayward (See Figure 10).

B ¹⁴ / ₁₂ 128	Lamon Margaret	f	50	-	-	Ontario	-	Ireland		Ch of Eng	Farmer
	Hayward Ella	-	28	-	-	San England	-	England	England	The Standard	Domestic Servant
B ¹⁴ / ₁₂ 129	Galder Janet	f	74	W	-	Scotland	-	Scotland	Scotland	Presby	Farmer

Figure 10: Excerpt of the 1891 census of Whitby Township (Source: Ancestry.ca)

The property at 5515 Garrard Road was owned by members of the Lamon family for 70 years until Margaret sold all 75 acres to Robert J. Ellerington in 1904 for \$4,500.00. Robert Ellerington sold to Robert J. Michael in 1913. Robert Michael sold to Edward Long in 1923. The property was owned by the Long family until 1959. The property was sold in 1959 to John Torak and Alfred Rauchet. At this time the property included approximately 76 acres.

The 1954 aerial photo shows the location of a dwelling, as well as the existing barn and outbuilding and orientation of the fields (See Figure 11). The contemporary rear addition has not yet been constructed. The property does not include the landscaped open space with mature trees which currently exist.



Figure 11: 1954 aerial photograph of the subject property and adjacent listed property at 5515 Garrard Road (Source: University of Toronto Map and Data Library, accessed 2023)

The property at 5515 Garrard Road was severed in 1992 and became Part 1 of Plan 40r13544. The property at 5515 Garrard Road became Part 2. Therefore, the original 75 acre Lamon farmstead was separated from the surrounding agricultural fields in 1992. Members of the Torok family continue to own the property at 5515 Garrard Road.



Figure 12: Excerpt of Plan 4-r13544. Approximate location of the property at 5515 Garrard Road outlined with blue dashed line. Remaining portion of the subject lands outlined with red dashed line. (Source: Onland.ca, accessed 2023)

4.0 Description of Subject Lands

The following sub-sections of this report provide a detailed description of the subject lands and the immediate context.

4.1 Description of Context

The subject lands located within an area which includes a mix of industrial, agricultural, and residential land uses. Large industrial buildings have been constructed near the intersection of Conlin Road and Garrard Road (See Figure 13), and at the east side of Garrard Road, south of the subject lands (See Figure 14).



Figures 13 & 14: (left) View of industrial building being constructed at the south-west corner of Conlin Road and Garrard Road, (right) View of new Amazon warehouse located at 5185 Garrard Road, south of the subject lands (Source: MHBC, 2023).

The subject lands located north of three low-density single detached residences located at the east side of Garrard Road. These dwellings include 20th century bungalows and are not identified as being of cultural heritage value or interest to the Town of Whitby.



Figures 15 & 16: (left) View of 5465 Garrard Road, looking east from Garrard Road (right) View of 5365 Garrard Road and 5305 Garrard Road, looking east from Garrard Road, (Source: MHBC, 2023).



Figures 17 & 18: (left) View of Garrard Road, looking south towards Conlin Road, (right) View of Garrard Road, looking north towards agricultural fields and Highway 407 in the distance (Source: MHBC, 2023).

4.2 Description of Subject Lands

The portion of the subject lands legally described as Part Lot 18, Con 5 Township of Whitby Pt 40r13544, Town of Whitby includes agricultural fields. No buildings or structures are located on this portion of the subject lands. A portion of a naturalized/wooded area along the east property line.



Figures 19 & 20: (left) View of the subject lands, looking south towards 5515 Garrard Road, Garrard (right) View of the subject lands looking east towards a naturalized/wooded area (Source: MHBC, 2023).

4.3 Description of 5515 Garrard Road

The property at 5515 Garrard Road includes a single detached 1 ½ storey brick dwelling with contemporary additions, barn, and outbuilding. The property is accessed via a driveway located north of the dwelling. The property includes mature trees and landscaped open space.

The main portion of the dwelling (described below as Section “A”) was constructed at some point between 1834 when the property was sold to Daniel Lamon, and 1861 when evidence of the building appears on the 1861 Tremaine map of Ontario County. The dwelling includes two contemporary additions, described in this report as Sections “B” and “C”. There is evidence to suggest that the original dwelling was located east of Section “A” and has been removed to construct Section “B”. The property includes a large wood frame bank barn of 19th century construction (Building “D”), as well as a 19th century wood frame outbuilding (Building “E”).



Figure 21: 3-D aerial view of the adjacent property at 5515 Garrard Road (Source: Google EarthPro, accessed 2023).

Identifier	Date of Construction	Notes
A	Bet. 1834 and 1861	1 ½ storey brick dwelling
B	1979	Contemporary addition
C	1979/late 20 th century	Single storey garage
D	Bet. 1834 and 1861	Wood frame bank style barn
E	Bet. 1834 and 1861	Outbuilding (unknown purpose)

4.3.1 Detailed Description of Dwelling

Part “A” of the dwelling can be described as a 1 ½ storey red brick side-gabled Classical Revival dwelling. The building includes features indicative of this style of architecture, including 3-bay front façade, large rectangular shaped window openings, and a central door with transom and sidelights. The windows and entrance at the front elevation include large concrete trapezoid-shaped lintels.

The building includes wood fascia and soffits, with return eaves. Two chimneys are located at each gable end. Given the condition, colour, and quality of the chimneys, they may have been replaced at some point in the 20th century. A third chimney at the south elevation is cut into the eaves of the building and is not original to the structure.

The operational shutters as well as the dormer window addition at the front elevation are not original to the structure (See Figures 22 & 23). All original windows have been replaced. The basement windows are wood framed but are likely not original to the structure are likely from the early to mid. 20th century given the quality of the window panes and hardware.



Figure 22: View of Sections “A”, “B” and “C” of the dwelling, looking south (MHBC, 2023)



Figure 23: View of Sections “A”, “B” and “C” of the dwelling, looking west towards Garrard Road (MHBC, 2023)

The front elevation of Section “A” includes a 3-bay façade with a central entrance. The original front door as well as the original sidelights, transom, and wood framing have all been removed and replaced. The front façade includes the original concrete lintels above windows and doors. All other facades of the building include brick voussoirs. The majority of sills have been encased in aluminum. The remaining sills within Section “A” of the building are constructed of wood.



Figures 24 & 25: (left) View of the front elevation of the dwelling (Section "A"), (right) Detail view of the main entrance of the front elevation of the dwelling, (MHBC, 2023)

An inspection of the interior of the building confirmed that the building was constructed with mid. 19th century construction materials and techniques. The house is constructed with a field stone foundation (See Figure 27). The building includes two hand hewn beams with sawn floor joists which are notched into the beams (See Figure 26).

Section "B" of the building includes evidence at the interior that it has replaced an earlier structure. This earlier structure may have been an original dwelling or a summer kitchen addition to the east elevation of Section "A". This earlier structure has been removed and replaced with Section "B".



Figures 26 & 27: (left) View of hand hewn beam and sawn floor joist, (right) Detail view of the main entrance of the front elevation of the dwelling, (MHBC, 2023)

4.3.2 Detailed Description of Barn

The barn located on the property at 5515 Garrard Road can be described as a wood-frame bank barn with a concrete foundation. The raised bank and barn doors are located at the north elevation. The date of construction of the barn can not conclusively be determined with the historic records which are currently available, but was likely constructed at some point between 1834 and 1861.

The barn was constructed with materials and construction techniques typical of the mid. 19th century, including hand-hewn logs which are notched into hand-hewn structural beams. The barn includes the use of mortise and tenon joints, wood pegs, and machine-cut nails. The existing concrete foundation is likely not original to the structure. The barn was likely constructed with a fieldstone foundation, which has since been replaced with poured concrete and made to look like concrete blocks. No fieldstones were present within the foundation which would suggest that an original foundation had been parged.



Figures 28 & 29: (left) View of the south elevation of the barn, looking north (right) View of the north elevation of the barn looking south-east, (Source: MHBC, 2023).

The condition of the barn was observed as poor. The structural supports of the barn are significantly bowed to the south and is currently resting upon a pile of fill at the south elevation which has (in part) is preventing collapse (See Figures 30 & 31).



Figures 30 & 31: (left) View of the interior structural supports of the barn, looking east, (right) View of the south elevation noting the bowed foundation resting upon a pile of fill (Source: MHBC, 2023).

4.3.3 Detailed Description of Outbuilding

The 19th century outbuilding is located west of the barn, north of the dwelling. The date of construction of the outbuilding can not conclusively be determined with the historic records which are currently available, but was likely constructed at some point between 1834 and 1861.

The outbuilding was constructed with materials and construction techniques typical of the mid-19th century, including hand-hewn logs which are notched into hand-hewn structural beams. The barn includes the use of mortise and tenon joins, wood pegs, and machine-cut nails. The use of the outbuilding is unknown, but was likely ancillary to the former farming operations of the property. The outbuilding also shows evidence of 19th century replacement of some structural elements, including roof framing. The exterior of the outbuilding at the east, west, and south elevation are likely 20th century replacement boards. However, the presence of cut nails at the north elevation suggests that the exterior cladding at this location may be original.

There is no available access to the second storey of the outbuilding.



Figures 32 & 33: (left) View of the north and east elevations, looking south-west, (right) View of the south and east elevations, looking north-west (Source: MHBC, 2023).

There was observable damage to the structural elements due to termites, as well as powderpost beetle (See Figure 35).



Figures 34 & 35: (left) Detail view of interior framing, including notched logs and hand hewn beams, (right) View of the interior framing, noting terminate and/or powder post beetle evidence, (Source: MHBC, 2023).

4.3.4 Vegetation

The subject property includes linear plantings of both deciduous and coniferous trees along the west (front) and north property lines (See Figure 36). The subject property includes landscaped open space and mature trees. A comparison between the 1954 aerial photograph and oral evidence from the existing property owners, the existing trees on the property were planted after the property was purchased by the Torok family.



Figures 36 & 37: (left) View of linear plantings located along the west (front) property line, (right) View of linear plantings and landscaped open space at the interior of the lot, (Source: MHBC, 2023).

5.0 Cultural Heritage Evaluation

5.1 Methodology

The following evaluation of potential built heritage resources for this project is conducted in accordance with *Ontario Regulation 9/06* under the *Ontario Heritage Act*, as amended, and the guidelines presented in MHSTCI's *Ontario Heritage Tool Kit*.

Ontario Regulation 9/06 states the criteria for determining cultural heritage value or interest under the *OHA*. The regulation states that a property must meet two or more of the following criteria to be considered for designation under Part IV of the *Ontario Heritage Act*:

1. *The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.*
2. *The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.*
3. *The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.*
4. *The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.*
5. *The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.*
6. *The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.*
7. *The property has contextual value because it is important in defining, maintaining or supporting the character of an area.*
8. *The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.*
9. *The property has contextual value because it is a landmark. O. Reg. 569/22, s. 1.*

5.2 Evaluation of 5515 Garrard Road

The following provides a cultural heritage evaluation of the property at 5515 Garrard Road as per *Ontario Regulation 9/06*. Given that the portion of the subject lands with no municipal address is vacant agricultural land and is not identified by the Town as being of Cultural Heritage Value or Interest, it is not included in the following evaluation.

5.2.1 Design/Physical Value

The property at 5515 Garrard Road has design/physical value for the existing dwelling (Section "A") which is considered a representative example of a dwelling constructed in the Classical Revival architectural style. The dwelling was constructed prior to Confederation in 1867 and is therefore considered early. The building includes features which are typical of the Classical Revival style and is not considered rare or unique. Section "B" of the building includes evidence of an earlier structure (i.e. constructed prior to Section "A"). Given that this portion of the building has largely been removed and is now covered with a temporary addition, it does not demonstrate design/physical value.

The property is also of design/physical value for the existing barn, which is considered a representative example of a mid. 19th century bank barn. The barn is also considered early, but is not considered rare or unique. The outbuilding located on the subject property does not include features which are representative of any particular architectural style and is not of design/physical value. None of the buildings located on the subject property display evidence of either a) scientific or technological achievement, or b) a high degree of craftsmanship or artistic merit.

5.2.2 Historical/Associative Value

The property at 5515 Garrard Road does not demonstrate significant historical/associative value. Historical research has determined that the property was purchased by Daniel Lamon in 1834. Daniel Lamon and his family are noted in census records as farmers of Irish descent. The farm was transferred to his daughter Margaret in 1883. The property was owned by the Lamon family until 1904, for a period of 70 years. The property was then transferred to Robert J. Ellerington, and later was owned by Edward James Long. Both of these individuals and their families do not appear in any census or tax records for Whitby Township. The property was purchased by members of the Torok family in 1959, who currently own the property and have resided there for over 64 years.

The property includes the remains of a former farm complex which began at some point after it was purchased by the Lamon family in 1834. There is no evidence to suggest that the subject

property is directly associated with any theme, event, belief, person, activity, organization, or institution that is significant to the community. The property is not likely to yield further information that would contribute to the understanding of the community. The architect/builder of the dwelling and barn is unknown, but should be added to the historic record should that information become available in the future.

5.2.3 Contextual Value

The property at 5515 Garrard Road does not demonstrate contextual value. The property does not include any features which are important in defining, maintaining, or supporting the existing character of the area. The existing character of the area can be described as including a mix of agricultural fields, low density residential uses, and industrial uses. The character of the area has changed over time and now includes residential dwellings on relatively small lots which have been severed from the original 19th century farm lots. The area is now zoned industrial and is currently transitioning to include large-scale industrial uses. The property is not important in supporting, maintaining or defining the existing context of the area. The property is not visually, physically, functionally, or historically linked to its surroundings. The property was severed over time, and the existing lot fabric was created in 1992 when it was severed from the surrounding agricultural fields. The surrounding fields are historically a part of the original farmstead. However, this is a historical practice which is common, and does not substantially add to the Cultural Heritage Value or Interest of the property. The property and its features are not considered a landmark of the community.

5.2.4 Cultural Heritage Landscape Evaluation

The following provides an analysis of whether or not the property at 5515 Garrard Road is considered a potentially significant Cultural Heritage Landscape as per the definition under PPS (2020). Whether or not a property is considered a significant CHL is determined under the *Ontario Heritage Act* (i.e. *Ontario Regulation 9/06*).

The property is not considered a significant Cultural Heritage Landscape. This report has demonstrated that the property can be described as a former farm, which has been severed from the surrounding context which formerly included the agricultural fields and pastures to support farm operations. Since this time, the property has functioned as a residential lot within a rural context which is in transition. The surrounding lands which formerly included agricultural fields, are increasingly being developed for industrial purposes. The property at 5515 Garrard Road includes the existing barn, dwelling, and outbuilding. These buildings are in their original locations and retain their original relationships to each other. Other farm structures and elements which would have been necessary for supporting a 19th century farm have been removed. Given

the alterations to the property over time, it no longer presents an opportunity to serve as a representative and/or intact example of a mid. to late 19th century farmstead.

5.2.5 Table of Evaluation

The evaluation provided in this section of the report demonstrates that the property at 5515 Garrard Road has design/physical value under *Ontario Regulation 9/06* and meets 1 of 9 criteria. In January 2023, the *Ontario Heritage Act* was amended as a result of Bill 23 where a property may only be considered for designation under Part IV of the *Ontario Heritage Act* if it meets 2 or more criteria. Therefore, while the property includes features which are of design/physical value, they do not meet the legislated criteria to be considered for long-term conservation by way of designation under Part IV of the *Ontario Heritage Act*.

Ontario Regulation 9/06

5515 Garrard Road

Design/Physical Value	
Is a rare, unique, representative or early example of a style, type, expression, and material or construction method?	Yes. The existing dwelling is considered a representative and early example of a building constructed in the Neo-Classical architectural style. The barn is considered a representative and early example of a bank barn. The outbuilding was constructed with 19 th century construction materials and techniques, but has no style or definitive features that would suggest it has design/physical value.
Displays a high degree of craftsmanship or artistic merit.	No. The property does not demonstrate evidence of a high degree of craftsmanship or artistic merit.
Demonstrates a high degree of technical or scientific achievement.	No. The property does not demonstrate evidence of a high degree of craftsmanship or artistic merit.
Historical/Associative Value	
Has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.	No. While the property was owned by members of the Lamon family for 70 years, there is no evidence to suggest that the family was significant to the community. The property does not have direct associations with a theme, event, belief, activity, organization or institution that is significant to the community.
Yields, or has the potential to yield, information that contributes to an understanding of a community or culture.	No. The property is not likely to yield further information which would contribute to the understanding of the community or culture.
Demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.	Unknown. The builder/designer is not noted in the historic record. Should this information become available, it should be added to the historic record.
Contextual Value	
Is important in defining, maintaining or supporting the character of an area.	No. The character of the area has changed and is currently in a state of transition. The property is no longer important in

	defining, maintaining, or supporting the existing character of the area.
Is physically, functionally, visually or historically linked to its surroundings.	No. The property is not physically, functionally, visually, or historically linked to its surroundings in such a way that would add to its cultural heritage value or interest.
Is a landmark.	No. The property is not considered a landmark of the local community.

5.3 List of Heritage Attributes

The following provides a list of heritage attributes for the property at 5515 Garrard Road:

Dwelling (Section "A"):

- Double wythe 1.5 storey red brick construction with side-gabled roof and stone foundation;
- English bond masonry wall construction;
- Return eaves and overhanging cornices with wood soffit and fascia;
- Internal red brick chimneys above the roofline at the north and south ends of the dwelling;
- 3-bay façade;
- Central door opening, concrete trapezoid lintel over door at the west elevation;
- Large rectangular-shaped window openings at the west elevation with sills and trapezoid concrete lintels;
- Original window openings at the north and south elevations, complete with red brick voussoirs and sills.

**Note that the contemporary additions to the dwelling are not considered heritage attributes (Section "B" and "C"). The dormer added above the roofline at the front (west) elevation is not original and is not considered a heritage attribute.*

Bank Barn:

- Wood frame bank-style barn, including the concrete foundation;
- Mortise and tenon joint with wood peg construction, including hand hewn beams and log floor joists);
- All original window and door openings set within the foundation; and

- Bank style barn entrance at the north elevation.

6.0 Description of Proposed Development

The proposed development includes the construction of two new industrial buildings on the subject lands. The proposed development includes the removal of all buildings and features located at 5515 Garrard Road.



Figure 38: Aerial photograph noting the location of the subject lands (Source: MHBC, 2023)

7.0 Impact Analysis

7.1 Introduction

The purpose of this HIA is to assess whether or not the proposed development of the subject lands will result in impacts to cultural heritage resources located on the adjacent property at 5515 Garrard Road, which is listed on the Municipal Heritage Register. This HIA also considers alternative development options, including the incorporation of the property at 5515 Garrard Road into the development proposal. An assessment of impacts related to this potential development option is also provided.

7.2 Potential Sources of Impacts

The analysis of impacts is guided by the Heritage Toolkit of the Ministry of Heritage, Sport, Tourism and Culture Industries. Here, the Toolkit outlines potential sources of adverse impacts as follows:

- **Destruction:** of any, or part of any *significant heritage attributes* or features;
- **Alteration:** that is not sympathetic, or is incompatible, with the historic fabric and appearance;
- **Shadows:** created that alter the appearance of a *heritage attribute* or change the viability of a natural feature or plantings, such as a garden;
- **Isolation:** of a *heritage attribute* from its surrounding environment, context or a significant relationship;
- **Direct or Indirect Obstruction:** of significant views or vistas within, from, or of built and natural features;
- **A change in land use:** such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces;
- **Land disturbances:** such as a change in grade that alters soils, and drainage patterns that adversely affect an archaeological resource.

8.0 Alternative Development Approaches & Mitigation Recommendations

8.1 Introduction

The following have been identified as a range of development alternatives that may be considered as it relates to the proposed development. These options have been assessed in terms of impacts to cultural heritage resources as well as balancing other planning policies within the planning framework.

8.2 Alternative Development Approaches

8.2.1 'Do Nothing' Approach

The 'do nothing' alternative would result in no development of the subject lands. The 'do nothing' alternative would result in less adverse impacts given that the buildings and features at 5515 Garrard Road would remain.

8.2.2 Develop the Subject Property without Municipal Address Only

Alternative development options includes developing the portion of the subject with no municipal address only. This would result in leaving 5515 Garrard Road to function as a residential lot. This option would result in less adverse impacts given that the barn and dwelling at 5515 Garrard Road would not be removed. This option would limit the proposed development to the portion of the subject lands with no municipal address.

8.2.3 Develop the Subject Lands while Incorporating the Dwelling and Barn In-Situ

This option includes developing the subject lands for industrial use while retaining the barn and dwelling in-situ. This leads to difficulties in configuring a site plan given the locations of both the dwelling and barn. It is unlikely that a sizeable industrial building could be developed while leaving the buildings in-situ. This option may include removing the barn, and leaving the dwelling in-situ. This option may also result in difficulties configuring a site plan which incorporates both new industrial buildings and the existing dwelling. Further, the condition of the barn is poor and displays evidence of structural issues. It is unknown whether or not the barn could be retained due to its current structural instability.

8.2.4 Re-Locate the Dwelling and/or Barn

This option includes the re-location of the barn and/or the dwelling either on-site or off-site. The barn and/or dwelling may be considered for re-location to the south-west corner of 5515 Garrard Road (for example), allowing for the remaining portion of the subject lands to be developed. Either structure may also be considered for re-location off-site. This would require an appropriate receiving site, preferably one which is local in order to limit the distance that the buildings would need to be transported.

Either option would require pre-determination that the structures would be able to withstand the physical act of re-location. If this option is considered, a structural condition assessment would be required from a structural engineer, preferably an engineer with demonstrated experience in heritage buildings. The re-location of the barn may require dis-assembly and re-assembly due to its size and condition.

This option would result in retaining features which are considered early and representative. However, designation would still not be warranted given that this report has demonstrated that they do not meet 2 criteria under the *Ontario Heritage Act*. Should either structure be considered for re-location, a Conservation Plan is recommended.

8.3 Mitigation & Conservation Recommendations

The removal of the barn and dwelling constitutes an adverse impact given that they are considered early and representative of their respective architectural styles. Given that the proposed removal of buildings and features constitutes an adverse impact, the following is recommended:

- Completion of a documentation and Salvage report for the property at 5515 Garrard Road, identifying any items which may be salvaged and re-used as opposed to being deposited as landfill; and
- Identification of any specific cultural heritage features or materials which may be utilized on-site as a commemorative feature.

9.0 Conclusion and Recommendations

The proposed development includes the construction of industrial buildings on the subject lands. This includes the removal of all buildings and features located on the property at 5515 Road, which is listed on the Municipal Heritage Register. The evaluation of the property at 5515 Garrard Road provided in this report demonstrates that it meets 1 of 9 criteria under *Ontario Regulation 9/06*. The removal of the barn and dwelling constitutes an adverse impact given that they are considered early and representative of their respective architectural styles. However, the property does not qualify for designation under Part IV of the *Ontario Heritage Act* given that the property does not meet 2 or more criteria. Given that the property at 5515 Garrard Road is listed on the Whitby Heritage Register, notice to Council is required for the removal of any building or structure.

Given that the proposed removal of buildings and features constitutes an adverse impact, the following is recommended:

- Completion of a documentation and Salvage report for the property at 5515 Garrard Road, identifying any items which may be salvaged and re-used as opposed to being deposited as landfill; and
- Identification of any specific cultural heritage features or materials which may be utilized on-site as a commemorative feature.

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Appendix **A** – Location Map



**Figure 1:
Property Map**

Legend

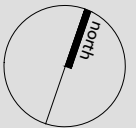
-  Subject Property
-  Listed under the Ontario Heritage Act
-  Municipal Boundary

DATE: March 3, 2023

SCALE: 1:10,000

FILE: 22322B

DRN: CCF



K:\22322B - 55 GARRARD RD, WHITBY\RP\T\PROPERTY MAP.DWG

**5515 Garrard Road
Town of Whitby**

Source:
Google Satellite Imagery

Appendix **B** – 5515 Garrard Road, Whitby (Heritage Register)

Address: 5515 Garrard Rd

Original Address:

Property Legal Description: CON 5 PT LOT 18 NOW RP 40R13544 PART 2
REG 3.36AC 623.29FR 234.81D

Historical Name:

Heritage Conservation District: N/A

Ward: North Ward 1 **Year Built:** c. 1855

Architect Style:

Heritage Status: Listed in Register

Designation By-Law:

Heritage Easement Agreement: No

Zoning:

Official Plan: Appendix D:CHRS Brooklin

Contemporary Photograph



Key Map



Cultural Heritage Values:

5515 Garrard Road was built in circa 1855. The property features a house, barn and farm out-buildings.

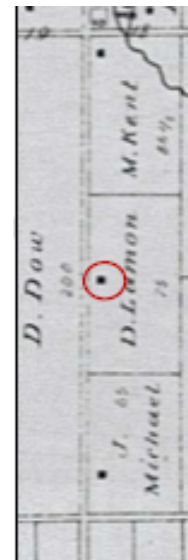
The red brick house is a one-and-a-half storey side gable and is rectangular in plan with a rear wing. The front facade is symmetrical with a centre door with windows on either side. The side elevations are symmetrical with two bays and two windows on each storey with shutters. There is a chimney in the gable end.

The property was originally owned by Daniel Lamond who initially purchased fifty acres from Thomas Moore in 1834, and then purchased an additional twenty-five acres in 1837. In 1917, Margaret Lamond sold 75 acres to Robert J. Ellerington.

Additional Photograph



Historic Map





MHBC
P L A N N I N G
U R B A N D E S I G N
& L A N D S C A P E
A R C H I T E C T U R E