



The Corporation of the Town of Whitby
Clerks Department
575 Rossland Road East
Whitby, ON
L1N 2M8

January 30, 2024

Attention: Clerk, and Members of Committee of Whole,

Re: Report PDP 42-23 Committee of the Whole Meeting November 13, 2023
Notice of Intention to Designate a Property under Part IV, Section 29, Ontario Heritage Act
780 Garden Street, Whitby

Dear Clerk and Members of Committee:

We are writing to you at the request of our client and as it relates to the captioned Staff Report which was considered by Committee on November 13, 2024.

We initially filed a letter to Committee on November 13, 2024, in advance of that meeting.

As indicated in our earlier letter our client advised Committee that they are amenable to the heritage designation of the current dwelling at 780 Garden Street, Whitby.

After Committee and Council approval of the November, Planning Staff has advised our client, that there is a 90-day period following the lapse of the appeal period, to bring the designation by-law forward unless an extension is granted by Council.

This letter is being sent on behalf of our client to request that Council provide an extension to the 90-day period.

Our client's request for an extension is related to following:

- i) The Reference Plan which will set out the legal limits to the future heritage property has not been completed. The legal plan is expected to be completed once Site Plan Approval for the adjacent townhouse development is completed and the final property limits between the two land uses are known.
- ii) Registering the Heritage Designation By-law on a larger parcel of land in the interim would create significant issues for our client as they are in the process of arranging development financing for the townhouse project. The Heritage By-law being applied to the development portion would create confusion and concerns for the financial institutions reviewing the property.

Our client would appreciate Council's co-operation and assistance in delaying the passage of the Designation By-law until such time as all land use planning approvals required the Townhouse development are in place and the new reference plan is registered.

We thank you for the opportunity to provide these comments to the Committee for their review.

Our client looks forward to working collaboratively on these matters.

Thank you.

R. Miller

Rodger Miller,

Principal