

Town of Whitby Staff Report

whitby.ca/CouncilCalendar



Report Title: Heritage Permit Application – Request for Demolition of two accessory structures and construction of a new one storey accessory structure at 25 Way Street, Designated under Part V of the Ontario Heritage Act: HP-03-25

Report to: Committee of the Whole

Date of meeting: April 7, 2025

Report Number: PDP 16-25

Department(s) Responsible:

Planning and Development Department
(Planning Services)

Submitted by:

R. Saunders, Commissioner of Planning
and Development

**Acknowledged by M. Gaskell,
Chief Administrative Officer**

For additional information, contact:

John Taylor, Director of Planning
Services, ext. 2908

Dave Johnson, Planner II – Heritage, ext.
3166

1. Recommendation:

1. That Council approve the Heritage Permit requesting demolition of two accessory structures and construction of a new one storey accessory structure at 25 Way Street (HP-03-25), as supported by the Heritage Whitby Advisory Committee, and in accordance with Section 42 of the Ontario Heritage Act.

2. Highlights:

- VSJ Architects on-behalf of the owner has submitted a Heritage Permit Application (HP-03-25) to request the demolition of two existing barn shed accessory structures and the construction of a new one storey accessory structure at 25 Way Street, which is located within the Brooklin Heritage Conservation District, designated under Part V of the Ontario Heritage Act .
- A Cultural Heritage Impact Assessment (CHIA) was submitted along with the Heritage Permit application. The CHIA recommends that the demolition of the

accessory structures be permitted and concludes that the construction of the new accessory building will not negatively impact the character of the Brooklin Heritage Conservation District.

- The Heritage Whitby Advisory Committee (HWAC) reviewed the application at the HWAC meeting on March 11, 2025, and passed a motion to support the application.

3. Background:

3.1 Site and Area Description

The subject land, municipally known as 25 Way Street, is located at the north part of the Brooklin Heritage Conservation District (HCD) between Carnwith Drive West and Baldwin Street and is approximately 2.61 ha in size (refer to Attachment #1).

Low Density residential uses are located to the east, and natural heritage system and natural hazard lands are located to the west, south and north (refer to Attachment #2).

The subject land is designated under Part V of the Ontario Heritage Act and is located within the Brooklin HCD (refer to Attachment #3).

3.2 Heritage Permit Application

A Heritage Permit Application has been submitted to request the demolition of two barn accessory structures and permit the construction of a one storey accessory structure.

Requests for Demolition of a structure require a decision of Council under the Ontario Heritage Act.

3.3 Documents Submitted in Support

The following documents were submitted in support of the application:

- A Cultural Heritage Impact Assessment, prepared by VSJ Architects (refer to Attachment #4) dated February 2025; and,
- Architectural Drawings, prepared by SIH Design.

4. Discussion:

4.1 Zoning Bylaw

The subject land is zoned Development (D) in Zoning By-law 1784 (refer to Attachment #4). Residential uses permitted include a single detached dwelling subject to compliance with associated provisions in the Zoning Bylaw.

In 2019, a Minor Variance was approved to permit an increase in the total combined lot coverage for accessory structures from 60.0 square metres to 201.0 square metres. The proposed new accessory structure meets the provisions of the approved minor variance.

4.2 Brooklin HCD

The subject land is designated under Part V of the Ontario Heritage Act and is located within the Brooklin (HCD). The goal of the Brooklin HCD Plan is to conserve and enhance the District's heritage character while encouraging compatible new development. The Brooklin HCD Plan classifies the subject property as having "Good" heritage value.

The Brooklin HCD Plan provides policies for consideration of requests for demolition and new construction, including the requirement for a CHIA and/or other supporting documentation.

4.3 Heritage Permit Application and Review Process

VSJ Architect on behalf of the owner has submitted a Heritage Permit Application (HP-03-25) as required by Section 42 of the Ontario Heritage Act, for properties designated under Part V of the Act, to request the demolition of the existing accessory structures to be replaced by a one storey accessory structure.

As part of the review process, the applicant is required to determine the structure's historical significance through a Cultural Heritage Impact Assessment.

Under Section 42 of the Ontario Heritage Act, a decision to permit the demolition of a structure on a property designated under Part V of the Act must be made by Council.

Further, where a Council has established a municipal heritage committee, the Municipality is required to consult with the municipal heritage committee before making a decision. The subject Heritage Permit Application was considered by the Heritage Whitby Advisory Committee (HWAC) at its meeting on March 11, 2025.

4.4 Evaluation of Proposed Demolition

4.4.1 Cultural Heritage Impact Assessment

Accessory Structure A & B:

The applicant's CHIA (refer to Attachment #4) provides an evaluation of the proposed demolition of two accessory structures (accessory building A & B) in accordance with the Brooklin HCD Plan policies for demolition.

According to the CHIA, accessory Building A, was constructed with material and methods that are consistent with those of the mid-twentieth century. The CHIA notes that the built form is not a good example of a gambrel design, the craftsmanship is typical for the era, and it is a utilitarian structure.

The CHIA evaluates Accessory Structure A as having no heritage value and that it is “in the twilight of its serviceable life” and thus can be demolished.

Accessory Building B, the CHIA notes, was similarly constructed with materials and methods consistent with those of the mid-twentieth century. The building design is a typical example of a shed. The CHIA also notes that similar to Building A, the craftsmanship is typical of the mid-twentieth century and is also a utilitarian structure.

The CHIA evaluates Accessory Structure B as having no heritage value and that it is a candidate for demolition.

New Accessory Structure:

The new accessory structure is a one storey shed design with an overall dimension of 78.98 square metres. The structure will be oriented to an outdoor sports activity space as a place to observe the outdoor activities and allow for indoor activities. The building is proposed to be of wood frame construction with cedar shingle siding and roof. The structure will feature large sliding glass doors and large sliding barn doors for protection when not in use.

The CHIA evaluation of the new structure was evaluated against all 27 requirements for new construction found in Section 6.3 of the Brooklin HCD. The CHIA has found that the new accessory structure complies with all applicable policies for new construction (refer to Attachment #4).

4.5 Consultation with Heritage Whitby Advisory Committee (HWAC)

The applicant attended the March 11, 2025, meeting of the Heritage Whitby Advisory Committee, with the heritage consultant giving a presentation.

At the meeting, HWAC passed the following motion (refer to Attachment #6):

“That the Heritage Whitby Advisory Committee supports the Heritage Permit Application (HP-03-25), Demolition Request of the Outbuildings for 25 Way Street, and construction of the new accessory building”.

4.6 Conclusion

The owner’s Heritage Consultant (VSJ Architects) has concluded that based on the assessment of the project against the Brooklin Heritage Conservation District Plan the demolition of accessory buildings A & B can proceed as they do not

exhibit heritage value. The CHIA further concludes that the construction of a new accessory building, the design of which is sympathetic to the existing heritage resource can proceed and will also not have any negative impact on the Heritage character of the Brooklin Heritage Conservation District.

5. Financial Considerations:

Not Applicable

6. Communication and Public Engagement:

Not Applicable

7. Input from Departments/Sources:

Not Applicable

8. Strategic Priorities:

This report is in a fully accessible format, which addresses the Town's strategic priority of accessibility.

The Heritage Permit review process has provided the opportunity for input on the proposed application, which aligns with the objectives of the Corporate Strategic Plan to provide a consistent, optimized, and positive customer service experience.

9. Attachments:

- Attachment #1 Location Sketch – 25 Way Street
- Attachment #2 Aerial Context map
- Attachment #3 Heritage Conservation District Context
- Attachment #4 Cultural Heritage Impact Assessment, prepared by VSJ Architects
- Attachment #5 Excerpt from Zoning By-Law 1784
- Attachment #6 Excerpt of Minutes of March 11, 2025, HWAC meeting