

2 Whitney Avenue (135 Glen Road) - Application to Erect a Structure in the North Rosedale Heritage Conservation District - Refusal

Date: September 18, 2025

To: City Council

From: Chief Planner and Executive Director, City Planning

Wards: University - Rosedale - Ward 11

SUMMARY

This report recommends that City Council refuse the proposal to erect a structure on and adjacent to the property at 2 Whitney Avenue under Section 42 of the Ontario Heritage Act.

The subject site is a "B-rated" property located in the North Rosedale Heritage Conservation District (HCD). The applicant is seeking retro-active approval for the retention and completion of a partially constructed masonry wall, a structure that was erected without a heritage permit. All public and private lands within the boundaries of a heritage conservation district are designated under Part V of the Ontario Heritage Act.

The proposed wall, a substantial portion of which was built prior to the owner of 2 Whitney Avenue stopping work at the City's request, does not comply with the North Rosedale HCD Plan, the Official Plan or the Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada. As such, staff recommend that this application be refused.

RECOMMENDATIONS

The Chief Planner and Executive Director, City Planning recommends that:

1. City Council refuse the proposal to construct a structure on lands subject to an encroachment agreement adjacent to 2 Whitney Avenue, a property within the North Rosedale Heritage Conservation District, in accordance with Section 42 of the Ontario Heritage Act, as outlined in the Applicants' Submission by Matthew and Michele McGrath on July 25, 2025.

FINANCIAL IMPACT

City Planning confirms there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information as presented in the Financial Impact Section.

DECISION HISTORY

On September 30, 2004, City Council adopted By-law 749-2004 to designate the North Rosedale Heritage Conservation District (NRHCD).

https://www.toronto.ca/wp-content/uploads/2018/01/9536-CityPlanning_North-Rosedale-HCD.pdf

There have been previous reports to Community Council regarding an encroachment agreement at the property of 2 Whitney Avenue which was formerly registered under the municipal address of 135 Glen Road.

On May 7, 2024, Community Council adopted the encroachment appeal with amendments: <https://secure.toronto.ca/council/agenda-item.do?item=2024.TE13.21>

In March 2025, City Council adopted motion MM28.38 and directed the General Manager, Transportation Services, to require the owners of 135 Glen Road to remove all of the encroachments they have constructed on City property.

<https://secure.toronto.ca/council/agenda-item.do?item=2025.MM28.38>

BACKGROUND

The property at 2 Whitney Avenue was formerly registered under the municipal address of 135 Glen Road. The subject property is situated on the northeast corner of the intersection of Glen Road and Whitney Avenue within the North Rosedale Heritage Conservation District (NRHCD).

2 Whitney Avenue was constructed in 1909 in the Period Revival style, with Elizabethan and Tudor influences. The existing building is clad in red brick and stone and is defined by its overall balanced asymmetry, prominent and ornately detailed chimneys, parapeted gable ends, dormers, complex roof planes, and battlement-style main entry with a Tudor-arched door opening. 2 Whitney Avenue is distinctly noteworthy for its overall quality of workmanship and design and its prominent siting at the intersection of Whitney Avenue and Glen Road overlooking Whitney Park at the centre of North Rosedale. The NRHCD Plan classifies this property as a "B-rated" property, defining it is a "landmark of significant merit" and of "citywide significance".

Permission is required under Section 42 (1) 2 of the Ontario Heritage Act to erect any building or structure on a property or permit the erection of such a building or structure within a heritage conservation district.

The applicant seeks to legalize and complete the remaining work on the wall that has been erected without a heritage permit.

Application History

On October 3, 2024, the property owner entered into an encroachment agreement with the City.

In November 2024, Heritage Planning staff were notified of the construction of a large masonry wall at the property of 2 Whitney Avenue (formerly 135 Glen Road).

In November 2024, Heritage Planning staff conducted site visits to the subject property to confirm the extent of the work. Subsequently, City staff asked the property owner of 2 Whitney Avenue to cease work and in January 2025 the owner was asked to apply for a heritage permit as staff determined that the structure, which is the subject of this report, was constructed without the required permissions. The property owner suspended work on the wall, but did not submit a heritage permit application at that time.

In March 2025, City Council directed the General Manager, Transportation Services, to require the owners of 2 Whitney Avenue to remove all encroachments constructed on City property.

On July 25, 2025, a heritage permit application was submitted by the property owner of 2 Whitney Avenue to erect a structure on City-owned lands abutting the property at 2 Whitney that seeks retro-active approval for the retention and completion of a partially constructed masonry wall, that is the subject of an encroachment agreement.

Heritage Policy Framework

Official Plan

The City of Toronto Official Plan provides the policy framework for heritage conservation in the City. The following Official Plan policies apply to heritage conservation districts and properties on the Heritage Register:

3.1.6.4: Properties on the Heritage Register will be conserved and maintained consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada, as revised from time to time and adopted by Council.

3.1.6.5: Proposed alterations, development, and/or public works on or adjacent to, a property on the Heritage Register will ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained, prior to work commencing on the property and to the satisfaction of the City.

3.1.6.33. Heritage Conservation Districts should be managed and conserved by approving only those alterations, additions, new development, demolitions, removals and public works in accordance with respective Heritage Conservation District plans.

Standards and Guidelines for the Conservation of Historic Places in Canada

The Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada (Standards and Guidelines) was adopted by City Council as the official document guiding planning, stewardship and conservation approach for all listed and designated heritage resources within the City of Toronto.

Section 4.1.4 - Spatial Organization states:

"In urban heritage districts, land use, buildings, streets and topography often define or influence spatial organization. The buildings' siting, the open spaces between them and the circulation corridors, are often identified as character-defining elements in urban heritage districts."

The Guidelines do not recommend:

- Adding a new feature that alters or obscures the spatial organization or introduces a new feature that is incompatible in size, scale or design with the spatial organization.
- Allowing the spatial organization to be altered by incompatible development.

Section 4.1.5 - Visual Relationships states:

"A viewscape can include scenes, panoramas, vistas, visual axes and sight lines. In designed landscapes, a viewscape may have been established following the rules of pictorial composition: elements are located in the foreground, middle ground and background. The visual relationships between elements of natural or designed landscapes, or heritage districts, can influence the user experience. For example, a tall building in a low-rise heritage district may be perceived as out of scale."

The Guidelines do not recommend:

- Undertaking interventions without understanding their impact on the visual relationships in the cultural landscape.
- Allowing visual relationships to be altered by incompatible development or neglect.
- Introducing new features that are incompatible in size, scale, material, style and colour.
- Introducing a new feature that alters or obscures the visual relationships in the cultural landscape.

Section 4.1.11 - Built Features states:

"A building may play a role as a character-defining element in a cultural landscape, in addition to having its own heritage value. Smaller features, such as gazebos, fences, free-standing walls... are also built features."

The Guidelines do not recommend:

- Locating a new built feature in a manner that undermines the heritage value of the cultural landscape. Introducing a new built feature... that is visually incompatible with the cultural landscape.

<http://www.historicplaces.ca/en/pages/standards-normes.aspx>

North Rosedale Heritage Conservation District Plan

Garden Suburb principles are central to the North Rosedale District Plan and the guidelines emphasize and reinforce the area's predominant heritage character that applies directly to the streetscape at and adjacent to 2 Whitney Avenue. The historical overview of the early-20th century period of development described in Section 4.3 points out that many aspects of Real Estate Agent Harton Walker's North Rosedale Park subdivision, especially the curvilinear street layout, demonstrate the suburban planning ideas of prominent landscape architect Frederick Law Olmstead, with the inner roads of the community made as scenic as possible with curved lines, open spaces and a sense of "happy tranquility".

The guidelines within the NRHCD Plan are based on Heritage Character Statements found in Section 5 that define and describe the subtle qualities of the area and its buildings) and identify the constituent elements that combine to create a sense of place. These descriptions, says the Plan, serve to guide new development to understand and complement existing character.

Reinforcing the essential relationship between houses and landscape in the area's design, the Plan provides two heritage character statements, one for architecture and the other for streetscapes. It is the streetscape heritage character that guides the introduction of new landscapes, and new structures within the landscape, because it is the streetscape character that "defines the qualities of a neighbourhood's sense of place taken from the pedestrian scale and as one would experience it walking down the street."

In Section 5.2, streetscape is defined as the architectural and landscape character of the immediate streets, and defines the qualities of elements such as landform, landscape and tree canopy, building form, proportion and scale, separation, setbacks and materiality. The Plan identifies three distinct sub-districts (zones) of development that each exhibit their own development patterns, architectural heritage and streetscape character.

2 Whitney Avenue is in the zone called 'The Ravine Lands', which comprises lands within the first area of North Rosedale's development. This zone's relationship to the ravines is central to its sense of place, with steep slopes and dense vegetation described as a key characteristic of the local terrain. The ravine edge topography, Olmsted (curvilinear) subdivision pattern with larger than average lot sizes, dwelling height and scale of "grander than average scale", larger than average but varied front, side and rear dwelling setbacks, front yards characterized large trees and a leafy canopy and varied architecture that features "quality stonework and brick masonry, with robust and simple classicized detailing" with a balance of asymmetrical and classical forms.

The District Design Guidelines found in Section 7 were established for managing property alteration and development in the Heritage Conservation District with "a view to the preservation of the existing architectural character of the District and its streetscape as defined in the Heritage Character and Streetscape Character Statements". The intent of these guidelines is to ensure that "alteration and development in the District enhances and sustains its unique character, as defined in the Heritage Character Statement of the plan.

COMMENTS

Rosedale was first developed in the mid-late 19th and early-20th century with the principles of the picturesque Garden Suburb and the City Beautiful movements influencing and shaping the cultural heritage landscapes that exist today. The park-like design of Garden Suburbs is rooted in the idea that there should be a harmonious relationship between the built environment and natural landscape. The designs of both North and South Rosedale feature the composition of individual properties situated within generous, open landscaped lots, and the resulting streetscape character that this design creates prioritizes connected, open spaces and sightlines. Whether traditional or contemporary in design, most of the private landscapes found in Rosedale are either completely open to the street or only partially screened from it, contributing to the serenity and park-like quality of the neighbourhood.

Heritage Planning staff have reviewed the proposal to erect a structure on the designated heritage property on and adjacent to 2 Whitney Avenue. The applicant wishes to keep the already constructed portions of the wall and to complete them as depicted in the application drawings (Attachment 2), including a 2.2 metre wall on city land along Whitney Avenue and Glen Road that abuts the property line of 2 Whitney Avenue. According to the submission package, the applicant proposes to construct a wall of varying heights, 2.2 metres high at its highest point, that will span from one neighbouring property line at 159 Roxborough Drive to the other neighbouring property line at 6 Whitney Avenue.

The applicant notes in their submission, "As a corner lot, we face unique challenges. The Whitney Avenue side provides an open view of our home's front, as does the Glen Road side. The slightly higher wall section at the corner of Whitney and Glen addresses the privacy and security needs that all corner lot owners face, while still maintaining appropriate scale and heritage character". However, Heritage Planning's staff are of the opinion that the wall structure requested through this permit application, in its current form, is not of an appropriate scale, does not accord with the Standards and Guidelines for the Conservation of Historic Places in Canada and is not in keeping with the design and heritage character of the North Rosedale Heritage Conservation District or the intent of the District guidelines.

With respect to privacy and security, staff are also of the opinion that an intrusive 2.2 metre wall wrapping the corner is not the only way for the owner's concerns to be accommodated. As an alternative, staff would suggest that the applicant explore a decorative, but impenetrable wrought iron fence at a similar height for example, combined with natural landscape screening on the owner's property that would provide an appropriate and secure alternative.

The Parks Canada Standards and Guidelines highlight the importance of visual relationships and how they influence the user and viewer experience in urban heritage districts such as Rosedale. A building may play a role as a character-defining element in a cultural landscape, in addition to having its own heritage value. Smaller features, such as... free-standing walls... are also built features. Further, in urban heritage districts, land use, buildings, streets and topography often define or influence spatial organization. The buildings' siting, the open spaces between them and the circulation corridors, are often identified as character-defining elements in urban heritage districts.

Parks Canada Standards and Guidelines discourage adding a new feature that alters or obscures the spatial organization or introducing a new feature that is incompatible in size, scale or design with the spatial organization, locating a new built feature in a manner that undermines the heritage value of the cultural landscape, introducing a new feature that alters or obscures the visual relationships in the cultural landscape or is visually incompatible with it.

In the plans submitted as part of the permit application, the proposed (and currently built) wall is made of solid masonry rising to 2.2 metres (just over 7') as it turns the corner. The corner portion of the wall is bracketed by ornamental brick pillars that project to a height of just over 2.7 metres (approximately 8'9"). Staff are of the opinion that the wall structure in the proposed final design creates a physical and visual barrier that reduces and disrupts the connections between the built environment and the open landscapes and has an unacceptable impact on the park-like setting central to the NRHCD Plan. In addition, the portion of the wall that wraps around the corner severs and blocks the prominent view of the B-rated landmark building from the public realm.

2 Whitney Avenue is a prominently located landmark that demonstrates strong visual connections and views from and within the public realm. The proposed masonry wall blocks and limits the designed view of the property and staff are of the opinion that the proposal undermines and conflicts with the cultural heritage landscape in the North

Rosedale Heritage Conservation District. As a result, the proposal is not supportable in the context of the North Rosedale Heritage Conservation District Plan and does not represent recommended conservation practice with respect to historic urban landscapes as articulated in the Parks Canada's Standards and Guidelines.

CONCLUSION

Heritage Planning staff are of the opinion that the proposal, in its current form, to erect a structure on Part V designated heritage property, the majority of which is owned by the City of Toronto adjacent to 2 Whitney Avenue, is inconsistent with Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada, the North Rosedale HCD Plan and the Official Plan. As such, it is recommended that permission under Section 42 of the Ontario Heritage Act be refused.

CONTACT

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SIGNATURE

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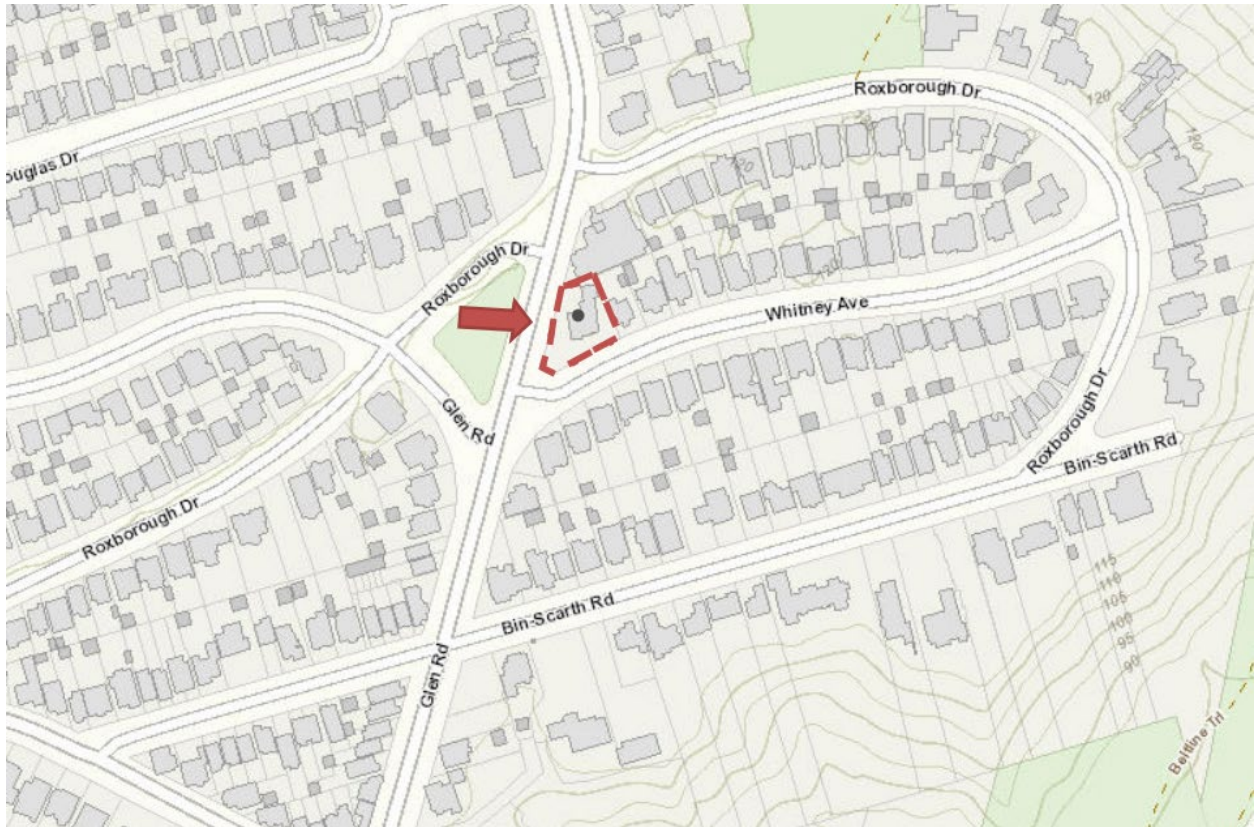
ATTACHMENTS

Attachment 1 - Location Map
Attachment 2 - Photographs
Attachment 3 - Plans

LOCATION MAP

ATTACHMENT 1

2 Whitney Avenue



Map showing the subject property's location outlined in red at 2 Whitney Avenue on the north side of Whitney Avenue and east of Glen Road. This location map is for information purposes only; the exact boundaries of the property are not shown (City of Toronto Mapping).

2 Whitney Avenue



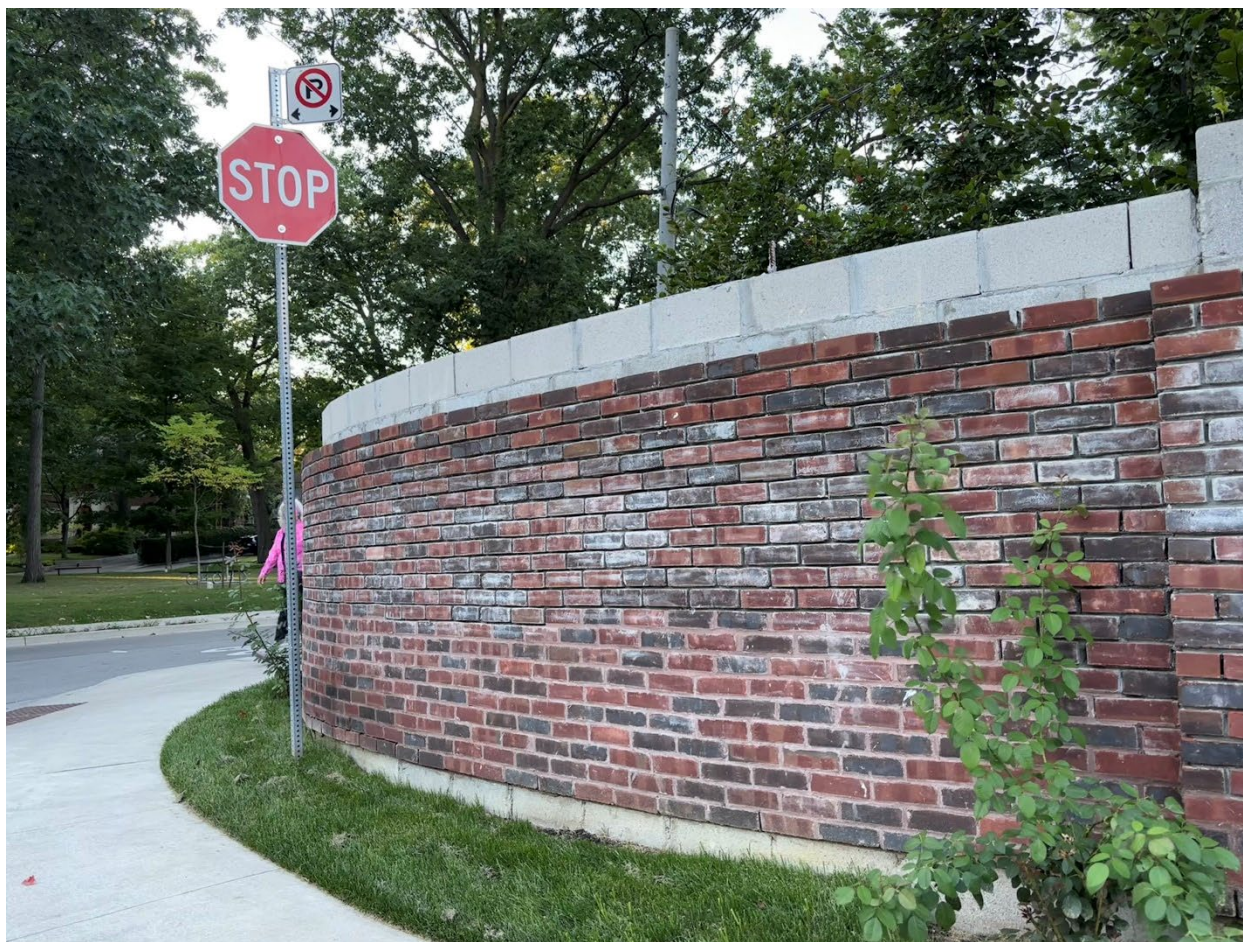
View of wall structure requested in the permit application looking east toward 2 Whitney Avenue from Glen Road (City of Toronto, August 2025)



Contextual view of wall structure requested in the permit application looking northeast towards 2 Whitney Avenue from the corner of Glen Road and Whitney Avenue (City of Toronto, August 2025)



Detailed view of wall structure requested in the permit application looking northeast towards 2 Whitney Avenue from corner of Glen Road and Whitney Avenue (City of Toronto, August 2025)



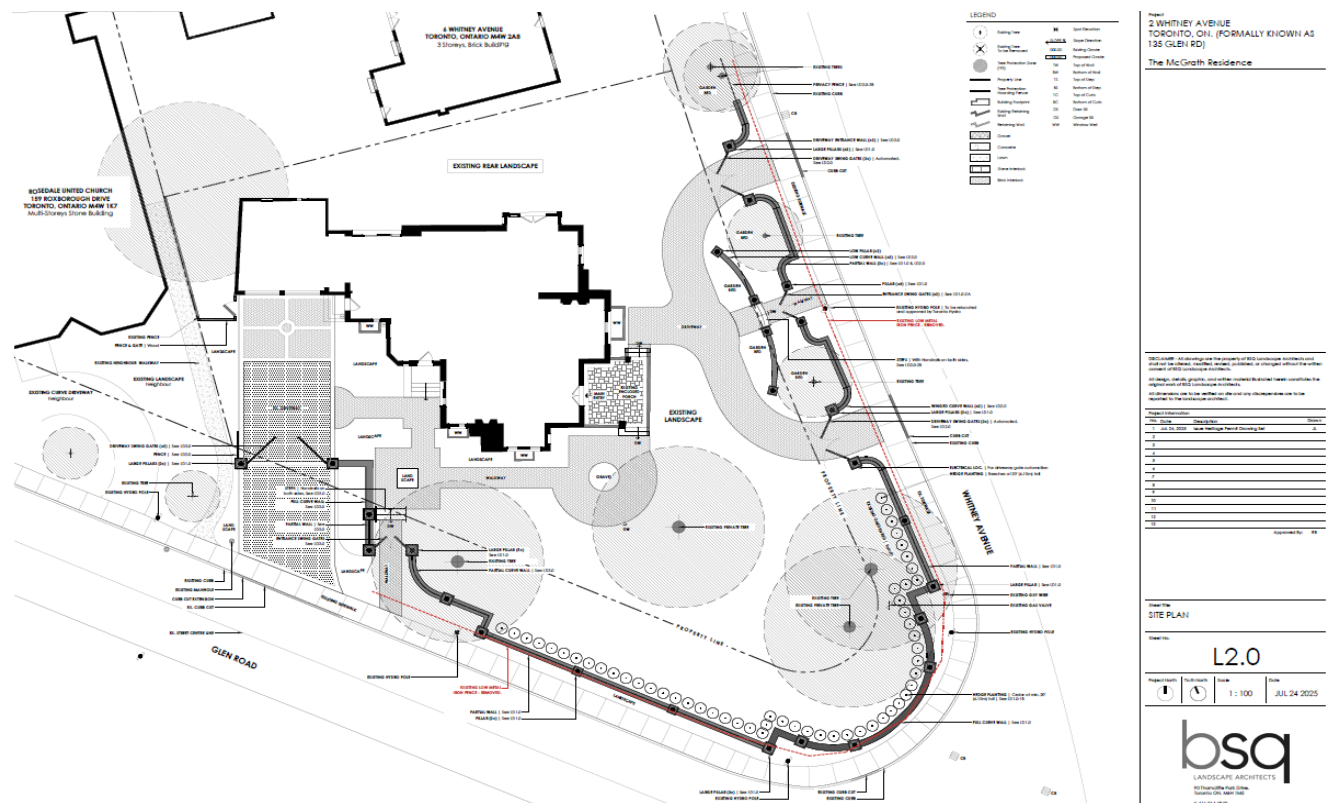
Detailed view of wall structure requested in the permit application looking west towards Glen Road from corner of Glen Road and Whitney Avenue (City of Toronto, August 2025)



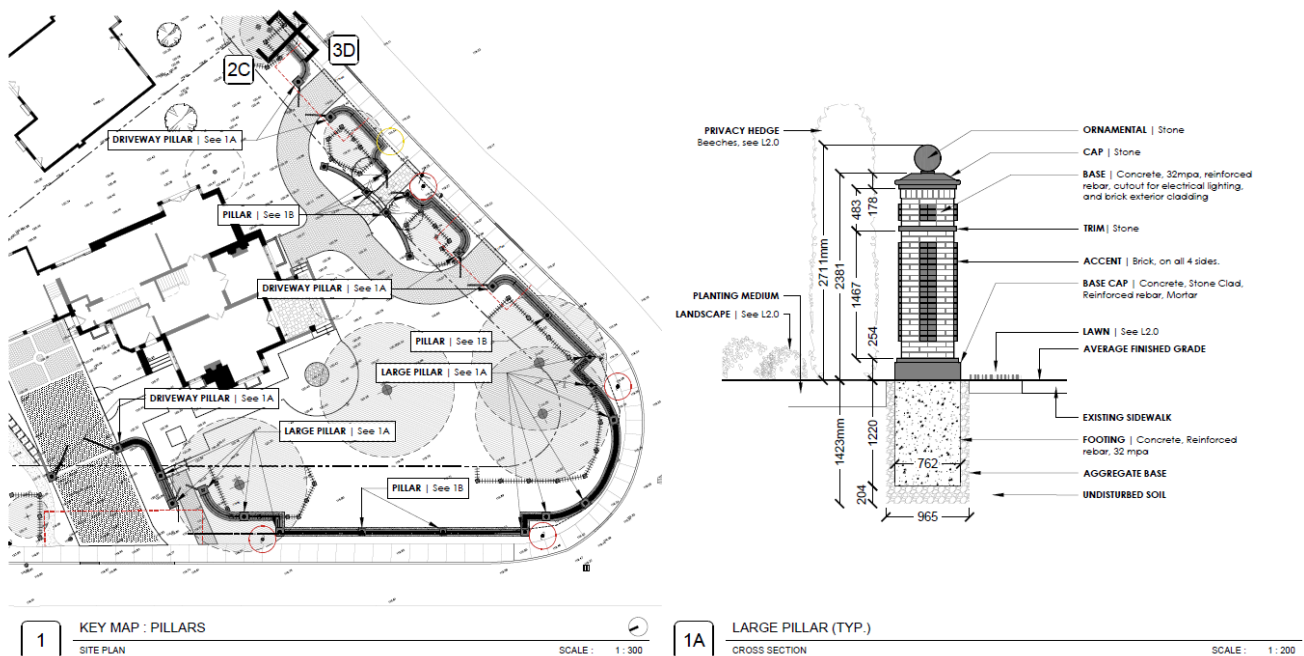
Contextual view of wall structure requested in the permit application looking south towards 2 Whitney Avenue from Whitney Avenue (City of Toronto, August 2025)

2 Whitney Avenue

ATTACHMENT 3

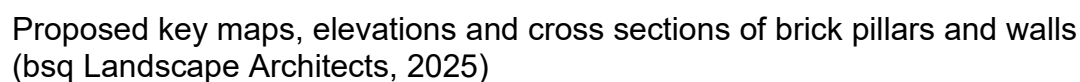
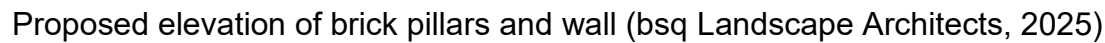


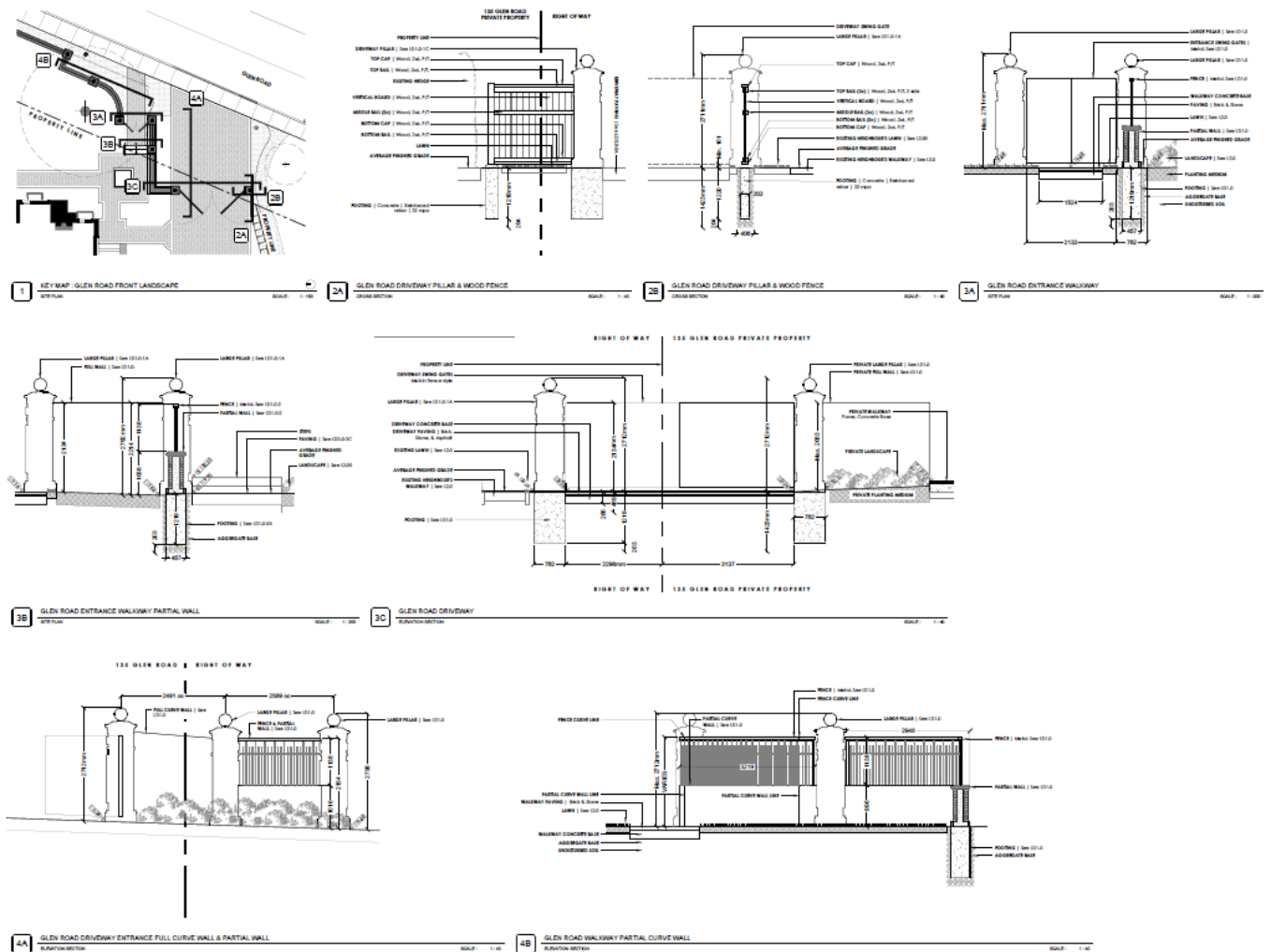
Proposed Site Plan (bsq Landscape Architects, 2025)



Proposed Key Map and Pillar Cross Section (bsq Landscape Architects, 2025)

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Proposed key maps, elevations and cross sections of brick pillars and walls
(bsq Landscape Architects, 2025)