

2 Whitney Avenue - Application to Erect a Structure in the North Rosedale Heritage Conservation District

Date: July 13, 2026

To: City Council

From: Chief Planner and Executive Director, City Planning

Wards: University - Rosedale - Ward 11

SUMMARY

This report recommends that City Council approve 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 majority of the property under consideration is owned by the City of Toronto

The subject site is a "B-rated" property located in the North Rosedale Heritage Conservation District (HCD). The applicant is seeking 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 applicant's proposal has been revised from the original design (which was previously refused) and staff are of the opinion that the new application complies with the North Rosedale District Plan, the Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada and the Official Plan. As such, staff recommend that this application be approved, subject to conditions.

RECOMMENDATIONS

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

1. City Council approve 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 dated June 23, 2026, and received by Heritage Planning on July 2, 2026.

2. City Council direct that its consent to the application to construct a structure on lands subject to an encroachment agreement adjacent to 2 Whitney Avenue, in accordance with Section 42 of the Ontario Heritage Act is also subject to the following conditions:

- a. The owners of 2 Whitney Avenue secure all permits required for the construction of the proposed structure from all relevant City Divisions including, but not limited to, the General Manager, Transportation Services and Chief Building Official and Executive Director, Toronto Building.
- b. The approved works will be completed within 12 months of the issuance of all necessary City permits, with written notice provided to that effect to the Senior Manager, Heritage Planning and the General Manager, Transportation Services within five days of completion.

FINANCIAL IMPACT

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). The NRHCD may be found here:

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

On October 8 and 9, 2025, City Council refused a proposal to construct a structure on lands subject to the encroachment agreement, in accordance with Section 42 of the Ontario Heritage Act, as outlined in the Applicants' Submission dated July 25, 2025. City Council's decision may be found here: <https://secure.toronto.ca/council/agenda-item.do?item=2025.CC33.22>.

Encroachment Agreement

On May 7, 2024, Toronto and East York Community Council adopted, with amendments, authorizing the General Manager, Transportation Services to negotiate an enter into an encroachment agreement with the owners of 135 Glen Road (2 Whitney Avenue). Toronto and East York Community Council Decision may be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2024.TE13.21>

On March 26 and 27, 2025, City Council adopted motion MM28.38 directing 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. City Council's decision

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

On November 12 and 13, 2025, directed that the City agree with the Applicants that it will not require the removal of encroachments on the City's right-of-way adjacent to 2 Whitney Avenue (135 Glen Road), pending the outcome of a Court Application brought by the Applicants against the City, and any appeals thereof. City Council's decision may be found here: <https://secure.toronto.ca/council/agenda-item.do?item=2025.CC34.2>

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 complete the remaining work on the wall structure as depicted in the application drawings submitted on July 2, 2026 (dated June 23, 2026) and which was begun prior to receiving a heritage permit.

Background

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 subject wall structure was constructed

without the required heritage 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 seeking approval for the retention and completion of a partially constructed masonry wall on City lands subject to an encroachment agreement.

On October 8 and 9, 2025, City Council adopted motion CC33.22 to refuse the proposal to construct a structure on lands subject to an encroachment agreement adjacent to 2 Whitney Avenue.

On July 2, 2026, a heritage permit application dated June 23, 2026 was submitted by the property owner of 2 Whitney Avenue (received by Heritage Planning on July 2, 2026) to erect a structure on City-owned lands abutting the property at 2 Whitney with a revised design for the retention and completion of the partially constructed masonry wall.

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 NRHCD, 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 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 District 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 District Plan highlights the distinct features that define this area including:

- The ravine edge topography
- Olmsted inspired (curvilinear) subdivision pattern with larger than average lot sizes
- Dwelling height and "grander than average scale" residences
- Larger than average but varied front, side and rear dwelling setbacks
- Front yards characterized by 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 heritage permit application dated June 23, 2026, and received July 2, 2026, to erect a structure on and adjacent to the heritage property at 2 Whitney Avenue. The applicant proposes to cap the height of the masonry wall that fronts onto Whitney Avenue and Glen Road at 1.2 metres above grade. This portion of the wall will be surmounted by a decorative metal fencing, between the existing masonry columns, bringing each wall section to a total maximum height of 2.2 metres from starting grade but with visual transparency maintained through the upper section.

The portions of the wall from the driveway entrance along Glen Road, around the corner and along Whitney Avenue, will follow this established pattern of low masonry wall surmounted by decorative iron fencing, maintaining a consistent height despite a change in topography. At the northern end of the wall on Glen Road, a small section will return and curve inward along the driveway. This section is proposed to be a 1.8-metre-high masonry wall to act as a privacy screen. It will also connect to the existing masonry columns and match the overall 2.2 metre height of the entire wall structure with its decorative metal fencing.

The wall is bisected by walkway and driveway entrances along Glen Road and Whitney Avenue. These breaks will feature decorative metal work of varying heights to a maximum of 2.2 metres, matching the overall height of the wall structure that spans the perimeter of the property. A 2.2 metres wooden fence is proposed along the north side of the property, connecting an existing masonry column with hedges that separate the subject property from the neighbouring property at 159 Roxborough Drive.

The decorative metal fencing introduces a picket design with a maximum picket width of 5.0 centimetres, with the space between the pickets being at least 1.5 times the width of the pickets to provide permeability. This design applies uniformly to all the decorative metal fencing proposed for the wall structure, which will provide the physical separation desired by homeowner while maintaining spatial and visual relationships and connections with other properties and the streetscape. In addition, the applicant is proposing a simplified flat pillar top for the taller masonry columns.

2 Whitney Avenue is a prominent local landmark that demonstrates strong visual connections and views from and within the public realm. Heritage Planning staff are of the opinion that the current proposal, with its reduced masonry wall heights (from the previous proposal) and the introduction of a transparent decorative metal railing, creates a structure that maintains visual permeability and connections to the B-rated landmark building when viewed from the public realm. Therefore, staff are of the opinion that July 2, 2026 heritage permit application is an acceptable addition to the existing cultural heritage landscape in the North Rosedale Heritage Conservation District and is supportable in the context of the North Rosedale District Plan and recognized principles of appropriate conservation practice.

CONCLUSION

Heritage Planning staff are of the opinion that the July 2, 2026 heritage permit application (dated June 23, 2026), 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 consistent with Parks Canada's Standards and Guidelines for the Conservation of Historic Places in Canada, the North Rosedale District Plan and the Official Plan. As such, it is recommended that permission under Section 42 of the Ontario Heritage Act be granted.

CONTACT

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SIGNATURE

Jason Thorne
Chief Planner and Executive Director
City Planning

ATTACHMENTS

Attachment 1 - Location Map

Attachment 2 - Photographs

Attachment 3 - Plans

LOCATION MAP

ATTACHMENT 1

2 Whitney Avenue

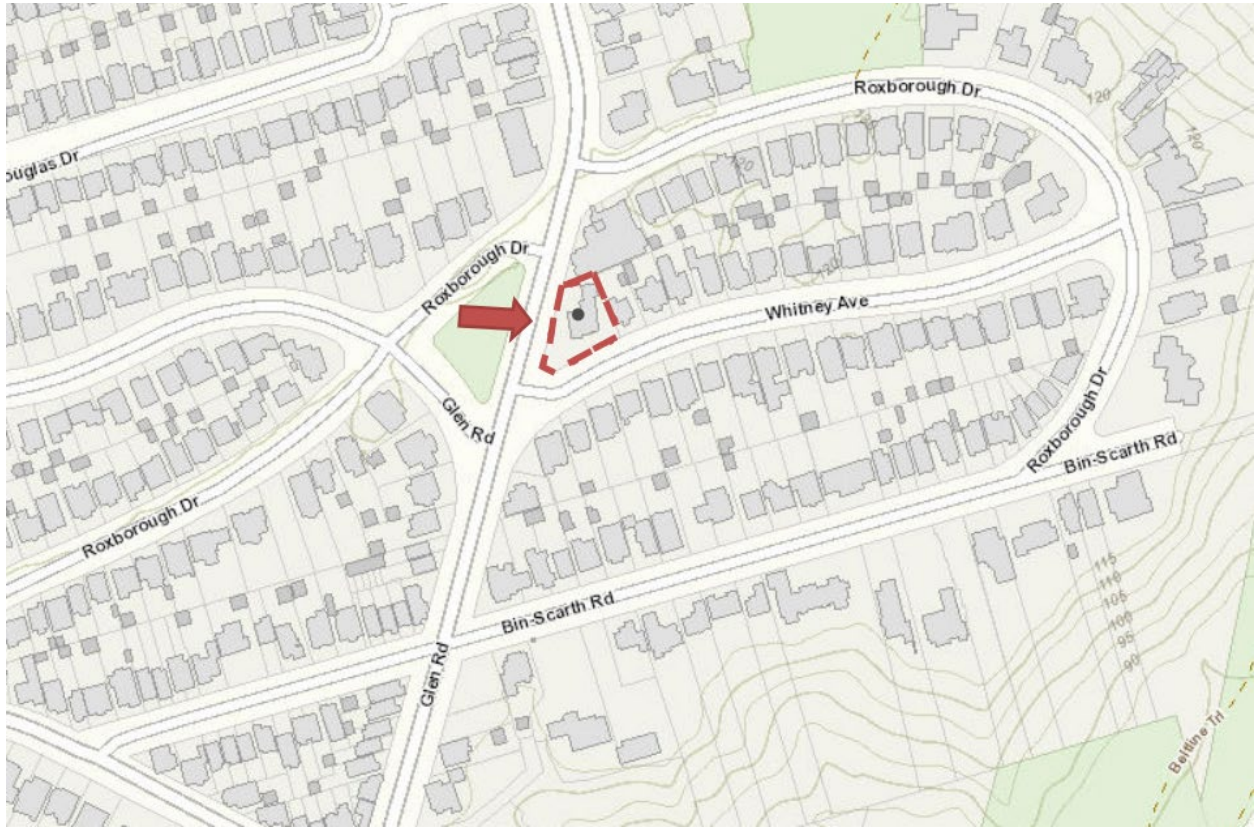


Figure 1: Map showing the subject property's location outlined in red at 2 Whitney Avenue on the north side of Whitney Avenue and east of Glen Road. This location map is for information purposes only; the exact boundaries of the property are not shown (City of Toronto Mapping).

2 Whitney Avenue



Figure 1: View of existing wall structure looking southeast toward 2 Whitney Avenue from Glen Road (City of Toronto, August 2025).



Figure 2: View of existing wall structure looking east toward 2 Whitney Avenue from Glen Road (City of Toronto, August 2025).



Figure 3: View of existing wall structure looking northeast towards 2 Whitney Avenue from the corner of Glen Road and Whitney Avenue (City of Toronto, August 2025).



Figure 4: Detailed view of existing wall structure looking northeast towards 2 Whitney Avenue from corner of Glen Road and Whitney Avenue (City of Toronto, August 2025).



Figure 5: Detailed view of existing wall structure looking west towards Glen Road from corner of Glen Road and Whitney Avenue (City of Toronto, August 2025).



Figure 6: View of existing wall structure looking south towards 2 Whitney Avenue from Whitney Avenue (City of Toronto, August 2025).

ATTACHMENT 3

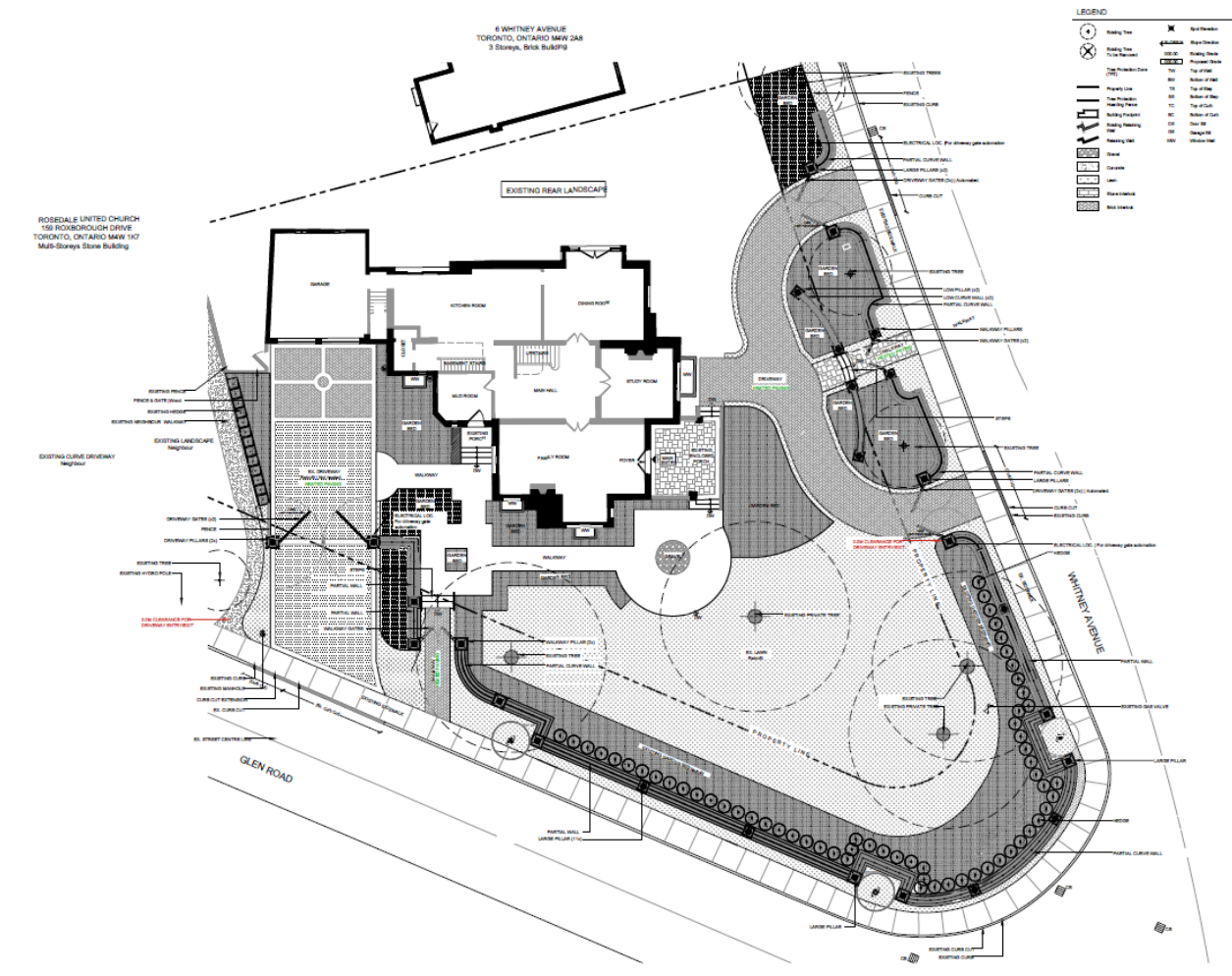
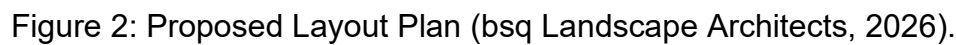


Figure 1: Proposed Site Plan (bsq Landscape Architects, 2026).



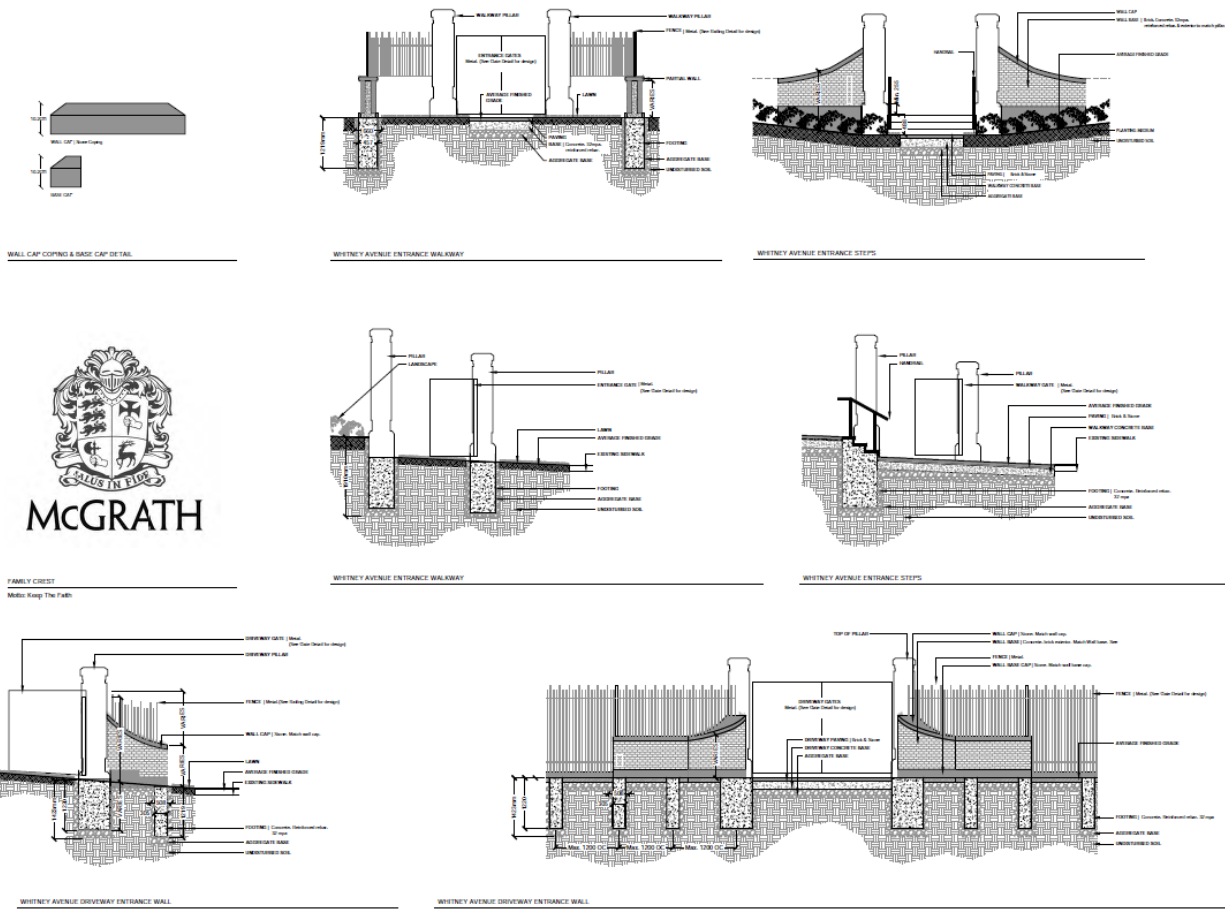


Figure 4: Proposed landscape details, elevations and cross sections (bsq Landscape Architects, 2026).

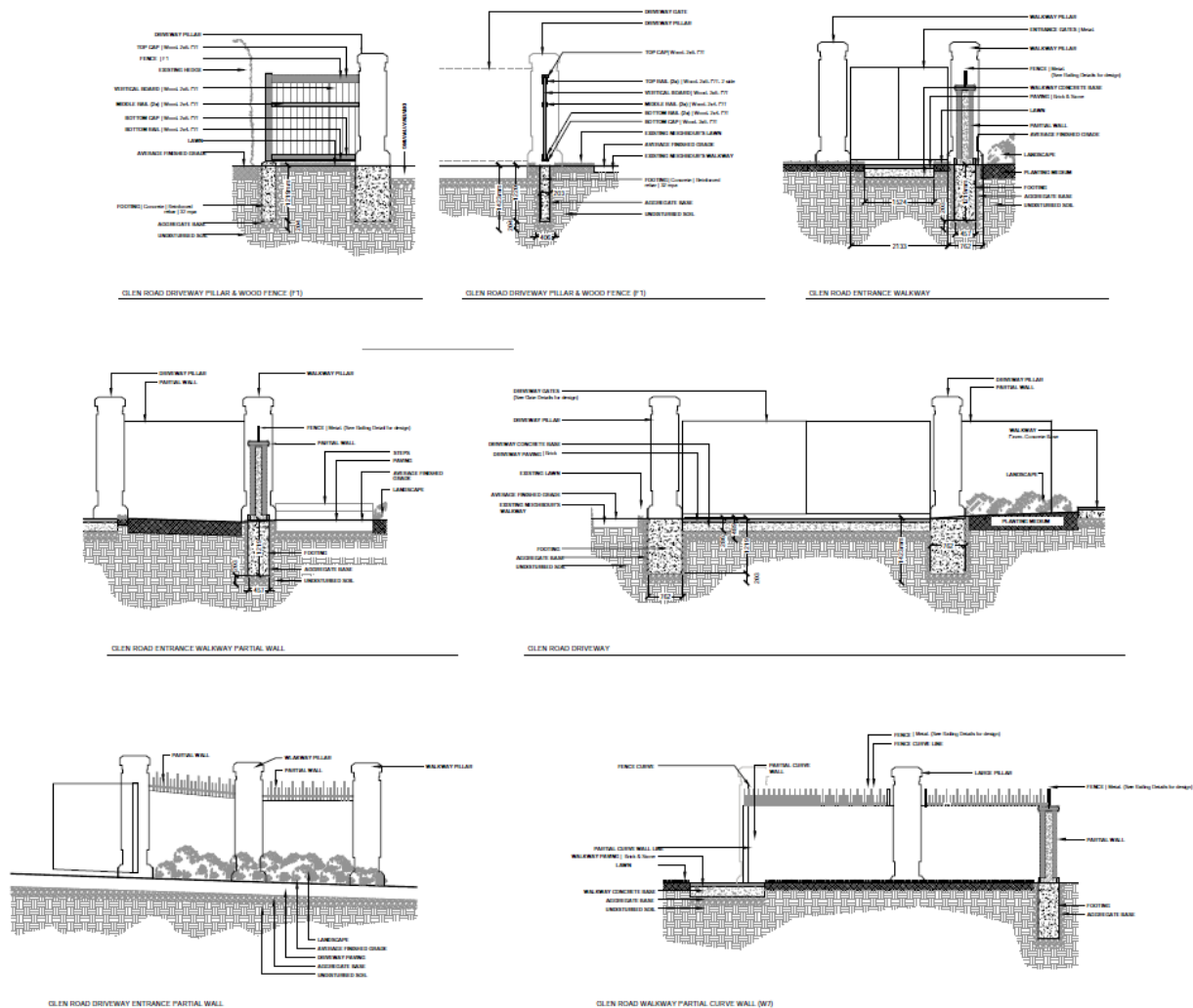


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