

UNFINISHED BUSINESS

Consent Application (in conjunction with Minor Variance Applications)

- | | |
|-------------------|--|
| D10-B04-18 | ESHOO, Givargis
Plan 113, Part Lot 3
951 Srigley Street |
| D13-A23-18 | ESHOO, Givargis
Plan 113, Part Lot 3 (Proposed Severed Lot)
0 Srigley Street |
| D13-A24-18 | ESHOO, Givargis
Plan 113, Part Lot 3 (Proposed Retained Lot)
951 Srigley Street |

NEW BUSINESS

- Minutes of the regular Meeting of the Committee held on Wednesday, November 14, 2018



PLANNING AND BUILDING SERVICES

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Planning Report

To: Committee of Adjustment

From: Ted Horton
Planner

Date: December 6, 2018

Re: Applications for Minor Variance **D13-A23-18 & D13-A24-18**
Application for Consent **D10-B04-18**
Part Lot 3, Plan 113
951 Srigley Street
Made by: ESCHOO, Givargis

1. Recommendations

That Consent Application D10-B04-18 and Minor Variance Applications **D13-A23-18 & D13-A24-18** be deferred until Newmarket Council has determined whether or not to designate the existing structure under the *Ontario Heritage Act*.

2. Background

This report follows Planning Report to the Committee of Adjustment on the same applications dated October 19, 2018 (report attached). At its meeting on October 24, 2018, Committee adopted the following motion:

THAT Consent Application D10-B04-18 and Minor Variance Applications D13-A23-18 and D13-A24-18 be deferred to the Committee of Adjustment hearing on December 12, 2018 to provide ample time for a heritage review.

Following this meeting the applicant engaged the services of Philip Goldsmith, Architect to undertake a heritage assessment (attached). The Assessment of Mr. Goldsmith is that the property is not of heritage significance.

Dave Ruggle, the Town's Senior Planner – Community Planning has summarized the findings in a memo dated December 5, 2018. The Senior Planner – Community Planning notes that it is the opinion of the Chair of Heritage Newmarket that the dwelling does warrant designation under the *Heritage Act*. In this memo the Senior Planner – Community Planning notes that the decision of whether or not to designate a structure rests with the Council of the Town of Newmarket who has not had an opportunity to consider the matter.

Due to the recent municipal elections the normal meeting schedule of Council has been infrequent. However, regular meetings are resuming and Council will take up its regular business at a standard schedule in January of 2019.

3. Planning considerations

Given that the rationale for providing time for Council to exercise its powers under the Heritage Act as laid out in the previous report and as previously adopted by Committee is still equally applicable,

Planning staff recommend the matter be deferred until Council has rendered a decision on the matter.

5. Conclusions

The matter should be deferred until Council has rendered a decision on the designation of the structure under the *Ontario Heritage Act*.

Respectfully submitted,



Ted Horton
Planner

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Application for Consent **D10-B04-18**
Part Lot 3, Plan 113
951 Srigley Street
Made by: ESCHOO, Givargis

1. Recommendations

That Consent Application D10-B04-18 be deferred to the meeting of the Committee of Adjustment on December 12, 2018.

2. Application

The lands are located on the north side of Srigley Street, east of Carlson Drive. The consent, if granted, would result in the creation of one new lot. The purpose of the minor variance application is to seek relief from the zoning by-law to reduce the required lot frontages for each of the severed and retain lot. Each of the proposed lots would exceed the minimum lot area.

#	By-law	Section	Requirement	Proposal
Minor Variance D13-A23-17				
1	2010-40, as amended	Section 6.2.2	Minimum lot frontage of 18.0m	Minimum lot frontage of 17.52m
Minor Variance D13-A24-17				
1	2010-40, as amended	Section 6.2.2	Minimum lot frontage of 18.0m	Minimum lot frontage of 17.52m
Consent D10-B04-18				
1	N/A	N/A	N/A	Conveyance of land for the creation of a new residential lot

The purpose of the consent application is to convey the subject land indicated as "A" (severed lands) on the attached sketch for residential purposes and to retain the land marked "B" (retained lands) on the attached sketch for residential purposes.

	Frontage	Depth	Area
Zoning Requirement (R1-C-119)	18.0 m	N/A	743 m ²
Lot A (To be severed)	17.52 m	44.45 m	1,013.88 m ²
Lot B (To be retained)	17.529 m	44.57 m	1,148.47 m ²

The subject lands are currently occupied by a single detached dwelling. The proposed use on each of the proposed lots would be a single detached dwelling.

2.1 Notice

Section 53(5) of the Planning Act requires public notice to be given before a consent-granting authority such as a Committee of Adjustment may render a decision on an application for consent. This notice is to be given as provided for in O. Reg. 197/06. Section (3)(15) of the Regulation requires the notice to include, among other matters:

A description of the subject land or a key map showing the subject land.

The information submitted by the applicant indicated that the subject lands were Part Lot 3, Plan 501. This information was conveyed in the notices mailed to the owners of properties within 60 metres of the subject lands. Upon further review, it was determined that this information was incorrect, and the actual legal description of the land is Part Lot 3, Plan 113.

It is important that members of the public be provided sufficient notice and information to be able to exercise their rights to express their opinions and be part of the planning process. Available evidence indicates this right has not been abridged by the minor error in the notice. The provided notice included the correct address of the property, and a key map correctly illustrating the location of the property. The feedback from residents on the application has demonstrated an understanding of the location of the subject lands and no indication of confusion of to which property the application pertains.

3. Planning considerations

3.1 Heritage

The Senior Planner – Community Planning has conferred with the Heritage Newmarket Advisory Committee (HNAC), and while HNAC has not met to discuss the matter members have expressed that the property does have heritage value and should be designated under the *Ontario Heritage Act*. Comments from the Senior Planner – Community Planning are included with correspondence related to the application. The Senior Planner – Community Planning notes that the structure was designed by the architect Fraser Milne (who also designed the Ray Twinney Centre in Newmarket) and he designed it for himself and his family. It has a modern/Scandinavian design inspiration (the first of its kind in Newmarket) with the public areas separated from the family area by a link.

The Senior Planner – Community Planning has requested that the application be deferred to allow HNAC and staff to further review the property against the heritage designation evaluation criteria.

The *Ontario Heritage Act* provides a process through which Council can designate and protect property of cultural heritage value. Decisions of the Committee of Adjustment are required to have regard to matters of provincial interest as laid out in Section 2 of the *Planning Act*. These matters include the conservation of features of significant architectural, cultural, or historical interest.

If Council should decide to designate the structure under the *Ontario Heritage Act*, the applicant will have appeal opportunities available to them through the Conservation Review Board. The designation of the structure would have the effect of rendering the proposed consent impossible as the structure would be unable to be demolished. If Council does not designate the structure, Committee will be able to consider the matter with the question of the heritage nature of the structure having been addressed. Regardless of Council's decision, the matter will return to the Committee of Adjustment for a decision to conclude the application.

When the matter returns to Committee, Planning staff will provide the full analysis of the application along with a recommendation as per standard procedure. It is important that Committee have the benefit of this analysis when making a decision, both to ensure Committee has the benefit of a fulsome analysis of the application and to ensure that any decision is buttressed against any potential appeals to the Local Planning Appeal Tribunal.

Section 53 (14) of the *Planning Act* provides Committee up to 90 days from receipt of the application to render a decision, after which time the applicant may appeal to the Local Planning Appeal Tribunal.

Planning staff recommend deferral of the application in order to provide the Heritage Newmarket Advisory Committee and Council the opportunity to exercise their rights under the Ontario Heritage Act.

5. Conclusions

The matter should be deferred to provide adequate time for consideration of the structure for designation under the *Ontario Heritage Act*.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Ted Horton', is written over a horizontal line.

Ted Horton
Planner



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TO: Linda Traviss, Alternate Secretary Treasurer

FROM: Dave Ruggle, Senior Planner – Community Planning

DATE: December 5, 2018

SUBJECT: Application for Consent
ESCHOO, Givargis
951 Srigley Street
Town of Newmarket

In a memo to the COA dated October 18, 2018, it was requested to defer the above noted application to allow additional time to review the property at 951 Srigley Street from a heritage value perspective. Staff and the Chair of heritage Newmarket have completed additional review and the applicant has provided a letter from Philip Goldsmith, Architect and Certified Heritage Professional which is attached to this memorandum.

The Town has developed a heritage evaluation form consistent with the Ministry of Culture and Sports Ontario Heritage Act Regulation 9/06, Criteria for determining Cultural Heritage Value or Interest. This evaluation form looks at Heritage Value in terms of the subject matters Design and Physical Value, Contextual Value, Integrity and Historical or Associative Value.

Through the staff and Heritage Newmarket review, it appeared the dwelling was constructed in the 1960's by Fraser Milne who was a local architect in Newmarket. Mr. Milne had been the designer/architect for a number of Newmarket buildings starting in the 60's designing the Ray Twinney Complex and the additions to the Town hall on Main Street. The dwelling has a modern/Scandinavian design inspiration (the first of its kind in Newmarket) with the public areas separated from the family area by a link. The 1960/1970's saw an influx of Scandinavian inspired design across Canada. The Chair of Heritage Newmarket is of the opinion that the dwelling has enough heritage value to warrant designation under the Heritage Act.

The letter from Mr. Goldsmith reviews the property against the Provincial criteria under Regulation 9/06 of the Ontario Heritage Act. Mr. Goldsmith concludes that in his opinion, this property is not of heritage significance. While there is some associative value related to the architect Fraser Milne, he does not consider it to be significant in the context of the Provincial definition. Noting that the property and dwelling were developed over time and that the dwelling is aesthetically different from its immediate neighbors, it does not hold contextual value as it does not contribute to the overall context of the area.

Under the Ontario Heritage Act, Municipal Council has the authority to designate a property as having heritage significance. Prior to making a decision, Council must also request advice from Heritage Newmarket. Council typically also requests a staff report on these matters prior to making a final decision. To date, Council has not made a determination on whether this property should have Heritage Designation under the Act.

Regards,

Dave Ruggle, BAA, MCIP, RPP
Senior Planner – Community Planning

Heritage Assessment

951 Srigley Street
Newmarket, Ont.



For : **Groundswell Urban Planners Inc.**

PHILIP GOLDSMITH | **ARCHITECT**
03 December 2018

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For:

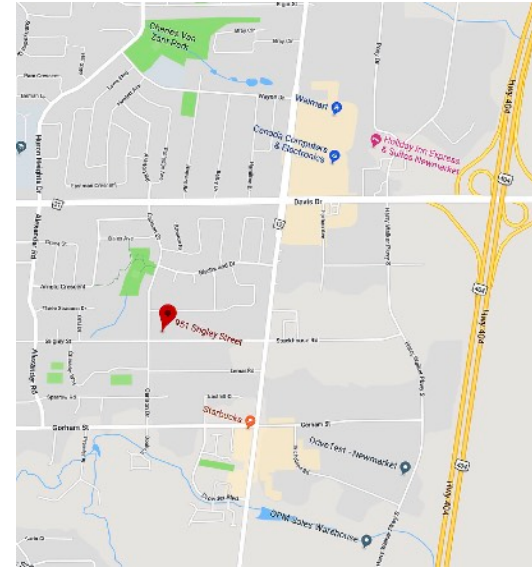
Groundswell Urban Planners Inc.
95 Mural Street, Suite 402
Richmond Hill, ON L4B 3G2

1.0 Introduction

The property at 951 Srigley St includes a house, which I understand was constructed in a series of stages between 1970s and 1990s. The house generally exhibits a design aesthetic that was popular in the late 1970s and later and in terms of massing, scale, materials and forms are still being designed today.

I have been informed at the core of this house, in the centre bay was an older smaller home that was renovated in 1970s as the first stage in building up the current building. To this core house a western addition and later an eastern addition were added. We were not able to confirm the construction date of the first house, but a surviving garage suggests it may have been from the 1930-40s period. No features of the first house have survived.

The house design is the work of the local architect Fraser Milne and is believed to have been built as his own home. Although he undertook many projects locally he is not considered a significant architect as understood for the requirements of Reg 9/06 of the Ontario Heritage ACT.



1. Location map. Google



3. Front view of house Google



2. Aerial view of site. Google

2.0 Historic Background

2.1 Context and Setting

John Graves Simcoe, the first Lieutenant-Governor of Upper Canada, proposed the formation of a military road to be used as a strategic route in the event of an American invasion of Upper Canada. In 1793, when war broke out between England and France, Simcoe strategically transferred the capital of Upper Canada from Newark (Niagara-on-the-Lake) to York (Toronto). Major roads were mapped out for both defence and development. On September 25, 1793, Simcoe accompanied by some soldiers and aboriginal guides followed the Carrying Place Trail portage route from Lake Ontario to Lake Simcoe following the Humber and Holland Rivers. Simcoe established the military road running straight from York to Holland Landing, and named the road Yonge Street, after Sir George Yonge, Secretary of War in the British Cabinet and a family friend.

Newmarket was later located on the Holland River, since it was a major portage route on the Carrying-Place Trail. There were two routes that were established along the Holland River through the area that would later become the Newmarket area. On the eastern side of the trail, the route passed through the Oak Ridges Moraine and met Lake Ontario at the Rouge River. On the western branch of the river, the trail passed through the moraine to the Humber River.

2.2 Newmarket

Early settlement in the Newmarket area occurred when Quakers from the United States moved northward. In June 1800, Timothy Rogers, a Quaker from Vermont explored the area around the Holland River searching for a new area suitable for a Quaker settlement. Rogers, Samuel Lundy and their group of Religious Society of Friends received a large grant of 8,000 acres around the Holland River. In 1801, Rogers returned with several Quaker families who had left their homes in Vermont and Pennsylvania to settle in the area in 1801-03.

The first mill was constructed on the Holland River by Joseph Hill. The mill pond was named Fairy Lake. Early settlement was located near the river and not Yonge Street which was further west. Hill also built a tannery, general store, and additional mills. The town continued to expand throughout the early 19th century in addition to the surrounding area of Aurora and Holland Landing.

The population by 1846 reached 600. The town which was surrounded by farmland included six churches, a post office, five stores, several taverns and some industries including two grist-mills, two breweries, a distillery, a tannery, foundry and textile business. In 1853, the railway linked Newmarket to the south, when the Toronto, Simcoe & Lake Huron Railroad, which was later renamed the Northern Railway of Canada, was established in Newmarket. The railway provided passenger service as well as shipped agricultural products and manufactured goods.

In 1857, the village of Newmarket was incorporated with a population of 700. By 1869, the population was 1500 and in addition to the train, stage coaches were available for transportation to nearby communities. By the time of the 1871 census, the population was 1,760. In 1881, the population had increased to 2,006. In 1899, the Toronto and York Radial Railway service reached Newmarket.

In the early 20th century, Newmarket was settled along Davis Drive, between Yonge Street on the west and between Bayview and Leslie Street in the east, extending to Davis Drive on the north to the Fairy Lake area in the south. By the early 1950s, Newmarket was experiencing a suburban building boom and the population increased from 5,000 to 11,000 between 1950 and 1970. In 1971, the Regional Municipality of York was formed



4. View of Fairy Lake in 1910



5. Main Street, Newmarket 1856

merging Newmarket, the Township of East Gwillimbury, the Township of King and the Township of Whitchurch.

2.3 Srigley Sreet

Srigley Street is located west of Leslie Street south of Davis Drive and north of Gorham Street. The street was named after early settler Robert Srigley who was born in Bucks County, Pennsylvania in 1777. In 1788, the Srigley family including parents Enoch and Mary along with Robert moved from Buck's County to Pelham Township in the Niagara District in Upper Canada. The family name was also spelled Shrigley. Robert later moved to York County after purchasing land east of the Holland River and built a house near the site of the present-day Prince Charles Public School. The land was located on Concession II, lot 34 in the Township of Whitchurch. The location of Srigley Street was once the roadway access to his farm. Robert Srigley donated a corner of his farm land for the area's first public school site at the present day northeast corner of Prospect and Timothy Streets.

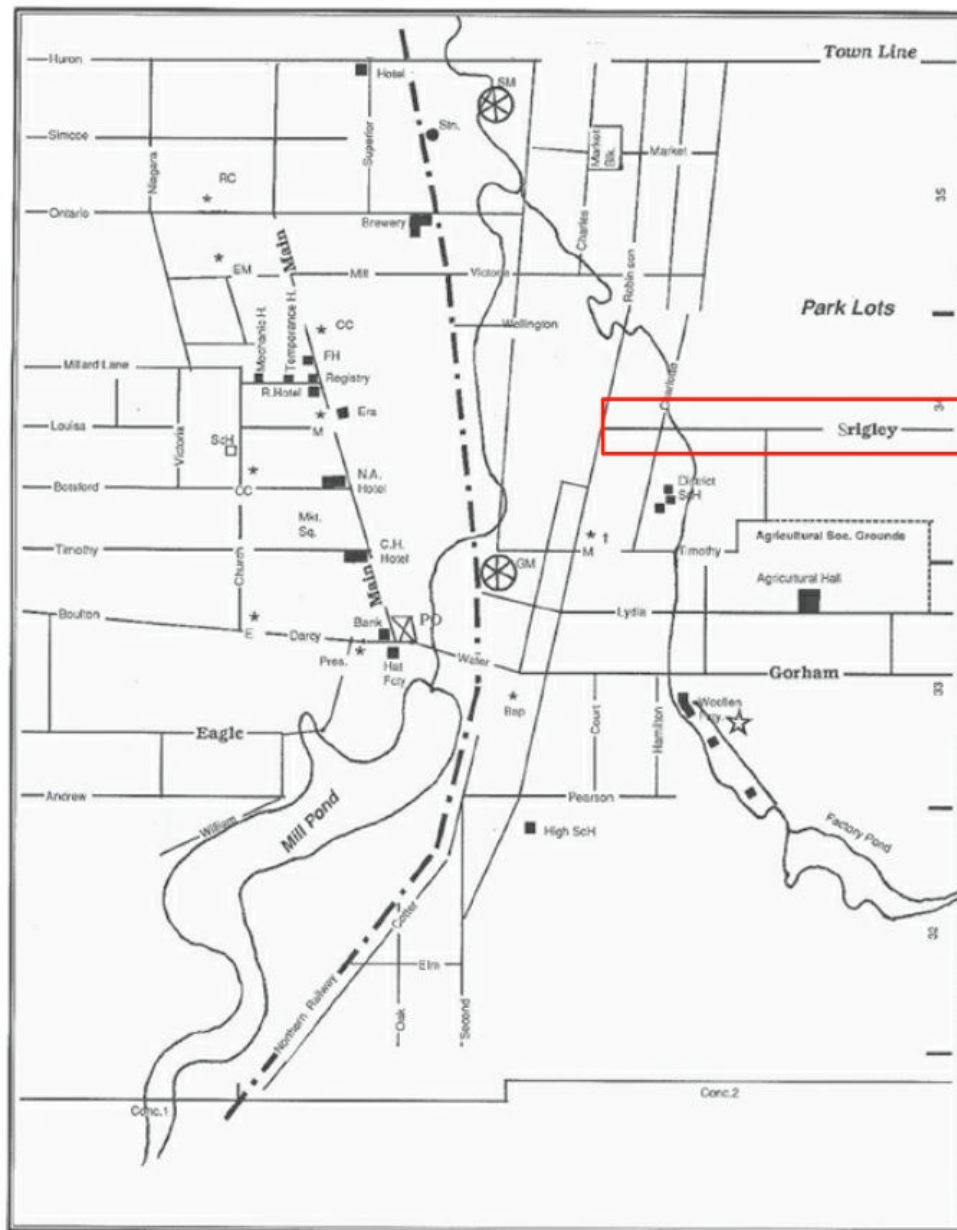
The first public school building was erected in 1824 and was a small log building that was large enough for eight students. As the number of students increased, a new 24 foot square frame schoolhouse with a metal dome was constructed in 1853, and wings were added on the north and south sides in 1858. The building was able to accommodate 120 students. In 1891, a new brick building was completed at the corner of Prospect and Timothy Streets and named the Alexander Muir Public School.



6. Boulton Atlas or 1878 showing the location of the Srigley land holding



7. Alexander Muir Public School, Prospect St. photo c1910
designed by architect Marshall Benjamin Aylesworth, demolished in
1979



8. Map of 19th Century Newmarket adapted from the County of York Illustrated Historical Atlas, 1878. Illustrating the location of Srigley St.

2.4 Architects, Smith and Milne

Fraser Milne was a local architect, who was involved in a number of local projects often in partnership as the architectural firm, Smith and Milne. Milne was a long-time resident of Newmarket residing there since 1955 and was often presenting plans to the local council. In February 1967, Fraser Milne made a presentation to council on potential plans for a community centre. In September 1967, Smith and Milne designed a 12,000 square foot light manufacturing building near Oak Street.

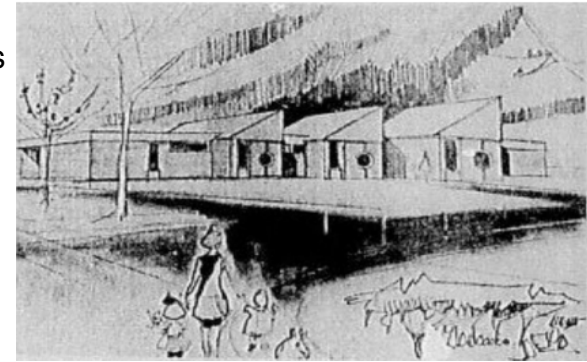
On October 2, 1968, the council of Newmarket approved the construction of a proposed building that was designed by Smith and Milne on land located in the industrial section near the Mulock Sideroad. The building was designed as an Adult Training Centre and was brick on the exterior with cedar siding on the back. In October 1970, Smith and Milne were involved in the renovations to the local arena which included expansion of the arena floor.

In December 1971, Smith and Milne presented plans for the Newmarket Day Care Centre.

On February 3, 1977, the local paper published plans prepared by Smith and Milne designing a 100 unit nine storey Ontario Housing Corp senior citizens apartment building. In 1977, Smith and Milne had an office located at 48 Main Street, Newmarket. In September 1977, Smith and Milne managed the tender for St. Paul's Catholic School .

In April, 1978, Fraser and Milne designed an addition to the Newmarket Public Library. On November 1, 1978, Fraser Milne presented plans for the Newmarket Theatre Centre.

In April 4, 1979, Fraser Milne prepared a report to City council in support of constructing an arts cultural centre. In August 1979, Fraser Milne prepared a report regarding expansion of the fire station on Davis Drive.



9. Newmarket Daycare proposal 1971, Smith and Milne



10. Newmarket Senior citizens building proposal 1977, Smith and Milne

Newmarket's population doubled during the period from 1971 to 1980. Mayor Ray Twinney elected in 1970, had to make a decision about the limited space in the municipal offices that were located at 171 Main Street in 1987. Architects Smith and Milne prepared a proposal to add an extension on the south side of the existing structure. The preliminary estimates were very high coming in at \$650,000 so alternative proposals were explored.

3.0 Heritage Assessment

Heritage assessments are based on Provincial criteria under Reg 9/06 of the Ontario Heritage Act. These are as follows:

1. The property has design value or physical value because it;
 - i. is a rare, unique, representative or early example of a style, type, expression, material or construction method
 - ii. displays a high degree of craftsmanship or artistic merit, or
 - iii. demonstrates a high degree of technical or scientific achievement.
2. The property has historical value or associative value because it;
 - i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community
 - ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
 - iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
3. The property has contextual value because it,

Heritage Assessment - 951 Srigley St. Newmarket

- i. is important in defining, maintaining or supporting the character of an area,
- ii. is physically, functionally, visually or historically linked to its surroundings, or
- iii. is a landmark.

3.1 Design or Physical value

The house at 951 Srigley St. is the result of a series of adaptations and addition. It is believed the house began in the 1970s with the renovation of an existing house. There is little material on site that would indicate what this first house looked like before renovation. The only clue is an old badly deteriorated garage behind the house which is assumed to date to the period of the first house. Based on this I have surmised that the first house dates to roughly the 1930s or 40s.

The interior of the first house has been completely gutted into an open space plan and the exterior completely altered, no exposed element of the first house remains from its first design with the possible exception of the simple gable ended roof and rectangular form.

The current owner explained that the first house was subsequently added to to the west. This makes sense in both the design of the addition and the presence of the old garage which would have remained functional in this period and may date to the 1970s. The addition is awkwardly linked to the first house with a parallel small corridor to a couple of new bedrooms and a bath, a steep set of stairs connects to a lower level. At the junction between forms a small sunroom with a solarium was included. this space is unheated and may have had only seasonal use.



11. Front, centre bay is the renovated first house. PGA



12. S-W corner, west addition to house. PGA

Later, reportedly in the 1990s a west addition was added, this created a new entrance and at an upper level a family room with a curiously sculpted fireplace. Below this is a covered car port open at the sides. This new carport made the old garage redundant.

The resulting form of the building is awkward although the roof forms, in part sawtooth do reflect a popular approach in the 1970s. As a composition the building is disjointed assembly of parts that does not achieve a high level of design quality.

The exterior of the building is clad in board and batten siding, a popular choice in the 1970s. The siding is stained a mid grey and the stain is severely worn and in need of renewal.

With the exception of the aluminium and glass solarium all windows, doors, trim, and finishes are wood and of a very basic and typical commercial design.

The landscape of the property is not well developed. At the front yard, it includes very typical grouping of shrubs, a grass lawn and a large front yard tree. The rear yard includes a patio, now in poor condition, adjacent to the house and beyond a fenced tennis court, grass lawns and border trees and shrubs. It is not a high quality or landscape design of any significance.

It is my opinion that although reflecting some period styling to the 1970s, this is **not** a property that is a rare, unique, representative or early example of a style, type, expression, material or construction method nor does it display a high degree of craftsmanship or artistic merit, or demonstrate a high degree of technical or scientific achievement.

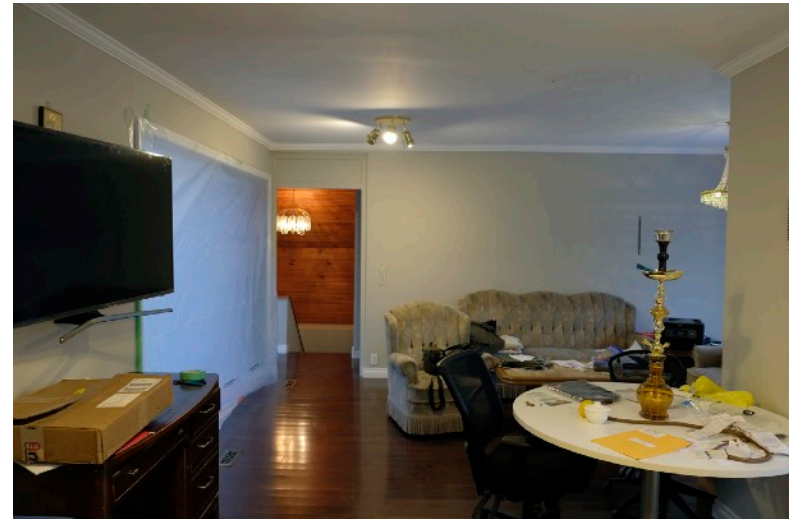
13. Rear view of house and deck area. PGA



14. Old garage, dilapidated. PGA



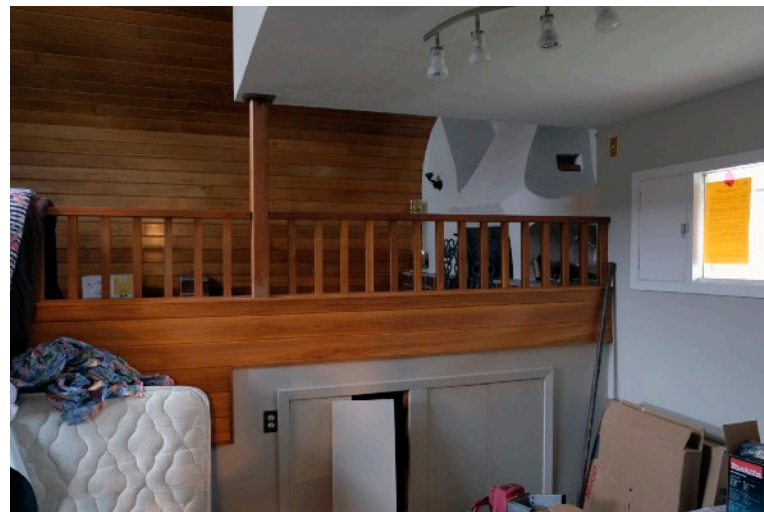
15. View of central open plan looking east, dining and kitchen. PGA



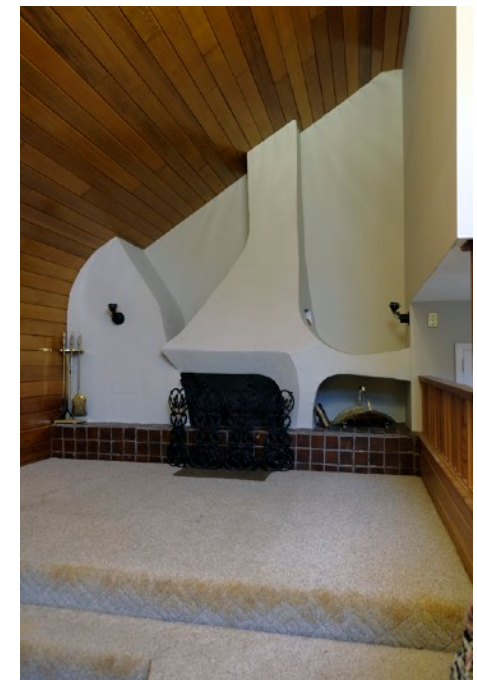
16. View of central open plan looking west, dining and living. PGA



17. View of entrance. PGA



18. View up to raised family room over car port PGA



19. View of family room fireplace
PGA

3.2 Historical or Associative Value

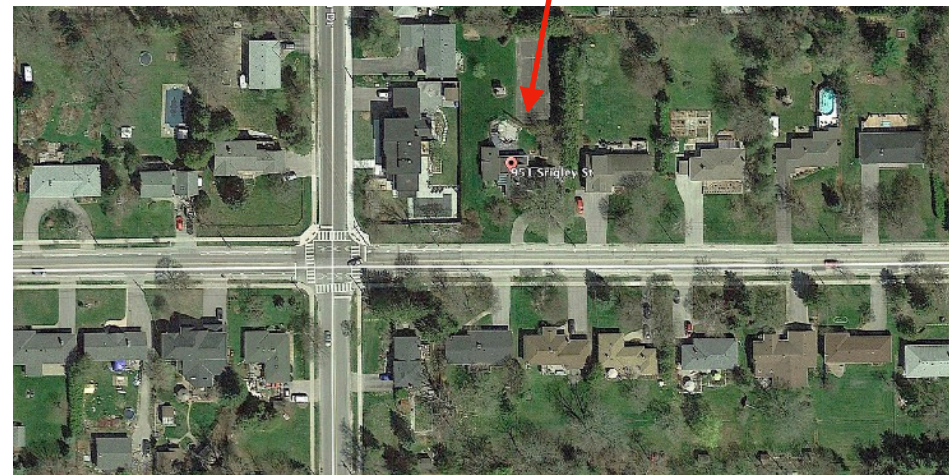
As a private home this property does not have any association with any institutions or organizations. It is a “custom” home the result of a series of additions.

The property does have an association with Fraser Milne, and was for a time his home. Fraser Milne was a partner in the local Architectural firm of Smith and Milne. Although no doubt this firm produced a number of competent works in the community the test is whether or not this property demonstrates the work or ideas of an Architect “significant” to a community.

From a review of the projects of this firm It is difficult to conclude that this house is a significant project or reflects ideas of the designer significant to the community. As noted above the firm undertook work which still exists in the community and in scope, design aesthetic, and innovation these projects appear to be larger scale, institutional or of a planning nature and competent but not necessarily significant, also I do **not** believe this house to be a good demonstration of their work. It is my opinion this house has low Associative Value.

3.3 Contextual Value

The house is located on a large lot in an area and on a street with a suburban urban design character and with a wide variety of house designs. Near to this property houses are very typical 1950-1970s designs found in suburban developments throughout the region. In this mix are other houses that are newer and have, I assume, replaced earlier and smaller houses.



19. Aerial view of site context. this property is similar to others in setbacks and size Google

The property at 951 Srigley is not significant in this context but simply another house in a 1970s aesthetic that is a bit different from its immediate neighbours but not unique in the period.

It is my opinion that this property is **not** is important in defining, maintaining or supporting the character of an area is not physically, functionally, visually or historically linked to its surroundings and is not is a landmark.



19. Context view of street looking east, 951 on the left PGA



20. Context view of street looking east, 951 on the mid right PGA

4.0 Conclusions

The purpose of this report was to consider if the property at 951 Srigley is significant and should be considered a “heritage” property under the Ontario Heritage Act.

Although it is the result of work by its Architect owner, Fraser Milne, and therefore has some associative value, I do not think it a good, representative, or significant sample of his work nor do I feel the work of the firm, although undoubtedly competent, is at a level to be considered “significant” to the community in the meaning of the word as defined in the PPS 2014.

This is perhaps due to its creation over time in a series of parts that do not quite add up as a fully coherent work of architecture or perhaps as the expression goes, it is like “shoemakers children” when designed for himself it produced a liveable home but not his best work.

Aesthetically different from its immediate 1960s neighbours the house does not make an important contribution to the context, but in scale and design is simply another house in an area of mixed house design. The primary contribution could be considered to be the front yard landscape consistent with the suburban landscape aesthetic of the area. If the house building is replaced consideration should be given to the creation of a front yard landscape that continues in this tradition. Also if possible the retention of the large tree in the middle front would be a benefit.

Having assessed this property under O.Reg 9/06 I conclude this property is **not of heritage significance**.

5.0 Bibliography

Archival Sources

Belden Atlas, 1878.

Photographs, Toronto Public Library, City of Toronto

Books

Carter, Robert Terence. Stories of Newmarket, An Old Ontario Town . Dundern Press, 2011.

Carter, Robert Terence. Newmarket, The Heart of York Region, An Illustrated History. Dundern Press, 1994.

Research Materials On-line Sources

Era Newspaper, Newmarket's Public Library Digital History Collection