



Town of Newmarket
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Request for Heritage Designation – Newmarket Canal System Staff Report to Council

Report Number: 2022-16

Department(s): Planning Services

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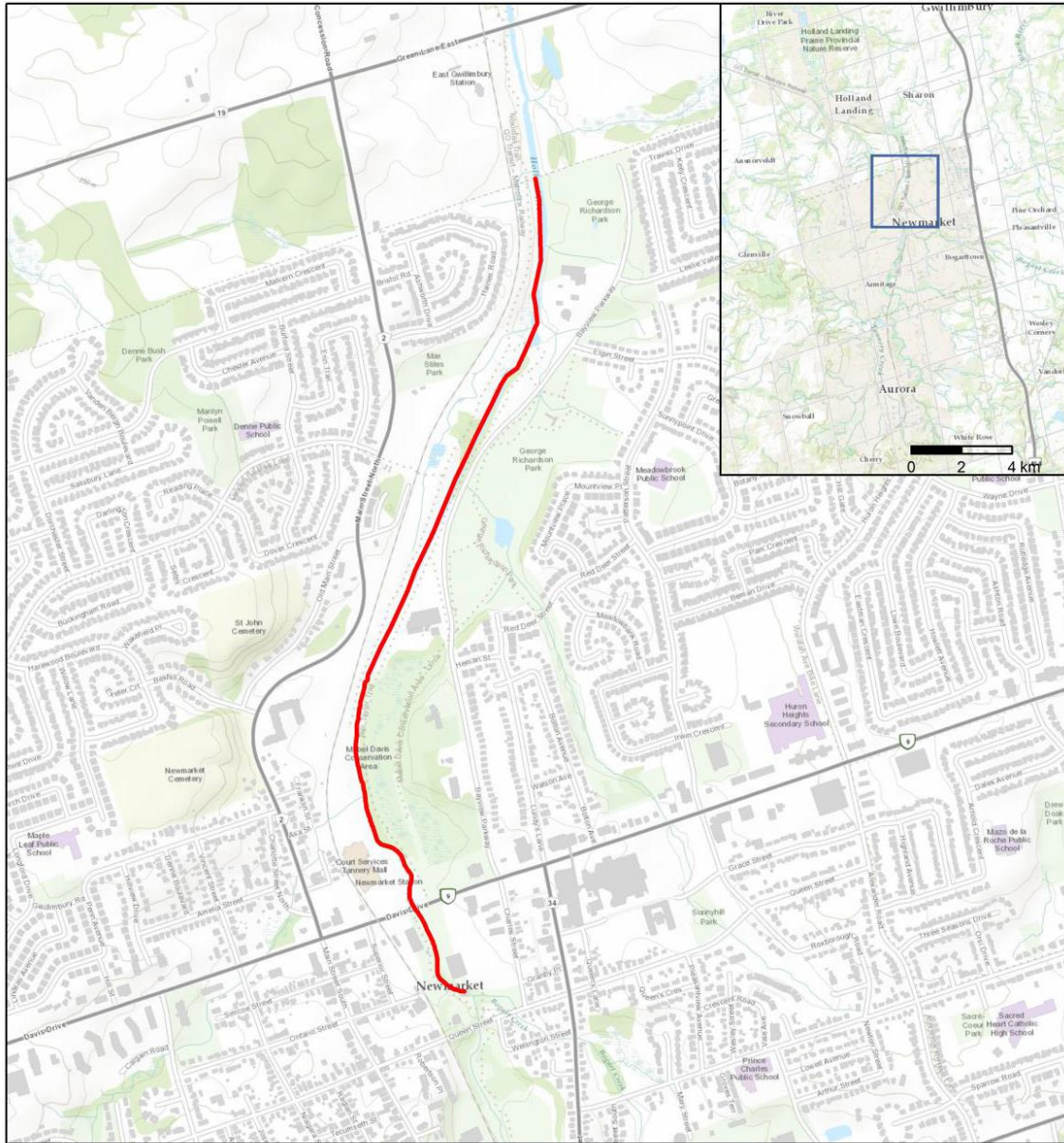
Meeting Date: March 21, 2022

Recommendations

1. That the report entitled Request for Heritage Designation – Newmarket Canal System dated March 21, 2022 be received; and,
2. That the subject property known as the Newmarket Canal System, which follows the Holland River from the Town boundary in the north to just north of the Davis Drive bridge in the south, be Designated under Part IV of the Ontario Heritage Act; and,
3. That Staff be authorized to publish and serve Council's Notice of Intention to Designate as per the requirements of the Ontario Heritage Act; and,
4. That if there are no objections to the Notice of Intention to Designate, in accordance with the provisions of the Ontario Heritage Act, Staff be authorized to bring a designation by-law before Council for adoption; and,
5. That if there are any objections to the Notice of Intention to Designate, in accordance with the provisions of the Ontario Heritage Act, the Clerk be directed to refer the proposed designation to the Ontario Land Tribunal; and,
6. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

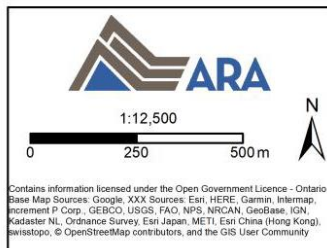
Purpose

The purpose of this Report is to recommend to Council that the Council that the subject property known as the Newmarket Canal system be Designated under Part IV of the Ontario Heritage Act. The location of the subject property is shown below:



**Newmarket Canal System
Designation Report
Town of Newmarket
Regional Municipality of York
Lot 87-95, Concession 1 East of Yonge Street
Geographic Township of Whitchurch
Lot 96-97, Concession 1 East of Yonge Street
Former York County**

— Project Location





Background

The Newmarket canal stretches down the centre of Town, following the flow of the Holland River and runs parallel to the rain line and the Nokiidaa/Tom Taylor Trail. The Newmarket Canal System follows the Holland River from the Town boundary in the north to just north of the Davis bridge in south. The lands proposed to be designated and owned by the Town of Newmarket. At the Heritage Newmarket Advisory Committee meeting on December 5, 2017, the motion from the minutes is as follows:

“That the Heritage Newmarket Advisory Committee pursue designation for the following properties owned by the Town of Newmarket:

a. Ghost Canal...”;

At the following Heritage Newmarket Advisory Committee meeting a few months later on March 6, 2018, the motion from the minutes is as follows:

“That the Heritage Newmarket Advisory Committee recommend the Town of Newmarket designate the Newmarket Canal system.”

The minutes of the Heritage Newmarket Advisory Committee were discussed at the Committee of the Whole on April 30, 2018, with the following motion:

“The Senior Leadership Team/Operational Leadership Team recommend that the following be referred to staff for review and report:

- a. *That the Heritage Newmarket Advisory Committee recommend the Town of Newmarket designate the Newmarket Canal system.”*

Planning Staff engaged the Town’s Heritage Consultant, Archaeological Research Associates Ltd. (ARA), to conduct extensive research on the public lands to determine whether the property warrants designation.

Discussion

2020 Heritage Designation Report

A Heritage Designation Report was completed in May 2020 by the Town’s Heritage Consultant, ARA. This report is included as Attachment 1 to this report.

The ARA Report contains photographs of the subject lands and background information obtained from historical maps, archival sources, public secondary sources and newspapers, and is therefore a key piece of information used to determine the heritage attributes of the subject lands. The Report discusses many architectural, historical and contextual considerations of the subject property, and makes the following recommendation:

“O. Reg. 9/06 of the OHA requires that to be designated, a property must meet one or more of the criteria grouped into the categories of design or physical value, historical or associative value and contextual value. The Newmarket Canal System meets all three criteria for determining CHVI as outlined in O. Reg. 9/06.”

Section 8 of ARA’s report sets out the specific Physical/Design Value, Historical and Associative Value, and Contextual Value associated with this property. This section also sets out the Cultural Heritage Attributes of the property. Combined, this information provides the “Statement of Cultural Heritage Value or Interest” that substantiates the site’s Designation. As taken from the ARA Report:

Physical/Design Value

The Newmarket Canal System, built between 1906 and 1912, is a representative example of a canal system in Ontario with a modified river, locks and turning basin. Most canals in Ontario were built before 1850, making the subject canal a very late example. The Newmarket Canal was the planned south extension of the Trent Valley Canal System from Lake Simcoe through to the Town of Newmarket. Sir William Mulock, prominent Newmarket citizen and politician, felt that Newmarket had not progressed in the same manner that surrounding communities had and suggested that developing a canal would promote industrial development. It was thought that the canal would lower freight rates on supplies such as lumber and manufactured goods. The building of the canal was

undertaken as a federal initiative beginning in 1906 before being stopped by a change in the government in 1912. Only a portion of the planned canal system was constructed including three locks, one of which is within the current Town of Newmarket boundaries (Lock 3), four swing bridges (all demolished), and a turning basin at Davis Drive (infilled, 1980s remnants remain). The lock infrastructure was integrated into the Holland River, which is a partly natural and partly dredged and modified waterway north of the Davis Drive turning basin. Although never used for the industrial and commercial purposes for which it was built, the Newmarket Canal System is now part of a recreational trail system that runs through the centre of the Town of Newmarket.

Historical and Associative Value

The Newmarket Canal System is associated with Sir William Mulock. Born in nearby Bondhead, Mulock moved to Newmarket as a child and lived and retired on his farm at the corner of Mulock Drive and Yonge Street. He was a prominent citizen of Newmarket, leaving his mark on the federal stage as Postmaster General from 1896 to 1905 and Minister of Labour from 1900 to 1905 under the Laurier Liberal government. He abolished the sweat system with the help of young economist and to-be Prime Minister, William Lyon Mackenzie King and is credited with helping to convince King to remain in politics. Mulock was an active participant in the negotiations that led to the entrance of Alberta and Saskatchewan into Confederation in 1905. It has been documented that the Newmarket Canal scheme originated with Sir William Mulock when he represented York federally. After retiring in 1905, he remained an active member of the Newmarket community as Head of the Treasury Branch of the Supreme Court of Ontario as Chief Justice from 1923 to 1936 while also remaining an active farmer. Referred to as “Farmer Bill” during his political career, he continued to run his model farm after retirement. Here he experimented with new methods and crops and provided agricultural and leadership training for many students from the Ontario College of Agriculture. As an early and vocal proponent of the Newmarket Canal project, it has been referred to as “Mulock’s Folly,” as the project fell victim to politics when it was cancelled by the conservative government in 1912.

Contextual Value

The Newmarket Canal System is situated between a railway line and a recreational trail that passes generally north-south through the centre of the Town of Newmarket. It possesses contextual value as it is functionally linked to the Holland River as a canal that was built into the existing waterway. It is physically linked to the Holland River as a varied use transportation route running parallel to a railway line and maintains the industrial character of the transportation corridor. The Newmarket Canal System is a conspicuous landmark located in the core of Newmarket.

Heritage Newmarket Advisory Committee

Following completion of ARA's Designation Report, the Heritage Newmarket Advisory Committee considered the matter at the meeting on September 1, 2020. The motion from the minutes is as follows:

"That the Heritage Newmarket Advisory Committee support the designation of the Newmarket Canal System".

Next Steps and Appeal Opportunities

Should Council state their intention to designate this property under Part IV, Section 29 of the Ontario Heritage Act, 1990, staff will prepare, publish and serve a "Notice of Intention to Designate" in accordance with the requirements of the Ontario Heritage Act, 1990.

Publishing and serving the "Notice of Intention to Designate" initiates a 30 day period in which Council's intention to designate is subject to objection by any member of the public residing in Ontario.

If an objection is received within 30 days after the date of the publication of Council's "Notice of Intention to Designate", the objection will be referred to the Ontario Land Tribunal and heard as an appeal. Council then has 90 days to decide whether to withdraw the "Notice of Intention to Designate".

If an objection is not received within 30 days after the date of the publication of Council's "Notice of Intention to Designate", staff will bring a designation by-law before Council for adoption, which would also be subject to a 30 day appeal period from date of newspaper publication.

Conclusion

Designation under Part IV of the Ontario Heritage Act is warranted for the subject property.

Business Plan and Strategic Plan Linkages

Heritage Designation recognizes, promotes and protects heritage resources, which strengthens the sense of community and helps achieve Extraordinary Places and Spaces.

Consultation

The designation report was circulated to, and considered by, the Heritage Newmarket Advisory Committee.

Human Resource Considerations

None.

Budget Impact

Consulting fees were required for the preparation of the Designation Report.

In the event that the designation is appealed, additional consulting fees will be required to further assess the property and possibly represent the Town at the Ontario Land Tribunal.

Attachments

1. – Designation Report, prepared by ARA Heritage, dated, May 26, 2020

Approval

Jason Unger, MCIP, RPP
Director of Planning and Building Services

Peter Noehammer, P. Eng.
Commissioner of Development & Infrastructure Services

Contact

Insert contact information here. For more information, please contact Adrian Cammaert, acammaert@newmarket.ca.