



COMMUNITY SERVICES/PLANNING & BUILDING SERVICES  
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January 13, 2014

**DEVELOPMENT AND INFRASTRUCTURE SERVICES/PLANNING & BUILDING SERVICES - REPORT 2014-08**

TO: Committee of the Whole

SUBJECT: Municipal Register of Non-Designated Heritage Properties

ORIGIN: Heritage Newmarket/Planning and Building Services

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**RECOMMENDATIONS**

**THAT Development and Infrastructure Services/Planning and Building Services Report 2014-08 dated January 13, 2014 regarding the Municipal Register of Non-Designated Heritage Properties be received and the following recommendation(s) be adopted:**

- 1. THAT the Municipal Register of Non-Designated Heritage Properties dated January 13, 2014 be received by Council;**
- 2. AND THAT owners of property on the Municipal Register of Non-Designated Heritage Properties be invited to a Public Information Centre on the Municipal Registry and non-designated properties of cultural heritage value;**
- 3. AND THAT after the Public Information Centre, the Municipal Register of Non-Designated properties be brought forward to Council for approval.**

**BACKGROUND**

The Ontario Heritage Act, an Act to provide for the Conservation, Protection and Preservation of the Heritage of Ontario has been in place since March 5, 1975. The principal statutory mechanism for achieving the purposes of the Act has been the power to identify and designate properties of cultural heritage value or interest in the municipality, either individually under Part IV, or as included within a heritage conservation district under Part V of the Act.

Heritage Newmarket Advisory Committee have been preparing a document of properties that can be considered to have historic value since their establishment in the early 1980's. This information has been collected with the intent to be included in the Municipal Register of Heritage Properties, as defined under Part 4, Section 27 (1.2) of the Ontario Heritage Act as properties that have historic value but are not designated under the Act.

Section 27 of the Heritage Act requires the clerk of every local municipality to keep an up to date register of properties of cultural heritage value or interest located in the municipality.

The municipal register is the official list or record of cultural heritage properties that have been identified as being important to the community and must include all properties in the municipality that are designated under Part IV (individual designation) and Part V (district designation) of the *Ontario Heritage Act*. As of 2005, the *Ontario Heritage Act* also allows municipalities to include on the municipal register properties of cultural heritage value that have not been designated. This is commonly known as "listing."

Listing is a means to formally identify properties that may have cultural heritage value or interest to the community. It is an important tool in planning for their conservation and now provides a measure of interim protection.

There is no legal obligation for municipalities to list properties on the register; however a comprehensive register of cultural heritage properties, including both designated and listed properties, has the following benefits as identified by the Ministry of Tourism, Culture and Sport:

1. The register recognizes properties of cultural heritage value in the community.
2. The register promotes knowledge and enhances an understanding of the community's cultural heritage.
3. The register is a planning document that should be consulted by municipal decision makers when reviewing development proposals or permit applications. The register provides easily accessible information about cultural heritage properties for land-use planners, property owners, developers, the tourism industry, educators and the general public.
4. The register provides interim protection for listed property.

### **Interim protection for listed properties**

Changes to *Ontario's Building Code Act*, which took effect January 1, 2006, brought new, accelerated building permit review timeframes. These include, for example, 10 days for a house and 20 days for a large building.

Building permit review timeframes allow municipalities and municipal heritage committees little time to assess properties facing demolition or alteration that are potentially of cultural heritage value to the community.

Amendments to the *Ontario Heritage Act* made in June 2006 address this issue. These changes now provide interim protection for listed properties. Owners of listed properties must give the council of the municipality at least 60 days notice of their intention to demolish or remove a building or structure on the property.

This allows time for the municipality to decide whether to begin the designation process to give long term protection to the property.

## **COMMENTS**

Over the summer and fall of 2013 the Planning Department's summer student worked closely with the Heritage Newmarket Advisory Committee to complete the Register of Non-Designated properties in a comprehensive list. Due to the significant amount of information contained in the document, the file sizes are quite large. There are approximately 500 properties listed on the Register. Excerpts from the document are found in appendix A and the entire document (in three parts) has been provided to Council members directly on a DVD. The documents will be posted on the website and upon request at the Planning Counter for the public.

## **Public Consultation**

While public consultation is not a requirement of including a property on the Municipal Register it is appropriate to hold a Public Information Centre to provide information proactively to the effected property owners. It is proposed that staff, in concert with the Heritage Newmarket Advisory Committee organize the Public Information Centre prior to the list being brought before council. This will provide an opportunity for those property owners to attend and ask questions about the Register and processes prior to the list appearing on a Council agenda.

Owners of property on the list will be provided notice of the Public Information Centre along with a copy of this report.

This letter will outline for the property owner that inclusion on the Register will **not** require any special permission for renovations, additions or alterations of building(s), and would proceed through the normal and usual process for building permit. However, plans for demolition or removal of a building(s) on the list will require notification be given to the Town 60 days prior to commencement of work. This will afford the municipality an opportunity to fully designate the property, if desired, or photo document the property prior to demolition.

## **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

The inclusion of important heritage properties on the Municipal Register of Heritage Properties would assist the Town in meeting its vision of being Well Balanced by celebrating our culture and heritage and ensuring Newmarket's rich built history is acknowledged and preserved.

## **CONTACT**

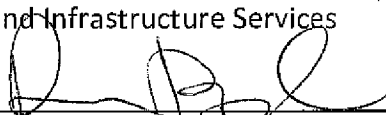
For more information on this report, contact: Dave Ruggle, Senior Planner – Community Planning, at 905-953-5321, ext 2454; [druggle@newmarket.ca](mailto:druggle@newmarket.ca)





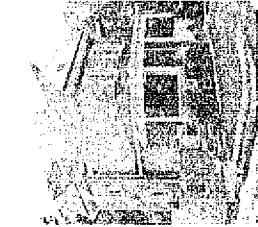
Commissioner, Development  
and Infrastructure Services





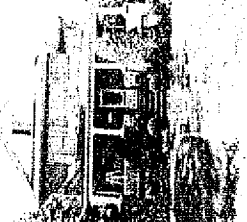
Director of Planning & Building Services



Senior Planner - Community Planning

Photo	Building Name	Property Address		Date of Construction	By-law	Type of Building	Value/Importance Architectural and Historical Context	Status		Significant Features
		Street Number	Street Name					Plaque	P.O.I.	
	Ernest Dumit House	461	Andrew Street	1910	N/A	Residence	<ul style="list-style-type: none"> <li>- Original owner of the lot was James B. Caldwell</li> <li>- Sold to John George Kennedy in 1906 - a pedlar by trade (built a row of lots on the property)</li> <li>- In 1913, Paul Gage was appointed Steamer Clerk and Watchman at the local town market.</li> <li>- Property was sold to Ernest Dumit in 1927 - a local carpenter who had a workshop on Sagla Street.</li> <li>- Ernest Dumit built the residence on the property in 1910.</li> </ul>	Plaque	YES	<ul style="list-style-type: none"> <li>- 2 1/2 storey wood frame building on stone rubble foundation</li> <li>- Second storey balcony</li> <li>- Porch is covered by a hip roof that is supported by wooden posts</li> <li>- Gable roof with a window in the front gable</li> </ul>
	Walter Bogdan House	98	Arden Avenue	1912	47A	Residence	<p><b>Architectural and Historical Context</b></p> <ul style="list-style-type: none"> <li>- Home was constructed in 1911 by William E. French and was purchased by Walter Bogdan of 1582, Boulevard de l'Assommoir in 1914 - one of the pioneers of the region.</li> <li>- A prominent former worker at the Loyal Steels Insurance upon the arrival at Newmarket.</li> <li>- The home/property has only had 2 owners - purchased by the Brown Family in the late 1960s.</li> </ul>	Plaque	YES	<ul style="list-style-type: none"> <li>- 2 1/2 storey residence with red brick veneer exterior, concrete foundation, a gable roof and a 2-storey veranda</li> <li>- Veranda has a flat roof set with arched columns</li> <li>- 2 bay facade with a side door and an L-shaped front porch</li> <li>- Residence remains in original condition.</li> </ul>
	William E. French Residence	92	Arden Avenue	1912	67A	N/A	<p><b>Architectural and General Context</b></p> <ul style="list-style-type: none"> <li>- Property was purchased by William E. French - a local builder - in 1911</li> <li>- In 1915, it was sold to French, where that he was a builder in Newmarket - he built many other homes on Arden Avenue.</li> <li>- In 1912, French and his wife sold the lot and home to Isaac A. Ross.</li> <li>- Ross was also a carpenter &amp; builder in Newmarket, however French ultimately built the home.</li> </ul>	Plaque	YES	<ul style="list-style-type: none"> <li>- 2 1/2 storey building with brick veneer exterior on a concrete foundation</li> <li>- Veranda is covered by a hip roof that is supported by wooden columns</li> <li>- Shutters on the windows</li> <li>- Gable roof with windows in each gable</li> </ul>
								Designated	NO	
								Designated	NO	

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Photo	Building Name	Property Address		Date of Construction	By-law	Type of Building	Value/Importance	Status		Significant Features
		Street Number	Street Name					Plaque	NO	
	William E. French Residence - 1	137	Arden Avenue	1911	N/A	N/A	Architectural Context No Background Information/Context Provided in the Property File	Plaque NO	NO	<ul style="list-style-type: none"> <li>Red brick building with a lighter red and cream-colored window and door surrounds.</li> <li>Principal entry is sheltered by the awnards.</li> <li>Slight arched windows and are the two light double hung type. Also has double windows in the attic.</li> <li>Mazzen shade finishes (painted) with asphaltic.</li> </ul>
	Alma M. Gardiner House	109	Arden Avenue	1910-1911	N/A	Residence	Architectural and General Context <ul style="list-style-type: none"> <li>In 1910, Alma M. Gardiner purchased the property from Charles S. and Ada L. McCauley.</li> <li>Construction of the residence began after that same year, being completed in 1911.</li> <li>Alma M. Gardiner, with her husband, Frank W. Rathwell, her family living in the house until 1978.</li> </ul>	Plaque P.O. NO	NO	<ul style="list-style-type: none"> <li>2-story residence with a red brick exterior on a concrete foundation.</li> <li>2-bay facade with side door and a gabled roof with 3 small windows.</li> <li>1 story veranda with posts on brick piers.</li> <li>The roof of the veranda meets at a walk-out on the 2nd floor.</li> </ul>
	Walter L. Brodie House	103	Arden Avenue	1919	N/A	Residence	Architectural and General Context <ul style="list-style-type: none"> <li>Walter Brodie was a carver.</li> </ul>	Plaque P.O. NO	NO	<ul style="list-style-type: none"> <li>2-story red brick house with veranda attic.</li> <li>Addition along the north facade and veranda along the east facade.</li> <li>Addition built in 1922 by 1919.</li> <li>Rear entrance sheltered entry from the street.</li> <li>Large window above.</li> </ul>