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## Notice of Passing

RECEIVED  
2025/02/19  
(YYYY/MM/DD)  
Ontario Heritage Trust

Notice of Passing a By-law to designate the following property to be of cultural heritage value and interest pursuant to the provisions of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18.

**Take Notice** that the Council of the Corporation of the Town of Newmarket, on February 10, 2025, passed By-law Number 2025-51, under Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18 ("the Act"), to designate the following property to be of cultural heritage value and interest:

86 Prospect Street, Newmarket, Ontario

PT LT 20 PL 125 NEWMARKET AS IN NE13028, NE15506; NEWMARKET

In accordance with Section 29(11) of the Act, any person who objects to the By-law may appeal to the Ontario Land Tribunal (OLT) by providing a notice of appeal to the OLT and the Town Clerk.

This notice of appeal must:

1. Be filed within 30 days of the publication of the notice of passing (publication was on February 18, 2025) and by 4:30 p.m. on **March 20, 2025** (the filing of an appeal after 4:30 p.m., in person or electronically, will be deemed to have been received the next business day) to the attention of the Town Clerk, either via the OLT e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting Newmarket as the Approval Authority or by email at [clerks@newmarket.ca](mailto:clerks@newmarket.ca), or in person or by mail at the Municipal Offices, 395 Mulock Drive, Newmarket, ON, P.O Box 328 STN, L3Y 4X7; and,
2. Set out the objection(s) to the By-law and the reasons in support of the objection(s); and,
3. Be accompanied by the fees charged by the OLT and the Town of Newmarket. The OLT appeal fee of \$1,100 can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the OLT or request a fee reduction for an appeal, forms are available from the OLT website at <https://olt.gov.on.ca/>. The Town of Newmarket's fee is \$200.82 and must be paid in person at the Town of Newmarket's Customer Service Department or by phone at 905-895-5193.

The appeal form is available from the Ontario Land Tribunal (OLT) website: <https://olt.gov.on.ca/>.

**The last date to file a notice of appeal in relation to this By-law is March 20, 2025.**

Additional information, including a full description of the reasons for designation is available upon request from Umar Mahmood, Planner, Committee of Adjustment and Cultural Heritage at 905-953-5300, extension 2458, or at [umahmood@newmarket.ca](mailto:umahmood@newmarket.ca) during regular business hours.

**Dated** at the Town of Newmarket  
this 18<sup>th</sup> day of February 2025

Town Clerk  
Town of Newmarket

# Corporation of the Town of Newmarket

## By-law 2025-51

A By-law to designate the property at 86 Prospect Street, the John Clubine House, as being of cultural heritage value or interest pursuant to the provisions of the Ontario Heritage Act.

**Whereas** pursuant to Section 29, Part IV of the Ontario Heritage Act, the Council of a municipality is authorized to enact By-laws to designate real property, including all the buildings and structures thereon, to be of cultural heritage value or interest; and,

**Whereas** authority was granted by Council to designate the property at 86 Prospect Street as being of cultural heritage value or interest; and,

**Whereas** the Council of the Corporation of the Town of Newmarket has caused to be served on the owners of the lands and premises, and upon the Ontario Heritage Trust, Notice of Intention to Designate, and has caused such notice of intention to be published on the Town of Newmarket website for a period of 30 days in accordance with the municipality's Notice Policy addressing notice requirements under the Ontario Heritage Act; and,

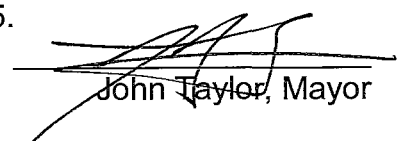
**Whereas** no notice of objection to the Notice of Intention to Designate was served to the Town Clerk of the Corporation of the Town of Newmarket; and,

**Whereas** the reasons for designation are set out in Schedule "A" to this By-law;

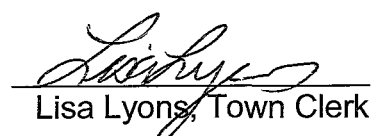
**Therefore** the Council of the Corporation of the Town of Newmarket enacts:

1. That the property at 86 Prospect Street, more particularly described in Schedule "B" to this By-law, is hereby designated as being of cultural heritage value or interest.
2. That Schedule "A" and Schedule "B" is declared to form part of this By-law.
3. That the Town Clerk is authorized to cause a copy of this By-law to be served on the owners of the lands described in Schedule "B" and on the Ontario Heritage Trust and to cause notice of the passing of this By-law to be published on the Town of Newmarket website for a period of 30 days in accordance with the municipality's Notice Policy addressing notice requirements under the Ontario Heritage Act.
4. And that the Municipal Solicitor or designate is authorized to cause a copy of this By-law to be registered against the property described in Schedule "B" to this By-law in the Land Registry Office.

Enacted and passed this 10<sup>th</sup> day of February, 2025.



John Taylor, Mayor



Lisa Lyons, Town Clerk

# **Schedule “A” to By-law 2025-51**

## **Statement of Significance Reason for Designation**

The John Clubine House  
86 Prospect Street  
Newmarket, ON  
L3Y 3T4

## **Reason for Designation**

The property at 86 Prospect Street, also known as the John Clubine House, is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act, 1990 for its cultural heritage value or interest, and meets Ontario Regulation 9/06, for design/physical value, historical/associative value and contextual value.

## **Description of Property**

86 Prospect Street is located on the southeast corner at the intersection of Prospect Street and Queen Street in the Town of Newmarket. The subject property includes a two-storey Italianate building constructed between 1876 and 1895.

## **Statement of Cultural Heritage Value or Interest/Statement of Significance**

### **Physical/Design Value**

86 Prospect Street is a representative example of a building constructed in the Italianate architectural style. The two-storey irregular floor plan building has a varied roofline with front and side gable peaks, overhanging eaves, constructed with buff brick with red brick detailing which is typical of Italianate residential buildings. The balanced façade with ornate bay window and use of dichromatic brick detailing of the window surround and quoins add to the Italianate aesthetic. The building showcases stylized tall and narrow segmentally arched window openings with red brick voussoirs and ornamental stone keystone, which creates a decorative detail which mimics a hood mould effect associated with the Italianate style.

### **Historical/Associative Value**

86 Prospect Street is directly associated with the historic village of Newmarket. The lots lines, layout, and built form of the historic village of Newmarket was well established in the mid 19th century and evident in a well-established commercial core found along Main Street and the large presence of residences located along several side streets. Simultaneously, Prospect Street, located on the east side of the Holland River and part of a community known as Garbutt Hill, developed during the mid-19th century. Garbutt Hill was the site of several important businesses such as the Stickwood Brickyard, the pump factory, Thomas Gardiner’s foundry, later occupied by the Newmarket Dairy, and the York County Hospital. By 1865, several small bridges and makeshift roads had been constructed across the Holland River and Timothy Street extending the road to Garbutt Hill (Prospect Street) was opened the same year. The development of the commercial core and surrounding residential streetscapes, including the community of Garbutt Hill, in the mid 19th century played a significant role in the social and economic development and growth of the Village of Newmarket. It is likely that the brick used in the construction of the residence was from the Stickwood Brickyard, which produced both red and buff/yellow- coloured bricks during this time period. Local historians indicate that almost all of the brick buildings built in

Newmarket between 1860 and 1910 were likely constructed with bricks that originated at the Stickwood Brickyard. The use of locally made bricks reflect the concentrated development and prosperity of the historic core.

## **Contextual Value**

86 Prospect Street is important in supporting and maintaining the 19th century character of the historic Village of Newmarket. Several residential side streets, including Prospect Street, were established in the village core, near the commercial Main Street. Located off or parallel to Main Street, the buildings on Prospect Street, and along the side streets are comprised of predominantly one to two-and-a-half storey residences, primarily brick construction most using bricks from Stickwood's brickyard, with modest setbacks and include a range of architectural styles from that time period. 86 Prospect Street exhibits setback, massing, style, decorative details consistent with the historic village character.

## **Cultural Heritage Attributes**

**86 Prospect Street is a representative example of a building constructed in the Italianate architectural style.** The property contains the following heritage attributes that reflects this value:

- Two-storey Italianate building
- Irregular plan
- Complex roofline with front and side gable peaks and overhanging eaves,
- Buff brick construction with red brick detailing
- Balanced façade with ornate bay window
- Quoins
- Segmentally arched window openings with red brick voussoirs and ornamental stone keystone, which creates a decorative detail which mimics a hood mould effect

**86 Prospect Street is directly associated with the historic village of Newmarket.** The property contains the following heritage attributes that reflect this value:

- Two-storey Italianate residence
- Buff and red brick construction

**86 Prospect Street is important in supporting and maintaining the 19th century character of the historic Village of Newmarket.** The property contains the following heritage attributes that reflect this value:

- Two-storey Italianate residence
- Overall massing, setback, and decorative detail
- Location on Prospect Street

## **Schedule “B” to By-law 2025-51**

### **LEGAL DESCRIPTION**

PT LT 20 PL 125 NEWMARKET AS IN NE13028, NE15506; NEWMARKET

Property Identification Number: 03608-0068 (LT)