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Notice of Passing

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 2025-32, 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:

440-442 Eagle Street, Newmarket, Ontario

PT LT 22 S/S EAGLE ST PL 85 NEWMARKET CONFIRMED BY 65BA236, AS IN
R505118; LT 23 S/S EAGLE ST PL 85 NEWMARKET CONFIRMED BY 65BA236;
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, 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 during regular business hours.

Dated at the Town of Newmarket
this 18th day of February 2025

Town Clerk
Town of Newmarket

Corporation of the Town of Newmarket

By-law 2025-32

A By-law to designate the property at 440-442 Eagle Street, the Hill/Beman/Robinson 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 440-442 Eagle 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 440-442 Eagle 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 10th day of February, 2025.



John Taylor, Mayor



Lisa Lyons, Town Clerk

Schedule “A” to By-law 2025-32

Statement of Significance Reason for Designation

Hill/Beman/Robinson House
440-442 Eagle Street
Newmarket, ON
L3Y 1K6

Reason for Designation

The property at 440-442 Eagle Street, also known as the Hill/Beman/Robinson 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

440-442 Eagle Street is located on the south side of Eagle Street in the Town of Newmarket. The large two-and-a-half storey frame building was built between 1801 and 1804 and moved to its current location in 1855.

Statement of Cultural Heritage Value or Interest/Statement of Significance

Physical/Design Value

440-442 Eagle Street is an early example of a vernacular building and is one of the oldest buildings in Newmarket. The massing of 440-442 Eagle Street follows a simple but large two-and-a-half storey frame structure constructed to a rectangular plan. The large unadorned front gable frame building follows a rectangular plan with simple window openings often found in vernacular expressions.

Historical/Associative Value

440-442 Eagle Street directly associated with the historic Village of Newmarket. 440-442 Eagle Street is one of the first known residence constructed in the village by Joseph Hill around 1801 and later occupied by the Beman-Robinson family.

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. The development of the commercial core and surrounding residential streetscapes in the mid 19th century played a significant role in the social and economic development and growth of the Village of Newmarket.

440-442 Eagle Street was built around 1801 by Joseph Hill, a Quaker settler who arrived in Newmarket along with Timothy Rogers and his first wave of settlers from the United States. Along with this residence, Hill also constructed a dam and mill at the foot of Main Street creating the millpond currently known as Fairy Lake. Joseph Hill occupied the property until 1804, when the mill, store, and frame residence were purchased by Elisha Beman. In 1808, Elisha Beman obtained more of Joseph Hill's property, including an illegally operating tannery. Elisha Beman was born in New York in 1795 immigrated to York (Toronto) around 1795. Elisha Beman established himself as the proprietor of a tavern and the Commissioner of Weights and Measures for the town of York, and also served as its Overseer of Highways in 1801

and 1802. In 1802, he married Esther Sayre Robinson, the widow of Christopher Robinson, who had been a member of the Legislative Assembly and the Deputy Surveyor of Woods and Forests. As a result of this marriage, Elisha Beman became well connected to powerful families with far-reaching political connections. Elisha Beman moved his family to Newmarket in 1803, where he purchased Joseph Hill's mill, store, and house, along with 95 acres of land.

Elisha Beman and his stepsons, Peter Robinson, John Beverly Robinson, and William Robinson operated numerous lucrative businesses in Newmarket. He was known as a shrewd businessman with ties to Ontario's prominent families and was responsible for much of the fledgling village's early growth. Peter Robinson and John Beverly Robinson would go on to play important roles in the early government of Ontario, while William Robinson helped his stepfather with several local commercial ventures. During Beman-Robinsons ownership of the house it served as a place of hospitality for many well known figures such as Dr. John Strachan, Lord Dalhousie, Sir Peregrine Maitland, and Sir John Franklin. Thanks to lucrative contracts with government officials and prominent businessmen, farmers were able to deliver their grain to Beman's mills in Newmarket to be processed instead of having to ship their grain to Toronto, which in turn encouraged business in Newmarket and aided in its early development as Whitchurch Township's mercantile centre. By the time of Elisha Beman's death in 1821, his store had developed into one of the larger trading establishments in the region. After Elisha Beman's death the frame residence continued to be occupied by his family until the property was sold to George Cotter in 1837. George Cotter used the sawmill originally constructed by Elisha Beman as an oat mill.

Around 1855, the Beman-Robinson house was relocated to its current location at 440-442 Eagle Street by Capt. Wellington Selby, the son of Colonel Thomas "Squire" Shelby of Sharon, a well regarded military figure who fought at the Battle of Queenston Heights in the War of 1812. At this time the house was converted into a double-tenant house, however it retained much of its original appearance.

Contextual Value

440-442 Eagle Street is important in supporting the 19th century character of the historic Village of Newmarket. Several residential side streets, including Eagle Street, were established in the village core, near the commercial Main Street. Located off or parallel to Main Street, the buildings 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. As one of the earliest buildings in Newmarket, 440-442 Eagle Street exhibits setback and massing which associated with early buildings which help define the early origins of the historic village.

Cultural Heritage Attributes

440-442 Eagle Street is an early example of a vernacular building and is one of the oldest buildings in Newmarket. The property contains the following heritage attributes that reflect this value:

- Large two-and-a-half storey frame structure vernacular building
- Rectangular plan
- Unadorned front gable roof
- Simple rectangular window openings

440-442 Eagle Street directly associated with the historic Village of Newmarket. The property contains the following heritage attributes that reflect this value:

- Large two-and-a-half storey frame structure vernacular building

440-442 Eagle Street is important in supporting the 19th century character of the historic Village of Newmarket. The property contains the following heritage attributes that reflect this value:

- Large two-and-a-half storey frame structure
- Overall massing and setback
- Location on Eagle Street

Schedule “B” to By-law 2025-32

LEGAL DESCRIPTION

PT LT 22 S/S EAGLE ST PL 85 NEWMARKET CONFIRMED BY 65BA236,
AS IN R505118; LT 23 S/S EAGLE ST PL 85 NEWMARKET CONFIRMED
BY 65BA236; NEWMARKET

Property Identification Number: 03607-0033 (LT)