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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 2025-36, 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:

458-460 Timothy Street, Newmarket, Ontario

PT LT 65 PL 81 NEWMARKET; PT LT 71 PL 81 NEWMARKET; S/T NE10608;
TOWN OF 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 2025-36

A By-law to designate the property at 458-460 Timothy Street, the Margaret Forsyth 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 458-460 Timothy 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,

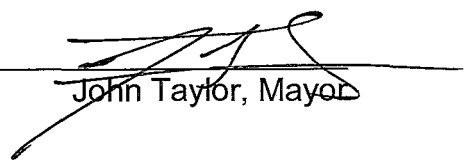
Whereas a notice of objection to the Notice of Intention to Designate was served to the Town Clerk of the Corporation of the Town of Newmarket; and,

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

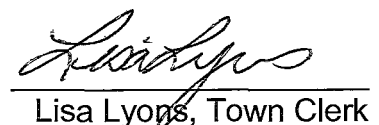
Therefore the Council of the Corporation of the Town of Newmarket enacts:

1. That the property at 458-460 Timothy 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 2025-36

Statement of Significance Reason for Designation

The Margaret Forsyth House
458-460 Timothy Street
Newmarket, ON
L3Y 1P8

Reason for Designation

The property at 458-460 Timothy Street, also known as the Margaret Forsyth 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

458-460 Timothy Street is located on the south side of Timothy Street in the Town of Newmarket. The two-and-a-half-storey residence built in the Italianate architectural style was constructed circa 1883.

Statement of Cultural Heritage Value or Interest/Statement of Significance

Physical/Design Value

458-460 Timothy Street is a representative example of the Italianate architectural style. The two-and-a-half storey building follows a L-shaped plan with a cross gable roof and overhanging eaves, brick construction, two-storey bay windows with decorative paired wood brackets along the roofline, which are design elements associated with the Italianate style. Moreover, the asymmetrical façade with balanced and symmetrical elements includes segmentally arched window openings with brick voussoirs, two entryways with segmentally arched, openings one of which features a transom, and open porch supported by wood post and decorative wood brackets are additional features of the Italianate architectural style.

Historical/Associative Value

458-460 Timothy Street is directly associated with the historic Village of Newmarket and the Forsyth 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. Many early merchants with stores on Main Street lived in the nearby side streets, including the Forsyth family who built and operated an inn at the corner of Main Street and Timothy Street.

James Forsyth purchased what is now the King George Hotel on the southwest corner of Timothy Street and Main Street in 1848 and constructed a new inn in the Georgian style which he called “Forsyth House”. The inn is still extant today with a civic address of 232 Main Street. James married Margaret Ross in 1850, who inherited his estate which included the lands associated with the hotel and the subject property after his death in 1858. Margaret continued to operate the hotel as the Railroad Hotel and would eventually lease it to other operators. The hotel was known by several names

throughout the years, including the Pipher House, Proctor House, and the King George Hotel. Margaret Forsyth had 458-460 Timothy Street constructed as a duplex, adjacent to the hotel her husband built, on lands she inherited for herself and her daughter to live circa 1883. It is likely that the brick used for the construction was from Stickwood's 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 until 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. 458-460 Timothy Street stayed within the Forsyth family ownership until 1941.

Contextual Value

458-460 Timothy Street is important in supporting the 19th century character of the historic Village of Newmarket. Several residential side streets, including Timothy 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. 458-460 Timothy Street exhibits setback, massing, style, decorative details consistent with the historic village character.

Cultural Heritage Attributes

458-460 Timothy Street is a representative example of the Italianate architectural style. The property contains the following heritage attributes that reflects this value:

- Two-and-a-half-storey residence built in the Italianate architectural style
- L-shaped plan
- Asymmetrical façade with balanced and symmetrical elements
- Cross gable roof with overhanging eaves
- Buff brick construction
- Two-storey bay windows on façade and east elevation with decorative paired wood brackets
- Segmentally arched window openings with brick voussoirs
- Segmentally arched door openings one of which features a transom
- One-storey open porch supported by wood posts and decorative wood brackets

458-460 Timothy Street is directly associated with the historic Village of Newmarket and Forsyth family. The property contains the following heritage attributes that reflect this value:

- Two-and-a-half-storey residence built in the Italianate architectural style
- Proximity to 'Forsyth Hotel' (232 Main Street)
- Buff brick construction

458-460 Timothy Street is important in supporting the 19th century character of the historic Village of Newmarket. The property contains the following heritage attributes that reflects this value:

- Two-and-a-half-storey residence built in the Italianate architectural style
- Overall massing, setback, and decorative detail
- Location on Timothy Street

Schedule “B” to By-law 2025-36

LEGAL DESCRIPTION

PT LT 65 PL 81 NEWMARKET; PT LT 71 PL 81 NEWMARKET; S/T NE10608;
TOWN OF NEWMARKET

Property Identification Number: 03606-0043 (LT)