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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 2025-07, 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:

112 Main Street North, Newmarket, Ontario

PCL 360-1 SEC M73; PT LT 360 PL M73; PT 1, 65R3283; 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 2025-07

A By-law to designate the property at 112 Main Street North, the Newmarket Cemetery 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 112 Main Street North 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,

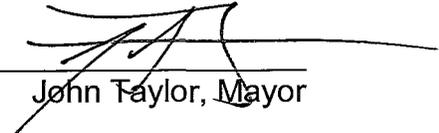
Whereas a notice of objection to the Notice of Intention to Designate was served to the Town Clerk of the Corporation of the Town of Newmarket; and,

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 112 Main Street North, 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 2025-07

Statement of Significance Reason for Designation

The Newmarket Cemetery House
112 Main Street North
Newmarket, ON
L3Y 4A1

Reason for Designation

The property at 112 Main Street North, also known as the Newmarket Cemetery 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

112 Main Street North is located on the west side of Main Street North in the Town of Newmarket. The subject property, known as Newmarket Cemetery, contains a 19th century cemetery which includes the caretaker’s house constructed in 1873 built in a Gothic Revival style.

Statement of Cultural Heritage Value or Interest/Statement of Significance

Physical/Design Value

112 Main Street North has physical value as an example of an 19th century cemetery which includes the caretaker’s house constructed in 1873 in a Gothic Revival design. Overall, the cemetery layout is in keeping with the picturesque movement design principles. The oldest portion of the cemetery dates to 1869 and includes memorials for some of the earliest settler families in Newmarket. This undesignated section includes memorials often clustered in familiar groups often with sporadically placed or oriented plots. To the rear of the cemetery is more organized with intentional layout and calm and reflective spaces integrating burial gardens, in-ground memorials, upright monuments, walkways, columbaria, and natural features such as mature tree and vegetation. The two-storey brick caretaker’s house, currently covered with parging, has a symmetrical and balanced façade and follows a cross-shaped plan with intersecting side gable roof showcasing a prominent front gable which are characteristic of Gothic Revival architecture. The subject building includes rectangular window openings and stone sills and a prominent two-storey frontispiece which are also features associated with Gothic Revival buildings. The caretaker’s house is located atop a rise in topography with the cemetery plots located to the north and west of the building, this placement reflects the picturesque movement.

Historical/Associative Value

112 Main Street North has historic value as a non-denominational 19th century cemetery that served the historic Village of Newmarket. The purposed built caretaker’s brick residence (now covered with parging) was constructed in 1873 by architect John T. Stokes on land owned by Thomas A. Lewis. Originally known as Pleasantview Cemetery, the Newmarket Cemetery, was established on land that belonged to local landowner Thomas A. Lewis. Prior to the establishment of the Newmarket Cemetery, there was a small burying ground on Eagle Street. Although the cemetery wasn’t officially established until 1869, the first burial on the property took place on July 5, 1864, when local merchant Alfred Burns was interred. The original 12 acres

of Thomas Lewis' property was officially sold to the Newmarket Cemetery Company in 1872, and in 1873. The caretaker's residence was designed by local architect John T. Stokes. The first caretaker, William Turrel, moved into the residence in 1875, and it the building was occupied by cemetery caretakers for decades and more recently used to support the management of the cemetery.

112 Main Street North reflects the work of British born local architect and civil engineer John T. Stokes. Stokes worked predominately in the Gothic Revival style as reflected in his own Sharon residence on Leslie Street, the caretaker's residence at the Newmarket Cemetery (subject property), and numerous public commissions such as the Christian Baptist Church and St. Andrew's Presbyterian Church, both in Newmarket. Other commissions included the first and second North York Registry Offices in Newmarket, and public schools in Ringwood, Bolton, and Newmarket, among others. In addition to his architectural works John Stokes played a significant role in civic matters and was a founding member of the Canadian Society of Civil Engineers with Cazimir Gzowski and was also active as a municipal official in Sharon, Ontario. John T. Stokes died of pneumonia on November 30, 1891, and is buried in the Newmarket Cemetery, whose caretaker's residence he designed.

Contextual Value

112 Main Street North is easily distinguishable as a cemetery and important in defining the character of the area. The park like setting, location, size, and street frontage in relation to the encompassing suburban community defines this section of Main Street. The unobstructive views from Main Street to the caretaker's residence is a key part of this landscape.

112 Main Street North is a landmark within the Town of Newmarket. The cemetery occupies prominent open space, located along a major arterial road. It is a well-known marker in the community as it is among the early cemeteries in Newmarket and houses the remains of many generations of local citizens. The caretaker's residence located along the street on a rise of land is a local marker that denotes the entrance to the cemetery.

Cultural Heritage Attributes

112 Main Street North has physical value as an example of an 19th century cemetery which includes the caretaker's house constructed in 1873 in a Gothic Revival design. The property contains the following heritage attributes that reflect this value:

- Two-storey building constructed in the Gothic Revival architectural:
 - Intersecting side gable roof with central gable peak
 - Rectangular window and door openings
 - Two-storey frontispiece containing formal entryway opening

112 Main Street North has historic value as a 19th century cemetery that served the historic Village of Newmarket. The property contains the following heritage attributes that reflect this value:

- Two-storey building constructed in the Gothic Revival architectural style
- Overall massing, setback, and decorative details
- Orientation of building as well as location on Main Street and on a rise of land

112 Main Street North reflects the work of British born local architect and civil engineer John T. Stokes. The property contains the following heritage attributes that reflect this value:

- Two-storey building constructed in the Gothic Revival architectural style

- Overall massing, setback, and decorative details
- Orientation of building as well as location on Main Street and on a rise of land

112 Main Street North is easily distinguishable as a cemetery and important in defining the character of the area. The property contains the following heritage attributes that reflect this value:

- Unobstructed view of the two-storey building constructed in the Gothic Revival architectural style

112 Main Street North is a landmark within the Town of Newmarket. The property contains the following heritage attributes that reflect this value:

- Unobstructed view of the two-storey building constructed in the Gothic Revival architectural style
- Overall massing, setback, and decorative details
- Orientation of building as well as location on Main Street and on a rise of land

Schedule "B" to By-law 2025-07

LEGAL DESCRIPTION

PCL 360-1 SEC M73; PT LT 360 PL M73; PT 1, 65R3283; NEWMARKET

Property Identification Number: 03573-0029 (LT)