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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 2025-12, 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:

161 Church Street, Newmarket, Ontario

LT 11 PL 29 LT 12 PL 29 PT LT 13 PL 29 PT LT 20 PL 29 AS IN R155598; S/T R339760; 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 2025-12

A By-law to designate the property at 161 Church Street, the Lyman Jackson 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 161 Church 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,

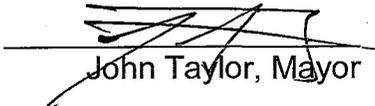
Whereas no notice of objection to the Notice of Intention to Designate was served to the Town Clerk of the Corporation of the Town of Newmarket; and,

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 161 Church 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 2025-12

Statement of Significance Reason for Designation

The Lyman Jackson House
161 Church Street
Newmarket, ON
L3Y 4B9

Reason for Designation

The property at 161 Church Street, also known as the Lyman Jackson 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

161 Church Street is located on the east side of Church Street in the Town of Newmarket. The property contains a two-and-a-half storey Queen Anne building constructed in in 1902.

Statement of Cultural Heritage Value or Interest/Statement of Significance

Physical/Design Value

161 Church Street is a representative example of a building constructed in the Queen Anne architectural style. The grand two-and-a-half storey red brick building follows an irregular plan with a complex roof with two prominent projecting gable pediments positioned over a canted wall on the façade and south elevation, two exterior chimneys, open porches and balcony which create the playful and asymmetrical composition associated with Queen Anne design. The building showcases a variety of window shapes and sizes including large rectangular window openings with decorative rock faced lintels and sills, an oval window, and arched openings add to the ornate nature of the building and are common features of Queen Anne architectural style. The primary entrance with its rectangular opening is located within a one-storey portico finished with a prominent gable pediment and the upper storey balcony is supported by wood columns and railings on masonry piers and asymmetrical position on the southwest corner of the building. The rectangular door which provides access to the second storey balcony contains a Queen Anne style sash and add to the ornate nature of the style. The use of mixed materials and irregular but balanced composition provides a playfulness that is representative of the Queen Anne style.

Historical/Associative Value

161 Church Street directly associated with the historic Village of Newmarket, the Jackson family, and architect James Ellis. 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-to-late 19th and early 20th 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 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 reflects the concentrated development and prosperity of the historic village.

161 Church Street is associated with the Jackson family who were prominent members within the historic village of Newmarket. The land associated with the subject property was purchased by Erastus Jackson in 1874. Erastus Jackson. Erastus Jackson arrived in Newmarket on June 20, 1853, with his business partner E.R. Henderson and purchased the local Newmarket paper, which was in dire financial straits. In July 1861, Erastus Jackson changed the name of the paper to the Newmarket Era. Erastus was heavily involved in municipal matters serving the community as a Councillor, Reeve, Mayor, Warden, and several religious and civil positions. In 1883, Erastus Jackson retired and turned the daily operation of the Newmarket Era over to his son, Lyman G. Jackson. Lyman George Jackson was born on May 23, 1856, and owned and operated the Newmarket Era from 1883 until 1934. In 1901 he hired local contractor James Benning to move the existing buildings within the Jackson's land holding to create a large vacant lot in order to build his family a private residence. In 1902 by Toronto-based architect James A. Ellis was hired to construct the building at 161 Church Street. James Augustus Ellis trained as an architect with Owen Sound architect Julian Forster. Ellis used several local tradesmen to carry out the construction of the subject property. The subject building "Mapleton" was used by Lyman and his family as a residence until his death on August 8, 1934, when the property was sold ending 60 years of Jackson family ownership.

Contextual Value

161 Church Street demonstrates the work of Toronto-based architect James A. Ellis. Born in Meaford in 1856, James Ellis apprenticed in the building trade and studied architecture under Julian Forster in Owen Sound. Ellis moved to northern Ontario in 1887, and by 1890 had relocated to the Toronto Junction neighbourhood, where he had built over 30 buildings by 1900. Although his early works were predominately in the Romanesque Revival style, his later works, including the subject property, embraced more Beaux Arts and Queen Anne styles.

161 Church Street is important in supporting the early- 20th century character of the historic Village of Newmarket. Several residential side streets, including Church 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. 161 Church Street exhibits setback, massing, style, decorative details consistent with the historic village character.

Cultural Heritage Attributes

161 Church Street is a representative example of a building constructed in the Queen Anne architectural style. The property contains the following heritage attributes that reflect this value:

- Two-and-a-half storey Queen Anne building
- Red brick construction
- Irregular plan
- Complex roof with overhanging eaves, two prominent projecting gable pediments, and two exterior chimneys
- Canted wall on the façade and south elevation,
- A variety of window shapes and sizes including large rectangular window openings with decorative rock faced lintels and sills, an oval window, and arched openings

- The primary entrance with its rectangular opening
- One-storey portico finished with a prominent gable pediment and upper storey balcony supported by wood columns and railings on masonry piers
- Rectangular door on second storey balcony contains a Queen Anne style sash

161 Church Street directly associated with the historic Village of Newmarket, the Jackson family, and architect James Ellis. The property contains the following heritage attributes that reflect this value:

- Two-and-a-half storey Queen Anne building
- Red brick construction

161 Church Street demonstrates the work of Toronto-based architect James A. Ellis. The property contains the following heritage attributes that reflect this value:

- Two-and-a-half storey Queen Anne building
- Red brick construction

161 Church Street is important in supporting the early- 20th century character of the historic Village of Newmarket. The property contains the following heritage attributes that reflect this value:

- Two-and-a-half storey Queen Anne building
- Overall massing, setback, and decorative details
- Location on corner of Church Street and Park Avenue

Schedule "B" to By-law 2025-12

LEGAL DESCRIPTION

LT 11 PL 29 LT 12 PL 29 PT LT 13 PL 29 PT LT 20 PL 29 AS IN R155598;
S/T R339760; TOWN OF NEWMARKET

Property Identification Number: 03604-0111 (LT)