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# TOWN OF NEWMARKET

Office of the Town Clerk

DIRECTOR'S OFFICE

AUG 07 1992

HERITAGE POLICY BRANCH

*Nancy S*

July 23, 1992

*York*

The Ontario Heritage Foundation,  
7 Bloor Street West,  
7th Floor,  
Toronto, Ontario.  
M7A 2R9

Dear Sirs:

**Re: Designations Under the  
Ontario Heritage Act**

I am writing to advise that the Council of the Corporation of the Town of Newmarket at its meeting held July 20, 1992, enacted the following bylaws:

- ✓ 1992-105 A BYLAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS 170 LORNE AVENUE, NEWMARKET, AS BEING OF ARCHITECTURAL AND HISTORICAL SIGNIFICANCE.
- 1992-106 A BYLAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS 438 BOTSFORD STREET, NEWMARKET AS BEING OF ARCHITECTURAL AND HISTORICAL SIGNIFICANCE.

I have enclosed copies of the bylaws for your records.

Yours very truly,

*Linda J. Dean*

Linda J. Dean,  
Deputy Clerk.

LJD:adm  
(File: 3.7.2)

cc: Mr. W. Morgan, L.A.C.A.C. Chairman

CORPORATION OF THE TOWN OF NEWMARKET

BYLAW NUMBER 1992-106

A BYLAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALLY AS 438 BOTSFORD STREET, NEWMARKET, AS BEING OF ARCHITECTURAL AND HISTORICAL SIGNIFICANCE.

BE IT ENACTED by the Municipal Council of the Corporation of the Town of Newmarket as follows:

WHEREAS Section 29 of The Ontario Heritage Act 1980 authorizes the Council of a municipality to enact bylaws to designate real property, including all buildings and structures thereon, to be of architectural of historic 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 known as 438 Botsford Street, Newmarket, and upon The Ontario Heritage Foundation, notice of intention to so designate the aforesaid real property and has caused such notice of intention to be published in a newspaper having general circulation in the municipality once for each of three consecutive weeks.

BE IT THEREFORE ENACTED by the Municipal Council of the Corporation of the Town of Newmarket as follows:

1. There is designated as being of architectural and historical value or interest the real property known as 438 Botsford Street, Newmarket, more particularly described in Schedule "A" hereto.
2. The reasons for designation of 438 Botsford Street, Newmarket, are described in Schedule "B" hereto.
3. The Municipal Solicitor is hereby authorized to cause a copy of this bylaw to be registered against the property described in Schedule "A" hereto in the property land registry office.

4. The Clerk is hereby authorized to cause a copy of this bylaw to be served on the owner of the aforesaid property and on the Ontario Heritage Foundation and to cause notice of the passing of this bylaw to be published in a newspaper having general circulation in the municipality once for each of three consecutive weeks.

READ A FIRST AND SECOND TIME THIS 20 DAY OF  
*July*, 1992.

READ A THIRD TIME AND FINALLY PASSED THIS 20 DAY OF  
*July*, 1992.

  
\_\_\_\_\_  
R. J. Twinney, Mayor

  
\_\_\_\_\_  
Linda J. Dean, Deputy Clerk

**SCHEDULE 'A' TO BYLAW 1992-106**

**LEGAL DESCRIPTION (438 Botsford Street)**

All and singular that certain parcel or tract of land and premises, situate, lying and being in the Town of Newmarket, in The Regional Municipality of York and Province of Ontario and being composed of Lot 56, and Part of Lot 58 of Plan 81 registered in the Land Registry Office for the Registry Division of York Region together with a right-of-way, more particularly described as:

Firstly: Lot 56 on the south side of Botsford Street, Plan 81, Town of Newmarket, in The Regional Municipality of York;

Secondly: That Part of Lot 58 on the North Side of Timothy Street, Plan 81, described as follows:

Commencing at the south-west angle of the said Lot 56;

THENCE easterly along the northerly limit of the said Lot 58, a distance of 42 feet 6 inches;

THENCE southerly parallel to Church Street a distance of 12 feet;

THENCE westerly parallel to the northerly limit of the said Lot 58, a distance of 42 feet 6 inches;

THENCE northerly 12 feet to the place of beginning;

Together with a right-of-way in common with others entitled thereto over a lane 12 feet wide running along the north end of Lot 57 on the north side of Timothy Street according to the Plan 81 and across that part of the northerly 12 feet of the said Lot 58 lying to the west of the land herein secondly described.

## SCHEDULE 'B' TO BYLAW 1992-105

### **REASONS FOR DESIGNATION (438 BOTSFORD STREET)**

The property at 438 Botsford Street is designated for architectural and historical reasons. The house was constructed circa 1839 for James Caldwell, a chairmaker and prominent land owner, whose family retained the property until 1896. The site was named "Liberty Hall" in recognition of Caldwell's purported support of the rebellion of 1837.

The main body of the house, a frame structure with stucco cladding, blends the symmetry of Georgian architecture with elements of the Classical Revival style. The 2 1/2 storey structure features a narrow rectangular plan with a long principal (north) facade. The main entrance, centered in the first floor in a three bay facade, has a transom and sidelights. Rectangular sliding sash windows, originally 6 over 6 sashes, with wooden shutters are found on all elevations. Originally a bell-cast roofed veranda with slender posts graced the principal and east facade. Two early 19th century wall paintings, the Caldwell family crest and a terrier dog, survive in the interior centre hall. The structure is covered by a medium pitched gable roof with return eaves and end chimneys. The building is extended to the rear (south) by a 1 1/2 storey brick tail. This extension is designed in the Ontario cottage form with a central gable which faces east toward Main Street with openings set according to the interior arrangement. The tail is protected by a low-pitch gable roof with a central chimney. A veranda with full length wooden columns graces this extension.