



THE CORPORATION OF THE
TOWN OF MIDLAND

**NOTICE OF PASSING OF HERITAGE DESIGNATION BY-LAW
PURSUANT TO SECTION 29 OF THE *ONTARIO HERITAGE
ACT, R.S.O. 1990, C. O.18*
328 FIFTH STREET**

TAKE NOTICE that the Council of the Corporation of the Town of Midland, at its meeting held on June 24, 2026, made the decision to pass By-law 2026-50, being a By-law to designate a property municipally known as 328 Fifth Street as being of Cultural Heritage Value or Interest pursuant to Part IV, Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended (*'Ontario Heritage Act'*).

The Town Clerk did not receive any objections to the Notice of Intention to Designate the Property. Therefore, Town Council did not consider any objections and passed the designation by-law for the Property.

AND TAKE FURTHER NOTICE that as per section 29(11) of the *Ontario Heritage Act*, an appeal to the Ontario Land Tribunal in respect to this By-law may be made by filing, in writing, a Notice of Appeal with the Town Clerk. Any persons who object to the designation by-law may file a Notice of Appeal to the Ontario Land Tribunal. The Notice of Appeal must:

- set out the reasons for the objection to the designation by-law;
- set out the reasons in support of the objection to the designation by-law;
- be accompanied by the applicable fee charged by the Ontario Land Tribunal; and
- be submitted no later than **thirty (30) days after the publication of this notice.**

An appeal may be filed either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account at olt.gov.on.ca/e-file-service by selecting MIDLAND (TOWN OF) as the Approval Authority) or by mail to Town of Midland, 575 Dominion Avenue, Midland, ON. L4R 1R2. The required appeal fee 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 Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at olt.gov.on.ca.

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. If the e-file portal is down, you can submit your appeal to clerks@midland.ca.

Description of the property:

The property is legally described as Plan 306 PT Lot 1 Plan 374; PT Lots 6 to 10 PT Lane RP; 51R38315 Parts 1 to 4 and is municipally known as 328 Fifth Street, Town of Midland, County of Simcoe.



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Obtaining Additional Information:

Additional information about heritage planning at the Town of Midland may be obtained by contacting City planning staff by e-mail at planning@midland.ca, or by phone at 705-526-4275 ext. 2217.

Dated at the Town of Midland this 14th day of July, 2026.

Sherri Edgar
Director of Legislative Services/Town Clerk
The Corporation of the Town of Midland
575 Dominion Avenue
Midland, ON L4R 1R2

THE CORPORATION OF THE TOWN OF MIDLAND

BY-LAW 2026-50

A By-law to designate a property municipally known as 328 Fifth Street (the "Property"), as being of cultural heritage value or interest.

WHEREAS, Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, authorizes the Council of a municipality to enact By-laws to designate real property, including all buildings and structures thereon, to be of cultural heritage value or interest;

AND WHEREAS Council for a municipality may only designate a property under Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, if the property meets one or more of the criteria as prescribed under O. Reg 9/06;

AND WHEREAS 328 Fifth Street was evaluated against the criteria in O. Reg 9/06, and Council for the Town of Midland determined that the property has cultural heritage value or interest;

AND WHEREAS the Council of the Corporation of the Town of Midland has consulted with its Municipal Heritage Committee pertaining to this By-law;

AND WHEREAS the Corporation of the Town of Midland has caused notice of its intention to designate the Property to be given in accordance with subsections 29(3), 29(4), and 29(4.1) of the *Ontario Heritage Act*;

AND WHEREAS no notice of objection to the proposed designation of the Property has been served on the Clerk of the municipality;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF MIDLAND HEREBY ENACTS AS FOLLOWS:

1. That this By-law designate real property municipally known as 328 Fifth Street and more particularly described as PLAN 306 PT LOT 1 PLAN 374; PT LOTS 6 TO 10 PT LANE RP; 51R38315 PARTS 1 TO 4, as a property of cultural heritage value or interest, pursuant to Section 29 of the *Ontario Heritage Act*, R.S.O. 1990.
2. That the Statement of Cultural Heritage Value or Interest and description of heritage attributes is described in Appendix "A" of this By-law.
3. That the Statement of Cultural Heritage Value or Interest and description of heritage attributes apply and be limited to 'areas containing CHVI' as shown in Appendix "B" of this by-law.

4. That the Clerk of the municipality is hereby authorized to cause a copy of this By-law to be registered against the aforesaid property in the Land Registry Office.
5. That the Clerk of the municipality is hereby authorized to cause a copy of this By-law to be served on the owner(s) of the aforesaid property and on the Ontario Heritage Trust.
6. That this By-law shall come into force and effect on the final passage thereof.

BY-LAW PASSED AND ENACTED THIS 24TH DAY OF JUNE 2026.

THE CORPORATION OF THE TOWN OF MIDLAND

BILL GORDON – MAYOR

SHERRI EDGAR – CLERK

Written approval of this By-law was given by Mayoral Decision MDE-2026-12 dated June 24, 2026.

Appendix “A” to By-law 2026-50

Statement of Cultural Heritage Value or Interest

The property has cultural heritage value for its physical/design values, historical/associative values, and contextual values.

The property contains design/physical value as a rare, large estate sized property with the 2.5 storey main residence set well back from Fifth Street and sited centrally on the property on a terraced landform with large, open front lawn and commodious surrounding landscape. The 1.5-storey former automobile storage building associated with the main residence remains in-situ on the property. (Criterion 1)

The property also contains design/physical value as a unique example of a residence with Edwardian Classical influences, but with the residence constructed in a grander scale than other dwellings with Edwardian Classical influences in the neighbourhood. (Criterion 1)

The property has historical and associative value for its direct connection with David Shear (D.S.) Pratt who was a prominent local businessman. The business ventures of D.S. Pratt directly reflected important industries in Midland, having been involved with the Midland Wood Company, the Midland Coal Dock Company and the Midland Drydock Company. All three of these industries were interrelated and contributed to the economic development of the Town of Midland. Lumber was for a time one of the most important industries which brought capital into the Town, coal was necessary to power its commercial transportation, and dredging supported the maritime transportation of various goods. A tablet commemorating D.S. Pratt was dedicated inside Knox Presbyterian Church at 539 Hugel Avenue in Midland in 1949. (Criterion 4)

The property contains contextual value because it maintains and supports the character of the immediate area along Fifth Street. The north section of Fifth Street, between Hugel Avenue and ending with 328 Fifth Street, contains a grouping of residences with Edwardian Classical influences as denoted in the common form, scale, massing and architectural details. These residences were all built in the first decades of the 20th century. (Criterion 7)

In addition, the property contains contextual value because it historically linked to the surrounding dwellings on Fifth Street with Edwardian Classical influences, which were all constructed by 1928. (Criterion 8)

Heritage Attributes

The following heritage attributes represent the design/physical value of the property:

- Edwardian Classical influences of the residence including the:
 - 2.5 scale and form of the main residence

- red-brick cladding using stretcher bond brickwork on a brick and stone foundation
 - large, hipped roof, with decorative shingles in the gables
 - frontispiece on the façade
 - prominent veranda supported by grouped round classical columnettes on brick piers
 - large window openings with dichromatic brick jack arches with prominent brick keystones on the main floor and second floors
 - window openings with dichromatic brick segmental arches and prominent brick keystones
- The estate property with its:
 - main residence set well back from Fifth Street and sited centrally on the property on a terraced landform with large, open front lawn and commodious surrounding landscape
 - 1.5-storey former automobile storage building

The following heritage attributes represent the historical/associative value:

- 2.5 scale and form of the main residence

The following heritage attributes represent the contextual value of the property:

Edwardian Classical influences of the residence including the:

- 2.5 scale and form of the main residence
- Red-brick cladding using stretcher bond brickwork on a brick and stone foundation
- Large, hipped roof, with decorative shingles in the gables
- Frontispiece on the façade
- Prominent veranda supported by grouped round classical columnettes on brick piers
- Large window openings with dichromatic brick jack arches with prominent brick keystones on the main floor and second floors
- window openings with dichromatic brick segmental arches and prominent brick keystones

Property Areas containing CHVI

The area of the lot stretching from Fifth Street with the large front lawn and terraced lawn to the rear of the dwelling and including the carriage house. These areas are more particularly outlined by Appendix “B” to this By-law.

Appendix "B" to By-law 2026-50

