

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 206-2024

A By-law to designate 2480 Kirby Road, in the City of Vaughan, in the Regional Municipality of York, Province of Ontario, as a property of cultural heritage value or interest under Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18.

WHEREAS Pursuant to Part IV, Section 29 of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18, as amended, the council of a municipality is authorized to enact a by-law to designate real property within the municipality, including all buildings and structures thereon, to be of cultural heritage value or interest;

AND WHEREAS section 29(1.1) of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18 requires the Council of a municipality to cause notice of intention to designate a property to be given by the Clerk of the municipality;

AND WHEREAS the property described in Schedule "A" to this By-Law, municipally known as 2480 Kirby Road is deemed to contain cultural heritage value or interest;

AND WHEREAS section 29(3) of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18 requires a notice of intent to designate to be served on the Property Owner, on the Ontario Heritage Trust, and to be published in a newspaper;

AND WHEREAS, on May 22, 2024 the Council of the Corporation of the City of Vaughan caused notice of intention to designate 2480 Kirby Road as a property of cultural heritage value or interest, with the notice served to the Ontario Heritage Trust and to the owners of 2480 Kirby Road.

AND WHEREAS section 270 of the *Municipal Act, 2001*, S.O. 2001, c. 25 requires a municipality to adopt and maintain policies with respect to the specific form and manner of the provision of notices;

AND WHEREAS sections 26(4) and 39.1(3) of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18 permit a municipality to publish notices in accordance with a policy adopted by the municipality under section 270 of the *Municipal Act, 2001*, S.O. 2001, c. 25;

AND WHEREAS the City of Vaughan enacted By-law 021-2024 on January 30, 2024 pursuant to section 270 of the *Municipal Act, 2001*, S.O. 2001, c. 25 which allows for

notice to be provided by way of the City's website;

AND WHEREAS on July 30, 2024, the City of Vaughan published a notice of intention to designate 2480 Kirby Road on the City of Vaughan's website in accordance with By-law 021-2024;

AND WHEREAS a notice of objection to the proposed designation was served within the thirty-day timeline prescribed by section 29(5) of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18, on the Clerk of the City of Vaughan;

AND WHEREAS Council made a decision not to withdraw the notice of intention to designate the property as per section 29(6) of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18;

NOW THEREFORE the Council of the City of Vaughan ENACTS AS FOLLOWS:

1. That pursuant to Section 29 of the *Ontario Heritage Act*, the property located at 2480 Kirby Road (the "Property"), in the City of Vaughan, in the Regional Municipality of York, Province of Ontario, being more particularly described in Schedule "A" attached hereto and forming part of this By-law, shall be and is hereby designated as a property of cultural heritage value or interest.
2. That the Statement of Cultural Heritage Value or Interest for the Property explaining the reasons the Property is of cultural heritage value or interest is attached hereto in Schedule "B" and forms a part of this By-law.
3. That the City Solicitor is hereby authorized to cause a copy of this By-law and its Schedules to be registered against the title to the Property in the proper land registry office.
4. That the City Clerk is hereby authorized to cause a copy of this By-law and its Schedules to be served on the Property Owner and on the Ontario Heritage Trust.
5. That the City Clerk is hereby authorized to publish notice of this By-law on the City of Vaughan's municipal website.

Voted in favour by City of Vaughan Council this 19th day of November, 2024.

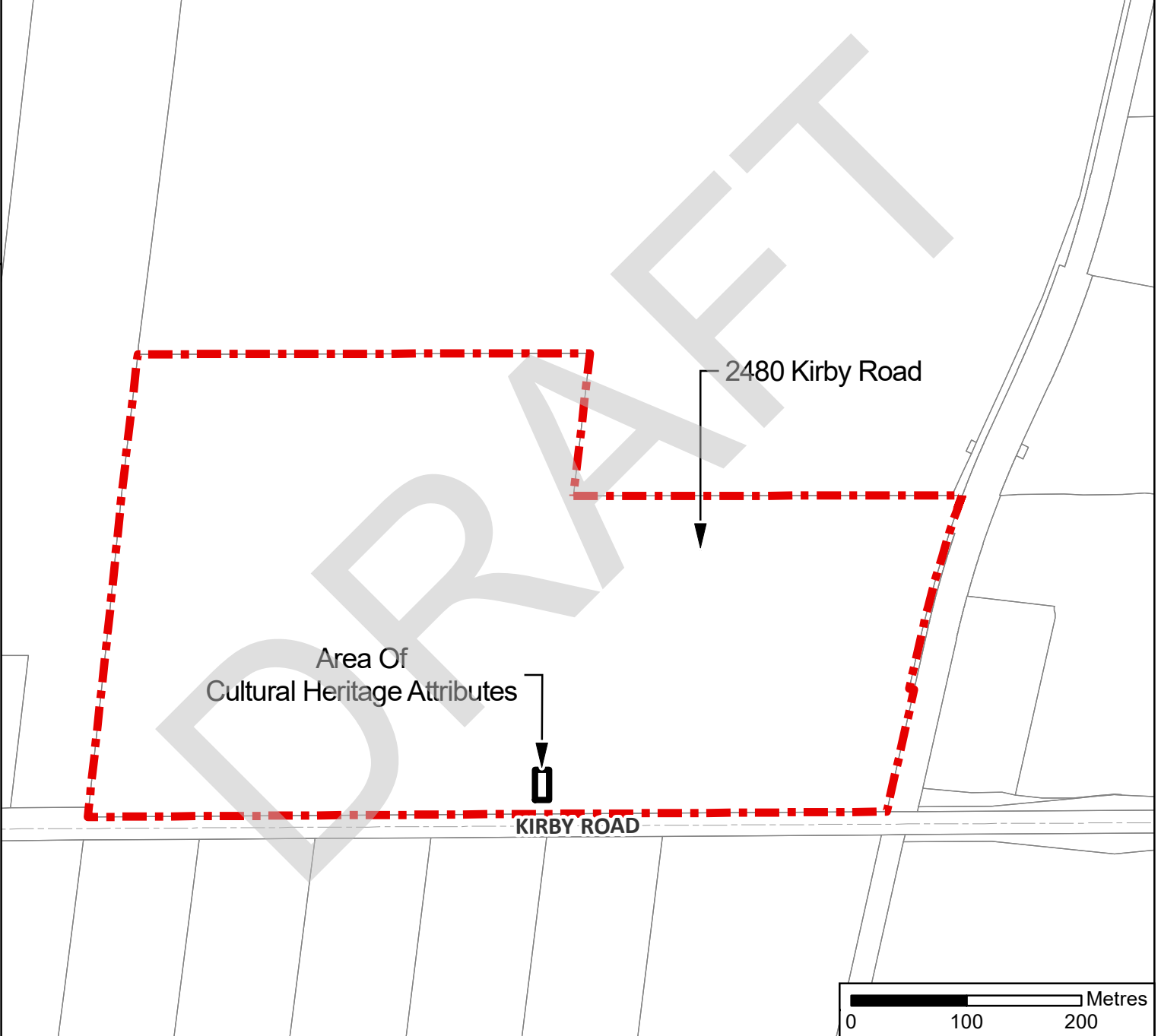
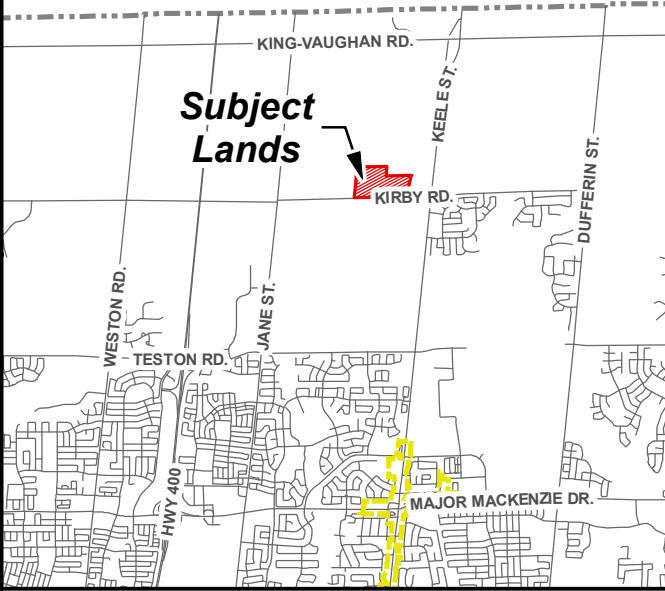
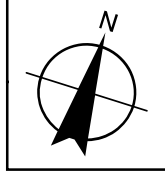
Steven Del Duca, Mayor

Todd Coles, City Clerk

DRAFT



Authorized by Item No. 10 of Report No. 17 of the Committee of the Whole.
Adopted by Vaughan City Council on May 22, 2024.
City Council voted in favour of this by-law on November 19, 2024.

CONTEXT MAP TOWNSHIP OF KING



**Schedule A
To By-Law 206-2024**

Location: Part of Lot 31, Concession 4 (Geographical Township of Vaughan) as in R278831, except Part 1 on Expropriation Plan YR2843019, City of Vaughan, Regional Municipality of York.

-  Subject Lands
-  Area Of Cultural Heritage Attributes

City of Vaughan

Schedule B - Statement of Cultural Heritage Value

STATEMENT OF CULTURAL HERITAGE VALUE

BRIEF DESCRIPTION

ADDRESS: 2480 Kirby Road

LEGAL: Part of Lot 31, Concession 4 (Geographical Township of Vaughan) as in R278831, except Part 1 on Expropriation Plan YR2843019, City of Vaughan, Regional Municipality of York.

OVERVIEW

The cultural heritage value of the property known as 2480 Kirby Road meets the criteria set out by the *Ontario Heritage Act* under Province of Ontario Regulation 9/06 for the categories of design/physical, historical/associative and contextual value.

Building Name: Kirby House
Date Built: ca. 1870's
Location: Concession 4, Lot 31 (East Half)
Community: Hamlet of Hope
Condition: fair physical condition

ARCHITECTURAL/PHYSICAL VALUE

Built in the 1870's, this bi-colour brick Ontario Gothic 1 ½ storey house is an excellent representative and surviving example of the Gothic Cottage style that directly reflects the prevailing ideas of developing Canadian rural architecture that emerged in the 1860's and 1870's. Strongly affiliated with the many farmhouse styles featured in the *Canadian Farmer* publication as shown in the attached form, these houses were often designed (or enhanced from existing form) by James Avon Smith, the primary architect featured in the publications from 1864, through to the 1880's.

The building is typical of a simple, modest design, and features the 3-bay symmetrical style that is typical of the Georgian form, which the Ontario Gothic cottage evolved from. The building features bicolour brick that wraps decoratively around the house, accentuating the corners with quoining. Gently rounded arches over the 2 over 2 rectangular windows and highlighting of the pointed Gothic arched window located in the 2nd storey central dormer serve as evidence to the attention to detail.

There are several windows placed symmetrically on each elevation and storey and retain their original heritage value of two-over-two placement with evidence of storm windows used in the past to protect the windows themselves. The central entrance, facing onto Kirby Road, is also of significant heritage value, being centrally located with a transom window above the door and four sidelights, two on either side, stacked vertically, creating a visible and welcoming presence.

The house is notable for its 2-storey kitchen tail: from the continuance of the brick pattern and quoining, it is possible that house and kitchen wing were built together, rather than as a later addition. This would have provided a reasonably spacious home for William Kirby, his wife Elizabeth and their (at the time of the 1881 census) 9 children. The dating of the house is likely in the 1870's. This is supported by the *Ontario Land Titles* entry in 1873 that identifies William Kirby as the purchaser of the lot from William Craddock, the presence of the family on the lot in 1881 (and the familiar families around them from the area). It is also supported by some of the

architectural details of the house, such as the transom windows above the central doorway and sidelights which feature four panes of glass rather than the later 1 or 2 pane style or beveled or coloured glass which might be featured on dwellings built in the later 1880's or 1890's.

HISTORICAL/ASSOCIATIVE VALUE

The William Kirby Family and the Hamlet of Hope

William Kirby was born in England in 1831 and first found living in the household of Nathaniel Kirby in the 1851 Census on Lot 18, Concession 2. As the 1885 biography of Nathaniel Kirby indicates, there were two Kirby brothers in Vaughan who immigrated from Yorkshire – and William was likely the son of their brother Henry, who remained in Yorkshire. Nathaniel Kirby had strong associations with the Cook family, the Gapper family, and other English families in the area. At one point he lived and farmed on the Carrville Dam property (and managed the Mill) while William Cook returned for a few years to England in the 1840's.

Within the 1851 Census, William Kirby is listed as a labourer in the Kirby household, along with another Nathaniel Kirby, similar in age. By the spring of 1858, William Kirby married Elizabeth Wolfenden from Markham and they settled into their own household in the 1861 Census. William and Elizabeth are still listed as living in a 1 ½ storey log frame cabin and although they had Devlins and MacQuarries (which indicates the vicinity of Concession 2 & 3, but north of what is now Major Mackenzie Drive) as neighbours, it is not certain where exactly they were farming.

In the 1871 Census, William Kirby identified as a Primitive Methodist, which suggests he and his family had become involved in William Craddock's Methodist community that formed the Hamlet of Hope, located on Keele Street, between what is now Teston Road and Kirby Road. By 1873 William Kirby had purchased land from William Craddock, a significant figure in the Hope community who had purchased several plots of land in the area during 1850's and 1860's. William Kirby is also listed as a circuit rider for the Hope Methodist Church, meaning that he took part in riding out to other churches in the parish circuit as a lay-preacher. This likely supplemented his income from the farm of just over 62 acres, although it was allegedly very productive.

William Kirby died in 1913 and was buried in Maple Cemetery with his wife (Elizabeth died in 1909). He was recognized as a significant local pioneer. His son Joseph H would go on to not only inherit the Kirby farm, but also served on the Vaughan Township Councils for several terms.

CONTEXTUAL VALUE

As the Hamlet of Hope faded early in the 20th century and the residents became more oriented towards the settlement of Maple, many of the buildings of Hope – the church, the post office and the school – disappeared. What remains of Hope is the cemetery and a few surviving domestic buildings representing the families that formed this fledgling community. The subject property has significant contextual value as one of these remaining structures associated with the Hamlet of Hope. The relatively small lot size is due to the lots sold by William Craddock. It also reflects the impact of the 1854 railway line coming through the land and splitting up several parcels along the way. The relatively small parcel of land may have also affected its location closer to the road.

The property is a significant landmark and is the namesake property on Kirby Road. Regarding road development in the early 20th century, there are no Lot roads through Lots 30 and 31 in 1918, and the 1954 aerial photos show the east-west road starts midway through Concession 3. On the Lot line road between Lots 30 and 31, there are no other significant structures along the road on Concessions 3, 4 or 5 until reaching the Kirby House – which establishes and maintains a significant the heritage character along Kirby Road, particularly along the North side.

SUMMARY OF CULTURAL HERITAGE VALUE

Architectural/Physical

- Built in the 1870's
- Bi-colour brick, in red and buff, including decorative quoining, flat arches around the windows, and a decorative brick band that appears on all elevations
- Surviving bargeboard decoration in the central, south facing elevation gable
- Existing and possibly original 2 over 2 wood frame windows that are arranged symmetrically along all elevations
- Central 2/2 arched wood frame window in the south facing central gable, highlighted over the top with buff brick
- Small, symmetrical windows directly below the roof line in the attic storey along the east and west elevations
- Central front door, with 4 pane transom window over top, and stacked two pane rectangular sidelights either side of the door.
- Two storey brick kitchen tail located centrally at the rear of the house
- The stone laid foundation

Historical/Associative

- Associated with the Kirby family, a family originally from Yorkshire, England and became established in the 1830's Vaughan.
- Significant in the local Methodist community, becoming a circuit rider for the church and a trustee of the Hope school (S.S. 5)
- Joseph Kirby, his son became a multi term Councillor for Vaughan Township.

Contextual

- The property is a longstanding landmark in the area and is the namesake property of Kirby Road, and its location and orientation in relation to Kirby Road is important in establishing that connection
- It is one of the remaining residential properties associated with the hamlet of Hope
- It is a visual reminder of Vaughan's 19th century settlement, and connection with rural architecture and landscapes.

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