

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 245-2024

A By-law to designate 12195 Highway 27, 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 12195 Highway 27 is deemed to contain cultural heritage value or interest;

AND WHEREAS the designated portion of the property described in Schedule "A" is depicted in Schedule "C" to this By-Law, which is the area that contains the Cultural Heritage attribute subject to this By-Law;

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 June 25, 2024, the Council of the Corporation of the City of Vaughan caused notice of intention to designate 12195 Highway 27 as a property of cultural heritage value or interest, with the notice served to the Ontario Heritage Trust and to the owners of 12195 Highway 27;

AND WHEREAS section 270 of the Municipal Act, 2001, S.O. 2001, c. 25 requires a 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 sections 26(4) and 39.1(3) of the Ontario Heritage Act, R.S.O. 1990, c.O.18 permits 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 September 18, 2024, the City of Vaughan published a notice of intention to designate 12195 Highway 27 on the City of Vaughan's website in accordance with By-law 021-2024;

AND WHEREAS no 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.

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 12195 Highway 27 (the "Property"), in the City of Vaughan, in the Regional Municipality of York, Province of Ontario, being more particularly described in Schedule "A" and "C" 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 only the area outlined in red, as depicted on Schedule "C" has the Heritage Attribute, which is intended to apply only to the original farmhouse described on Schedule "B".
7. 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.
8. 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.
9. 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 17th day of December, 2024.

Steven Del Duca, Mayor

Todd Coles, City Clerk

DRAFT

Authorized by Item No. 40 of Report No. 25 of the Committee of the Whole.
Report adopted by Vaughan City Council on June 25, 2024.
City Council voted in favour of this by-law on December 17, 2024.

SCHEDULE "A" TO BY-LAW NUMBER 245-2024

Description of Lands

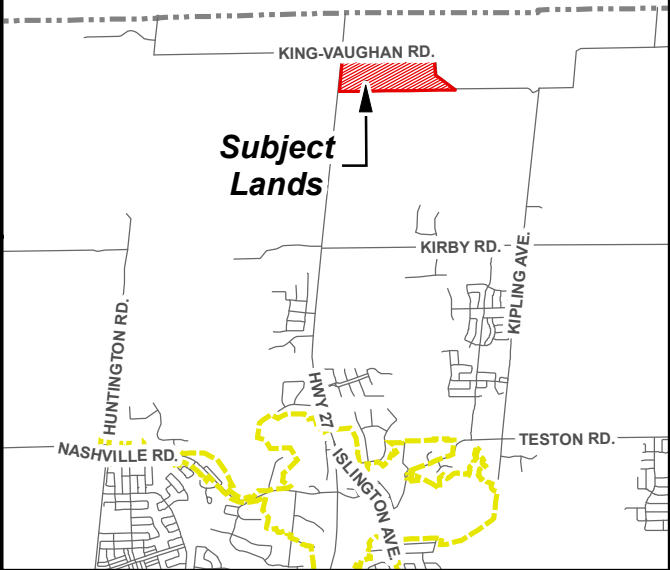
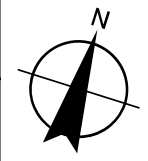
Plan 65R-5216 Part 1-5, Lot 35 Con 8

Municipal Address: 12195 Highway 27

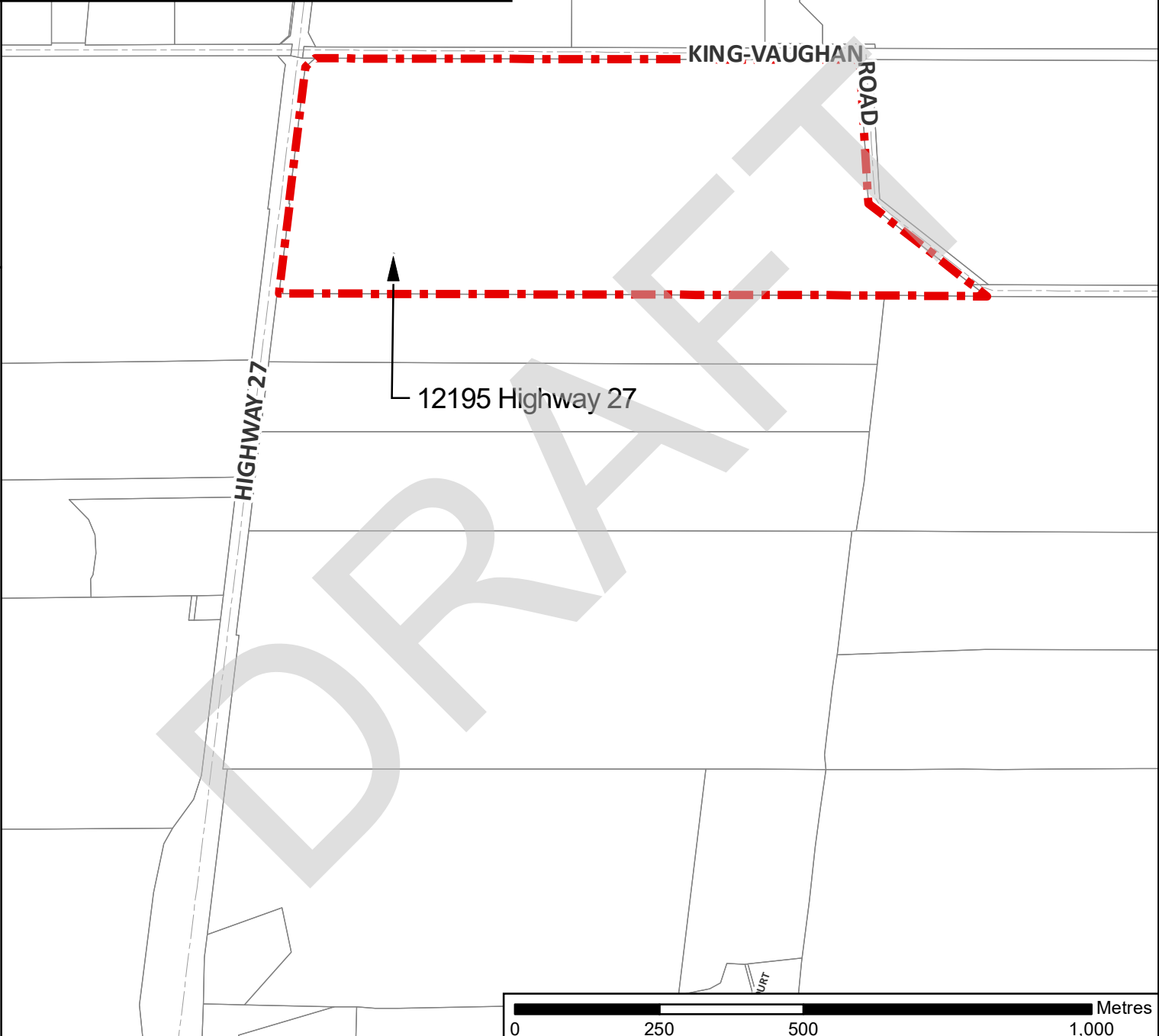
DRAFT

CONTEXT MAP

TOWNSHIP
OF KING




TOWNSHIP
OF KING



**Location Map
To By-Law 245-2024**

Location: 12195 Highway 27
Part of Lots 35, Concession 8

City of Vaughan

 **Subject Lands**

STATEMENT OF CULTURAL HERITAGE VALUE

DESCRIPTION

Municipal Address: 12195 Highway 27

Legal Description: Plan 65R-5216 Part 1-5, Lot 35 Con 8

Brief description: 1 ½ storey, Late Victorian

OVERVIEW

The cultural heritage value of the property known as 12195 Highway 27 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.

Name: The McCutcheon Farm

Date Built: 1858-1890

Location: West side of Highway 27, south of King-Vaughan Road

Condition: Good

DESIGN OR PHYSICAL VALUE

Typically, in Ontario, a Victorian style building can be seen as any building built between 1840-1900 that doesn't fit into any of the other categories for built architecture, using an eclectic mixture of Classical and Gothic motifs.

The subject property at 12195 Highway 27 is a beautifully maintained, Late-Victorian Hybrid style¹ home. It is clad in a dichromatic orange/red brick with buff/yellow motif along the upper level and quoining down the edges, as well as around the windows and doors of the house². It features multiple L-plans and harmoniously mixes a clipped and cross-gabled roof and steeply pitched gables. The windows are generally 2 over 2 sash style, which is common practice in most Victorian style homes. The most easterly portion of the house seems to be a newer addition and is clad in board and batten.

HISTORICAL / ASSOCIATIVE VALUE

ARCHAEOLOGICAL

The general area surrounding the subject property does not have any documented potential for archaeological findings, although potential does surround the outskirts of the property.³

¹ Late Victorian Style- Hybrid, Ontario Architectural Style Guide, HPI Nomination Team, University of Waterloo, 2009

² "The use of dichromatic brickwork (bricks of two colours) for the decoration of buildings was fashionable in Ontario in the last century. The fashion frequently involved the use of buff or yellow bricks at the corners and around window and door openings of red brick buildings and arranged in decorative designs in the walls. Examples are given of various decorative features used in dichromatic brickwork, including diamonds, zigzags, bands and crosses." *Notes on Dichromatic Brickwork in Ontario*, Richie, T, *Association for Preservation Technology Bulletin*, 11, 2, pp. 60-75, 1979 <https://nrc-publications.canada.ca/fra/voir/td/?id=b4862dc4-0c6f-4c3b-a927-62921480f466#:~:text=The%20use%20of%20dichromatic%20brickwork,Ontario%20in%20the%20last%20century.>

³ Arc-GIS, City of Vaughan

The McCutcheons

The Crown patent land for 200 acres at Lot 35 Concession 8 had been granted to Sarah E. Evert in October 1835. It had passed through a couple hands until Patrick McCutcheon purchased the land in 1851 from Catherine M. Stephenson⁴.

Patrick McCutcheon emigrated to Canada from Ireland with his father, William McCutcheon and his family, where they initially settled in Toronto. Eventually, he and his brothers all bought land and farmed in different areas of Vaughan Township. Patrick purchased the west part of Lot 35 Concession 8, where he set up housekeeping⁵ with his wife, Ann [Anna] Parkinson. Their property was almost all bush, with the Humber River winding through its outer limits⁶. It is likely that the first dwelling the McCutcheons lived in was a shanty⁷, and/or a log house. Clearing the land would have provided much wood to build and begin their journey.

Tax Assessment records from 1859 indicate that McCutcheon's property value was \$4000, which likely means there is a residence and possibly outbuildings built upon the property⁸ at this time. The Personal Census of Canada for 1861 indicated Patrick McCutcheon as the property owner, with one family living in a 1 ½ storey frame house.⁹ Two outbuildings do exist at present day, and there is evidence of their existence at least into the early 1950s¹⁰. The Listing of Significant Heritage Structures for the City of Vaughan indicates that this house was built in 1890¹¹, although records seem to suggest that the build date should be much earlier. As we don't know for sure when the brick was added to the house, we are giving the house a build date range of 1858 – 1890.

Patrick died in 1880, leaving the property to his children. As the years went on, several of the children quit their claim to the property, taking a minor payout. Eventually his wife Ann, and sons Samuel and Henry were living on and carried on the farm, until Henry sold the property to his niece Pauline McCutcheon and her husband Stanley J. Cain in 1938¹². Stanley died in 1953, leaving Pauline widowed. She kept the farm going for several years, and then in 1964, she sold the farm to Henry R. Jackman, thus ending the 110+ years of the property staying within the same family.

⁴ Abstract Land Titles, www.onlad.ca

⁵ Move in together, as in couples today often set up housekeeping long before they marry. [Mid-1800s]; Dictionary.com

⁶ McCutcheon Family, pg. 209, "A history of Vaughan Township", 1971, (CU14144173) by Reaman, George Elmore. personal. Courtesy of Local Histories Collection, Libraries and Cultural Resources Digital Collections, University of Calgary.

⁷ A Shanty was a one room shelter that served and protected a pioneer family as they built their sturdier log house (which was also seen as a temporary living situation).

From Shanty to House: Log Construction in Nineteenth-Century Ontario, Brian Coffey, Material Culture, Vol. 16, No. 2 (Summer 1984), pp. 61-75 (15 pages); <https://www.jstor.org/stable/29763761> Contribution from International Society for Landscape, Place & Material Culture

⁸ 1859 Tax Assessment Records, City of Vaughan Archives

⁹ Patrick McCutcheon, Personal Census of Canada, 1861

¹⁰ General Interactive Map; <https://ww4.yorkmaps.ca/>

¹¹ 12195 Highway 27, LSHS, Cultural Heritage Services, City of Vaughan, 2005

¹² Abstract Land Titles, www.onland.ca

CONTEXTUAL VALUE

The property located at Con 8 Lot 35, Kleinburg, is a beautiful and well-maintained residential structure in Vaughan in its original location. The surrounding area has been untouched by development over the years, but it is inching closer and closer.

From where the house is situated, it likely had a pleasant view looking out in every direction. For over a century the property was used as a farm and contextually relates to the agricultural history and colonial settlement of Vaughan. Knowing the history of who lived in the house helps to generate an understanding of the life this property lived and continues to live. From its humble beginnings of a pioneering settler family, clearing land and starting to grow crops and raise animals, to providing shelter, life, and memories to the people who lived there.

SUMMARY OF CULTURAL HERITAGE VALUE

Physical/Design Value

- Clipped gabled roof and steeply pitched gables.
- Multiple L-plan
- Orange/Red Brick
- Decorative brick motif along upper level
- Quoining

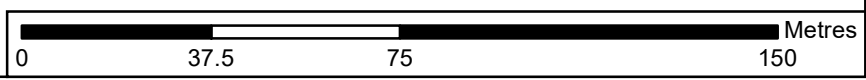
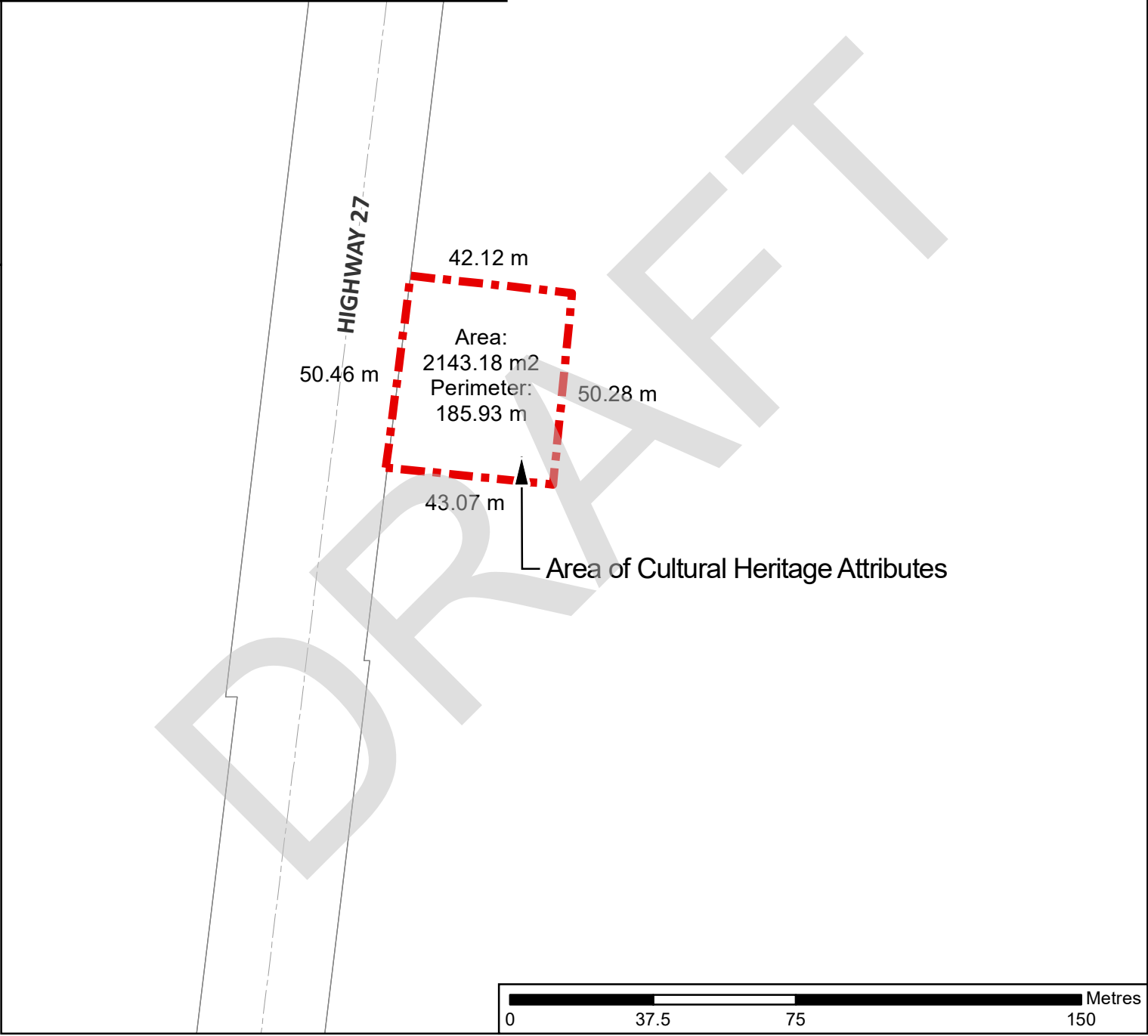
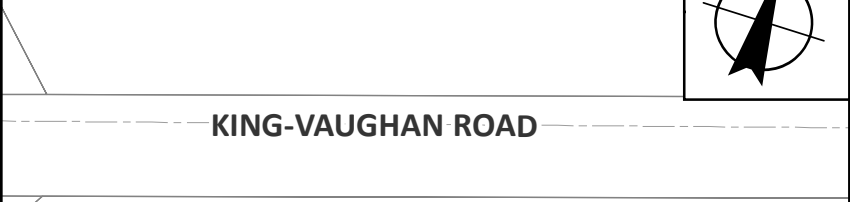
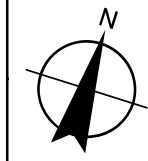
Historical/Associative Value

- connection to specific historic settler families such as the McCutcheons
- Over a century of the property staying within the same family
- the subject property reflects some of the earliest settler architecture and siting, giving insight into settler practices.
- the subject property is contextually linked to Vaughan's agricultural history from initial settlement and land clearing, early 19th farming practices.

Contextual Value

- Structure is historically linked to the Lot and Concession it was built upon
- Longstanding ownership by the same family creates a significant historical link to the local community


CONTEXT MAP TOWNSHIP OF KING



Location Map
To By-Law 245-2024

Location: 12195 Highway 27
Part of Lots 35, Concession 8

City of Vaughan

 Area of Cultural Heritage Attributes