

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 112-2024

A By-law to designate 8399 Kipling Avenue, 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 8399 Kipling Avenue 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 December 12, 2023 the Council of the Corporation of the City of Vaughan caused notice of intention to designate 8399 Kipling Avenue as a property of cultural heritage value or interest, with the notice served to the Ontario Heritage Trust and to the owners of 8399 Kipling Avenue;

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 February 28, 2024, the City of Vaughan published a notice of intention to designate 8399 Kipling Avenue 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 8399 Kipling Avenue (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 25th day of June, 2024.

Steven Del Duca, Mayor

Todd Coles, City Clerk

Authorized by Item No. 15 of Report No. 48 of the Committee of the Whole
Adopted by Vaughan City Council on December 12, 2023.
City Council voted in favour of this by-law on June 25, 2024

SCHEDULE "A" TO BY-LAW NUMBER 112-2024

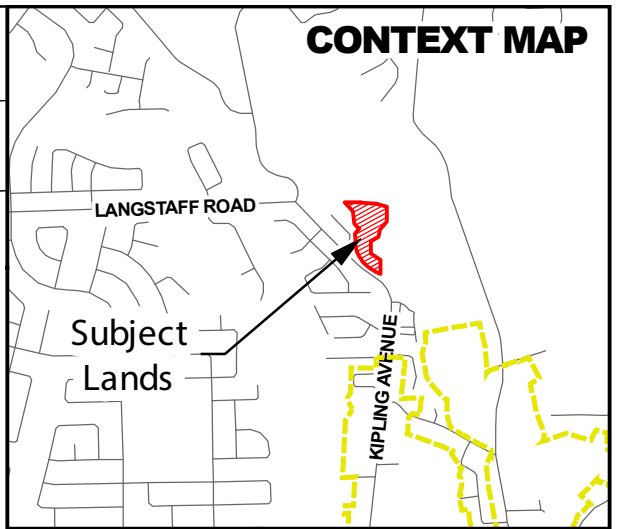
Description of Lands

PIN: 03307 - 2441

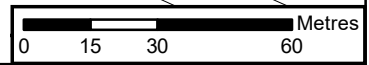
Legal Description: Part of Lot 10, Concession 8, Vaughan, described as Part 1, Plan 65R-37859; City of Vaughan



CONTEXT MAP



8399 Kipling Avenue



Location Map To By-Law 112-2024

Legal Address: 8399 Kipling Avenue
Legal Description: Part 1 of Plan 65R-37859
Part of Lot 10, Concession 8
City of Vaughan

-  Subject Lands
-  Heritage District

Schedule "B" to By-Law 112-2024

STATEMENT OF CULTURAL HERITAGE VALUE

BRIEF DESCRIPTION

ADDRESS: 8399 Kipling Avenue

LEGAL DESCRIPTION: Part of Lot 10, Concession 8, Vaughan, described as Part 1, Plan 65R-37859

PIN: 03307 - 2441

Property Overview:

Style: 1940's Canadian variant, The French Chateau

ARCHITECTURAL VALUE

While the architect is unknown, the property at 8399 Kipling Avenue is representative of the French Chateau architectural style. This was a style selected primarily by wealthy homeowners. The Canadian variation of the style derives from the 16th century 'chateaux' (loosely: castles) in France, and can be characterized by asymmetrical conical towers, steeply pitched dormers and roof, and iron cresting. These elements can be seen at the subject property. The exterior also showcases a combination of stone and crenellated walls, has dark roof shingles, and utilizes warm colour tones. The stone wall feature on the property near the location of the previous Gate House perpetuates this style, applied to a free-standing wall. Through its execution, the structure also displays a high degree of craftsmanship or artistic merit. The CHIA (draft, 2016 – on file) recommended that it be examined further by a professional with the knowledge and expertise to determine its original design and layout.

HISTORICAL OR ASSOCIATIVE VALUE

The property, Lot 10 Concession 8, was patented from the crown in 1801 by John Ledan (Leadon/Ledon). It was later sold to Nathaniel Wallace in the year 1883, and the property would have a long history of being in the Wallace family. Nathaniel Wallace arrived from Ireland in 1834, and from the 1860's to 1880's operated the Inkerman Hotel. He would also become involved in politics, serving as Tressure for the Village of Woodbridge from 1882 to 1883. The book A History of Vaughan Township indicates that the Wallace Family, including Nathaniel Wallace, were involved in the furnishing of several church wardens. This helps to showcase involvement in the community.

The subject property is located on the east side of Lot 10, and an 1851 Map indicates that the property was owned by Charles Wallace, who was a son of Nathaniel Wallace. In the years following, there would be transportation development within the Vaughan. Charles sold a right of way across his farm to the Toronto, Grey, and Bruce Railway in 1870.

After many years of Lot 8 being owned by the Wallace family, the ownership changed in the early 1900's. A 1918 map includes the names Marie Podrazil and Lennard Rowtree. It is believed that Lennard Rowntree was a tenant farmer, as the land ownership title documents indicate that Marie Podrazill purchased the property in 1917, and married Frank Smolik, of York Township, thereby selling the property to him for \$9,000.

The original owners of the former the Gate House (approved demolition in 2017) and the French Chateau style residence building are believed to be Frank Stone and Rose

Stone. Marie (Mary) Smolik (née Podrazill) sold the property to Rose M. Stone on January 19 1940. On January 27 1940, Rose sold the property to her Husband Frank W. Stone, for one dollar. Frank Stone is known to be associated with the lithography company Rolph-Clark-Stone Ltd. When Rolph and Clark Ltd. merged with Stone Ltd. in 1917, they moved to a new location at 201 Carlaw Avenue. They would go on to become one of the largest and most well-known lithography businesses in the late twentieth-century in Canada. In 1909, prior to the merger, Frank was the vice-president and managing director of Stone Ltd. After the merger he served as general manager and secretary. The plaque that was outside the former Gate House, states that he later became president in 1939.

The draft Cultural Heritage Impact Assessment (CHIA) on file, submitted in support of a severance application in 2016 makes reference to a 1940 tax roll which indicated Frank and Rose Stone owned a property on Russell Hill Road in Toronto. Since they maintained their Toronto residence, it could then be understood that the Stones split their time between Toronto and Vaughan, and the dwelling at 8399 Kipling could be their weekend property. There is also reference to a 1928 newspaper article in the *Toronto Star* that mentions Frank and Rose Stone went sailing to France. While it is believed that the building was constructed sometime in the early 1940's, their trip to France could have influenced their interest and selection for the style of the building. Although the property had various owners, it is through Frank Stone and Rose Stone that there is associative value. The property is a reflection of hard-work and a successful business, which then allowed for the lifestyle and opportunity to have a secondary property outside of the city of Toronto.

CONTEXTUAL VALUE

The contextual value of the chateau relates to the building's historical link and physical location on the property. While the structure may be set back further on the property, it historically represents a way of life during the time period it was built for those of certain economic background.

SUMMARY OF ATTRIBUTES

- iron cresting
- conical tower with windows
- mix of rounded arch windows and rectangular windows
- stone crenellated exterior walls
- steeply pitched roof

BIBLIOGRAPHY AND SOURCES

Reaman, G. E. (1971). *A History of Vaughan Township: Two centuries of life in the township*. Vaughan Township Historical Society.

Rolph-Clark-Stone Ltd., 201 Carlaw. <https://leslievillehistory.com/2016/10/22/rolph-clark-stone-ltd-201-carlaw/>

Toronto Lithographing Co Photography Dept 1898. <https://phsc.ca/camera/toronto-lithographing-company-photography-dept-1898/>

Château (1880-1930). <http://www.ontarioarchitecture.com/Chateau.htm>

Cultural Heritage Impact Assessment (DRAFT): 8399 Kipling Avenue, City of Vaughan, by Su Murdoch Historical Consulting, April 2016.

Nathaniel Wallace House: reasons for designation (2016)