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THE CORPORATION OF THE TOWN OF WHITBY
In the Regional Municipality of Durham

COPY

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MUNICIPAL BUILDING
575 Rossland Road East
Whitby, Ontario
Canada
L1N 2M8

April 12, 1995
File: A-2160 (LACAC)

Ministry of Culture, Tourism and Recreation
Cultural Operations and Field Services Branch
Architectural Conservation Unit
77 Bloor Street West, 3rd Floor
Toronto, Ontario
M7A 2R9

APR 24 1995

RE: Notice of Passing of By-law - Robert Ruddy House
501 Byron Street South, Whitby

Enclosed for your information is our Notice of Passing of By-law and a copy of By-law No. 3651-95 to designate the above noted premises as a property of architectural and/or historical value or interest under Part IV of The Ontario Heritage Act.

Debi A. Bentley
Debi A. Bentley
Administrative Assistant

DAB/lcr

c.c.: ✓ The Ontario Heritage Foundation
Ontario Heritage Centre
10 Adelaide Street East
Toronto, Ontario
M5C 1J3

THE CORPORATION OF THE TOWN OF WHITBY
IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, c. 0.18
AND IN THE MATTER OF
LAND AND PREMISES AT THE FOLLOWING MUNICIPAL ADDRESS

PROVINCE OF ONTARIO

NOTICE OF PASSING OF BY-LAW

TAKE NOTICE that the Council of the Corporation of the Town of Whitby has passed By-law No. 3651-95 to designate the following property as being of historic and architectural value or interest under Part IV of the Ontario Heritage Act, R.S.O. 1990, c. 0.18.

Robert Ruddy House
501 Byron Street South
Whitby, Ontario

REASONS FOR DESIGNATION OF 501 BYRON STREET SOUTH, WHITBY

HISTORICAL

The Robert Ruddy House was built in 1915. It is very close to being in original condition. The only extensive alteration is a back kitchen which was added to the house some time after it was built. The house is a typical example of the type of brick homes built in Whitby during the first world war. The historical importance of the home focuses on the original landowners. Mr. Robert Ruddy was a County Judge and his son, Robert Donald Ruddy was Clerk of the County of Ontario for 16 years. The house was owned by the Ruddy family for 74 years, a long period of ownership for any local home. Its present owners are the third family to occupy it.

ARCHITECTURAL

The Robert Ruddy House is typical of many buildings built in Ontario during the second decade of the century. This was a boom period for residential construction and the dwellings demonstrated a planned attempt to provide good quality housing at moderate costs. These buildings retained many of the attributes of earlier Victorian upper class housing, but were available to wider economic groups. The Robert Ruddy House is exemplary for its period and is a well maintained, intact dwelling of architectural interest.

Dated at the Town of Whitby this 26th day of April, 1995

Donald G. McKay, Town Clerk
The Corporation of the Town of Whitby
575 Rossland Road East
WHITBY, Ontario L1N 2M8
PHONE: (905) 668-5803

cc: Wm. H. Wallace, Administrator
D.G. McKay, Clerk
D.A. Bentley, Administrative Assistant
Switchboard
Purchasing (4)
File: C-4200
A-2160 (LACAC)

THE CORPORATION OF THE TOWN OF WHITBY

BY-LAW NO. 3651-95

BEING A BY-LAW TO DESIGNATE THE STRUCTURE MUNICIPALLY KNOWN AS 501 BYRON STREET SOUTH AS BEING OF HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS, in accordance with the provisions of Section 29 of the Ontario Heritage Act, R.S.O. 1990, c. 0.18, the Council of the Corporation of the Town of Whitby considers it desirable to designate property hereinafter described to be of historic and architectural value and interest;

AND WHEREAS, the Council of the said Corporation has caused to be served on the owners of the property municipally known as 501 Byron Street South, Whitby, Ontario, and upon the Ontario Heritage Foundation, notice of its intention to designate the structure at the aforesaid address to be of historic and architectural value and interest and has caused such notice to be published in a newspaper having general circulation in the Town of Whitby;

AND WHEREAS, no person has served a notice of objection to the proposed designation on the Clerk of the said Corporation;

NOW THEREFORE, the Council of the Corporation of the Town of Whitby enacts as follows:

1. The structure known as the Robert Ruddy House located on the property municipally known as 501 Byron Street South, Whitby, Ontario, and more particularly described in Schedule "A", attached to and forming part of this by-law, is designated as being of historic and architectural value and interest for the reasons set out in Schedule "B", attached hereto.
2. This designation shall not preclude any changes that may be deemed necessary for the efficient use of the structure provided that any changes shall be in keeping with the original and current character of the structure and shall be carried out in consultation with the Local Architectural Conservation Advisory Committee of the Town of Whitby.

BY-LAW READ A FIRST, SECOND, AND THIRD TIME AND FINALLY PASSED THIS 10TH DAY OF APRIL, A.D., 1995.


CLERK


MAYOR

SCHEDULE "A"

To

By-law No. 3651-95

Legal Description

Part of Lots 13 and 14, Plan H-50032, 5th Double Range, designated as Part 1 on Plan 40R-14886, Town of Whitby, Regional Municipality of Durham.

SCHEDULE "B"

To

By-law No. 3651-95

DESIGNATION REPORT

**ARCHITECTURAL DESCRIPTION OF
JUDGE ROBERT RUDDY HOUSE
501 BYRON STREET NORTH
WHITBY
BUILT 1915**

Prepared for
the Planning Department of the Town of Whitby
575 Rossland Road East
Whitby, Ontario L1N 2M8
by
Edwin Rowse Architect Inc.

September 1994

JUDGE ROBERT RUDDY HOUSE
501 BYRON STREET NORTH
BUILT 1915

The Robert Ruddy House remains substantially unaltered from its original appearance of 1915. The building is not a landmark building architecturally but it is a good example of the type of residential buildings which was constructed in Ontario during the period of the first world war. Buildings from this post-Edwardian period tend to be solid, comfortable dwellings where many of the key elements of contemporary domesticity are represented.

The building is two and one half storeys in height, having a concrete foundation, two storey masonry walls, and an attic with a single dormer. The foundation walls are parged and coursed with artificial jointing in imitation of ashlar stonework. The masonry is red brick laid in stretcher bond, with inset mortar joints. The red pigmentation of the mortar gives the masonry a smooth and uniform appearance. The window sills and caps for the brick porch piers are concrete, and the window lintels are neatly laid brick arches. There are two tall masonry chimneys and the roof is a simple hipped roof with splayed rafters at the eave line, which create an effect similar to the bell-cast of the apron on the porch. The single attic dormer has three casement windows and a wide overhanging eave. The roof, including the cheeks of the dormer would originally have been clad in wood shingle, but are now in asphalt.

The window fenestration is balanced and well proportioned, and is based on the functional needs of each space it lights, smaller windows in bedrooms and the stairwell, and larger windows or even a projecting bay for additional light, for more important rooms. This asymmetry of the fenestration on the side elevations clearly demonstrates this sense of modern, functional planning. The windows are predominantly double hung sash, most retaining their storm windows.

The front of the house is noteworthy for its large two storey porch, supported on three porch columns, with brick piers and stocky columnar posts in wood. The porch has a simple wood railing with a lattice screening underneath, wood steps, and a glazed entrance vestibule. The vestibule is fully lit with small paned side lights and transom windows, and

may have been an original feature of the house. The ceiling of the porch is a painted tongue and groove boarding which matches the soffit trim of the house. The second floor of the porch is fully enclosed and has a shingled apron beneath rows of casement windows. The apron, which was originally in wood shingle and which is now clad in asphalt, has a slight bell-cast to it which accommodates the eave projection for the ground floor. As a modern house of the early twentieth century, connection to outdoor space was regarded as an important amenity, and the Robert Ruddy House has both the large full length front porch at ground floor, the enclosed second floor sunroom areas at the front of the house, and a back second floor porch of the rear bedroom. The ground floor of the back porch is enclosed as a kitchen space, with horizontal shiplapped cladding and a shingled apron, also bell-cast.

The back door with its half flight of stairs to the pantry are enclosed in a separate structure which is architectural consistent with the main building but which may have been an early addition. This add-on has a low hipped roof, and a wood shingle cladding with a base of vertical tongue and groove boarding. The reason for suggesting that this piece of the building is an addition is in part based on observing that the rear second floor porch had started to separate from the masonry. This small addition may have been added to help to stabilize that condition.

There have been minor changes on the exterior. Some of the wood shingling has been replaced with asphalt. The remaining wood shingles are painted, and it is possible that originally they were left unpainted, although painting of shingles was common. The basement windows have been reclad or replaced with pre-painted metal units. There are a number of minor structural settlement cracks in the masonry wall, particularly at the rear of the building. The present owner says that the building had been affected by road rebuilding a number of years ago. These cracks may relate to that work or to original settlement.

The house is located on a corner property with heavily treed side and rear yards. The building faces onto Byron Street and has a deep rear yard. It would have been typical for the period of this house for the building to have had an accessory garage located at the rear of the property, but at present the parking is in the front yard.

The present owners are restoring the interior to its original condition. The plan of the house allows for a functional, planned use of space. For example the dining room has a built-in china cabinet, which makes the most of the space available in the room. Elements, like the built-in cabinet, indicate that a practical use of space was necessary in the modern house, so that dwellings could be both desirable and affordable. Oak trim was used throughout. Similar to Arts and Crafts traditions, the detailing of the oak trim is very simply designed so that it could be available as a mass produced item. While the house had a forced-air heating system there is a fireplace in the parlour, which although not necessary to heat the house, adds a sense of traditional domesticity to the room. The mantelpiece is of quarter-sawn oak, very simply executed. Much of the oak trim, including the mantelpiece, had been painted and the present owners are restoring the original finish. A number of the ceilings have been recently plastered with new antique-looking medallions added.

The house has a full basement and on the ground floor has a small entry hall with stair, a living room, or parlour, and a dining room and kitchen. A washroom is located under the stair, and the back porch enclosure houses a former pantry or kitchen area. The second floor contains bedrooms and a washroom. There were two enclosed sunrooms on the second floor, and the wall between the north sunroom and the main bedroom has been removed to make a larger open space. The present owner believes that this alteration was done by the Ruddy family as an early change to the building.

The stair continues to the attic floor where there is a single loft type bedroom.

The Robert Ruddy House is typical of many buildings built in Ontario during the second decade of the century. This was a boom period for residential construction and the dwellings demonstrated a planned attempt to provide good quality housing at moderate costs. These buildings retained many of the attributes of earlier Victorian upper class housing, but were available to a wider economic group. The Robert Ruddy House is exemplary for its period and is a well-maintained, intact dwelling of architectural interest.

Photographs - Judge Robert Ruddy House

1. View of front façade showing front yard parking
2. View of north façade with ground floor bay window screened by trees
3. View of side elevation showing the irregular fenestration of the south wall
4. View of the rear elevation showing the back porch with enclosed ground floor
5. View of back porch showing that it has pulled away from the building and the second floor level
6. Detail of the back addition showing various cladding materials, shiplap, brick, shingling and scored concrete
7. View of dining room showing built-in dining room cupboard
8. Detail of the oak mantelpiece with new inset

HISTORICAL REPORT

THE JUDGE ROBERT RUDDY HOUSE

501 BYRON STREET SOUTH

BUILT, 1915

Compiled by Brian Winter, Archivist, Town of Whitby

April 14, 1994

WERDEN'S PLAN--AN INTRODUCTION

The property described in this historical sketch is part of Werden's Plan, a street plan for a portion of the Town of Whitby, bounded by Dundas, Reynolds, Burns and Henry Streets. The plan was drawn by Provincial Land Surveyor John Shier for Asa Werden in May, 1854 and registered in the Ontario County Registry Office on Sept. 1, 1854.

The land in Werden's Plan consisted of 200 acres, the north half of lots 26 and 27, First Concession of Whitby Township.

The original patent for this land was made to John Scadding (1754-1824), on May 17, 1802. Born in Devonshire, Scadding was property manager for John Graves Simcoe in England. In 1792, when Simcoe was appointed Governor of Upper Canada, Scadding accompanied him to this country. He stayed with Simcoe in Upper Canada until the governor left Canada in 1796. Scadding returned to England to manage the Simcoe estate, but had been granted large tracts of land in Canada including a portion of Whitby Township where the Town of Whitby is presently located. He returned to Canada in 1817 or 1818 to manage his land here. In 1819, he established the village of Windsor at what is now Whitby harbor, naming it after his home in Devonshire, England. John Scadding brought his family to Canada in 1821, but met an untimely death when a tree fell on him in 1824.

On April 24, 1820, Scadding sold his land in lots 26 and 27, Whitby Township to Joseph G. Losie. Little is known of Losie, except that he was an early settler in the township and operated the first store in Whitby.

On July 2, 1821, Losie sold his land to Asa Werden (1779-1866). Werden was born in Connecticut, U.S.A. and settled in Athol Township, Prince Edward County, Upper Canada, before the war of 1812. He came to Canada with only the clothes on his back and some leather-maker's tools, but through enterprise and hard work amassed an estate worth \$247,000 when he died. Since crown grants were not available when Werden came to Canada, he had to buy land where it was available. He owned large tracts of land in Althol Township and in the Picton area, but he also purchased 200 acres in Whitby Township and 200 acres in Pickering Township. He never lived in Whitby or Pickering, but sold off various parcels of his Whitby land over the years since 1821, making \$50,000 on that land alone before he died.

Asa Werden was a Member of Parliament for Prince Edward County in 1831, a director of the Prince Edward Agricultural Society, Chair-

Werden's Plan -- 2

man of a temperance society, and owner of a large tannery, as well as several lumber and grist mills, all in Prince Edward County.

Werden was most skillful at buying land and selling it at a profit. As mentioned above, he had a town plan made for his Whitby land in 1854 and began selling lots.

On Sept. 28, 1865, Werden made his will, giving his 200 acres of Whitby land, minus what had already been sold, to his sons John Burns Werden and Sully Paoli Werden. They were made executors for this land and had the rights to sell the lots after his death, with the proceeds to be divided among Werden's six children and their children.

Asa Werden died at Athol Township, Prince Edward County, on May 28, 1866. For more than 10 years after his death, Werden's executor made profits by sale of lots in Whitby from his estate. The houses discussed in the following pages were built on land originally owned by Asa Werden and sold either before or after his death, according to the records presented in these historical summaries.

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Notes on Sources:

The material on John Scadding comes from Toronto of Old, by Henry Scadding, 1873 (reprinted, 1966.)

The material on Asa Werden comes from Athol, Stories of a Townshi by Philip F. Dodds, 1979.

THE JUDGE ROBERT RUDDY HOUSE

501 BYRON STREET SOUTH

BUILT, 1915

North half, lots 13 and 14, 5th Double Range West of Brock Street, Werden's Plan.

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Lots 13 and 14, 5th Double Range, consisting of one quarter acre each, were sold by Asa Werden, the subdivider, to John Shaw on January 17, 1855. Some time between 1855 and 1859, John Shaw constructed the house which now stands at 505 Byron Street South, on the south half of lot 13. The north half of the lot remained vacant until 1915.

On Sept. 9, 1861, John Shaw sold the property to Robert Campbell, who sold it to his wife Elizabeth Campbell on July 29, 1878. On Sept. 17, 1908, the executors of Elizabeth Campbell sold the lots to Annie M. H. Savage, who sold them on July 30, 1909 to Charles M Willcox. Charles Murray Willcox (1878-1953) owned a lot of property in Whitby and likely purchased lots 13 and 14 as an investment. On May 20, 1915, Mr. willcox split off the north halves of lots 13 and 14 and sold them to Robert Beatty for \$500.

The house at 501 Byron Street South was built in 1915 for Robert Beatty, who owned the property for only four years. He experienced some difficulty in building the house, as there two mechanics's liens filed on the property in December 1915, by tradesmen who built it. One of the liens was filed by a hardware merchant and plumber George M. Rice, for \$61.04 and the other by John Thompson (trade unknown) for \$35.40. The case went to court, with Joseph Pearson and Robert Beatty named as defendants. Joseph Pearson was likely the builder of the house, although no information is available on him. No information is available either on who the owner, Robert Beatty was. The court case was settled in January 1916.

On May 19, 1919, Robert Beatty and wife sold the house at 501 Byron Street South to Robert Ruddy for \$4,000. The Ruddy family owned the house for the next 74 years.

Judge Robert Ruddy 1 se - 2

Robert Ruddy was born in Brock Township, Ontario County, on April 30, 1861. His father was James Ruddy, a pioneer lumberman who built the first Anglican Church in Brock Township. His mother Rebecca Henderson was of United Empire Loyalist descent.

Robert Ruddy was educated in Brock public school and Uxbridge and Port Perry High Schools. He graduated in law from Osgoode Hall, Toronto, in 1889 and set up a practice in Millbrook, Ont., where he married Margaret Elizabeth Leach on Oct. 6, 1903. Mr. Ruddy was a member of the Millbrook Municipal Council and was named as a King's Counsel in 1908. In 1911 he pleaded a case before the Lords of the Privy Council in London, England, two years after he had moved to Peterborough where he opened the law office of Ruddy and Burnham.

In 1917, following the retirement of Judge Duncan John McIntyre, Robert Ruddy was appointed Junior Judge of Ontario County, and moved to Whitby. It is likely that he rented a home in Whitby until he purchased 501 Byron Street South in 1919.

For a number of years in the 1930s, Judge Ruddy served as Chairman of the Oshawa Police Commission. He was a member of All Saints' Anglican Church in Whitby and a member of the lay council of the Anglican Synod of Toronto. He was also a life member and Past Master of Composite Masonic Lodge, Peterborough.

One of the most respected jurists in Whitby's history, Judge Ruddy retired on Dec. 17, 1936, when he was honored by county officials at the court house (now the Centennial Building). Judge Ruddy died at his home on Oct. 12, 1940 at the age of 79, and is buried in St. John's Anglican Cemetery, Port Whitby.

His wife, Margaret Elizabeth Leach, was born at Millbrook on Sept. 3, 1882 and while in Whitby was a member of All Saints' Parish Guild and Women's Auxiliary and the Whitby Women's Institute. She died at Whitby on April 11, 1936.

Judge Robert Ruddy : use - 3

Judge and Mrs. Ruddy had three children, Robert Donald Ruddy (1904-1966), William G. Ruddy, who lives in Oshawa, and Marjorie Georgina Ruddy (1908-1980).

After the death of Judge and Mrs. Ruddy, the house at 501 Byron Street South was occupied by their son Robert Donald Ruddy. On Feb. 9, 1949, Mr. and Mrs. William G. Ruddy quit claimed the property to Robert Donald Ruddy.

Robert Donald Ruddy, known as "Don" was born at Millbrook on Oct. 30, 1904, the eldest son of Judge Ruddy. He came to Whitby with his parents in 1917 and attended the Whitby High School. He studied law under Arthur E. Christian, the Clerk of Ontario County at Whitby, and took over Mr. Christian's duties during his final illness in 1931.

Don Ruddy graduated in law from Osgoode Hall in 1930 and opened an office over Allin's Drug Store in downtown Whitby. In 1931 he purchased the law practice of F. H. M. Irwin of Whitby. Also in 1931, on the death of Mr. Christian, Don Ruddy was appointed Clerk and Solicitor for the County of Ontario, with an office in the Court House. He served the county until 1947 when the offices of clerk and treasurer were combined and given to William G. Manning.

Don Ruddy returned to his law practice and was named a Queen's Counsel in 1955. He continued his law practice until his death as his summer home in northern Ontario on Oct. 2, 1966. He is buried with his parents in the family plot in St. John's Cemetery, Port Whitby.

In 1940, Don Ruddy married Adele Frances Tamblin, who was born at Toronto on April 13, 1911. She was a granddaughter of William Ware Tamblin, who was principal of the Whitby Collegiate Institute from 1888 to 1896, and gave the Tamblin Public Speaking Prize for annual competition to the school, on his death in 1912.

In 1966 when plans were being made to start a historical society in Whitby, Don Ruddy, who was too ill to participate, asked his wife to represent him in its formation. Mrs. Ruddy was one of the original directors named in the

Judge Robert Ruddy house - 4

Historical Society's charter in 1968. She donated to the Whitby Archives numerous documents from the legal files of Arthur Christian and his predecessors, which were stored in an old carriage house back of her home. The carriage house was torn down about 1980, and predated the house. Mrs. Ruddy died at the Oshawa General Hospital on July 30, 1992 and is buried in St. John's Cemetery. On May 5, 1967 the executors of the estate of Don Ruddy sold the house to Adele Ruddy.

Marjorie Georgina Ruddy, who grew up in the house at 501 Byron Street South and was a sister of Don Ruddy, was born at Millbrook on Feb. 2, 1908 and came to Whitby with her parents in 1917. She attended the Whitby High School and Ontario Ladies' College, and organized the first Girl Guide company in Whitby. In the 1930s she was the Whitby correspondent for the Toronto Daily Star, and from 1930 to 1960 she operated a photography studio in Whitby. After she retired from photography she was in charge of the medical library at the Whitby Psychiatric Hospital. In the late 1940s she was in charge of publicity for the Whitby Modern Players, a local theatre group. For many years she lived in an apartment above the store at 143 Brock Street South. Marjorie Ruddy died at Whitby on Sept. 15, 1980 and is buried in the family plot in St. John's Cemetery.

[REDACTED]

[REDACTED]

The Robert Ruddy house is in nearly original condition dating back to the time it was built. A back kitchen was added to the house some time after it was built. The house is a typical example of the type of brick homes built in Whitby during the First World War and is of historical importance because one of its owners was a County Judge and his son was Clerk of the County of Ontario for 16 years. The house was owned by the Ruddy family for 74 years, a long period for ownership of any local home. Its present owners are the third family to occupy it.