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December 4, 2024

File No. 324937

**VIA EMAIL:** [clerks@richmondhill.ca](mailto:clerks@richmondhill.ca)

The Corporation of the City of Richmond Hill  
225 East Beaver Creek Road  
Richmond Hill ON L4B 3P4

**Attention: Stephen M.A. Huycke, City Clerk**

Dear Mr. Huycke:

**Re: Objection to the Notice of Intention to Designate a Property  
under Part IV, Section 29 of the *Ontario Heritage Act*  
12345 Yonge Street, Richmond Hill, Ontario**

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Aird & Berlis LLP represents Antonio D'orazio and Tiziano D'orazio, as Executors of the Estate of Nicola D'orazio and Iside D'orazio (our "**Client**") in respect of the lands municipally known as 12345 Yonge Street, Richmond Hill, Ontario (the "**Subject Property**").

At its meeting on October 23, 2024, the Council of the Corporation of the City of Richmond Hill ("**Council**") stated its intention to designate the Subject Property, under Part IV, Section 29 of the *Ontario Heritage Act*, in accordance with the Staff Report of Planning and Building Services dated October 3, 2024.

On behalf of our Client, we are filing this objection in response to the Notice of Intention to Designate (the "**NOID**") which was subsequently published on the City's website on November 4, 2024.

### **Site and Area Context**

The Subject Property is approximately 1.22 hectares in size, with frontage on Yonge Street. The Subject Property is designated as Regional Mixed Use Corridor within the City of Richmond Hill Official Plan (Office Consolidation to January 2023).

The Subject Property currently contains a landscaping business (Oak Hill Garden Centre), which includes a freehold dwelling identified as the "Ryan-Paxton House", as well as a greenhouse and other ancillary buildings. The Subject Property is located adjacent to a residential subdivision to the south, and commercial plazas to the west.

### **Concerns with Statement of Significance & Reasons for Designation**

On October 23, 2024, Council stated its intention to designate the Subject Lands. Our Client received notice of this matter on or about October 25, 2024.

We have identified, based on a preliminary review, concerns regarding the accuracy of the heritage characteristics as described in the Statement of Significance, as well as the identification of criteria pursuant to Ontario Regulation 9/06, which we believe to be overbroad. Our Client

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objects to the characterization of the design and physical value; in particular, it is unclear what research has informed conclusions related to original attributes and features on the Subject Property.

Our Client objects to the characterization of the historical value; the documentation indicates that the prior families associated with the Subject Property “are a typical example of a multi-generational...family”. Something which is typical would not give rise to a historical and associative value worthy of designation.

Finally, our Client objects to the characterization of the contextual value, given the acknowledged changing context of the Subject Property, which has long been identified as an area of growth and development. The fact that certain built features remain on the Subject Property does not, in our Client’s view, create a clear linkage which meets the criteria for designation.

Since receiving the NOID, our Client has been in the process of retaining a heritage planning expert to review the Statement of Significance and Reasons for Designation contained in the NOID, in order to begin assessing the merits of the proposed designation. Our Client’s heritage experts (once retained) will require time to complete basic due diligence on this matter, such as a site visit or archival research. That work is ongoing, and must be completed for our Client to be properly apprised of the merits of the proposed designation.

Accordingly, to provide a fair opportunity to continue to review the Statement of Significance and Reasons for Designation set out in the NOID and the implications of the proposed designation on its interests, our Client objects to the NOID as currently framed. As noted, given that our Client has yet to be able to retain a heritage consultant, it reserves the opportunity to augment the stated reasons for objection.

We would welcome the opportunity to review this matter with heritage staff in advance of any further consideration by Council. We trust the enclosed is satisfactory. Should you require any further information, please do not hesitate to contact the undersigned.

Yours truly,

AIRD & BERLIS LLP



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