

February 11, 2025

File No. 324937

VIA EMAIL: clerks@richmondhill.ca, kunal.chaudhry@richmondhill.ca,
julia.smith@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 Designation of Property under Part IV, Section 29 of the *Ontario Heritage Act* and Inclusion on Heritage Register
12345 Yonge Street, Richmond Hill, Ontario**

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 December 4, 2024, our firm filed an objection in response to the Notice of Intention to Designate (the "**NOID**"), which was published on the City's website on November 4, 2024. Receipt of confirmation of our objection letter was provided on December 4, 2024.

Subsequently, on January 29, 2025, Ms. Julia Smith from Heritage & Urban Design at the City wrote to inform that staff would be recommending that Council withdraw its proposed designation of the Subject Property "for the time being", and that our objection letter and staff's recommendation to withdraw the proposed designation for the time being would be considered by Council at its February 12, 2025 meeting. Our office subsequently requested that Ms. Smith confirm that this was a formal withdrawal of the NOID pursuant to Part IV of the *Ontario Heritage Act*, and if staff were also recommending that the Subject Property be removed from the City's Heritage Register.

In emails sent on February 10 and 11, 2025, Mr. Kunal Chaudhry, Manager from Heritage & Urban Design, wrote back to confirm that staff would be recommending withdrawal of the NOID, and the Subject Property would be removed from the City's Heritage Register, should Council agree to withdraw its intention to designate as per staff's recommendation. We support the staff recommendation to withdraw the NOID and to remove the site from the Heritage Register.

Given the foregoing, please note that our Client continues to object to the designation of the Subject Property and its inclusion on the City's Heritage Register. In support of our Client's

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objection, we provide the attached Cultural Heritage Evaluation Letter (“**CHER**”), containing photos and additional information about the Subject Property, from our Client’s heritage planner, Mr. Evan Sugden of the Biglieri Group. It is Mr. Sugden’s opinion that the site does not demonstrate sufficient cultural heritage value or interest to warrant designation under Part IV, section 29 of the *Ontario Heritage Act*, as the property does not meet the criteria outlined in O. Reg. 9/06, including because the farmhouse does not display a high degree of craftsmanship and its style is typical rather than unique, because the Ryan-Paxton family’s contributions were not representative of a significant theme or event in the community’s history, and because the site does not play an important role in defining or supporting the character of the area. Given that the site lacks design or physical value, historical or associative value, and contextual value, it is Mr. Sugden’s recommendation that the City withdraw its NOID and remove the Subject Property from the City’s Heritage Register.

As the City is aware, the Subject Property is designated "Regional Mixed Use Corridor" in the City of Richmond Hill Official Plan. This designation supports a broad range and mix of land uses and activities in a compact, pedestrian-friendly and transit-oriented built form, which includes medium and high density residential uses, office uses, commercial and retail uses, and community and park uses, with the predominant use of land being for mixed-use, transit-oriented development (City of Richmond Hill Official Plan, January 2023 Consolidation, policy 4.6). Designation of the Subject Property in accordance with the NOID would, in our respectful opinion, significantly limit the redevelopment potential of the site given the location of the existing dwelling. Given the results of the CHER conducted by Mr. Sugden, in our view, the designation is clearly not warranted and, should it proceed, would unduly and unnecessarily limit the development opportunities on the Subject Property, contrary to the intention of the City’s own Official Plan.

Kindly ensure that this letter and its attachment are presented to staff and Council in advance of the February 12, 2025 Council meeting. Please contact the undersigned or Anna Lu at alu@airdberlis.com if you have any questions.

Yours truly,

AIRD & BERLIS LLP



Eileen P. K. Costello
EPKC:AL
Attachment

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CM:63425220.1

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