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December 4, 2024

Our File No. 324742

By E-Mail

Stephen M.A. Huycke  
City Clerk  
The Corporation of the City of Richmond Hill  
225 East Beaver Creek Road  
Richmond Hill, ON L4B 3P4  
E-mail: clerks@richmondhill.ca

Dear Mr. Huycke:

**Re: 13 Church Street South - Objection to the Notice of Intention to Designate pursuant to Part IV, Subsection 29(5) of the Ontario Heritage Act**

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Aird & Berlis LLP represents John Deciantis, the owner of the property municipally known as 13 Church Street (the “**Property**”) in the City of Richmond Hill (the “**City**”). The Property is located on the east side of Church Street South, south of Centre Street east. There is a 2.5 storey house on the Property.

We are in receipt of the City’s Notice of Intention to Designate the Property dated November 4, 2024 (the “**NOID**”).

At its meeting on October 23, 2024, the City Council stated its intention to designate the Property under Part IV, Section 29 of the *Ontario Heritage Act* (the “**Act**”), based on the Heritage Research and Evaluation Report (the “**Report**”) prepared by Heritage & Urban Design, Planning & Building Services.

### **Objection to Notice of Intention to Designate**

For the reasons outlined herein, please accept this correspondence as notice that our client objects to the proposed designation of the Property. Moreover, our client objects to the heritage attributes identified in the NOID, which in our submission are too broadly construed and insufficiently tied to the stated reasons for designation, particularly in light of the extensive renovations to the rear of the building on the property which date to the 1970s.

### **Reasons for Objection**

Our client objects to the recommendation that the Property be designated under Part IV of the OHA. In particular, our client objects to the Statement of Significance and heritage attributes identified in the NOID on the following grounds:

- The design of the house on the Property is not sufficiently representative of any architectural style to warrant designation and is not unique in style, design, materials or

construction methods. There are several properties in the City with buildings constructed in a similar time period and in a similar style, with little in the way of unique physical characteristics to set this building apart.

- The original Property has been modified through a severance in 2009 and therefore it is inappropriate for the proposed heritage attributes to reference to the house's "siting and orientation".
- The original house on the Property has been modified and renovated over the years:
  - The original house was renovated in the 1970s by incorporating a rear addition, which significantly modified the south and east (rear) elevations of the house, as demonstrated in the photos of the home in Appendix A:
    - The original rear of the house is shown in Photo 1. The white coloured portion and easternmost volume of the house (outlined in yellow for ease of reference) were removed and replaced with a substantial addition in the 1970s. Brick from the rear elevation of the original building was repurposed to clad parts of the first storey of the new addition.
    - Photos 2-4 date from the 1980s, showing the extent of the rear addition, which includes not only the portion of the building clad in grey siding, but also a new first storey, which is delineated by the new mansard roof.
  - All windows in the building have been replaced other than two basement windows.
- The heritage attributes identified in the NOID are overly broad and imprecise given the above-noted alterations to the Property and building, and lack a clear connection to the Statement of Significance and stated reasons for designation.
- The Property is located immediately across the street from a large surface parking lot and two houses north of the modern Elgin Barrow Arena Complex at 43 Church Street South (see **Appendix B**). Accordingly, there is insufficient historical context in the immediate area to justify designation on the grounds of contextual value.

While we acknowledge that the Property has ties to the City's history and development as the former home of William H. Graham, the heritage attributes identified in the Statement of Significance are overly broad and insufficiently tied to the primary and, in our submission, singular, reason for designation. Furthermore, we question the City's conclusion that the Property's connection with William H. Graham alone meets two of the necessary criteria to determine cultural heritage value under the Act.

We note that the Report accompanying the NOID contains no historical photographs of the Property. The only historical photograph of a building contained in the Report is of the Graham family's previous home at 90 Centre Street East.

**For these reasons, together with additional reasons which may be shared in future correspondence, our client formally objects to the Notice of Intention to Designate for the Property.**

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We would welcome the opportunity to review this matter with heritage staff in advance of any further consideration by Council, and ask that this correspondence be included on the public record and as part of any subsequent consideration of this matter by City Council. We also request notice of any decisions made in respect of this matter.

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

A handwritten signature in blue ink that reads "Meaghan Barrett". The signature is written in a cursive, flowing style.

Meaghan Barrett  
Partner

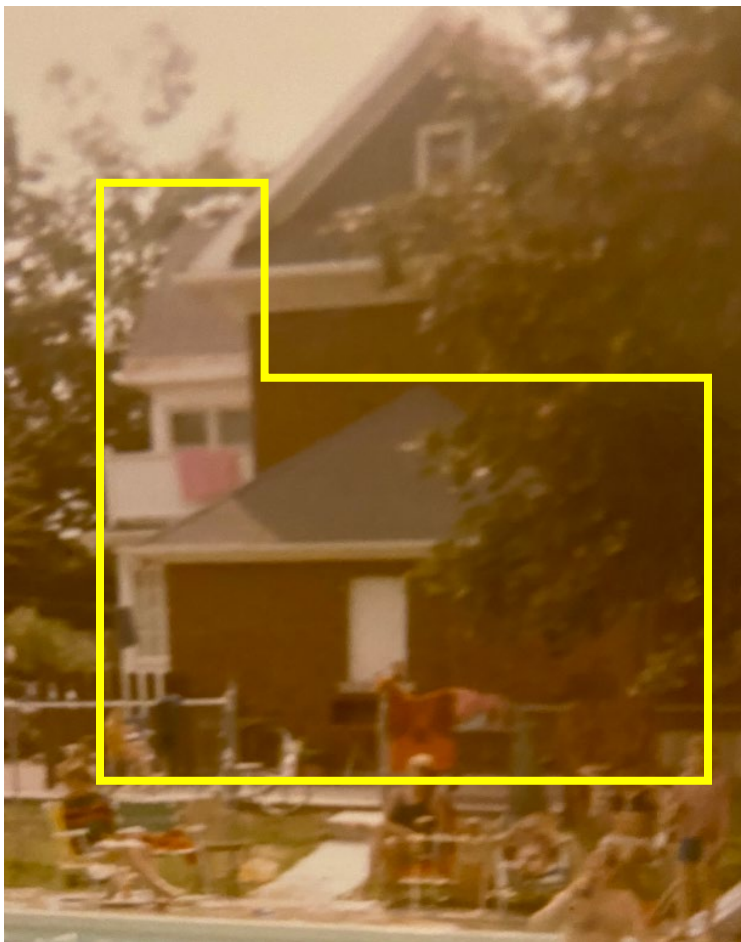
MTB

cc. Client

AIRD BERLIS

### Appendix A – Property Photos

**Photo 1. Photo of the rear of the house prior to the 1970s addition.** Two portions of the house (the white volume to the left and the easternmost volume at the rear, outlined in yellow) were removed and replaced as part of the renovation in the 1970s.



**Photos of the house taken after the 1970s renovation (circa 1980s).**



**Photo 2.** The new eastern (rear) elevation, with addition clad in grey siding



**Photo 3.** The northern elevation circa 1980. This photo shows the new addition, delineated by the mansard roof. Note that the brick used for this portion of the addition was repurposed from the original rear wall of the house.





**Photo 4.** The southern elevation circa 1980s. This photo shows the new mansard roof and grey siding-clad portion of the addition. While original brick from the rear of the house was repurposed to clad the first storey of the addition, all portions of the building immediately to the west of the side door date from the 1970s (as demonstrated by the limit of the original foundation line to the west of the door).

## Appendix B – Property Context



Surface parking lot immediately facing the Property (Google Maps)



Elgin Barrow Arena Complex at 43 Church Street South, two properties north of the Property (Google Maps)

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