



Staff Report for Heritage Richmond Hill Meeting

Date of Meeting: June 5, 2025
Report Number: SRPBS.25.058

Department: Planning and Building Services
Division: Policy Planning

**Subject: SRPBS.25.058 - Notice of Intention to Designate
1591 Elgin Mills Road East - City File D12-07179**

Purpose:

To seek Heritage Richmond Hill's recommendation that Council state its intention to designate the property at 1591 Elgin Mills Road East under Part IV, Section 29 of the *Ontario Heritage Act* (the "Act"). This proposed designation is being sought in response to the Province's Bill 23 and Bill 200, which mandate that all "listed" heritage properties be removed from the City's Heritage Register unless they are designated by January 1, 2027.

Recommendation(s):

- a) That Staff Report SRPBS.25.058 titled "Notice of Intention to Designate 1591 Elgin Mills Road East" be received;
- b) That City Council state its intention to designate the property at 1591 Elgin Mills Road East under Part IV, Section 29 of the *Ontario Heritage Act* in recognition of its cultural heritage significance, and in accordance with the Statement of Significance: 1591 Elgin Mills Road East included as Attachment "A" to SRPBS.25.058;
- c) That staff be directed to publish and serve Council's Notice of Intention to Designate as per the requirements of the *Ontario Heritage Act*;
- d) That if there are no objections to the designation in accordance with the provisions of the *Ontario Heritage Act*, that staff be directed to place a Designation By-law before Council at a future Council meeting for adoption; and,
- e) That staff be authorized and directed to do all things necessary to give effect to this resolution.

Contact Person(s):

- Julia Smith, Urban Design/Heritage Planner – Tel. 905-747-6305

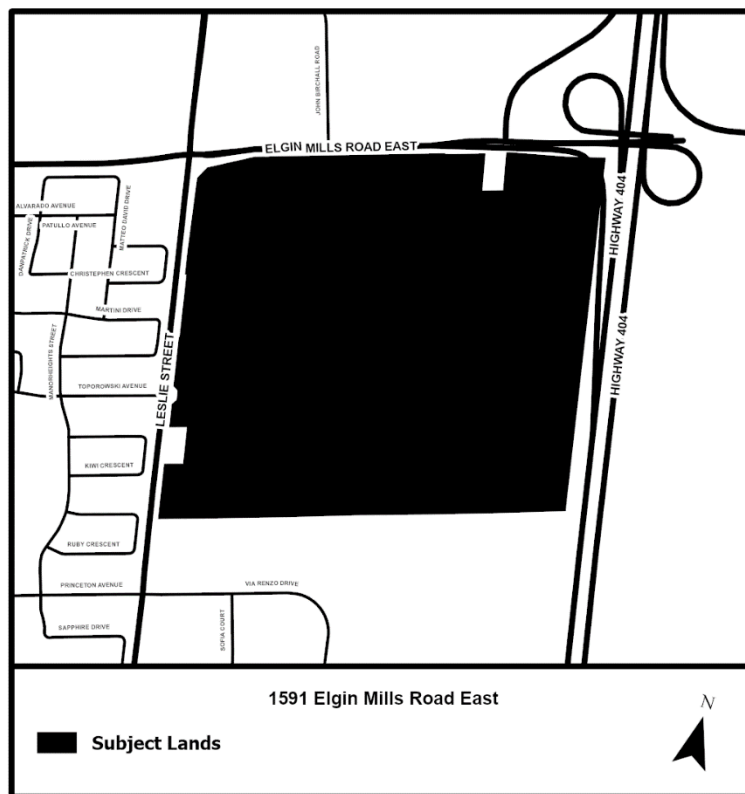
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- Kunal Chaudhry, Manager of Heritage & Urban Design – Tel. 905-771-5562
- Maria Flores, Director of Policy Planning – Tel. 905-771-5438
- Gus Galanis, Commissioner of Planning and Building Services – Tel. 905-771-2465

Report Approval:

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. Details of the reports approval are attached.

Location Map:



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Key Messages:

- The Province, Region, and City have made a clear commitment to the conservation of cultural heritage resources through legislation and policy;
- As a result of Bill 23, all 235 of the City’s “listed” heritage properties would have been automatically removed from the Register on January 1, 2025, unless they were designated under the Act prior to this deadline;
- The City developed a Bill 23 Heritage Designation Strategy to identify and focus resources on designating “listed” properties with the highest cultural heritage value within the limited timeframe;
- While Bill 200 extends this deadline to January 1, 2027, the subject property at 1591 Elgin Mills Road East remains a priority for designation as part of the Bill 23 Heritage Designation Strategy;
- The subject property at 1591 Elgin Mills Road East has been thoroughly researched and evaluated for cultural heritage significance using O. Reg. 9/06 criteria;
- The subject property has been found to meet three (3) O. Reg. 9/06 criteria (1, 5, and 8) and thus not only meets, but exceeds the threshold for designation under Part IV of the Act.

Background:

Heritage Conservation in Richmond Hill and the Impacts of Bill 23 and Bill 200

The purpose of this Staff Report is to provide information and recommend the property at 1591 Elgin Mills Road East for designation under Part IV, Section 29 of the Act in response to Bill 23 and Bill 200. This section provides background information on the legislative and policy context for heritage conservation in Richmond Hill, and the impacts of Bill 23 and Bill 200 on the City’s identified cultural heritage resources.

Provincial direction to support the conservation of significant cultural heritage resources

The Province of Ontario has made a clear commitment to the conservation of cultural heritage resources through its legislation and policies, including the Act and the Provincial Planning Statement (“PPS”; 2024). The PPS mandates the conservation of protected heritage property, which may contain built heritage resources or cultural heritage landscapes and encourages Planning Authorities to develop and implement proactive strategies for conserving significant built heritage resources and cultural heritage landscapes. The Act enables municipalities to protect significant cultural heritage resources and landscapes via designation and provides a framework for evaluating properties for heritage significance using prescribed Provincial criteria.

The commitment to heritage conservation continues at the regional and municipal level through supportive objectives and policies in the York Region Official Plan (2022), and

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the City of Richmond Hill Official Plan 2010 ("the Plan"; 2023 office consolidation). The Plan recognizes that the conservation of cultural heritage resources is an integral part of place-making, contributing to the City's identity, economic potential, and quality of life. It is the policy of Council to protect and conserve cultural heritage resources in accordance with applicable legislation and recognized heritage protocols, including through designation under the Act.

Richmond Hill's Heritage Register includes designated and "listed" heritage properties

The Act enables municipalities to establish a formal list, or "Register," of all properties of cultural heritage value or interest. In Richmond Hill, the Register includes both properties that have been designated under Part IV or V of the Act, and non-designated properties that are believed to be of cultural heritage value or interest, often referred to as "listed" properties.

At the time Bill 23 received royal assent in 2022, there were 335 properties on Richmond Hill's Heritage Register. The vast majority of those properties, 216, were non-designated "listed" properties.

Bill 23 and Bill 200 have implications for the protection of "listed" heritage properties

Bill 23 (the "*More Homes Built Faster Act*"), received royal assent on November 28, 2022. One of the most significant changes to the Act implemented by Bill 23 was the enactment of a two-year time limit on "listed" heritage properties. As a result of Bill 23, all of the City's "listed" heritage properties would have been automatically removed from the Register on January 1, 2025, unless they were designated under the Act prior to this deadline.

Bill 200 (the "*Homeowner Protection Act*") received royal assent on June 6, 2024, and extends the Bill 23 deadline for municipalities to designate their listed heritage properties until January 1, 2027. Any properties removed from the Register because of this statutory deadline cannot be "re-listed" for a five-year period.

Once a property is removed from the Register, the City no longer has any legal mechanism to deny demolition or alteration permits that may adversely impact a property's heritage attributes and cultural heritage value.

Regardless of the time extension granted though Bill 200, Bill 23 makes designation under Part IV or V of the Act the only tool available to the City to ensure the long-term protection of its significant cultural heritage resources.

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Discussion:

Richmond Hill's Bill 23 Heritage Designation Strategy

In response to Bill 23, the City's Heritage Designation Strategy was developed to identify and focus resources on designating "listed" properties with the highest cultural heritage value within the limited timeframe. This section explains the process and approach for prioritizing "listed" properties and determining a property's cultural heritage value or interest for the purpose of designation.

"Listed" heritage properties are prioritized and evaluated using Provincial Criteria

All "listed" heritage properties were screened and prioritized for potential designation based on cultural heritage value. Staff also consulted with a sub-committee of Heritage Richmond Hill as part of the screening process.

All properties proposed for designation have been thoroughly researched and evaluated using Ontario Regulation 9/06 ("O. Reg. 9/06"), the prescribed Provincial Criteria for Determining Cultural Heritage Value or Interest.

Under the Act, municipal councils may designate a property to be of cultural heritage value or interest if the property meets two (2) or more of the nine (9) criteria outlined below:

1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method;
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit;
3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement;
4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community;
5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture;
6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community;
7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area;

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8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings;

9. The property has contextual value because it is a landmark.

Statements of Significance are prepared for each proposed property

As required by the Act, Statements of Significance (“SoS”) have been prepared for all properties proposed for designation and will be included in future Designation By-laws. These SoS include a description of the cultural heritage significance of the property and a list of heritage attributes that embody this significance. SoS provide clarity to both the City and the property owner about which elements of the property should be conserved.

It should be noted that Part IV designation does not prevent future alterations to a property, but rather provides a guide to determine whether proposed alterations will adversely impact the heritage significance of the property.

Affected property owners are notified of the proposed designation

Under the Act, formal notice to property owners is only required after Council has stated its intention to designate a property under Part IV of the Act. However, as a courtesy, all affected property owners have been notified in advance that their property is being proposed for designation. As part of this notice, owners were provided information on how to access relevant Research and Evaluation Reports, Statements of Significance, and Staff Reports. Per the Act, interested parties may formally object to a designation after Council has stated its intention to designate a property. Further, interested parties may appeal a designation to the Ontario Land Tribunal (OLT) after Council has passed a Designation By-law for a property.

1591 Elgin Mills Road East Merits Designation Under Part IV of the Act

This staff report recommends that Council state its intention to designate the Peter Heise House at 1591 Elgin Mills Road East under Part IV of the Act as part of the City’s Bill 23 Heritage Designation Strategy.

The subject property has been thoroughly researched and evaluated for cultural heritage significance using O. Reg. 9/06 criteria. The property has been found to meet three (3) of the nine (9) O. Reg 9/06 criteria (1, 5, and 8), meaning that it not only meets, but exceeds the threshold for designation under the Act.

A summary of the subject property’s cultural heritage significance is included below:

Dating to 1852, the Peter Heise House at 1591 Elgin Mills Road East has design value as a rare representative example of mid-19th-century German-Georgian stone farmhouse architecture in former Markham Township and as a rare example of a double-fronted residential building typology, associative value for yielding information that contributes to an understanding of early-19th century Pennsylvania German settlers in Upper Canada, and contextual value for

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historical links to remnant landscape features of the 19th-century Heise family farmstead.

The property meets O. Reg. 9/06 criteria: 1, 5, and 8.

Detailed information on the subject property's history and cultural heritage value can be found in the "Statement of Significance" (Attachment "A") and "Heritage Research and Evaluation Report" (Attachment "B").

Next Steps

Properties being recommended through the Heritage Designation Strategy are being brought forward to the City's Heritage Richmond Hill committee for input and then to Council for a decision. This section outlines the process for designation and the applicable procedures following Council consideration.

Process and procedures for designation under Part IV of the Act

The following is a summary of key processes and notification requirements related to designation under Part IV of the Act:

- Council is advised by its municipal heritage committee with respect to the cultural heritage value of the property;
- Should Council wish to pursue designation, it must issue a "Notice of Intention to Designate" ("NOID") the property, to be served on the owner and the Ontario Heritage Trust and published on the City's website;
- Following publication of the notice, interested parties may object to the NOID within a 30-day window; if an objection notice is received, Council is required to consider the objection and make a decision whether or not to withdraw the notice of intention to designate;
- Should Council wish to proceed with designation, it must pass a Designation By-law within 120 days of publishing the NOID; the By-law is to be served on the owner, anyone who objected to the NOID, and the Ontario Heritage Trust, and must be published on the City's website;
- The By-law is considered withdrawn if Council does not pass the By-law within 120 days of publishing the NOID;
- Following publication of the By-law there is a 30-day appeal period during which interested parties can serve notice to the municipality and the OLT of their objection to the designation;
- Should no appeal be received within the 30-day appeal period, the By-law comes into force; should an appeal be received, the matter will be brought to the OLT for their ruling.

Financial Implications:

There are no direct financial implications to the City resulting from this Staff Report.

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Relationship to Strategic Plan 2024-2027:

The long-term conservation and protection of significant cultural heritage resources via designation under the Act supports Pillar 1 of the 2024-2027 Strategic Plan, “Growing a Livable, Sustainable Community”; specifically, it supports Priority 3 of Pillar 1, “to build and implement a land-use planning vision and regulatory framework while conserving the city’s unique cultural heritage.”

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

- Attachment “A”: Statement of Significance – 1591 Elgin Mills Road East
- Attachment “B”: Heritage Research and Evaluation Report – 1591 Elgin Mills Road East

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Report Approval Details

Document Title:	SRPBS.25.058 - Notice of Intention to Designate 1591 Elgin Mills Road East - City File D12-07179.docx
Attachments:	- SRPBS.25.058_Attachment A_SoS_1591 Elgin Mills Rd E.pdf - SRPBS.25.058_Attachment B_HRER_1591 Elgin Mills Rd E.pdf
Final Approval Date:	May 22, 2025

This report and all of its attachments were approved and signed as outlined below:

Maria Flores - May 21, 2025 - 12:20 PM

Gus Galanis - May 21, 2025 - 12:55 PM

Darlene Joslin - May 22, 2025 - 8:47 AM