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Office of the City Clerk  
City of Vaughan Council  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

## **ATTACHMENT 2**

### **1078 MAJOR MACKENZIE**

Attention: Todd Coles, City Clerk

Dear Sir:

**Re: Objection to Proposed Designation in Notice of Intent to Designate 1078 Major Mackenzie Drive West Pursuant to Part IV, Section 29 of the *Ontario Heritage Act***

We are the solicitors for Senang Investments Limited, the owner of 1078 Major Mackenzie Drive West, and we are writing to provide our client's objections to the proposed designation of the property municipally known as 1078 Major Mackenzie Drive West (the "**Property**") as found in the proposed Statement Of Cultural Heritage Value and staff report.

The Notice of Intent to Designate came as a surprise to our client and it has only recently retained advisors on heritage preservation matters. A Heritage Consultant has not been able to assess the Property fully and provide meaningful comments to this letter or its opinion on all of its elements. At the end of this letter we will suggest a preliminary designation approach that would satisfy our client, but also a request that the City delay designation (within the timeframes mandated by the *Ontario Heritage Act*) to allow for further discussion and an amicable resolution.

### **Objection to Elements of Proposed Designation**

Our client recognizes that the Property may very well meet some of the criteria prescribed by O. Reg 09/06 as the criteria for designation. In particular, our client is prepared to acknowledge that the primary Carpenter Gothic elements of the original house (pre-additions) do have design and physical value as they are representative of a particular style, material and construction method. For example, our client agrees that the vergeboard and woodwork trimming on the southeast and west elevations of the house (but not the side and rear additions) including the ornate scrollwork along the soffits and over the windows, the circular woodwork decoration in the front veranda (and possibly the veranda itself) and a number of the windows and openings together with the original steep pitched roof falls into that category. Given their design and physical value, our client is also prepared to agree that the Statement of Cultural Heritage Value and the designating by-law can recognize that the vergeboard, woodwork trimming and decoration demonstrates a high degree of craftsmanship.

Our client further acknowledges that the some aspects of the original main house (again without the side additions or the rear carriage house/barn addition has historical and associative value and architectural value given its associations with Peter Patterson, the Redelmeier's and their activities in the vicinity. It is the original house, pre-additions, which contains the decorative elements described above which display both a degree of high craftsmanship and artistic expression commensurate with their profile in the community. It is the thus only the original house and those elements which are truly and intrinsically linked to these prominent families and their accomplishments. There is nothing notable from an architectural, design or craftsmanship perspective to the subsequent east, west or northern additions and those additions would have not been representative of the Patterson or Redelmeier families' prominent role, profile or place in these communities at the time. Their status and role in the community would have been best expressed and seen in the original house with its unique, prominent and decorative features.

Designation of these elements on the original house alone is thus sufficient to ensure the maintenance of both the contextual, historical or associative value and the design or physical value of the buildings.

While the original house contains elements of the Carpenter Gothic style in its original constructed form, and it is our client's view that after the significant alterations to and additions to the house over the years starting from 1884 only those elements specifically identified above merit designation. For example even portions of the roof profile have been altered (in 1888, portions of the house was reroofed and raised, changing one of the initial elements of the gothic style). The exact pitch of the roof is clearly not original, meaning that while a steep pitch is perhaps of significance, the exact roof profiles and its physical structure is not specifically designatable. As a result, designation of the following is all that is required:

- vergeboard and woodwork trimming on the southeast and west elevations of the original house (but not the side and rear additions) including the ornate scrollwork along the soffits and over the windows,
- the circular woodwork decoration in the front veranda and the veranda itself
- the windows and openings
- a steep pitched roof (which could be rebuilt)

What our client strongly opposes is the designation of any other elements of the Property, including the two side additions, the rear addition (sometimes referred to as the Coachhouse, the garage or the barn), and all of the vegetative elements referenced in the Statement of Cultural Heritage Value like the hedges and the lines of trees and the framing of the entrance or view of the house, described as the "allee". There is nothing unusual about such windbreaks, hedges or the framing of a front yard with vegetation in Ontario. These plantings are common-place and in no way unique to either the Carpenter Gothic architectural form nor the prominence of the residents of this property and their station, prominence and role in the community. In any event, the trees and hedges are plantings which are near their end of life.

Our client is particularly opposed to any sort of recognition of 1884 additions or alterations to the original house, which the statement of cultural heritage value attributes to the fact that the 1884 additions to the original house were designed by John T. Stokes as one of his last commissions. The fact that it is one of his last commissions is of no significant or importance unless the building itself was of some importance or prominence. That is not the case. Mr.



John T. Stokes was primarily renowned for his public service and engineering roles in Ontario, and not as a residential architect. He served as the Clerk-Treasurer for East Gwillimbury (not Vaughan) and held a number of other public service offices including as Superintendent of Public Roads, as a founding member of the Canadian Society of Civil Engineers and practiced at Adelaide Street East in Toronto and was renownedly the engineer for a subway testing system in Toronto, which was not in fact constructed. Contextually, there is little relationship between Mr. Stokes and Vaughan, except for this minor residential alteration, likely taken on by him as a necessary obligation because of his primary relationship with the Patterson's industrial enterprises. His primary relationship with the Patterson family was his retainer, consistent with his non-residential engineering expertise and renown, to design the Patterson's new industrial complex in Woodstock, Ontario, when they relocated. It is for that significant industrial commission on which John Stokes' profile and relationship with Peter Patterson and the Patterson family is primarily known.

Similarly, the carriage house/barn to the rear of the original house is no particular design value or physical value. It neither provides a rare, unique or early example of a style type expression material or construction, nor displays a particularly high degree of craftsmanship or artistic merit and has no direct associations with any theme, event, person, activity or organization that is significant to the community. Nor was it designed or reflects the works of any particularly important architect, artist, builder of importance in this community.

In assessing this property for its historical associative value in relationship to Peter Patterson, it is crucial to bear in mind that his is renowned for his industrial prowess in the manufacturing of farm implements. The Patterson family established a foundry in another municipality (Dundas) and manufactured of agricultural implements in Belleville, Ontario. Ultimately, the Peter Patterson factory was moved away from York Region to Woodstock. This Property was not the location of his industrial activities. It is only the fact that he was a person of stature and renown and the grandeur of the decorative elements of his residence (later only a summer residence) which is of associative value this this community.

The references to the historical value and associated value to the Redelmeier family largely relates to their farming prowess, which encompassed 514 acres. This property was only one portion of the farm that William Redelmeier, and Earnest and Francis Redelmeier was best known for farming. Again, Francis and Earnest Redelmeier were known for farming lands primarily to the east of Maple in Richmond Hill rather than for operations in and on this property.

### **Summary - Requests**

As a result, our client, respectfully requests that:

1. City Council designate only the following elements of the Property:
  - *vergeboard and woodwork trimming on the southeast and west elevations of the original house (but not the side and rear additions) including the ornate scrollwork along the soffits and over the windows,*
  - *the circular woodwork decoration in the front veranda and the veranda itself*
  - *the windows and openings*
  - *a steep pitched roof (which could be rebuilt)*



2. Council delay its decision and the designation until your Council meeting of June 25, 2024, which is within the 90 day period within which Council has to designate after receiving these objections. In that time, our client's heritage consultant will be able to provide additional comments and opinions on the proposed designation, communicate with City Heritage staff and address any matters or questions raised and it may be that our client and the City can come to agreement about the precise scope of the designation and thereby definitively avoid the need for an appeal to the Ontario Land Tribunal.

We would be pleased to discuss this matter further and answer any questions the City might have.

Thank you for your consideration.

Yours very truly,

**MILLER THOMSON LLP**

Per:



David Tang  
Partner  
DT/ac

