

**Conservation
Review Board**

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**Commission des
biens culturels**

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**RE: THE TOWN OF RICHMOND HILL – INTENTION TO DESIGNATE
11990 LESLIE STREET (JOHN HOOVER HOUSE), RICHMOND HILL**

Heather R. Broadbent, Vice-Chairman
Gerald Killan, Member

February 27, 1998

A Hearing of the Conservation Review Board was held on Friday, February 27, 1998 at the Municipal Building, the Town of Richmond Hill, in the matter of the objection to the heritage designation under Section 29(8) of the Ontario Heritage Act, R.S.O. 1990, Ch.O.18 (as amended) of the John Hoover III House at 11990 Leslie Street, Richmond Hill (formerly east half of lot 34, Concession 2, former Township of Markham).

For the Town of Richmond Hill:

James Sidlofsky, Assistant Solicitor
Su Murdoch, Archival and Historical Consulting
George W. J. Duncan, Heritage Coordinator
Joyce Horner, resident of Richmond Hill

The Objectors:

C. Wallis King, President, Oscroft Farms Ltd. (owners 11990 Leslie Street)
Richard W. Harrison, M.C.I.P., R.P.P. Partner, Malone Given Parsons Ltd.

As is its custom, the Board viewed the structure on the morning of the Hearing.

Case for the Municipality:

Ms. Su Murdoch, Consultant, presented her report on the historic ownership of the structure after the Board had accepted the expert credentials of both of the Town's witnesses. The research consisted primarily of genealogical information on several generations of the Hoover family and the subsequent owners, the Doners. The Ward family and their incorporated company, Oscroft Farms, have been the owners since 1945. The house does not appear to have been a full-time residence for any significant time since 1945. It was also noted that the property, now part of the municipal jurisdiction of Richmond Hill, was formerly part of the Township of Markham.

Ms. Murdoch elaborated on the Pennsylvania German ancestry of the Hoovers who purchased the east half in 1811 and their adherence to the principles and lifestyle of the “Tunker” (Dunkard) sect of the Menonist/Mennonite faith. Sophiah and John (III) were married in 1860; it is believed the home was built for them at that time. John was a widower in 1888 when he transferred the farms to his sons David and Levi.

The Hoovers and Doners, according to Ms. Murdoch’s evidence, were strongly connected to the traditions of the faith, which resisted assimilation. They remained faithful to their ancestral background after finally settling in Markham Township. Markham was one of the three areas of Pennsylvania German settlement in Upper Canada. Ms. Murdoch stated that the Germanic influence on Markham (now Richmond Hill) is fading but it had a strong presence in the early days of settlement and introduced a different lifestyle than that of the more prominent British traditions of the majority of the settlers.

George Duncan, Heritage Coordinator, gave evidence on the architectural significance of the building which had retained strong Pennsylvania German influences of style in a period when other residents of the same faith were beginning to build in the British styles. Other buildings in, (or originally from), the area were discussed by Mr. Duncan and his evidence suggested that no others resemble the era of architecture extant in the subject building. There was evidence indicating that the Richmond Hill LACAC has had the house listed in its records since 1977.

Case for the Objector:

The Objector was not represented by Legal Counsel. Although this is not required by the *Rules of Procedure* the Board found it necessary to allow considerable latitude in the presentation of evidence in an effort to allow the Objector to present his case in a fair and equitable manner.

Mr. C. Wallis King, assisted by Richard W. Harrison, who gave his profession as a planner, informed the Board of the support he and his family had provided to heritage conservation in York Region and the generous gifts of horse-drawn vehicles, antique tools and other artifacts to Markham Museum. Mr. King related opinions he had been given in the past by persons not unknown to the Board but not present on whether these third parties had regarded 11990 Leslie Street as an important heritage building. Mr. King also explained that a book (the publication of which was financially supported by he and his wife), “Rural Roots”, had not mentioned their building. Further, he suggested the home was not important enough for the Junior League, co-promoters of the publication, to include it in the book.

Mr. King stated that if these people had suggested the building was of historical relevance, the family would have financed the restoration/renovation. In Mr. King’s opinion, the building has deteriorated to such an extent that rehabilitation is not worthwhile. He is concerned about public liability by trespassers and also that the furnace has been “condemned.”

At this point, the Chair made it clear that the Board could not consider evidence that was not substantiated. Details of this type had to be considered inadmissible. In the matter of recent use of the building by filmmakers and some painting and repair work that had occurred, the witness stated that the work and the painting was merely cosmetic and the building is truly derelict. The family are not prepared to assume liability and “will probably no longer get insurance.”

Other Witnesses:

Joyce Horner was the final witness. Ms. Horner read a statement from notes (Exhibit 19) which stated in part that she is a rural neighbour and that her family were both friends and relatives of the Hoovers. The witness stated that the Hoovers were like “royalty” in that part of the municipality and that she believed that the building was not beyond restoration. Ms. Horner informed the Board that her family has restored two buildings on their property. Although one of these buildings is unoccupied, it is insured. Mrs. Horner said that she believed the buildings should be designated, that the past should be preserved for the future, and that the building deserves a show of respect as a “senior citizen” of its community.

Summations:

In the summations Mr. Harrison said it was obvious that Mr. King disagreed that the building had historical significance and that his company was not going to invest in the building. The family had already been outstanding corporate citizens with their donations of museum artifacts but were now faced with the problem of possible vandalism and liability and historic designation would not delay the inevitable.

In his summation, Mr. Sidlofsky (Town Counsel), pointed to the qualified evidence of the Town’s witnesses on the historical and architectural value of the property. Counsel also referred to various pieces of correspondence illustrating that the requirements of the Ontario Heritage Act had been followed. The Board was reminded that the Act does not require restoration of designated structures and that there are other by-laws that deal with maintenance and property standards. Further, there is no suggestion that the present owner has to be the one to undertake the restoration. In conclusion, Mr. Sidlofsky stated that the significance had been proved and that the permit for demolition had not been officially applied for.

FINDINGS OF FACT

The Board listened to the professional and detailed evidence of the Town’s witnesses. By the very nature of its religious faith, Mennonite communities did not mix in the more active social and political life of the rest of the municipality. The historical significance of the property is therefore based principally on the duration of the Hoover and Doner ownership of the property; genealogical information and matters that were important within the family’s faith. For example a family member was a calligrapher, a craft

greatly admired in the Mennonite communities. The three Johns, and John III's sons, David and Levi, were admired as accomplished, hard-working farmers devoted to their faith and family in a community where that was very important. This importance was acknowledged by the witness who is a descendent of both family and friends.

A book mentioned in the evidence of the Objector was not entered as an exhibit and therefore was unsubstantiated. It was, in any case, irrelevant to the Hearing as all the buildings recorded in the publication were constructed prior to 1855 and the subject house after 1860.

The Ontario Heritage Act does not require that a building be of architectural design, or on a grand scale, nor that it be a home of the rich or influential. The subject building although, not surprisingly, subjected to many alterations over its approximately 138 year history, demonstrates special elements which are not extant in any other local building. A Victorian style verandah, added in the more recent past, was not included in the designation description. The verandah, while more decorative than any that might have been considered by Mennonites during the building's early history, does not detract, nor add significantly, to its appearance.

CONCLUSIONS

The Board was interested to learn that Richmond Hill uses a reference plan to register a heritage designation on a building on a large parcel of land. Whatever method is used, it does not prevent other land use occurring around a heritage building. Designation of a building does not freeze alternative use of the balance of the property or rezoning prevent an adaptive use of the structure.

The Town made a relevant point in reminding the Board that the Act does not require the owner to restore the building. Someone else might be inclined to do so. This prompts the Board to make some suggestions that could be considered by the Owners and the Town as a solution. A special land severance might be granted, with Council's support, the approximate size of a country estate lot, with an access easement to the road until such time as a future subdivision is approved. The purchaser could then restore the building. Another option would be for the owners to give a long term lease with the same eventual objective.

In his statement the owner noted that the family had not made any attempt to maintain the property because, based on the hearsay evidence of others and some assumptions, they did not believe the building to be significant. Consequently the Board is less sympathetic than it would be to an owner that had recently acquired property with a structure in a similar state of serious neglect. Regular care and maintenance will ensure the value of property no matter what the construction date. Responsible tenants prevent vandalism. The Board also noted that the house has been rented for such lucrative remuneration as filmmaking but nevertheless the value of the property would now (regretfully) reflect its present condition.

RECOMMENDATION

The Conservation Review Board agrees with the Corporation of the Town of Richmond Hill that the building known as the John Hoover III House at 11990 Leslie Street, Richmond Hill, is worthy of Designation under the Ontario Heritage Act, R.S.O. 1990 for historical and architectural reasons and trusts that all parties involved in the Hearing will consider the comments contained in the foregoing report for a building worth saving.

(Signed)
Heather R. Broadbent
Vice-Chairman

Gerald Killan
Member

EXHIBITS

11990 Leslie Street, Richmond Hill (27 February, 1998)

1. Affidavit of Service of Notice of Hearing
2. Certified copy of ownership
3. Professional credentials Su Murdoch, Su Murdoch Archival and Historical Consulting.
4. Curriculum Vitae, George W.J. Duncan, Heritage Coordinator, Town of Richmond Hill.
5. Staff Report and related material for the LACAC Meeting, January 23, 1997.
6. Extract, LACAC Meeting Minutes, January 23, 1997.
7. Page from the Town's Inventory, 1972.
8. *Summary of Information Concerning the Architectural Details of the John Hoover III House* by George Duncan.
9. Chronology of Richmond Hill LACAC involvement with the John Hoover House.
10. Extract from "Building with Wood," John I. Rempel.
11. Extract, "Early Houses of Richmond Hill and Vicinity," George W. J. Duncan.
12. Photograph, 1723 Elgin Mills Rd. E.
13. Certified Copy, Staff report S.R.P.97.086 to LACAC meeting May 22, 1997.
14. Article from Toronto Sun (regarding use as a film set).
15. Certified Copy of extract of minutes of LACAC meeting November 28, 1996.
16. Certified copy of photographs of subject house, sketch and photographs of other Pennsylvania German houses in Markham/Richmond Hill.
17. Aerial photograph of property at 11990 Leslie Street.
18. Certified Copy of extracts from Richmond Hill Council meeting, June 16, 1997.
19. Notes of statement by Joyce Horner.