From: Gracynn Beck

Date: April 19, 2024 at 11:52:23 AM EDT

Subject: Raydav Holdings Inc. - 7507 Kennedy Road, Markham - Proposed Designation Under Part IV of

Ontario Heritage Act

To: Kitteringham, Kimberley < <a href="mailto:kkitteringham@markham.ca">kkitteringham@markham.ca</a>>, Manning, Evan < <a href="mailto:kkitteringham@markham.ca">kkitteringham@markham.ca</a>>, Manning, Evan < <a href="mailto:kkitteringham@markham.ca">kkitteringham@markham.ca</a>>

Cc: E. Bruce Solomon; Joseph Virgilio, David Solomon, Francis Lapointe

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Dear Ms. Kitteringham and Mr. Manning,

Please find attached hereto a letter from Mr. Joseph Virgilio with respect to the above-noted matter. Also attached is a preliminary report from Mr. Francis Lapointe, as referenced in Mr. Virgilio's letter.

Kind regards,

Gracynn Beck, Hons. B.A.
Paralegal for E. Bruce Solomon, B.C.L., LL.B.
and David A. Solomon, B.A. J.D.
E. Bruce Solomon Professional Corporation
Barristers & Solicitors

7507 Kennedy Road Markham, ON., L3R 0L8 Tel: 905-479-1900 ex. 28

Fax: 905-479-9793

e-mail: <a href="mailto:gbeck@markhamlaw.ca">gbeck@markhamlaw.ca</a>

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# JOSEPH VIRGILIO PROFESSIONAL CORPORATION

**BARRISTERS & SOLICITORS** 

Joseph Virgilio, B.A., LL.B. Vince Perricone, B.A., LL.B \* Jullian Brunino, B.A., J.D.

1 West Pearce Street, Suite 500 Richmond Hill, Ontario L4B 3K3 Telephone (905) 882-8666 Facsimile (905) 882-1082

\*Operating as a Professional Corporation

Kimberly Kitteringham
City Clerk
City of Markham
101 Town Centre Boulevard
Markham, Ontario L3R 9W3

BY EMAIL TO: kkitteringham@markham.ca
AND HAND DELIVERED

-and-

Evan Manning
Senior Heritage Planner
Heritage Section- Planning and Urban Design Department
Development Services Commission
101 Town Centre Boulevard
Markham, Ontario L3R 9W3

BY EMAL TO: emanning@markham.ca
AND HAND DELIVERED

Re: Raydav Holdings Inc. ("RHI") and 7507 Kennedy Road, Markham Ontario ("the Property") Proposed Designation Under Part 1V of the Ontario Heritage Act ("the Designation")

Please be advised that we represent RHI in regard to its interest as an owner of the Property and the commercial building thereon, and we are responding to Mr. Manning's correspondence dated **April 8, 2024** ("the Markham Correspondence").

The Markham Correspondence was received by RHI on **April 12, 2024**. This has **not** given RHI adequate time to fully investigate and respond to the Committee's Recommendations and the proposed Designation of the Property and we hereby reserve RHI's right to do so within a "reasonable" time frame.

RHI hereby objects to: a) the Property having been the listed on the register ("the Register") as a property with cultural heritage value or interest pursuant to subsection 27(3) of the Ontario Heritage Act, R.S.O. 1990, c. O. 18 and amendments thereto ("the Heritage Act"); and, b) any future Designation of the Property.

The present building retains little, if any, historical value as the interior was completely gutted and most parts of the exterior substantially altered when the rear addition was added to the Property and the Property was converted to commercial use in the 1970's. Simply put, the Property does **not** meet the new threshold for either listing on the Register or Designation under the Bill 23 amendments to the Heritage Act.

RHI therefore respectfully requests that the Council remove the Property and the building located thereon from the Register and that the recommendation to Designate the Property be withdrawn.

Pursuant to the Heritage Act, which provides that: a) pursuant to subsection 27(7), the owner of a property who objects to a property being included in the Register under subsection (3) or a predecessor of that subsection shall serve on the clerk of the municipality a notice of objection setting out the reasons for the objection and all relevant facts. 2019, c. 9, Sched. 11, s. 6; 2022, c. 21, Sched. 6, s. 3 (3); and, b) pursuant to subsection 27(8), that if a notice of objection has been served under subsection (7), the Council of the municipality shall: (i) consider the notice and make a decision as to whether the property should continue to be included in the Register or whether it should be removed; and, (ii) provide notice of the council's decision to the owner of the property, in such form as the council considers proper, within 90 days after the decision.

Since receiving the Markham Correspondence, we have: a) briefly spoken to Mr. Manning, who provided us with the City's Research Report pertaining to the Property ("the Research Report"); and, b) retained Francis Lapointe, Dip. Arch. Tech., B. Arch., M. Arch., OAA, MRAIC, LEED® AP, CET ('Mr. Lapointe"), to assist us in dealing with this matter. A copy of his "preliminary" letter dated **April 18, 2024**, evidencing his preliminary findings in regard to the Property, together with a copy of his CV and pictures of the building taken on **April 18, 2024**, are attached to this email.

Please note that: a) the "more recent" picture of the building you are relying on does <u>not</u> fully represent the Property as it exists today; b) the chimneys noted in the Research Report still show on the picture you are relying on, notwithstanding that they have **not** been in place since in our about 2010; and, c) the white wood bannisters sounding the front deck and white lattice at the bottom of the deck which have been in place since in or about 2010 are also **not** shown.

Further, please note that in the 1970 conversion and thereafter, in furtherance of the conversion of the building and its use as commercial property, that:

1. In the 1970 renovations, the interior of the Property: a) was completely gutted and converted to offices with new partitions and drywall throughout; and, b) no original trim or other such historical remnants remained in place after the conversion.

- 2. Access to the interior of the Property since the 1970's has been through a door on the south side of the 1970 addition to the Property.
- 3. On the exterior of the Property in the 1970 renovations: a) at the front and both sides of the ground floor, the windows were enlarged and replaced with large/oversized fixed plate glass commercial windows; b) the roof line over the balcony and balcony were altered; c) a door on the south side of the Property was cemented over to accommodate the interior renovations; d) eavestroughs were added; e) window sills were replaced in some cases with wood and in others with cement sills; f) a modern front door together with a screen door were put in place; and, g) the deteriorating brick work was painted blue/gray.
- 4. Since the original 1970 renovation: a) various bricks have crumbled and have been filled in with cement and/or replaced with unmatching brick and repainted/sealed; b) the rear north-east corner wall was unstable and had to be completely reinforced with cement; c) the two chimneys were damaged creating a dangerous situation and therefore removed and capped; and, d) banisters and lattice were placed on and around the front balcony.
- 5. Most recently, a large underground communications vault was placed directly in the south-west corner of the Property by Rogers.
- 6. The Property is surrounded: a) to the East by a large subdivision of large, expensive homes; b) to the West, it fronts closely on to Kennedy Road; c) to the North, a large industrial commercial one-storey building housing a roofing company with outside storage of both materials and numerous commercial vehicles and trailers; and, d) to the South is a post office structure converted into a real estate brokerage office.

We appreciate that recent amendments to the Heritage Act are requiring municipalities, including the City of Markham, to consider what listed buildings on its register should receive designated status ahead of January 1, 2025 - this legislation, should, however, **not** foreclose an owners' right to make representations to the Committee.

We are of the view that the Building and the Property do **not** have sufficient features and/or characteristics required to receive a Designation and should be removed from the list of non-designated properties included on the Register.

Therefore, we respectfully request that: a) Markham Council remove the Building and the Property from the list of properties included on the Register pursuant to Subsection 27(3) of the Heritage Act; b) the Committee reconsider its' decision to recommend

Designation; and, c) if the recommendation is made by the Committee for Designation of the Property, that on reviewing all the evidence, Council should refuse the Designation.

Please note that it is our intention to attend the **April 23, 2024** meeting. Mr. Lapointe and I would like the opportunity to speak at this meeting and respond to any questions the Committee may have. Please provide us with the ZOOM link for this meeting. I can be reached by email at jvirgilio@virgiliolaw.com or by phone at **416-567-4074**.

We look forward to receiving the Committee's and/or Council's decision. Please advise should you have any questions or require any further documentation.

Yours very truly

Joseph Virgilio

cc David Solomon Francis Lapointe



April 19, 2024

Raydav Holdings Inc., Attention: David Solomon, 7507 Kennedy Road, Markham ON L3R 0L8

Re: Future Designation of 7507 Kennedy Road, Markham under Part IV Ontario Heritage Act

Dear Mr. Solomon,

As requested, I have reviewed the John and Elizabeth Smith House Research Report (updated 2024) prepared by the Heritage Section - City of Markham Planning and Urban Design, as well as the April 9, 2024 letter from the same department. The documents were prepared by Heritage Planning Staff "...to begin a conversation about the future potential designation of your property". The April 9th letter was received by Raydav Holdings Inc. via Canada Post on April 12, 2024, and requires opposing submissions to the submitted to the Development Services Committee two days prior to their April 23rd, 2024 meeting.

Due to time constraints, I am not able to complete a thorough review of the subject building at this time, and instead offer this preliminary analysis. This summary report is based on a review of the following heritage conservation regulations, policies, and standards, that the City of Markham also relies upon:

- December 2023 e-Law release of the Ontario Heritage Act, R.S.O 1990 c. O.18, documents include:
- The Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada, 2010
- Designating Heritage Properties, A Guide to Municipal Designation of Individual Properties Under the Ontario Heritage Act, Ontario Ministry of Culture, 2006
- Compliance with Ontario Regulation 9/06, as amended Criteria for Determining Cultural Heritage Value or Interest,
- Criteria for Determining Cultural Heritage Value or Interest, O.Reg. 9/06.

I also reviewed recent photographs of the building and completed online research on the Milliken Family of Markham.

I have examined whether the existing 1½ storey brick building at 7507 Kennedy Road meets the criteria that are required to be met under the *Ontario Heritage Act*. I can summarize my comments as follows:

- 1. There are few cultural heritage features remaining on the exterior of the building,
- 2. The heritage and cultural features that remain are neither rare, unique, or representative,
- 3. There is little evidence to indicate that this house was constructed by and occupied by John and Elizabeth (nee Milliken) Smith. Furthermore, the evidence that was provided suggests that if the couple did reside on this property, they did so for a few years only.

Note that we will provide a more detailed report on the potential future designation of the subject property in approximately 2 weeks. Finally, the credentials of the author, Francis J. Lapointe, OAA, can be found in Appendix A at the end of this letter.

# Part 1 – Property Description

7507 Kennedy Road (Part of Lot 4, Concession 6) is a 2200 sm (0.54 acre) urban lot located on the east side of Kennedy Road, south of Highway 407 and north of Denison Avenue. The property is surrounded by a 2-storey commercial building to the south, a 2-storey commercial/industrial building on the north and low-rise residential buildings at the east (rear) of the property. Across the street is the Milliken Mills High School. The neighbourhood consists primarily of a mix of recently constructed low rise residential and commercial buildings. The heritage-designated Benjamin Milliken House is located approximately 0.5 kms north of the site on the west side of Kennedy Road.

The site is zoned (H)R3, Residential Low Rise under to old Zoning by-law and RES-ENLR under the new Comprehensive Zoning bylaw 2024-19, which is subject to appeal. The only building currently on the lot is a 1½ storey brick masonry building that includes a 1-storey rear addition clad with metal siding. The building is listed on the City of Marham Register of Properties of Cultural Heritage Value or Interest. The location of the 1½ story building on the lot is unusual in that the front wall of the building is located less than 4 m from the front lot line, while the front veranda is approx. 1.5 m from the front lot line. Based on its zoning, the site is likely to be developed for residential purposes in the future, as anticipated by Bill 23, More Homes Built Faster Act.

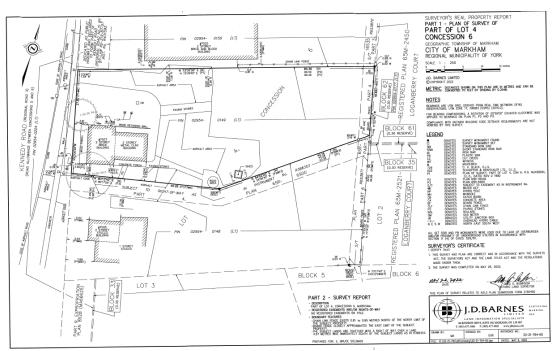


Figure 1 - Overall site plan of 7507 Kennedy Road, Markham. (JD Barnes OLS)

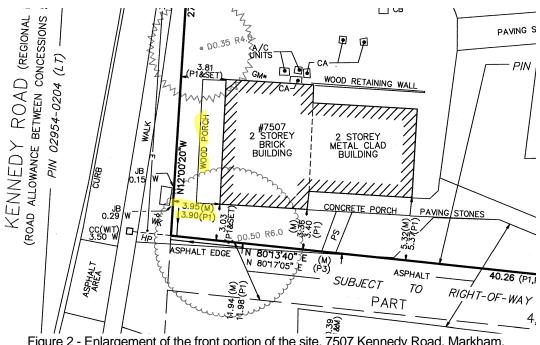


Figure 2 - Enlargement of the front portion of the site, 7507 Kennedy Road, Markham. (JD Barnes OLS)



# Part 2 – Cultural Heritage Value or Interest

Under O.Reg. 9/06 <u>Criteria for Determining Cultural Heritage Value or Interest,</u> an Ontario Municipality must demonstrate that the property that they wish to designate under Part IV of the *Ontario Heritage Act* meet a minimum of two of the following criteria:

- (2) A property may be designated under section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:
- 1. The property has design value or physical value because it,
  - i. is a rare, unique, representative or early example of a style, type, expression, material or construction method,
  - ii. displays a high degree of craftsmanship or artistic merit, or
  - iii. demonstrates a high degree of technical or scientific achievement.
- 2. The property has historical value or associative value because it,
  - i. has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
  - ii. yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
  - iii. demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
- 3. The property has contextual value because it,
  - i. is important in defining, maintaining or supporting the character of an area,
  - ii. is physically, functionally, visually or historically linked to its surroundings, or
  - iii. is a landmark.

In their description of the subject property, Markham Heritage Planning staff indicate that the property meets the objectives of three of the heritage criteria. Those three criteria are described and refuted below.

#### Criteria 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.

<u>Staff comment:</u> The John and Elizabeth Smith House has design value and physical value as a representative example of a mid-nineteenth century brick farmhouse in the vernacular Georgian architectural tradition.



A review of photographs of the building at 7507 Kennedy Road (taken on April 18, 2024) reveals a simple rectangular 1½ storey brick building that is neither unique, unusual or "Georgian", although it is 'vernacular'. The Ontario Heritage Trust website defines Georgian Architecture as:

Georgian architecture, however, can be characterized by a formal arrangement of parts; it employs symmetrical composition enriched with classical details, such as columned facades.<sup>2</sup>

The most apparent feature of the building is the front veranda, which is topped by a shed roof supported by six simple square columns, that measure  $3\frac{1}{2}$ " by  $3\frac{1}{2}$ ". Such small columns are not typical of heritage architecture, and the dimensions more accurately reflect a contemporary milled and planed pressure-treated wood post then a 'Georgian' column. The soffit of the front porch is currently constructed of painted plywood, a construction material that is contemporary, not historical. This front veranda hardly qualifies as a "columned façade" but rather is a typical front porch that you can find in many contemporary houses today. There is no ornamentation or details on the columns, and they are likely contemporary replacements, especially given their size and lack or ornamentation, such as stop chamfer edges.



Figure 3 - Front (west) elevation of 7507 Kennedy Road, Markham



<sup>&</sup>lt;sup>1</sup> **Vernacular architecture** is building done outside any academic tradition, and without professional guidance. It is not a particular architectural movement or style, but rather a broad category, encompassing a wide range and variety of building types, with differing methods of construction, from around the world, both historical and extant and classical and modern. https://en.wikipedia.org/wiki/Vernacular\_architecture

<sup>&</sup>lt;sup>2</sup> https://www.heritagetrust.on.ca//architectural-style, accessed April 18, 2024.



Figure 4 - View of Plywood Soffit below front veranda roof.

The building foundation consists of natural field stones which need repair and repointing and are a source of ground water ingress into the crawl space. Crawl space windows, visible on both sides, have been removed and the openings closed and finished with concrete parging.

The exterior above-grade walls, described in the Heritage Staff report as Flemish bond brick, have been repeatedly painted with extremely durable waterproof epoxy-based paint, that is all but impossible to remove. The only other feature of the brick walls are the shallow arched lintels over the ground floor windows. The epoxy-based paint makes it difficult to perceive the features of the brick, concealing the brick bonding pattern and the lintels.

The gable end roof has no rare or unique features and is virtually free of ornamentation save for a plain 6" high frieze board below the gable overhangs. The front and rear overhangs do include a small profiled under-soffit wood trim. The City's Heritage Research Report describes "boxed eaves and eave returns" as if they are significant cultural heritage features, when in fact they are plain and likely contemporary replacements of more detailed roof eave details. As reported (and



# Comments regarding Future Heritage Designation 7507 Kennedy Road, Markham ON

as visible in the photo on the cover of the Staff research report) there were two corbelled brick chimneys in the past, but they have since been removed and capped slightly above the roof line, as the more ornate chimneys were a danger of collapsing.

Any potentially defining architectural features of the building have long been replaced with contemporary features. Where there once may have been double hung windows there now are large picture windows. The front door is a contemporary insulated metal door.

There are no known historical photographs of the subject property and as such, it is impossible to know what architectural features were used to decorate the house. The owner has indicated that both the exterior and the interior of the house were extensively renovated (under a building permit) in the 1970's. The interior was fully gutted and no cultural heritage features have been preserved.

The Parks Canada <u>Standards and Guidelines for the Conservation of Historic Places in Canada</u> addresses the issue of potentially missing architectural features. The document recommends that heritage consultants should not try to 'guess' what the original appearance of a former heritage feature was. The Parks Canada guidelines recommends against:

"Constructing a wood feature that was part of the original design of the building, but was never actually built; or constructing a feature that was thought to have existed during the restoration period, but for which there is insufficient documentation." <sup>3</sup>

In conclusion, examinations of the current photographs of the existing building at 7507 Kennedy Road reveals that this building has little to no "rare, unique, [or] representative" cultural heritage features, and that the existing building fails to meet the first criteria for determining whether it is of cultural heritage value or interest. Furthermore, most of the identifying cultural heritage features has been replaced such that the building has little left to preserve and is no longer representative of the vernacular Georgian style.



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Figure 5 - South elevation of the original 1½ storey building and rear addition.



Figure 6 - North Elevation of the rear addition and original 1½ storey building.

# Criteria 2

The property has historical value or associative value because it is associated with a theme, event, belief, person, activity, organization or institution that is significant to a community.

<u>Staff comment:</u> The John and Elizabeth Smith House has historical value, representing the locally significant theme of agriculture as the former farmhouse of John and Elizabeth Smith, and for its association with the significant wave of British families that arrived in Markham Township in the 1820s-1830s. It also has historical value for its association with the prominent Milliken family after whom the community takes its name.

Planning staff suggest that the building at 7507 Kennedy Road meets criteria 2 (the lot is associated with a person that is a significant to a community) because John and Betsy Smith (nee Milliken) once resided on that lot. But Heritage Planning Staff have not provided any conclusive evidence that proves that the couple lived in the building currently on the lot (which is only 1% of the original lot size). Instead, they quote the following data from historical censuses:

- 1838 John and Elizabeth (or 'Betsy') (nee Milliken) Smith marry.
- 1843 Benjamin Milliken and his sister Betsy Smith inherit property from their father, Norman Milliken, one of the founders of the community. Benjamin inherits 50 acres while Betsy inherits 11 acres (described as Lot 1, Concession 5).
- 1844 John Smith purchased the 50-acre south-west portion of Lot 4, Concession 6 (that included the 0.54 acre lot now described as 7507 Kennedy Road).
- 1846-47 <u>Brown's Directory of Markham Township</u>, states that John and Betsy Smith reside at Lot 1, Concession 5, (Betsy's lot), not the lot that John had purchased a few years earlier.
- 1851 The census now states that John and Betsy Smith in a 1½" storey house at Lot 4, Concession 6 (a 50-acre lot including the 0.54 acre part of lot 4 now know as 7507 Kennedy Road).
- Late 1851 John Smith dies and bequests his 50-acre south-west portion of Lot 4, Concession 6 to his son John Jr., and the 11-acre, Lot 1, Concession 5 property to his daughter Mary.

It should be emphasized that the current lot at 7507 Kennedy Road is 0.54 acres in size, which is 1% of the 50-acre Lot 4, Concession 6 (the historic lot). The position of the existing building with respect to the main road (Kennedy Road) suggest that this was not the 'main' house, because main houses were typically sited further away from a road, to distance themselves from road dust, noise and odours. Furthermore, Betsy and her brother Benjamin Milliken were both bequeathed land when their father died. Benjamin built a large stately house less than 500 m away from this property, and that house is located several hundred meters away from Kennedy Road.

Why did John and Betsy, who had inherited land and purchased another lot, build and settle in a small non-descript house very close to the dust, noise and odours originating from the road? The census data indicated that the couple had two children, a daughter Mary, aged 13 and a son



John, aged 6. The two kids lived with them as did one of Betsy's brother, John Milliken, in a house that was then likely only two bedrooms on the upper half-storey. It is more likely that John and Betsy Smith were wealthy enough to have built a larger house a greater distance away from the road on another portion of the vast 50-acre lot, as Betsy's brother Benjamin had. The house currently located at 7507 Kennedy Road may have been built later and for another purpose (to house other family members or farm hands?). Its proximity to the road suggests so.

Finally, John and Betsy Smith likely only lived in this house (if at all) for a few years. The 1846/47 census indicated that John and Betsy lived at their 11-acre lot in 1847, while the 1851 census recorded them living somewhere on their 50-acre lot (Lot 4, Concession 6, a very small portion of which (1%) is now 7507 Kennedy Road). After John's death, Betsy married Henry Sanders and she and her young son moved to another house near German Mills. The subject lot remained in Betsy's family for many years and was leased to a tenant until she returned sometime around 1871, with her son John Smith Jr., who continued to farm the land. A house where a family lived for a few years over multiple decades does not qualify as a "... property [that] has historical value or associative value because it is associated with a theme, event, belief, person, activity, organization or institution that is significant to a community." The partial occupation of the house by the Smith family simply does not meet the requirements of Criteria 2.

#### Criteria 3

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

<u>Staff comment:</u> The John and Elizabeth Smith House has contextual value because it is physically, functionally, visually and historically linked to its surroundings where it has stood since c.1850.

Planning staff report that the house at 7507 Kennedy Road is linked to its surroundings simply because it has been there since circa 1850, and for no other reasons. In other words, the house exists, therefore it should be designated! Planning staff have not provided any evidence of how the house was "...functionally, visually and historically linked to its surroundings".

Staff have also not determined which house the 1851 census refers to. In fact, they quote data from the later 1891 census that refers to John Smith Jr., his wife and their **six children living in a 2 storey, 7-room house**, a description not representative of the existing building on the subject property.

By the time of the 1881 census, John Smith Jr. was married. John and Margaret Smith were both 34 years old and had three children between the ages of eight and one. Margaret Smith was known as "Maggie." John Smith Jr. was a farmer. The family were of the Methodist faith. In 1891, there were six children in the Smith household. Their dwelling was described as a two-storey brick structure containing seven rooms.



Criteria 3 was included as part of the <u>Criteria for Determining Cultural Heritage Value or Interest</u> (O.Reg. 9/06) to acknowledge the importance of a building to the surrounding community, often as the host of a major event. Was there a major community event that took place at this house? A wedding, a funeral, a murder? Was a play written here? Was a prominent statesman born here? In reality, the events that did occur at the house were the same type of events that occurred in every other house on this street and in this village. Children were born, families raised, parents worked and grandparents died. There is no community event of significance that occurred at 7507 Kennedy Road that is worthy of requiring the house to be designated under Criteria 3.

# Conclusion

Whether or not a building is worthy of designation under the Part IV of the *Ontario Heritage Act* depends on whether the building meets a minimum of two criteria for determining whether it is of cultural heritage value or interest under O.Reg. 9/06 <u>Criteria for Determining Cultural Heritage Value or Interest</u>. It is the responsibility of a Municipality to prove that the criteria have been met, whereas a property owner has the right to oppose the designation.

The existing 1½ storey building at 7507 Kennedy Road fails to meet the three criteria selected by the City of Markham Planning Staff, namely:

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,

My professional assessment as an Architect with substantial experience in heritage preservation is that few if any of the remaining building features are original to the building, and that this building struggles to be a representative example of vernacular Georgian architecture.

2. 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,

Heritage Planning Staff have provided only circumstantial evidence that the existing building was occupied by John and Betsy Smith. In fact, the current lot is only 1% (0.54 acres) of the original 50-acre lot and there are multiple other locations on this very large lot that would have been better suited for the construction of a large house away from the dusty, noisy and smelly road.

3. The property has contextual value because it is important in defining, maintaining or supporting the character of an area,

The Research Report fails to provide any evidence that the existing building at 7507 Kennedy Road has hosted any major community event or somehow defined or influenced the development of the community. In fact, one of the reported events describes John Smith Jr., his wife Maggie and his six children living in a 2-storey, 7-room house, a description more fitting of the building to the south of the subject property, that may also be located on Lot 4, Concession 6.



# Comments regarding Future Heritage Designation 7507 Kennedy Road, Markham ON

As such, I do not agree with Heritage Planning Staff that the existing building at 7507 Kennedy Road meets any of the required conditions described in the <u>Criteria for Determining Cultural Heritage Value or Interest</u>. Finally, I recommend that the building be removed from the City of Markham's <u>Register of Properties of Cultural Heritage Value or Interest</u>, as required by changes to the Ontario Heritage Act detailed in Bill 23, <u>More Homes Built Faster Act</u>.

Sincerely,

Francis J. Lapointe.

Fml

Dipl. Arch., Tech., B. Arch., M. Arch., OAA, MRAIC, CET, LEED® AP

# **Appendix A**

# Curriculum Vitae of Francis J. Lapointe, OAA

Francis Lapointe is the principal of Lapointe Architects. He formed the practice in 2001 with a focus on sustainable building technologies, materials and construction methods. Francis' design portfolio presents a broad range of building projects that demonstrate thoughtful transformation of space, responsiveness to the environment and enduring value. Throughout his career, Francis has completed dozens of heritage projects, sustainable projects including a LEED Platinum building, social housing for Canada's indigenous communities. Francis' passion for sustainability has culminated with the purchase of a large historically designated Victorian house in Trenton Ontario. When Francis and his partner Andrew took possession of the house it was in poor condition, having been left empty for a few years and suffering significant water damage from frozen water pipes. They are actively working at restoring the house to its former glory while repairing the structural systems and improving the energy efficiency of the building assemblies.

Francis has presented his work at several architectural and sustainability conferences across Canada and guest-lectured at Ryerson and OCAD. Since 2006, Francis has been a member of the Program Advisory Committee (PAC) for the Sustainable Architecture program at Centennial College, advising the College about the employment needs of the design and construction industry. Francis has been lecturing part-time at the College since 2007 and in 2010 became a full-time faculty member.

#### **Education**

# Technical University of Nova Scotia (Now Dalhousie University), Halifax NS

• Post-Professional Master of Architecture (M. Arch. II), 1993 - 1995

#### Université Laval, Québec City

• Baccalauréat en Architecture (B. Arch.), 1989 - 1992

#### Centennial College, Toronto ON

Architectural Technologist Diploma, 1985 – 1988

#### **Professional Memberships and Accreditations**

2011, Member, Ontario Association of Certified Engineering Technicians and Technologist (OACETT)

2009, CaGBC qualified instructor of the <u>Building Green with LEED®</u> post-secondary course.

2005, Accredited Professional, Leadership in Energy and Environmental Design (LEED®)

2001, Member, Royal Architect Institute of Canada (MRAIC)

2001, Member, Ontario Association of Architects (OAA)



# **Professional Experience / Selected Projects**

# Lapointe Architects, Toronto 2001 - present

(Heritage projects highlighted in yellow)

- Fidlar House (restoration/ interior alteration), Trenton ON
- First Nation Sustainable Development Standards, Atikameksheng Anishnawbek FN, Naughton, ON
- Sustainable Designs for your Community, Membertou FN, Cape Breton, NS
- Barrie Hill Farm Market (sustainable harvest market), Barrie, ON
- Sustainable Social Housing, Atikameksheng Anishnawbek FN, Naughton, ON
- Fire Arbour, Atikameksheng Anishnawbek FN, Naughton, ON
- (re) source pavilion (small diameter timber structure), Picton, ON
- Jubilee Pavilion and Banquet Hall (renovation and expansion), Oshawa, ON
- Fifth Town Artisan Cheese Company (LEED Platinum) Prince Edward County, ON
- Wawa Boreal Shield Eco-walk (waterfront eco-park), Wawa, ON
- EcolAxis House (sustainable house), South Bay, ON
- Manse Inn, Picton (conversion of manse to inn), Picton ON
- St-Phillip Neri Oratory (seminary/chapel renovation), Toronto, ON
- Casa Loma (Life Safety Study) Toronto ON
- Edward Condominium (in heritage district, with Brian Clark, Architect), Picton, ON
- Blythdale Residence (sustainable house), Toronto, ON (with Claudio Gantous Architect, Mexico)
- Kickinghorse House (mountain house), Golden, B.C.
- 580 Spadina Circle (renovation/ addition), Toronto ON
- Cressy Residence (lakefront house), Prince Edward County, ON
- Sunnyside Concession, Western Beaches, Toronto, ON
- Vern's Greenhouse and Indoor Garden Center, Cambridge, ON
- Wheat Sheaf Tavern (restoration/ interior alteration), Toronto, ON
- St-Georges Ukrainian Seniors Housing (conversion of public school to senior's housing), Oshawa, ON

#### Taylor Hariri Pontarini Architects, Toronto – Arch. Project Manager from 2000 - 2002

- Canada One Factory Outlet Phase Three, Niagara Falls ON
- Flavelle House, Faculty of Law, University of Toronto, Toronto ON
- Art Collector's Residence, Toronto, ON

#### Atkins Architect, Thornhill - Project Manager/ Architectural Designer from 1998 - 2000

- 30 Scott's KFC Restaurants throughout Ontario, Alberta and Quebec
- The Palace at Granite Gates Condominium, Mississauga ON

#### Domus Architects, Toronto - Architectural Technologist from 1997 - 1998

Embassy for the Kingdom of Saudi Arabia. Ottawa ON

# Jedd Jones Architects, Toronto - Architectural Technologist from 1988-89

- Rockwood Academy for Boys, Rockwood (Guelph) ON
- Napanee Train Station, Napanee ON

# Annau Associates Architects, Toronto - Architectural Technologist from 1988-89

7<sup>Th</sup> Street Public School, Etobicoke ON



# **Teaching Experience**

## Centennial College of Applied Arts and Technology, Scarborough 2007 to Present

- Currently teaching several Environment, Design and Building Code courses in the Sustainable Architecture program.
- Developed and/or participated in three Global Citizen Equity Learning Experiences (GCELE):
  - Biodiversity Expedition, Pacaya Samiria Reserve, Amazon Jungle, Peru March 2012
  - Construction of a Community School in the mountains overlooking Cusco, Peru March 2013
  - Wetland Restoration, Walpole Island First Nation March 2015

## Technical University of Nova Scotia (TUNS), Halifax Winter 1995

 Teaching Assistant: supervised students from TUNS and NSCAD in the construction of a unique bentwood structure

## Eskasoni First Nation, Cape Breton, NS Summer/Fall 1994

 As Construction Supervisor and Instructor, Francis helped the community construct a 6700 sq./ft Cultural Centre that incorporates small diameter timber (SDT) technology.

## Michipicoten First Nation, Wawa, ON 1992-93

 Francis taught members of this First Nation community to design and build their own dwellings and other small structures, including a carpentry shop, administrative offices and a community center.

## **Awards and Scholarships**

- 2017 Learning-Centred Award, Centennial College
- 2016 President's Spirit Award, Centennial College
- 2015 Alumnus of Distinction, Centennial College
- 2008 LEED Platinum Certification Fifth Town Cheese Factory
- 2008 Elizabeth Murray Green Building Award, Prince Edward County Construction Association
- 2008 Ontario Concrete Association Architectural Merit Award for Fifth Town Cheese
- 2008 WoodWORKS Green Building Wood Design Award for Fifth Town Cheese
- 2008 Canadian Business Design Exchange Staff Choice Award for Fifth Town Cheese
- 2008 Canadian GeoExchange Coalition Prize of Excellence for Fifth Town Cheese
- 1995 Ontario Premier's Award
- 1994 & 1995 TUNS Research Grant
- 1993-95 CMHC Graduate Scholarship

#### **Exhibitions / Publications**

- Author/ Course Developer, FNSDS Modules for Learning 1 and 6, March 2017
- Author, First Nation Sustainable Development Standards Published December 2016
- (re) source Pavilion Building for the Economy, Exhibition at the Harbourfront Centre,
   Summer 2009
- <u>Twenty + Change</u> exhibition series dedicated to profiling emerging designers working in architecture, landscape and urban design, Gladstone Hotel, June – Aug 2009
- Factory Design, Braun Publication, Spring 2009
- <u>Eco Design</u>, Braun Publications, Summer 2009
- Green Cheese, Canadian Architect magazine, January 2009
- Co-authored Reduce Car Wash Consumption Gain LEED Points, Octane Magazine, March 2008

# **Speaking Engagements**

- First Nation Sustainable Development Standards, presented at:
  - Ontario First Nation Technical Services Corporation, September 2014, Sault-Ste-Marie
  - Aboriginal Financial Officer's Association, February 2014, Halifax
  - Assembly of First Nation, National FN Infrastructure Conference, February 2014, Toronto
  - Assembly of First Nation, Special Chiefs Assembly, December 2013, Ottawa
  - o Aboriginal Financial Officer's Association, February 2013, Toronto
- Fifth Town Cheese Factory: LEED Platinum Case Study, CaGBC Conference, Montreal, June 2009
- Small Diameter Timber, WoodWORKS Luncheon, Sudbury and Winnipeg, Feb. 2009
- Building a 'Green' Cheese Factory presentation to the 6th Annual Eastern Lake Ontario Regional Innovation Network Conference, Aug 2008
- So You Want To Build A Cheese Factory? Presentation to Ontario Cheese Society, 2007
   Annual General Meeting and Conference, May 2007

## **Committees / Boards**

- 2006-2010, <u>Centennial College Program Advisory Committee</u>, for the Sustainable Architecture Program
- 2007, <u>OAA ExAC Task Group</u> (Phase 2) was one of several architects who authored questions for the new Canadian architectural registration exams (ExAC)

