

CITY OF VANCOUVER,

My name is Selena Shao and I am the property owner at

s.22(1) Personal and Confidential

s.22(1) Personal and Confidential

I have several issues regarding the proposed changes to the ODP. They include:

1. We (my family and I) have been involved with our architect for more than a year and have spent considerable time and money designing our new home. When we first started working on the house design our architects went to the Planning Department and discussed our proposal. At that time there was no mention of the proposed changes to the ODP. We moved forward with our house as per their comments and submitted for DP prior to the Council Meeting to revise the ODP for First Shaughnessy. At this time we feel that it would be unfair of the City to change the rules of the game after the fact. It simply seems immoral to us.
2. We respect to our specific lot we believe the City should understand that it is a fringe lot and that removing the possibility of creating a lower floor garage and forcing us to

build a rear yard detached garage would not be in the best interest of the City or ourselves in that it would:

- a. The garage will be far less attractive to the street than the beautiful landscape plan that has been developed by our landscape architect.
- b. Having a rear yard garage will require the revision of our house plans; creating far more cramped living spaces and altering what we believe to be a very beautiful house.

We therefore do not approve of the current changes to the ODP.

Selena Shao

September 4, 2015

Isfeld, Lori

From: Roberta Beiser s.22(1) Personal and Confidential
Sent: Tuesday, September 15, 2015 11:38 AM
To: Correspondence Group, City Clerk's Office
Cc: Public Hearing
Subject: First Shaughnessy Heritage Conservation Area

Dear Mayor and Council,

I live at s.22(1) Personal and Confidential, a pre-1940 First Shaughnessy property.

This very unique home has been in my family since 1953, and I could not envision it being torn down.

However, as I know the neighbourhood well, in my opinion, there are many houses of this vintage..or older that do not have "heritage conservation " qualities. It would be a shame to keep them just because they are "old".

I do NOT agree that there should be an "across the board" determination...there should be some adjudication of POSITIVE contribution to the unique character of First Shaughnessy.

I trust you will make a wise decision..for the betterment of all..

Sincerely,

Roberta Lando Beiser
Pre 1940 First Shaughnessy Home owner.

Isfeld, Lori

From: Correspondence Group, City Clerk's Office
Sent: Tuesday, September 15, 2015 11:25 AM
To: Public Hearing
Subject: FW: Heritage conservation in First Shaughnessy hearing ~ Opposition letter

From: Tiffany Lau s.22(1) Personal and Confidential
Sent: Tuesday, September 15, 2015 10:40 AM
To: Correspondence Group, City Clerk's Office
Subject: FWD: Heritage conservation in First Shaughnessy hearing ~ Opposition letter

Dear City of Vancouver,

I am writing as a longtime resident of Vancouver and of First Shaughnessy, which my family and I have called home since 1993. After thoughtful consideration, I must strongly oppose the HCA proposal for First Shaughnessy. I have always loved and respected the rich heritage and character of the neighbourhood. However, this new proposal does not respect the residents and homeowners of the Shaughnessy community. Placing such limitations on our homes does not take into consideration the residents that will be adversely affected on a personal level. Why can't each rebuild or renovation be considered on a case-by-case basis? This proposal takes the power out of our hands and assumes that residents of Shaughnessy need to be policed and monitored and are not to be trusted with their own homes. After calling Shaughnessy home for decades, don't the residents deserve to have some control over their homes and properties?

I urge you to consider the residents of Shaughnessy who will be affected by this and to please reconsider this proposal.

Yours truly,

Jennifer Trak

Isfeld, Lori

From: Correspondence Group, City Clerk's Office
Sent: Tuesday, September 15, 2015 11:21 AM
To: Public Hearing
Subject: FW: heritage action plan

-----Original Message-----

From: [caroline lum@telus.net](mailto:caroline_lum@telus.net) s.22(1) Personal and Confidential
Sent: Tuesday, September 15, 2015 9:22 AM
To: Correspondence Group, City Clerk's Office
Subject: heritage action plan

Dear Mayor and Councillors,

I am a co-owner of a pre-1940 home in First Shaughnessy. I would like to put in some of my opinions as to why I "Oppose" making the neighbourhood a heritage conservation area:

1. Houses should be analyzed individually and not to include all pre-1940 houses as Heritage houses.

Potential damage to City of Vancouver: If all the pre-1940 houses are considered as Heritage houses, many home owners will apply to exclude themselves from it, City councillors will need to attend each public meeting, these lengthy meetings take time and the costs are covered by Vancouver citizens. If the City of Vancouver can assess each house individually, it will avoid un-necessary public hearings and costs.

2. Many Pre-1940 home owners are seniors or close to retirement, many people depend on selling their homes for their retirement. However, many potential buyers are not interested in doing renovation and therefore decrease the selling chance and values.

Potential damage to City of Vancouver: Many home owners will suffer economic pressure which they may file legal action against the City Of Vancouver for the decrease of their home values.

3. The Proposal incentive for pre-1940 owners are to renovate their existing house to bigger living area by adding secondary suite, lane-houses, more floor space, etc. or for larger properties infill units

Potential damage to City of Vancouver: The renovations incentive are very contradictory from the Proposed Heritage plan, each time a renovation is done to the existing house, it destroys the appearance of the house and no longer maintains the heritage look. The renovation costs are also much higher than building it brand new. Many home owners may ask the City of Vancouver for compensation to subsidize their renovation costs.

Potential damage to City of Vancouver: The Proposed Heritage plan goal is to maintain the landscaping & green space but the renovation incentive plan is to build lane-house or multiple units which will take away more green & landscaping spaces.

4. The proposal Heritage conservation plan allows to build rental units, strata title homes and etc.

Potential damage to City of Vancouver: To allow small rental units, multiple dwelling units and strata title property may destroy the single family owner neighbourhood. With more people living in First Shaughnessy it increases the noise, traffic and parked cars on the street. The privacy and estate characteristics are lost.

Please consider my points seriously as I am a proud owner who lives in First Shaughnessy and I have every intention to make my neighborhood as good as it can be.

Caroline Lum

Isfeld, Lori

From: Correspondence Group, City Clerk's Office
Sent: Tuesday, September 15, 2015 11:18 AM
To: Public Hearing
Subject: FW: OBJECTION to the proposed new rules for First Shaughnessy

From: Derek Chan s.22(1) Personal and Confidential
Sent: Tuesday, September 15, 2015 4:07 AM
To: Correspondence Group, City Clerk's Office
Subject: OBJECTION to the proposed new rules for First Shaughnessy

Dear Mayor and Council,

As a home owner in First Shaughnessy, I strongly object to the new proposed heritage designation. I think this blanket policy is totally unfair to all the home owners. I support the old rules.

Please do not go ahead with this proposal.

Sincerely,
Derek Chan

s.22(1) Personal and Confidential

Shaughnessy Preservation City Hall Public Hearing September 15, 2015

I spoke previously on this topic and appreciate an opportunity to speak again to clarify some issues and bring up new thoughts. I speak from the perspective of a 43 years resident of First Shaughnessy who has lived in a home which we have looked after and renovated over those years and raised our children. We live on a large lot in a so called "Heritage" building. There are no heritage characteristics to our home.

It is still unclear to me what the ultimate goal of this exercise is. I have seen Shaughnessy when it was largely a single family per household community arising out of the multiple unit conversion during World War 2. Is the goal to try to bring back this community as a prestigious community as it was? If so, the horse may have left the barn as so many truly heritage homes are gone and large houses built to maximum FSR, underground garages and a lot of cement around the houses have taken their place. As previously noted, we had prostitution, nursing homes and other multiple apartments in the past to be replaced by these new homes used as hotels and gambling facilities. We are no further ahead in recreating a Shaughnessy as a single family per house prestigious community and may have taken a step backward. We must stop any planned buildings on hold at this time and these plans must not be grandfathered as this retrograde trend will continue. We must proceed in a manner which encourages single families to move in and raise their children here or otherwise live here. The houses should not be built to the old FSR but to one where the houses are set back and landscaping be encouraged. Space in front of the house and space around the house adds to the grandeur of the property. The term heritage should be reserved for truly heritage homes and the rest be replaced by homes built to a Shaughnessy standard. We should not punish those of us who have lived in this community for many years maintaining the Shaughnessy tradition by making our homes heritage when they are not and favoring newcomers. Infill must be avoided as this makes Shaughnessy just another high density area in Vancouver.

Further, grandfathering should not take place also because it was known that this project was being developed and if the buyer was not aware of it his/her

complaint should be directed to the real estate agent and architect for not informing them ahead of purchase or plan development.

Most of all, I would conclude by asking for City Hall and others to respect those of us who have lived here for many years maintaining Shaughnessy standards. By ignoring this group by building intrusive houses does not help in recreating a single family per home community which should be a major goal of this process

Thank you for allowing me to express my opinion.

Sincerely,

Stanley Hashimoto

s.22(1) Personal and Confidential

A large grey rectangular redaction box covers the bottom portion of the letter, obscuring the sender's contact information and any other text that might have been present.

FIRST SHAUGHNESSY HERITAGE PROPOSAL 2015

s.22(1) Personal and Confidential

beckerrabbit@gmail.com

DISINFORMATION

Using a heritage designation is meant to tug the heart strings of Vancouverites. But it is deceitful as the proposal is promulgating disinformation. It's clear aim is to try to push through higher density for this lowest density area. Something the city has tried to do directly in the past and failed, so now it clothes this wolf in sheeps' clothing. The old banana has become a wolf. And it is the low density that makes it a heritage area. As Realtor Saito in his July appearance admonished, with this new density allowance we will become a second Kitsilano. Dear Planners just come out and say you need and will force higher density upon us. At the very least be honest in your undemocratic autocracy.

PUNITIVE

These proposed measures are punitive to us already burdened with decaying and crumbling older homes. I have rat, squirrel, crow, starling and other unknowable skeletons in my walls; to replace, repair, retro fit for insulation and fire protection is not an option as I cannot hire a workman willing to fix things on a piecemeal basis. These are not the old days where one could hire skilled workmen on a piecemeal basis. I do not have the budget for sizeable restoration. Finally, my house is not one of the fine Parisian, Roman or New York stone, or brick and concrete buildings but one of local wood now with dry rot, covered with shingle, and that covered with chicken wire and stucco. You are now offering me the option of renting it out from top to bottom in order to just maintain it. I also have trouble getting fire insurance.

REJOICING

Finally overseas buyers will now rejoice in the fact that Vancouver city hall has devalued this sought after area now to be scooped up as bargain holding property and rented out until the prices and the rules change again.

Thank you,
Marie Helen Becker

s.22(1) Personal and Confidential

Brian Hill

s.22(1) Personal and Confidential

September 11, 2015

Mayor and Council
City of Vancouver
453 West 12th Avenue
Vancouver, B.C. V5Y 1V4

By email: mayorandcouncil@vancouver.ca

Dear Mayor Robertson and Councilors,

**Re: Public Hearing 15 September - First Shaughnessy Heritage Conservation Area
3738 Cypress Street**

Further to my letter dated July 21, 2015, although in principle I support heritage conservation, I in no way support the Heritage Conservation Area bylaws as proposed by council. Please ensure that my previous letter and vote are recorded as a vote against the proposal.

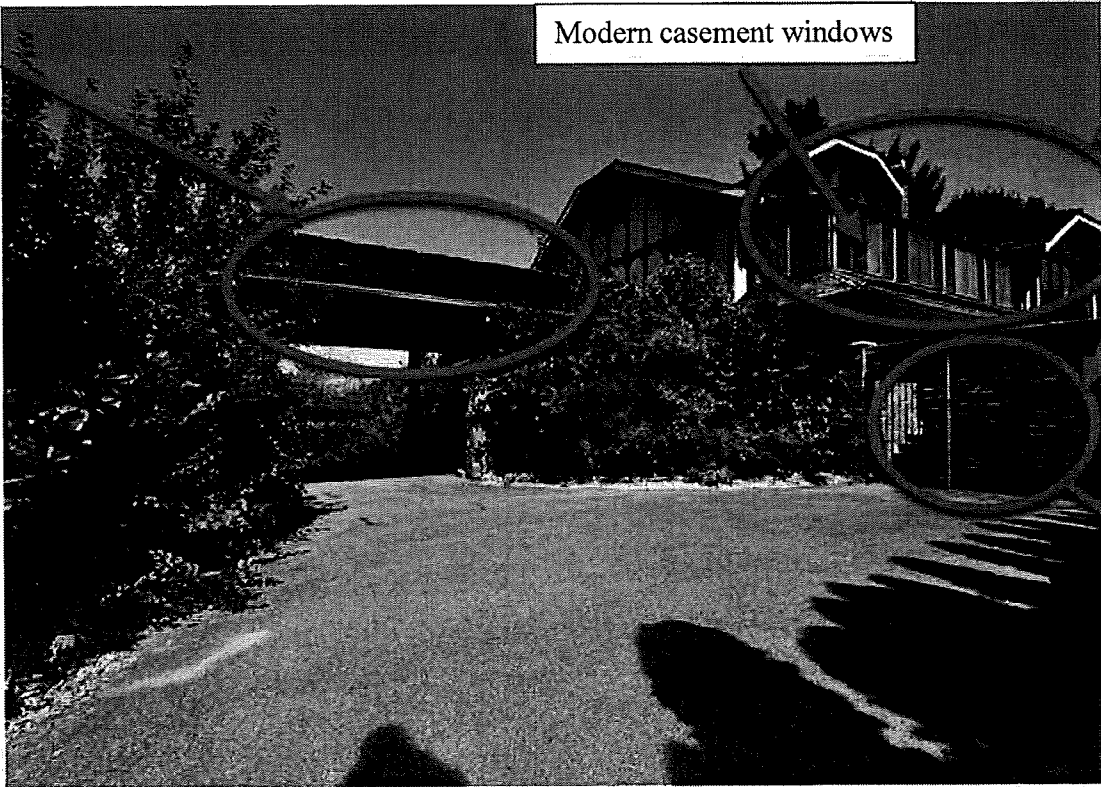
I am also in support of the legal letter from Lisa Martz of Gudmundseth Michelson LLP that was sent to the City on September 9, 2015.

I am the homeowner of s.22(1) Personal and Confidential which is a 7-minute drive from City Hall. No one has come to view or assess the house that you are about to put into this Heritage Conservation Area. I strongly encourage all members of council to personally view my home and would like to extend the opportunity to all of you to come by my house and see firsthand what little heritage value it has. I will gladly open my doors 7 days a week, 24 hours a day to accommodate your schedules. Here are some photos taken of the property on September 11, 2015:

Addition

Modern casement windows

Addition

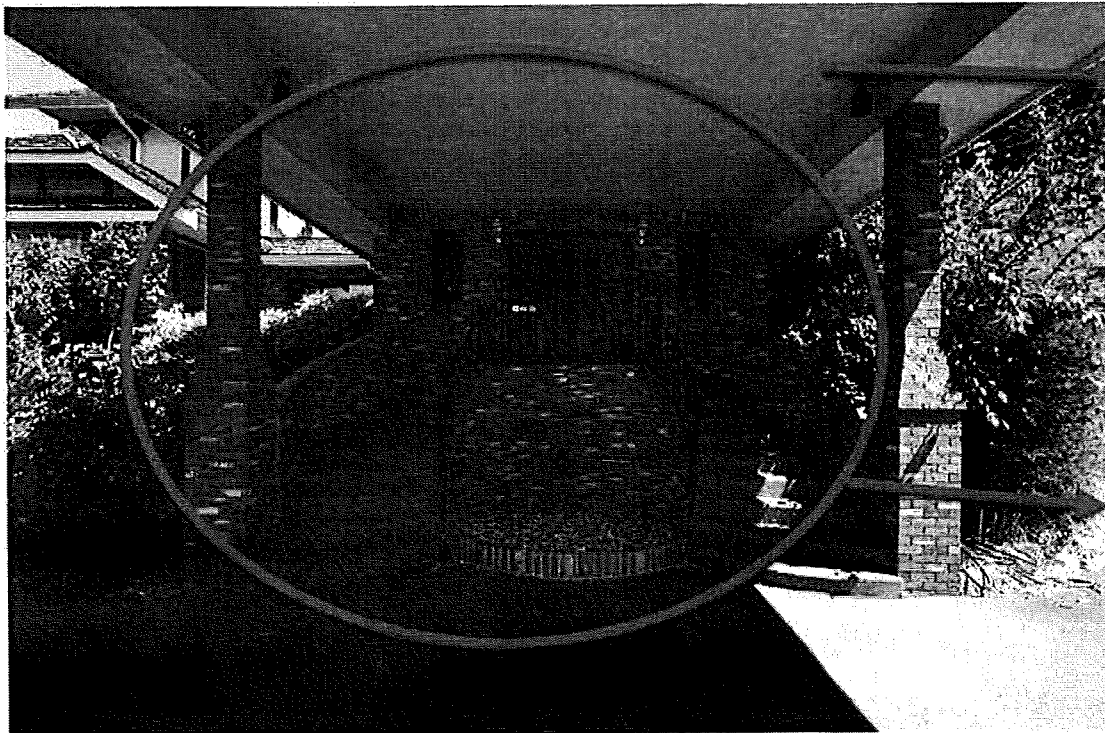


Fake brick

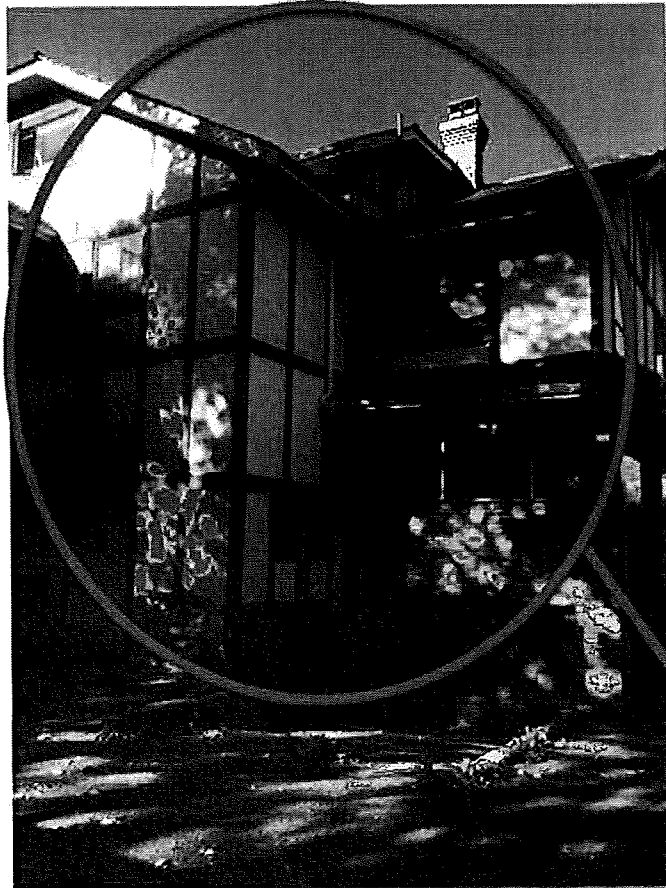
Entrance

Stucco

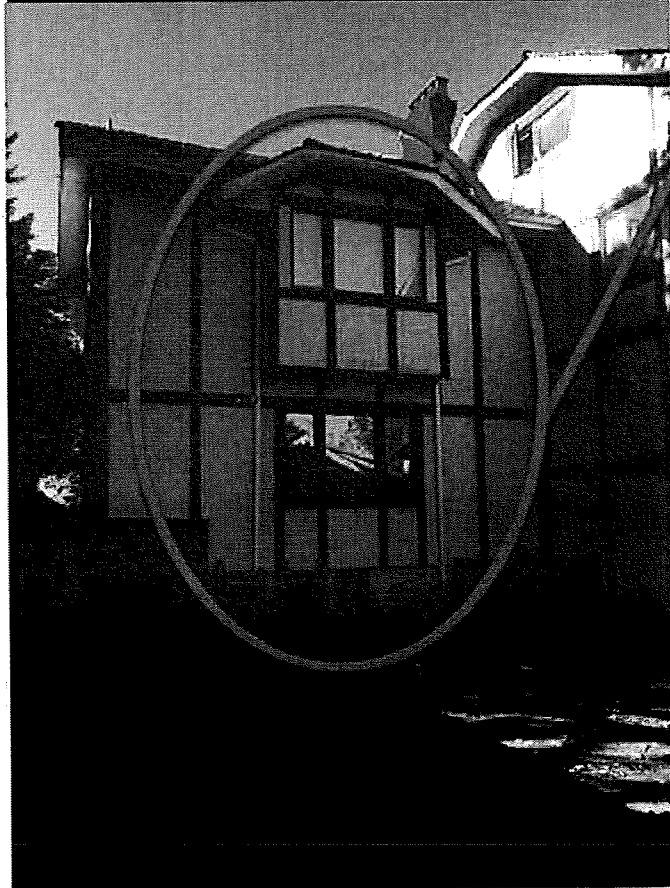
Addition



Entryway

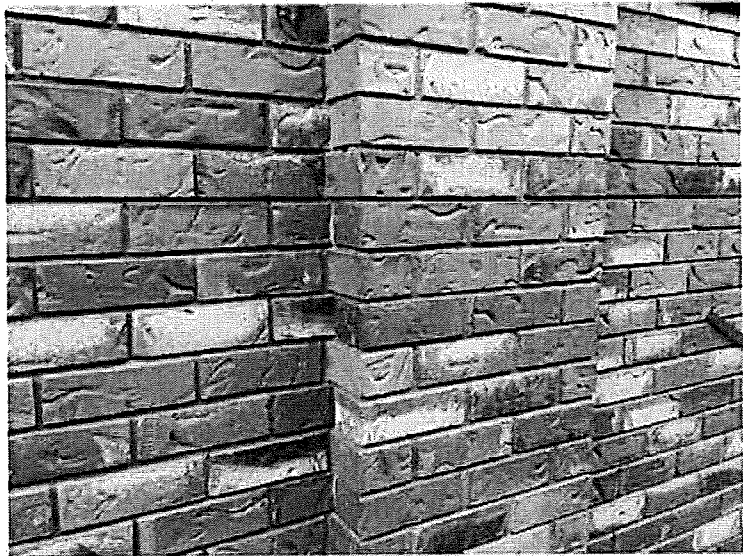


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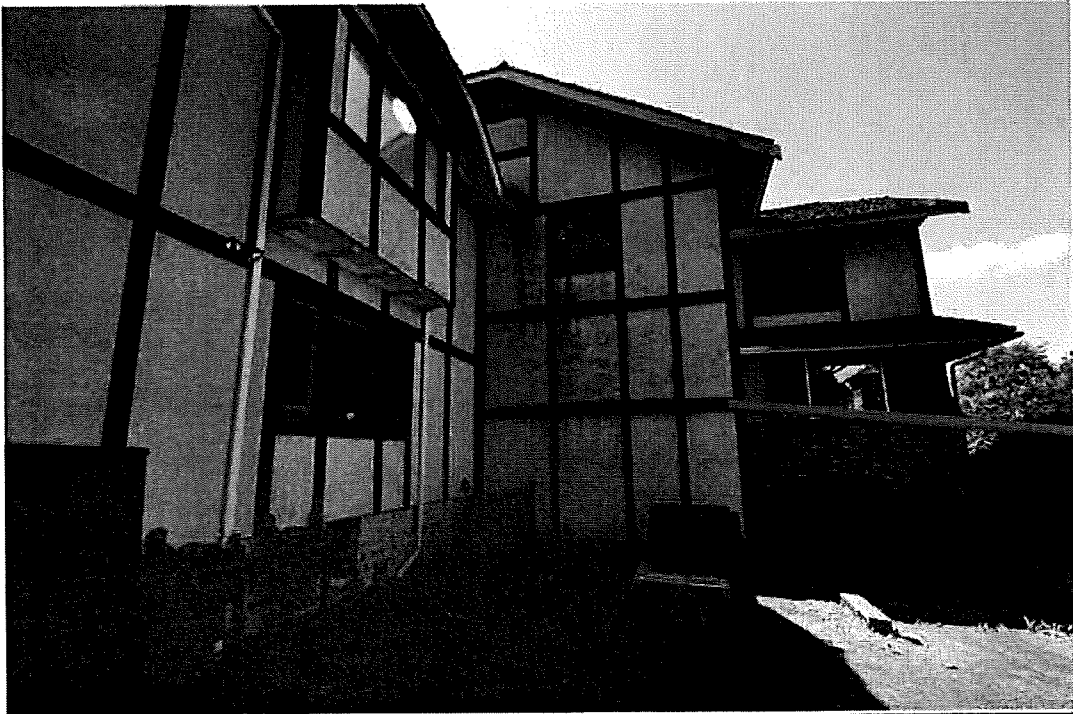


Fake panels



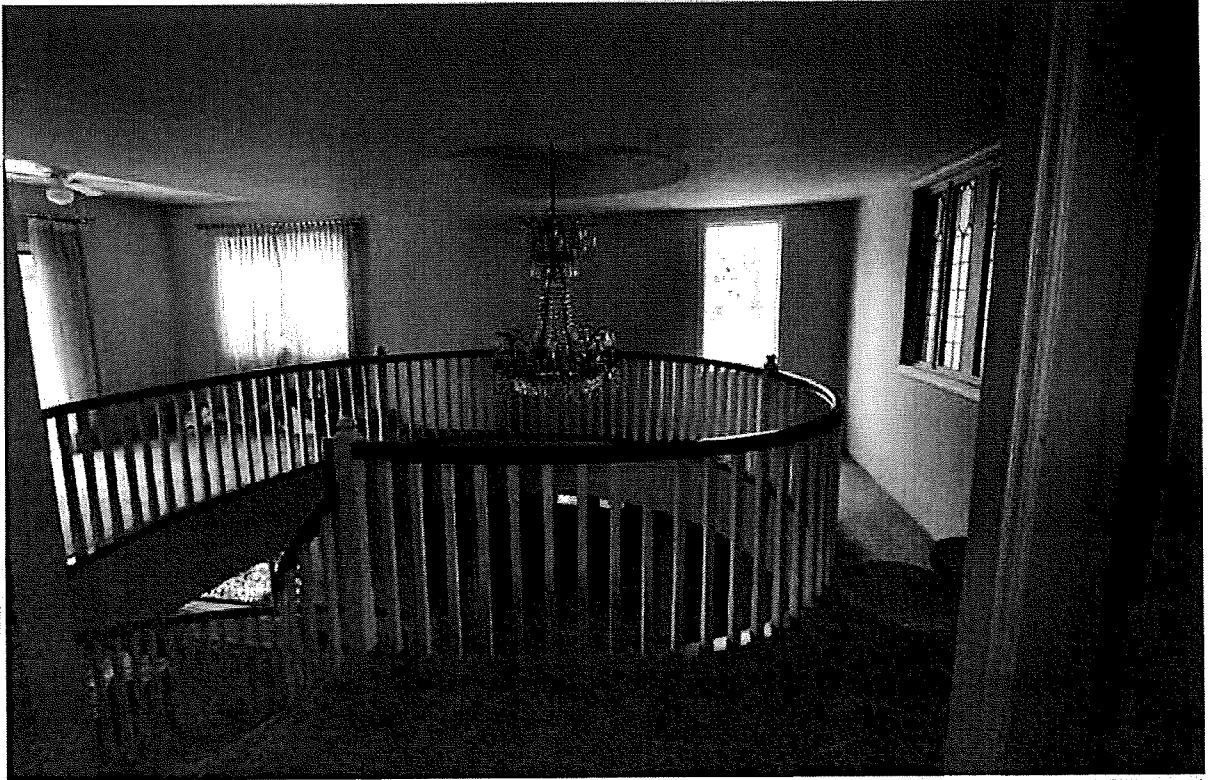
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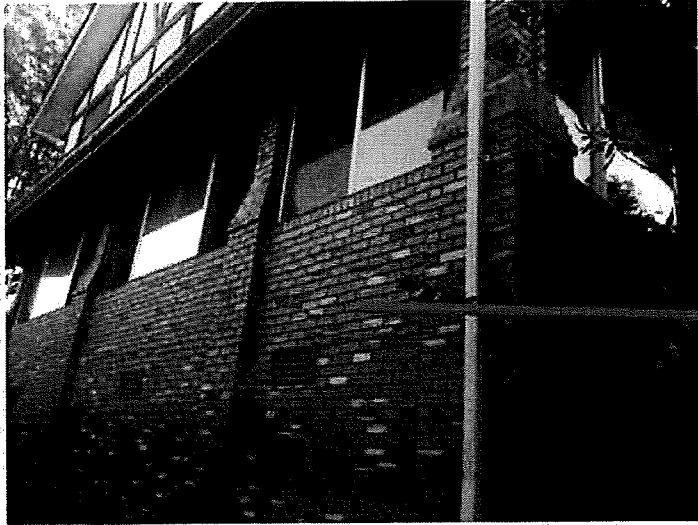




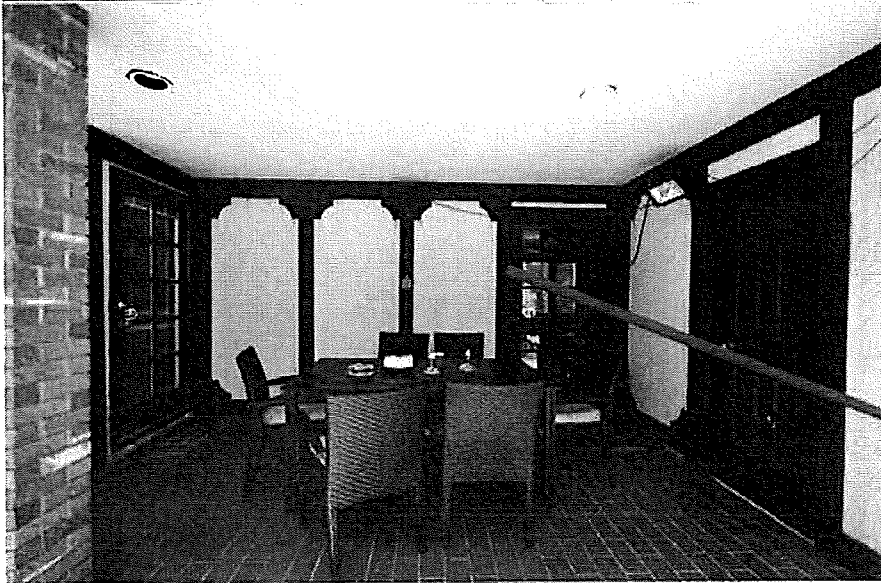
Stucco



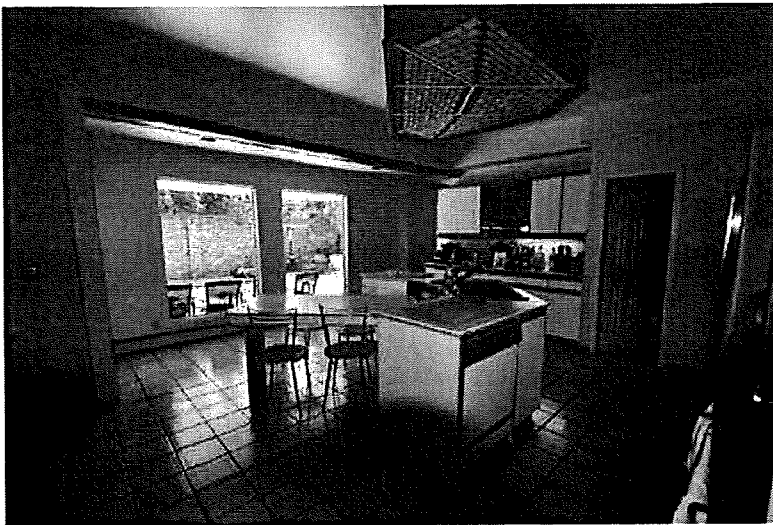


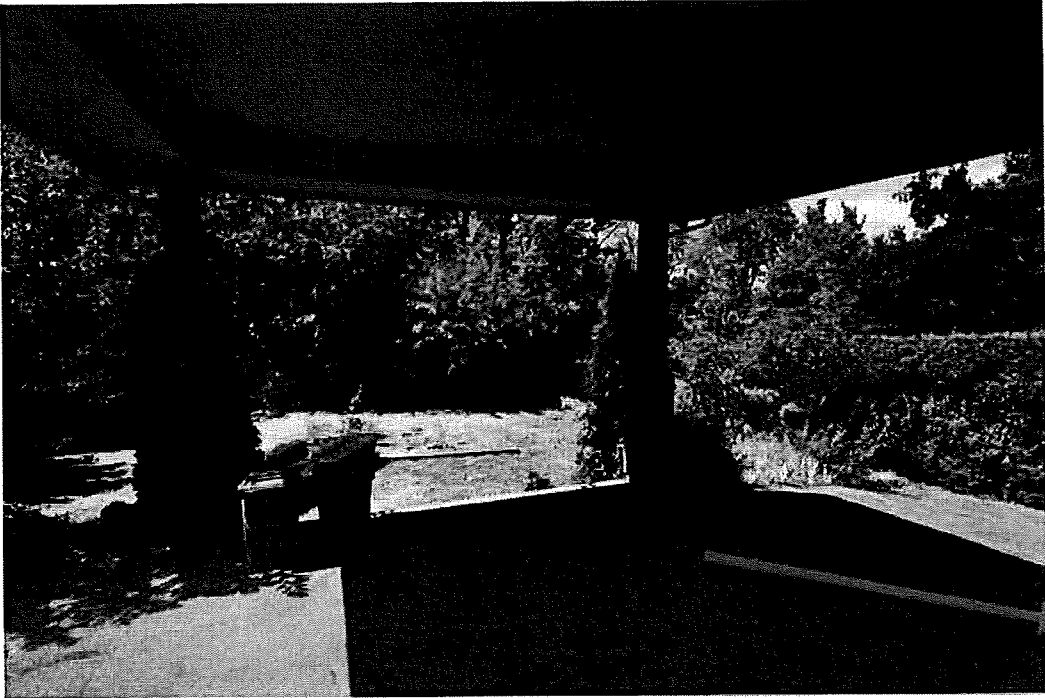


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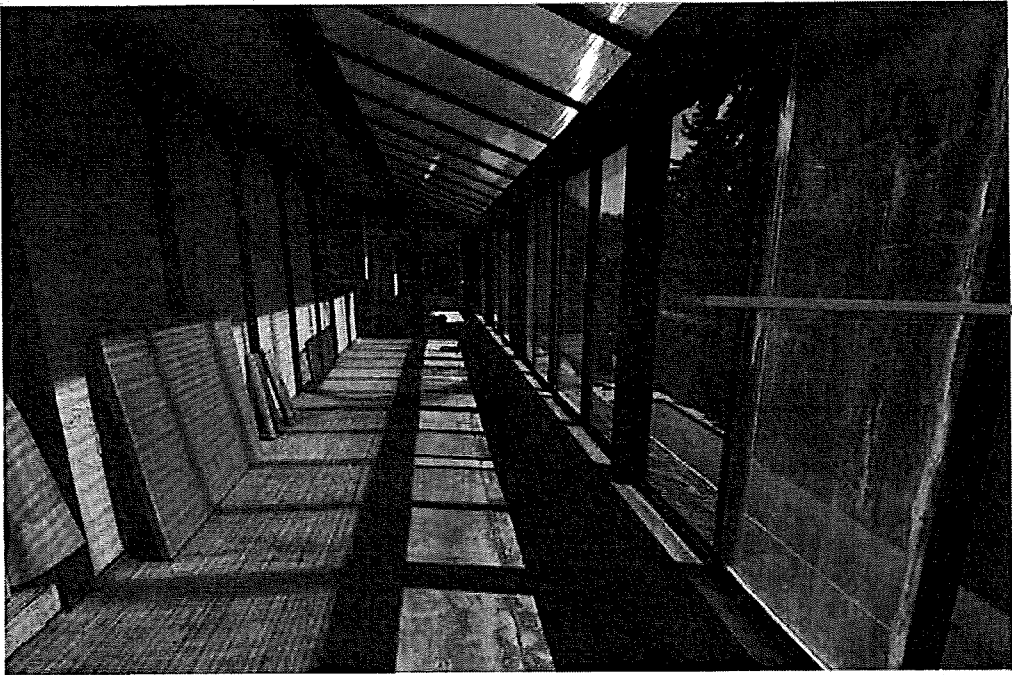


False half timbering





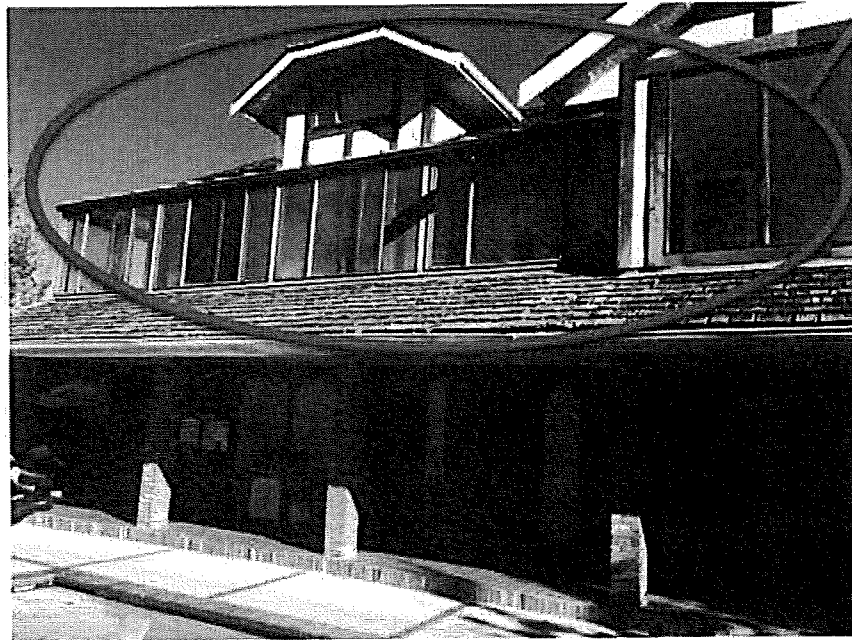
Porte Cochere addition



Greenhouse glazing



Addition



The Coriolis Report says there will be a 5-10% decrease in value, which may be true for some homes that have true heritage value. However, my home will see a 50% loss in value. This house has absolutely no redeeming qualities or character. 70% of the home is made up of additions due to a large renovation in 1982. The house is poorly located at the very back of the lot and the interior of the house is not worth preserving. The house is a teardown and adding it to the Heritage Conservation Area is a mistake. We need to find a

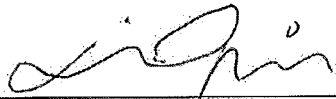
different mechanism for selecting the homes that should be kept to preserve Shaughnessy.

You may look at me as a fairly successful businessman and think that I can afford the loss, but quite frankly it's not just a loss to me. I am a philanthropic person. These sorts of decisions may affect local causes that I and many others support, such as the Vancouver Art Gallery, the BC Children's Hospital, Salvation Army, and other not-for-profit organizations.

I am wholeheartedly against the adoption of the bylaws which propose to designate First Shaughnessy as a "Heritage Conservation Area". This is a disingenuous and wrong-headed scheme to try to avoid paying compensation while depriving certain Shaughnessy owners of some of the value of their properties and effectively expropriating property rights. Many of the purportedly heritage properties are unexceptional and commonplace. They have no objective heritage value. Any heritage designation should only occur on a case by case basis in respect of those properties that merit it, with compensation paid as contemplated in Section 595 of the Vancouver Charter (SBC 1953) Chapter 55.

Please do not pass these proposed bylaws.

Date: September 14, 2015



Brian Hill

s.22(1) Personal and Confidential



Mayor and Council, City of Vancouver,

I love old houses and I am privileged to live in a lovely old house surrounded by big beautiful trees.

Our house is already listed as a Heritage B property and would, presumably, not be easily demolished by new owners.

However, I am opposed to the current proposed restrictions on First Shaughnessy for the following reasons:

1. It is a fix for a problem that doesn't exist in First Shaughnessy. In the 30 years that we have lived in the area, the housing stock has improved tremendously. Many of the fine old homes, some of which were boarding houses, have been restored and renovated, while some run-down older homes and some of the newer, in-fill homes have been demolished and replaced by fine traditional-style houses. The demolition problem and resulting loss of charming, traditional housing is much worse in the rest of Vancouver.
2. The pre-1940 First Shaughnessy homeowners are being used as scapegoats for the inability of the City to stem the tide of demolitions elsewhere in Vancouver. The 317 pre-1940 homeowners are a very easy target due to our small numbers and the erroneous perception that we can all easily afford a drop in property values and a rise in maintenance costs.
3. The heritage designation and restrictions are being held up as proof that the City is doing something to save its heritage structures, when critics decry the lack of heritage protection in Vancouver.
4. The details of the building, landscaping and renovation restrictions are exceedingly intrusive and make a mockery of so-called property rights.
5. Many of the old homes, like ours, have 100 year old plumbing, wiring, heating and drainage systems. Renewal of these, let alone roofing, flooring and cosmetic aspects, is very expensive and well beyond the means of some current owners. Demolition or extensive renovation, as alternatives, should not be unduly restricted.
6. The density incentives are contradictory to the purported aim of preserving the heritage value of the homes and gardens in First Shaughnessy.

Council, give your heads a shake! Recognize the real problems and deal with them in a fair and effective way.

Lynette Thurber

September 14, 2015

Isfeld, Lori

From: Correspondence Group, City Clerk's Office
Sent: Tuesday, September 15, 2015 10:38 AM
To: Public Hearing
Subject: FW: HCA

-----Original Message-----

From: Yulia Yang s.22(1) Personal and Confidential
Sent: Monday, September 14, 2015 8:16 PM
To: Correspondence Group, City Clerk's Office
Cc: Public Hearing
Subject: HCA

Dear Mayor and Council,

My name is Wen HUAN Yang, I am the owner of s.22(1) Personal and Confidential, a pre-1940 First Shaughnessy property. I disagree with and do not support the proposed new Heritage Conservation Area proposals for First Shaughnessy.

Sincerely,

Wen Huan Yang

From my iPhone

Isfeld, Lori

From: Correspondence Group, City Clerk's Office
Sent: Tuesday, September 15, 2015 10:38 AM
To: Public Hearing
Subject: FW: HCA proposed bylaw

-----Original Message-----

From: nancy Tchou s.22(1) Personal and Confidential
Sent: Monday, September 14, 2015 8:04 PM
To: Correspondence Group, City Clerk's Office
Subject: HCA proposed bylaw

>
> LONDON, England has streets after streets of magnificent Buildings. They were built centuries ago with stone , masonry with substantial amount of ornate architectural details. Some blocks share the same architectural style, because they were designed by the same architects e.g.John Nash. In this case ,I agree if there is a bylaw banning the demolition because the buildings are just irreplaceable and the Sights are just fabulous. But FSD is completely lacking the content ! To me the proposed bylaw is laughable , trying to conserve some beat-up ,dilapidated, plain old, wood - frame buildings and lacking in architectural details and merits. It is an insult to the City Council's intelligence if you approve this proposed bylaw. Do you know what you are proposing to conserve ? Please take a tour of the exterior of the 300 + houses, if you haven't done so, see for yourself !

>
> Nancy Tchou
>

Isfeld, Lori

From: Yulia Yang s.22(1) Personal and Confidential
Sent: Monday, September 14, 2015 8:16 PM
To: Correspondence Group, City Clerk's Office
Cc: Public Hearing
Subject: HCA

Dear Mayor and Council,

My name is Wen HUAN Yang, I am the owner of s.22(1) Personal and Confidential, a pre-1940 First Shaughnessy property. I disagree with and do not support the proposed new Heritage Conservation Area proposals for First Shaughnessy.

Sincerely,

Wen Huan Yang

From my iPhone

Isfeld, Lori

From: Kerby Sit s.22(1) Personal and Confidential
Sent: Monday, September 14, 2015 9:21 PM
To: Correspondence Group, City Clerk's Office
Cc: Public Hearing
Subject: First Shaughnessy hearing

Dear Mayor and Council,

I am the owner of s.22(1) Personal and Confidential which is built after 1940. I strongly disagree with and do not support the proposed new Heritage Conservation Area proposals for First Shaughnessy. A blanket protection of all pre-1940 properties is an irresponsible and ineffective way of protecting heritage. Introduction of coach houses being proposed does not align with the goal of protecting the character of First Shaughnessy.

Sincerely,

Kerby Sit on behalf of Better Canada Ginseng Ltd.

Isfeld, Lori

From: R. Z. Lee s.22(1) Personal and Confidential
Sent: Tuesday, September 15, 2015 6:49 AM
To: Public Hearing
Cc: Correspondence Group, City Clerk's Office
Subject: Objection to the Proposed Designation of First Shaughnessy as Heritage Conservation Area

To Mayor and City Council:

I am the owner of s.22(1) Personal and Confidential a pre-1940 house in First Shaughnessy. I vehemently **oppose** the First Shaughnessy Heritage Designation Proposal. This new blanket policy is completely unfair to us home owners as the negative financial impact is simply too severe for anyone to bear. In addition, I am outraged that my rights as an owner are being trampled upon by groups of people who do not own properties, or even live, in First Shaughnessy. The First Shaughnessy home owners are the only ones who will be affected by any new policies and they should be the only ones who get to vote, not everybody else from outside of this neighbourhood! I understand the importance of keeping the heritage looks, which is why I have maintained the house for more than twenty years even though the repair cost is high, and getting higher each year. But now with limited income in my retirement years, I feel I'm being penalized for all the hard work that I have poured into this property. For no one would be willing to buy my home any more unless it's bargain basement pricing. I implore the mayor and the city council, to put yourselves in our shoes and reconsider. The old rules are more than adequate to keep the so called "monster" houses out. What we need to discuss at this upcoming public hearing should simply be on finding ways to implement more effective enforcement measures of the old rules, not a harsh new proposal that prejudice against the home owners with a broad brush.

Sincerely,
Zui Chu Lee

Isfeld, Lori

From: Correspondence Group, City Clerk's Office
Sent: Monday, September 14, 2015 4:17 PM
To: Public Hearing
Subject: FW: First Shaughnessy Heritage Conservation Area - Opposition letter

From: Tracey Tiffany Lau s.22(1) Personal and Confidential
Sent: Monday, September 14, 2015 4:08 PM
To: Correspondence Group, City Clerk's Office
Subject: First Shaughnessy Heritage Conservation Area - Opposition letter

To: the Mayor and Council of the City of Vancouver,

As a resident living in the First Shaughnessy area on a pre-1940 property, I am writing you this letter to voice my adamant **opposition** against the new proposed Heritage Conservation Area proposals for First Shaughnessy.

For over 20 years, my family and I have lived on the corner lot intersecting King Edward Ave. at 4050 Cartier Street, Vancouver B.C and objectively speaking, our house is unexceptional and does not possess any historical merit, as with many other purportedly “heritage” properties in the blanket proposal. My family bought our property in the 90s despite the run-down, decrepit state of the house, because we loved the convenient location, the friendly neighborhood, and most decisively, the prospect of designing, building and living in our dream house some day; a house that is full of charm, architectural appeal and most importantly, one that is functional.

Being born and raised in this house, I, along with my family, have participated in many little self-renovation projects just to sustain and repair the house in order to meet standard living conditions. Issues our family has dealt with over the past two decades, includes mold, water damage, broken pipes, leaky roofs, and countless animal infestations, had not only tainted what little character the house has left, but also transformed it into a money-pit.

We’ve anticipated our house to be a fixer-upper when we made the purchase, however, we **do not** intend to continuously put in effort and money into a house we do not think deserves to be preserved. The upkeep is simply too costly in the long run, and yet, should the HCA bylaw gets passed, property value will decrease, costing many of us ~30% in resell value (and that’s only *if* it ever gets sold) – none of which, might I add, will be compensated! Where’s the fairness in that? The disregard for the existing legal rights of property owners is unethical, unlawful and unjust to the parties who would be placed at a major disadvantage because of this proposal.

As a university student, I have dreams of building a career that will one day, in turn, provide for my family. I’ve had a wonderful childhood thanks to my lovely aunts, uncles and cousins who have all built a welcoming home for me and my brothers, and in gratitude, I want to build them a beautiful and functional house. Upon my graduation, I cannot leave the nest, knowing that the house I left my family in, isn’t earthquake proof nor is it in adequate conditions for them to continue living in. Please sir, I’m desperate for your help – do something about this.

Thank you for listening, and I sincerely hope for your reconsideration.

Best regards,

Tracey Lau

Isfeld, Lori

From: Correspondence Group, City Clerk's Office
Sent: Monday, September 14, 2015 4:15 PM
To: Public Hearing
Subject: FW: First Shaughnessy Heritage Conservation Area Proposals

From: Len Polsky s.22(1) Personal and Confidential
Sent: Monday, September 14, 2015 3:50 PM
To: Correspondence Group, City Clerk's Office
Cc: Len Polsky
Subject: First Shaughnessy Heritage Conservation Area Proposals

Dear Mr. Mayor and City Councillors

**Title: THE VANCOUVER SUBTERFUGE, a.k.a. A Hidden Ploy For
Density Using A Flawed And Contradictory Methodology**

Why should the owners of pre-1940 homes in First Shaughnessy be targetted for losses in value and no compensation, by our City Council adopting a Heritage Conservation Area designation method? How draconian, unfair, arbitrary, prejudicial, discriminatory, expropriative and disgusting that would be.

Even if you think you have such powers [see yellow memo to Council August 18, 2015], which is a matter of hot legal dispute, why, given such unfairness, would you want to use them?

Do we live in a democracy where property rights are to be protected? Is this now a declaration of a communist City?

Adoption of this Plan would be a shameful statement of where our elected officials are taking us.

Further, the current Heritage proposals are a sham. The stated goal is preservation of Heritage Character, while the likely result of the so-called "incentives" and "benefits" would be a destruction of the original and current character of our neighbourhood by this hidden ploy for density. Is this to be density at all costs? Without clearly admitting so?

Why do I and my fellow pre-1940 homeowners have to bear such substantial costs and suffer such substantial losses?

Len Polsky

s.22(1) Personal and Confidential



September 13, 2015

Mayor Robertson and Council,
City of Vancouver
453 West 12th Ave
Vancouver, BC, V5Y 1V4

Re: HCA Proposal for First Shaughnessy

We have been owners and residents of a pre-1940 property in First Shaughnessy since 1989. We oppose the attempt to deprive private owners of property value without compensation under the proposed by-law to designate our neighbourhood a Heritage Conservation Area for many reasons, including:

1. Heritage as defined in the proposed by-law does not justify listing of all pre-1940 properties for heritage protection.

Schedule A to the proposed by-law and the supporting report by Luxton and Young Anderson (the "Luxton Report") go to great lengths to describe the heritage nature of First Shaughnessy by reference to the estate houses, large lots and grand streetscapes which were created by prestigious architects for important Vancouver families in the area during the early decades of the 20th century. Indeed there are many grand homes from this era and these are set on large lots with beautiful landscaping along wide streets with mature trees. However, in a leap that defies logic, and without any explanation whatsoever, both the schedule and the conclusions in the Luxton Report lump in for heritage protection all of the homes built before 1940, a great many of which do not have any apparent connection to this provenance and history.

The City has had a number of careful heritage reviews in the last few decades. The Luxton Report is the first time that all of the pre-1940 homes in First Shaughnessy have been marked for protection for heritage reasons. The other reviews left them out on purpose. Luxton does not say why he is expanding from the other heritage lists. It is a move he does not support with any facts or analysis in the Luxton Report.

It appears these homes are included by Luxton only because of their age. There appears to be no other common feature of these houses. But age in itself does not amount to "heritage character" or "heritage value" as defined in the City Charter. Age is not a "trait or feature" which gives a property "a distinctive quality or appearance", so as to give it 'sufficient heritage character to justify its conservation'; neither does age automatically confer any "historical, cultural, aesthetic, scientific or educational worth or usefulness" so as to give it any 'heritage value to justify its conservation'.

A great many of these pre-1940 properties are modest and undistinguished "builders homes" set on relatively small lots. There are more of them, on smaller lots, West of Granville, where we live, than there are East of Granville. In our area, We walk by a number of these homes daily. Some pictures are attached of a few of them. These are simply not heritage properties by any visible measure. In fact, many of these houses are in obvious stark contrast with, and detract from, the heritage characteristics of First Shaughnessy as described for the proposed HCA.

There are abundant copies or versions of many of these homes across the City. Why should the ones in First Shaughnessy be singled out as if they were unique?

The proposed wholesale designation as protected heritage property of all pre-1940 homes is capricious, unnecessary, excessive, an abuse of Council's power and a shameful abdication of Council's duty to make thoughtful and careful choices about heritage designations. It is particularly egregious since the rights of private owners will be severely impacted and the values of their private properties will be meaningfully reduced by this bylaw.

2. The current bylaws and design guidelines are sufficient to ensure that First Shaughnessy retains its heritage character; the proposed bylaw is ill conceived for heritage preservation.

The quality of the First Shaughnessy neighbourhood has been preserved and indeed largely improved by the application of the current high standards of design and construction in the existing First Shaughnessy design guidelines. Most of the houses built in the last few years not only harmonize reasonably with and enhance the dignity, serenity and ambiance of the neighbourhood, but also borrow from many characteristics of the grand old houses: they are mostly distinctive, luxurious, imposing residences, with important facades and expensive finishes, set in beautifully landscaped yards, built by moneyed owners who spared little expense in creating their estate homes. They are modern versions of the old heritage homes. Many are designed by prominent modern architects. In many cases, these new houses replaced unattractive, plain, old houses which were, in fact, out of character with the neighbourhood and had anyway fallen into severe disrepair. It is a quibble to complain that some of these new houses do not conform strictly to architectural antecedents, Similarly, their setting on their lots are within envelope allowances and it is also quibbling to render complaints that when one looks closely, the massing of these houses does not look exactly like that of older ones which were built under different envelope allowances are taller and narrower. The new ones do not create a noticeable or meaningful clash with their neighbours. In fact, they are virtually all tasteful, within reasonable aesthetic standards, and no less beautiful than their neighbours.

If there are examples of newer homes that detract truly from the neighbourhood, this is not because the existing rules are too lax. Rather, it shows that there has been an administrative lapse or two ~~administer~~ in application of the current design guidelines. New, tighter, rules won't help to make City Hall perfect in anticipating the results of given designs. In fact, the proposed



bylaw commands builders to preserve aspects of old homes that cannot be easily accommodated to modern needs or tastes and will force design compromises, especially upon houses in my vicinity, resulting in reduction of the quality of our neighbourhood.

It is remarkably retrograde to require preservation of an outdated home in a prestigious neighbourhood, a home which is increasingly anachronistic and pokey looking, expensive and difficult to maintain, one which lacks features which new estate homes offer, such as energy efficiency, low pollution footprints, earthquake, flood, fire and vermin resistance, durable and safe and reliable plumbing, wiring, insulation, waterproofing and heating and air conditioning systems, effective security systems, as well as many other conveniences and amenities found in such homes, especially when the old home has no obvious or clear heritage character or heritage value to justify its preservation. It is absolute nonsense to do so when there is a proposal to replace the old home and renew our neighbourhood with a new, modern and fully equipped home, one much more in keeping with the elevated aesthetic standards of the neighbourhood, standards which ordinary people (not just so called "heritage experts") would recognize as enhancing the quality of the neighbourhood, ones which will be cherished as heritage by future generations. A vibrant City grows and changes, it is not frozen in time.

3. The proposed "opportunities" to increase density on the pre-1940 properties are antithetical to the heritage character as described in the proposed bylaw.

First Shaughnessy is regarded as a special neighbourhood, largely because of its grand (mostly single family) homes, large landscaped lots and low density. Densification would disrespect this endowment, not enhance it. More density will mean more traffic and parked cars, more noise, less privacy, less open space and smaller gardens, bigger building masses. More density risks overbuilding.

Inevitably developers will come in and build spec units for resale. They will be sensitive to costs and the specified quality of building standards will be compromised. They will fail to be sensitive to the original architecture because they will need to squeeze entries, bedrooms, bathrooms and kitchens into old single family buildings. As well, it is likely that at least some of the occupants of the new multi-family dwellings will be financially challenged to successfully maintain their buildings and yards to the proposed demanding standards. It will be a huge burden for City staff to track and require correction of problems like this. The neighbourhood will lose its unique character and become more like nearby, less attractive, neighbourhoods.

As the Coriolis Reports acknowledge, the residents of First Shaughnessy do not want this densification. They are useless to most of us. We know they are bad for us and for our neighbours. They are not in any way appropriate as the compensation which should accompany this bylaw.

4. Property values will be substantially decreased.

The Coriolis reports are illogical and internally inconsistent; their conclusions on value do not flow from any of the analysis in the reports. They understate and belittle the magnitude of actual losses in value which will be suffered by property owners as a result of the bylaw based on inept and superficial consideration.

Their property value estimates are at odds with current sales values for lots upon which new single family homes can be built; they fail to consider that sales and values have been lost in First Shaughnessy because of the moratorium, while sales and values have increased in Kerrisdale and Dunbar where no such moratorium applies. They fail to consider prices in First Shaughnessy and in the other neighbourhoods as a result of buyer migration. They treat each of the properties as equivalent, when they are not. They vary as to size, setting, state of repair, heritage value and character, basic design, proximity to busy streets and traffic, site qualities, landscaping and many other factors.

They use numbers for renovation costs which are not just too low and too general, but numbers which are extremely lower than will be necessary to upgrade old and decrepit existing buildings or convert them to higher density, especially if high design standards are maintained.

They fail to consider the effect on value of stricter maintenance rules and cost escalation of maintenance as buildings age, let alone not recognizing the wide range of the property types in the pre-1940 category.

Finally, they fail to consider the effect of loss of character in the neighbourhood because of increased density and reduced replacement of single family housing stock. This will surely affect our property values directly and also indirectly, since it will downgrade the unique nature of the neighbourhood and suppress demand from buyers who want large, modern estates in a single family neighbourhood.

The only appropriate approach to assessing value is a case by case review. Coriolis' generalizations are meaningless.

5. The artifice of a bulk designation in an attempt to avoid compensation is wrong, distasteful and unfair.

The Luxton Report and the Coriolis Reports recognize that the values of properties designated as heritage will be reduced. The creation of the HCA is said to be for the purpose of serving the community by taking away property value from individuals. This is an expropriation.

The City is not anywhere expressly mandated under any law to appropriate private property without compensation. If the properties proposed for protection were designated as heritage properties one by one, there is an express requirement in the Vancouver Charter that the owners be compensated. But the City does not want to provide compensation. It wants to help itself to other peoples' property and not pay. It has concocted an argument to claim that if it creates an

Heritage Conservation Area it is then able to make properties protected heritage properties in bulk, without paying compensation. Indeed, the very reason for the creation of the Heritage Conservation Area is so the City can use this argument to avoid paying compensation. It may also be the reason for the strange inclusion of all of the plainly non-heritage pre -1940 properties, as an attempt to create an apparent rationale for the bulk designation.

We think this argument is wrong. There is no logical distinction, for compensation purposes, between designating individual properties and doing so wholesale.

The power to designate properties for heritage protection should not be applied like a blunt instrument or without some very careful judgment about what it is necessary and proper to preserve, even when the right to compensation is uncontested. It is an extraordinary power which should be used sparingly. It is expensive to use this power, both in monetary and non-monetary terms. The costs are high, not only because of the compensation costs, but also because the expenses and losses imposed on private citizens and the restrictions on their rights to the private enjoyment of their property are real and substantial. There are costs to neighbourhoods and communities, too. Proper consideration of these factors is critical to the exercise of this power in our society. Heritage conservation, while a laudable objective, does not occur in a vacuum. It is not a societal concern which automatically overrules these other concerns.

We do not live in a communist country. Central to our society, our culture and our laws is respect for personal rights and freedoms and for private property. It would be unjust, shocking and, in fact, dangerous if rights and freedoms were restricted carelessly or if a public confiscation of private property were allowed with no compensation to the property owner, unless there were both a very clear reason for this and a very explicit mandate for it. Neither the clear reason nor the explicit mandate exist in this proposed expropriation.

The City is wrong to adopt this maneuver.

Conclusion

For the above reasons, we urge you not to pass this by-law.

Yours truly

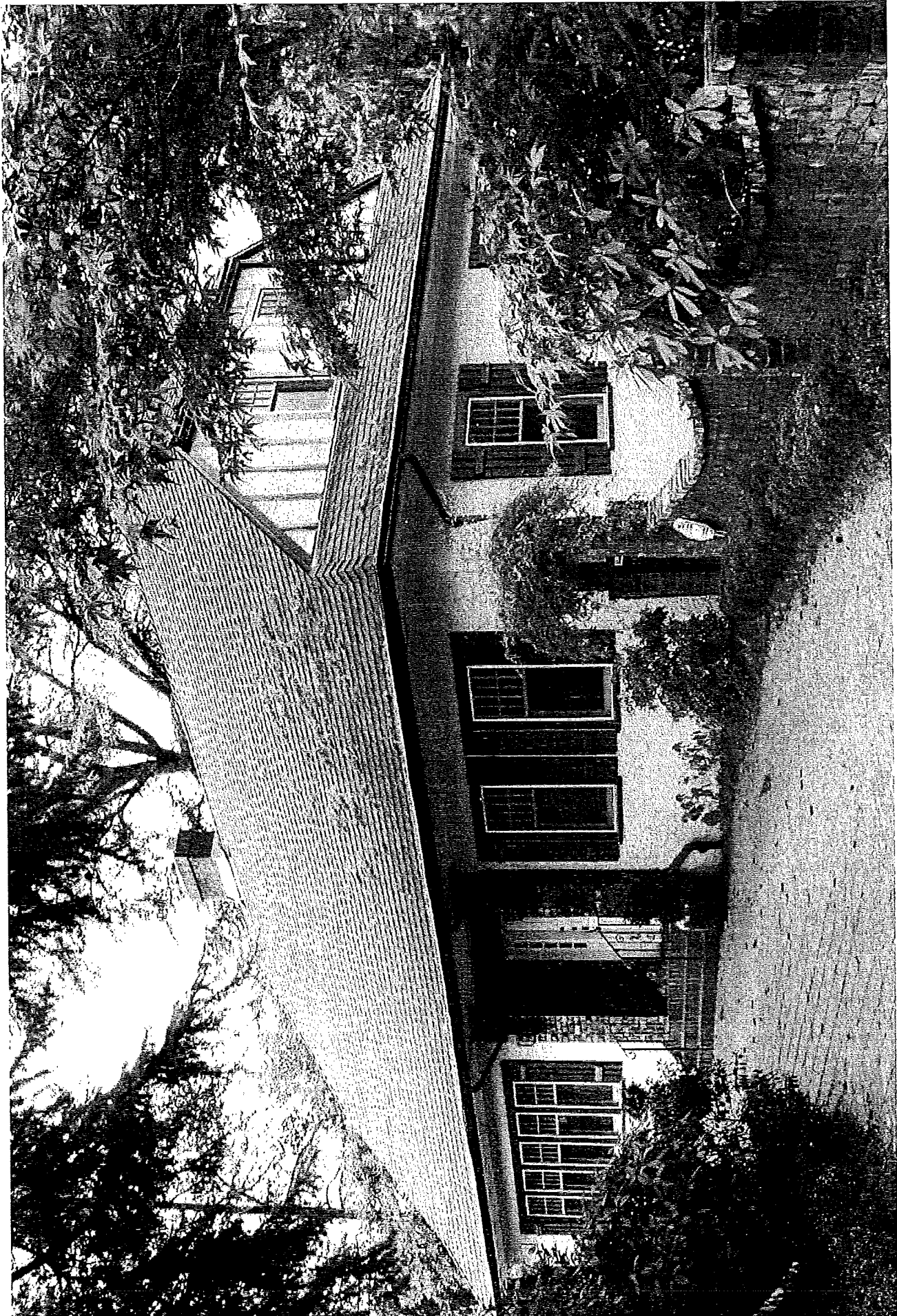
s.22(1) Personal and Confidential

Jonathan Rubenstein

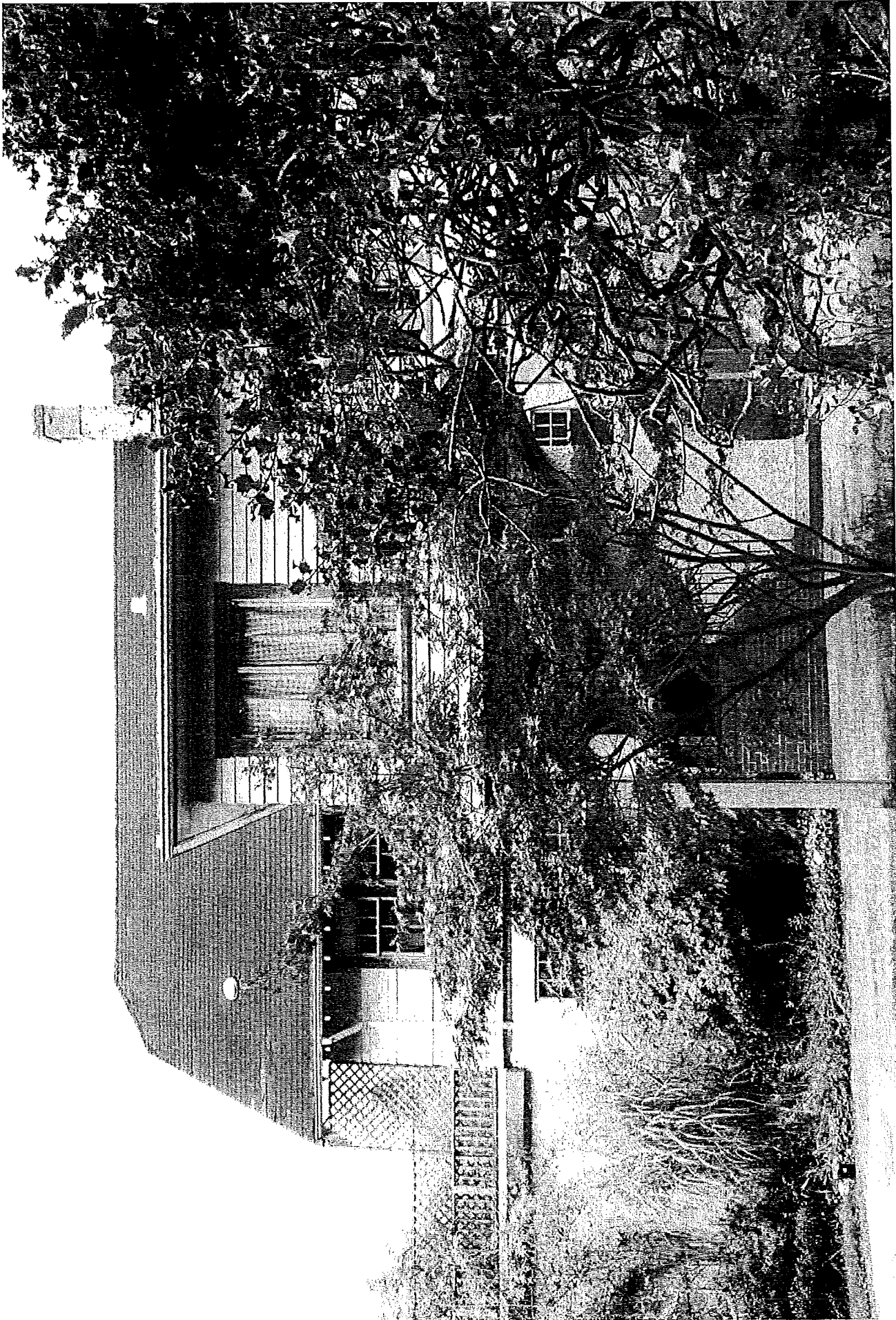
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Mary Ann Cummings

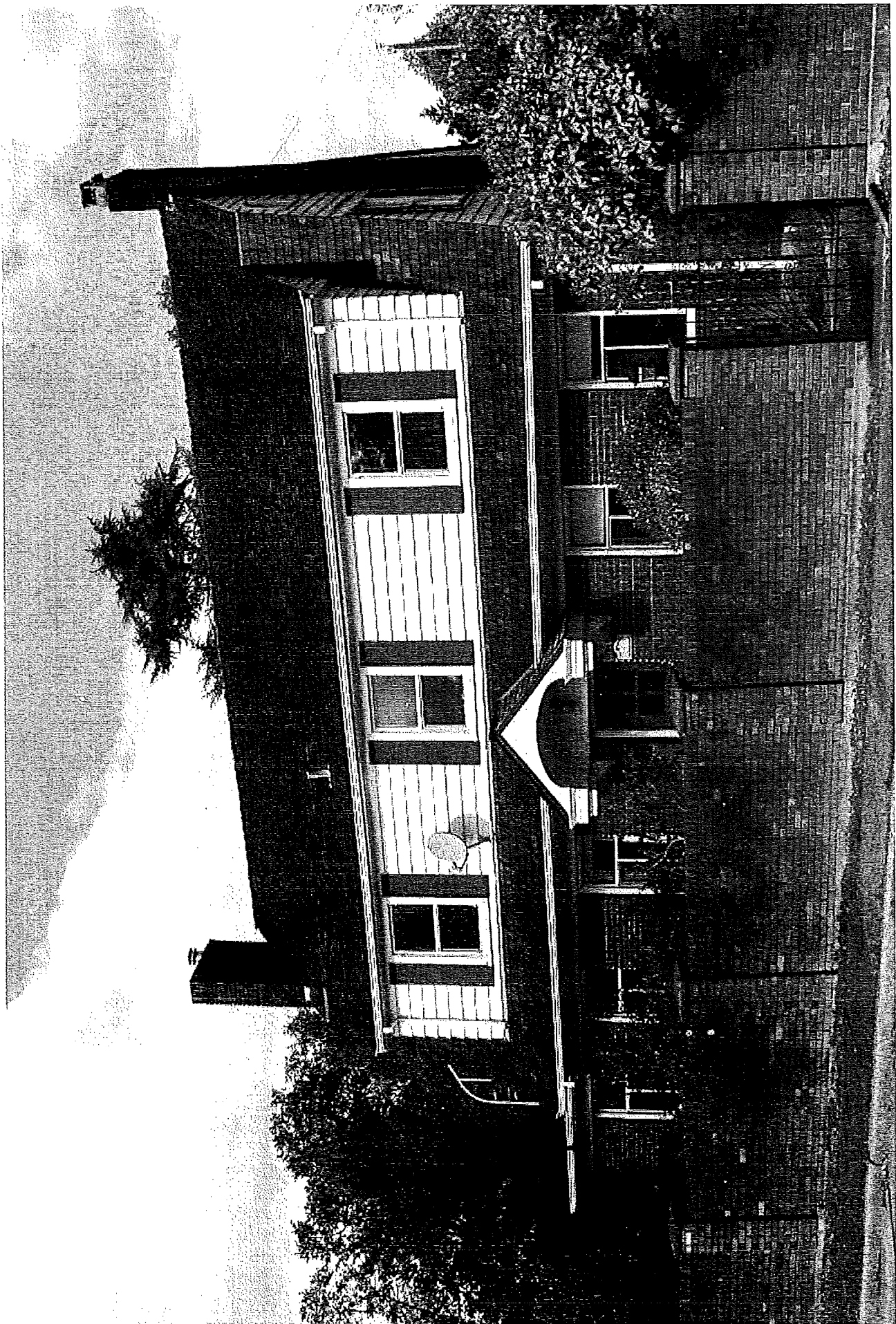




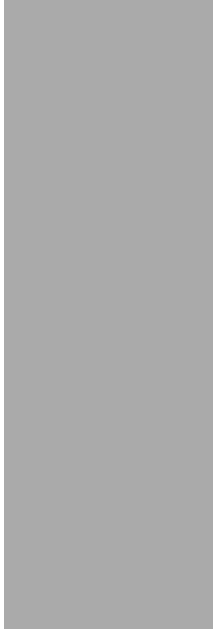
6.22(1) Personal and Confidential



§ 87(2)(b) Personal and Confidential



s.22(1) Personal and Confidential



Dear Mayor and Council,

I am a resident of the City of Vancouver for 47 years. I have lived in East-side Vancouver, Marpole area and currently in the Arbutus Ridge area. I am a few minutes away from First Shaughnessy. I cannot afford to purchase a house in this area but I do not agree with the proposal of making First Shaughnessy or any house or area of Vancouver, a Heritage Conservation Area without being respectful of the civil rights of the homeowners. I do not believe it would be in the best interest of this city, its current residents, future residents and especially the homeowners in First Shaughnessy.

The families who are living in First Shaughnessy had purchased their home believing it to be an excellent area to live, raise their families and one day retire and live out their days. If the HCA is passed, this may no longer be the case. The current homeowners may not be in a position to maintain their house and property up to "heritage quality" and it is unfair that they face exorbitant penalties for not being able to do so. It is equally unfair to expect the homeowners to pay for all changes that may be mandated by the HCA themselves without fair compensation or incentives. This was NOT in their plan when they originally purchased their house. What about homeowner's children who would probably one day "inherit" the house; should they be expected keep their home up to heritage standards? It would more likely be a financial burden and they would probably sell their home rather than carry the burden. Then who would buy the house, knowing (or not) that the house comes with "restrictions". Would there even be a buyer who would want to take on a heritage class home if they knew how much more money it would cost them after they have purchased it? The house and property will no longer be seen as a home but a museum and in many cases, a home without any historical merit or significance to classify them as "heritage". The homeowner will be the steward or custodian where they cannot fix this or change that without the subjective approval by the Director of Planning. Their home will no longer be their home and that is neither fair to them or to any future residents in First Shaughnessy.

The neighbourhood will surely change without the HCA, but what is so wrong with that? Change means progress and it will attract more affluent people into our beautiful city. Beautiful and respectful looking new homes with First Shaughnessy character can still be built if the Director of Planning and his office work together with the homeowners to stay within the current rules and guidelines of the house and property designs. Based on what I have seen in the neighbourhood, the Director of Planning and his office have approved permits for new monstrous houses recently and currently being built in the area but designating Pre-1940's home as heritage should not be the only solution to stop these new homes from "taking over" First Shaughnessy. It is hypocritical to allow for these new homes being built with no repercussions on these homeowners but you want to force the Heritage Conservation edicts onto homeowners who have lived and built the high standard of the First Shaughnessy neighbourhood as it exists today. They deserve to have their rights upheld and their needs considered and respected for being the homeowners that they are to the homes that they love.

Sincerely,

s.22(1) Personal and Confidential

S. M. F. L. A.

Sept 14, 2015