

## Isfeld, Lori

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**From:** Correspondence Group, City Clerk's Office  
**Sent:** Monday, June 13, 2016 4:41 PM  
**To:** Public Hearing  
**Subject:** FW: 3738 Cypress Street - Application for removal from First Shaughnessy Protected Heritage Property List

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**From:** Robert Miranda s.22(1) Personal and Confidential  
**Sent:** Monday, June 13, 2016 3:30 PM  
**To:** Correspondence Group, City Clerk's Office  
**Cc:** Pickering, Jane; Molaro, Anita  
**Subject:** 3738 Cypress Street - Application for removal from First Shaughnessy Protected Heritage Property List

Mayor Robertson and City Council,

This is to express to you my total opposition to the removal of 3738 Cypress Street from the First Shaughnessy Protected Heritage Property List. Since I object to the List in the first place - maintaining that the By-Law that created the List is illegal - it follows that acceptance of the removal of a property from the List gives credence to that List.

As a home owner in First Shaughnessy since 1993, I have visited many of my neighbours' properties, both as a guest and as a consultant ( I am a UK and US trained architect; and I chaired the First Shaughnessy Advisory Design Panel for several years ). 3738 Cypress Street is no worse than most of the Pre-1940 properties in First Shaughnessy in terms of its heritage significance or character value.

The City's Policy Report, Development and Building, of 25<sup>th</sup> April 2015, states that:

*"while the house has some historic merit and retains some of its original form it is compromised to a large degree by a series of more modern additions and alterations. Its integrity is further affected by removal of nearly all the elements that would contribute to its character such as the exterior materials including cladding, windows, doors and porches, and replacement materials that are not in keeping with the original character and style of the house. Staff concluded the Subject Property has been altered to the point of no longer having sufficient heritage character or heritage value to justify its conservation and therefore it should be removed from the list of First Shaughnessy protected heritage properties at Appendix A4 of Schedule A of the HCA ODP."*

One could make exactly these points about the majority of houses in First Shaughnessy, my own house included.

Moreover, I am mystified by the City's proposal to remove a property from the List so soon after the introduction of the By-Law on 29<sup>th</sup> September 2015. The Luxton Report, which I understand formed the basis for the By-Law, states that *"An exhaustive research process involving each parcel of land has led to a conclusive list of properties recommended for inclusion in the HCA ( Heritage Conservation Area ) Schedule"*. If the process were so exhaustive, I beg to ask why is the City's Acting General Manager of Planning and Development Services so soon recommending that 3738 Cypress Street be removed from the List? My own conclusion, of course, is that the Luxton Report is nothing more than incompetent nonsense. (

Don Luxton, I understand, is a Landscape Architect – why are his opinions on architecture being given so much authority, I wonder. )

By past example I have no doubt that you, Mayor and Council, will not take a ‘blind bit of notice’ of my opinions. I hope, however, that BC’s Courts of Law will have more respect for the legal rights of property owners.

Robert Miranda

Robert Miranda  
BA, BArch (L’pool)  
MArch (Harvard)  
MA (Cantab)  
ARB (UK)

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