

Robert Miranda

s.22(1) Personal and Confidential

11:56 AM (4 hours ago)



mayorandcouncil
publichearing

Dear Mayor Robertson and City Council,

This is to inform you that my wife Dr Jane Hailey and I, as owners of a property in First Shaughnessy, oppose in the strongest manner the proposed Regulatory and Zoning Changes for the First Shaughnessy District - changes that are to come before you for consideration again on 15th September 2015.

My wife and I have lived in the neighbourhood for 22 years. Our house, though built before 1940, is not designated on the Vancouver Heritage Register. And so, first of all, we fail to see how our house - which in the past was not considered of sufficient architecture or historic merit to warrant designation - now can be, as implied by the proposed changes.

I am a UK trained architect with post-graduate degrees in architecture and architectural history from Harvard and Cambridge universities. For several years I chaired the First Shaughnessy Advisory Design Panel, and so I have a keen interest in the neighbourhood. As the Chair of the Panel I was continually bemused and often frustrated by the Vancouver Heritage Board representatives on the Panel who displayed remarkable enthusiasm for the preservation of old Shaughnessy houses but little judgment as to their architectural or historic merits (it was sufficient for the houses simply to be old !) I suspect that it is such people, few in number but noisy in the expression of their opinions, who are most eager for these changes. The majority of my neighbours are as opposed to these changes as are my wife and I.

The Vancouver Charter, I understand, stipulates that owners of properties that are designated as heritage have to be compensated should they suffer financial loss as a result of that designation. If the City has in mind to designate the whole neighbourhood as heritage, rather than specific houses in the neighbourhood, in order to avoid the considerable costs involved in compensation, this would be reprehensible, duplicitous, and probably would not withstand scrutiny in a court of law, since what is a neighbourhood other than a collection of individual properties.

The major concern being expressed by my neighbours regarding these changes is that they will diminish the value of properties in the neighbourhood. Clearly, insufficient research has been undertaken regarding this matter; and I suspect that the only real test would follow from the changes being put into place – which I sincerely hope does not happen. But I can assure you that if my wife and I were to place our property on the market and we found that its value was diminished by these changes we would not hesitate to instruct our lawyers at Miller Thomson LLP to sue the City.

What has annoyed me personally most of all recently regarding Shaughnessy is the City's total lack of respect for the existing legal rights of property owners. I came before Council to voice this opinion when a property close to my own, 3990 Marguerite Street, was being considered for temporary "protection" - a preposterous need for a house of marginal architectural merit at best, and of little historic interest (this property, like my own, is not designated). The cavalier behaviour toward the new owner of this property by the Planning Department is a disgraceful abuse of authority. I would like to conclude by remarking that though Shaughnessy may contain a few nice old houses, it is not a museum. Rather, it is a living, continually changing environment. Short-sighted, petty City regulations - from which Shaughnessy suffers too much already - will simply suffocate the neighbourhood. There are other more efficacious ways to encourage the preservation of the few old houses that have architectural merit.

Yours sincerely,

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