

Kennett, Bonnie

From: Correspondence Group, City Clerk's Office
Sent: Thursday, July 23, 2015 10:45 AM
To: Public Hearing
Subject: FW: Proposed Heritage Plan

From: Richard Sirola s.22(1) Personal and Confidential
Sent: Wednesday, July 22, 2015 9:37 AM
To: Correspondence Group, City Clerk's Office
Subject: Proposed Heritage Plan

Dear Members of Council,

I am a resident of First Shaughnessy and live in a pre 1940 home. I attended your meeting last night and was extremely chagrined by the quality of the presentations supporting this proposal and the lack of time to consider the financial implications of the proposals. It appears that the proposals are being rammed through council by specific interest groups who have helped design the proposals and who were disproportionately represented at the meeting. In some cases these parties are not even residents of the area and therefore are not impacted financially or otherwise by these proposals.

After carefully listening to all the individual homeowners I believe the recurring theme is as follows:

" the greatest concern for many Shaughnessy residents is not that the current rules and regulations are flawed but the manner in which they are enforced is negatively impacting the development of properties in Shaughnessy. Residents are disturbed by the very large homes being erected which dominate the landscape and are not in keeping with the pre 1940s character; gardens that are being destroyed without protection of the character of the neighbourhood". (I agree with this position as outlined by Brian Knight, etc.)

To corroborate this point, even a number of architects in attendance alluded to abuses and numerous loop holes. The problem lies with lack of diligent enforcement of the existing by-laws and this is where attention should be focused rather than a new, questionable set of by-laws and arbitrary heritage designation of some 300 homes.

The current problem is primarily that:

- a) there are not sufficient controls on new development ,
- b) perhaps it is the unwillingness or inability by Planning to implement the controls on developers to ensure that the new developments are compatible with the traditional Shaughnessy landscape, and
- c) lack of power given to the Shaughnessy Review Panel which has lead to this seriously ill considered proposal.

Therefore, I DO NOT support the proposal as it is currently drafted. In addition, I do not support it on the following basis :

- a) There has been insufficient time to analyze the report especially the financial report and its implications;
- b) The designations of all pre 1940 houses as heritage is inappropriate and ill considered (note the example of Brian Hill's house as demonstrated). The current list should stay in place but with a reverse assumption (i.e. that unless a property is currently on the list (the approx. 80 designated heritage houses) then it must be established that the house is of significance before the City can put it on the protected list;
- c) The process required to have a house removed from the proposed heritage designation is far too onerous on homeowners. I would anticipate that you will see many homeowners making such an application due to the negative financial impact to their properties;
- d) This designation is effectively an expropriation of property owner's rights for which there is no compensation. It has a negative financial as the value of the properties are being undermined and will continue to be undermined on an on going basis, due to at least 2 factors:
 - 1 the land value will decrease relative to other properties in the city where there is the ability to have significantly greater development opportunity. This will be an on going issue with continued negative financial impacts ;

- 2) there is no adequate compensation for those with pre 940 houses whose house values are already suffering from this moratorium.

I can testify that it is extraordinarily expensive to maintain these wooden houses due to lack of insulation, insurance premiums, cost of retrofitting e.g. replacing knob and tub wiring, cost of removal of asbestos and most recently even the disposal of old dry wall. (e.g. my house insurance is in excess of \$7000 a year). Moreover wooden structures are inherently vulnerable to deterioration due to rot, mold, etc. As one man stated, he now owns a museum he must now maintain a museum. Many retired people are not financially able to meet these expenses and their properties will only deteriorate as a result.

Two further suggestions that are within councils purview:

- a) There could be an ongoing tax adjustment for those properties which are considered heritage after due consideration;
- b) If the aim is to help homeowners of pre 1940 houses maintain value, you may want to consider allowing pre 1940 homes to be allowed more square footage for development than those replacement houses (e.g. make them include basements in their square footage calculations.)
- c) Quality of lifestyle - it is the single family characteristics of this traditional area that draws people to this neighbourhood. Individuals who want to live here do not want infills/ suites generally. They want to be able to have generous square footage for their home and landscape - so infills, etc. do not compensate for loss of value.
- d) By simply attaching this proposal to First Shaughnessy you are accelerating the problem in other areas such as 2nd Shaughnessy - perhaps you should be looking across the whole city to determine "heritage" quality homes of any era.

Under the proposed plan homeowners whose major investment is in their homes will not be able to afford to take the financial gamble of their property not increasing in value at comparable rates to other neighbourhoods and may well decide to sell their homes.

The irony is that homeowners who have taken care of their pre- 1040 homes and done sympathetic renovations are being penalized by their stewardship of these homes whereas those who took no care to maintain or did hideous renovations will actually be rewarded by likely being removed from the register

I am more than happy to discuss any of these issues with Council and hope they will be respectful of the rights they are contemplating confiscating.

Richard Sirola

5.22(1) Personal and Confidential

Kennett, Bonnie

From: Correspondence Group, City Clerk's Office
Sent: Thursday, July 23, 2015 10:50 AM
To: Public Hearing
Subject: FW: Proposed Protection Heritage Property 1563 Balfour Ave an first Shaughnessy Heritage Conservation Area

Importance: High

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

From: Nicole Clement | 5.22(1) Personal and Confidential
Sent: Wednesday, July 22, 2015 11:49 AM
To: Correspondence Group, City Clerk's Office
Subject: FW: Proposed Protection Heritage Property 1563 Balfour Ave an dFirst Shaughnessy Heritage Conservation Area
Importance: High

Dear Sirs -

Please provide written email confirmation that this position has been read by all Council members as I would like some comfort that my concerns have been acknowledged.

Please see below minor corrections to my earlier email which was composed with undue haste due to your impending decision

Nicole Clement.

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

From: Nicole Clement
Sent: Wednesday, July 22, 2015 8:38 AM
To: 'mayorandcouncil@vancouver.ca'
Subject: FW: Proposed Protection Heritage Property 1563 Balfour Ave an dFirst Shaughnessy Heritage Conservation Area
Importance: High

Dear Members of Council,

> I am the home owner of the said property for the last 16 years which is a pre 1940 home. I attended your meeting last night and was extremely disturbed by the quality of the presentation supporting this proposal and the lack of time to consider the financial implications of the proposal. It appears that the proposals are being rammed through counsel by specific vocal interest groups who were disproportionately represented at the meeting.

>

> On carefully listening to all the individual homeowners I believe the theme is as follows:

>" the greatest concern to many Shaughnessy residents is not that the current rules and regulations per se but how they are being applied which is negatively impacting the development of properties in Shaughnessy..... i.e. residents are disturbed by the very large homes being erected which dominate the landscape and are not in keeping with the pre 1940s character; gardens that are being destroyed without protection of the aesthetic of the neighbourhood*.... (I agree with this position as outlined by Brian Knight, etc.) *

> Even a number of the architects last night alluded to abuses and numerous loop holes.... that is where the problem lies and where rezoning should focus its attention.

>

> The current problem is primarily that:

> A) there are not sufficient controls on new development;

> B) perhaps it is the unwillingness or inability by Planning to implement the controls on developers to ensure that the new developments are compatible with the traditional Shaughnessy landscape....; and

> C) lack of power given to the Shaughnessy Review Panel to ensure new developments and renovations are in keeping with the neighbourhood...

which has lead to this draconian proposal.

>
>
>

> Therefore, I DO NOT support the proposal as it is currently drafted. In addition, I do not support it on the following basis :

>

> a) There has not been enough time to analyze the report especially the financial report and its implications;

>

> b) the designations of all pre 1940 houses as heritage is inappropriate and ill -considered (note the example of Brian Hill's house as demonstrated)- the current list should stay in place but with a reverse assumption i.e. - that unless a property is currently on the list (ie the approx. 80 designated heritage houses) then it must be established that the house is of significance before the City can put it on the protected list;

>

> c) the process to have a house removed from the proposed heritage designation is far too onerous on homeowners - I would anticipate that you will see many homeowners making such an application due to the negative financial impact to their properties;

>

> d) This designation is effectively an expropriation of property owner's rights for which there is no adequate compensation - it has a negative financial as the value of the property are being undermined and will continue to be undermined on an going basis, due to at least 2 factors:

>

> 1)the land value will decrease relative to other comparable properties in the city where there is the ability to have significantly greater development opportunity.... this will be an on going discrepancy with ongoing financial impacts ;

>

> 2) there is no adequate compensation for those with pre-1940 houses, whose values are already suffering from this moratorium -

I can testify that it is extraordinarily expensive to maintain these wooden houses due to lack of insulation, insurance premiums, cost of retrofitting (e.g. replacing knob and tub wiring, cost of removal of asbestos and most recently even the disposal of old dry wall, etc. (E.g. my house insurance is in excess of \$7000 a year). Moreover wooden structures are inherently vulnerable to deterioration due to rot, mold, etc. As one man stated all of sudden he owns a museum he must now maintain.... By way of illustration, I replaced my roofs 5 years ago with cedar shingles in the original style and the cost estimates ranged from \$50,000 - \$70,000. I am close to retirement and going forward will be unable to replace this roof with cedar and would have to use far cheaper artificial materials). The value of this property will only deteriorate over time relative to other properties due to increased costs of maintenance (i.e. it will become more of a money pit) and lack of ability to develop of the land relative to other properties.

>

> - 2 further suggestions that are within Council's purview - a) there could be an ongoing tax adjustment for those properties which are considered heritage after due consideration;

>

b) if the aim is to help homeowners of pre- 1940 houses to maintain value - then you may want to consider allowing pre- 1940 homes to be allowed more square footage for refurbishment than those replacement houses (e.g. make them include basement in their square footage calculations.) Therefore property owners would be more likely to want to keep the outside structure than create a new one

if there were to "lose" square footage

>

>

> e) quality of lifestyle - it is the single family characteristic of this traditional area that draws people to this neighbourhood, individuals who want to live here do not want in-fills/ suites, generally they want to be able to have generous square footage for their home and landscape - so infills, etc. do not compensate for loss of value.

f) By simply attaching this proposal to 1st Shaughnessy you are simply accelerating the problem in other areas such as 2nd Shaughnessy - perhaps you should be looking across the whole city to determine "heritage" quality homes of any era. Why should Shaughnessy be the only area penalized?

Under the proposed plan, homeowners like myself whose major investment is in their homes will not be able to afford to take the financial gamble of their property not increasing in value at comparable rates to other neighbourhood and may well decide to sell their homes which is something I would not have contemplated before last night. The issue is not whether values may go up but whether value keep pace with comparable areas per square foot.

The true irony is that homeowners who have taken care of their pre- 1040 homes and done sympathetic renovations are being penalized by their stewardship of these homes, whereas those who took no care to maintain or did hideous renovations will actually be rewarded by likely being removed from the register

I am more than happy to discuss any of these issues with Council and hope they will be respectful of the rights they are contemplated confiscating as I bought my home under the current regime with those rights associated with the land and I would not have bought this home if there had been any contemplation of these changes as I could not afford to take such a financial risk..

Nicole Clement.

s.22(1) Personal and Confidential

* I can provide numerous examples of recent construction apparently approved by Planning but discordant with the neighbourhood if you have not had an opportunity to walk through Shaughnessy.

Please visit the following website to read the Computershare legal notice:

<http://www.computershare.com/disclaimer/americas/en>

Veillez visiter le site Web suivant afin de prendre connaissance de l'avis juridique de Computershare:

<http://www.computershare.com/disclaimer/americas/fr>

Kennett, Bonnie

From: Correspondence Group, City Clerk's Office
Sent: Thursday, July 23, 2015 2:36 PM
To: Public Hearing
Subject: FW: First Shaughnessy Heritage Designation

From: s.22(1) Personal and Confidential [REDACTED] **On Behalf Of** Cora Wills
Sent: Thursday, July 23, 2015 2:51 PM
To: Correspondence Group, City Clerk's Office
Subject: First Shaughnessy Heritage Designation

To Whom It May Concern,

I have read the report done by Coriolis for the City of Vancouver re the First Shaughnessy Heritage Designation proposal. I think it is not fair or principled to go ahead with this proposal. Any additional cost to home owners in today's market is simply not tenable. And the fact that it would make some properties less desirable than others and thus less valuable is also untenable. City Hall would still charge the same property tax on these newly 'degraded' properties so the poor homeowner will get "hit" twice for simply owning a home older than 1940!!!

Please do not go ahead with this proposal. Find fair and principled ways to do business.

Kindest regards,
Cora Wills

s.22(1) Personal and Confidential [REDACTED]

Kennett, Bonnie

From: Correspondence Group, City Clerk's Office
Sent: Friday, July 24, 2015 9:16 AM
To: Public Hearing
Subject: FW: First Shaughnessy Heritage Conservation Area Public Hearing

From: Edward Lum s.22(1) Personal and Confidential
Sent: Friday, July 24, 2015 8:49 AM
To: Correspondence Group, City Clerk's Office
Subject: First Shaughnessy Heritage Conservation Area Public Hearing

July 24, 2015

Dear Mayor and Council,

Re: First Shaughnessy Heritage Conservation Area

My name is Edward Lum and I am the owner of s.22(1) Personal and Confidential in First Shaughnessy. I recently reviewed the Heritage Conservation Area (HCA) proposal and to my surprise my property was included in the list of protected heritage properties. **I am opposed to the formation of a Heritage Conservation Area. I am requesting you to immediately exclude my property from the heritage list.** I do not understand why my house was put on the list. Was it based strictly on the ambiguous criteria of being a pre 1940 house? **I think the process the City used to assess heritage status was a flawed and rushed process. Each property should have been individually assessed for its own architectural, cultural, and historical significance. The proper procedure should have been a rigorous process where my home was personally examined and researched by an expert consultant and a Statement of Significance report prepared specifically for my home. Then based on this detailed Statement of Significance specific for my home, a correct decision can be made to determine if my house has heritage merit or not.** Any heritage expert can tell you that this is the right way to do it and is standard procedure. Each of the 600 houses in First Shaughnessy deserve to be assessed in this fair and just way. But they were not. Why not? I would assume because of budget, time and staff constraints. Therefore the shortcut, easy and unfair blanket way was to designate all pre-1940 houses as heritage, regardless of merit. There is so much at stake for the property owners, would it not be asking too much for a fair, proper, thorough and individualized heritage assessment process rather than a shortcut, unjust, arbitrary criteria.

One may argue that my house is not an island and resides in a heritage neighborhood as a whole. In the HCA documents, **the heritage consultant assessed First Shaughnessy as a whole but this is not fair.** Never before, in any other jurisdiction with HCAs, has such a large area with 600 properties been assessed in such an ambiguous way. Again I assume it was done this way because of budget and time constraints. I would argue that First Shaughnessy is not uniform and is quite diverse with a mix of new and old, good and bad. There are some real grand gems but the majority of others I would not classify as having heritage status. This basket is full of different types of fruit and unfortunately a lot of them are rotting. Which gets back to my main point, each home has its own merit and must be assessed individually.

I am also aware that if the HCA is approved, I can apply after the fact to get my property removed from the list but this would entail going through a public hearing. This definitely confirms that the process is flawed because my property should have been assessed properly in the first place, and not have to go through a second arduous step to correct an initial wrongdoing. I can imagine HCAs being established in other neighborhoods in the future with such arbitrary and ambiguous heritage criteria and then city wide numerous property owners applying to get their properties removed from the heritage list only through the public hearing process. This would not make sense, would be a bureaucratic nightmare and is quite ridiculous in wasting staff time and your time attending public hearings on individual properties. I am sure you have better things to do in the evenings. **Again, the proper way is to get individual properties assessed with clarity and strict heritage criteria through individual Statement of Significance reports specific to that home the first time through.**

I urge you to reject the HCA proposal based on the fact that due diligence and proper protocol for heritage merit assessment on individual properties was not performed resulting in a weak process and flawed policy.

I would like to conclude by saying **please listen to the property owners of First Shaughnessy as your first priority.** Many heritage advocates do not live in the First Shaughnessy neighborhood, perhaps not even in the City but even with their best intentions they will not experience the consequences of your policy decision. If you listen carefully, you will hear that the majority of the owners by a large margin are opposed to the establishment of HCA. We have the most at stake here and the consequences of any policies are ours to bear.

Thank you for your consideration regarding this matter.

Sincerely,

Edward Lum

24 July, 2015

Mayor and Council,
City of Vancouver

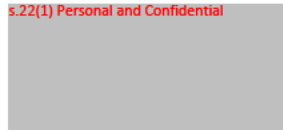
REGARDING: FIRST SHAUGHNESSY ZONING and REGULATION CHANGES

I am 'opposed' to the new proposed rules and heritage changes and support the existing zoning.

I think that C type houses should be demolish - able for new houses.

Thank you,

s.22(1) Personal and Confidential



Jie Liu

Owner of

s.22(1) Personal and Confidential

