

My name is Judy McKnight. My husband and I live in a pre-1940 house . For the record, I do support the saving of meritorious Heritage houses.

I **DO NOT SUPPORT** this Heritage Conservation Area proposal. .

I supported the moratorium on demolitions of pre 1940 houses. A time for study, reflection and planning made good sense. This would appear, in retrospect, to have been incredibly naive. Who knew that this Heritage Conservation Area is what we, as owners of those pre 1940 houses, would be facing?

THE PUBLIC HEARING PROCESS

The Coriolis Report, a 62 page document, was released on July 21st at 1:00pm. The Public Hearing was at 6:00pm. This is a very complex document. I suspect most people would not have had the time to read and digest it, even had they known it existed. Why was this report available only 5 hours before the Public Hearing?

The July 21st Public Hearing was adjourned and there was to be a discussion on Tuesday, July 22nd. After dealing with other matters on July 22nd, it was announced that the public hearing would be reopened on July 28th at 9:30am. By that time most people who had come to hear the discussion had left. It is my understanding that there was a half-hearted attempt at best to inform people of this change. Many were not informed.

The public hearing was reopened on Tuesday, July 28th at 9:30 am. The hearing was immediately put forward to September 15th. There seemed to be some confusion with the councillors about whether people would be allowed to speak at both and/or submit letters to both. I do believe that this was very confusing for those who were, in fact, going to speak on July 28th. Speaking to council is surely a somewhat stressful situation for most people. To have that happen seemed to me to be very disorienting for many of the speakers.

About that 9:30am Public Hearing: From the city's website, about public hearings:

- **“There are 12 to 20 Public Hearings held each year at 6:00pm in the Council Chamber at City Hall. Usually, they are held on a Tuesday. If the business of the meeting is not completed on that day, they continue on the following pre-scheduled date. Everyone is welcome to attend.”**

I assume the 6:00pm time is to accommodate people who work during the day. On that particular day there were people who took time off work to attend. There were others unable to attend because they couldn't take time off work. Who knows how many weren't there because they were unaware that it was happening. In the end I guess it doesn't really matter because who knows what that meeting was. All I know is that it was disconcerting and disrespectful.

The letters to homeowners were sent out on July 8th, the hearings scheduled for July 21st, and then July 28th. Scheduling something this important at the height of the summer seems unfair at best. For our family it meant changing summer plans and I

know we were not alone. As well, I have spoken to many pre-1940 homeowners who arrived home from vacations to find the registered letters after all the dates had passed. I suspect many people were unable to change plans to accommodate this questionable timetable.

It appears to me that this planning department and city council were fully prepared to pass this massive set of bylaws in July, under the radar of those of us who will be irreparably affected.

The planning department was asked for a legal opinion on this issue. They were asked once verbally at the public hearing on July 28th, and I believe at least four times in writing. It took them until August 18th to produce something. It would seem to me that that legal opinion should have been available at the outset.

The letters of support were interesting to me. I went through each and every one up to July 28th. I did make one assumption - that if the writer didn't state they were a pre-1940 home owner, they probably weren't. There were 89 letters of support. Of the 89, 11 stated that they were homeowners in FS. Of those 11, 6 stated that their house was pre 1940. Of those 6, 4 had serious reservations (yes I support heritage conservation but only if ...) So, 2 were FS pre 1940 homeowners giving full support. The remaining 78 were from Heritage people, concerned citizens, etc. One very obvious group of 39 were cut and paste letters taken from the "Vanishing Vancouver" website. Amazing how 39 people mentioning Sydney, Australia catches one's eye! I would suggest that this was not a landslide of public support from the people who are being affected.

THE CRITERIA FOR HERITAGE DESIGNATION

Every pre 1940 house is being designated without any individual assessments having been done. Donald Luxton has said that there are less than 5% of the 317 houses that are not "meritorious". That is less than 16, so, 15 or fewer houses. I find that very hard to believe. I find it surprising and truly offensive that each house was not looked at individually. I think it diminishes the entire designation process and was a very sloppy approach.

THE PROPOSED LEGISLATION

The volume of information sent to homeowners on this HCA proposal is massive. There are hundreds of pages, very confusing, full of repetition, and difficult to access. I suspect many people gave up trying to make sense of it. It required hours and hours of reading. There are lots of interesting facts about the history of First Shaughnessy, many interesting pictures from the past. It is a bit disconcerting, however, when you start seeing things repeated. I found myself wondering if I had somehow found myself in some sort of a loop.

I was mainly concerned with the alteration and maintenance regulations. If you do persevere, you actually can pull out some nuggets:

- The director of planning will have the power to inspect our houses.
- We will be allowed to repaint our houses without a Heritage Alteration Permit as long as we paint it the same colour.
- There are materials that are out of character and “must be avoided”, including asphalt paving.
- There are hefty fines for maintenance offences. Fines may not be less than \$1000 dollars and not more than \$10,000 dollars. If the offence continues they can escalate up to \$10,000 a day per offence.
- As a condition of the issuance of a heritage alteration permit, the director of planning may require security in the form of a letter of credit or cash equivalent to 120% of the estimated cost of work authorized.

Our house is 104 years old. I am appalled by the rules and regulations, many more than I have cited above. It is alarming to have to be concerned about all of this, over and above the normal issues incumbent with an old house. The power that has been given to the director of planning is quite frightening.

THE CORIOLIS REPORT

Much has been said and written about this report and the validity of the numbers and the impact. I do know that the so called “carrots” are of absolutely no interest to us. And we are not at all happy at the possible financial impact on the value of our property. Like everyone else I find the 5-10% number to be very low, given with no supportive data.

Two things of particular note:

- From the conclusions of the Coriolis Report:
 - **6. We note that the proposed new regulations classify all of the potential uses (one family dwelling, one family dwelling with secondary suite, coach house, infill one-family and infill two-family units, and Multiple Conversion Dwellings) as conditional approval uses. Our analysis assumes that these uses are available to all properties with pre-1940 houses in First Shaughnessy if they meet the requirements outlined in the proposed new regulations. If the City does not approve the uses on a particular site, there would be no benefits offsetting the negative impact of requiring retention of the pre-1940 house.**

- This appears to me to mean that, yet again, the director of planning has the final word and there actually could be no “carrot”.
- From the Yellow Memorandum dated July 21, 2015, from the Deputy Director of Planning
 - **“The Consultant states earlier in their report that a worst case scenario is a decline in property values in the range of 5-10%, but that this would be offset (in dollar terms) by 1 or 2 years of the current pace of price growth. “**
 - A decline of 5-10% is a decline of 5-10%. No amount of time will offset that after it has gone. If I have something that is worth \$100 and it declines by 5-10% it is then worth \$90 - \$95. If the overall value increases by 10%, I don't end up with \$110. I believe I would have \$99 - \$104.50. Gone is gone! That is grade 4 arithmetic! I find that statement insulting, and for me, it affects the credibility of the entire report.

IN CONCLUSION

We live in a 104 year old “small house on a small lot”. Our short block has 8 houses and there would be 8 designations. Who knows whether or not they are “meritorious”. All we do know is, that if this HCA is implemented, we will all be arbitrarily designated “heritage”. In the rest of First Shaughnessy there are 309 other home owners who will suffer the same fate.

You have treated us, all of the pre 1940 homeowners, with such disrespect and disdain. You seem to assume that taking away our property rights, having us live with incredibly onerous rules and regulations, and possibly causing us to lose real value on said property is fine. And, you do it without anything approaching a meaningful dialogue with us.

Brian Jackson, General Manager of Planning and Development Services, was interviewed on The Early Edition on CBC Radio 1 on June 9th, 2015. He called our 317 houses “heritage assets” and he talked about this Heritage Conservation Designation as a “hammer”.

<http://www.cbc.ca/news/canada/british-columbia/one-of-vancouver-s-wealthiest-neighbourhoods-could-be-protected-from-density-development-1.3105944>

Then on August 2, 2015, Mr. Jackson was interviewed again. He said, “We have to make the preservation of heritage profitable, we have to make it fun, we have to make it fast, and we have to make it easy for people to understand,”.

<http://www.news1130.com/2015/08/02/vancouvers-outgoing-city-planner-says-it-was-simply-time-to-go/>

I think that the 317 pre 1940 homeowners could be forgiven for wondering exactly what this more recent quote means as it applies to us. Profitable? Fun? Easy to understand? An attempt was made to make it fast. I will concede that. I do think, however, that we understand the “hammer”.

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.

Sincerely,
Judy McKnight

Hildebrandt, Tina

From: Correspondence Group, City Clerk's Office
Sent: Monday, September 14, 2015 2:12 PM
To: Public Hearing
Subject: FW: First Shaughnessy

From: John Friesen s.22(1) Personal and Confidential
Sent: Monday, September 14, 2015 2:10 PM
To: Correspondence Group, City Clerk's Office
Cc: s.22(1) Personal and Confidential
Subject: First Shaughnessy

Mayor and Council,

First of all, I believe in the sanctity of property rights of any property owner in Canada. The ownership of a home in Vancouver constitutes a very large, or perhaps the entire net-worth, and retirement nest egg for the individual home owner. City hall has a moral and legal requirement not to impair or devalue property values, which directly deteriorates the welfare of the citizen. I believe that property owners should have the right to do whatever pleases them with their own property, as long as they do no harm to their neighbors, or their neighborhood. Because the homeowner has such a large vested financial interest in his or her home, the incentive is to increase their property value to the best the owner's ability. Furthermore the citizens of Vancouver do not want their lifestyle, freedom, and property rights, dictated by City-hall, or by Victoria, or by Ottawa. The preservation of the character of Shaughnessy should be preserved with reasonable design guidelines.

My wife and I are very fortunate people, because 15 years ago, we were able to demolish a very large, pre-world-war-one house, and build a new home that is now a "must see" home on city bus tours. Our home was one of the highlights of the last Heritage Garden Tour. The approval process for our new home took 3 excruciating, and frustrating years for the approval of city-hall. The overwhelming desire of city-hall bureaucrats was for a renovation, rather than a demolition, and building of our new home.

Our problem with renovating a 100 year old home were as follows:

1. The building was full of rot and mold. It was full of mice, rats, and squirrels.
2. Previous renovations over many years were done very poorly.
3. The old house needed a completely new electrical, plumbing, heating and air-conditioning system.
4. The old house would have required a retrofitted sprinkler system.
5. The old house was a four story house, designed to include extensive facilities for servants, and maids.
6. There was no possibility to rehabilitate the floor plan of the kitchen and to include a modern family room. The old floor plan anticipated a servant kitchen, and family meals were in the dining room. Living rooms, drawing rooms, libraries, smoking and card rooms are not part of today's lifestyle.
7. The basement had a 6 foot ceiling, and a crumbling foundation.
8. The fourth floor had 6 bedrooms, with one central bathroom, the third floor was virtually impossible to renovate to include a modern master bedroom, and additional bedrooms with on-suite bathrooms.

In short, we were looking at a very expensive renovation, on a very expensive lot, with a house completely deficient in the constituents of a modern beautiful home.

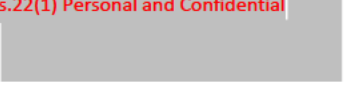
Today, there is an obvious problem with the entire neighborhood of Shaughnessy.....there are many derelict, and neglected properties within what should be Vancouver's most prestigious suburb. The primary reason as to why there are so many neglected, shabby, and underdeveloped properties in Shaughnessy is because of both the extreme level of

bureaucracy at city hall, delaying and restricting the approval process, and now the proposed total restriction on replacing houses older than 1941.

Prohibiting replacement of houses older than 1941 will definitely devalue many properties, and will result in further degrading this rapidly this once most prestigious suburb of Vancouver. There is no economic sense to renovating the much older homes, and if renovated, the renovated house will undoubtedly result in a level of satisfaction far below what a new house would bring. The owners of homes that are older than 1941, will also find that these homes will be very difficult to sell, except at highly discounted prices.

John and Stephanie Friesen

s.22(1) Personal and Confidential



Hildebrandt, Tina

From: Correspondence Group, City Clerk's Office
Sent: Monday, September 14, 2015 3:23 PM
To: Public Hearing
Subject: FW: HCA Proposal for First Shaughnessy

From: Carol Walker s.22(1) Personal and Confidential
Sent: Friday, September 11, 2015 5:07 PM
To: Correspondence Group, City Clerk's Office
Subject: HCA Proposal for First Shaughnessy

Mayor and Council of the City of Vancouver,

I am vehemently opposed to the proposed bylaws to designate First Shaughnessy as a "Heritage Conservation Area".

There are many houses within in the area known as First Shaughnessy that are not meritorious, to designate them as heritage is ludicrous. If you truly want to save the meritorious houses, each house in First Shaughnessy should be evaluated individually under strict guidelines, by a qualified not invested professional. The owners of the houses that are truly meritorious, should be offered fair compensation on an individual basis as outlined in the Vancouver Charter (SBS 1953) Chapter 55, Section 595.

The design guidelines that are in effect, should be tweaked, to allow for smaller foot prints with higher roof elevations for the smaller properties, thereby creating some interest in the neighbourhood, this could be done without increasing the FSR. At the present time you can identify a new house just by looking at the roof elevation and foot print, the architects are limited in their creativity, as they try to comply with the design guidelines and their clients wishes to maximize the FSR allowed.

Regards,

Carol Walker-Angus
Former Design Panel Member



This email has been checked for viruses by Avast antivirus software.

www.avast.com

Hildebrandt, Tina

From: Correspondence Group, City Clerk's Office
Sent: Monday, September 14, 2015 3:25 PM
To: Public Hearing
Subject: FW: Third letter to Mayor Robertson and Vancouver City Council re HCA proposal for First Shaughnessy

From: Bryan [REDACTED] s.22(1) Personal and Confidential
Sent: Monday, September 14, 2015 2:38 PM
To: Correspondence Group, City Clerk's Office
Subject: Third letter to Mayor Robertson and Vancouver City Council re HCA proposal for First Shaughnessy

Mayor Robertson and Councillors -

I'm writing as an owner of a pre 1940 property in First Shaughnessy (FS). I am strongly against the HCA proposals as they currently stand.

My wife and I have lived in our 1911 house [REDACTED] s.22(1) Personal and Confidential for the past 26 years. Our family has grown up and now have their own places in Vancouver. We love the character and history of FS and want to see it preserved as it is for future generations. Having said that, we have some very serious concerns about the rushed and flawed process leading up to the current proposals, the poor communication with property owners, and the proposals themselves.

The HCA proposed by the City is an oversized, very blunt instrument! As the the head planner said on CBC radio on June 9, the HCA 'tool' is a 'hammer'. Why do we deserve to be 'hammered'? There has been no effective consultation at all with the owners of First Shaughnessy properties - this is being imposed on us. And the City is proposing to designate all 317 pre 1940 houses as protected heritage properties, even though everyone, including the City, knows that there is a significant component of non-meritorious houses included in the 317. Unlike the process for designating a single protected heritage property, the City is proposing to designate all 317 FS pre1940 houses with no negotiation and no compensation! And the objective of preserving the character of First Shaughnessy is at odds with the unwanted and potentially serious densification of FC that is being offered as compensation for taking away our property rights. Very heavy handed and unfair to the owners!

Why is every single one of the 317 of the pre 1940 houses in First Shaughnessy suddenly considered sacred? Clearly, there are many truly meritorious houses in FS. But there's a significant proportion of the 317 that are no more remarkable than hundreds or thousands of other houses in the City. The impact seems to be to depress the value of pre-1940 houses in FS, and increase the demand for equally or more meritorious houses in other areas of the city. All of these meritorious houses in other parts of the City apparently can still be torn down or will require compensation by the city if they're designated against the owners wishes. Doesn't the FS HCA put more demolition pressure on equally meritorious houses outside FS? Shouldn't there be a level playing field?

Along with the proposed HCA, come unwelcome and onerous heritage procedure and standards of maintenance by-laws. Major intrusions into our property rights! Anyone, who hasn't already, should read the proposed Heritage Procedure By-Law and Property Standards of Maintenance By-Law. They're actually quite stunning. It surprises me that this can be imposed against our wishes in an open, democratic, free society! These by-laws include unbelievably sweeping powers for the Director of Planning. For example, the Director of Planning has the right to enter our properties, and he can require a letter of credit or cash equal to 120% of the work under a heritage alteration permit. The acts are somewhat ambiguous and its not at all clear what you can actually do on your property without applying for a heritage alteration permit. You even need one to change the colour of your

house! All repairs and maintenance must be "in accordance with accepted heritage conservation principles and in accordance with the Heritage Conservation Area official Development Plan." And fines from \$1000 to \$10,000 for non compliance.

I and many others find this level of intrusion into our personal lives and property rights offensive and unacceptable! We've managed our property just fine for over 26 years - the city is not welcome to take any larger role in our lives than it already has. The fact is that when you look around at how poorly the City maintains its portion of First Shaughnessy, it seems bizarre and presumptuous for it to suggest how homeowners should look after their properties.

Heritage designation of a property is a very big deal for the owners! Page one of the second Coriolis report says that;

"the City has drafted a proposed new zoning district for First Shaughnessy that includes incentives that are intended to offset any negative impacts and make it financially attractive to retain the pre-1940 houses."

First of all, I believe the negative impacts are significantly understated in the Coriolis report. The additional costs to renovate a pre-1940 house compared to demolition and building new are apparently much higher than the *unsupported* \$50 per foot that Coriolis uses. And the loss of market interest factor is much higher than the *unsupported* 5% that Coriolis uses - you can get a good feel for this by looking at sales in 2015 of pre and post 1940 houses in the core of FS and talking to a selection of real estate agents active in FS. A poster child is 1190 Matthews, a tear down, 15,700 sq ft of property, \$10.1 million sale price in April, \$642 per sq ft. Pre-1940 houses have been selling in the low \$400s per sq ft and there are others still for sale at less than \$400 per foot. Apparently a very significant gap - far greater than Coriolis' 5% unsupported judgment call!

The density incentives offered by the city don't appear to have much value. For example, Coriolis' analysis shows that for all four sample lot sizes chosen, Multiple Conversion and Infill are simply not financially viable. Not even close! Developers would not be interested unless they could buy the land for much less than Coriolis says it's worth now. The danger is that the value of our properties could get driven down by all of the proposed restrictions, to a level that developers can afford. Then, the heavy density that residents don't want will occur and the character of FS will be damaged. Fortunately, the Multiple Conversion and infill incentives have no value now, and hopefully they never will!

We're also being offered secondary suites and coach houses.- these options also appear to be unattractive. They're expensive to build and any notional value attached to the rent appears to be more than offset by the giving up of a portion of your property and house space and the loss of privacy involved in having other people living and parking on your property. Coriolis acknowledges that many owners will have no interest in this 'incentive'. Coriolis says "High single detached prices indicate that home buyers put a large premium on the privacy and lifestyle associated with a single family house."

Coriolis also points out in his conclusions that all of the density incentives are conditional approval uses - "If the City does not approve the uses on a particular site, there would be no benefits offsetting the negative impact of requiring retention of pre-1940 homes."

The whole densification aspect of the HCA proposals may have flowed from the 'Objectives for the First Shaughnessy District Review' on page 5 of the May 29 Luxton Report. The fourth bullet is "support a variety of dwelling types, such as secondary suites and infills." It's clear that most residents don't want more density. Absence of density is one of the most attractive features and helps make FS the charming place it is. Are there similar initiatives to significantly densify other similar neighbouring areas with pre 1940 houses, and put in heritage and maintenance standards? I'm not aware of any. Why FS??

Another of the stated objectives for the FS Review was “upgrade zoning to better align with community interests and currently adopted Council policies and objectives”. I was surprised to see this, as unchanged zoning should certainly have been an option, with less severe changes to address the immediate concerns.

The proposals would exclude basements and garages from the FSR and provide more square feet that could be added to a pre 1940 house. That has some value for homeowners who want a larger house or for a potential purchaser. But as part of the HCA proposals, the setbacks are inexplicably being made more restrictive so the available building area on a lot is shrinking. There’s also a new building depth limit and new building footprint requirement. The city talks about relaxations that may be available. But relaxations are discretionary and can only be determined once plans have developed and exposed and everyone (including neighbours and renters) has had their say. Coriolis cautions that depending on the siting and configuration of existing houses, it may not be possible to accommodate all the additional FSR in a renovation/addition. For a small property like ours, Coriolis calculates a value for the potential additional sq ft, if someone wants to build them and they can be fit in, as about 5% of the property value. There are a lot of assumptions in the calculation! Whatever the right number is for this, it could mitigate a small portion of the actual combined market interest/reno cost value loss caused by the HCA. And it’s not clear how the market may have already factored this in.

It appears that the Coriolis report understates the financial costs of the HCA proposal to a pre-1940 owner and overstates the value of the incentives offered. The report also appears to factor nothing in for the negative value aspects to owners of the draconian Heritage Procedure and Heritage Property Standards of Maintenance by-laws. The economic result looks to be worse for pre 1940 owners than Coriolis shows. Has the city met it’s objective of making the HCA financially attractive? Not even close!

Coriolis' conclusion 1 on page 30 says that a worst case decline of 5 to 10%, for demo candidates under the current system, would be offset in dollar terms by 1 or 2 years of the current pace of price growth. First of all, the percentages are far too low. But aside from that, I find this misleading nonsense - the gap is permanent as the factors which caused it (reduction in market interest due to required retention, and the higher cost to renovate an old house than to build new) will continue to exist. Clearly, the diminished value of the property after 1 or 2 years of appreciation will still be the same 5 to 10% lower than it would have been if the value had not been diminished. The undiminished value would also have grown by the same 5 to 10% factor. Please stop using this argument. It’s double talk and an insult to both the writer and the intended reader.

We’ve heard sentiments that people in First Shaughnessy are wealthy and can afford to take a personal financial hit for the team. Some of this has actually come from the public hearings. I don’t understand why anyone thinks that this is acceptable. Many of us are retired, our houses represent most of our net worth, and we want to move on at some point to Vancouver homes that better suit our personal circumstances. While our pre 1940 values in FS have been frozen or even going down, the places we want to move to are unaffected and going up. Our currency to acquire our next home is devalued - it’s a significant hard money loss that’s being proposed for us! The current 317 owners are being asked, on a one time basis, to singlehandedly finance this very major heritage initiative by the city. Why does anyone, including Planning and Council, think this is fair to the 317 owners?

I think that some of the impetus for the comprehensive review of FS was a concern about the size of new houses that were being built, with double height ceilings, underground parking and large mechanical rooms increasing the massing. I presume that people are generally comfortable that the new ODP addresses this. I believe that it’s the HCA that people mainly object to - the arbitrariness of selecting all 317 pre 1940 houses, the requirement to maintain wooden buildings forever, the high reno costs, the very tough heritage and maintenance by-laws etc. I’m wondering why the ODP can’t be further changed to provide sufficient incentives to retain the old structure in a development so that an owner will actually want to do that. Make it so overwhelming attractive through carrots that the all-pervasive and offensive HCA stick would be completely inappropriate. Why can’t all of the objectives be carried out through an enhanced ODP, and thereby preserve the current system of heritage designation of properties, with compensation to owners in the rare case where this is done against the owners will. Like in the rest of the city!!

For a fair and equitable HCA to be implemented, the City has to meet its own stated objective of making this financially attractive! I strongly encourage consideration of additional 'incentives' for pre 1940 owners to balance the value equation. It's seriously imbalanced now, in my view. Coriolis shows that many of the current incentives have little or no value to homeowners. Allow even more additional FSR (as this appears in the report to have some value), **reduce** (not increase) the setbacks particularly for smaller properties (discussed at length in my July 20 letter), etc. Property tax relief is a popular offering in other jurisdictions - no other taxpayers in Vancouver are having to accept a punitively expensive HCA! Consider other valuable creative factors not on the table now. What good ideas do other cities have for situations like these? Revisit ideas that were rejected along the way. A large amount of value appears to be extracted by the HCA process and needs to be replaced. The current proposals are not nearly enough. The enormous financial burden of implementing a HCA in First Shaughnessy is now proposed to be borne by the small group of owners. That burden does not fairly rest there and needs to be removed for this process to be equitable and a win-win.

Something that I think needs serious attention is the cost of renovating these old houses. Coriolis says it's about \$380 per square foot. Others say much more. I have to believe that a good part of this enormous cost is driven by applying current building codes to houses built 100 years ago. One of the architect speakers referred to this at the July 21 public hearing. There must be lots of room to look at the cost components and identify large chunks that can be 'relaxed' to deal with the financial reality of what the city is imposing on pre 1940 owners. Probably many of these code requirements are focussed on other city objectives such as 'green' but there has to be some judgment applied and some give-ups by the city to make the financial side of all of this make sense for the homeowners.

I believe more creativity and generosity needs to be applied to make the economics of retention at least neutral for homeowners - they certainly are not now. Otherwise, pre 1940 owners are big financial victims - and why should that be tolerated by anyone, including planning and city council? I strongly oppose the HCA proposals as they are now. I believe they're very one sided and punitive to pre 1940 owners.

Thank you for reading this.

Sincerely,

Bryan McKnight

s.22(1) Personal and Confidential

Hildebrandt, Tina

From: Correspondence Group, City Clerk's Office
Sent: Monday, September 14, 2015 11:38 AM
To: Public Hearing
Subject: FW: I disagree the proposed new rules for First Shaughnessy

From: Yang Catherine s.22(1) Personal and Confidential
Sent: Sunday, September 13, 2015 8:33 PM
To: Correspondence Group, City Clerk's Office
Subject: I disagree the proposed new rules for First Shaughnessy

Dear Mayor and Council,

My name is Jurong Lu and I am the owner of s.22(1) Personal and Confidential I strongly disagree and do not support the proposed new rules and regulations for First Shaughnessy. I understand that the Plan is set to protect pre-1940 buildings, but I think the blanket proposal is not only unfair, **unreasonable, impractical and uneconomical** to the pre-1940 house owners, but also harmful for the whole neighbourhood!

My family and I made the decision to purchase our family home in Shaughnessy because we appreciated the beauty, character and the history in this area. At that time, we considered about renovation, so we started to worked on the plan with a local construction company. After several discussion with constructor, and evaluate of the house condition thoroughly, we changed our mind. Because some reasons, we had to give up the renovation plan.

First, the position of the house in the lot is so close to the King Edward Avenue, I guess 89 years ago, when the house built, there wasn't so many traffic on the street, but now the traffic condition changed, so we prefer to keep more distance between our house and the traffic. Besides, the design and the floor plan of the house do not meet the modern way of life. A renovation can not change it.

Second, compare with the 20,000 sq. ft. lot size, the 3,600 sq.ft. unground floor Space is quite small and there isn't enough room for my family. It also is a waste of land.

Thirdly, as far as I know, old houses could have a lot of health and environmental risks. They could have mice , ants and mold problem before. Floor settling in old houses sometimes leave spaces big enough for mice and pest to gain access. And it is almost impossible to get rid of the pest problems. I care about my families's health, so I think rebuild would be a better choice, especially, by considering about the huge amount a renovation can cost, which is up to \$550,000.

Our house does not uphold the standards of characteristics of our neighbourhood and holds no heritage value. Now, we are keeping it as it is, but as time goes on and when we are ready, we feel that we should have the right to rebuild it to satisfy our needs.

Not just for my own house, also for the whole neighbourhood, I don't think a blanket ban for all pre-1940 houses is a correct way to go. A building that is not allowed to be demolished will decrease property value and would make a future sale more difficult, and renovating an old house is

a money pit, many residents don't want to spend the money that way, then the houses will simply grow older and more run down over time. A area filled with dilapidated houses is not what a prestigious neighbourhood should look like. I think the blanket proposal is not just unfair to the house owners, but also harmful for the whole community! So I ask that Council consider implementing the non demolition clause on a case by case basis by evaluating the current condition of the property, and the design of the proposed new dwelling. If the proposed design is appropriate for the neighbourhood, demolition should be permitted.

Thank you for your consideration. We trust that the regulations will be designed not only for the protection of the houses, but the interests of the residents.

Regards

Jurong Lu

Hildebrandt, Tina

From: alex wong s.22(1) Personal and Confidential
Sent: Monday, September 14, 2015 12:45 PM
To: Correspondence Group, City Clerk's Office; Public Hearing
Subject: proposal on designating First Shaughnessy prer 1940 houses as heritage houses

Dear Mayor and Council;

I live at s.22(1) Personal and Confidential with family members, a pre-1940 First Shaughnessy property. I disagree with and do not support the proposed new Heritage Conservation Area proposals for First Shaughnessy.

Yours truly,

Alex Wong, and members of the Wong family
Sept. 14, 2015

Hildebrandt, Tina

From: Correspondence Group, City Clerk's Office
Sent: Monday, September 14, 2015 1:01 PM
To: Public Hearing
Subject: FW: Re First Shaughnessy HCA - Letter for Council

From: Nicole Clement s.22(1) Personal and Confidential
Sent: Monday, September 14, 2015 12:46 PM
To: Correspondence Group, City Clerk's Office
Subject: FW: Re First Shaughnessy HCA - Letter for Council

Dear Mayor and Council,

I am a pre-1940 home owner s.22(1) Personal and Confidential in First Shaughnessy and have lived there for 16 years.

I absolutely object in the strongest terms to the adoption of the HCA, its supporting bylaws and in particular the naming of my property under the HCA.

My property has never been classified as Class A property and I would never have considered buying it if it had been.

For a number of reasons:

- 1) I could never have afforded to maintain a house to the required high standards;
- 2) I would not want to have to deal with those restrictions / impediments to personalizing my home.

I did not and do not want to become a custodian /steward of an "antique home" based on standards based solely in the discretion of the Director of Planning.

For example, currently the proposed Procedural Heritage Bylaws state that I cannot even change the colour of my house a without Heritage Alteration Permit.

If my house is deemed to be a designated heritage property, I cannot even do any building maintenance and landscape maintenance if "in the opinion of the Director of Planning" he determines that the maintenance "would detract from the protected heritage property, heritage character or heritage value".

I bought and paid for this property with the usual property rights associated with a fee simple property in British Columbia and I believed we live in a democratic society (it appears erroneously) where I would be compensated for any expropriation/loss of my rights. These rights are even contemplated by section 595 of the Vancouver Charter.

I represent a large number of the homeowners whose homes are their only major asset and cannot afford a decrease in the value of their homes. If you pass the proposed regulation you will effectively be expropriating my property rights without compensation which I consider to be contrary to my democratic rights.

Even by your own experts report page 30 on the Coriolis Report there is an acknowledgement that there could well be a 5-10% decline in the value of our homes. They state this loss would be offset by the increase in values...This argument makes no sense as we will never make up the loss relative to other areas in the city and will always be penalized relative to others. Moreover the Coriolis calculations, which I believe to be grossly underestimated the loss, supposedly takes into account the cost premium associated with renovation versus building new which according to our experts is not \$50 per square foot but at least triple that number i.e. in excess of \$150 per square foot.

Moreover, having recently walked through First Shaughnessy, I can testify there are numerous ample examples of pre-1940 homes which have no architectural or historic merit which would be evident to even the most unsophisticated eye. So it would appear hardly credible that each and every one of these properties is meritorious as stated in the Luxton report and I refer you to the letter of Robert Miranda, who agrees with my judgment and he is more than qualified make such a judgment given his degrees in Architecture and Architectural History from Harvard and Cambridge Universities. One can only come to the conclusion that the HCA approach is a scheme to sweep all pre-1940 homes into the "designated bucket" thus avoiding appropriate compensation payment to the pre-1940 home owners.

My fear is that the aim of your proposed plan will in fact lead to the demise of this area. Why would potential buyers elect to buy old pre-1940 homes in First Shaughnessy when just across King Edward in Second Shaughnessy they can buy houses and properties without these draconian restrictions? By extrapolation, if there are few buyers, prices will decrease, and the neighbourhood will cease to be revitalized by people willing to invest in these properties... it should be noted that 30 years ago the ownership of these homes was considered too daunting to most, such that many of the homes were in a terrible state of dilapidation. It has only been with the influx of property owners which the ability to maintain homes that we have seen a vast improvement in this quality and maintenance of this area. First Shaughnessy should be permitted to be a vibrant area for renewal.

I believe that this can be achieved simply by:

- 1) altering the current setback rules;
- 2) improving enforcement of the current rules; and
- 3) providing the type of incentives to the property owners that they want,

thus encouraging retention of homes rather than offering incentives which the homeowner does not want and expropriating fundamental property rights.

Please reconsider your position and do not pass these proposed regulations concerning the HCA.

Nicole Clement

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>

Hildebrandt, Tina

From: morris cohen s.22(1) Personal and Confidential
Sent: Friday, September 11, 2015 5:29 PM
To: s.22(1) Personal and Confidential Correspondence Group, City Clerk's Office; Public Hearing
Subject: s.22(1) Personal and Confidential

I have owned the house at s.22(1) Personal and Confidential since 1979. it was built in 1938
Freezing the zoning would be confiscating my ability to improve the property.
It has never been a quality structure, and has had many changes prior to my owning it so it can not be restored
where it would make economic sense.

I do object to the proposed changes intended for
the Heritage Conservation Area for First Shaughnessy

Morris Cohen
s.22(1) Personal and Confidential

Hildebrandt, Tina

From: edwin tai s.22(1) Personal and Confidential
Sent: Sunday, September 13, 2015 10:37 AM
To: Public Hearing
Subject: Proposed By-laws on First Shaughnessy Pre-1940 Houses

Mayor and Council Members,

Subject: Proposed By-laws on First Shaughnessy Pre-1940 Houses

First Shaughnessy is not the only district in Vancouver with Pre-1940 houses. If the City has sufficient proof, which I seriously doubt, that ALL Pre-1940 houses should be retained, then this should apply to ALL districts in Vancouver. I also question that when a Pre-1940 house with water leak history and strong smell will affect the health of the residents if it is not allowed to be demolished.

As such, I strongly disagree and object the proposed by-laws.

Yours truly,

Edwin Tai

s.22(1) Personal and Confidential

To - Mayor of Council,


I, MICHAEL CAM OF the City of Vancouver,
I strongly Reject the new Rules and do
not want this to be a Special Heritage
AREA, and I am Happy with the ~~new~~ old
Rules.

s.22(1) Personal and Confidential

VANCOUVER 21/7/2015

Vancouver July 21 / 2015

My name is DUNG HUE LUU

Email address: 

To: Mayor & Council,

re: First Shaughnessy Heritage Conservation Area

I'm opposed the about Rezoning and happy

With old Rules

Best Regards

DUNG HUE LUU

s.22(1) Personal and Confidential


My name is Susam Trac (sieou sei)

email address :

s.22(1) Personal and Confidential

To Mayor & Council,

Re: First Shaughnessy Heritage Conservation Area.

I am opposed the about rezoning.

Reason: I am very happy with the old rules.

s.22(1) Personal and Confidential

Susam S.S. TRAC.

Hildebrandt, Tina

From: Correspondence Group, City Clerk's Office
Sent: Monday, September 14, 2015 11:14 AM
To: Public Hearing
Subject: FW: HCA proposal

From: Nancy Tchou s.22(1) Personal and Confidential
Sent: Friday, September 11, 2015 10:46 PM
To: Correspondence Group, City Clerk's Office
Subject: HCA proposal

I am against the adoption of the bylaws which propose to designate First Shaughnessy as a "Heritage Conservation Area ". Just because the building is old is worth preserving . Many of the pre-40 buildings are unexceptional. They have no heritage value. Any heritage designation should only based on CASE BY CASE HERITAGE MERITS AND NOT ON AGE !

Nancy Tchou

Terrie Hashimoto

s.22(1) Personal and Confidential

City of Vancouver
City Clerk's Office
453 West 12th Avenue
Third floor
Vancouver, BC, V5Y 1V4

September 11, 2015

via email: mayorandcouncil@vancouver.ca

Dear Mayor Robertson, and City Council,

I am a resident of s.22(1) Personal and Confidential and I would like to express a few of my concerns regarding the proposed new re-zoning changes. I live next door to a subdivided lot, which gives me a clearer picture than most residents of what can happen when you are a neighbor to two houses next door, which is similar to "In-fill" on a large property. The planning committee feels this "In-fill" will be compensation for not being allowed to demolish a pre-1940's house. These houses with in-fill laneway, or coach homes would like to build to the maximum FSR by building 3 - 4 vehicle underground garages, with severely sloped driveways in place of the garden streetscape that the Heritage area conservation plan envisions. These large steep driveways which have become very popular in order to utilize Maximum FSR are a heavy load on the sewer system and already the streets in this area are being dug up for sewer repair. Many of the new residents have their new front or back yards made of concrete which is also taxing on the sewers.

Forty years ago the 100' X 200' lot next to our home was subdivided into two 100' X 100' lots. These smaller lots, less than 13,000 sq. ft are no longer allowed because of the loss of sunlight and loss of streetscape. After residing for over 40 years next to this error made by the city, I can say that it is not pleasant to live with a house sitting next to your front garden, as well as another next to your back garden. We have lost all the sunshine in our backyard since the neighbors have grown a hedge of 70 foot high cedars along the property line. Neither of the two lots are properly cared for, so we have to live next to two properties that are eyesores. There must be a better solution than to permit "Infill" on large properties. There are very few streets left in Vancouver with large lots with garden settings. Why not clamp down severely on building huge houses that extend out close to the sidewalks, and eliminate steep underground driveways and garages. These driveways gives neighbors the feeling that one is living next door to Costco or Home Depot parking entrances.

I also object to the benchmark designation that all pre-1940 houses be declared "Heritage". When we purchased our home 43 years ago we did not purchase a Heritage house. We certainly would not purchase our house today, if we could no longer feel we have the freedom that we had 43 years ago to make decisions about the character of the outside of our home. It is very unfair that the recent new residents should continue to have all the freedom to do whatever they decide to do with their architects, but we who have had this designation randomly slapped onto our homes should have our future plans cancelled by this designation. We have built a beautiful Japanese garden with a view to one day demolishing our present home to build a new Japanese-styled home to enhance the garden setting that we have established over the years. We do not wish to spend 3 times more (as the Corialis report

indicates), to renovate a facade just to meet the pre 1940 designation. Our vision was to build a Japanese styled home which would enhance the character of the area and could perhaps one day earn a heritage designation . Our present home does not meet any of the desired heritage characteristics with the exception that it is was build before 1940. I believe that more thought should be put into the criteria for designating a house to be "Heritage". In order to work around the Heritage designation, many homeowners will be tempted to neglect their houses until they become structurally unsound and very unsightly. It will be difficult for the city to enforce or penalize homeowners who neglect their properties. A good example are the two properties I mentioned next door to us.

When I am a tourist in other cities, I am particularly interested in the homes of famous scientists and artists, musicians and poets such as Louisa May Alcott, H.Thoreaux, Paul Revere, Roentgen inventor of Xrays, Mozart , Alfred Nobel, etc. The City of Vancouver should concentrate more on our famous past residents such as H.R. Mac Millan, Arthur Erickson, Emily Carr, Bill Reid , philanthropists like W. Koerner , as well as some of our First Nations, and political figures instead of preserving pre 1940 homes without any character or outstanding architectural features. Even Antoni Gaudi's buildings in Barcelona, Spain would probably not be approved by a Vancouver planning committee today. Something gaudy can become a beautiful historical building as time passes, and the merits of the person becomes apparent to future generations.

Many Shaughnessy historical homes have already been demolished and the area has already lost much of the heritage qualities it used to have. A knee jerk reaction to fix all this is not a solution. The heritage plan just needs to tighten up by implementing much stricter building zoning by-laws . A start towards a solution is to stop digging deep underground garages with steep driveways, decreasing the FSR, and encouraging more garden space and forbid large concrete yards which require holding tanks for the sewers. Subdivision of lots and in-fill or laneway houses should not be allowed. In-fill housing has the same negative impact as subdivision of properties into smaller lots. In the future, in-fill will become another nightmare for the adjoining property owners , as it has already been for us as neighbors to a sub-divided lot.

We have lived in our Shaughnessy home for 43 years and would hate to have to leave it now. Please try to amend some of these new problems without penalizing the long term residents who have maintained their houses and have strived to contribute to preserve this area in some small way. The desire of these newer and recent residents to build and live in this area exists because of those of us who have raised our families here and helped to successfully convert this area from one made up largely of multiple dwellings, brothels and special needs and care facilities in the 1970's to the primarily single family area that it is today. Perhaps if these new builders and homeowners became more aware of the history and and heritage of this area they would be more respectful of the residents who presently reside here and continue to maintain their original Shaughnessy homes in Shaughnessy while they are building their new "dream" homes (which are presently being built with very few building restrictions) . One person's so called " dream" home can be a nightmare for their neighbor, who loses their view and streetscape and has a dark shadow cast on their property from their new oversized, over height house next door.

Thank you for allowing me the opportunity to express how I feel about the Heritage conservation plan . I am against "In-fill " and I am against the " benchmark of Pre 1940's" for all the reasons I have stated above.

Sincerely,
Terrie Hashimoto

From: **First Shaughnessy Pre-1940 Group**
s.22(1) Personal and Confidential



Subject: **First Shaughnessy Form Letter**
Date: **September 10, 2015 at 4:03 PM**
To: **undisclosed-recipients: ;**
Bcc: **s.22(1) Personal and Confidential**

I understand there may be a problem opening up the form letter we just sent out. I am resending it as a PDF. If you still have trouble, just let us know.

TO: **Mayor and Council of the City of Vancouver**

I am wholeheartedly against the adoption of the bylaws which propose to designate First Shaughnessy as a "Heritage Conservation Area". This is a shingonous and sweep-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 395 of the Vancouver Charter (SBC 1955) Chapter 35.

Please do not pass these proposed bylaws.

Date: September 11, 2015
s.22(1) Personal and Confidential

SUZANNE OWEN

Phone number: s.22(1) Personal and Confidential

Address: **Vancouver B.C.** s.22(1) Personal and Confidential

Mr. & Mrs. Jack Hoy

s.22(1) Personal and Confidential



September 11, 2015

Attn: Mayor Gregor Robertson & Council
City of Vancouver
453 West 12 Avenue
Vancouver, B.C.
V5Y 1V4

Re: Proposed Heritage Development Plan Designating the First
Shaughnessy Conservation Area

We have lived with our family at the above address since 1970. We have appreciated the character of our neighbourhood.; we enjoy its heritage style, the single-family dwellings, and the quiet neighbourhood.

We feel that over the years, architects and developers, under the current bylaws have not only maintained but have improved and enhanced the neighbourhood's heritage character. With the proposed changes, density on properties and roadways will increase which would have a detrimental and negative impact on our neighbourhood.

We feel it does not make sense to arbitrarily assign pre-1940 homes in Shaughnessy as the condition and heritage style of such homes merits a case by case assessment by the city to determine the suitability for redevelopment under the proposed plan. How does a 1941 home differ from ours?

Under the proposed plan, we would lose our homeowner right to maintain, redevelop or rebuild our house and land as we wish. At any time, the city can impose fines if we do not comply with their request to

complete work as they see fit. As compared to any other homeowner in Vancouver, we would be restricted and lose the right to independently decide what we choose to do, from new construction to landscaping to maintenance. This would clearly devalue our property because a potential buyer will naturally opt for a post-1940 non-restrictive property. The prohibition on demolition, and rebuilding and maintaining homes will comparatively cost homeowners much more to build and live. The City of Vancouver will be creating a financial discrepancy between pre-1940 and post-1940 homes. As a City of Vancouver taxpayer, where is the compensation for this? Unfortunately, not only will there be none, our homes will be less marketable and more difficult to sell.

Please listen to the 317 pre-1940 homeowners and revise an equitable plan that is going to maintain the heritage character throughout all of Shaughnessy, as we are a small percentage of the neighbourhood. Equally important would be to inform and allow non pre-1940 homeowners to be a part of this process so they can understand the impact this will have on their neighbourhood and participate in this discussion. The impact on the proposed changes is unjust. We are in opposition of the proposed plan.

Yours truly,

Jack Hoy
Lily Ann Hoy

Hildebrandt, Tina

From: Correspondence Group, City Clerk's Office
Sent: Monday, September 14, 2015 11:23 AM
To: Public Hearing
Subject: FW:

From: Lily Horng s.22(1) Personal and Confidential
Sent: Saturday, September 12, 2015 11:50 PM
To: s.22(1) Personal and Confidential Correspondence Group, City Clerk's Office
Subject:

Dear Mayor and Council:

I live s.22(1) Personal and Confidential a pre-1940 First Shaughnessy property for 30 years. When my parents bought this property in 1985, this house was in very bad condition. The roof was leaking and the second floor was not in working condition at all and kitchen was in before 1950's condition and there were many " DANGER OR DO NOT ENTER" signs posted inside the house. It was due to the previous owner who lived in this house for 28 years didn't spent any money to maintain or upkeep this house. It was an eyesore in this area. My parents decided to renovate this house to livable condition and adding 400 sq ft to the main floor. Then we found out we needed a city approval for this renovation. At the very beginning, our applications were refused by city council due to our lot size is too small (98 x 102), we didn't have enough space between our house to our neighbour property line to qualify city's requirement and there were many restriction and regulations. We almost gave up this house.

Fortunately, our friendly old neighbour s.22(1) Personal and Confidential property owners wrote supporting renovation letters to the city council then we received a permit after public hearing. During this 30 years. I have seen many changes in this neighbourhood. My north side neighbour changed from a rundown boarding house to newly renovated house. I had seen a few houses on fire due to some unknown reasons. We had thought to renovate this house to better condition 10 years ago and the quotation of the renovation was way higher than rebuild a new house. Not everyone living in this area has an abundance of money to comply with city's renovation regulations. My lot size is too small to accommodate any additional living space to the current house. The new Heritage Conservation proposals deprived our ability to making decisions about our house. I enjoy living in this area but I do NOT agree with city Council restricting owners' right to their properties. I seriously believed that my rights of control and enjoy my house have been violated. For the sake of fairness of Vancouverite, City Council should set the same restriction to all pre -1940 houses currently exist in Vancouver not just limited to First Shaughnessy area.

I disagree with and do not support the proposed new Heritage Conservation area proposals for First Shaughnessy.

Sincerely,

Lily Horng

ROBERT LEMON ARCHITECT INC.

13 September 2015

Mayor and Council, City of Vancouver

re: First Shaughnessy Heritage Conservation Area / Heritage Action Plan

The continuation of the Public Hearing about the creation of a Heritage Conservation Area has prompted me to comment on both the Shaughnessy debate and the Heritage Action Plan. From my 36 years of architectural and heritage experience in Vancouver, part of it as a former Senior Heritage Planner, I offer these suggestions which stem from the position that the owners of heritage buildings – and those that embark on their conservation - are the best advocates for the city's heritage and should be encouraged to do so by a robust, fair and fluid Heritage Program.

FIRST SHAUGHNESSY

The effort to protect Shaughnessy from demolition is laudable and I support the creation of the city's first Heritage Conservation Area. But this needn't entail the selective designation of all pre-1940 properties. Burdening pre-1940 properties – some without any heritage merit - with designation is a backhanded way to preserve them. And, as heritage merit is not a criterion, is contrary to goals of a *Heritage* Conservation Area. Rather, ALL properties in First Shaughnessy should be treated equally, with a system to recognize properties with heritage merit which would enjoy density incentives and expedited processing for renovation. New buildings would be allowed on non-meritorious sites and of a much smaller size than is allowed now and through a more rigorous design review.

It has been argued that designation in this plan comes with a package of retention incentives (in lieu of financial compensation as is done elsewhere in the city). However these incentives are not that different from what have existed since the First Shaughnessy ODP was established in 1981; infills and multiple conversations have been possible for the past thirty-four years. Yes, the current plan offers another type of dwelling – a coach house – as well as more sites for infill by lowering the minimum lot size. Again this is nothing new, as exactly that was proposed in my review of the First Shaughnessy OPD for the Shaughnessy Heights Property Owners Association back in 1991 and never acted on by the city.

It would be better to lower the floor space requirement for all properties in FSD to the point where larger heritage houses equal or rise above this limit, making them more clearly attractive for retention (this system could work city wide, see Heritage Action Plan below). And make it more onerous to build a new house, and thereby shifting the burden to the new houses from the heritage ones. The permitting process for renovation should be expedited for heritage properties.

I suggest that the Heritage Conservation Area plan be revised to do the following:

- A. Treat ALL of the properties within the proposed HCA in the same way
- B. Establish a protocol to determine heritage merit
- C. Reduce or eliminate a Floor Space Ratio and further refine the site area and other regulations to favour retention of heritage meritorious buildings
- D. Extend incentives only to heritage meritorious sites

First Shaughnessy / Heritage Action Plan

- E. Allow new buildings only on non-heritage sites and at a smaller size and be subject to a more rigorous approval process

HERITAGE ACTION PLAN

What is forgotten in the current debate about Shaughnessy is the broader study called the Heritage Action Plan, going back to November 2013. Sadly the Shaughnessy Heritage Conservation Plan has overshadowed the efforts to make real changes that could boost preservation of heritage buildings across the city. Many of these are administrative and procedural shifts that would not require a Public Hearing, blanket designation nor incite such opposition from the very people who have been custodians of heritage buildings all along. I offer thirteen suggestions.

Vancouver Heritage Commission / Statements of Significance

Inquiries to city staff about heritage properties almost always start with the requirement to have a Statement of Significance (SOS) written – at the owner’s expense – then vetted *in camera* by the Vancouver Heritage Commission. An SOS is a “values” based, qualitative description of a heritage sites’ significance, unlike the pre-existing Vancouver Heritage Register (a Council adopted policy document) which is more measurable and quantitative. Having the wording of an SOS approved can take months, long before any permits are applied for.

This was not always the case and needn’t continue to be so. In fact there is no Council policy regarding the requirements or procedures for an SOS. And what many people do not know is that once an SOS is written, it gets sent to Ottawa, without the owner’s consent or knowledge, to be included in the Canadian Register of Historic Places. While it is useful to have a comprehensive list of Canadian heritage properties, the long-term affect of such a national listing is not known. And the wording of the SOS that accompanies this CRHP listing can edited along the way and is subject to interpretation and often-stringent application. The city’s own Vancouver Heritage Register (VHR) has criteria to quickly determine if there is any heritage value to a property. I suggest this as an alternative to speed up the processing of heritage projects that are not already on the VHR:

1. Have Council endorse the use of SOS’s; then publish the procedures and the requirements for SOSs in the Heritage Policies and Guidelines
2. Use VHR criteria for an initial heritage review; if it meets this criteria then have an SOS prepared as part of permitting process, not before; advise the owner of the city’s intent to forward the SOS to the Canadian Register of Historic Places
3. Review the procedures of the Vancouver Heritage Commission with respect to SOSs; reduce secrecy by making it open to the applicant / owner

Zoning and Building Regulations and Permitting

Heritage sites always will be at a disadvantage with respect to zoning and building regulation in that they predate the very by-laws that they are stuck with. In planning parlance, they are deemed “existing non-conforming”. A better approach is to deem all existing building “conforming” and eligible for zoning provisions that accommodate existing conditions, rather than deeming them “non-conforming”. As noted in the discussion about First Shaughnessy, the pressure to protect

First Shaughnessy / Heritage Action Plan

heritage houses across the city would be reduced by making new houses smaller, so that retention becomes a more viable option.

Building codes make the conservation of a heritage building complicated because they unfairly have to meet compliance requirements put in place long after they were built. The regulations get more restrictive with each new version of the Vancouver Building Bylaw. While there are compliance alternatives built into Part 10 of the VBBL, often the use of these alternatives is hampered by caution by COV staff in accepting these; risk management trumps retention of an existing condition. Applicants are often caught between conflicting views of the Heritage/Planning staff and that of the Building Department. The heritage building usually loses out by being unfortunate enough to have heritage features – fine wood frame windows (but are not double glazed), wood siding that has performed well for decades (but is not a modern rain screen) and attractive handrails (that are not up to current codes). City Council can address this imbalance and encourage heritage conservation by:

4. Revise zoning to eliminate “existing non-conforming” definition; existing and heritage buildings should be grandfathered as “existing as of right”
5. Reduce FSR throughout all residential zones, make new houses smaller and heritage houses more attractive to retain more difficult to approve
6. Have Council direct staff to make liberal use of Part 10 provisions for compliance alternatives already in the VBBL
7. Consider a special “heritage permit” process combining planning and building reviews in a one-step application

Incentives

There are incentives already in the Heritage Program, but more could be established and policies changed to benefit heritage sites. Once, incentives like additional building on a site were only allowed on heritage sites; infills for example. With the introduction of the Laneway house, which was not restricted to heritage sites, heritage lost out on this incentive. The once robust Transfer of Density program should be revived for heritage buildings. As a major property owner, the City of Vancouver itself should adopt a policy to reuse any existing COV-owned site before building anew. This would reinforce not just its heritage value but also the benefits of sustainability by making use of existing resources, as part of the Green City initiative.

8. Increase incentives for VHR listed buildings
9. Allow laneway houses only on sites listed on the Vancouver Heritage Register
10. Revive the Transfer of Density program and clarify criteria, areas, policy, and procedures
11. Adopt a policy to reuse an existing COV-owned building before building a new one

Federal Government

Finally, and certainly not lastly, the City of Vancouver should seek support for heritage conservation, on behalf of private properties owners, from the Canadian government. During the current federal election campaign, nothing has been said about what each party is doing to protect and promote heritage.

First Shaughnessy / Heritage Action Plan

Our American neighbours have for decades had a robust program of federal income tax credits for investing in the preservation of heritage buildings. For a very brief period, Canada had a modest program of grants for commercial heritage properties – one of the three components of their Historic Places Initiative (the Canadian Register of Historic Places and a set of Conservation Guidelines are the only parts which survive). I suggest Vancouver City Council lobby for a federal tax incentive to encourage private investment in heritage buildings. Citizens should ask which party is prepared to do so and vote according.

13. Lobby federal government to introduce a tax incentive for heritage rehabilitation.

In summary, before wading into the sticky mire of designating – and perhaps compensating - expensive properties in First Shaughnessy as a means to protect them, there are a number of things that the City of Vancouver could do to preserve Shaughnessy and reboot its Heritage Program and in the process gain support from both the heritage community and the owners of heritage property city wide.

s.22(1) Personal and Confidential



Robert G. Lemon Architect AIBC

- cc. Penny Ballem, City Manager
Brian Jackson, General Manager of Planning and Development Services
Marco D'Agostino, Senior Heritage Planner
Don Luxton, Donald Luxton and Associates
The Editor, Vancouver Sun