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**Public Input**

12. **Public Input** - submissions from the public for the Public Hearing
Thomson House/ 360 East Windsor Road HRA
Public Information Meeting
Holy Trinity Parish Hall
March 1, 2016

Summary Report

Presenters:
Kyla Gardiner: member of the Heritage Preservation Society, and Realtor
Donato D’Amici: Home Owner
Kathleen Larsen: DNV Community Planner
Robert Blaney: Architect, Robert Blaney Designs
Donald Luxton: Luxton and Associates, Heritage Consultant

Q & A Responders:
All presenters and Mariana D’Amici

Facilitator: Brenda Chaddock, Odyssey Leadership Centre

The evening opened at 6:15 p.m. with refreshments, an informal viewing of the boards and conversation with the project consultants. There were displays around the room showing area maps, definitions of HRA's & what Designation is, 3d Renderings of Proposal, House Plans, & the Site Plan.

At 6:45 Brenda opened the formal portion of the evening, introducing the Presentation Panel and going over the agenda.

She reminded the group that there are a variety of ways that they can have questions answered and communicate their thoughts, concern and opinions.

These include:
- Ability to have questions answered verbally with the panelists / consultants within the evening
- The meeting is being recorded by several note takers
- There are Comment Sheets available for people who choose to put their words in writing
• Kathleen Larsen, the Community Planner at the District of North Vancouver on this project welcomes calls to provide more information
• The public is welcome to attend the presentation to Council

There were approximately 100 people in attendance, well beyond anticipation of numbers. Attendees were from North Vancouver, Vancouver, Burnaby and Port Moody.

The age range in attendance was approximately 10% 25-35 years old, 20% 35-50 years old, 45% 50-60 years old, & 25% 65+ year old people. It seemed that the younger & older generations were in favour of the HRA while the 50-60 year old attendees were against (This information gathered, calculated and commented on by a D’Amici family member).

Formal Presentations began at 6:45 p.m.

Kyla Gardiner: spoke as a member of the Heritage Preservation Society. She described the canvassing she had done & the overwhelming support in favour of the HRA. She informed the attendees that there are approximately 320 homes in the RSQ Zone of which 69 are 100' wide lots & 8 of those have the possibility of an HRA which equals 1% of homes affected or 12% of all 100' lots. Kyla brought attention to the fact that almost every community in the world is trying to preserve their heritage, and that this is an amazing opportunity to save the Thomson House & keep it in the community for another 100 years.

Donato D’Amici: the homeowner spoke about who his family is & why they are working with the District of North Vancouver to preserve the Thomson House. He is married to Mariana, and they have two children, ages 3 & 2. He is a 4th generation Canadian & resident of the district of North Vancouver. His family has lived here since the 1920's & have played an integral part in the building of North Vancouver. His family has helped employ hundreds of people, including aboriginal people & immigrants.

The D’Amici family lived in the Thomson house for some time before deciding to build their dream house. Donato spoke of how the home’s foundation was leaking & other issues so they decided to build sooner than later. They hired the Robert Blaney Design firm & spent a few months designing the home. They moved out in September when the District of North Vancouver cut services off. Robert, the architect, assured Donato that the DNV had approved construction commencement so the green light was given to raise the home. Donato went to pick up the permit the next day and was given the news that the Heritage Department had placed a hold on his permit. Kathleen Larsen, Community Planner, informed Donato that a bylaw had been passed recently that gave the DNV power to hold the permit for 3 months in the event they could convince the D’Amici family to not alter or demolish the Thomson House. Kathleen referred Donato to Heritage Consultant Donald Luxton in hopes he would help guide the process.
Throughout the course of trying to find a resolution, Donald & the DNV recommended subdivision through an HRA as a possible solution. From Donald's experience, he has seen this work well throughout many communities. The D'Amici family were concerned as they spent the previous 7 months planning a home that they could settle in. After a few more meetings with Donald & Kathleen the D'Amici's were convinced that this plan was essentially the same as the previous one with 2 residences, one for the in laws and one for the D'Amici's. Through the HRA Proposal the Thomson Home would be restored, designated & legally maintained, with incentive through subdivision. The new lot's home would follow a design guideline set forth by the DNV & Donald Luxton to ensure its front massing, landscaping, & home design have heritage elements complementary to the area & appear as if it has always been there.

The D'Amici's felt this was a win-win option given the number of people who approached them asking them not to demolish the home. Donato shared that if the HRA was not passed they would be forced to sell the Thomson House from financial losses due to the HRA process. The fate of the home would inevitably result in demolition due to land value. Donato spoke of his experience as a builder, whose homes he's sold, now sit empty from foreign buyers. He also said that where his family rents now in North Vancouver, the whole block is being torn down for large spec homes built by a foreign developer. Donato fears all the heritage homes on large lots will be demolished in the RSQ Zone for large homes that will be unaffordable to people in the community, like the homes in West Vancouver and parts of North Vancouver. His last comment was about what type of future our children would like to see, and if heritage should be preserved and affordable for them. His belief is the same as the Districts OCP which "is to ensure that the community has a clear sense of identity and place and a legacy that links our past, present and future".

Kathleen Larson: described the application process, beginning with informing local residents who may be affected by the development, with information and an invitation to attend the Public Information Meeting. Following the meeting the project may be revised to reflect comments and concerns identified. There will be additional opportunity for public comments when Council considers the project. She guided attendees to online information at the DNV web site.

Robert Blaney: The architect for the project told the attendees he has resided in North Vancouver his entire life attending school & working primarily in the District.

He believes the District of North Vancouver, Donald Luxton, and the D’Amici’s have come up with something spectacular. The objective of the proposed HRA is first and foremost to restore the Thomson home and ensure its future sustainability. The foundation of the home will be re-built furthering the structure's longevity, and will be covered with rock cladding to look the same as original rubble faced foundation. The grass & paver driveway will lead to a parking area beside a coach house that has taken design elements from the Thomson House. In order to keep the front & side elevation's architectural elements intact the proposal includes a small renovation to the rear top floor of the home. The addition of the coach house plays an important role in the continued preservation of the Thomson House because additional needed square footage for rental income is provided without further impeding on the design and heritage value of the home. The plan is to meet the needs of a family of today and for the future, but not to take away any character defining elements.
The new residence was also designed under the guidance of the District of North Vancouver and Heritage Consultant Donald Luxton. They wanted to create a home that met the needs of the D’Amici’s but also had heritage elements that would make the home appear as if it had been a part of the community for quite some time. They also took into account home sizes in the area so the new residence would conform to the overall appearance of the area. The new residence’s top floor has been designed in a way where the west part of the upper floor is living space and the east side is roofline. This gives greater separation & sightline to the east neighbouring property of rooflines. The garage is also designed so the roofline’s rise is small near the east property line & rises into the property.

The main floor elevation on both homes has been designed 3’ lower than the Thomson House’s current elevation, lowering rooflines for neighbours. The new residence has a small frontage of only 34 feet. Both homes combined have a frontage of 62 feet which is 18 feet smaller than the allowable 80 foot frontage. There is also over 20 feet of separation between the homes with mature trees & landscaping to soften the driveway. So, in a sense, this proposal is less imposing visually than if one new home were to be built on the existing lot. Garages have been placed at the backs of the properties for a more aesthetically pleasing appearance from the street, while keeping available parking off the street. Mature trees have been planted, and there are plans for more to come to keep privacy and soften the landscape. Two new boulevard trees will be planted where they once were years ago. The team’s overall vision is to create a site that would be aesthetically appealing and in keeping with the feel of the neighbourhood.

**Donald Luxton:** spoke on the brief history of the District of North Vancouver & how the landscape is ever changing. He spoke of the necessity of HRA's to keep heritage homes in the community & the importance of their identity in our city. He described how other cities have embraced HRA's & are thankful for not losing anymore Heritage homes in their community. Donald reminded the attendees that the Thomson home has been a part of the community for over 100 years & the next generation of homeowners will appreciate the connection to their past.

**Q & A**

This was a challenging meeting to facilitate and for the panel to respond to questions, as the group was much larger than anticipated and a small number were intent on making their feelings known, so their remarks often came out as comments rather than questions. Midway through the evening Kathleen stepped in to say, on behalf of the District, how important it is to keep communication respectful. Brenda reminded participants to direct their questions and comments to the panelists and to refrain from engaging other participants in conversation.

**Comments:** 2 gentlemen said that they bought in the area many years ago & resided on 100' lots (width). They were concerned this would lead to subdivision of other homes in the area. Neither gentleman had a question.
Q: "Why was the first permit not allowed, who made this happen?"

R: Kathleen from the District of North Vancouver: They put a hold on the original permit in hopes of convincing the D'Amici family not to alter or tear down the Thomson home.

Q: What is the difference between one big house & two houses with driveways?

R: Robert: The massing is different, so visually you would see a smaller structure from the front. Plus there is 20' separating both homes with a driveway that has grass pavers & is further softened by mature trees. He explained that the coach house is only a 1 bedroom, so it would be 1 renter, and the new home has a small 2 bedroom suite. He also explained the time & effort spent on this plan & if someone else were to build on this lot it would be very likely to be a spec house with little to no landscaping.

Comment: "the majestic beauty of the area is in the heritage of the lot lines".

R: Donald – the heritage is, in fact the house, not the lot.

Comment: My grandfather came to this country with no money & bought land from others who owned before him. Other people in our community need land too. Young people can't afford to buy homes; the older generation is not compassionate with the younger generation’s needs. No question was asked

Q to Kathleen - Why wasn't I notified of the public meeting? Additional he comment, "Let the homeowners do what they want with their property."

R: Kathleen: Pamphlets were given to a 75 meter radius of residences & a sign was posted on the property. If you aren't in that area you were not given notification.

Q: Can the D'Amici's go back to the original plan instead? Why can't the Thomson house just be renovated?"

R: Donald Luxton - The heritage significance would be altered too much through a "renovation" of adding more than 6000 sq. ft.

R: Donato: If the HRA proposal does not go through, they would be forced to sell due to financial costs from the HRA process. The old plan is no longer feasible.

Comment: I want the D'Amici's as neighbours but I bought 20 years ago & I want the lot lines to stay the same. No question was asked.

Comment: directed to the District of North Vancouver. "It is interesting to note that the people here voicing their displeasure at the district’s proposal for a heritage revitalization effort are conveniently ignoring the fact that the homeowner is fully within his rights to demolish this home. The majority of the residents of the lower mainland in today’s real estate market not only see the revitalization of a heritage home as a responsible act, but a moral one, given the incentive property prices in today’s market provide to build bigger and more luxurious homes. The trade-off of a subdivision on an
enormous lot for the sake of saving and preserving a heritage home is not only responsible, it is frankly a no brainer. Of course, the people who purchased their homes thirty years ago for $130,000 are irked by the notion that simply because their idea of what was doesn’t match with today’s needs and the fact that the District is addressing a grey area is bothersome to them. Don’t like the idea of this modest trade off that the community wants? Great, don’t do it on your lot then. Kudos for the district for spearheading this motion, and if the Council votes against this notion it will be a public relations nightmare for them." No question was asked.

Q: to the D'Amici's: What would you like to do with the property, build a large home or go through with the HRA?

R: Mariana - Initially the large home was what I wanted but now that we have been given the opportunity to build a home for ourselves and keep the Thomson home intact, it feels like a better choice. Unfortunately now, if we are not given the designation & subdivision we will not be able to revert back to our original plan because we have invested so much going in this direction."

After the formal meeting was adjourned, some attendees approached the D'Amici's & apologized for other attendees’ remarks. They said they were disinclined to speak up in favour of the HRA in a hostile environment.

In summary of the presentations, questions & comments:

**HRA Positive Impacts are:**

- The community retains the D'Amici family who have been contributing members of North Vancouver for almost 100 years
- Preservation of heritage
- It creates an opportunity for more affordable housing within the community
- The District bylaw to hold the D'Amici's permit for 3 months "worked" to help convince them of saving the Thomson House
- The HRA aligns with the District's official community plan which is designed to meet the needs of present & future generations
- A New Residence & Site Plan have been customized under the guidance of the DNV & Donald Luxton (Heritage Consultant) with timeless heritage elements integrated into the design that conforms to area surroundings
- This approach avoids the unnecessary environmental impact of over 100 tons of waste from demolition
HRA Negative impacts are:

- Breakup of a lot line
- Potential for more rental/people in area
- Fear that this will lead to further subdivision in the area
- Fear that homeowners are trying to make money
- The D'Amici family sell the Thomson House & foreign buyers purchase the property & demolish the home to build a large spec house that is not conforming to area & unaffordable for anyone in the community

Following the meeting Donald Luxton added these points:

- This is a modest proposal
- HRA provides incentive and long term protection
- This proposal is not a precedent and is not illegal
- It reflects local government Act
- Heritage revitalization has been in process since 1994
- New Westminster has a vital set of Guidelines

There were more than 90 Comment sheets completed, all in support of the project with the exception of one emphatic no. Some of the Comment Sheets came from Vancouver, Burnaby and Port Moody.

Submitted by
Brenda Chaddock
Odyssey Leadership Centre
“I never saw a discontented tree. They grip the ground as though they liked it, and though fast rooted they travel about as far as we do. They go wandering forth in all directions with every wind, going and coming like ourselves, traveling with us around the sun two million miles a day, and through space heaven knows how fast and far!” – John Muir

SITE ASSESSMENT

Prepared for: Donato Damici
donatodamici@gmail.com

360 East Windsor, North Vancouver

September 20, 2015
Peter Brinson – Qualifications

Tree Risk Assessment Qualification, International Society of Arboriculture, 2014

Climbing Arborist Assessor, #00002-TBR-14, 2013

Certificate of Qualification in the Trade of Climbing Arborist, #00001-TB-13, Industry Training Authority, 2013

Certificate of Qualification in the Trade of Arborist Technician, #00003-TA-10, Industry Training Authority, 2010

International Society of Arboriculture Certified Tree Worker/Climber Specialist, PN0286AT, 2007

Certified Hazard Tree Assessor, ISA, CTRA053, 2006

Davey Institute of Tree Sciences, Kent Ohio, 1999

Certified Arborist, National Arborist Association, 1994

International Society of Arboriculture Certified Arborist, PN-0286A, 1993

Integrated Pest Management, Camosun College, Victoria, 1993

Entomology, University of Victoria, 1991

Forest Pathology, Malaspina College, Nanaimo, 1990

Peter Brinson – Experience

Kwantlen Polytechnical University – Lead Instructor, Climbing Arborist Apprenticeship Program

Camosun College – Instructor for Arborist Technician Apprenticeship Program

Kwantlen Polytechnical University – Instructor for Arborist Technician Apprenticeship Program

Electrical Institute Training Institution – Instructor for Utility Arborist Apprenticeship Program

President, Arborist Training Solutions

General Foreman, B.C. Plant Health Care Inc.

Crew Foreman, Riteway Tree Service Ltd.

General Foreman, Davey Tree Services

President, CMDL Tree Surgeons Ltd.
PURPOSE

On September 15, 2015, I attended the property at 360 East Henderson Road in North Vancouver to evaluate the trees for hazards and make recommendations for preservation during construction.

OBSERVATIONS

The landscape is well established running north to south. To the north on the property line, there are several large mature Western red cedars (*Thuja plicata*) bordering the neighbour’s property. On the northwest corner there is a mature Western red cedar also on the property line. On the east side of the property, there is a row of Western red cedar and hemlock trees, some of which are on the neighbour’s property. These trees have been topped many times to reduce their height and, because of this, several pose a significant hazard. The front or south side of the property has several deciduous trees, one of which is a city boulevard tree.

SITE ASSESSMENT

I used a mallet, an 8 power monocular, a diameter tape and a shovel when doing the assessment. All trees have been tagged for reference.

Northwest Corner of the Property

Tree #98 Western Red Cedar (*Thuja plicata*) – On the Neighbour’s Property

The diameter at breast height of this tree is 79 centimetres. It has one trunk. The height of the tree is 23 meters with a crown spread of nine meters. The live crown ratio is over 75 percent with a canopy that is slightly asymmetrical as a result of growing in close proximity to the other trees. The health of this tree is good, showing normal colour and average seasonal growth. It has a five degree lean to the west. This tree has been growing on a rock wall resulting in restricted root growth on the east side. Sounding the tree resulted in audible signs of a cavity. There is moderate swelling or reaction wood on the base of the tree: this is an indicator of decay; however some of the swelling may be a result of the roots pushing over the rock wall. There is English ivy growing on this tree restricting and damaging the cambium. It is growing on the property line and will be impacted by the development.
North Side of the Property

**Tree #99 Western Red Cedar (Thuja plicata)**

The diameter of this tree at breast height is 120.5 centimetres. It has one trunk. The height of this tree is 35 meters with a crown spread of 14 meters. The live crown ratio is over 70 percent with a canopy that is asymmetrical as a result of growing in close proximity to the other trees. This tree was topped at eight meters many years ago and currently has four tops. The health of this tree is good, showing normal colour and average seasonal growth. It has a natural six degree lean to the south. Sounding the tree resulted in audible signs of significant decay in the trunk. There is also significant included bark at the union of the tops. The included bark extends down the stem for over two meters.

**Tree #100 Western Red Cedar (Thuja plicata)**

This tree has a diameter at breast height of 109 centimetres. It has one trunk. The height of this tree is 33 meters with a crown spread of 14 meters. The live crown ratio is over 75% with a canopy that is asymmetrical as a result of growing in close proximity to the other trees. This tree was topped at eight meters many years ago and currently has four tops. The health of this tree is good, showing normal colour and average seasonal growth. It has a natural six degree lean to the south. There is a surface cavity at three meters as a result of previous pruning. Sounding the tree resulted in audible signs of significant decay in the trunk. There is extensive included bark at the union of the tops extending down the main stem.

**Tree # 97 Western Red Cedar (Thuja plicata)**

The diameter at breast height of this tree is 107 centimetres. It has one trunk. The height of this tree is 28 meters with a crown spread of ten meters. The live crown ratio is over 75%, with an asymmetrical canopy as a result of growing in close proximity to the other trees. This tree was topped at eight meters many years ago and currently has two tops. The health of this tree is good, showing normal colour and average seasonal growth. It has a natural six degree lean to the south. Sounding the tree resulted in audible signs of significant decay in the trunk. There is included bark at the union of the tops extending down the stem for four meters. The reaction wood present indicates previous fracturing at the union of the tops.
Tree #96 Western Red Cedar (*Thuja plicata*)

This cedar has a diameter at breast height of 24 centimetres. It has one trunk. The height of this tree is 14 meters with a crown spread of seven meters. The live crown ratio is over 70 percent with an asymmetrical canopy as a result of growing in close proximity to the other trees. The health of this tree is good, showing normal colour and average seasonal growth. There is English ivy growing on the tree.

**East Side of the Property**

Tree #95 Western Red Cedar (*Thuja plicata*) -- Neighbour’s Tree

The diameter at breast height of this tree is 55 centimetres. It has one trunk. The height of this tree is ten meters with a crown spread of 14 meters. The live crown ratio is 25 percent and has a canopy that is asymmetrical as a result of repeated topping. The health of this tree is fair, showing normal colour and reduced seasonal growth. There is significant decay at the original topping wound and many of the branches are over extended and prone to torsional failure. Sounding the tree resulted in audible signs of a cavity.

Tree #94 Western Red Cedar (*Thuja plicata*) -- Neighbour’s Tree

The diameter at breast height of this tree is 50.5 centimetres. It has one trunk. The height of this tree is ten meters with a crown spread of fourteen meters. The live crown ratio is 25 percent and has a canopy that is asymmetrical as a result of repeated topping. The health of this tree is fair, showing normal colour and reduced seasonal growth. There is significant decay at the original topping wound and many of the branches are over extended and prone to torsional failure. Sounding the tree resulted in audible signs of a cavity.

Tree #93 Western Red Cedar (*Thuja plicata*) -- Neighbour’s Tree

The diameter at breast height of this tree is 29 centimetres. It has one trunk. The height of this tree is eight meters with a crown spread of five meters. The live crown ratio is 20 percent and has a canopy that is asymmetrical as a result of repeated topping. The health of this tree is fair, showing normal colour and reduced seasonal growth. There is significant decay at the original topping wound.

Tree #92 Western Red Cedar (*Thuja plicata*)

The diameter at breast height of this tree is 31 centimetres. It has one trunk. The height of this tree is eight meters with a crown spread of five meters. The live crown ratio is 20 percent and has a canopy that is asymmetrical as a result of repeated topping. The health of this tree is fair, showing normal colour and reduced seasonal growth. There is significant decay at the original topping wound.
Tree #91 Western Red Cedar (*Thuja plicata*)

The diameter at breast height of this tree is 35 centimetres. It has one trunk. The height of this tree is nine meters. The live crown ratio is 25 percent and has a canopy that is asymmetrical as a result of repeated topping. The health of this tree is fair, showing normal colour and reduced seasonal growth. There is significant decay at the original topping wound and many of the branches are over extended and prone to torsional failure. Sounding the tree resulted in audible signs of a cavity.

Tree # 90 Western Hemlock (*Tsuga heterophylla*)

The tree has a diameter at breast height of 83 centimeters. It has one trunk. The height of the tree is nine meters. **This tree is dead and poses a significant hazard.**

Tree #89 Western Red Cedar (*Thuja plicata*)

The diameter at breast height of this tree is 51 centimetres. It has one trunk. The height of this tree is nine meters with a crown spread of six meters. The live crown ratio is over 15 percent with a canopy that is asymmetrical as a result of repeated topping. The health of this tree is fair, showing normal colour and reduced seasonal growth. There is significant decay at the original topping wound and many of the branches are over extended and prone to torsional failure. Sounding the tree resulted in audible signs of a cavity.

Tree #88 Western Red Cedar (*Thuja plicata*)

The diameter at breast height of this tree is 50 centimetres. It has one trunk. The height of this tree is nine meters with a crown spread of six meters. The live crown ratio is 15 percent with a canopy that is asymmetrical as a result of repeated topping. The health of this tree is fair, showing normal colour and reduced seasonal growth. There is significant decay at the original topping wound and many of the branches are over extended and prone to torsional failure. Sounding the tree resulted in audible signs of a cavity.

Tree #87 Western Red Cedar (*Thuja plicata*) -- Shared with Neighbour

The diameter at breast height of these trees is 105 centimetres. This cluster of trees has three trunks. The height is nine meters with a crown spread of twelve meters. The live crown ratio is over 25 percent with a canopy that is asymmetrical as a result of repeated topping. The health of this tree is fair, showing normal colour and reduced seasonal growth. There is significant decay at the original topping wound and many of the branches are over extended and prone to torsional failure. Sounding the tree resulted in audible signs of a cavity.
extended and prone to torsional failure. There is included bark at the base of the trees resulting in reduced root flair and girdling roots. Sounding the stems resulted in audible signs of a cavity.

Tree #86  Western Red Cedar (*Thuja plicata*)

The diameter at breast height of this tree is 41.5 centimetres. It has one trunk. The height of this tree is nine meters with a crown spread of three meters. The canopy is asymmetrical as a result of repeated topping. The health of this tree is fair, showing normal colour and reduced seasonal growth. There is significant decay at the original topping wound and many of the branches are over extended and prone to torsional failure. Sounding the tree resulted in audible signs of a cavity.

Tree #85 Black Walnut (*Juglans nigra* L.)

The diameter at breast height of this tree is 31 & 29.5 centimetres. It has two trunks. The height of this tree is ten meters with a crown spread of 14 meters. The live crown ratio is over 70 percent with a canopy that is symmetrical. The health of this tree is good, showing normal colour and vigorous seasonal growth. There is minor decay at the site of old pruning wounds and included bark at the base of the two stems.

Tree #84 Western Hemlock (*Tsuga heterophylla*) -- Neighbour’s Tree

The diameter at breast height of this tree is 32 centimetres. It has one trunk. The height of this tree is nine meters. **This tree is dead.**

**Front of the property**

Tree #83 Corkscrew Willow (*Salix matsudana* G.Koidz. *Tortuosa*)

The diameter at breast height of this tree is 13.5 centimetres. It has one trunk. The height of this tree is ten meters with a crown spread of four meters. The live crown ratio is over 75 percent with a canopy that is symmetrical. This is a young tree recently planted: it appears to be in good health and would be a good candidate for relocation.

Tree #82 Flowering Cherry (*Prunus*) – City Tree

The diameter at breast height of this tree is 37 centimetres. It has one trunk. The height of this tree is 14 meters with a crown spread of fifteen meters. The live crown ratio is over 75 percent the canopy is asymmetrical as a result of utility pruning. The health of this tree is fair, showing normal colour and normal seasonal growth.
Tree #81 Flowering Dogwood (*Cornus nuttalli*)

The diameter at breast height of this tree is 21 and 25 centimetres. It has two stems. The height of this tree is 14 meters with a crown spread of seven meters. The canopy is asymmetrical as a result of repeated topping for utility clearance. The health of this tree is fair, showing normal colour and reduced seasonal growth. There is significant decay at the base of both stems.

Tree #80 English Holly (*Ilex aquifolium*)

The diameter at breast height of this tree is 13 and 13 centimetres. It has two stems. The height of this tree is 14 meters with a crown spread of three meters. The canopy is symmetrical. There is wisteria growing throughout this tree.

Tree #79 Norway Maple *Acer platanoides*

The diameter at breast height of this tree is 62.5 centimetres. It has one trunk. The height of this tree is 19 meters with a crown spread of twelve meters. The canopy is symmetrical. The health of this tree is good, showing normal colour and vigorous seasonal growth. Overall this is an excellent specimen.

Tree #100 Western Red Cedar (*Thuja plicata*)

Significant included bark

Note the decay at the old pruning wound
Tree #98 Western Red Cedar (*Thuja plicata*)

The root restriction caused by the dry rock wall is visible.

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Tree #99 Western Red Cedar (*Thuja plicata*)

The included bark extends several meters down the trunk.

Sounding the tree gave an audible indicator of a large cavity. The reaction wood also indicates a cavity.
Tree #99 & 100 Western Red Cedar (*Thuja plicata*)

This view shows the inclusions and reaction wood.

Tree #89 Western Red Cedar (*Thuja plicata*)

The decay and over extended branches are visible.
The front of the property looking north

Tree #79 Norway Maple is visible or the right of the photo.
There will be a grade change of 4% resulting in the removal or covering of 40% of the roots on trees #1, #2, and #3.

Tree #2 will have over 30% of the root removed and the removal of the existing root wall will undermine the tree.

The existing wall in the front will replace trees #1 and #3.
### TRAQ ASSESSMENTS

**Tree #** 97
**DBH** 107 cms

**Tree Species:** Western Red Cedar *Thuja plicata*
**Height:** 30 metres (approx.)

<table>
<thead>
<tr>
<th>Target #</th>
<th>Target Description</th>
<th>Target Within Drip Line?</th>
<th>Target Within 1 x Ht.</th>
<th>Target Within 1.5 x Ht.</th>
<th>Occupancy Rate</th>
<th>1-Rare</th>
<th>2-Occasional</th>
<th>3-Frequent</th>
<th>4-Constant</th>
<th>Practical to Move Target?</th>
<th>Restriction Practical?</th>
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<td>No</td>
<td>X</td>
<td>4</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>2</td>
<td>Neighbour to North</td>
<td>No</td>
<td>No</td>
<td>X</td>
<td>4</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>3</td>
<td>Neighbour to Southwest</td>
<td>No</td>
<td>No</td>
<td>X</td>
<td>4</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

**PROBABILITY OF FAILURE:** 3  
**TARGET RATING:** 4  
**SIZE OF DEFECTIVE PART:** 3  
**HAZARD RATING:** TOTAL 10

### Site Factors

- **History of Failures:** Yes
- **Topography:** Sloped six degrees
- **Site Changes:** No
- **Soil Conditions:** Well drained.
- **Common Weather:** Westerly winds

### Tree Health & Species Profile

- **Vigor:** Normal
- **Foliage:** Full Canopy
- **Pests:** Extensive butt rot; English ivy.
- **Abiotic:** Included bark from previous topping cuts.
**Species Failure Profile:** Root failure in wet soils; stem failure when there is included bark at the base and co-dominant stems. Failure at grain change in canopy.

### Load Factors

<table>
<thead>
<tr>
<th>Wind Exposure:</th>
<th>Full</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relative Crown Size:</td>
<td>70 %</td>
</tr>
<tr>
<td>Crown Density:</td>
<td>Heavy</td>
</tr>
<tr>
<td>Interior Branches:</td>
<td>Limb tied.</td>
</tr>
<tr>
<td>Vines/Mistletoe/Moss:</td>
<td>None</td>
</tr>
<tr>
<td>Recent or Planned Change in Load Factors</td>
<td>Root excavation for grade change.</td>
</tr>
</tbody>
</table>

---

### Tree Defects & Conditions Affecting the Likelihood of Failure

<table>
<thead>
<tr>
<th>--- Crown &amp; Branches ---</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live Crown Ratio:</td>
</tr>
<tr>
<td>Pruning History:</td>
</tr>
<tr>
<td>Dead Twigs/Branches:</td>
</tr>
<tr>
<td>Broken/Hangers:</td>
</tr>
<tr>
<td>Over-extended Branches:</td>
</tr>
<tr>
<td>Co-dominant:</td>
</tr>
<tr>
<td>Weak Attachments:</td>
</tr>
<tr>
<td>Similar Branches Present:</td>
</tr>
<tr>
<td>Main Concerns Present:</td>
</tr>
<tr>
<td>Load on Defect:</td>
</tr>
<tr>
<td>Max Diameter</td>
</tr>
<tr>
<td>Maximum Diameter:</td>
</tr>
<tr>
<td>Included Bark:</td>
</tr>
<tr>
<td>Previous Branch Failures:</td>
</tr>
<tr>
<td>Response Growth:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>--- Trunk ---</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main Concerns:</td>
</tr>
<tr>
<td>Load On Defect:</td>
</tr>
<tr>
<td>Likelihood of Failure:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>--- Roots &amp; Root Collar ---</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stem Girdling:</td>
</tr>
<tr>
<td>Distance from trunk:</td>
</tr>
<tr>
<td>Main concerns:</td>
</tr>
<tr>
<td>Load on Defect:</td>
</tr>
<tr>
<td>Likelihood of Failure:</td>
</tr>
<tr>
<td>Current TRAQ Rating</td>
</tr>
<tr>
<td>After excavation</td>
</tr>
</tbody>
</table>
Tree # 98  
**Tree Species:** Western red cedar *Thuja plicata*

**DBH:** 79 cms  
**Height:** 25 metres (approx.)

### Target Assessment

<table>
<thead>
<tr>
<th>Target #</th>
<th>Target Description</th>
<th>Target Zone</th>
<th>Occupancy Rate</th>
<th>Practical to Move Target?</th>
<th>Restriction Practical?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Target Within Drip Line?</td>
<td>Target Within 1 x Ht.</td>
<td>Target Within 1.5 x Ht.</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Residence</td>
<td>No</td>
<td>X</td>
<td>4</td>
<td>No</td>
</tr>
<tr>
<td>2</td>
<td>Neighbour to North</td>
<td>No</td>
<td>X</td>
<td>4</td>
<td>No</td>
</tr>
<tr>
<td>3</td>
<td>Neighbour to Southwest</td>
<td>No</td>
<td>X</td>
<td>4</td>
<td>No</td>
</tr>
</tbody>
</table>

**PROBABILITY OF FAILURE:** 2  
**TARGET RATING:** 4  
**SIZE OF DEFECTIVE PART:** 3  
**HAZARD RATING:** TOTAL 9

### Site Factors

- **History of Failures:** Yes
- **Topography:** Sloped six degrees
- **Site Changes:** No
- **Soil Conditions:** Well Drained
- **Common Weather:** Westerly winds

### Tree Health & Species Profile

- **Vigor:** Normal
- **Foliage:** Full Canopy
- **Pests:** Butt Rot
- **Abiotic:** None
- **Species Failure Profile:** Root failure in wet soils; stem failure when there is included bark at the base and co-dominant stems. Failure at grain change in canopy.
## Load Factors

- **Wind Exposure:** Full
- **Relative Crown Size:** Normal for location
- **Crown Density:** Heavy
- **Interior Branches:** Normal
- **Vines/Mistletoe/Moss:** Yes – English ivy
- **Recent or Planned Change in Load Factors:** Root excavation for grade change.

## Tree Defects & Conditions Affecting the Likelihood of Failure

### --- Crown & Branches ---

<table>
<thead>
<tr>
<th>Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live Crown Ratio</td>
<td>70%</td>
</tr>
<tr>
<td>Pruning History</td>
<td>None</td>
</tr>
<tr>
<td>Dead Twigs/Branches</td>
<td>15%</td>
</tr>
<tr>
<td>Broken/Hangers</td>
<td>None</td>
</tr>
<tr>
<td>Over-extended Branches</td>
<td>10%</td>
</tr>
<tr>
<td>Co-dominant</td>
<td>No</td>
</tr>
<tr>
<td>Weak Attachments</td>
<td>Yes</td>
</tr>
<tr>
<td>Similar Branches Present</td>
<td>N/A</td>
</tr>
<tr>
<td>Main Concerns</td>
<td>Root failure.</td>
</tr>
<tr>
<td>Load on Defect</td>
<td>Full</td>
</tr>
<tr>
<td>Max Diameter</td>
<td></td>
</tr>
<tr>
<td>Maximum Diameter</td>
<td>8 cm</td>
</tr>
<tr>
<td>Included Bark</td>
<td>No</td>
</tr>
<tr>
<td>Previous Branch Failures</td>
<td>No</td>
</tr>
<tr>
<td>Response Growth</td>
<td>Moderate</td>
</tr>
</tbody>
</table>

### --- Trunk ---

- **Main Concerns:** Decay present; English ivy
- **Load On Defect:** Full
- **Likelihood of Failure:** Possible

### --- Roots & Root Collar ---

- **Stem Girdling:** N/A
- **Distance from trunk:** N/A
- **Main concerns:** Root failure from impeded roots.
- **Load on Defect:** Full
- **Likelihood of Failure:** Possible

- **Current TRAQ Rating After excavation:**
  - **High**
  - **Extreme**

- **Current TRAQ Rating After excavation:**
  - **Moderate**
  - **Extreme**
Tree #: 99
DBH: 120.5 cms

Tree Species: Western Red Cedar *Thuja plicata*
Height: 33 metres (approx.)

# Target Assessment

<table>
<thead>
<tr>
<th>Target #</th>
<th>Target Description</th>
<th>Target Within Drip Line?</th>
<th>Target Within 1 x Ht.</th>
<th>Target Within 1.5 x Ht.</th>
<th>Occupancy Rate</th>
<th>Practical to Move Target?</th>
<th>Restriction Practical?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Residence</td>
<td>No</td>
<td>X</td>
<td></td>
<td>4</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>2</td>
<td>Neighbour to North</td>
<td>No</td>
<td>X</td>
<td></td>
<td>4</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>3</td>
<td>Neighbour to Southwest</td>
<td>No</td>
<td>X</td>
<td></td>
<td>4</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

**PROBABILITY OF FAILURE:** 3  **TARGET RATING:** 4  **SIZE OF DEFECTIVE PART:** 3  **HAZARD RATING:** TOTAL 10

## Site Factors

**History of Failures:** Yes
**Topography:** Sloped six degrees
**Site Changes:** No
**Soil Conditions:** Well drained.
**Common Weather:** Westerly winds

## Tree Health & Species Profile

**Vigor:** Normal
**Foliage:** Full Canopy
**Pests:** Extensive butt rot
**Abiotic:** Included bark from previous topping cuts.
**Species Failure Profile:** Root failure in wet soils; stem failure when there is included bark at the base and co-dominant stems. Failure at grain change in canopy.
### Load Factors

<table>
<thead>
<tr>
<th>Wind Exposure</th>
<th>Full</th>
</tr>
</thead>
<tbody>
<tr>
<td>Relative Crown Size</td>
<td>70%</td>
</tr>
<tr>
<td>Crown Density</td>
<td>Heavy</td>
</tr>
<tr>
<td>Interior Branches</td>
<td>Limb tied.</td>
</tr>
<tr>
<td>Vines/Mistletoe/Moss</td>
<td>None</td>
</tr>
<tr>
<td>Recent or Planned Change in Load Factors</td>
<td>Root excavation for grade change.</td>
</tr>
</tbody>
</table>

### Tree Defects & Conditions Affecting the Likelihood of Failure

#### --- Crown & Branches ---

| Live Crown Ratio:        | 70%           |
| Pruning History:         | Topped at eight metres; crown raised. |
| Dead Twigs/Branches:     | 15%           |
| Broken/Hangers:          | Yes           |
| Over-extended Branches:  | 25%           |
| Co-dominant:             | No            |
| Weak Attachments:        | Yes           |
| Similar Branches Present:| Yes           |
| Main Concerns:           | Failure at co-dominant tops. |
| Load on Defect:          | Full          |
| Max Diameter             | 15 cms        |
| Maximum Diameter:        | 8 cm          |
| Included Bark:           | Yes           |
| Previous Branch Failures:| Yes           |
| Response Growth:         | Significant   |

#### --- Trunk ---

| Main Concerns:            | Decay present; included bark |
| Load On Defect:           | Full                        |
| Likelihood of Failure:    | Probable                    |
| Current TRAQ Rating After excavation | High Extreme |

#### --- Roots & Root Collar ---

| Stem Girdling:            | N/A                        |
| Distance from trunk:      | N/A                        |
| Main concerns:            | N/A                        |
| Load on Defect:           | Full                       |
| Likelihood of Failure:    | Possible                   |
| Current TRAQ Rating After excavation | Moderate Severe |

---

Prepared by Arborist Training Solutions, #5, 19250 – 65 Avenue, Surrey, B.C. V4N 5R7
(604)992-3592 [arboristtraining@telus.net]
WCB #667143  DNV Business licence # 0016536
Tree # 100  
Tree Species: Western Red Cedar *Thuja plicata*

DBH 109 cms  
Height: 33 metres (approx.)

<table>
<thead>
<tr>
<th>Target #</th>
<th>Target Description</th>
<th>Target Zone</th>
<th>Occupancy Rate</th>
<th>Practical to Move Target?</th>
<th>Restriction Practical?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Residence</td>
<td>No ×</td>
<td>4</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>2</td>
<td>Neighbour to North</td>
<td>No ×</td>
<td>4</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>3</td>
<td>Neighbour to Southwest</td>
<td>No ×</td>
<td>4</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

**PROBABILITY OF FAILURE:** 4  **TARGET RATING:** 4  **SIZE OF DEFECTIVE PART:** 3  
**HAZARD RATING:** TOTAL 11

### Site Factors

- **History of Failures:** Yes
- **Topography:** Sloped six degrees
- **Site Changes:** No
- **Soil Conditions:** Well drained.
- **Common Weather:** Westerly winds

### Tree Health & Species Profile

- **Vigor:** Normal  
  **Foliage:** Full Canopy
- **Pests:** Extensive butt rot
- **Abiotic:** Included bark from previous topping cuts.
- **Species Failure Profile:** Root failure in wet soils; stem failure when there is included bark at the base and co-dominant stems. Failure at grain change in canopy.
### Load Factors

<table>
<thead>
<tr>
<th>Wind Exposure:</th>
<th>Full</th>
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<tbody>
<tr>
<td>Relative Crown Size:</td>
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<td>Crown Density:</td>
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</tr>
<tr>
<td>Interior Branches:</td>
<td>Limb tied.</td>
</tr>
<tr>
<td>Vines/Mistletoe/Moss:</td>
<td>None</td>
</tr>
<tr>
<td>Recent or Planned Change in Load Factors</td>
<td>Root excavation for grade change.</td>
</tr>
</tbody>
</table>

### Tree Defects & Conditions Affecting the Likelihood of Failure

#### --- Crown & Branches ---

| Live Crown Ratio: | 70% |
| Pruning History: | Topped at eight metres; crown raised. |
| Dead Twigs/Branches: | 15% |
| Broken/Hangers: | Yes |
| Over-extended Branches: | 25% |
| Co-dominant: | No |
| Weak Attachments: | Yes |
| Similar Branches Present: | Yes |
| Main Concerns: | Failure at co-dominant tops. |
| Load on Defect: | Full |

<table>
<thead>
<tr>
<th>Broken/Hangers:</th>
<th>Max Diameter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Over-extended Branches:</td>
<td>Maximum Diameter:</td>
</tr>
<tr>
<td>Co-dominant:</td>
<td>Included Bark:</td>
</tr>
<tr>
<td>Weak Attachments:</td>
<td>Previous Branch Failures:</td>
</tr>
<tr>
<td>Similar Branches Present:</td>
<td>Response Growth:</td>
</tr>
</tbody>
</table>

#### --- Trunk ---

| Main Concerns: | Decay present; included bark |
| Load On Defect: | Full |
| Likelihood of Failure: | Probable |

| Current TRAQ Rating After excavation | High |
| Current TRAQ Rating After excavation | Moderate |

#### --- Roots & Root Collar ---

| Stem Girdling: | N/A |
| Distance from trunk: | N/A |
| Main concerns: | N/A |
| Load on Defect: | Full |
| Likelihood of Failure: | Possible |

| Current TRAQ Rating After excavation | Severe |
| Current TRAQ Rating After excavation | Severe |
RECOMMENDATIONS/DISCUSSION

Tree #-97-99-100 Western Red Cedar *Thuja plicata*

These are significant trees; however the grade change will reduce the root zone by 70% +/- and removal will be necessary. A TRAQ assessment is included to demonstrate the potential hazard.

Tree #98 Western Red Cedar (*Thuja plicata*)

This tree is on the neighbouring property. Construction will cause approximately 30% root loss which is not in itself a reason for removal; however, there is a dry rock wall under this tree. Construction will disturb the wall destabilizing this tree necessitating removal.

Tree #96 Western Red Cedar (*Thuja plicata*)

The DBH of this tree is 24 centimetres making it under-sized. During construction, the grade will be reduced by four feet with the installation of a new retaining wall all to level the property. This will destroy the critical root zone. Removal is necessary for construction.

Trees #95-94-93-92-91-89-88-87-86-84

These trees have all been topped repeatedly and have extensive decay at the old topping cuts. The two Hemlocks -- # 90 and #84 -- are dead. The proposed grade change will damage the roots. All these trees pose a significant hazard to both properties and should be removed.

Tree #85 Black Walnut (*Juglans nigra L.*)

This is a very nice specimen; however it is in the building footprint and will be removed.

Tree #83 Corkscrew Willow (*Salix matsudana G.Koidz.Tortuosa*)

Construction of the retaining wall and the resulting grade change requires removal of this tree. This tree is a good candidate for relocation, if desired.

Tree #82 Flowering Cherry (*Prunus*) – City Tree
Construction of the retaining wall and the resulting grade change requires removal of this tree.

Tree #81  Flowering Dogwood (*Cornus nuttalli*)

Construction of the retaining wall and the resulting grade change requires removal of this tree.

Tree #80  English Holly (*Ilex aquifolium*)

Construction of the retaining wall and the resulting grade change requires removal of this tree.

Tree #79  Norway Maple

Retention is recommended. Tree protection barriers will be required at a diameter of 3.5 m >>>>>> from the base of the tree.

---

**REPLACEMENT TREES**

The following trees need to be replaced.

<table>
<thead>
<tr>
<th>Tree #</th>
<th>Species</th>
<th>DBH</th>
<th># of Replacement Trees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tree #97</td>
<td>Western Red Cedar (<em>Thuja plicata</em>)</td>
<td>107 cms</td>
<td>3</td>
</tr>
<tr>
<td>Tree #98</td>
<td>Western Red Cedar (<em>Thuja plicata</em>)</td>
<td>79 cms</td>
<td>3</td>
</tr>
<tr>
<td>Tree #99</td>
<td>Western Red Cedar (<em>Thuja plicata</em>)</td>
<td>120.5 cms</td>
<td>3</td>
</tr>
<tr>
<td>Tree #100</td>
<td>Western Red Cedar (<em>Thuja plicata</em>)</td>
<td>109 cms</td>
<td>3</td>
</tr>
<tr>
<td>Tree #82</td>
<td>Flowering Cherry (<em>Prunus</em>)</td>
<td>37 cms</td>
<td>1</td>
</tr>
<tr>
<td>Total Replacement Trees Required</td>
<td></td>
<td></td>
<td>13*</td>
</tr>
</tbody>
</table>

*  Coniferous 12; Deciduous 1

Suggested replacement trees.

<table>
<thead>
<tr>
<th>COMMON NAME</th>
<th>BOTANICAL NAME</th>
<th>Height To Be Replanted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coniferous Trees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tree Type</td>
<td>Scientific Name</td>
<td>Diameter</td>
</tr>
<tr>
<td>-----------------------</td>
<td>--------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Douglas Fir</td>
<td><em>Pseudotsuga Menziesii</em></td>
<td>3 meters</td>
</tr>
<tr>
<td>Western Red Cedar</td>
<td><em>Thuja plicata</em></td>
<td>3 meters</td>
</tr>
<tr>
<td>Western Hemlock</td>
<td><em>Tsuga heterophylla</em></td>
<td>3 meters</td>
</tr>
<tr>
<td>Western Larch</td>
<td><em>Larix occidentalis Nutt.</em></td>
<td>3 meters</td>
</tr>
<tr>
<td>Grand Fir</td>
<td><em>Abies grandis</em></td>
<td>3 meters</td>
</tr>
<tr>
<td>Sitka Spruce</td>
<td><em>Picea sitchensis</em></td>
<td>3 meters</td>
</tr>
<tr>
<td>Western White Pine</td>
<td><em>Pinus monticola</em></td>
<td>3 meters</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Deciduous Trees*</th>
<th>Diameter to be Replanted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trident Maple</td>
<td><em>Acer buergeranum</em></td>
</tr>
<tr>
<td>Queen Elizabeth Maple</td>
<td><em>Acer campestre ‘Queen Elizabeth’</em></td>
</tr>
<tr>
<td>Red Shine Maple</td>
<td><em>Acer campestre ‘Red hine’</em></td>
</tr>
<tr>
<td>Snake Bark Maple</td>
<td><em>Acer davidii</em></td>
</tr>
<tr>
<td>Amur Maple</td>
<td><em>Acer ginnala</em></td>
</tr>
<tr>
<td>Paperbark Maple</td>
<td><em>Acer griseum</em></td>
</tr>
<tr>
<td>Japanese Hornbeam</td>
<td><em>Carpinus japonica</em></td>
</tr>
<tr>
<td>Satomi Dogwood</td>
<td><em>Cornus kousa</em></td>
</tr>
<tr>
<td>Pacific Flowering Dogwood</td>
<td><em>Cornus nuttallii ‘Eddie’s White Wonder’</em></td>
</tr>
<tr>
<td>Stellar Pink Dogwood</td>
<td><em>Cornus rutgan ‘Stellar Pink’</em></td>
</tr>
<tr>
<td>Aurora Dogwood</td>
<td><em>Cornus rutgersensis ‘Aurora’</em></td>
</tr>
<tr>
<td>Cockspur Hawthorn</td>
<td><em>Crataegus crus-galli</em></td>
</tr>
<tr>
<td>Lavalle Hawthorn</td>
<td><em>Crataegus x lavallei</em></td>
</tr>
<tr>
<td>Arie Peters Flowering Ash</td>
<td><em>Fraxinus ornus ‘Arie Peters’</em></td>
</tr>
<tr>
<td>Leprechaun Ash</td>
<td><em>Fraxinus pennsylvanica ‘Leprechaun’</em></td>
</tr>
<tr>
<td>Galaxy Magnolia</td>
<td><em>Magnolia ‘Galaxy’</em></td>
</tr>
<tr>
<td>Kobus Magnolia</td>
<td><em>Magnolia kobus</em></td>
</tr>
<tr>
<td>Oyama Magnolia</td>
<td><em>Magnolia sieboldii</em></td>
</tr>
<tr>
<td>Stellar Pink Magnolia</td>
<td><em>Magnolia ‘Stellar’s Pink’</em></td>
</tr>
<tr>
<td>Persian Ironwood</td>
<td><em>Parrotia persica</em></td>
</tr>
<tr>
<td>Chanticleer Pear</td>
<td><em>Pyrus calleryana ‘Chanticleer’</em></td>
</tr>
<tr>
<td>Mountain Ash</td>
<td><em>Sorbus spp.</em></td>
</tr>
<tr>
<td>Japanese Stewartia</td>
<td><em>Stewartia pseudocamellia</em></td>
</tr>
<tr>
<td>Japanese Snowbell</td>
<td><em>Styrax japonica</em></td>
</tr>
<tr>
<td>Fragrant Snowbell</td>
<td><em>Styrax obassia</em></td>
</tr>
<tr>
<td>Ivory Silk Tree</td>
<td><em>Syringa reticulate</em></td>
</tr>
</tbody>
</table>

* Suggested deciduous trees are small in stature as necessary for plant location below service lines.
There is room on the east side to place up to 8 large statured [un] with 5 tree spacing to allow for growth.

 Existing Norway Maples

Mid-sized deciduous tree from tree list

Mid-sized deciduous tree from tree list

ROBERT BLANEY
DESIGN

NEW HOMES • RENOVATIONS • ADDITIONS

DAMIC RESIDENCE
390 EAST WINDSOR ROAD
NORTH VANCOUVER

SITE PLAN

DATE: AUGUST - 2015

DRAWN BY: R.RONO

PROJETO: DAMIC RESIDENCE

390 EAST WINDSOR ROAD
NORTH VANCOUVER

ARCHITECT: ROBERT BLANEY

ENGINEER: R.RONO

CONTRACTOR: [UN]
Limitations of this Assessment

It is Arborist Training Solutions policy to attach the following clause regarding limitation to ensure that developers and/or owners are clearly aware of what is technically and professionally realistic in retaining trees.

The assessment of the tree(s) presented in this report has been made using accepted arboricultural techniques. These include a visual examination of the above-ground parts of each tree for structural defects, scars, and external and visible root structures, the degree and direction of lean – if any – the general condition of the tree(s), the surrounding site and the proximity of property and people. Except where specifically noted in the report, none of the trees examined were dissected, cored, probed or climbed and detailed root examinations involving evacuation were not undertaken.

Notwithstanding the recommendations and conclusions made in this report, it must be realized that trees are living organisms, and their health and vigour constantly changes over time. They are not immune to changes in site conditions or seasonal variations in the weather conditions.

While reasonable efforts have been made to ensure that the trees recommended for retention are healthy, no guarantees are offered or implied, that these tree, or any parts of them, will remain standing. It is both professionally and practically impossible to predict with absolute certainty the behaviour of any single tree of group of trees or their component parts in all circumstances. Inevitably, a standing tree will pose some risk. Most trees have the potential for failure in the event of adverse weather conditions, and this risk can only be eliminated if the tree is removed.

Although every effort has been made to ensure that this assessment is reasonably accurate, the trees should be re-assessed periodically. The assessment presented in this report is valid at the time of inspection.

Notwithstanding the recommendations in this report, Arborist Training Solutions and Peter Brinson accept no responsibility for the implementation of all or any part of this plan, unless we have specifically been requested to examine said implementation activities. Approval and implementation of this plan in no way implies any inspection or supervisory role on part of Arborist Training Solutions or Peter Brinson. In the event that inspection or supervision of all or part of the implantation of the plan is requested, said request shall be in writing and the details agreed to in writing by both parties. Any on-site inspection or supervisory work undertaken by Arborist Training Solutions and/or Peter Brinson shall be recorded in written form and submitted to the client as a matter of record.

The report shall be considered a whole, no sections are severable, and the report shall be considered incomplete if any pages are missed. This report is the sole property of Arborist Training Solutions and Peter Brinson and the client(s) for whom it was prepared. It is not intended for public review without the written authorization of both parties.

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City of Surrey Business Licence #152021
Inter-Municipal Business Licence #152141
District of North Vancouver #
WCB #667143
Commercial Liability #WG1012343
SITE ASSESSMENT

Prepared for: Donato D’Amici
donatodamici@gmail.com
Feb 6, 2016

360 East Windsor, North Vancouver

“I never saw a discontented tree. They grip the ground as though they liked it, and though fast rooted they travel about as far as we do. They go wandering forth in all directions with every wind, going and coming like ourselves, traveling with us around the sun two million miles a day, and through space heaven knows how fast and far!” – John Muir
PURPOSE

On February 6, 2016, I attended the property at 360 East Windsor Road in North Vancouver to evaluate Tree #79, a Norway maple, and to make recommendations for retention or removal.

OBSERVATIONS

Tree #79 Norway Maple \( (Acer platanoides) \)

The diameter at breast height of this tree is 62.5 centimetres. It is 19 meters tall and has a crown spread of twelve meters. The tree has one trunk and a canopy that is symmetrical. The health of this tree is good: there are no leaves at the time of the inspection, but last season’s growth was normal as indicated by the shoot elongation. The east side of the tree is next to a rock wall measuring approximately two feet high.

RECOMMENDATIONS/DISCUSSION

The new landscape plan calls for an increase in grade of four feet. When the grade is raised, the roots of the tree will be deprived of oxygen and will slowly die resulting in the death of the tree.

Removal of this tree will be necessary.
Peter Brinson – Qualifications

Tree Risk Assessment Qualification, International Society of Arboriculture, 2014

Climbing Arborist Assessor, #00002-TBR-14, 2013

Certificate of Qualification in the Trade of Climbing Arborist, #00001-TB-13, Industry Training Authority, 2013

Certificate of Qualification in the Trade of Arborist Technician, #00003-TA-10, Industry Training Authority, 2010

International Society of Arboriculture Certified Tree Worker/Climber Specialist, PN0286AT, 2007

Certified Hazard Tree Assessor, ISA, CTRA053, 2006

Davey Institute of Tree Sciences, Kent Ohio, 1999

Certified Arborist, National Arborist Association, 1994

International Society of Arboriculture Certified Arborist, PN-0286A, 1993

Integrated Pest Management, Camosun College, Victoria, 1993

Entomology, University of Victoria, 1991

Forest Pathology, Malaspina College, Nanaimo, 1990

Peter Brinson – Experience

Kwantlen Polytechnical University – Lead Instructor, Climbing Arborist Apprenticeship Program

Camosun College – Instructor for Arborist Technician Apprenticeship Program

Kwantlen Polytechnical University – Instructor for Arborist Technician Apprenticeship Program

Electrical Institute Training Institution – Instructor for Utility Arborist Apprenticeship Program

President, Arborist Training Solutions

General Foreman, B.C. Plant Health Care Inc.

Crew Foreman, Riteway Tree Service Ltd.

General Foreman, Davey Tree Services

President, CMDL Tree Surgeons Ltd.
Original planting plan showing the root zone for tree #79
Limitations of this Assessment

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The report shall be considered a whole, no sections are severable, and the report shall be considered incomplete if any pages are missed. This report is the sole property of Arborist Training Solutions and Peter Brinson and the client(s) for whom it was prepared. It is not intended for public review without the written authorization of both parties.

Peter Brinson
ISA Certified Arborist #PN0286
Hazard Tree Assessor#CTRA053
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360 East Windsor in the 1990s.

360 East Windsor in 2016.
1.0 INTRODUCTION

CURRENT ADDRESS: 360 EAST WINDSOR ROAD, DISTRICT OF NORTH VANCOUVER
HISTORIC NAME: THOMSON HOUSE
ORIGINAL OWNER: MRS. ELLEN MOODY THOMSON
CONSTRUCTION DATE: 1913
ORIGINAL LEGAL ADDRESS: LOT: 6, BLOCK: 9, PLAN: 1479, DL: 786
HERITAGE STATUS: SECONDARY LIST,
DISTRICT OF NORTH VANCOUVER HERITAGE REGISTER

The Thomson House at 360 East Windsor Road is a pre-WW1 cottage-style bungalow in the District of North Vancouver. The house has survived intact and is part of Upper Lonsdale’s historic fabric. It is now proposed to redevelop the site of the Thomson house in a way that will protect this heritage resource through entering into a Heritage Revitalization Agreement. This Conservation Plan outlines the best practices for the preservation, restoration and rehabilitation of the Thomson House and its site.

360 East Windsor in the 1990s [DNV Heritage Inventory p. 78]
The District of North Vancouver was incorporated in 1891 and originally included all three separate municipalities of the North Shore. The City of North Vancouver, comprising the urban core close to Burrard Inlet, officially formed in 1907, while West Vancouver seceded from the District in 1912. In the midst of these administrative transitions, the North Shore was booming with development, due to the economic expansion occurring throughout the Lower Mainland during the Edwardian era. Suburban residential areas, including those in North Vancouver, developed into bedroom communities for employees of the thriving industries and commercial enterprises of the early twentieth century.

Connected by ferry service, and later bridges, to Downtown Vancouver, the District of North Vancouver became a preferred address for those seeking a quiet residential life, away from the polluting effects of industries closer to the shore. The Upper Lonsdale neighbourhood, located just north of the boundary between the City and District of North Vancouver, was developing in the early 1910s, as the Lonsdale Avenue streetcar gradually reached the area; the streetcar made it to Windsor Road in 1912. The construction of the Thomson Residence in 1913 was made possible by this new access to the remainder of the Lower Mainland.
HISTORIC CONTEXT

Pan: Upper Lonsdale from Carisbrooke Park, looking south, 1916 [CVA PAN N173]

Detail: Upper Lonsdale from Carisbrooke Park, looking south, 1916 [CVA PAN N173]
3.0 STATEMENT OF SIGNIFICANCE
STATEMENT OF SIGNIFICANCE

Address: 360 East Windsor Road, North Vancouver
Historic Name: Thomson Residence
Original Owner: Mrs. Ellen Moody Thomson
Date of Construction: 1913

Description of the Historic Place
The Thomson Residence, located at 360 East Windsor Road in the Upper Lonsdale neighbourhood of the District of North Vancouver, is a cottage-style bungalow, distinguished by its bellcast side-gabled roof and projecting bays.

Heritage Value of the Historic Place
The Thomson Residence was built in 1913 and is valued for its connection with the pre-World War One growth and development of North Vancouver, and for its Craftsman influenced architecture.

The Thomson Residence represents the intense, speculative development that occurred across the Lower Mainland during the Edwardian-era boom period. After regular ferry service was established in 1903 and North Vancouver was incorporated in 1907, the area experienced a period of unprecedented growth and prosperity. This construction boom accelerated until a general financial depression in 1913 halted this ambitious suburban development. The Thomson Residence was constructed at the twilight of the construction boom and was originally owned by Mrs. Ellen Moody Thomson.

The Thomson Residence is also valued as an excellent example of a pre-World War One cottage-style bungalow, displaying influences of the Craftsman style of architecture. The Craftsman style derived from the Arts and Crafts movement, which became popular beginning in the late nineteenth century. Favouring traditional designs and a focus on natural and local materials, the Craftsman style was one of the most prevalent utilized during the Edwardian era boom period. Contractors would have had access to a plethora of high quality local construction materials at the time the Thomson Residence was constructed in 1913. The handsome house is characterized by its bellcast, side-gabled roof, symmetrical proportions, and wooden, multi-pane windows.

Character-Defining Elements
The elements that define the heritage character of the Thomson Residence are its:
- location along East Windsor Road in the Upper Lonsdale neighbourhood of North Vancouver;
- continuous residential use for more than a century;
- residential form, scale, and massing as expressed by its rectangular plan, one and one-half storey height, projecting bays, and bellcast, side-gabled roof with shed-roof dormer;
- wood-frame construction with rubble foundation;
- Craftsman architectural details including: open soffits, exposed rafters, exposed purlins, wooden lapped siding, half-timbering detailing in the gable ends, dentil coursing, and pent-roof window awnings;
- original window assemblies, including wooden-frame and sash, multi-pane casement windows with projecting sills;
- wooden front door assembly, with eight lights on top, which is covered by a projecting awning that is supported by curving wooden brackets; and
- external brick chimney.
4.0 CONSERVATION GUIDELINES

4.1 STANDARDS AND GUIDELINES

The 1913 Thomson House is an important historic resource in the District of North Vancouver. Interventions to the Thomson House should be based on the Standards outlined in the Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada (2010), which are conservation principles of best practice. Under the Guidelines, the work proposed for the Thomson House includes aspects of preservation, rehabilitation and restoration.

**Preservation:** the action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of a historic place or of an individual component, while protecting its heritage value.

**Restoration:** the action or process of accurately revealing, recovering or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.

**Rehabilitation:** the action or process of making possible a continuing or compatible contemporary use of a historic place or an individual component, through repair, alterations, and/or additions, while protecting its heritage value.

**STANDARDS**

**Standards relating to all Conservation Projects**

1. Conserve the heritage value of a historic place. Do not remove, replace, or substantially alter its intact or repairable character-defining elements. Do not move a part of a historic place if its current location is a character-defining element.

2. Conserve changes to a historic place, which over time, have become character-defining elements in their own right.

3. Conserve heritage value by adopting an approach calling for minimal intervention.

4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties or by combining features of the same property that never coexisted.

5. Find a use for a historic place that requires minimal or no change to its character defining elements.

6. Protect and, if necessary, stabilize a historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbance of archaeological resources, take mitigation measures to limit damage and loss of information.

7. Evaluate the existing condition of character-defining element to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.

8. Maintain character-defining elements on an ongoing basis. Repair character-defining element by reinforcing the materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.

9. Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable upon close inspection. Document any intervention for future reference.
Additional Standards relating to Rehabilitation

10. Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.

11. Conserve the heritage value and character-defining elements when creating any new additions to a historic place and any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.

12. Create any new additions or related new construction so that the essential form and integrity of a historic place will not be impaired if the new work is removed in the future.

Additional Standards relating to Restoration

13. Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.

14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

4.2 CONSERVATION REFERENCES

The following conservation resources should be referred to:


National Park Service, Technical Preservation Services Preservation Briefs:


4.3 GENERAL CONSERVATION STRATEGY

The primary intent is to preserve and build an addition onto the original house, while subdividing the lot and building a new, compatible house on the secondary lot.

Proposed Redevelopment Scheme
The major proposed interventions of the overall project are to:
• Preserve the Thomson House on the site.
• Build a compatible detached garage behind the original dwelling.
• Subdivide the lot.
• Build a new, contemporary but compatible house and detached rear garage on the secondary lot.

Proposed Infill Guidelines
Due to the proposed new house and detached garage on the site, all new visible construction will be considered a current-day intervention on the site. The Standards and Guidelines list recommendations for new construction related to historic places, which applies to new construction in the near vicinity of a historic structure. The proposed design scheme should follow Standards 11 and 12:

• Conserve the heritage value and character-defining elements when creating any new additions to a historic place and any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.
• Create any new additions or related new construction so that the essential form and integrity of a historic place will not be impaired if the new work is removed in the future.

4.4 SUSTAINABILITY STRATEGY

Sustainability is most commonly defined as “meeting the needs of the present without compromising the ability of future generations to meet their own needs” (Common Future, The Bruntland Commission). The four-pillar model of sustainability by the City of Norwood Payneham and St. Peters identifies four interlinked dimensions: environmental, economic, social and cultural sustainability, the latter including the built heritage environment. A competitive, sustainable economy requires the conservation of heritage buildings as an important component of a high quality urban environment.

Heritage conservation and sustainable development can go hand in hand with the mutual effort of all stakeholders. In a practical context, the conservation and re-use of historic and existing structures contributes to environmental sustainability by reducing solid waste disposal, saving embodied energy, and conserving historic materials that are often less consumptive of energy than many new replacement materials.

Four Pillars of Sustainability [CityPlan 2030 - City of Norwood Payneham & St. Peters]
4.5 HERITAGE EQUIVALENCIES & EXEMPTIONS

Once entered into a Heritage Revitalization Agreement, the Thomson House will be eligible for heritage variances, including considerations available under the following municipal legislation.

4.5.1 BRITISH COLUMBIA BUILDING CODE

Building Code upgrading ensures life safety and long-term protection for historic resources. It is important to consider heritage buildings on a case-by-case basis, as the blanket application of Code requirements do not recognize the individual requirements and inherent strengths of each building. Over the past few years, a number of equivalencies have been developed and adopted in the British Columbia Building Code (2012) that enable more sensitive and appropriate heritage building upgrades. For example, the use of sprinklers in a heritage structure helps to satisfy fire separation and exiting requirements. Table A-1.1.1.1., found in Appendix A of the Code, outlines the “Alternative Compliance Methods for Heritage Buildings.”

Given that Code compliance is such a significant factor in the conservation of heritage buildings, the most important consideration is to provide viable economic methods of achieving building upgrades. In addition to the equivalencies offered under the current Code, the District can also accept the report of a Building Code Engineer as to acceptable levels of code performance.

4.5.2 ENERGY EFFICIENCY ACT

The provincial Energy Efficiency Act (Energy Efficiency Standards Regulation) was amended in 2009 to exempt buildings protected through heritage designation or listed on a community heritage register from compliance with the regulations. Energy Efficiency standards therefore do not apply to windows, glazing products, door slabs or products installed in heritage buildings. This means that exemptions can be allowed to energy upgrading measures that would destroy heritage character-defining elements such as original windows and doors. These provisions do not preclude that heritage buildings must be made more energy efficient, but they do allow a more sensitive approach of alternate compliance to individual situations and a higher degree of retained integrity. Increased energy performance can be provided through non-intrusive methods of alternate compliance, such as improved insulation and mechanical systems. Please refer to the Standards and Guidelines for the Conservation of Historic Places in Canada (2010) for further detail about “Energy Efficiency Considerations.”

4.6 SITE PROTECTION

It is the responsibility of the owner to ensure the heritage resource is protected from damage at all times. At any time that the building is left vacant, it should be secured against unauthorized access or damage through the use of appropriate fencing and security measures. Additional measures to be taken:

- Ensure all smoke detectors are in working order.
- Board up windows and secure doors if the building is vacant for an extended period.
- Protect the envelope from moisture penetration.
- Ensure ventilation of the building.
- Remove trash, hazardous materials such as inflammable liquids, poisons, and paints and canned goods that could freeze and burst.
5.0 CONDITION REVIEW & CONSERVATION RECOMMENDATIONS

A condition review of the exterior of the Thomson House was carried out during a site visit in January 2016. In addition to the visual review of the exterior of the home, paint samples were taken from original exterior building materials and examined. The recommendations for the preservation and restoration of the 1913 façades are based on the site review, material samples and archival documents that provide valuable information about the original appearance of the historic building. The following chapter describes the materials, physical condition and recommended conservation strategy for the Thomson House based on Parks Canada’s Standard and Guidelines for the Conservation of Historic Places in Canada (2010).

5.1 SITE

The Thomson House sits mid block on East Windsor Road in the Upper Lonsdale neighbourhood of the District of North Vancouver. The small dwelling is situated on the west side of the large, sloped lot. In order to preserve the Thomson House on its original site, it is recommended that the original lot be subdivided so that a new house can be built on the secondary lot.

Conservation Strategy: Subdivision

- Subdivide the original lot into two lots.
- Preserve the Thomson House on the west lot.
- Build a new, contemporary but compatible house on the east lot.
- Landscaping for both lots should preserve and enhance the large-lot atmosphere of the neighbourhood and surrounding streetscape.
5.2 FORM, SCALE AND MASSING

The form, scale and massing of the Thomson House has survived intact. As part of the redevelopment of the site, it is proposed to build a compatible addition to the rear of the historic house.

Conservation Strategy: Preservation & Rehabilitation
- Preserve the original form, scale and massing of the front facade of the Thomson House.
- The existing rear addition may be preserved, or removed and replaced with part of the new proposed rear addition.
- Build a sympathetic addition to the rear of the house.
- The original portions of the side elevations of the Thomson House should be preserved.

5.3 FOUNDATION

The remaining existing foundation was not reviewed during the site visit. The historic house is currently raised from the remaining existing foundation, which requires upgrading or complete replacement.

Conservation Strategy: Rehabilitation
- The proposed residential use of the house requires the construction of a new reinforced concrete foundation.
- Provide utility installations for electricity, communication and other service connections underground if possible. All installations located above ground should be incorporated harmoniously into the design concept for the relocated structure. Any new panels on the building should either be detached from the structure, or placed on the cladding in a reversible manner.
• Re-clad the foundation and basement level with river stone to generally match the original appearance.
• To ensure the prolonged preservation of the new foundations, all landscaping should be separated from the foundations at grade by a course of gravel or decorative stones, which help prevent splash back and assist drainage. New vegetation may assist in concealing the newly exposed foundations, if desired.

The following Relocation Guidelines should be implemented for raising the Thomson House:
• A relocation plan should be prepared prior to raising and/or temporarily relocation that ensures that the least destructive method of relocation will be used.
• Alterations to the historic structure to facilitate the relocation process should be evaluated in accordance with the Conservation Plan and reviewed by a professional heritage consultant. The building should be structurally braced as required before relocation.
• Only an experienced and qualified contractor shall undertake the physical relocation of the historic structure.
• Preserve the original fabric of the exterior elevations as much as possible and remove the later addition prior to relocation, if possible.
• At no point should the Thomson House leave the original lot.
5.4 EXTERIOR WALLS

5.4.1 EXTERIOR WOOD FRAME WALLS

The Thomson House is built in traditional wood-frame construction with dimensional lumber. Wood-frame construction is one of the most affordable housing construction methods that utilized in the past old growth lumber. The framing type could not be determined during the site visit and requires further structural investigation. The wood-frame construction itself may require structural and seismic upgrades to meet code requirements.

Conservation Strategy: Rehabilitation

- Preserve the original wood-frame structure of the 1913 building. Retention of existing walls and floors should be pursued, as possible.
- Design envelope, structural and seismic upgrades from the inside without impacting exterior character-defining elements.
- Utilize Alternate Compliance Methods outlined in the BCBC for fire and spatial separations including installation of sprinklers where required.

5.4.2 WOOD CLADDING

The existing wood cladding of the Thomson House consists of wood lap siding which flares out at windowheads, as well as stucco and half-timbering at the side gables. There is also wide-spaced dentilation courses on the east and west elevations.

Conservation Strategy: Preservation

- Preserve the historic wood cladding, including wood lap siding which flares out at windowheads, stucco and half-timbering at the side gables, and wide-spaced dentilation courses on the east and west elevations.
- The rear addition to the historic house should be clad in wood to match the original construction.
- The cladding of the coach house behind the original house may reference motifs from the historic house cladding.
- The cladding of the new house should be compatible with the historic house, but not match.
Stucco and half-timbering

Principal façade
5.5 PORCH AND SLEEPING PORCH

There was originally an open porch on the southwest corner of the main floor of the Thomson House, as well as a small open area (possibly a small sleeping porch) above the existing side entry. At some point in time both the porch and sleeping porch were enclosed. Three original porch columns are still visible on the southwest corner of the house.

Conservation Strategy: Preservation

- The enclosing of porches and sleeping porches was a common evolution as lifestyles and technologies changed during the twentieth century. In line with Standard 2 from the Standards and Guidelines, the porch and sleeping porch should remain enclosed, as a record of the changes that occurred over time to the Thomson House.
- Preserve the existing side entry on the west elevation as the main entrance to the house.
5.6 WINDOWS AND WINDOW TRIM

Windows and doors are among the most conspicuous feature of any building. In addition to their function — providing light, views, fresh air and access to the building — their arrangement and design is fundamental to the building’s appearance and heritage value. Each element of fenestration is, in itself, a complex assembly whose function and operation must be considered as part of its conservation. – Standards and Guidelines for the Conservation of Historic Places in Canada (2010).

Some original multi-lite fixed and casement windows remain on the Thomson House. A few windows have been replaced with appropriate new windows that replicate the historic windows, including thin wood muntins. The lites of the windows on the enclosed sleeping porch are divided more simply, which distinguish the enclosure as a later intervention. False stained glass inserts have been placed in the windows beside the main entry on the west elevation. There are later multi-lite windows, and a double-hung window on the rear elevation which disrupt the historic character of the house. Additionally, there is a closed-in window opening on the rear elevation.

An initial visual review suggests the original windows to be in good or repairable condition.

Conservation Strategy: Preservation

- Inspect for condition and complete detailed window inventory to determine extent of recommended repair or replacement.
- Retain all windows on the front and side elevations, including sills, trim and window openings.
- Remove the false stained glass inserts in the windows next to the main entrance on the west elevation.
- Windows on the rear elevation may be replaced with wood windows appropriate to the historic character of the house.
- New windows on the rear addition should be wood, and appropriate to the historic character of the house.
- Windows on the coach house behind the historic house may reference motifs from the original windows of the house.
- Windows on the new house should not replicate the style of the windows of the original house. Given the historic neighbourhood of Upper Lonsdale, the windows should be wood, as to blend in with the context.
- Overhaul, tighten/reinforce joints of original windows. Repair frame, trim and hardware. Each original window should be made weather tight by re-puttying and weather-stripping as necessary.
- Retain historic glass of original windows. Where broken glass exists in historic wood windows, the broken glass should be replaced. When removing broken glass, the exterior putty should be carefully chipped off with a chisel and the glazier’s points should be removed. The wood where the new glass will be rested on should be scraped and cleaned well, and given a coat of linseed oil to prevent the wood from absorbing the oil from the new putty. The new glass should be cut 1/16-1/8th smaller than the opening to allow for expansion and irregularities in the opening, to ensure the glazing does not crack due to natural forces. Window restoration should be undertaken by a contractor skilled in heritage restoration.
- Heritage Consultant can review window shop drawings and mock-ups for new windows. Ensure window manufacturer is aware of recommended sash paint colour prior to final order.
- Prime and repaint all original windows as required in appropriate colours, based on colour schedule devised by Heritage Consultant. Paint all new windows on the historic house in appropriate colours, based on colour schedule devised by Heritage Consultant.
- Exterior wood should be brush-painted and not spray-painted.
- All windows on the historic house to have clear glass.
CONDITION REVIEW & CONSERVATION RECOMMENDATIONS

East elevation

Later rear windows
Original windows on east elevation

New, appropriate windows on the east elevation
5.7 DOORS AND DOOR TRIM

There are two existing wood doors on the Thomson House: the main door on the west elevation with eight square lites near the top; and the rear Dutch door on the later addition with six large lites on the upper half.

Conservation Strategy: Preservation & Rehabilitation
- Preserve the existing main entry door on the west elevation with eight square lites near the top.
- The later rear Dutch door may be replaced, or incorporated into the new rear addition. Any new rear door on the addition should be wood, and appropriate to the historic character if the house.

5.8 ROOF AND GUTTERS

The original roof of the Thomson House features a shallow, bellcast, side-gabled design with projecting brackets, exposed rafters, simple bargeboards and a tongue-and-groove wood soffit. There is a small shed dormer on the south half of the roof, and a small shed roof over the main entry on the west elevation. The roof over the existing addition extends at the angle of the original roof.

Conservation Strategy: Preservation & Rehabilitation
- Preserve the roof as seen from the front.
- Preserve portions of the original side gable profiles of the roof.
- The roof to the rear of the ridgeline may be rehabilitated, which may include a new rear gable over the original house, and a new smaller gable over the rear addition.
- The roof should be re-roofed in appropriate shingles based on the colour schedule devised by the Heritage Consultant.
5.9 CHIMNEY

The original external chimney on the east elevation was made of brick, including the use of clinker bricks which were commonly utilized in Arts and Crafts homes. Clinker bricks are over-fired, and have a darker appearance, and different performance than red bricks.

Conservation Strategy: Replication

• Due to the rehabilitation of the foundation, the chimney has been disassembled, and will have to be rebuilt to match the original, including the use of clinker bricks.

5.10 COLOUR SCHEDULE

An important part of the conservation process of the Thomson House is to finish the building in historically accurate paint colours. Testing and sampling of accessible original materials was carried out and paint samples assessed through microscopic analysis in order to reveal the original colour scheme of the house. The colour scheme is taken from Benjamin Moore’s *Historical True Colours for Western Canada*, which is based on documented historic paint colours from this time period. See following colour table.

Conservation Strategy: Restoration

• Restore the original finish, hue and placement of applied colour. Complete all basic repairs and replacements and remove surface dust and grime before preparing, priming and painting. Be sure that all surfaces to be painted are dry. Scrape and sand painted surfaces only as deep as necessary to reach a sound base. Do not strip all previous paint except to repair base-material decay.

• Paint all areas of exposed wood elements with paint primer. Select an appropriate primer for materials being painted (e.g. if latex paint is used over original oil paint, use an oil-based primer).

• Any substitutions or matching of custom colours shall be reviewed by the Heritage Consultant. Test samples will be applied to the building prior to the commencement of painting so that the colour scheme can be reviewed under field conditions and approved.

• The colours of the new house should not match the historic house, nor should they overpower or compete with the historic house.
5.10.1 PRELIMINARY COLOUR TABLE

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<td></td>
<td>Eggshell</td>
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<td>Window Trim and Mouldings</td>
<td>Monterey White</td>
<td>HC-27</td>
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<td>Semi Gloss</td>
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<tr>
<td>Window Sash and Doors</td>
<td>Gloss Black*</td>
<td>VC-35</td>
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<td>Gloss</td>
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<tr>
<td>Roof</td>
<td>Black or Dark Grey</td>
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<td></td>
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</table>

*Paint colours come from Benjamin Moore’s *Historical Vancouver True Colours*
6.0 MAINTENANCE PLAN

A Maintenance Plan should be adopted by the property owner, who is responsible for the long-term protection of the heritage features of the historic building. The Maintenance Plan should include provisions for:

- Copies of the Maintenance Plan and Conservation Plan to be incorporated into the terms of reference for the management and maintenance contract for the building;
- Cyclical maintenance procedures to be adopted as outlined below;
- Record drawings and photos of the building to be kept by the management / maintenance contractor; and
- Records of all maintenance procedures to be kept by the owner.

A thorough Maintenance Plan will ensure that the integrity of the historic fabric is preserved. If existing materials are regularly maintained and deterioration is significantly reduced or prevented, the integrity of materials and workmanship of the building will be protected. Proper maintenance is the most cost effective method of extending the life of a building, and preserving its character-defining elements. The survival of historic buildings in good condition is primarily due to regular upkeep and the preservation of historic materials.

6.1 MAINTENANCE GUIDELINES

A maintenance schedule should be formulated that adheres to the Standards and Guidelines for the Conservation of Historic Places in Canada (2010). As defined by the Standards and Guidelines, maintenance is defined as:

Routine, cyclical, non-destructive actions necessary to slow the deterioration of a historic place. It entails periodic inspection; routine, cyclical, non-destructive cleaning; minor repair and refinishing operations; replacement of damaged or deteriorated materials that are impractical to save.

The assumption that newly renovated buildings become immune to deterioration and require less maintenance is a falsehood. Rather, newly renovated buildings require heightened vigilance to spot errors in construction where previous problems had not occurred, and where deterioration may gain a foothold.

Routine maintenance keeps water out of the building, which is the single most damaging element to a heritage building. Maintenance also prevents damage by sun, wind, snow, frost and all weather; prevents damage by insects and vermin; and aids in protecting all parts of the building against deterioration. The effort and expense expended on an aggressive maintenance will not only lead to a higher degree of preservation, but also over time potentially save large amount of money otherwise required for later repairs.

6.2 PERMITTING

Once the project is completed, any repair activities, such as simple in-kind repair of materials, should be exempt from requiring municipal permits. Other, more intensive activities will require the issuance of a Heritage Alteration Permit.

6.3 ROUTINE CYCLICAL AND NON-DESTRUCTIVE CLEANING

Following the Standards and Guidelines for the Conservation of Historic Places in Canada, be mindful of the principle that recommends “using the gentlest means possible.” Any cleaning procedures should be undertaken on a routine basis and should use non-destructive methods. Exterior elements are usually easily cleaned, simply with a soft, natural bristle brush, without water, to remove dirt and other material. If a more intensive cleaning is required, this can be accomplished with warm water, mild detergent and a soft bristle brush. High-pressure washing, sandblasting or other abrasive cleaning should not be undertaken under any circumstances.
6.4 REPAIRS AND REPLACEMENT OF DETERIORATED MATERIALS

Interventions such as repairs and replacements must conform to the Standards and Guidelines for the Conservation of Historic Places in Canada. The building’s character-defining elements – characteristics of the building that contribute to its heritage value (and identified in the Statement of Significance) such as materials, form, configuration, etc. - must be conserved, referencing the following principles to guide interventions:

- An approach of minimal intervention must be adopted - where intervention is carried out it will be by the least intrusive & gentlest means possible.
- Repair rather than replace character-defining elements.
- Repair character-defining elements using recognized conservation methods.
- Replace ‘in kind’ extensively deteriorated or missing parts of character-defining elements.
- Make interventions physically and visually compatible with the historic place.

6.5 INSPECTIONS

Inspections are a key element in the maintenance plan, and should be carried out by a qualified person or firm, preferably with experience in the assessment of heritage buildings. These inspections should be conducted on a regular and timely schedule. The inspection should address all aspects of the building including exterior, interior and site conditions. It makes good sense to inspect a building in wet weather, as well as in dry, in order to see how water runs off – or through – a building.

From this inspection, an inspection report should be compiled that will include notes, sketches and observations. It is helpful for the inspector to have copies of the building’s elevation drawings on which to mark areas of concern such as cracks, staining and rot. These observations can then be included in the report. The report need not be overly complicated or formal, but must be thorough, clear and concise. Issues of concern, taken from the report should then be entered in a log book so that corrective action can be documented and tracked.

An appropriate schedule for regular, periodic inspections would be twice a year, preferably during spring and fall. The spring inspection should be more rigorous since in spring moisture-related deterioration is most visible, and because needed work, such as painting, can be completed during the good weather in summer. The fall inspection should focus on seasonal issues such as weather-sealants, mechanical (heating) systems and drainage issues. Comprehensive inspections should occur at five-year periods, comparing records from previous inspections and the original work, particularly in monitoring structural movement and durability of utilities. Inspections should also occur after major storms.

6.6 INFORMATION FILE

The building should have its own information file where an inspection report can be filed. This file should also contain the log book that itemizes problems and corrective action. Additionally, this file should contain building plans, building permits, heritage reports, photographs and other relevant documentation so that a complete understanding of the building and its evolution is readily available, which will aid in determining appropriate interventions when needed.

The file should also contain a list outlining the finishes and materials used, and information detailing where they are available (store, supplier). The building owner should keep on hand a stock of spare materials for minor repairs.

LOG BOOK

The maintenance log book is an important maintenance tool that should be kept to record all maintenance activities, recurring problems and building observations and will assist in the overall
maintenance planning of the building. Routine maintenance work should be noted in the maintenance log to keep track of past and plan future activities. All items noted on the maintenance log should indicate the date, problem, type of repair, location and all other observations and information pertaining to each specific maintenance activity. Each log should include the full list of recommended maintenance and inspection areas noted in this Maintenance Plan, to ensure a record of all activities is maintained. A full record of these activities will help in planning future repairs and provide valuable building information for all parties involved in the overall maintenance and operation of the building, and will provide essential information for long term programming and determining of future budgets. It will also serve as a reminder to amend the maintenance and inspection activities should new issues be discovered or previous recommendations prove inaccurate. The log book will also indicate unexpectedly repeated repairs, which may help in solving more serious problems that may arise in the historic building. The log book is a living document that will require constant adding to, and should be kept in the information file along with other documentation noted in section 6.6 Information File.

6.7 EXTERIOR MAINTENANCE

Water, in all its forms and sources (rain, snow, frost, rising ground water, leaking pipes, back-splash, etc.) is the single most damaging element to historic buildings. The most common place for water to enter a building is through the roof. Keeping roofs repaired or renewed is the most cost-effective maintenance option. Evidence of a small interior leak should be viewed as a warning for a much larger and worrisome water damage problem elsewhere and should be fixed immediately.

6.7.1 INSPECTION CHECKLIST

The following checklist considers a wide range of potential problems specific to the project, such as water/moisture penetration, material deterioration and structural deterioration.

EXTERIOR INSPECTION

Site Inspection:
Is the lot well drained? Is there pooling of water?
Does water drain away from foundation?

Foundation:
Moisture: Is rising damp present?
Is there back splashing from ground to structure?
Is any moisture problem general or local?
Is uneven foundation settlement evident?
Do foundation openings (doors and windows) show: rust; rot; insect attack; paint failure; soil build-up?

Wood Elements:
Are there moisture problems present?
Is there insect or fungal attack present? Where and probable source?
Are there any other forms of biological attack? (Moss, birds, etc.) Where and probable source?
Is any wood surface damaged from UV radiation? (bleached surface, loose surface fibres)
Is any wood warped, cupped or twisted?
Is any wood split? Are there loose knots?
Are nails pulling loose or rusted?
Is there any staining of wood elements? Source?

Condition of Exterior Painted Materials:
Paint shows: blistering, sagging or wrinkling, alligatoring, peeling. Cause?
Paint has the following stains: rust, bleeding knots, mildew, etc. Cause?
Paint cleanliness, especially at air vents?

Porches:
Are steps safe? Handrails secure?
Attachment – are porches, steps, etc. securely connected to the building?

Windows:
Is there glass cracked or missing?
Is there condensation or water damage to the paint?
Are the sashes easy to operate? If hinged, do they swing freely?
Is the frame free from distortion?
Do sills show weathering or deterioration?
Doors:
Do the doors create a good seal when closed?
Are the hinges sprung? In need of lubrication?
Do locks and latches work freely?
Are door frames wicking up water? Where? Why?
Are door frames caulked at the cladding? Is the caulking in good condition?
What is the condition of the sill?

Gutters and Downspouts:
Are downspouts leaking? Clogged? Are there holes or corrosion? (Water against structure)
Are downspouts complete without any missing sections? Are they properly connected?
Is the water being effectively carried away from the downspout by a drainage system?
Do downspouts drain completely away?

Roof:
Are there water blockage points?
Is the leading edge of the roof wet?
Is there evidence of biological attack? (Fungus, moss, birds, insects)
Are the nails sound? Are there loose or missing shingles?
Are joints and seams sound?
If there is a lightening protection system are the cables properly connected and grounded?
Does the soffit show any signs of water damage?
Insect or bird infestation?
Are there blisters or slits in the membrane?
Are the drain pipes plugged or standing proud?
Are flashings well positioned and sealed?
Is water ponding present?

INTERIOR INSPECTION

Basement (Storage Level):
Are there signs of moisture damage to the walls? Is masonry cracked, discoloured, spalling?
Are there signs of past flooding, or leaks from the floor above? Is the floor damp?
Are walls even or buckling or cracked? Is the floor cracked or heaved?

6.7.2 INSPECTION CYCLE:

Daily
• Observations noted during cleaning (cracks; damp, dripping pipes; malfunctioning hardware; etc.) to be noted in log book or building file.

Semi-annually
• Semi-annual inspection and report with special focus on seasonal issues.
• Thorough cleaning of drainage system to cope with winter rains and summer storms
• Check condition of weather sealants (Fall).
• Clean the exterior using a soft bristle broom/brush.

Annually (Spring)
• Inspect foundation for cracks, deterioration.
• Inspect metal elements, especially in areas that may trap water.
• Inspect windows for material failures, corrosion and wood decay and proper operation.
• Complete annual inspection and report.
• Clean out of all rainwater systems.
• Touch up worn paint on the building’s exterior.
• Check for plant, insect or animal infestation.
• Routine cleaning, as required.

Five-Year Cycle
• A full inspection report should be undertaken every five years comparing records from previous inspections and the original work, particularly monitoring structural movement and durability of utilities.
• Repaint windows every five to fifteen years.

Ten-Year Cycle
• Check condition of roof every ten years after last replacement.

Twenty-Year Cycle
• Confirm condition of roof and estimate effective lifespan. Replace when required.

Major Maintenance Work (as required)
• Replacement of deteriorated building materials as required.
7.0 RESEARCH SUMMARY

CIVIC ADDRESS: 360 East Windsor Road, North Vancouver, British Columbia

LEGAL ADDRESS: Lot: 6, Block: 9, District Lot: 786, Plan: 1479

ORIGINAL OWNER: Mrs. Ellen Moody Thomson

CONSTRUCTION DATE: 1913

Assessment Records:
- First appearance in 1914 – Owner: Mrs. Ellen Moody Thomson;
  Land: $600; Improvements: $2,000

NORTH VANCOUVER DIRECTORY LISTINGS for 360 EAST WINDSOR ROAD:

1912  No listing
1913  Mrs. Ellen M. Thomson (widow of S.M. Thomson)
1914  Mrs. Ellen M. Thomson (widow of S.M. Thomson)
1915  Mrs. S.M. Thomson
1916  Mrs. S.M. Thomson
1917-1921  No separate North Vancouver listings
1922-1951  Allan J. and Julia E. Craig
Bylaws 8180 and 8181: Heritage Revitalization Agreement and Heritage Designation: 360 East Windsor Road (Thomson House)

Revised Public Input – Council Report dated May 24, 2016

Submissions in Opposition:

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<td>23 submissions signed by a total of 35 people</td>
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Submissions in Support:

Support for the proposal was received from within the Upper Lonsdale area, as well as other areas within the District and City of North Vancouver and from off the North Shore

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<th>Submissions</th>
<th>Location of those Submitting</th>
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MEMO

June 13, 2016
File: 3060/20/9.16

TO: Jennifer Paton - Manager, Development Planning
FROM: Kathleen Larsen, Community Planner
SUBJECT: District Heritage Policy Background Information

The following District heritage policy and background information is provided for Council’s review prior to the Public Hearing scheduled for 360 East Windsor on June 21, 2016.

Section 1:

Provincial Government Heritage Legislation and Information

Attachments:

1 (a) Local Government Act – Part 15 Heritage Conservation
1 (b) Heritage Conservation: A Community Guide

Local Government Act - Part 15 – Heritage Conservation:

Part 15 – Heritage Conservation of the Local Government Act establishes a number of ways that a Local government can protect its heritage resources. While the Act does not give local government the ultimate ability to prohibit demolition of any private building deemed heritage it does provides ways for the heritage resources in a community to be documented and preserved through a variety incentive and temporary protection measures. Part 15 is attached as 1(a).
The following are some of the protection measures permitted under the *Local Government Act*:

**Heritage Registers:**

The *Local Government Act* allows a municipality to establish a Heritage Register that is a list of properties that are formally recognized by local government for their heritage value or character. The legislation balances heritage conservation with a respect for private property rights.

A listing on a Heritage Register does not:

- Prevent the owner of the property from renovating, altering or demolishing the building in accordance with existing laws, such as zoning or the BC Building Code, provided all required permits are in place.
- Provide permanent protection. A house or building can be designated only with the consent of the owner, with appropriate compensation from local government, by designation in the OCP, or through a Heritage Revitalization Agreement (HRA).

**Temporary Protection:**

Through the *Local Government Act* a local government may provide temporary protection for a period of 60 days for buildings deemed to be of heritage value. The 60 day period is meant to enable the owner and local government to meet and consider other options to demolition.

A local government may also adopt a Heritage Procedures Bylaw delegating authority to staff to withhold a demolition permit for a house on Heritage Register until such time as all permits are ready to be issued for new construction.

**Heritage Revitalization Agreements:**

A Heritage Revitalization Agreement (HRA) is a formal voluntary agreement negotiated between a municipality and the owners of a heritage property requiring approval by Council. Through this type of agreement, the *Local Government Act* allows a municipality to negotiate among other items, variances to the zoning requirements that pertain to the property. The agreement may also outline the duties, obligations and benefits negotiated by both parties to the agreement. The primary objective of an HRA is to legally protect (designate) the heritage house or building on the property.
Section 2:

DNV Heritage Background Council Reports

Attachments:

2(a) District of North Vancouver Heritage Register Workshop (May 14, 2012)
2(b) District of North Vancouver Heritage Register and Heritage Procedures Bylaw 7945 (June 25, 2012)
2 (c) District of North Vancouver – Frequently Asked questions from Owners of Buildings listed on a Heritage Registry (April 2012)

Section 3:

DNV Heritage Properties

Attachments:

3 (a) District Heritage Register (adopted 2012)
3 (b) District Properties Designated and protected as Heritage
3 (c) District Heritage Revitalization Agreements Adopted by Council

District Heritage Register

Throughout the 1980’s and 1990’s the District developed two inventories to assess and document older homes of heritage value built between 1900 and 1930 and between 1935 and 1965. In 2005 Heritage Consultant Donald Luxton used these two inventories to make recommendations for the establishment of a Heritage Register which was adopted by District Council in 2012. The District’s Heritage Register is attached as Attachment 3(a).

District Properties Designated as Heritage or Protected by Covenant

The District has 8 designated properties and a further two additional properties protected by section 219 covenants. Addresses and details on these properties are attached as Attachment 3(b).
District Heritage Revitalization Agreements Adopted by Council

The District has adopted 3 Heritage Revitalization Agreements. The addresses and Agreements are attached in Attachment 3(c).

Section 4:

DNV Heritage Register Properties in Upper Lonsdale

4 (a) – Map Attached showing location of Heritage Register Sites in Upper Lonsdale including those on 100 ft lots

Kathleen Larsen
Community Planner
Section 1:

1 (a) - Local Government Act – Part 15 – Heritage Conservation
1 (b) - Heritage Conservation: A Community Guide
LOCAL GOVERNMENT ACT
[RSBC 2015] CHAPTER 1

Part 15 — Heritage Conservation

Definitions in relation to this Part

586 (1) The definitions in section 455 [definitions in relation to Part 14] apply to this Part.

(2) In addition to the definitions made applicable by subsection (1), in this Part:

"alter" means to change in any manner and, without limiting this, includes

(a) the making of an improvement, as defined in the Builders Lien Act, and

(b) any action that detracts from the heritage value or heritage character of heritage property;

"approval" means a permit, licence or other authorization required under this or any other enactment administered by a local government or a delegate;

"community heritage register" means a register of heritage property under section 598;

"delegate" means, in relation to a power or duty, a person given authority under section 229 [delegation of board authority] of this Act or section 154 [delegation of council authority] of the Community Charter to exercise that power or duty;

"heritage alteration permit" means a permit under section 617;

"heritage conservation area" means an area designated under section 614 (1) in an official community plan;
"heritage designation bylaw" means a bylaw under section 611;

"heritage inspection" means the physical examination of property and the research necessary to assess the heritage value and the heritage character of the property or to determine the need for conservation of the property;

"heritage minister" means the minister responsible for the administration of the Heritage Conservation Act;

"heritage revitalization agreement" means an agreement under section 610;

"real property" includes buildings, structures and other improvements affixed to the land.

(3) A provision of this Part that applies to an officer or employee of a local government may apply to an officer or employee of another government with the approval of that government.

Regional district authority requires service

587 A regional district does not have authority under this Part, and its board is not a local government for the purposes of this Part, unless the regional district has adopted a bylaw to establish and operate a service related to heritage conservation.

Limits on use of this Part

588 (1) This Part must not be used to conserve natural landscapes or undeveloped land except

(a) to the extent that the exercise of power under this Part in respect of natural landscape or undeveloped land is, in the opinion of the local government, necessary for the conservation of adjacent or proximate real property that is protected heritage property,

(b) with respect to a site that has heritage value or heritage character related to human occupation or use, or

(c) with respect to individual landmarks and other natural features that have cultural or historical value.

(2) This Part must not be used to prevent a use of real property that is permitted under the applicable zoning bylaw for the property, or to prevent the development of land to the density allowed in respect of that
permitted use under the applicable zoning bylaw, except with regard to property that

(a) is designated by a heritage designation bylaw, or

(b) is subject to temporary heritage protection under this Part.

(3) This Part must not be used to restrict a forest management activity on land that is private managed forest land under the *Private Managed Forest Land Act*.

(4) If there is a conflict between

(a) a provision of this Part, or a permit or order made under this Part, and

(b) the *Heritage Conservation Act*, or a permit or order made under that Act,

the *Heritage Conservation Act*, or the permit or order made under that Act, prevails.

**Limit on compensation**

_589_ Except as provided in sections 600 (7) [damage caused by heritage inspection] and 613 [compensation for heritage designation], a person is not entitled to compensation for

(a) any loss or damage, or

(b) any reduction in the value of property

that results from the performance in good faith of any duty under this Part or the exercise in good faith of any power under this Part.

**Bylaw and permit procedures**

_590_ (1) A local government may, by bylaw, define procedures under which a person may apply for an amendment to a bylaw under this Part or for the issue of a permit under this Part.

(2) If a bylaw under subsection (1) establishes a time limit for reapplication, the time limit may be varied in relation to a specific reapplication by an affirmative vote of at least 2/3 of the votes cast.

(3) Every application for a heritage alteration permit or the amendment of a bylaw under this Part must be considered by the local government or, if applicable, its delegate.

(4) The applicant or owner of property subject to a decision made by a delegate is entitled to have the local government reconsider the matter.
Ombudsperson review of local government decisions

591 (1) The Ombudsperson appointed under the Ombudsperson Act may investigate complaints about decisions made by a local government under this Part or about procedures used by a local government under this Part.

(2) Subsection (1) does not authorize the Ombudsperson to investigate an issue involving compensation for reduction in the market value of real property caused by a designation under section 611 [heritage designation protection].

(3) The Ombudsperson Act, other than section 11 (1) (a) of that Act, applies to investigations under this section and, for that purpose, the local government is deemed to be an authority as defined in that Act.

(4) During an investigation under this section and for up to 6 months after the completion of the investigation, if the Ombudsperson considers the matter to be unresolved, the Ombudsperson may direct that the local government or the complainant, or both, must not take any action on matters specified by the Ombudsperson.

(5) If the Ombudsperson makes a recommendation under section 23 or 24 of the Ombudsperson Act regarding an investigation under this section and no action that the Ombudsperson considers adequate or appropriate is taken by the local government within a reasonable time, the Ombudsperson may make a report to the Lieutenant Governor in Council of the recommendation and such additional comments as the Ombudsperson considers appropriate.

(6) On receipt of a report from the Ombudsperson, the Lieutenant Governor in Council may make an order that the Lieutenant Governor in Council considers is in the public interest, and the order is binding on the local government.

(7) Nothing in this section diminishes the authority of the Ombudsperson under the Ombudsperson Act.

Division 2 — Notices under this Part

Giving notice to owners and occupiers

592 (1) Any notice required to be given to an owner or occupier under this Part must be given to the owner or occupier in accordance with this section.

(2) A notice to an owner is sufficiently given to the owner if

   (a) it is given by personal service on the owner,
(b) it is sent by registered mail, or by a method of delivery that provides proof of delivery, to the person's actual or last known address,
(c) in the circumstances described in subsection (4), it is published in accordance with that subsection, or
(d) it is given as authorized by regulation under section 596.

(3) A notice to an occupier is sufficiently given to the occupier if
(a) the notice is given individually to each occupier in accordance with subsection (2), or
(b) the notice is posted on or near the property in accordance with section 593.

(4) If a notice cannot be given by personal service on an owner or occupier and the person's actual or last known address cannot be determined after reasonable steps for the purpose have been taken, the notice may be given by publication in 2 issues, at least one week apart, of a newspaper having general circulation
(a) in the area where the owner or occupier to be given notice was last known to reside or carry on business according to the information available to the person giving the notice, or
(b) in the area where the land to which the notice relates is situated.

(5) A notice given in accordance with subsection (2) (b) is deemed to be received on the earlier of
(a) the date the person to whom it is sent actually receives the notice, and
(b) the end of 10 days after the date on which the notice was sent.

Posting notice on protected heritage property

593 (1) A local government may authorize a person to post one or more notices on or near
(a) protected heritage property, or
(b) real property subject to temporary heritage protection under any of the following:
   (i) section 600 [heritage inspection];
   (ii) section 603 [local government request for Provincial protection];
(iii) section 606 [order for temporary protection];
(iv) section 607 [introduction of continuing protection bylaw];
(v) section 608 [heritage control period].

(2) Before or when entering land to post a notice, the local government must make a reasonable effort to inform the owner or occupier of the land.

(3) Except as authorized by the local government, a person must not alter or remove a notice posted under the authority of this section.

Notice on land titles

594 (1) A local government must file a written notice in the land title office with respect to the following real property:

(a) property that is subject to a provision under section 393 (1) [repayment requirement in relation to regional district heritage exemptions];
(b) property that is subject to a provision under section 225 (6) [repayment requirements in relation to tax exemptions] of the Community Charter in relation to heritage property;
(c) property that is subject to a heritage revitalization agreement;
(d) property designated by a heritage designation bylaw.

(2) On receipt of a notice under subsection (1), the registrar of land titles must make a note of the filing on the title of the affected land.

(3) If a provision, agreement or bylaw referred to in subsection (1) no longer applies to property for which a notice was filed under this section, the local government must notify the land title office.

(4) On receipt of a notice under subsection (3), the registrar of land titles must cancel the note made under subsection (2).

(5) Notification to the land title office under subsection (1) or (3) must be made in a form satisfactory to the registrar of land titles.

(6) The protection of property under this Act is not affected by

(a) an inadvertent and minor error or omission in a notice given by a local government to the registrar of land titles in relation to a note on a land title,
(b) an error or omission in a note on a land title, or
(c) a failure by the registrar of land titles to make a note on a land title.

(7) In the event of any omission, mistake or misfeasance by the registrar of land titles or the staff of the registrar in relation to the making or cancelling of a note under this section,

(a) the registrar is not liable and neither the Provincial government nor the Land Title and Survey Authority of British Columbia is liable vicariously,

(b) the assurance fund or the Land Title and Survey Authority of British Columbia as a nominal defendant is not liable under Part 19.1 of the Land Title Act, and

(c) the assurance fund or the minister charged with the administration of the Land Title Act as a nominal defendant is not liable under Part 20 of the Land Title Act.

(8) The Lieutenant Governor in Council may prescribe fees for the filing of notices under this section, and section 386 of the Land Title Act applies in respect of those fees.

Notice to heritage minister

595 (1) A local government must notify the heritage minister with respect to the following real property:

(a) heritage property for which a tax exemption is provided under section 392 [regional district exemptions for heritage properties];

(b) heritage property for which a tax exemption is provided under section 225 [municipal exemptions for heritage properties] of the Community Charter by reason of it being heritage property;

(c) heritage property included under section 614 (3) (b) in a schedule to an official community plan;

(d) heritage property identified as heritage property in a community heritage register;

(e) heritage property that is subject to a heritage revitalization agreement;

(f) property designated by a heritage designation bylaw.
(2) If the provisions that require that notice must be given under subsection (1) no longer apply to any real property, the local government must notify the heritage minister.

(3) Notices to the heritage minister under subsections (1) and (2) or section 603 (2) [local government request for Provincial protection] must be made in a form satisfactory to that minister.

(4) The protection of property under this Act is not affected by an error or omission in a notice given under this section.

Regulations regarding notices

596 (1) The Lieutenant Governor in Council may make regulations respecting the form, content and means of giving notice

(a) under this Part,

(b) under section 392 (5) [regional district exemptions for heritage properties] of this Act, or

(c) under section 225 [partnering, heritage, riparian and other special exemption authority] of the Community Charter in relation to heritage property.

(2) Regulations under subsection (1) may be different for different types of notices and for different types of properties.

Division 3 — Heritage Review

Community heritage commissions

597 (1) In addition to the authority under section 263 (1) (f) [regional district commissions] of this Act or section 143 [municipal commissions] of the Community Charter, a local government may designate an existing organization to act as a community heritage commission.

(2) In relation to an organization designated under subsection (1),

(a) when the organization is acting as a community heritage commission, the organization is deemed to be a commission established under the applicable provision referred to in subsection (1), and

(b) when a member of the organization is acting as a member of a community heritage commission, the member is deemed to be a member of a commission established under the applicable provision referred to in subsection (1).
Community heritage register

598 (1) A local government may, by resolution, establish a community heritage register that identifies real property that is considered by the local government to be heritage property.

(2) A community heritage register

(a) must indicate the reasons why property included in the community heritage register is considered to have heritage value or heritage character, and

(b) may distinguish between heritage properties of differing degrees and kinds of heritage value or heritage character.

(3) Within 30 days after including property in a community heritage register or deleting property from a community heritage register, the local government must give notice of this

(a) to the owner of the heritage property in accordance with section 592, and

(b) to the heritage minister in accordance with section 595.

(4) The protection of heritage property is not affected by an error or omission in a community heritage register.

Heritage recognition

599 (1) A local government may recognize the heritage value or heritage character of a heritage property, an area or some other aspect of the community's heritage.

(2) The local government may have a plaque or other marker installed to indicate recognition under subsection (1), subject to the requirement that permission for this must be obtained from the owner of the property on which the marker is installed.

Heritage inspection may be ordered

600 (1) For the purposes of assessing the heritage value, the heritage character or the need for conservation of real property, a local government or its delegate may order a heritage inspection of the property in any of the following circumstances:

(a) the property is or may be protected heritage property;

(b) the property is identified as heritage property in a community heritage register;
(c) the property is or may be heritage property according to criteria that the local government may, by bylaw, establish for the purposes of this Part.

(2) An order under subsection (1)

(a) must state the purpose of the heritage inspection,
(b) must specify how long the order is to remain in effect,
(c) must require the heritage inspection to be carried out in an expeditious manner,
(d) may provide that the property covered by the order is subject to temporary protection until the applicable time under subsection (3) or section 601 (5) [entry warrant extending time period], and
(e) may include terms, conditions and specifications that the local government or delegate considers appropriate.

(3) Temporary protection under subsection (2) (d) applies until the earliest of the following, subject to an extension of this time under section 601 (5):

(a) the day after a report of the results of the heritage inspection is delivered to a regular meeting of the local government;
(b) the day the local government or its delegate informs the owner that the heritage inspection is completed or is no longer required;
(c) 30 days after the day on which the heritage inspection was ordered.

(4) A person must not interfere with the conducting of a heritage inspection.

(5) A person conducting a heritage inspection may perform tests and remove material samples that are necessary for the purposes of the heritage inspection, but must do this in such a manner that any alterations are as minor and inconspicuous as reasonably possible given the requirements of the heritage inspection.

(6) On completion of a heritage inspection, the local government must

(a) notify the owner of the property that a heritage inspection has been conducted, if the owner was not notified of the heritage inspection before the heritage inspection, and
(b) make a report to the owner of what was done if, as a part of
a heritage inspection, an alteration is made or material is
removed.

(7) A person whose property is damaged by a heritage inspection under
subsection (1) is entitled to have the damage repaired at the expense of
the local government or, if the damage cannot be repaired, to
compensation from the local government.

Entry authority for a heritage inspection

601 (1) An order under section 600 (1) authorizes a person conducting the
heritage inspection to enter land or premises identified in the order at any
reasonable time for the purposes of the heritage inspection.

(2) Before or when entering land under subsection (1), the person
conducting the heritage inspection or heritage investigation must make a
reasonable attempt to notify the owner or occupier of the land and, if
requested, present a copy of the order to the owner or occupier.

(3) Except as provided in subsection (4), nothing in this section or an
order made under section 600 authorizes entry into a building without the
permission of the owner or occupier.

(4) A justice may issue a warrant authorizing a person to enter land or a
building to conduct a heritage inspection ordered under section 600 (1) if
the justice is satisfied that

(a) there are reasonable grounds to believe that entry is
required to achieve the purposes of the heritage inspection, and

(b) there are reasonable grounds to believe that

(i) an emergency exists,

(ii) the person conducting the heritage inspection or
heritage investigation has been unable to notify the owner
or occupier after making a reasonable attempt to do so,

(iii) admission has been refused or refusal is anticipated,
or

(iv) notification may defeat the object of the entry.

(5) A warrant under subsection (4) may extend the time period for which
the property is protected under section 600 (2) (d) [temporary protection
pending heritage inspection] and continues in force until the purpose for
which the entry is required has been satisfied.
(6) If a heritage inspection is conducted under a warrant under subsection (4), the person conducting the heritage inspection must be accompanied by a peace officer.

**Impact assessment may be required**

602 (1) If, in the opinion of the local government or its delegate, an approval may affect protected heritage property, the local government or delegate may require the applicant for the approval, before the approval is issued,

(a) to provide the local government or delegate, at the expense of the applicant, with information regarding the possible effects that the activity or action enabled by the approval may have on the heritage property, or

(b) to permit the local government or delegate to undertake, at the expense of the local government, studies regarding the matters referred to in paragraph (a) provided that those studies are undertaken promptly.

(2) A requirement under subsection (1) must be communicated to the applicant in writing and include specifications of the information to be provided and of the qualifications of any persons undertaking studies to produce the information.

(3) Specifications referred to in subsection (2) must not be changed by the local government or its delegate without the agreement of the applicant.

**Local government requests for Provincial protection**

603 (1) If, in the opinion of a local government, real property owned by the Provincial government has heritage value or heritage character, the local government may, by resolution, request that Provincial protection be provided for the property.

(2) Within 5 days after a resolution under subsection (1) is adopted, the local government must convey the resolution to the heritage minister.

(3) Once a request has been made under subsection (1), the property for which the protection is requested is subject to temporary protection until the earlier of the following:

(a) the end of 30 days after the resolution authorizing the request was adopted;

(b) the heritage minister notifies the local government in writing that the temporary protection is ended.
(4) Despite section 14 (2) [government not bound by legislation in relation to use or development of land] of the Interpretation Act, subsection (3) of this section applies to the Provincial government.

(5) No more than one request may be made under subsection (1) with respect to any particular building, other structure or site during any one 10 year period.

**Division 4 — Temporary Protection**

**Withholding of approvals**

604 (1) A local government may, by bylaw, direct or authorize the officers or employees of the local government who issue approvals to withhold the issuance of any approval for an action that, in the opinion of the person responsible for issuing the approval, would alter or cause an alteration to any of the following:

(a) protected heritage property;

(b) property subject to temporary heritage protection under another section of this Part;

(c) property identified as heritage property in a community heritage register.

(2) A bylaw under subsection (1) may establish restrictions, limits or conditions on the duty or power to withhold approvals.

(3) If an approval is withheld under subsection (1), the matter must be referred to the local government at its next regular meeting after the approval is withheld.

(4) If an approval is referred to the local government with regard to property referred to in subsection (1) (a) or (b), the local government may authorize that the approval continue to be withheld until an action referred to in subsection (5) occurs.

(5) An approval must not be withheld under this section if one or more of the following occurs:

(a) a heritage alteration permit is issued authorizing the alteration to which the approval applies;

(b) the applicant agrees to terms and conditions satisfactory to the local government or its delegate to prevent or mitigate circumstances that may detract from the heritage value or heritage character of the property;
(c) in the case of property subject to temporary heritage protection, the protection expires;
(d) in the case of property that the person responsible for issuing the approval considers is protected under the Heritage Conservation Act, the local government is notified by the heritage minister that the requirements of that Act have been met or do not apply.

(6) Except as provided in subsection (4), nothing in this section authorizes the withholding of an approval to which an applicant would otherwise be entitled beyond the time of the meeting at which the matter is referred to the local government under subsection (3).

Withholding of demolition permits until other approvals issued

605 (1) Without limiting section 604, a local government may, by bylaw, direct or authorize the officers or employees of the local government who issue permits for demolition to withhold approval for demolition in the following circumstances:

(a) in the case of protected heritage property, until a heritage alteration permit and any other necessary approvals have been issued with respect to alteration or redevelopment of the site;
(b) in the case of real property identified as heritage property in a community heritage register, until a building permit and any other necessary approvals have been issued with respect to the alteration or redevelopment of the site.

(2) A local government may establish restrictions, limits or conditions on a duty or power under subsection (1).

(3) Nothing in this section authorizes the withholding of any approvals other than permits for demolition of heritage property.

Orders for temporary protection

606 (1) A local government may order that real property is subject to temporary protection if the local government considers that

(a) the property is or may be heritage property, or
(b) protection of the property may be necessary or desirable for the conservation of other property that is heritage property.

(2) An order under subsection (1)

(a) must specify the time period during which the temporary protection applies, which time period may not be longer than 60
days unless the owner of the property agrees to a longer time period, and
(b) must not be made more than once in a 2 year period without the agreement of the owner of the property.

(3) An order under subsection (1) may do one or more of the following:
(a) identify landscape features that are subject to the order;
(b) specify types of alterations to property that are allowed without obtaining a heritage alteration permit;
(c) establish policies regarding the issuance of a heritage alteration permit in relation to the property.

Temporary protection by introduction of a continuing protection bylaw

607 (1) For a period of 120 days beginning on the date of first reading of a bylaw to adopt an official community plan that designates a heritage conservation area, section 615 (1) [heritage conservation area — activities requiring permit] applies to all properties in the area as if the bylaw had already been adopted.

(2) For a period of 60 days beginning on the date of the first reading of a heritage designation bylaw, section 611 (3) [heritage designation — activities requiring permit] applies as if the heritage designation bylaw had already been adopted.

(3) If the owner of property to which subsection (2) applies agrees, the local government may, by bylaw, extend the protection referred to in that subsection for a specified period longer than the 60 days referred to in that subsection.

(4) If the issue of compensation for designation is submitted to arbitration under section 613 before the heritage designation bylaw is adopted, the time period under subsection (2) of this section is extended by the time between the submission of the matter to arbitration and the delivery of the arbitration report to the local government.

(5) If a local government defeats or decides not to proceed with a bylaw, the protection under this section ends.

Heritage control periods for temporary protection

608 (1) For the purposes of heritage conservation planning for an area identified in the bylaw, a local government may, by bylaw, declare a heritage control period with respect to the area.
(2) A bylaw under subsection (1) must specify the length of the heritage control period, which period may not be longer than one year from the date of adoption of the bylaw.

(3) A bylaw under subsection (1) may do one or more of the following:

(a) identify types of landscape features that are included in the protection under this section;

(b) specify types of alterations to property that are allowed without obtaining a heritage alteration permit;

(c) establish policies regarding the issuance of a heritage alteration permit in relation to property within the area covered by the bylaw.

(4) During a heritage control period under subsection (1), property within the area covered by the bylaw is subject to temporary protection in accordance with section 609.

(5) A heritage control period under this section may be declared once only during any 10 year period for an area or portion of an area.

**Temporary protection**

**609** (1) While property is subject to temporary protection in accordance with this Division, except as authorized by a heritage alteration permit or as referred to in subsection (2), a person must not do any of the following to the property:

(a) alter the exterior of a building or structure;

(b) make a structural change to a building or structure;

(c) move a building or structure;

(d) alter, move or take an action that would damage a fixture or feature identified in the authorizing resolution, order or bylaw for the temporary protection;

(e) alter, excavate or build on the property.

(2) The prohibition under subsection (1) does not apply to alterations that are, by the authorizing resolution, bylaw or order for the temporary protection, allowed to be made without a heritage alteration permit.

**Division 5 — Continuing Protection**

**Heritage revitalization agreements**
610 (1) A local government may, by bylaw, enter into a heritage revitalization agreement under this section with the owner of heritage property.

(2) A heritage revitalization agreement may do one or more of the following:

(a) include provisions regarding the phasing and timing of the commencement and completion of actions required by the agreement;

(b) vary or supplement provisions of one or more of the following:
   (i) a bylaw or heritage alteration permit under this Part;
   (ii) a land use permit under Part 14 [Planning and Land Use Management];
   (iii) a land use regulation bylaw under Part 14;
   (iv) a bylaw under Division 11 [Subdivision and Development: Requirements and Related Matters] of Part 14;
   (v) a bylaw under Division 19 [Development Costs Recovery] of Part 14;

(c) include other terms and conditions that may be agreed on by the local government and the owner.

(3) A heritage revitalization agreement prevails over a bylaw or permit referred to in subsection (2) (b) to the extent of any conflict.

(4) A heritage revitalization agreement may be amended by bylaw only with the consent of the owner.

(5) A local government must not require an owner to enter into or consent to the amendment of a heritage revitalization agreement as a condition of issuing any permit, licence or other authorization that may be required to enable the heritage property to be used or developed in accordance with the applicable bylaws.

(6) A local government must not enter into or amend a heritage revitalization agreement unless the agreement or amendment is approved as follows:

(a) by the minister, if circumstances prescribed under subsection (7) apply;

(b) by the minister responsible for the administration of the Transportation Act, if the agreement or amendment covers land subject to section 52 (3) of that Act.
(7) The minister may, by regulation, prescribe circumstances in which approval under subsection (6) (a) is required.

(8) Before entering into or amending a heritage revitalization agreement, a local government must hold a public hearing on the matter if the agreement or amendment would permit a change to the use or density of use that is not otherwise authorized by the applicable zoning of the property and, for these purposes, Division 3 [Public Hearings on Planning and Land Use Bylaws] of Part 14 applies.

(9) Despite section 135 [requirements for passing bylaws] of the Community Charter, if a public hearing on the matter has been held under subsection (8) of this section, the local government may adopt the bylaw under this section at the same meeting at which the bylaw passed third reading.

(10) Within 30 days after entering into or amending a heritage revitalization agreement, the local government must

(a) file a notice in the land title office in accordance with section 594, and

(b) give notice to the heritage minister in accordance with section 595.

(11) If a notice is filed under subsection (10) (a), the heritage revitalization agreement and any amendment to it is binding on all persons who acquire an interest in the land affected by the agreement.

Heritage designation protection

611 (1) A local government may, by bylaw, on terms and conditions it considers appropriate, designate real property in whole or in part as protected under this section if the local government considers that

(a) the property has heritage value or heritage character, or

(b) designation of the property is necessary or desirable for the conservation of a protected heritage property.

(2) A heritage designation bylaw may do one or more of the following:

(a) apply to a single property or to part of a property;

(b) apply to more than one property, including properties owned by different persons;

(c) apply to affixed interior building features or fixtures identified in the bylaw;

(d) apply to landscape features identified in the bylaw;
(e) establish policies or procedures regarding the provision of financial or other support for the conservation of the heritage property;

(f) specify types of alterations to the property that are allowed without a heritage alteration permit;

(g) establish policies regarding the issuance of heritage alteration permits in relation to property covered by the bylaw.

(3) Except as authorized by a heritage alteration permit or allowed under subsection (2) (f), a person must not do any of the following:

(a) alter the exterior of a building or other structure protected under this section;

(b) make a structural change to a building or other structure protected under this section;

(c) move a building or other structure protected under this section;

(d) alter, remove or take an action that would damage an interior feature or fixture that is identified under subsection (2) (c);

(e) alter, remove or take an action that would damage a landscape feature that is identified under subsection (2) (d);

(f) alter, excavate or build on land protected under this section.

Heritage designation procedure

612 (1) Before a heritage designation bylaw is adopted, the local government must hold a public hearing on the proposed bylaw for the purpose of allowing affected parties and the general public to make representations respecting matters contained in the proposed bylaw.

(2) The following provisions of Part 14 [Planning and Land Use Management] apply with respect to the public hearing and enactment of the heritage designation bylaw:

(a) section 465 [public hearing procedures];

(b) section 469 [delegating the holding of public hearings];

(c) section 470 [procedure after public hearing];

(d) section 480 [adoption of municipal zoning bylaw].
(3) At least 10 days before the public hearing, a notice in the prescribed form must be given in accordance with section 592 [giving notice to owners and occupiers] to

(a) all persons who, according to the records of the land title office, have a registered interest in real property that would be designated, and

(b) all occupiers of real property that would be designated.

(4) A notice in the prescribed form must also be published in at least 2 consecutive issues of a newspaper, with the last publication to be at least 3 days but not more than 10 days before the public hearing.

(5) The local government must have a report prepared regarding the property to be designated that includes information respecting the following matters:

(a) the heritage value or heritage character of the property;

(b) the compatibility of conservation with the official community plan and any other community planning objectives in the area in which the property is located;

(c) the compatibility of conservation with lawful uses of the property and adjoining lands;

(d) the condition and economic viability of the property;

(e) the possible need for financial or other support to enable appropriate conservation.

(6) At least 10 days before the public hearing, the report under subsection (5) must be available for public inspection at the local government office during its regular office hours.

(7) No heritage designation bylaw is invalid for inadvertent and minor non-compliance with this section or Division 2 [Notices under this Part], or for an error or omission in the report required under subsection (5).

(8) Within 30 days after a local government adopts or defeats a heritage designation bylaw or determines not to proceed with the bylaw, the local government must give notice of this in the prescribed form to the owners entitled to notice under subsection (3) (a).

(9) Within 30 days after adopting a heritage designation bylaw, the local government must give notice of this

(a) to the land title office in accordance with section 594, and

(b) to the heritage minister in accordance with section 595.
Compensation for heritage designation

613 (1) If a designation by a heritage designation bylaw causes, or will cause at the time of designation, a reduction in the market value of the designated property, the local government must compensate an owner of the designated property who makes an application under subsection (2),

(a) in an amount or in a form the local government and the owner agree on, or

(b) failing an agreement, in an amount or in a form determined by binding arbitration under subsection (4).

(2) The owner of a designated property may apply to the local government for compensation for the reduction in the market value of the designated property.

(3) An application under subsection (2)

(a) must be made, in order for the owner to be entitled to compensation under this section, no later than one year after the heritage designation bylaw is adopted, and

(b) may be made before the heritage designation bylaw is adopted.

(4) If the local government and an owner are unable to agree

(a) that the owner is entitled to compensation, or

(b) on the amount or form of compensation,

then either the local government or the owner may require the matter to be determined by binding arbitration under the Arbitration Act.

(5) An arbitration under this section must be by a single arbitrator unless the local government and the owner agree to the appointment of an arbitration panel.

(6) The arbitrator or arbitration panel, in determining whether the owner is entitled to compensation and the amount or form of compensation, must consider

(a) financial and other support available for conservation of the designated property, and

(b) any other benefits that are available because of the designation of the property.

(7) Compensation must not be paid, and an arbitration must not continue, if the local government defeats or decides not to proceed with the heritage designation bylaw.
(8) Nothing in this section authorizes the local government to give any financial or other benefit to an owner except that which is commensurate with the reduction in the market value of the designated property caused by that designation.

(9) This section does not apply with respect to property that, immediately before the adoption of the heritage designation bylaw, is already designated under a heritage designation bylaw or under section 9 of the Heritage Conservation Act.

**Designation of heritage conservation areas**

**614 (1)** For the purposes of heritage conservation, an official community plan may designate an area as a heritage conservation area to which section 615 (1) [requirements for heritage alteration permit] applies.

(2) If a heritage conservation area is designated under subsection (1),

(a) the official community plan must

(i) describe the special features or characteristics that justify the designation, and

(ii) state the objectives of the designation, and

(b) either the official community plan or a zoning bylaw must specify guidelines respecting the manner by which the objectives are to be achieved.

(3) If a heritage conservation area is designated under subsection (1), the official community plan may do one or more of the following:

(a) specify conditions under which section 615 (1) does not apply to property within the area, which may be different for different properties or classes of properties;

(b) include a schedule listing buildings, other structures, land or features within the area that are to be protected heritage property under this Act;

(c) for the purposes of section 615 (3), identify features or characteristics that contribute to the heritage value or heritage character of the area.

(4) At least 10 days before the public hearing on an official community plan that includes a schedule under subsection (3) (b), the local government must give notice in accordance with section 592 to the owner of each property that is to be included in the schedule, unless the property was already included in the schedule.
(5) Within 30 days after the adoption of a bylaw that includes a property in or deletes a property from a schedule under subsection (3) (b) to an official community plan, the local government must:

(a) file a notice in the land title office in accordance with section 594, and

(b) give notice to the heritage minister in accordance with section 595.

Permit requirements in relation to heritage conservation areas

615 (1) If an official community plan designates a heritage conservation area, a person must not do any of the following unless a heritage alteration permit authorizing the action has been issued:

(a) subdivide land within the area;

(b) start the construction of a building or structure or an addition to an existing building or structure within the area;

(c) alter a building or structure or land within the area;

(d) alter a feature that is protected heritage property.

(2) Subsection (1) does not apply if conditions established under section 614 (3) (a) apply.

(3) If a heritage alteration permit is required by subsection (1), a delegate may act in relation to such a permit only if

(a) the property is protected heritage property, or

(b) the permit relates to a feature or characteristic identified under section 614 (3) (c).

Heritage site maintenance standards

616 (1) A local government may, by bylaw, establish minimum standards for the maintenance of real property that is

(a) designated as protected by a heritage designation bylaw, or

(b) within a heritage conservation area.

(2) Different standards may be established under subsection (1) for different areas or for different types or classes of property.

Division 6 — Heritage Alteration Permits

Heritage alteration permits

617 (1) A local government or its delegate may issue a heritage alteration permit authorizing alterations or other actions if the authorization is required by

(a) this Act or by a bylaw or order under this Act,
(b) a heritage revitalization agreement, or
(c) a covenant under section 219 of the *Land Title Act*.

(2) Subject to subsection (4), the heritage alteration permit may, in relation to protected heritage property or property within a heritage conservation area, vary or supplement provisions of one or more of the following:

(a) a bylaw or heritage alteration permit under this Part;
(b) a land use permit under Part 14 [*Planning and Land Use Management*];
(c) a land use regulation bylaw under Part 14;
(d) a bylaw under Division 11 [*Subdivision and Development: Requirement and Other Related Matters*] of Part 14;
(e) a bylaw under Division 19 [*Development Costs Recovery*] of Part 14.

(3) A permit issued under this section prevails over a bylaw or permit referred to in subsection (2) to the extent of any conflict.

(4) The following restrictions apply to subsection (2):

(a) the use or density of use may not be varied;
(b) a flood plain specification under section 524 (3) may not be varied;
(c) in relation to property within a heritage conservation area, the permit must be in accordance with the guidelines established under section 614 (2) (b) for the heritage conservation area.

(5) A local government or its delegate may refuse to issue a heritage alteration permit for an action that, in the opinion of the local government or delegate, would not be consistent with the purpose of the heritage protection of the property.

(6) If the refusal to issue a heritage alteration permit prevents

(a) the use of land that is allowed under the applicable zoning bylaw, or
(b) the development of land to the density that is allowed under the applicable zoning bylaw in respect of that permitted use,

the local government or delegate must inform the applicant of the requirements or conditions under which a use or density proposed by the applicant in accordance with section 588 (2) [limits on use of this Part] would be allowed.

Terms, requirements and conditions in a heritage alteration permit

618 (1) A heritage alteration permit may be made subject to the terms, requirements and conditions that the local government or its delegate considers consistent with the purpose of the heritage protection of the property.

(2) Without limiting subsection (1), a heritage alteration permit may include one or more of the following:

(a) conditions respecting the sequence and timing of construction;

(b) conditions respecting the character of the alteration or action to be authorized, including landscaping and the siting, form, exterior design and finish of buildings and other structures;

(c) if the permit is required by this Part or a bylaw or order under this Part, a requirement that the applicant provide a specified amount of security, in a form satisfactory to the local government, to guarantee the performance of the terms, requirements and conditions of the permit.

(3) Interest earned on security under subsection (2) (c) becomes part of the amount of the security.

(4) If a local government considers that the holder of a heritage alteration permit has contravened or failed to comply with a term, requirement or condition of the permit, the local government may undertake and complete the work required to satisfy the term, requirement or condition, or to ameliorate the effects of the contravention or noncompliance, at the cost of the holder of the permit.

(5) The local government may recover the cost of the work undertaken under subsection (4) and the cost of incidental expenses incurred by the local government by applying the security provided under subsection (2) (c) in payment for the cost of the work and incidental expenses, with any excess to be returned to the holder of the permit.
(6) If there is no security deposit or the amount of security is insufficient, the local government may add the cost of work undertaken and incidental expenses, or the remaining costs, to the taxes payable to the local government with respect to the property for the year in which the work is performed.

(7) When a permit lapses or the actions it authorizes are completed, the local government must, subject to subsection (5), return any security provided under subsection (2) (c) to the person who provided it.

(8) If a local government delegates the power to require security under subsection (2) (c), the delegation bylaw must include guidelines for the delegate as to how the amount of security is to be determined.

**Division 7 — Remedies and Offences**

**Civil remedies in relation to heritage property**

619 (1) A local government may apply to the Supreme Court for an order for compliance or restoration if a person does one or more of the following:

(a) without the authority of a heritage alteration permit, does anything for which a heritage alteration permit is required under this Act;

(b) fails to comply with the requirements and conditions of a heritage alteration permit;

(c) fails to comply with a direction of the Ombudsperson under section 591 (4) [direction prohibiting action on specified matters];

(d) fails to bring property up to the standards established under section 616 [heritage site maintenance standards].

(2) An order under subsection (1) may include one or more of the following:

(a) a requirement that, on terms and conditions the court specifies, the person restore the property to which the matter relates to its condition before the contravention;

(b) a requirement that the person undertake compensatory conservation work as the court considers appropriate on the property that was affected or on other property, or that conservation work be performed by others at the expense of that person;
(c) a requirement that the person comply with a direction under section 591 (4) or with the requirements and conditions of a heritage alteration permit;

(d) a requirement that the person carry out measures specified by the court to ameliorate the effects of the contravention or non-compliance;

(e) an authorization that the local government may, by its employees or others at the expense of the owner, perform work regarding a matter referred to in this subsection;

(f) any other requirement the court considers advisable.

(3) If an order is made under subsection (2) (e), the court may specify how and when the person will reimburse the local government for the cost of the work performed and the cost of incidental expenses accruing under the order.

(4) Without limiting subsection (3), the court may authorize the local government to add the cost of the work undertaken and the cost of incidental expenses under the order to the taxes payable to the local government with respect to the property for the year in which the work is performed.

(5) An order may be made under this section whether or not a person is charged with an offence under section 621 in relation to the matter.

**Notice of contravention may be filed in land title office**

620 (1) An officer or employee of a local government may recommend to the local government that a notice be filed in the land title office if the officer or employee discovers in the course of duties that any of the following have occurred:

(a) something for which a heritage alteration permit is required under this Act has been done without the authority of a heritage alteration permit;

(b) a person has failed to comply with the requirements and conditions of a heritage alteration permit;

(c) the terms and conditions of a heritage revitalization agreement have been contravened;

(d) a covenant registered by the local government under section 219 of the Land Title Act in relation to heritage property has been contravened.
(2) Sections 57 [note against land title that building regulations contravened] and 58 [cancellation of note against land title] of the Community Charter apply for the purposes of this section as though the person making the recommendation under subsection (1) of this section were a building inspector making a recommendation under section 57 (1) of the Community Charter.

(3) The authority under subsection (1) is in addition to any other action the person or local government is authorized to take in relation to the matter.

**Offences and penalties**

621 (1) A person who does any of the following commits an offence:

(a) without the authority of a heritage alteration permit, does anything for which a heritage alteration permit is required under this Act;

(b) fails to comply with the requirements and conditions of a heritage alteration permit;

(c) alters property in contravention of a heritage revitalization agreement.

(2) A person convicted of an offence under subsection (1) is liable,

(a) if the person is an individual, to a fine of not more than $50 000 or to imprisonment for a term of not more than 2 years, or to both, or

(b) if the person is a corporation, to a fine of not more than $1 000 000.

(3) If a corporation commits an offence under subsection (1), an employee, officer, director or agent of the corporation who authorized, permitted or acquiesced in the offence also commits the offence and is liable to the penalty set out in subsection (2) (a) whether or not the corporation is convicted of the offence.
Heritage Conservation: A Community Guide

Heritage Conservation: A Community Guide

Province of British Columbia
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HERITAGE BRANCH

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Heritage Conservation: A Community Guide

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INTRODUCTION

The Heritage Conservation Statutes Amendment Act (HCSAA), proclaimed by the Lieutenant Governor in October 1994, made wide-ranging improvements to heritage conservation legislation in British Columbia. The HCSAA amended more than twenty Acts, and made significant changes to the Heritage Conservation Act, the Local Government Act, and the Vancouver Charter. The Community Charter also empowers local governments to undertake heritage conservation activities.

Local governments in British Columbia have a wide variety of tools for the conservation of community heritage resources. Provincial legislation provides for:

- a "tool kit" of powers for local government to more effectively manage community heritage resources;
- better integration of heritage conservation into land use planning;
- improved fairness and procedures for developers and owners of heritage property;
- conservation incentives;
- tougher penalties to deter and punish offenses against heritage resources;
- improved ability to work with First Nations;
- improved heritage stewardship by provincial agencies.

Who Should Use the Community Guide?

This community guide is intended to meet the needs of non-technical users of the heritage legislation in communities throughout British Columbia. Those who may find this information most useful include members of Community Heritage Commissions, local government planners and administrators, members of local heritage and museums societies, and other people interested in heritage conservation.

What Does This Community Guide Include?

This guide includes both general and specific information about heritage conservation legislation in British Columbia. General parts of this guide include information on planning for heritage conservation, terms used in the legislation, principles of heritage conservation, highlights for local government, and a reference list of other recommended reading. Specific parts of this guide include information on the most commonly used local government heritage conservation tools made available by the legislation. Each tool is discussed individually, including these topics:

- What is it?
- What does it do?
- When do you use it?
- How do you use it?
- Example(s).

Available heritage conservation tools generally fall into two basic groups:

- Tools for Planning - enable research, planning, and integration of heritage conservation with community planning.

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• Tools for Conservation enable local governments to provide support to owners of heritage buildings and legal protection for a community's residential heritage buildings.

A cautionary note: Although this guide was prepared to help you understand the legislation, each local government must refer to the legislation and seek its own legal counsel for specific legal interpretations. Additionally, as an introductory treatment, this guide does not include numerous topics that may pertain to a small percentage of conservation situations.

Abbreviations
BIA - Business Improvement Area
CC - Community Charter
HCA - Heritage Conservation Act
HPI - Historic Places Initiative
LTA - Land Title Act
LGA - Local Government Act
OCP - official community plan
VC - Vancouver Charter

For further information on heritage legislation contact:

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We're located on the 5th Floor, 800 Johnson Street, Victoria, with office open Monday to Friday 8:30 am to 4:30 pm. For detailed consultation, we suggest calling in advance for an appointment with Branch Staff.

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HIGHLIGHTS FOR LOCAL GOVERNMENT

The Community Charter, the Local Government Act and the Vancouver Charter, and other statutes, enable municipalities and regional districts to better integrate heritage conservation activities into the mainstream of development and community planning.

A Special Note About Regional Districts

Municipal councils are empowered by the Community Charter to engage in heritage conservation services and to use the tools provided in Part 27 of the Local Government Act. Regional Districts however, are in somewhat different situation. If they wish to provide heritage conservation services, they first must adopt an establishing bylaw [LGA s. 800].

Please also note that in some cases, legislative tools have different restrictions, depending on whether they are being used by a council or a regional board. Tax exemptions, for example, may be granted under the Community Charter by municipal councils for any specified term, whereas regional districts may only grant them for up to ten years. Regional districts should consult the relevant legislation directly for further information and/or clarification.

Planning Tools

Community Heritage Commission

Local government may, by bylaw, appoint a Community Heritage Commission to help manage and implement community heritage planning and activities.

Community Heritage Register

By resolution, local government can establish an official listing of properties identified as having heritage character or heritage value to the community. A community heritage register:

- facilitates integration of heritage considerations with community planning;
- enables monitoring of properties through licensing and permit application processes;
- informs property owners and prospective buyers of property's heritage value;
- in itself does not provide heritage protection.

Properties on a community heritage register are listed in the Provincial Heritage Register and can be eligible for nomination to the Canadian Register of Historic Places.

Support Tools

More Powerful Incentives

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Local government may offer incentives to property owners:

- full or partial tax exemptions
- direct monetary grants;
- non-monetary support (technical advice, program coordination, funding of a non-profit society, commemoration, public works projects, priority routing of applications, etc.);
- heritage alteration permits may waive or relax some portions of land-use bylaws;
- density bonuses and new uses can be permitted;
- special consideration under the B.C. Building Code for registered and protected properties.

The Legal Protection Tool Kit

This section provides an introductory description of 12 key ‘tools’ available:

**Heritage Inspection**

Local government (and the province) can order heritage inspections to assess heritage value and conservation needs.

**Heritage Revitalization Agreement**

Allows a local government and property owner to make a formal voluntary written agreement which may specify terms and vary or supplement numerous bylaw and permit conditions, including:

- rural land use, density, siting, and lot size;
- a land use designation, development cost recovery, subdivision and development requirements;
- a permit under LGA Part 26; a bylaw or heritage alteration permit under LGA Part 27.

**Heritage Alteration Permit**

Allows changes to be authorized for protected heritage property (designation, conservation covenant, heritage revitalization agreement, heritage conservation area). May not vary use or density, but may vary or supplement rural land use bylaws, land use designation, permits, development cost charge recovery, subdivision and development requirements.

**Heritage Impact Assessment**

Owners or developers can be required to provide information prior to development approvals regarding the impact of their proposals on protected heritage properties.

**Heritage Designation**

By bylaw, heritage designation can provide long-term protection to a single property, a portion of a property (exterior, interior, landscape features), or more than one property. It is the primary form of long-term local government regulation that can prohibit demolition. It can also prohibit moving, structural and land changes, and alterations to specified exterior, interior fixtures, and landscaping.

**Heritage Site Maintenance Standards**

Minimum standards can be established for maintaining properties protected by designation or heritage conservation areas.

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**Temporary Heritage Protection**

Temporary heritage protection tools deal with immediate and short-term circumstances and can be used until longer-term measures are enacted:

- withholding of approvals,
- withholding of demolition permits,
- temporary protection orders,
- temporary protection bylaws, or
- temporary protection control periods.

Specific time limits apply. Temporary heritage protection cannot be extended indefinitely.

**Heritage Compensation**

Local government must provide fair compensation to a property owner for loss in market value as a direct result of designation. Compensation may be monetary or non-monetary. Owners must apply for compensation within a year of designation. Owners may waive the right to compensation. Disputes are settled by binding arbitration under the *Commercial Arbitration Act*.

**Tree Protection**

Municipalities have “natural person” powers under the Community Charter, which allows them broad scope for regulation and management of trees.

**Heritage Conservation Covenant**

Allows a local government or a heritage organization to negotiate terms of a contractual agreement with a property owner to protect a site, but cannot vary siting, use, or density.

Covenants are registered on the land title and may be binding on future property owners.

**Heritage Conservation Area**

Local government can define special areas in the OCP to provide long-term protection to a distinctive heritage area. Heritage conservation areas may require a heritage alteration permit for:

- subdivision,
- additions,
- new construction,
- alteration of a building, structure, land, or feature.

**Reservation and Dedication of Heritage Property**

Local government can commit to providing long-term protection to public property (cenotaphs, historic trails, statues, city halls, or parks).

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Procedures for Local Government

One-Stop-Shopping Concept for Approvals

Necessary approvals for heritage rehabilitation work can be expedited and consolidated. Staff can work with owners to identify and resolve technical conservation problems and regulatory conflicts.

Procedures related to heritage conservation may be included in the local government procedures manual.

Delegation of Authority

A council may pass a bylaw delegating certain of its powers, duties and functions to a council member, council committee, officer, employee or other body established by council. (CC s. 154)
- heritage inspection(s),
- heritage impact assessment(s),
- heritage alteration permit(s).

Giving Notice

Procedures for creating heritage protection require fairness, advance notice to the public and affected parties, rationale for heritage protection, a public hearing, and post-enactment notice to owners.

Disputes and Penalties (under the Local Government Act)

Provincial Ombudsman

The Ombudsman has authority to investigate complaints regarding the exercise of any heritage protection powers or the powers or the standards of fairness used by local government.

Serious Offences - Maximum fine of $50,000 ($1 million for corporations) and up to two years in jail for illegal alteration or destruction of protected heritage property.

Minor Offences - Maximum fine of $2,000 and/or six months in jail.

Civil Remedies - Local government can apply for a court order to require compliance of a heritage requirement, or for restoration or compensatory conservation work if a protected heritage property is illegally altered or destroyed.

Notice of Infractions on Land Title - If local government discovers unauthorized alteration of heritage property, a notice can be placed on the land title until the matter is resolved.

Local Government Requirements for Giving Notice

The following are simple interpretations of Local Government Act requirements for giving notice. Please consult applicable sections of the Local Government Act [LGA s. 974-978] for specific notification procedures.

PUBLIC NOTICE

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Notice to property owners and the public must be given before or after enactment of many heritage protection provisions. If notice is required, it may be given to a property owner or occupant in person, by registered mail, or if neither of these is possible, by an advertisement in a local newspaper. A notice may be posted on the applicable land if a reasonable attempt has been made to notify the property owner. Local government may post a notice on protected heritage property or property that is subject to some forms of temporary heritage protection.

**LAND TITLE OFFICE**

Local government must file a notice with the Land Title Office in compliance with the office's requirements if:

- repayment of exempted taxes is required,
- a conservation covenant is made,
- a heritage revitalization agreement is adopted,
- a property receives heritage designation,
- a heritage conservation area bylaw is adopted, or
- any of the above circumstances no longer apply.

**MINISTER RESPONSIBLE FOR HERITAGE**

Local government must notify the minister responsible for heritage conservation if a heritage property is

- on a community heritage register,
- given a tax exemption,
- designated,
- subject to a heritage revitalization agreement,
- on a heritage conservation area schedule, or
- any of the above circumstances no longer apply.

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PLANNING FOR HERITAGE CONSERVATION

Heritage Conservation Terms
The Heritage Conservation Statutes Amendment Act (1994) introduced a number of meanings that were new at the time to British Columbia's heritage conservation vocabulary. Some were terms used for new tools created by the legislation. Other terms were familiar, but used in new ways or with new meanings in the context of the legislation.

The following is a list of the most important new terms contained in the legislation. A glossary is provided in this document to help explain the meanings of these terms. Note that some terms take on subtle specific legal meanings depending on the Act in which they are used. It is therefore advisable to refer to the definition section of the relevant Act for the specific legal meaning of a term.

- community heritage commission
- community heritage register & provincial heritage register
- conservation
- conservation covenant
- heritage alteration permit
- heritage character
- heritage conservation area
- heritage control period
- heritage impact assessment
- heritage inspection
- heritage property
- heritage recognition
- heritage revitalization agreement
- heritage site
- heritage value
- protected heritage property
- temporary protection

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Principles of Heritage Conservation

Legislation in British Columbia enables heritage conservation practices to be integrated into the day to day mainstream planning activities of local government.

The principles of heritage conservation that follow have evolved out of the collective experience of British Columbians over the last two decades.

1. **Planning Comes First**

   Communities should make every effort to plan for the conservation of their heritage resources. Planning will help to avoid conflict and last minute attempts to save valuable community resources.

   Planning involves a number of steps that include:

   - taking time to **communicate with owners** of heritage property and those who have an interest in heritage conservation,
   - **identifying a vision** for the future of the community and its heritage resources,
   - **identifying and evaluating** the community's heritage resources,
   - **setting goals and objectives** for the conservation of the community's heritage resources,
   - **assessing the various ways** the goals and objectives may be achieved, and
   - **setting out a strategy** for how they will be achieved.

   Once you have agreed on a plan, the conservation of resources is the next step. This could involve:

   - implementing legal protection for a resource,
   - undertaking physical preservation of a resource, and
   - monitoring and evaluating completed work.

2. **Legislation is Not a Substitute for Planning**

   By themselves, the tools enabled by the legislation are not enough. Used on their own, these tools can lead to ad hoc and piecemeal management of heritage resources. In order for these tools to be effective, they must be used in the context of heritage planning.

3. **Plan Incrementally and Build on Success**

   An incremental approach to planning is recommended because most communities lack the financial resources, experience, and technical expertise to undertake comprehensive planning.

   An incremental or one-step-at-a-time approach will help communities to acquire experience and to achieve some level of success before undertaking large projects. An incremental approach will help communities to proceed with heritage conservation at a pace they can handle, and will give communities the confidence and experience to take on new and larger initiatives.

   Communities can achieve more when they build on past successes. Communities may succeed with a parade, a public art project with a heritage theme, or the restoration a small commercial building. Whatever the projects or activities, the next step should be to build on those successes.

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4. **Heritage Conservation is an On-going Process**

Most of us think of planning as a linear process that has a beginning, a middle, and an end. Heritage conservation, however, involves a continuing series of planning cycles:

- plan,
- implement, and
- evaluate.

5. **Get Organized and Build Community Support**

The communities in British Columbia that have had the most success with heritage conservation are those that have been able to get organized.

Getting organized means integrating heritage activities within the context of the larger community, making a plan, recruiting volunteers, and building partnerships with property owners, business, and local government.

Community support is essential to achieving success in heritage activities. The more that members of the community are aware of their heritage, the more likely they will be to lend support and energy to heritage activities. Ideally all cultural interests should be involved in the heritage conservation activities of a community, including aboriginal and other cultural groups.

6. **Consider the Whole Community**

Rather than focusing on conserving individual heritage resources, a community should look at the role heritage conservation can play in the life of the community. The more the community’s interests, needs, and issues as a whole are considered, the more likely it is that heritage conservation will be integrated into mainstream planning and other community activities.

7. **Identify the Issue First, then Select the Tool**

It is important to assess the problem or opportunity before a tool is selected. It helps to identify the problem first, look at alternative solutions, and then select the tool(s) which can best be used to solve the problem. The risks of choosing an inappropriate tool are higher when a community tries to fit the circumstance to the tool, rather than when it fits the tool to the circumstance.

8. **Heritage Conservation Must be Fair**

The legislation has been designed to provide fairness to both the public interest and to property owners. It is important that heritage proponents work with and consider the needs of owners of heritage properties to achieve fairness in conserving heritage resources.

9. **Heritage Resources Require Stewardship**

Stewardship is more than the physical tasks of restoration. It is a process of commitment and long-term management of community heritage resources. This may involve finding a new role for a resource to play in a community, or finding a way to make a resource more economically viable.

Heritage conservation is an on-going process of stewardship that must be carried on after physical restoration is complete. On-going stewardship of heritage resources will help to ensure conservation over the long term. Stewardship involves three steps:

- protection legal protection of the resource

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10. Invest in Your Future

Heritage conservation activities have successfully contributed to the economic development of many communities in British Columbia over the last fifteen years. If approached from a business point of view, heritage conservation efforts can help to preserve a community’s past and generate much needed economic activity.

Residential Building Conservation

Heritage conservation legislation in British Columbia provides a variety of tools that can be used by municipalities and regional districts in the conservation of residential buildings and areas.

Types of Residential Conservation

These may include the exterior, interior, landscape, and/or land of:

- a single residence, or
- a cluster or district of residences.

Getting Started

Selecting the right tool for conservation will depend on your specific circumstances. Simple situations may be handled by using one tool. More complex situations may require a strategic approach using several tools. Start by determining your individual and/or community needs.

1. Analyze your situation - define the problem to be solved.
   - Is the owner supportive?
   - Is the residence or area threatened?
   - Have you done your planning?

2. Determine your desired results - identify specifically what you want to achieve: now? In 5 years? In 20 years?

3. Review your options - consider the tools (support, temporary and/or long-term protection); narrow down and select.
   - Do you need to provide support or legal protection?
   - If it is support you need, do you have financial resources to offer?
   - If you want legal protection, do you need short or long-term protection?

4. Consult with others - may include local government, property owners, planners, legal advice.

5. Seek a balanced approach – seek fairness; think out the long-range consequences.

Determining What is “Heritage”

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The Local Government Act [s. 5] gives local government the authority to determine heritage property as having sufficient heritage value or heritage character to justify its conservation.

Heritage properties should be officially listed by local government on a community heritage register to give notice to property owners and potential buyers.

**Balancing Public and Private Rights**

Local government is required to give notice to property owners of significant changes proposed to the status of a property. Generally property owners are given an opportunity to express their views regarding potential changes at a public hearing.

**Doing Your Research**

A heritage inspection may be performed at local government expense on a property which warrants investigation for evaluative purposes.

A heritage impact assessment can be required at owner or local government expense to predict the impact a proposed development may have on adjacent heritage resources.

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**Tools You Might Use**

**Planning Tools**
- Community and provincial heritage registers
- Heritage inspection
- Heritage impact assessment
- Appropriate zoning

**Support Tools**
- Tax exemption
- Grants and non-monetary incentives

**Protection Tools**
- Temporary heritage protection
- Heritage revitalization agreement
- Heritage conservation covenant
- Heritage conservation area
- Heritage alteration permit
- Heritage designation
- Heritage compensation
- Heritage site maintenance standards
- Acquisition of property [CC's 8 (1)]

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What if the heritage residence is...

**...a single dwelling**

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...that requires short-term protection?

Temporary heritage protection gives legal protection for a limited time. Forms include: withholding of approvals; withholding of demolition permits; and temporary protection orders or bylaws.

...that requires long-term protection?

A conservation covenant or a heritage revitalization agreement may be negotiated with the owner for long-term protection.

- A conservation covenant is a contractual agreement between a residential property owner and local government or heritage organization. It is registered on the land title and may be binding on future property owners. A covenant can apply to natural or manmade resources; it cannot vary siting, use, or density.

- A heritage revitalization agreement is a formal voluntary agreement between a property owner and local government. It may allow exceptions and relaxations to use, density, and/or siting regulations.

Heritage designation offers long-term protection by bylaw of exteriors, interior fixtures, landscaping, and/or land, with or without the owner's agreement. A property owner is entitled to local government heritage compensation for proven reduction in market value resulting from heritage designation.

...that requires enforced maintenance?

Heritage site maintenance standards can be established to enforce minimum standards of care for properties that are designated or are in a heritage conservation area.

...in a cluster or district

...that requires short-term protection?

Temporary heritage protection gives legal protection for a limited time. Forms include withholding of approvals; withholding of demolition permits; temporary protection orders, bylaws, or control periods. In addition to the forms of temporary protection for individual buildings, control period bylaws can be established for area-wide planning.

...that requires long-term protection? For clusters or districts of residences with distinct heritage value or heritage character, local government may enter into individual agreements with property owners (conservation covenant, heritage revitalization agreement, designation as above), or establish one or more heritage conservation areas through a bylaw that amends the OCP.

A heritage conservation area can establish design controls for the area and provide protection to some or all properties. Protected properties must be identified in a bylaw. Property owners may not demolish, subdivide, make alterations or additions, or do new construction on properties protected by a heritage conservation area without a heritage alteration permit.

Local government can also prepare residential building design guidelines for an area as part of establishing a residential development permit area.

...under immediate threat?

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In addition to **temporary heritage protection**, local government can order a **heritage impact assessment** to be prepared by the proponent to determine the potential impact of a proposed development on neighbouring heritage properties.

### ...in need of support?

Local government can offer several types of support: full or partial tax exemptions for specified terms, or incentives in the form of grants and/or non-monetary support such as technical advice, program coordination, public works, commemoration, etc.

### ...protected

...and you want to make changes?

Local government may issue a **heritage alteration permit** for residences that are protected by designation, heritage conservation covenant, heritage revitalization agreement, or a heritage conservation area. A heritage alteration permit may vary zoning requirements, permits, or subdivision requirements, but cannot vary use or density. Local government may refuse to issue a heritage alteration permit if the proposed alteration would not be appropriate.

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**Commercial and Industrial Building Conservation**

Heritage conservation legislation in British provides a variety of tools that can be used by municipalities and regional districts in the conservation of commercial and industrial buildings and areas.

**Types of Commercial and Industrial Conservation**

May include the exterior, interior, landscape, and/or land of:

- a single building, or
- a cluster or group of buildings.

**Getting Started**

Selecting the right tool for conservation will depend on your specific circumstances. Simple situations may be handled by using one tool. More complex situations may require a strategic approach using several tools. Start by determining your individual and/or community needs.

1. **Analyze your situation** - define the problem to be solved.
   - Is the owner supportive?
   - Is the building or area threatened?
   - Have you done your planning?

2. **Determine your desired results** - identify specifically what you want to achieve: now? In 5 years? In 20 years?

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NOTE: This guide is for information and advice only. Local governments looking to implement the heritage conservation tools outlined here should seek legal counsel.
3 Review your options - consider the tools (support, temporary and/ or long-term protection); narrow down and select.

☐ Do you need to provide support or legal protection?
☐ If it is support you need, do you have financial resources to offer?
☐ If you want legal protection, do you need short or long-term protection?

4 Consult with others - may include local government, property owners, planners, legal advice.

5 Seek a balanced approach – seek fairness; think out the long-range consequences.

Determining What is “Heritage”

The Local Government Act [s.5] gives local government the authority to determine heritage property as having sufficient heritage value or heritage character to justify its conservation.

Heritage properties should be officially listed by local government on a community heritage register to give notice to property owners and potential buyers.

Balancing Public and Private Rights

Local government is required to give notice to property owners of significant changes proposed to the status of a property. Generally property owners are given an opportunity to express their views regarding potential changes at a public hearing.

Doing Your Research

A heritage inspection may be performed at local government expense on a property that warrants investigation for evaluative purposes.

A heritage impact assessment can be required at owner or local government expense to predict the impact a proposed development may have on adjacent heritage resources.

Tools You Might Use

Planning Tools
Community and provincial heritage registers
Heritage inspection
Heritage impact assessment
Appropriate zoning

Support Tools
Tax exemption
Grants and non-monetary incentives
Business improvement area

Protection Tools
Temporary heritage protection

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What if the commercial or industrial building is...

...a single building

...that requires short-term protection?

Temporary heritage protection gives legal protection for a limited time. Forms include: withholding of approvals; withholding of demolition permits; and temporary protection orders or bylaws.

...that requires long-term protection?

A conservation covenant or a heritage revitalization agreement may be negotiated for long term protection.

- A conservation covenant is a contractual agreement between a residential property owner and local government or heritage organization. It is registered on the land title and may be binding on future property owners. A covenant can apply to natural or manmade resources; it cannot vary siting, use, or density.

- A heritage revitalization agreement is a formal voluntary agreement between a property owner and local government. It may allow exceptions and relaxations to use, density, and/or siting regulations.

Heritage designation offers long-term protection by bylaw of exteriors, interior fixtures, landscaping, and/or land, with or without the owner's agreement. A property owner is entitled to local government heritage compensation for proven reduction in market value resulting from heritage designation.

...that requires enforced maintenance?

Heritage site maintenance standards can be established to enforce minimum standards of care for properties that are designated or are in a heritage conservation area.

...in a cluster or district

...that requires short-term protection?

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Temporary heritage protection gives legal protection for a limited time. Forms include withholding of approvals; withholding of demolition permits; temporary protection orders or bylaws. In addition to the forms of temporary protection for individual buildings, control period bylaws can be established for area-wide planning.

...that requires long-term protection?
For clusters or districts of commercial or industrial buildings with distinct heritage character, local government may enter into individual arrangements with property owners (conservation covenant, heritage revitalization agreement, designation as above), or establish one or more heritage conservation areas through a bylaw that amends the official community plan.

A heritage conservation area can establish design controls for the area and provide protection to some or all properties. Protected properties must be identified in the bylaw. Property owners may not demolish, subdivide, make alterations or additions, or do new construction on properties protected by a heritage conservation area without a heritage alteration permit.

Local government can also prepare commercial building design guidelines for an area as part of establishing a commercial development permit area.

...under immediate threat?
In addition to temporary heritage protection, local government can order a heritage impact assessment to be prepared by the proponent to determine the potential impact of a proposed development on neighbouring heritage properties.

...in need of support?
Local government can offer several types of support: full or partial tax exemptions for specified terms, or incentives in the form of grants and/or non-monetary support such as technical advice, program coordination, public works, commemoration, etc.

...in a commercial or industrial area?
Local governments may assist with the formation of a business improvement area (BIA) to enable the property owners of the area to undertake various initiatives to conserve the heritage character of the area.

...is protected
...and you want to make changes?
Local government may issue a heritage alteration permit for commercial or industrial buildings that are protected by designation, heritage conservation covenant, heritage revitalization agreement, or a heritage conservation area. Heritage alteration permits may vary permits, or zoning or subdivision requirements, but cannot vary use or density. Local government may refuse to issue a heritage alteration permit if the proposed alteration would not be appropriate.

...is regulated by the Federal Government?

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Examples include railway stations, harbour buildings, federal buildings, etc. In general, local government may enact protection for buildings regulated by the Federal Government if the protection does not negatively impact activities carried out in the building.

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Institutional Building Conservation

Heritage conservation legislation in British enables most public institutions to conserve heritage property. Communities should consult the relevant Acts, particularly the purposes and powers sections.

**Types of Institutional Conservation**

Institutional heritage buildings may include public buildings such as government buildings, hospitals, educational buildings, and places of worship. Institutional building conservation may include the exterior, interior, landscape, and/or land of:
- a single building, or
- a cluster or group of buildings.

**Getting Started**

Selecting the right tool for conservation will depend on your specific circumstances. Simple situations may be handled by using one tool. More complex situations may require a strategic approach using several tools. Start by determining your individual and/or community needs.

1. **Analyze your situation** - define the problem to be solved.
   - Is the owner supportive?
   - Is the building or area threatened?
   - Have you done your planning?

2. **Determine your desired results** - identify specifically what you want to achieve: now? In 5 years? In 20 years?

3. **Review your options** - consider the tools (support, temporary and/or long-term protection); narrow down and select.
   - Do you need to provide support or legal protection?
   - If it is support you need, do you have financial resources to offer?
   - If you want legal protection, do you need short or long-term protection?

4. **Consult with others** - may include local government, property owners, planners, legal advice.

5. **Seek a balanced approach** – seek fairness; think out the long-range consequences.

**Determining What is “Heritage”**

The *Local Government Act* [s. 5] gives local government the authority to determine heritage property as having sufficient *heritage value* or *heritage character* to justify its conservation.

Institutional heritage properties should be officially listed by local government on a community heritage register.

**Balancing the Interests of Local Governments and Public Institutions**

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NOTE: This guide is for information and advice only. Local governments looking to implement the heritage conservation tools outlined here should seek legal counsel.
Public institutions and local governments can work together to achieve common heritage conservation objectives.

**Doing Your Research**

A **heritage inspection** may be performed at local government expense on a property that warrants investigation for evaluative purposes.

A **heritage impact assessment** can be required at owner or local government expense to predict the impact a proposed development may have on adjacent heritage resources.

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**Tools You Might Use**

**Planning Tools**
- Community and provincial heritage registers
- Heritage inspection
- Heritage impact assessment
- Appropriate zoning

**Support Tools**
- Tax exemption
- Grants and non-monetary incentives

**Protection Tools**
- Temporary heritage protection
- Heritage revitalization agreement
- Heritage conservation covenant
- Heritage conservation area
- Development permit area
- Heritage alteration permit
- Heritage designation
- Heritage compensation
- Heritage site maintenance standards
- Reservation and dedication
- Universities, colleges, institutes, and hospital powers
- Request for provincial/federal government protection
- Acquisition of property \([CC's. 8 (1)]\)

What if the institutional structure is...

...a building

...that requires short-term protection?

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NOTE: This guide is for information and advice only. Local governments looking to implement the heritage conservation tools outlined here should seek legal counsel.
**Temporary heritage protection** gives legal protection for a limited time. Forms include: withholding of approvals; withholding of demolition permits; and temporary protection orders or bylaws.

...that requires long-term protection?
A conservation covenant or a heritage revitalization agreement may be negotiated for long term protection.

- A conservation covenant is a contractual agreement between a residential property owner and local government or heritage organization. It is registered on the land title and may be binding on future property owners. A covenant can apply to natural or manmade resources; it cannot vary siting, use, or density.
- A heritage revitalization agreement is a formal voluntary agreement between a property owner and local government. It may allow exceptions and relaxations to use, density, and/or siting regulations.

**Heritage designation** offers long-term protection by bylaw of exteriors, interior fixtures, landscaping, and/or land, with or without the owner's agreement. A property owner is entitled to **local government heritage compensation** for proven reduction in market value resulting from heritage designation.

...that requires enforced maintenance?
**Heritage site maintenance standards** can be established to enforce minimum standards of care for properties that are designated or are in a **heritage conservation area**.

...under immediate threat?
In addition to **temporary heritage protection**, local government can order a **heritage impact assessment** to be prepared by the proponent to determine the potential impact of a proposed development on neighbouring heritage properties.

...in need of support?
Local government can offer several types of support: full or partial **tax exemptions** for specified terms, or incentives in the form of **grants** and/or **non-monetary support** such as technical advice, program coordination, public works, commemoration, etc. Tax exemption does not apply to institutions that do not pay taxes, such as schools in active use or places of worship.

...is a university, college, or institute building?
The Board of Governors of a university is authorized to be responsible for the conservation of university heritage buildings and sites.

The Board of an institute or college is authorized to conserve its heritage property.

...is a hospital building?
Property owned by a hospital may be given **heritage designation status** by local government.

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...is a school building still in use?
An active school building may be protected by the same tools, with the exception of development permit areas, that apply to commercial and industrial buildings.

...is a place of worship?
Places of worship may be protected through the tools, with the exception of development permit areas, that apply to commercial and industrial resources.

...is owned by another level of government?
Examples include court houses, post offices etc. Local government may formally request the senior level of government to conserve the institutional heritage property. Further, local government can encourage senior governments to adopt policies, such as the Provincial Crown Stewardship policies, to manage heritage resources.

...is protected

...and you want to make changes?
Local government may issue a heritage alteration permit for commercial or industrial buildings that are protected by designation, heritage conservation covenant, heritage revitalization agreement, or a heritage conservation area. Heritage alteration permits may vary permits, or zoning or subdivision requirements, but cannot vary use or density. Local government may refuse to issue a heritage alteration permit if the proposed alteration would not be appropriate.

Natural Heritage Resource Conservation

Many heritage conservation tools available for building conservation are not applicable to natural resource conservation. Part 27 of the Local Government Act places specific limitations on the use of many of these tools for natural resource conservation. Generally, conservation tools enabled in Part 27 of the Local Government Act are available only where a natural feature has cultural or historical value.

Local Government Act Part 27 s. 948

(I) This Part must not be used to conserve natural landscapes or undeveloped land except

(a) to the extent that the exercise of power under this Part in respect of natural landscape or undeveloped land is, in the opinion of local government, necessary for the conservation of adjacent or proximate real property that is protected heritage property, or

(I) with respect to

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(i) a site that has heritage value or heritage character related to human occupation or use, or
(ii) individual landmarks and other natural features that have cultural or historical value.

**Types of Natural Resource Conservation**

May include trees, landscapes, gardens, views, parks, etc.

**Getting Started**

Selecting the right tool for conservation will depend on your specific circumstances. Simple situations may be handled by using one tool. More complex situations may require a strategic approach using several tools. Start by determining your individual and/or community needs.

1. **Analyze your situation** - define the problem to be solved.
   - Is the owner supportive?
   - Is the resource or area threatened?
   - Have you done your planning?

2. **Determine your desired results** - identify specifically what you want to achieve: now? In 5 years? In 20 years?

3. **Review your options** - consider the tools (support, temporary and/or long-term protection); narrow down and select.
   - Do you need to provide support or legal protection?
   - If it is support you need, do you have financial resources to offer?
   - If you want legal protection, do you need short or long-term protection?

4. **Consult with others** - may include local government, property owners, planners, legal advice.

5. **Seek a balanced approach** – seek fairness; think out the long-range consequences.

**Determining Natural Heritage Resources**

The *Local Government Act* [s. 5] gives local government the authority, subject to the limitations of Part 27, to determine natural heritage property as having sufficient *heritage value or heritage character* to justify its conservation.

**Property Rights and Public Access**

Because of the potential impact of the desire and expectation for *public access* to natural heritage resource sites, special consideration should be given to the rights of private property owners.

Local government is required to *give notice* to property owners of significant changes proposed to the status of a property. Generally property owners are given an opportunity to express their views regarding potential changes at a public hearing.

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Doing Your Research

Research is an important step in conserving natural resources. Some tools such as heritage inspection and heritage impact assessment are subject to the limitation Part 27 of the Local Government Act. Site research will generally require the cooperation of a private property owner.

Tools You Might Use

Planning Tools
Provincial heritage register
Appropriate zoning

Support Tools
Tax exemption
Grants and non-monetary incentives

Protection Tools
Heritage conservation covenant
Municipal forest reserve \([LGA \text{ s.} \ 306-308]\)
Reservation and dedication
Tree protection bylaw
Development permit area
Acquisition of property \([CC \text{ s.} \ 8 (1)]\)

Protection tools subject to the limitations of Local Government Act Part 27
Community heritage register
Heritage inspection
Heritage impact assessment
Temporary heritage protection
Heritage revitalization agreement
Heritage conservation area
Heritage alteration permit
Heritage designation
Heritage compensation

What if the resource is...

...a single landmark tree?
The most practical tool available to protect a landmark tree is a tree protection bylaw which enables local government to regulate the cutting, maintenance, and removal of trees. Heritage designation may also be used to protect a landmark tree.

...a group of trees?

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A group of trees (identified by area, species, class, size, or significance) may be protected by a **tree protection bylaw** which enables local government to regulate the cutting, maintenance, and removal of trees.

...a landscape, garden, or view?

A **conservation covenant** is one of the tools best suited to the protection of a natural heritage site where a private property owner is supportive of conservation. A conservation covenant is a contractual agreement between a property owner and local government or heritage organization. It is registered on the land title and may be binding on future owners.

A **development permit area** may be designated in an official community plan for the protection of the natural environment.

**Acquisition of private property** by local government is possible if the local government decides that circumstances justify the acquisition.

...is publicly owned?

A **municipal forest reserve** may be used to set aside land owned by the municipality that the council or regional board determines is suitable for reforestation purposes. The establishment of a forest reserve requires adoption of a bylaw approved by a 2/3 vote of council and assent of the electors.

If a resource is owned by a local government, the powers of **reservation** and **dedication** are available. These tools create a binding commitment on the local government to protect heritage property which it owns. Local government may not undertake a public work or pass a bylaw that is in conflict with a reservation or dedication.

...under immediate threat?

Subject to the limitations in **LGA** Part 27, **temporary protection tools** and **heritage impact assessment** may be used to provide temporary protection to a site. For long-term protection, a **development permit area** may be established, or a **conservation covenant** may be agreed to by local government and the property owner.

...in need of support?

Local government can offer several types of support: full or partial **tax exemptions** [CC s. 25 and s. 225 and **LGA** s. 183.1], or incentives in the form of **grants** and/or **non-monetary support** such as technical advice, program coordination, public works, commemoration, etc.

...is adjacent or proximate to a protected heritage property?

An **impact assessment**, some forms of **temporary protection**, a **conservation covenant**, or **designation** may be used to protect property that is adjacent, or proximate, and important to the integrity of a **protected** heritage property.

...is protected

...and you want to make changes?

If a natural heritage resource is protected by a reservation or dedication bylaw, or by any other bylaw, the bylaw may be amended with the approval of the council or regional board. Amendments to a reservation bylaw also require the approval of the minister responsible.

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If the resource is protected by a development permit area, re-issuance of the development permit may be required in order to accommodate changes to the provisions of the development permit. If the resource is protected by a tree protection bylaw, a permit may be issued to enable certain alterations to be made to the resource.

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Archaeological Site, Aboriginal Traditional Use Site, and Heritage Object Conservation

Many different kinds of heritage values, including aboriginal traditional use sites and archaeological resources, may be found on private lands within the jurisdiction of local governments. Local governments are thus often the first to become aware of such heritage values and to make land use decisions which may affect these values.

Rather than being confronted with such concerns at the "eleventh hour" and incurring the costs associated with disrupted development projects, local governments are encouraged to consider heritage matters, including archaeological and aboriginal traditional use sites, in official land use planning processes.

Early awareness of these issues can prevent problems or conflicts with land use and development.

While the Province has primary responsibility for protecting and managing these sites, local governments need to be aware of sensitive, or potentially sensitive, archaeological and aboriginal traditional use sites in their jurisdictions.

Types of Heritage Resources with Protected Status

The Heritage Conservation Act protects the following types of resources, managed through a Provincial permit system: [HCA s. 13]

- all pre-1846 archaeological sites;
- all Provincially designated sites which may include archaeological or aboriginal cultural heritage sites;
- all rock art sites, such as petroglyphs and pictographs;
- all burial sites of historic and archaeological value;
- all wrecks (ship, aircraft, etc.) more than 2 years old;
- aboriginal heritage sites which have been included in a schedule adopted by Order In Council;
- archaeological sites of unknown origin;
- archaeological sites for which "identification standards" have been established by Order In Council; and
- sites for which a heritage inspection or heritage investigation is being undertaken.

Getting Started

NOTE: This guide is for information and advice only. Local governments looking to implement the heritage conservation tools outlined here should seek legal counsel.
Local governments should be aware of the breadth of Provincial responsibilities for heritage and aboriginal cultural interests and values.

Where a local government has concerns about the existence of archaeological or aboriginal cultural sites (their number, distribution, or importance), it should contact the Archaeology Branch of the provincial government.

As part of the planning process, it is also recommended to local government discuss potentially important cultural heritage sites and values with local aboriginal groups.

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**Tools the Province May Use**

- Permit or order for heritage inspection and heritage investigation [*HCA s. 12 or s. 14*]
- Protection provisions [*HCA s. 13*]
- Promotion of heritage value [*HCA s. 18*]
- Temporary protection order [*HCA s. 16*]
- Agreements with First Nations [*HCA s. 4*]

**Tools Local Government May Use**

- Heritage inspection
- Heritage impact assessment
- Heritage recognition
- Grants and non-monetary incentives

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**Determining What is an Archaeological or Aboriginal Site**

Archaeological sites have physical evidence of human occupation or cultural activity. Aboriginal traditional use sites may or may not contain physical evidence, but do have an association with the traditional activities of a particular living aboriginal cultural group.

The extent, importance, and sensitivity of archaeological sites may be established through heritage inspection or heritage investigation. These are under the regulatory authority of the Province.

The extent, importance, and sensitivity of aboriginal traditional use sites are determined in part through consultation with an aboriginal community and review of pertinent ethnographic reports.

Where a local government requires completion of a heritage inspection or heritage impact assessment, this power remains subject to Provincial regulatory authority under the *Heritage Conservation Act*.

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**Some Notes on Heritage Objects**

Archaeological and aboriginal traditional use sites under the protection of the Province may contain heritage objects; these items also have protected status. Such an object may not be removed from its site without a permit issued by the minister responsible for the *Heritage Conservation Act*.

Many community museums hold aboriginal cultural objects. Because many First Nations are concerned with issues pertaining to legal possession and appropriate care of such objects, local governments are encouraged to be sensitive to the complexities of object ownership.

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Many community museums have over time collected non-aboriginal heritage objects. Curatorial care of these objects is provided for in the *Local Government Act*, and may be an important activity of a community heritage group.

Local government may list heritage objects on a community heritage register if they are real property. Objects are considered to be real property if they are part of or affixed to the land.

Local government may exercise control of heritage objects considered to be real property where they have enacted heritage protection, such as a municipal heritage designation, heritage conservation covenant, heritage revitalization agreement, or heritage conservation area.

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**THE TOOLS**

**Planning Tools**

**Community Heritage Commission**

*Local Government Act* s. 953, *Community Charter*, s. 143

*What is it?*

A community heritage commission is a **body created or authorized** by local government.

*What does it do?*

A community heritage commission is intended to assist a council or regional district board with the management and implementation of community heritage conservation planning and activities.

A community heritage commission may exercise a greater range of powers than a heritage advisory committee did, including the ability to undertake support activities and/or to take on other non-regulatory activities delegated to it by a council or regional district board. A community heritage commission may:

- advise local government on matters included in the commission's terms of reference,
- advise local government on matters referred to it by local government, and/or
- undertake or support heritage activities authorized by local government.

*When do you use it?*

A local government establishes or authorizes one or more community heritage commission(s) when it wishes to undertake or plan for heritage activities in the community. A commission can be established...

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or appointed by local government to advise on a range of heritage matters, or to undertake a specific
task, project, or program.

An existing organization, such as a historical or museum society, may be authorized by a local
government to act as a community heritage commission.

How do you use it?

A community heritage commission may be created or authorized by a municipality or regional district;
however, a regional district must first pass an establishing bylaw [LGA s. 800].

1. Local government creates or authorizes a community heritage commission by adopting a bylaw,
   which must include the commission's:
   • name,
   • terms of reference,
   • composition and appointment procedure, and
   • operating procedures.

2. Local government appoints a council or regional district board representative and staff liaison
to the community heritage commission.

3. The community heritage commission plans its activities including the preparation of a budget for
council or regional district board consideration.

4. The commission undertakes its business activities and reports to the council or regional district
   board according to its terms of reference. Except as authorize by a local government, meetings of a
   community heritage commission must be open to the public.

Legislative References
LGA s. 953, Community Charter, s. 143

Examples

1. A regional district board authorizes the local historical society to act as the community heritage
   commission to advise the regional district board on the planning of a heritage conservation strategy for
   the regional district.

2. A municipal council acknowledges that its former heritage advisory committee is continued as a
   community heritage commission [HCSAA s. 107]. The council initiates a process of review to expand
   the terms of reference of the commission in keeping with the provisions of the Local Government Act s.

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heritage conservation tools outlined here should seek legal counsel.
Community Heritage Register

Local Government Act s. 954

What is it?

A community heritage register is an official listing of properties identified by a local government as having heritage value or heritage character. Inclusion on a community heritage register does not constitute heritage designation or any other form of permanent heritage protection.

What does it do?

A community heritage register is intended to:

- officially list the heritage resources in the community;
- give notice to property owners, and potential buyers, of heritage factors (historical, architectural, aesthetic, etc.) which may affect development options for a listed property; and
- enable monitoring of proposed changes to properties through the local government licensing and permit application processes. Inclusion of a property on a community heritage register does not in itself constitute permanent heritage protection and does not create any financial liability for the local government. The register may, however, be used to "flag" properties for possible future protection.

Properties on a community heritage register are eligible for special provisions in the B.C. Building Code Heritage Building Supplement.

When do you use it?

A community heritage register may be established by communities that are interested in integrating heritage conservation activities into other local government land use planning processes (e.g., OCP, local area plan).

A community heritage register is used to formally list heritage resources that the community identifies as having heritage value or heritage character.

Inclusion of a property on a community heritage register enables a local government to:

- withhold an approval [LGA s. 960],
- withhold a demolition permit [LGA s. 961], or
- require an impact assessment [LGA s. 958].

How do you use it?

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1. Through a process of planning and research, community heritage issues and needs are assessed and a vision for the community's heritage resources is developed.

2. Local government establishes eligibility criteria for the community heritage register.

3. Community heritage resources are researched and identified.

4. A preliminary community heritage register list of resources is created.

5. Local government consults with property owners and anticipates the continuing need to provide information and to raise awareness, by such means as:
   - preparing clear and simple information packages (communities may wish to explain that registry status is not the same as designation status);
   - preparing a map to place individual heritage property in the context of the street, neighbourhood, or area;
   - assembling available information (such as before and after restoration photos, maps, archival material, inventories, etc.);
   - holding review meetings or workshops;
   - explaining eligibility criteria for financial assistance for conservation; and/or
   - offering technical assistance (e.g., design advice or rehabilitation standards).

6. Local government reviews, and, if necessary, revises the proposed community heritage register.

7. By resolution, a council or regional district board creates a community heritage register that lists selected properties. The register must indicate the reasons why a property is considered to have heritage value or heritage character.

8. Within 30 days of a property being added to, or deleted from, a register, local government must notify the property owner and the minister responsible for the Heritage Conservation Act.

9. Properties may be added to, or deleted from, the community heritage register by resolution of the council or regional district board.

Legislative Reference
Local Government Act s. 954

Examples

A community undertakes a process of planning in its downtown commercial core which identifies five individual buildings of heritage value to the community. Three of the buildings are privately owned. The local government consults with the property owners, who are advised that no legal protection will result from inclusion on the register but that their properties will be flagged on the local government's property file system. The local government a) passes a resolution which establishes the register, and, b) notifies both the property owners and the minister responsible for heritage conservation.

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A local government plans to draft a local area plan for a residential neighbourhood. As a part of the planning process it decides to establish a community heritage register for the neighbourhood. The research is completed, and residents and property owners are invited to a meeting to discuss the proposed register. Following the meeting, where most of the residents indicate their support for the register, council passes a resolution to establish the register and notifies the property owners and the minister responsible for heritage conservation.

Heritage Inspection

*Local Government Act s. 956 and s. 957*

**What is it?**
A heritage inspection is a physical examination of other research on, a property which is:
- designated,
- included on a heritage conservation area schedule,
- listed in a community heritage register,
- a potential heritage property according to criteria established by a local government, or
- an archaeological or other site protected under the *Heritage Conservation Act*.

**What does it do?**
A heritage inspection is intended to enable identification of the:
- heritage value or heritage character of a property, or
- need for protection and conservation of a property. The property may be under temporary protection while the heritage inspection is being conducted.

**When do you use it?**
A council or regional district board may order a heritage inspection in cases where it is considering *long-term protection* of a property, or where an eligible property is deteriorating through neglect by the owner and the local government is considering the protection and conservation needs of the property.

A heritage inspection should be ordered only after the council or regional district board has made every effort to obtain the information it requires through non-regulatory means.

**How do you use it?**

1. Local government becomes aware of a situation where an examination of a property is needed for *evaluation purposes*, and the information cannot be acquired through non-regulatory means.

2. Local government orders a *heritage inspection* of a property.

3. The order:

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• must state the purpose of the heritage inspection;
• must specify how long the order is to remain in effect;
• must require that the inspection be carried out expeditiously;
• may provide for temporary protection of the property; and
• may include terms, conditions, and specifications that the local government considers appropriate.

4. If access to the property is denied, local government may secure a warrant for access from the courts.

5. If the order includes temporary protection, it remains in effect until:
   • the day after the inspection report is delivered to a regular meeting of the council or regional district board;
   • the day the local government informs the owner that the inspection is completed or no longer needed; or
   • 30 days have passed since the temporary protection was ordered.

6. Following completion of the inspection, the local government must advise the owner that the inspection was conducted, and report to the owner any alteration or removal of material which resulted from the inspection.

7. If possible, local government must repair damage to property resulting from a heritage inspection. If the damage cannot be repaired, the owner is eligible for compensation from the local government.

Legislative References
Local Government Act s. 956 and s. 957

Example
A local government becomes aware of the existence of a pioneer cabin structure on a remote private property. Local government requests the property owner to allow access to the site to enable its heritage consultant to examine the structure. The property owner denies access to the local government representative. The local government orders an inspection. The consultant inspects the property and advises the owner that the inspection was conducted, is concluded, and that no materials were removed from the site.

Heritage Impact Assessment
Local Government Act s. 958

What is it?
A heritage impact assessment is information or a study which describes the impact that a proposed development may have on a protected property.

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What does it do?

A heritage impact assessment is intended to provide a council or regional district board with important decision-making information regarding the negative impact of a proposed development on a heritage resource.

A heritage impact assessment is intended to provide information to a council or regional district board prior to issuing approvals for development.

When do you use it?

A council or regional district board may wish to request a heritage impact assessment in cases where it is considering proposal which it believes may have a negative impact on:

- a designated property,
- a property included on a heritage conservation area schedule, or
- a property protected under the Heritage Conservation Act.

A heritage impact assessment should not be requested if the information generated will not affect the outcome of the decision-making process.

How do you use it?

1. An applicant (who may be a property owner or developer) applies for a building permit, development permit, licence, or other approval.

2. Local government or its delegate determines whether the proposal may affect a designated property, property within a heritage conservation area, or a property protected under the Heritage Conservation Act.

3. Prior to further consideration of the application, local government or its delegate may require the applicant to provide information with respect to the impact of the proposal. Alternatively, the local government may prepare the impact assessment at its own expense.

4. If the local government or delegate requires the property owner to submit a heritage impact assessment the local government must make the request in writing. The request must include specifications for the information to be provided and the required qualifications of any persons undertaking the assessment. Once these specifications are communicated to the applicant, they may not be changed without the applicant's consent.

5. The applicant or local government engages a qualifies person(s) to complete the heritage impact assessment. Upon completion, the applicant must submit the study to the local government.

Legislative Reference

NOTE: This guide is for information and advice only. Local governments looking to implement the heritage conservation tools outlined here should seek legal counsel.
Local Government Act s. 958

Example
A local government receives a building permit application for a commercially zoned property in its downtown. The proposed development will require extensive blasting and excavation of the site. The congregation of an adjacent designated church becomes aware of the proposed development and expresses concern to the council that the blasting and excavation work may negatively impact the stability of the church's rubble foundation and the integrity of the stained glass window. The congregation is also concerned that shadows cast by the proposed high-rise tower would increase dampness in the church structure and may negatively impact the historic church garden. Council orders the property owner of the proposed development to prepare and submit an impact assessment that addresses the concerns raised by the church congregation.

Support Tools

Tax Exemption
Community Charter s. 225, Local Government Act s. 183.1 and 809 (3) (b)

What is it?
Tax exemption is a mechanism that allows a council or regional district board to give property owners a partial or total exemption of their property taxes for approved heritage purposes, if a property is:
• protected
• included on a heritage conservation area schedule,
• subject to a heritage revitalization agreement,
• subject to a heritage conservation covenant under the Land Title Act, s. 219, or
• an archaeological or other site protected under the Heritage Conservation Act.
A bylaw adopted by 2/3 of the members of the council or regional board enables an exemption for the following calendar year. The bylaw must establish the term of the exemption, and for regional districts may not exceed a term of ten years.

What does it do?
Tax exemption is intended to enable local government to provide financial support to private property owners to conserve their heritage properties.

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When do you use it?

Tax exemption is an appropriate tool to use in cases where a local government wishes to provide financial support to a property owner to encourage conservation of a heritage property. For example, tax exemption can be used to mitigate increases in property taxes which may result from the conservation of a property.

Tax exemption may be used in one of two ways: for areas or classes of buildings, or for a single building. It may be used in an area for properties which meet established eligibility criteria. Alternatively, tax exemption may be used on a site-by-site basis with criteria and terms designed to suit each unique property.

How do you use it?

1. Through a process of planning, research, and consultation, a community identifies tax relief as the most appropriate way to assist in the conservation of heritage property in the community.

2. Local government designs criteria for tax exemption eligibility, including the application procedure, expected improvements, conditions of tax exemption, legal protection of heritage property, rate and term of exemption, and repayment provisions.

3. Local government prepares and adopts, by a 2/3 vote of its members, a bylaw to enable the tax exemption on or before October 31. If the tax exemption is to apply for more than one year, local government must publish a notice regarding the proposed tax exemption in at least 2 issues of a local newspaper at least 30 days prior to adopting the bylaw. The bylaw may not be adopted if more than 5% of the voters petition against it.

4. Within 30 days of the adoption of the bylaw, the local government notifies the minister responsible for the Heritage Conservation Act.

5. Local government monitors tax exempted properties to ensure compliance with the terms of the heritage protection and any requirements for maintenance, rehabilitation, or restoration.

6. In the event of non-compliance, the local government may require repayment of exempted taxes. A bylaw to require repayment of exempted taxes must be adopted by a 2/3 vote of council members.

Legislative References
Community Charter s. 25 and s. 225, Local Government Act s. 183.1

Examples

A community amends its official community plan to identify a heritage conservation area in its downtown. A schedule of protected heritage properties is included in the official community plan.

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Council then advises the property owners that they are eligible for a tax exemption. The exemption is equal to the amount property taxes will increase as a result of approved restoration work, and the exemption will be in effect for a five year period. Council, with the assent of the electors, adopts a bylaw enabling the tax exemption. Individual property owners submit an application to local government for tax exemption when they have completed the approved restoration work. Council effectively maintains the amount of taxes on eligible properties for five years.

A fraternal organization owns an important and unique building located on the fringe of a commercial area in a rural community. The organization expresses its desire to conserve the property and to undertake an extensive program of restoration. Members of the organization approach the municipal council and request a tax exemption for the property. The council and the organization negotiate the terms of the tax exemption and a bylaw is adopted, with the assent of the electors, enabling the exemption to be in place for the term specified.

Grants and Non-monetary Incentives

*Community Charter Act* s. 8 and s. 25, and *LGA* s. 176 and 183.1

**What is it?**

In addition to tax exemption, local government may provide **financial** and **non-monetary support** to owners of heritage properties. Direct financial support may be given in the form of **monetary grants** to property owners. Non-monetary support may be provided in the form of **regulatory relaxations**, **additional density**, and **support services** such as: program coordination, assistance to a nonprofit society, technical advice, public works projects, commemoration, and/or priority routing of heritage applications.

**What does it do?**

Grants and non-monetary incentives are intended to enable a local government to:

- **encourage property owners** to restore or to rehabilitate their heritage properties, and
- **enable communities to provide** **assistance other than monetary grants** to owners of heritage properties.

**When do you use it?**

Direct financial assistance in the form of monetary grants may be used by a community which a) has the financial resources, and, b) believes that direct financial assistance is the most effective incentive it could use to facilitate the conservation of specific resources.

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Indirect non-monetary support may be used by a community which a) lacks the financial resources to provide direct financial incentives, and/or, b) believes indirect support will be a more effective incentive than direct financial support.

**How do you use it?**

1. A community recognizes the **benefits** of support to owners of heritage properties.
2. The **needs** of heritage property owners are identified.
3. Alternative support mechanisms are explored and the most appropriate methods are selected.
4. The **support program is designed**, including eligibility criteria, program management, staff coordination and budgeting. The incentive program may include a variety of components which provide both financial and non-monetary support.
5. If **financial incentives** are proposed, local government must pass a 2/3 vote of a council or regional district board to adopt a motion regarding the provision of financial aid.
6. The incentive program is **implemented, monitored, and modified** periodically to respect the changing needs of property owners and the community.

**Legislative References**
*Community Charter Act* s. 8 and s. 25. and *LGA* s. 176 and 183.1

**Example**

A community identifies a need to provide an incentive to property owners of heritage buildings in a small commercial area in order to a) encourage the rehabilitation of the heritage buildings, and, b) to increase the aesthetic appeal of the commercial area. The local government, through a process of consultation with tenants and property owners in the area, agrees to undertake upgrading of the sidewalks and landscaping in the area, and to provide planning staff time to draft and administer design guidelines for rehabilitation of individual buildings in the area.

**Protection Tools**

**Temporary Heritage Protection**

*Local Government Act* s. 960, s. 961, s. 962, s. 963, s. 964, and s. 965

**What is it?**

Temporary protection mechanisms allow **protection of a property for a limited period of time.** Several types of temporary protection are available to local governments, including:

- withholding of approvals (*LGA* s. 960),

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• withholding of demolition permits (LGA s. 961),
• temporary protection orders (LGA s. 962),
• temporary protection bylaws (LGA s. 963), and
• temporary protection control periods (LGA s. 964).

What does it do?
Temporary protection is intended to allow local government to give detailed consideration to future long-term protection options for a property and to negotiate an appropriate resolution with the property owner.

When do you use it?
Each of the five different temporary protection tools has specific application.

Local government may "withhold an approval" (LGA s. 960) for an action that would lead to alteration of a protected heritage property, a temporarily protected heritage property, and/or a property in a community heritage register.

Local government may "withhold a demolition permit" (LGA s. 961) for a protected heritage property or a property on a community heritage register.

Local government may make a "temporary protection order" (LGA s. 962) to give temporary protection to potential heritage property, or to adjacent or nearby property in order to protect a heritage property.

Local government may introduce a bylaw for heritage designation or a heritage conservation area which initiates a period of temporary protection (LGA s. 963).

Local government may declare a "temporary protection control period" (LGA s. 964) for up to one year for the purposes of heritage area planning.

How do you use it?

1. Withholding of approvals
   • Local government authorizes the withholding of approvals by its officials.
   • A local government official withholds an approval and forwards the matter to the next regular meeting of the council or regional district board for consideration.
   • The council or regional district board considers the matter and may, in certain cases, extend the withholding period.

2. Withholding of demolition permits
   • Local government authorizes its officials to withhold demolition permits.
   • A local government official withholds a demolition permit for a) a protected heritage property until a heritage alteration permit or any other necessary approval is issued, or, b) for a property

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on a community heritage register until a building permit or any other necessary approvals are issued.

3. **Temporary protection orders**
   - Local government prepares a resolution for temporary protection which specifies the period of protection, which cannot exceed 60 days without the consent of the owner. An order is adopted by resolution, and requires only one reading by the council or regional district board.
   - The order may identify specific landscape features, specify the types of alterations which are permitted without a heritage alteration permit, and/or establish policies regarding the issuance of a heritage alteration permit while the property is under temporary protection.

4. **Temporary protection bylaws**
   - Local government introduces a bylaw which proposes to a) establish a heritage conservation area in an official community plan, or, b) to designate a heritage property.
   - Temporary protection of the property comes into effect once the bylaw is introduced.
   - Introduction of a bylaw to establish a heritage conservation area creates a 120-day temporary protection period.

5. **Temporary protection control periods**
   - Local government prepares and adopts a bylaw to declare a heritage control period for the purpose of heritage planning.
   - The bylaw must specify the term of the control period, which may not exceed one year.
   - The bylaw may identify specific landscape features, specify the types of alterations which are permitted without a heritage alteration permit, and/or establish policies regarding the issuance of a heritage alteration permit in relation to property in the protected area.

**Legislative References**

*Local Government Act* s. 960, s. 961, s. 962, s. 963, s. 964, and s. 965

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**Heritage Conservation Covenant**

*Land Title Act* s. 219

**What is it?**

A heritage conservation covenant is a *contractual agreement* between a property owner and a local government or heritage organization. Conservation covenants are *registered on the title* of the property. The covenant outlines the responsibilities of the covenant parties with respect to the conservation of a heritage property. Conservation covenants can apply to *natural* or *man-made heritage resources*.

**What does it do?**

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Heritage conservation covenants are intended to enable a local government or a heritage organization to negotiate an agreement with a property owner to protect and/or conserve a site or building. Such agreements may not vary local government regulations such as siting, use, or density.

**When do you use it?**

A conservation covenant may be used to conserve property when planning and research identifies a need for conservation, or when the parties are interested in formalizing the terms of conservation in a contract. A conservation covenant may “run with the land,” meaning that when the property is sold the conservation covenant remains in effect and may be binding on the new owner.

**How do you use it?**

1. A community identifies a property that requires long-term protection.
2. Alternative long-term protection tools (such as heritage designation and heritage revitalization agreements) are considered. It is agreed by the parties involved that a conservation covenant is the most appropriate long-term protection tool for this situation.
3. Terms of the conservation covenant are negotiated by the parties to the covenant.
4. The parties seek legal advice and the heritage conservation covenant is drafted.
5. If local government is party to a heritage conservation covenant, the council must adopt a resolution authorizing the covenant.
6. Local government registers the conservation covenant on the property title in the Land Title Office.
7. The property is monitored by the local government or heritage organization for compliance with the terms of the conservation covenant.

**Legislative References**

*Land Title Act* s. 219

**Example**

A property owner wishes to sell her heritage home, but wants to ensure its long-term conservation. She approaches local government to request that it become a party to a conservation covenant that would prohibit the future demolition of the home and subdivision of the property. A covenant is drafted by the local government (or the owner's solicitor) and is agreed to by both parties. The local government adopts a resolution authorizing the covenant. The local government notifies the Land Title Office of the covenant, and it is registered on the land title.

**Heritage Revitalization Agreement**

*Local Government Act* s. 966

**What is it?**

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A heritage revitalization agreement is a formal voluntary written agreement negotiated by a local government and an owner of heritage property. A heritage revitalization agreement outlines the duties, obligations, and benefits negotiated by both parties to the agreement. A heritage revitalization agreement may:

- detail the timing of the agreement terms;
- vary or supplement the provisions of a rural land use bylaw including use, density, siting, and lot size;
- vary or supplement the provisions of a bylaw which concern land use designation, development cost recovery, subdivision and development requirements;
- vary or supplement a permit under Part 26 of the Local Government Act (Planning and Land Use Management);
- vary or supplement a bylaw or heritage alteration permit under Part 27 of the Local Government Act; and/or
- include other terms agreed to by the local government and the property owner.

What does it do?

Heritage revitalization agreements are intended to provide a powerful and flexible tool which enable agreements to be specifically written to suit unique properties and situations. They may be used to set out the conditions which apply to a particular property. The terms of the agreement supersede local government zoning regulations, and may vary use, density, and siting regulations.

When do you use it?

A heritage revitalization agreement is suited to unique conservation situations that demand creative solutions, such as complex and unique sites requiring exceptions and relaxations to zoning regulations.

How do you use it?

1. Local government identifies the need for the use of a heritage revitalization agreement. The need may arise from the unusual siting of a building, a unique lot configuration or other unique circumstances.
2. Local government and the property owner negotiate the terms of the heritage revitalization agreement, including the obligations, duties, and benefits of the agreement.
3. Local government seeks legal advice and drafts the heritage revitalization agreement bylaw.
4. If the use or density of the property are proposed to be changed, a public hearing must be held.
5. Council or regional district board adopts the bylaw.
6. Within 30 days of adoption of the bylaw, local government files a notice in the Land Title Office to register the heritage revitalization agreement on the property title. Local government must also notify the minister responsible for the Heritage Conservation Act.

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7. A heritage revitalization agreement may only be altered with the consent of the property owner and local government. Local government must adopt a bylaw to amend a heritage revitalization agreement.

Legislative Reference
Local Government Act s. 966

Example
The owner of a historic commercial building in a downtown core initiates discussions with the local government regarding the redevelopment potential of the site. In order to conserve the historic building and to build a new building on the site, a significant investment in the restoration of the historic building is required and the building siting requirements in the community's zoning bylaw must be relaxed. The property owner and local government negotiate a heritage revitalization agreement to enable redevelopment of the site. The agreement allows relaxation of the siting requirements, permits additional uses such as multiple family dwellings to be accommodated on the site, and increases the allowable density on the site. In return, the owner agrees to restore and maintain the historic building, allow public access for interpretation one day per year, and agrees to the installation of an appropriate commemorative plaque on the property.

Local Government Heritage Designation
Local Government Act s. 967, 968 and 969

What is it?
Heritage designation is a form of local government land use regulation that protects private heritage property.

What does it do?
Local government heritage designation is intended to give long-term protection to heritage property. It is the primary form of long-term local government regulation that can prohibit demolition. Heritage designation is not commemoration, but rather is a form of legal protection. A designation bylaw may prohibit one or more of the following:

- exterior alterations;
- structural changes;
- moving of a structure;
- actions which would damage a specified interior feature;
- actions which would damage a specified heritage landscape feature; and/or
- alteration, excavation, or construction on protected land.

Unless permitted in the designation bylaw, no changes may be made to a heritage designated property without a heritage alteration permit.

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**When do you use it?**

Heritage designation is applied to property when long-term protection of the property is desired, and it is determined that heritage designation is the most suitable of the long-term protection tools to use in a particular situation. Heritage designation may be enacted with or without the consent of the property owner. Real property may be designated if the property has heritage value or heritage character, or if the designation is necessary to protect a nearby heritage property. Types of property which may be given heritage designation include:

- a single property,
- part of a property,
- more than one property owned by one or more owners,
- affixed interior features or features identified in the bylaw, and
- landscape features.

**How do you use it?**

1. Through a process of planning and research, a local government identifies heritage property considered to be worthy of long-term protection.

2. Alternative long-term protection tools are considered.

3. Consultation takes place with the property owner.

4. Local government considers the possible ramifications of designating the property, including the potential requirement to provide compensation to the property owner for any reduction in market value of the property directly attributable to the designation.

5. Local government prepares a report on the property and makes it available to the public. The report must include information regarding:

   - the heritage value or heritage character of the property;
   - compatibility of conservation with the official community plan;
   - compatibility of conservation with the lawful use of the property and adjoining lands;
   - the condition and economic viability of the property; and
   - the need for financial support.

6. A proposed heritage designation bylaw is prepared, usually by the city clerk or planning department.

7. A public hearing must be held prior to the adoption of a heritage designation bylaw. Notice of the public hearing must be a) published in a local newspaper, and, b) sent to all owners of, owners with an interest in, and occupiers of property proposed to be designated.

8. Within 30 days of approval or defeat of the bylaw, property owners and occupiers must be notified of the outcome.

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9. Following adoption of a designation bylaw, notification must be sent to the Land Title Office and the minister responsible for the Heritage Conservation Act.

10. A property owner may apply for compensation within one year of the designation coming into effect. The amount of compensation may be determined by agreement of the owner and the local government, or, if they are unable to agree, by binding arbitration under the Commercial Arbitration Act. If a property owner waives the right to compensation, the local government prepares a waiver form and has it signed by the property owner and local government officials.

11. Heritage designation may be rescinded by bylaw.

Legislative References
Local Government Act s. 967, s. 968 and s. 969

Example

A community establishes a community heritage commission and a community heritage register. The community heritage register includes two sites which are proposed to receive long-term heritage protection. Discussions with the property owners of the sites take place regarding ways in which long-term protection could be assured.

Site #1
A single family residence, which was built for the community's first mayor, is designated voluntarily and the owner waives the right to compensation.

Site #2
A privately owned industrial building, which was the site of the North American terminus of the first trans-Pacific telegraph line, is given long-term heritage protection by a heritage revitalization agreement. The agreement enables protection of the industrial building and development of the remainder of the site. In this case, designation is deemed unnecessary. The local government does, however, place a commemorative marker on the building similar to those given to designated sites.

Local Government Compensation for Heritage Designation
Local Government Act s. 967, s. 968 and s. 969

What is it?

Compensation for heritage designation is payment by local government to owners of designated property where heritage designation is proved to cause a reduction in the market value of a property at the time of designation. Compensation may be monetary, or may take some other form such as the provision of technical advice. Owners may choose to waive the right to compensation at the time of designation.

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What does it do?

Compensation is intended to provide fair payment to a property owner for any loss in market value that is a direct result of the heritage designation of his or her property.

When do you use it?

Only those owners whose property market value is reduced as a direct consequence at the time of heritage designation are eligible to apply for compensation. Further, the property owner must apply for the compensation within one year of the designation.

How do you use it?

1. A local government proposes to designate a heritage property.
2. Discussions take place between the local government and the property owner regarding the amount of compensation, if any, that may be required for a loss in property market value resulting from the heritage designation. If the designation is voluntary, or if no loss is anticipated, a waiver for compensation is prepared by the local government and is signed by both parties.
3. If an owner makes application for compensation, and if an agreement regarding the amount of compensation cannot be reached between the local government and the property owner, either party may call for arbitration under the Commercial Arbitration Act to determine the 'value' of compensation. Arbitration may be called either prior to, or following, the enactment of the designation bylaw.
4. A property owner may only apply for compensation within one year of the designation coming into effect.

Legislative References
Local Government Act s. 967, s. 968 and s. 969

Example

A local government proposes to designate a privately owned commercial building which was the community's first fire hall. Due to its location it is determined that the market value of the property will decrease as a result of designation. The owner and local government cannot come to an agreement regarding the amount of compensation. The local government requests that the amount of possible compensation be reviewed and, if necessary, determined under the Commercial Arbitration Act prior to designation. Following completion of the review, the local government decides to proceed with the designation. The property owner is paid monetary compensation awarded by an arbitrator for loss of market value that resulted from the designation.

Heritage Conservation Area
Local Government Act s. 970.1, s. 971, 972

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**What is it?**

A heritage conservation area is a **distinct district with special heritage value** and/or **heritage character**, identified for heritage conservation purposes in an **official community plan**.

**What does it do?**

A heritage conservation area is intended to provide **long-term protection to a distinctive area** which contains resources with special heritage value and/or heritage character. A heritage conservation area can provide protection to **all or some** of the properties in a heritage conservation area. Properties that are to be protected must be specifically identified in the bylaw.

In a heritage conservation area, a property owner may **not** do any of the following without a **heritage alteration permit**:

- **subdivision** of a property;
- **addition** of a structure or addition to an existing structure;
- **construction** of a new building; or
- **alteration** to a building, structure, land, or feature.

**When do you use it?**

A local government establishes a heritage conservation area when it has identified a **distinctive area** which it feels should be managed by **long-term protection**. Establishing a ‘heritage conservation area’ is **not** an appropriate tool for a single site.

**How do you use it?**

1. Through a process of planning and research, a community identifies a **distinctive area** that it determines should be managed by **long-term heritage protection**.

2. Local government, in **consultation with the area property owners**, agrees that a heritage conservation area is the best tool to provide long-term protection.

3. Local government consults with area property owners regarding the **control mechanisms** (including design controls) which may be included in the bylaw.

4. Local government **prepares a bylaw** to amend the **official community plan** to identify the heritage conservation area.

   The bylaw must include:
   - a description of the special features or characteristics which justify the establishment of a heritage conservation area,
   - the objectives of the heritage conservation area, and
   - guidelines for how the objectives will be achieved.

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The bylaw may also:

- identify circumstances for which a permit is not required, and
- include a schedule listing the protected properties in the area, and identify features or characteristics that contribute to the heritage value or heritage character of the area.

5. At least ten days before a public hearing is held to discuss the amendment, local government notifies all owners of property listed on the heritage conservation area schedule.

6. Local government adopts the heritage conservation area bylaw.

7. Local government notifies the Land Title Office and the minister responsible for the Heritage Conservation Act of the adoption of the heritage conservation area bylaw, as well as any additions or deletions that may be made to the heritage conservation area schedule.

**Legislative References**

*Local Government Act* s. s. 970.1, s. 971, 972

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**Example**

A community identifies a neighbourhood that it believes warrants long-term heritage protection. Following local government consultation with the property owners in the area, it is agreed that a number of historic structures, buildings, and landscape features should be protected by the creation of a heritage conservation area in the community's official community plan.

Local government prepares a bylaw outlining a description of the special features or characteristics which justify the establishment of the heritage conservation area, the objectives of the heritage conservation area, and guidelines for how the objectives will be achieved. The bylaw also includes a schedule to the official community plan that lists those structures, buildings, and landscape features which are specifically protected by the heritage conservation area.

Local government notifies property owners in the area and holds a public hearing regarding the bylaw. Council adopts the bylaw, and notifies the Land Title Office and the minister responsible for the Heritage Conservation Act.

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**Heritage Alteration Permit**

*Local Government Act* s. 972 and s. 973

**What is it?**

A heritage alteration permit is an authorization by local government that allows certain kinds of changes to be made to protected heritage property.

**What does it do?**

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A heritage alteration permit is intended to allow local government to authorize changes to be made to protected heritage properties. A heritage alteration permit provides the flexibility to respond to the requests and needs of owners of protected properties over time. A heritage alteration permit may vary or supplement portions of the Local Government Act, including:

- some of the provisions regarding rural land use bylaws;
- land use designation;
- permits;
- development cost recovery; and
- subdivision and development requirements.

Local government may not refuse to issue a heritage alteration permit as a means to prohibit the legitimate development of property.

A heritage alteration permit may not vary the use or density provisions of a local government land use bylaw.

When do you use it?

Heritage alteration permits are used most frequently in relation to properties that are:

- designated;
- included on a heritage conservation area schedule;
- protected by a heritage revitalization agreement;
- protected by a heritage conservation covenant; or
- archaeological sites or other sites protected under the Heritage Conservation Act.

How do you use it?

1. Local government must establish the requirements for heritage alteration permits in any heritage revitalization agreement or heritage conservation covenant. Heritage alteration permits are automatically required for properties that are designated, included on a heritage conservation area schedule, or archaeological and other sites protected under the Heritage Conservation Act.

2. A property owner makes application for a heritage alteration permit that details the proposed alterations to the heritage property.

3. Local government or its delegate evaluates the proposed alterations and approves or denies the issuance of a heritage alteration permit. A local government may refuse issuance of a heritage alteration permit if the proposed alterations are inconsistent with the intent of the heritage protection.

Legislative References

Local Government Act s. 972 and s. 973

NOTE: This guide is for information and advice only. Local governments looking to implement the heritage conservation tools outlined here should seek legal counsel.
Example
A single family residential structure is included on a heritage conservation area schedule of an official community plan. The owner of the building makes application to the local government for a heritage alteration permit to allow for the reconstruction of a verandah on the front of the building. The director of planning, as the delegate of the local government, evaluates the application, makes suggestions for improvement of the design, finalizes the design with the applicant, and issues the permit.

Heritage Site Maintenance Standards
Local Government Act s. 970 and s. 979 (d)

What is it?
Heritage site maintenance standards establish minimum requirements for the care and maintenance of real property, both land and improvements, that are designated or located within a heritage conservation area. Different maintenance standards may be established for different types of protected properties within a community.

What does it do?
Heritage site maintenance standards are intended to:
- communicate to property owners the minimum expectations of local government regarding the maintenance of properties,
- ensure that properties are not allowed to deteriorate through neglect, and
- enable local government to apply to court for a maintenance order.

When do you use it?
Heritage maintenance standards may be used to require owners to maintain their buildings to an acceptable level or condition as determined by local government.

Maintenance standards may also be used in cases where property owners receive significant financial assistance for the conservation of their property. In this case, maintenance of a conserved property would be a condition of receipt of a grant. Except as noted, maintenance standards may not be used to require a property owner to improve a building.

How do you use it?
1. Local government establishes criteria to identify those classes of properties subject to heritage site maintenance standards. Only properties that are designated or are within a heritage conservation area may be subject to heritage maintenance standards.
2. Local government drafts heritage site maintenance standards.

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3. Local government adopts, by bylaw, heritage site maintenance standards, and communicates maintenance expectations to property owners.

4. Local government monitors properties subject to the maintenance standards and, if necessary, enforces the standards. A heritage inspection may be ordered to verify that the maintenance standards are being met.

Enforcement provisions for maintenance standards include application by the local government to the Supreme Court to order the property be brought up to the required standards.

**Legislative References**
*Local Government Act s. 970 and s. 979 (d)*

**Examples**

1. A heritage conservation area is established by local government in a historic residential area. The local government adopts, by bylaw, maintenance standards for the buildings in the area. An important historic building, left vacant for many years, is at risk of being “demolished through neglect” and is a danger to passersby. The local government applies to the Supreme Court for an order of compliance with the maintenance standards. The order is granted, but the owner refuses to undertake the required work. Consistent with the terms of the court order, the local government undertakes the required work and the owner is required to reimburse the local government.

2. A local government provides grants to property owners for the restoration of their commercial buildings. As a part of the management of the grant program, the local government identifies a need to establish maintenance standards for buildings that receive funding. Local government contracts with a qualified heritage consultant to draft the maintenance standards, and adopts the maintenance standards by bylaw. Buildings subject to the maintenance standards are monitored for compliance.

**Tree Protection**
*Community Charter, s. 8 (3), s. 50, 51, 52 and LGA s. 919.1 (Development Permit Areas)*

**What is it?**

Under the *Community Charter*, municipalities are granted “natural person” powers, which means they have the capacities, rights, powers and privileges “of a natural person of full capacity.” They are also allowed to “regulate”, “prohibit” or “impose requirements” in relation to a range of issues, including trees. Municipalities, therefore, may take steps to protect and maintain trees that they identify as having significance because of their heritage, landmark, or wildlife habitat value.

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These provisions of the *Community Charter* do not apply to regional district boards. Regional boards may instead find using development permit areas is more helpful. A development permit area will allow the designation of areas for “the protection of the natural environment, its ecosystems and biological diversity.”

**What does it do?**

The “natural person” powers under the Community Charter are intended to enable municipalities to protect and manage their significant trees as community heritage resources. Municipalities may:

- identify trees as significant;
- regulate the cutting of significant trees;
- prohibit the cutting of significant trees;
- require maintenance of significant trees;
- require replacement of damaged significant trees; and
- assess or inspect significant trees.

**When do you use it?**

A municipality may use its natural person powers regarding tree protection when it determines that trees warrant conservation and protection. (Trees may also be protected through the use of heritage conservation covenants, heritage designation and development permit areas.)

**How do you use it?**

1. Through a process of planning, research, and consultation, a community identifies a need to protect trees as community heritage resources.
2. Local government identifies trees in the community that are important for their heritage, landmark, or wildlife habitat value.
3. Council or regional district board adopts a bylaw that lists the significant trees in the community.
4. Council or regional district board adopts a bylaw specifically indicating the prohibitions, requirements, and regulations for the management of significant trees.
5. Local government monitors the significant trees in the community for compliance with the bylaw.

**Legislative References**

*Community Charter*, s. 8 (3), s. 50, 51, 52, *LGA* s. 919.1

**Examples**

1. 

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Through a process of planning and research, a local government identifies a need to give long-term protection to the tree resources in the community. The local government determines that all Garry Oak and all Cedar trees of a diameter greater than 60 cm and a number of individual trees of historical importance are deserving of long-term protection. A bylaw is drafted identifying the species and caliper (size) of trees to be protected by the bylaw, the species and location of historically important trees and the provisions for regulating the cutting or removal of trees. The bylaw is adopted by local government.

Local government identifies a stand of trees which were planted as a wind break on the edge of the community's first homestead. The trees are now located on both private land and a public right of way. The local government passes a bylaw to identify the trees as having heritage significance. In anticipation of the redevelopment of the privately owned land, local government passes a bylaw that prohibits cutting or damaging the trees, and requires a letter of credit for the amount of the replacement value of the trees.

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**Reservation and Dedication of Heritage Property**

*Community Charter, s. 30, Local Government Act, s. 302*

**What is it?**

Reservation and dedication of property are powers of local government that create a binding commitment of government to protect heritage property it owns. There are subtle differences between the powers of dedication and reservation. Reference should be made to the appropriate sections of the *Local Government Act* for clarification.

**What does it do?**

Reservation and dedication give long-term conservation protection to publicly owned property. As removal of the reservation requires a 2/3 vote of a council or regional district board, it is a stronger form of protection than heritage designation. Local government may not undertake a public work or pass a bylaw which is in conflict with a reservation or a dedication.

**When do you use it?**

Reservation and dedication may be used to protect public heritage properties such as cenotaphs, historic trails, statues, city halls, or parks.

**How do you use it?**

1. Local government identifies public property to be reserved or dedicated.
2. Local government adopts a bylaw, by a 2/3 vote, to reserve or dedicate a heritage property.

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3. A 2/3 vote of council or regional district board is **required to remove** the reservation status of a property.

**Legislative References**
*Community Charter, s. 30, Local Government*, s. 302

**Example**
A local government identifies a publicly owned 125 year old Hudson's Bay building as a significant heritage resource. Local government determines that long-term protection of the site is desirable and that reservation of the resource is warranted on the basis of the heritage value of the resource to the community. The local government adopts a bylaw to reserve the property and structure.

**The Historic Places Initiative**
The Historic Places Initiative is not a legislative tool, but rather a national initiative, led by the Government of Canada, in collaboration with all provincial and territorial governments, designed to increase awareness and appreciation of Canada's historic places and to foster a culture of conservation in the country. For more information on the Historic Places Initiative, see [www.historicplaces.ca](http://www.historicplaces.ca)

Currently, the components of the HPI are:

**The Canadian Register of Historic Places (CRHP)**

It's purpose is to increase the awareness of, and support for, historic places by providing a single source of information about historic places formally recognized for their heritage value at the local, provincial, territorial and national levels across the country. The register is an Internet-based searchable database of historic places that can be used by planners, policymakers, developers, industry, community organizations, teachers, students and the public at large.

The CHRP is being built through the ongoing addition of register records created by local, provincial, territorial and federal governments. Historic places that are located on a local government's community heritage register are reflected on the BC Register of Historic Places and can be nominated to the Canadian Register of Historic Places provided that the appropriate documentation standards are met.

**Standards and Guidelines for the Conservation of Historic Places in Canada**
[http://historicplaces.ca/nor-sta/norm-stan_e.aspx](http://historicplaces.ca/nor-sta/norm-stan_e.aspx)

The Standards and Guidelines provide a consistent benchmark for conservation practice in Canada. They are intended to offer guidance in decision-making regarding the restoration and rehabilitation of historic places.

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Glossary

The definitions included in this glossary are intended to be simple explanations of some of the terms used in the different legislation: they are not intended to be legal definitions. For precise legal definitions of terms please refer to the noted sections of the relevant Acts.

Terms marked with ** have slight variations in meaning depending on the Act or section of an Act in which they are used.

**Alter**
means, in general terms, to change in any manner. More specifically, both the HCA and LGA refer, in their definition of alter, to the term improvement which is defined in the Builders Lien Act as "includes anything made, constructed, erected, built, altered, repaired, or added to, in, on, or under land, and attached to it or intended to become part of it, and also any cleaning, excavating, digging, tunneling, filling, grading or ditching of, in, or under land." [HCA s. 1] [LGA s. 947]

**Business Improvement Area (BIA)**
is an area (commercial or industrial) established by bylaw to enable property owners to jointly fund research, beautification projects on municipal properties, conservation of heritage property, or the promotion of business.

**Community Heritage Commission**
is a commission established or authorized under s. 953 of the LGA for the purposes of advising a local government on heritage matters or undertaking other activities authorized by a local government.

**Community Heritage Register**
is a list established and maintained by a local government that identifies real property considered by a local government to be heritage property. [LGA s. 954 (1)]

**Conservation**
includes any activity undertaken to protect, preserve, or enhance the heritage value or heritage character of heritage property or an area. [HCA s. 1] [LGA s. 5]

**Cultural heritage resource**
means an object, site, or location of a traditional societal practice that is of historical, cultural, or archaeological significance to British Columbia, a community, or an aboriginal people. [Mineral Tenure Act s. 1] [Forest Act s. 1]

**Development permit area**
is an area established by bylaw to achieve specific objectives, such as guidelines for the form and character of commercial, industrial, or multi-family development and specifications for natural areas. A development permit is usually issued at the time a building permit is issued. The permit specifies the particulars of the proposed development.

**First Nation**

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means, as the context requires, an aboriginal people sharing common traditional territory and having a
common tradition language, culture and laws, or the duly mandated governing body of one or more such
people. [HCA s. 1]

Heritage alteration permit
is a permit issued under the Local Government Act, to allow changes to be made to a protected heritage
property. [LGA s. 947 and s. 972]

Heritage character
means the overall effect produced by traits or features which give property or an area a distinctive
quality or appearance. [LGA s. 5]

Heritage conservation area
is an area designated for heritage purposes under the Local Government Act in an official community
plan. [LGA s. 947, s. 970.1, and s. 971]

Heritage control period
is a temporary period of protection of up to one year, established for the purpose of heritage area
planning. [HCA s. 16] [LGA s. 964]

Heritage designation
means protection of land or an object under s. 9 of the Heritage Conservation Act, or protection of real
property under s. 967 of the Local Government Act. Provisions for the continuations of municipal
heritage designations made prior to enactment of the HCSAA are contained in HCSAA s. 102. [HCA s. 1
and s. 9] [LGA 947, s. 967, s. 968 and s. 969] [HCSAA s. 102]

Heritage impact assessment
means information or studies required under s. 958 of the Local Government Act which detail the
potential impact of a proposal on a protected heritage property. [LGA s. 958]

Heritage inspection**
has slightly different meanings in the HCA and LGA; the appropriate Act should be consulted for the
precise meaning. In general terms, heritage inspection means a physical examination and other research
necessary to evaluate a property. The LGA enables heritage inspections only for property and does not
enable inspections to determine conformance with heritage protection requirements. The HCA enables
inspection of both heritage sites and objects and permits inspections to establish conformance with
heritage protection requirements. [HCA s. 1 and s. 14] [LGA s. 947 and s. 956]

Heritage investigation
means an archaeological or other systematic study of heritage property to reveal its history, and may
include the recording, removal and analysis of artifacts, features and other material necessary for the
purpose of the heritage investigation. This term is used only in the Heritage Conservation Act. [HCA s.
1 and s. 14]

Heritage object

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heritage conservation tools outlined here should seek legal counsel.
means, whether designated or not, personal property that has heritage value to British Columbia, a community, or an aboriginal people. [HCA s. 1]

**Heritage property**
means property that
(a) in the opinion of a body or person authorized to exercise a power under the *Local Government Act* in relation to the property, has sufficient heritage value or heritage character to justify its conservation or,
(b) is protected heritage property. [LGA s. 5]

**Heritage recognition**
means recognition or commemoration of a heritage property, an area or some other aspect of a community's heritage. Heritage recognition does not constitute protection of a property or area. [HCA s. 18] [LGA s. 955]

**Heritage Revitalization Agreement**
is an agreement made under the *Local Government* between a property owner and a local government for the purpose of conserving heritage property. [LGA s. 947 and s. 966]

**Heritage site**
means, whether designated or not, land including land covered by water, that has heritage value to British Columbia, a community, or an aboriginal people. [HCA s. 1]

**Heritage Trust**
means the British Columbia Heritage Trust, established in Part 3 of the *Heritage Conservation Act*. [HCA s. 1 and s. 24]

**Heritage value**
means a historical, cultural, aesthetic, scientific or educational worth or usefulness of property or an area. [HCA s. 1 & s. 18] [LGA s. 5]

**Heritage wreck**
means the remains of a wrecked vessel or aircraft where
(a) 2 or more years have passed from the date that the vessel or aircraft sank, was washed ashore or crashed, or
(b) the vessel or aircraft has been abandoned by its owner and the government has agreed to accept the abandonment for the purposes of the *Heritage Conservation Act*. [HCA s. 1]

**Local government**
means the council of a municipality; the board of a regional district; or the Trust Council or a local trust committee established under the *Islands Trust Act*. [HCA s. 1] [LGA s. 5]

**Official community plan (OCP)**
means a long term plan adopted by bylaw which is a general statement of objectives, policies, and land uses for a community.

**Prescribed**
means determined by regulation, bylaw or other enactment. [*Interpretation Act*]

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Protected heritage property
means property that is
(a) protected under s. 13 of the "Heritage Conservation Act,
(b) included under Local Government Act s. 970.1, 971 in a schedule to an official community plan, or
(c) designated as protected under the Local Government Act. [LGA s. 5, s. 970.1, s. 971, s. 967] [HCA s. 13]

Provincial heritage object
is an object designated under s. 9 of the "Heritage Conservation Act.

Provincial heritage property
means a property designated and protected under s. 9 of the "Heritage Conservation Act.

Provincial heritage register
means a register maintained by the Province listing heritage sites and objects that have officially recognized heritage status or protection. [HCA s. 3]

Provincial heritage site
means a heritage site designated under s. 9 of the "Heritage Conservation Act or a Provincial heritage property established under s. 23 of the "Heritage Conservation Act.

Temporary protection
means a prohibition of alteration to a property enabled under s. 16 of the "Heritage Conservation Act or s. 960 of the "Local Government Act.

Zoning
means a bylaw which specifies the uses, densities, siting and subdivision of land buildings or structures permitted in a community.

Suggested Reading


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NOTE: This guide is for information and advice only. Local governments looking to implement the heritage conservation tools outlined here should seek legal counsel.
BUILDING PERMIT NO.: BLD2016-00237

PROJECT ADDRESS: 2738 Walpole Cres

PROJECT DESCRIPTION: Addition and Interior Renovation

CONTACT: Cabo Development Ltd

ALL TRADES MUST BE IN COMPLIANCE WITH THE NOISE REGULATION BYLAW #7334 PERMITS CONSTRUCTION DURING THE FOLLOWING HOURS:

MONDAY TO FRIDAY 7:00 A.M. TO 8:00 P.M.
SATURDAY 9:00 A.M. TO 5:00 P.M.
SUNDAY AND STATUTORY HOLIDAYS NO CONSTRUCTION NOISE ALLOWED FOR PROJECTS GREATER THAN 500 SQUARE FEET.

EVERY OWNER OF A PROPERTY, OR HIS AGENT, SHALL OBTAIN APPROVAL OF THE WORK FROM THE AUTHORITY HAVING JURISDICTION AFTER THE BUILDING, OR PORTION THEREOF, IS COMPLETE AND READY FOR OCCUPANCY, BUT BEFORE OCCUPANCY TAKES PLACE OF THE WHOLE OR PORTION OF THE BUILDING.

THIS PLACARD MUST BE POSTED ON THE PROPERTY AND CLEARLY VISIBLE FROM THE STREET
Section 2:

2 (a) District of North Vancouver Heritage Register Workshop (May 14, 2012)

2 (b) District of North Vancouver Heritage Register and Heritage Procedures Bylaw 7945 (June 25, 2012)

2 (c) District of North Vancouver Heritage Register – Frequently Asked Questions From Owners of Buildings Listed on a Heritage Registry
The District of North Vancouver

REPORT TO COUNCIL

May 14, 2012
6800.01.000.000

AUTHOR: Kathleen Larsen, Community Planner

SUBJECT: District of North Vancouver Heritage Register Workshop

RECOMMENDATION:

It is recommended that this report be received for information.

REASON FOR REPORT:

To apprise Council of the results of a Public Information Meeting held on March 27, 2012 prior to forwarding a draft Heritage Register to Council for adoption by resolution.

BACKGROUND:

A Heritage Register is a list of properties that are formally recognized by local government for their heritage value or character. To officially establish a Community Heritage Register it must be adopted by Council by way of a resolution.

Heritage consultant Donald Luxton has used both the District’s two existing Heritage Inventories to establish much of the proposed District of North Vancouver Heritage Register. Of the 354 sites listed on the Inventories, it was recommended that 152 be placed on a Heritage Register with majority of the remaining buildings retained on a heritage inventory as a record of their value to the community.

Public Input:

Owners of 152 properties recommended for the proposed Register were notified by letter and invited to a Public Information Meeting held on March 27, 2012 at the Community History Centre in Lynn Valley at 3202 Institute Road. This meeting, facilitated by Heritage Consultant Donald Luxton, was intended to improve understanding and awareness of the Register as a heritage conservation tool, review common misconceptions (typically related to property rights, confusion about terminology and perceived loss of property value) and to inform owners of the opportunities and any constraints associated with a listing on the Register.
Following a short introduction by District staff, Donald Luxton made a presentation in which he outlined the Heritage Register process. This was followed by a Question and Answer session and further discussion with individual homeowners. Prior to the meeting a sign-in sheet was provided along with a handout outlining responses to Frequently Asked Questions.

The meeting was attended by approximately 90 people with a total of 71 people representing 53 properties filling in the sign-in sheet.

The Question and Answer session provided an opportunity for a property owners to voice both concerns and support for the Heritage Register. Both Staff and Donald Luxton provided clarification on a variety of issues including:

- Questions regarding perceived impacts on their property and redevelopment rights and clarification regarding the difference between the Heritage Register and Designation.

- Potential tax incentives for those properties on the Heritage Register.

- Potential increase in funding available in 2013 through the District of North Vancouver Heritage Grants Program to encourage participation on the Register.

- The Building Permit process and potential impacts of Building Code Equivalencies on Heritage Register Properties

Following the meeting, staff received written requests from 8 property owners requesting that their properties not be included on the proposed Heritage Register.

As per the request of the owners these properties have not been included on the Draft Heritage Register (Attachment A). These homes will be retained on a District Heritage Inventory in order to recognize their heritage value to the community. When referred to Council for consideration of adoption of the Heritage Register staff will also present an option to include all of the 152 recommended properties.
Conclusion:

The adoption of the attached Heritage Register will allow the District to take advantage of the heritage conservation tools available through the Local Government Act to advance the District's Heritage program. Once finalized, both the Heritage Register and updated Heritage Inventory will be retained in an on-line format in order to retain a record of all heritage properties in the District and recognize their value to the Community.

Kathleen Larsen
Community Planner
<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Address</th>
<th>Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>Polonis Residence</td>
<td>1914</td>
<td>1029</td>
<td>23rd Street West</td>
</tr>
<tr>
<td>Allan Residence</td>
<td>c 1905</td>
<td>1491</td>
<td>29th Street East</td>
</tr>
<tr>
<td>Bridgman Residence</td>
<td>1921</td>
<td>723</td>
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<td>Bull Residence</td>
<td>1925</td>
<td>732</td>
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<td>1912</td>
<td>780</td>
<td>8th Street East</td>
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<td>Garling Residence</td>
<td>1911</td>
<td>732</td>
<td>9th Street East</td>
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<tr>
<td>Tappan Residence</td>
<td>c 1911</td>
<td>740</td>
<td>9th Street East</td>
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<tr>
<td>Sky Bungalow</td>
<td>1950</td>
<td>3355</td>
<td>Aintree Drive</td>
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<td>Date</td>
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<td>Cameron Residence</td>
<td>1918</td>
<td>3052</td>
<td>Allan Road</td>
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<td>1950-51</td>
<td>1050</td>
<td>Belvedere Drive</td>
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<td>Sumpton Residence</td>
<td>1958</td>
<td>3405</td>
<td>Blubonnet Road</td>
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<tr>
<td>Ross Residence</td>
<td>1925</td>
<td>258</td>
<td>Braemar Road East</td>
</tr>
<tr>
<td>Tor Y Mar</td>
<td>1920, 1949</td>
<td>281</td>
<td>Braemar Road West</td>
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<tr>
<td>MacEacheran Residence</td>
<td>1934</td>
<td>3650</td>
<td>Capilano Road</td>
</tr>
<tr>
<td>The Teahouse</td>
<td>1911</td>
<td>3735</td>
<td>Capilano Road</td>
</tr>
<tr>
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<td>Date</td>
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</tr>
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<td>Thunderbird Room</td>
<td>1953</td>
<td>3735</td>
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<td>1922</td>
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<td>Date</td>
<td>Address</td>
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<td>1913 &amp; 16 etc.</td>
<td>1401</td>
<td>Dempsey Road</td>
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<td>Log Residence</td>
<td>c. 1935</td>
<td>2263</td>
<td>Dollarton Highway</td>
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<tr>
<td>Roberts Residence</td>
<td>c. 1911, 1927</td>
<td>1405</td>
<td>Doran Road</td>
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<td>1912</td>
<td>3545</td>
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<td>1926</td>
<td>2310</td>
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<td>Moon Residence</td>
<td>1950</td>
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<td>1957-58</td>
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Adopt-a-Program

Presentation: Gavin Joyce, GM – Engineering, Parks & Facilities

Materials to be circulated via agenda addendum.
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RCMP

Presentation: David Stuart, Chief Administrative Officer

Materials to be circulated via agenda addendum.
The District of North Vancouver
REPORT TO COUNCIL

June 25, 2012
6800.01.000.000

AUTHOR: Kathleen Larsen, Community Planner

SUBJECT: District of North Vancouver Heritage Register

RECOMMENDATION:

It is recommended that:

1. Council adopt the attached District of North Vancouver Heritage Register by resolution; and

2. Council give first, second and third readings to Heritage Procedure Bylaw 7945; and

3. Notice be given within 30 days to owners of all properties on the Heritage Register in accordance with s. 974 of the Local Government Act and the minister responsible for the Heritage Conservation Act in accordance with s. 977 of the Local Government Act.

REASON FOR REPORT:

To put forward both the District of North Vancouver Heritage Register and Heritage Procedure Bylaw 7945 for Council's consideration and adoption.

BACKGROUND:

A Heritage Register is a list of properties that are formally recognized by local government for their heritage value or character. To officially establish a Community Heritage Register it must be adopted by Council by way of a resolution pursuant to Section 954 of the Local Government Act and the property owners and the Minister responsible for the Heritage Conservation Act must all be notified within 30 days of the date of the resolution.

Heritage consultant Donald Luxton used both the District's two existing Heritage Inventories to establish much of the proposed District of North Vancouver Heritage Register. Of the 354 sites listed on the Inventories, it was recommended that 154 properties be placed on a Heritage Register with majority of the remaining buildings retained on a heritage inventory as a record of their value to the community.
Since the initial work on the draft Heritage Register was undertaken a number of years ago 4 buildings recommended for inclusion have been demolished leaving 150 potential buildings for inclusion in the Heritage Register.

DISCUSSION:

The Local Government Act allows a Heritage Register to be adopted by a local government as part of a heritage conservation program. The legislation balances heritage conservation with a respect for individual property rights. A Heritage Register gives local government the ability to monitor heritage in their community and encourage heritage conservation while ultimately not preventing individual property owners from proceeding with any desired redevelopment of their property.

A Listing on a Heritage Register WILL:

- Establish formal recognition for District’s historic sites;
- Provide a tool to determine eligibility for heritage programs and incentives. An example is the District of North Vancouver Heritage Grants Program for which inclusion on the Heritage Register could become a prerequisite;
- Establish eligibility for special provisions within the BC Building Code Heritage Building Supplement for Heritage Properties;
- Give Council the ability to adopt a bylaw to direct or authorize staff to temporarily withhold demolition, building or development permits for a property on the Heritage Register in order to discuss possible alternative development opportunities with the owner or conduct a heritage inspection or impact assessment of the property;
- Give Council the ability to adopt a bylaw to direct or authorize staff who issue permits for demolition to withhold demolition permits for properties on a Heritage Register until a building permit or any other necessary approvals are issued;
- Provide the ability to order a heritage inspection or impact assessment.

A Listing on a Heritage Register WILL NOT:

- Prevent the owner of the property from renovating, altering or demolishing the building in accordance with existing laws, such as Zoning or BC Building Code.
- Designate or legally protect a building. A house or building can only be designated (legally protected) with the consent of the owner or with appropriate compensation from Local Government.
Heritage Procedure Bylaw:

In accordance with the provisions of the Local Government Act, a Heritage Procedure Bylaw is required to enable the delegated staff to consider temporarily withholding a permit under the appropriate circumstances.

Heritage Procedure Bylaw 7945 (Attachment B) delegates to staff the authority to temporarily withhold when necessary, the issuance of building permit and demolition applications for homes on the District's Heritage Register.

Specifically, the delegated authority will allow staff to temporarily withhold the issuance of permits in cases where, in the opinion of the Chief Building Official, the proposed alterations would significantly impact the integrity and heritage value of the house. As outlined in s.960 of the Local Government Act the application would then need to be forwarded to the next available Council meeting for Council consideration. Operationally it is not anticipated or expected that all permits for properties on the Heritage Register would be forwarded to Council.

If referred to a Council meeting, Council could either direct staff to issue the requested approval or permit, or, if deemed significant enough, could issue a temporary protection for a time period not extending beyond 60 days. This order for temporary protection would give staff the opportunity to discuss design alternatives and possible site development opportunities with the property owner.

Section 961 of the Local Government Act stipulates that the delegated authority will allow staff to temporarily withhold the issuance of demolition permits only until such time as a building permit for the proposed new construction and all other necessary approvals have been issued. This short delay is intended to give staff the opportunity to explore opportunities for site re-development with the owner that may include retaining the heritage structure.

Council Workshops:

A Council Workshop was held in January 2011 to apprise Council of work completed to-date on the Heritage Register program and to clarify the tools it could provide to further the District's Heritage program.

A second Council Workshop on May 29, 2012 was held to update Council and review the results of a Public Information Meeting held on March 27, 2012 prior to the Draft Heritage Register and Heritage Procedure Bylaw being forwarded to Council.

Questions raised at this workshop were primarily related to the possible impact of Heritage Register status on property redevelopment rights.

In response to this concern staff advise that letters will be sent to all owners of the proposed Heritage Register properties advising that their properties are being considered for inclusion
on the Heritage Register prior to Council consideration and adoption of the attached Heritage Register List and Bylaw 7945.

Community Heritage Committee

The Community Heritage Committee reviewed the proposed Heritage Register on February 23, 2012 and now look forward to adoption of the register as a living document that recognizes the value of the District’s built heritage. Several members of the Committee also attended both the Public Workshop in March and the Council Workshop in May to demonstrate their support. One member is the owner of a home on the proposed Register.

Public Input:

Owners of the 150 properties recommended for the proposed Register were notified by letter and invited to a Public Information Meeting held on March 27, 2012 at the Community History Centre in Lynn Valley at 3202 Institute Road. This meeting, facilitated by Heritage Consultant Donald Luxton, was intended to improve understanding and awareness of the Register as a heritage conservation tool, review common misconceptions (typically related to property rights, confusion about terminology and perceived loss of property value) and to inform owners of the opportunities associated with a listing on the Register. The meeting was attended by approximately 90 people with a total of 71 people representing 53 properties filling in the sign-in sheet.

A Question and Answer session that followed a presentation by the Heritage Consultant provided an opportunity for property owners to voice both concerns and support for the Heritage Register. Both Staff and the Heritage Consultant provided clarification on a variety of issues including:

- Perceived impacts on their property and redevelopment rights and clarification regarding the difference between the Heritage Register and Designation.
- Potential tax incentives for those properties on the Heritage Register.
- Potential increase in funding available in 2013 through the District of North Vancouver Heritage Grants Program to encourage participation on the Register.
- The Building Permit process and benefits of Building Code Equivalencies on Heritage Register Properties.

Staff have received written submissions from 9 property owners requesting that their properties be excluded from the proposed Heritage Register. These properties are not included on the attached Heritage Register being forwarded for Council's consideration.
Conclusion:

The adoption of the attached Heritage Register and Heritage Procedure Bylaw 7945 will allow the District to acknowledge, monitor, and potentially influence the future of buildings in the District that have been deemed to have significant heritage value. Once adopted, both the Heritage Register and updated Heritage Inventory will be retained in an on-line format in order to retain a record of all heritage properties in the District and recognize their value to the Community.

Kathleen Larsen
Community Planner

Attachments:

A - District of North Vancouver Heritage Register
B - Heritage Procedure bylaw 7945
District of North Vancouver Heritage Register  
(July 2012)

The attached 2012 District of North Vancouver Heritage Registry provides a photo and listing by address of each of the properties on the Register.

Please note that background information and a detailed description of the heritage value of each property on this list is available through the District Planning Department.
<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Address</th>
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The Corporation of the District of North Vancouver

Bylaw 7945

A bylaw to authorize withholding permits in respect of property included in the community heritage register

The Council for The Corporation of the District of North Vancouver enacts as follows:

1. Citation

1.1. This bylaw may be cited as “Heritage Procedure Bylaw 7945, 2012”.

2. Definitions

2.1. In this bylaw:

a) “Building Permit” means a permit issued pursuant to the District’s Building Regulation Bylaw 7353, as amended;

b) “Chief Building Official” means the person designated in or appointed to that position by the District, and any person named by the Council to act in place of the chief building official;

c) “Community Heritage Register” means the District’s community heritage register established pursuant to section 954 of the Local Government Act;

d) “Council” means the municipal council of the District;

e) “District” means the District of North Vancouver; and,

f) “Local Government Act” means the Local Government Act, RSBC 1996, c. 323, as amended or replaced.

3. Authority to Withhold Permit

3.1. Subject to sections 3.2 and 4.1, the Chief Building Official is authorized to withhold the issuance of a permit or other approval with respect to any building or structure identified in the Community Heritage Register where, in the opinion of the Chief Building Official, the work authorized by the permit or approval would result in a significant adverse impact on the heritage value of the building or structure.
3.2. Where a permit or other approval has been withheld pursuant to section 3.1, the matter must be referred to Council for consideration at its next regular meeting.

3.3. Subject to section 4.1, unless an order for temporary protection is made by Council pursuant to section 962 of the *Local Government Act*, nothing in section 3.1 authorizes the withholding of a permit to which an applicant would otherwise be entitled, beyond the time of the meeting at which the matter is considered by the Council under section 3.2.

4. **Demolition Permits**

4.1. Subject to section 4.2, regardless of whether Council has made an order for temporary protection pursuant to section 962 of the *Local Government Act*, the Chief Building Official must continue to withhold the issuance of a demolition permit with respect to property identified in the Community Heritage Register until a Building Permit and any other necessary approvals have been issued with respect to the alteration or redevelopment of the property.

4.2. Notwithstanding sections 3.1 and 4.1, the Chief Building Official must not withhold approval for demolition of a property identified in the Community Heritage Register where:

(a) the demolition is reasonably required to mitigate a hazard to public safety; or,

(b) as a pre-condition of subdivision approval, the Approving Officer has required that the building be removed.

5. **Exceptions**

5.1. This Bylaw does not apply to property identified in the community heritage register which is also:

(a) designated as protected heritage property pursuant to section 967 of the *Local Government Act*; or,

(b) the subject of a heritage revitalization agreement pursuant to section 966 of the *Local Government Act*. 
READ a first time this the
READ a second time this the
READ a third time this the
ADOPTED this the

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk
What is a Heritage Registry and why was my house or building selected?

A 'Heritage Register' is a list of properties that are formally recognized by a local government for their heritage value or character. The District's two existing heritage inventories: District of North Vancouver Heritage Inventory 1910-1930 and The Modern Architecture of North Vancouver Inventory 1930-1965, provided a starting point for the Register allowing a Heritage consultant to evaluate all of the buildings and recommended a draft Heritage Register.

Your house or building is proposed for inclusion on the Heritage Registry because it has been identified as having special architectural, historical and/or cultural value to the community. It may be representative of a particular architectural style or form of building that was common at the time it was built. Usually it means that the exterior materials and design features of the building are relatively original and intact.

What is the difference between being listed on a Heritage inventory and being listed on a Heritage Register?

The District of North Vancouver's current Inventories consist of a compiled list of homes and buildings that have been evaluated and determined to have heritage value to the community. A Heritage Register provides a more formal recognition of the heritage value of the listings and must be adopted by District Council resolution. A listing on a Heritage Registry offers advantages to the homeowner as follows:

- Owners of properties on a Heritage Register will be eligible to apply for a grant through the new District of North Vancouver Heritage Grant Program beginning in 2013. These grants are intended to assist owners with the maintenance and restoration of their heritage home.

- Recognized heritage properties on a Heritage Register may be eligible for special provisions within the BC Building Code Heritage Building Supplement. These provisions allow for code equivalencies when current standards are not achievable or desirable.

- The Provincial Local Government Act allows for some conservation incentives that a Local Government can choose to apply to properties listed on a Heritage Register.

- Properties listed on the Community Heritage Register may also be eligible for access to provincial or federal government funding depending on availability.
Does inclusion on a Heritage Registry impact alterations I may wish to make to my house or building in the future?

Although alterations to a heritage building should ideally respect the original form and materials of the original structure, a listing on a Heritage Register will not prevent the owner of the property from renovating, altering, or demolishing the building in accordance with existing laws, such as Zoning or BC Building Code.

Inclusion on the Registry may however allow the District to temporarily withhold demolition, building or development permits in order to conduct a heritage inspection of the property or discuss alternative development opportunities with the owner.

What is the difference between a listed Heritage Registry property and a Heritage Designated property?

The inclusion of a property on the Heritage Registry only signifies that the property has been identified as having heritage significance. It does not mean that it is designated (legally protected). A building is only legally protected from demolition/alteration if the property has been formally designated by bylaw or has had a legal agreement such as a heritage protection covenant executed and placed on the property title. Usually designation of a building occurs as a result of a negotiated agreement between the District and the owner, often as part of a development application. Legal protection almost always occurs on a voluntary basis.

How can I be involved and find out more information?

You are invited to attend a Public Meeting facilitated by Heritage Consultant Donald Luxton scheduled for:

March 27, 2012 @ 7pm
District of North Vancouver Community History Centre
(Lynn Valley)
3203 Institute Road North Vancouver

For more information please also consult the District of North Vancouver website www.dnv.org/

Alternatively you may contact Kathleen Larsen, Community Planner at (604) 990-2369 or by e-mail at larsenk@dnv.org.

Further information on heritage can also be found on the following websites:
- North Shore Heritage Network www.northshoreheritage.org
- Parks Canada www.historicplaces.ca
- Heritage BC www.herbaitagebc.ca
Section 3:

3 (a) District Heritage Register (adopted 2012)
3 (b) District Properties Designated and protected as Heritage
3 (c) District Heritage Revitalization Agreements Adopted by Council
District Heritage Register

A 'Heritage Register' is a list of properties adopted by Council resolution that are formally recognized by a local government for their heritage value or character.

In 2012 District Council adopted a Heritage Register based on recommendations from a Heritage Consultant.

A house or building is proposed for inclusion on the Heritage Registry because it has been identified as having special architectural, historical and/or cultural value to the community. It may also be representative of a particular architectural style or form of building that was common at the time it was built.

The inclusion of a property on a Heritage Registry only signifies that the property has been identified as having heritage significance. It does not mean that it is legally protected from demolition.

When adopted in 2012 the District had 138 properties on the Heritage Register.

Since this time one Register house at 2895 Newmarket Drive has been demolished.

The District Heritage Register is attached for the information of Council.
July 2012
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HERITAGE REGISTER SITES

BULL RESIDENCE
732 8th STREET EAST
1925

This stucco-clad bungalow is an excellent example of the style of bungalow built in the period between the two World Wars. Charming in its simplicity, it conveys a traditional image of domesticity through the use of Period Revival details, multi-paned windows and a picturesque roofline. It was built in 1925 for Ontario-born John Bull (1850-1934), who was the manager of Lonsdale Coal & Supply.

FRANKLIN RESIDENCE
780 8th STREET EAST
1912

Parallel front gables with crossed vergeboards are just one of the unique features used in this superb example of the Craftsman Style. It is also distinguished by a full front verandah, paired classical columns, notched vergeboards, elaborate diamond-point eave brackets, dentil courses and decorative openwork railings. The first owner of this house was H.J. Franklin, a financier; the first known residents were the Marshall family. It is one of a number of elaborate houses built in this area, just to the east of the Grand Boulevard development.
**GARLING RESIDENCE**  
732 9th STREET EAST  
Circa 1911

A beautifully detailed bungalow which forms a consistent grouping with the adjacent Craftsman house, 740 9th Street East. The house features bracketed porch columns, triangular eave brackets, and two prominent clinker brick chimneys. The first owners were the Garling family; Frederic Hubert Garling, the first owner, was an Australian-born accountant. In 1906, he had married Julia Gertrude Sowden.

**TAPPAN RESIDENCE**  
740 9th STREET EAST  
Circa 1911

Also located just to the east of Grand Boulevard, this exceptional bungalow features the lavish use of random ashlar stonework, and a prominent front porch. This is a free adaptation of the Craftsman Style, with battered porch walls, a heavy timber porch gable screen, and prominent eave brackets. Consistent use is made of multi-paned wood sash casement windows. The house is remarkable for such elaborate detailing on what is essentially a modest house. The beautifully crafted stonework was laid by local mason Jack Swanson. Frederick Tappan (1876-1947), the first owner, was an electrical engineer with the B.C. Electric Railway Company. Tappan, who was married to Francis Maria Sowden, lived in the house until his death.
POLONIS RESIDENCE
1029 23rd STREET WEST
1914

A very good example of the Foursquare style, this house features symmetrical massing and a hipped roof, with a full front verandah and a hipped dormer. Hugh Polonis, the first owner, was a Scottish-born carpenter and shipwright, and lived here until his death in 1934.

ALLAN RESIDENCE
1491 29th STREET EAST
Circa 1905

One of the earliest surviving houses in the area, it was built by T.A. Allan after he pre-empted District Lot 2022. It has been altered over the years, and a coat of stucco has been applied over the original surfaces. The landscaping, which is mostly original, contains large mature rhododendrons, azaleas, a Hawthorne, and a large specimen Sitka Spruce

(Archival Photo: T.A. Allan's house, 1458 29th Street East (originally 1485 Ross Road) to the extreme right: Lynn peak in the background - NVMA #26)
SKY BUNGALOW
3355 AINTREE DRIVE
Fred Thornton Hollingsworth, Architect, 1950

This dramatic structure is one of the icons of the development of Modernism on the West Coast. In 1950, developer Eric Allan and Architect Fred Hollingsworth approached the manager of the Hudson's Bay in Vancouver with an idea for promoting Allan's Capilano Highlands subdivision. They proposed that they would build a version of Hollingsworth's generic post-and-beam house - the "Neoteric" - on the Bay's Seymour Street parking lot. This would not only promote this new style of housing, but also modern furnishings and appliances, and the new postwar suburban lifestyle. The pitch was accepted, and the 'Sky Bungalow' was built and opened to the public.

The design was similar to Hollingsworth’s standard residential floor plans, but was lifted into the air on a concrete block pier, and cantilevered on steel beams, in order to minimize the amount of parking spaces affected - in the end the house’s footprint only took six parking spots. Rather than the usual ground-hugging appearance of these houses, this gave the 'Sky Bungalow' a dynamic, soaring profile that excited both thousands of visitors who toured it and the journalists of the time. It was considered startlingly contemporary, and was the first time that many people saw what soon became common features of the new West Coast houses.

"Perhaps most remarkable about the Sky Bungalow is its warmth. We've rarely seen anything that deserves more the word "modern." Yet most of us want coziness in our homes, and contemporary design, however breathtaking, must give it to us if we are to part easily from our Cape Cods and Colonials. The Sky Bungalow does!"

"Maybe it was the natural fir plywood and warm cedar walls, or perhaps the red brick fireplace wall. At any rate, we felt it would be a pleasant place in which to live. Canadians understand the warm glow of natural wood, the reddish-brown of brick, the alive spring colorings of green and yellow, and like to live with them."

"The decorating staff of the local department store which supplied the furnishings were stimulated by Hollingsworth’s sensitive feeling for color and texture. The cocoa brown chesterfield and heavy-textured citron yellow drapes in the living room blend perfectly with the cedar shelves and fir plywood. Little Chinese Kwan Yins beside the fireplace and pieces of Indian brass on the limed oak coffee table add accent spots of interest."

"This sense of unity in color and texture is carried throughout all the rooms, and is achieved with a variety of shades of green, yellows and browns. Chocolate-brown corduroy bedspreads in the master bedroom with golden-yellow drapes figured with chocolate brown leaves, for example. Add to this blond oak furniture, oak floorings and heavily textured rugs and you will know some of the color-texture harmony which prevails in the modest two-bedroom "Sky Bungalow.""
After the exhibition ended, the house was purchased by Len A. Nikoloric, and moved to a permanent site in the Capilano Highlands. It was placed on a new base, designed by Hollingsworth, rooting the building to the ground in a manner more typical of his other buildings, and survives today in surprisingly original condition. Much of the interior is also intact.

**CAMERON RESIDENCE**  
3092 ALLAN ROAD  
1918

This is an early surviving home in the Lynn Valley area, and is notable for its full front verandah, a high front gable roof, and simple wooden detailing. The first owner, Alexander Ernest Machin (1878-1949), was a sign contractor, and did not live in the house; it was first occupied by the Cameron family.

**BOOTH RESIDENCE**  
1050 BELVEDERE DRIVE  
Robert Booth, Architect, 1950-1951

Robert Booth was a young architect just starting his career when he designed this house for himself and his family. Booth joined Gardiner Thornton Architects in September, 1947 and worked there for thirty-seven years. Previously he had worked for W.G. Swan, chief engineer on the West Coast for the armed forces. Construction of this beautifully-sited modern house started in December 1950 and was completed the following June. The cost was $12,000 and Nelson Construction was the contractor.
CHALLIER RESIDENCE
"NEOTERIC" HOUSE
3405 Bluebonnet Road
Fred Thornton Hollingsworth, Architect, 1950-1951

This was one of a number of speculative house types designed by Hollingsworth for developer J. Eric Allan, a generic post-and-beam design known as a "Neoteric." Each of these houses followed the same basic floor plan, then was adjusted for its individual lot. The interior was arranged around a central raised pavilion, ringed with horizontal clerestory windows. A central masonry chimney, in this case dark brown brick, anchored the living room area. The living and dining rooms and the kitchen were connected through a dogleg open plan; adjacent to the kitchen a small family room had wide wooden sash doors that opened onto an outdoor patio. A windowless brick infill side wall adjacent to the lot line (in this case to the north) provides privacy. Throughout the interior the structural wooden beams and posts, and the wooden plank ceilings, were exposed and varnished. The hallways were kept to a minimum width, and the bathrooms were located internally rather than against outside walls - a new idea just then being accepted by the Canada Mortgage & Housing Corporation. Heating was provided by warm air forced through a plenum space built under the house - there was no basement or crawlspace. Although many of these ideas are commonplace now, at the time they were quite radical, and signalled a break with traditional patterns of domestic layout.

This "Neoteric" was built for H. Challier at a cost of $12,500, and has been well preserved. A subsequent owner renovated the kitchen, changing its orientation and combining it with the family room; the openness of the layout was preserved, and the interior woodwork and brickwork has never been painted in this house. The interiors of many similar houses were painted white to 'lighten them up' - this house, however, retains the dark, warm appearance of its natural materials.
SUMPTON RESIDENCE  
107 BRAEMAR ROAD EAST  
Ron Thom, Designer, 1958

Prominently located at the southwest corner of Lonsdale Avenue and Braemar Road, the low-slung bulk of this house steps down a sloping site, with the carport and entry at the top of the hill. Ribbon windows and white planar walls give this house more the appearance of the International Style, rather than the typical West Coast style of the time. The corner windows have been butt glazed, further lightening their visual impact, making the edges of the building dissolve.

Ron Thom was the designer of this modernist house, built for the Sumptons at a cost of $13,000 by contractor H. Sellesback. Murray Sumpton was an engineer with Wismer & Rawlings Electric.

ROSS RESIDENCE  
258 BRAEMAR ROAD EAST  
1925

This modest house was built for Miss Irene Sherlock Ross in 1925. In 1927, she married Lewis Campbell Vuillanny, a school teacher. This picturesque cottage appearance evokes a peaceful country lifestyle, a popular domestic image in the years following the turbulence of the First World War. The oldest surviving house in the area, it has been added to several times.
This Craftsman cottage was built in 1920 by William Woods, a First World War veteran who emigrated from England after the war. At the time the house was built, the surrounding area was completely rural, and the property comprised approximately one acre and featured a riding academy and a grazing pasture for cows. In the late 1940s, Barbara Mather, and her mother, Otta, purchased the property, and enlarged the house. Barbara Mather was the first female landscape architect in British Columbia. She christened the property "Tor Y Mar," Gaelic for "Meadow in the Mountain," and proceeded to develop a showpiece garden that was featured in magazines of the day. Otta Mather died in 1970, the property was sold, and divided into four lots. The present owners bought the remnant lot in 1988, and in consultation with Mather started to restore the garden. The houses, again enlarged, retains many original features, including interior elements such as the period kitchen, wooden panelling and a granite fireplace and beamed ceiling in the living room. The garden has now reached a stage of full maturity, and is a beautiful example of a period setting.

MacEACHERAN RESIDENCE
3650 CAPILANO ROAD
1934

An unusual example of a rustic log residence, with cross-leaded glass and an inset central entry. The living room still contains its original river rock fireplace with an intricately carved log mantel piece. The house was built by Archibald Dunerik "Mac" MacEachern, a WWI veteran who in 1934 became the lessee of the Capilano Suspension Bridge. The building is currently used as a restaurant.
Situated on a steep cliff immediately adjacent to the Capilano Suspension Bridge, this unique log structure was originally built as a teahouse when the property was owned by Edward Mahon. It was constructed of specially cut 3" by 8" timbers nailed on top of each other, the edges of which had been rounded in a sawmill. This unusual form of construction was made possible by the low cost of lumber at the time. The first suspension bridge across the Capilano River was built here in approximately 1889. This teahouse structure was built by William T. Farrall, who in 1903 had also built the first wire rope bridge on this site.

The Thunderbird Room was built for Capilano Scenic Attractions Ltd. as a banquet room addition to the Teahouse. It was designed in a post-and-beam idiom by prominent architect Charles Burwell Kerrens Van Norman (1906-1975), one of the key local proponents of the modern styles of architecture. Opened in November 1953 with Margaret Watson as its first hostess, this was a very popular location for weddings and banquets. It is now used as a gift shop.
This well detailed and beautifully maintained Craftsman bungalow features an unusual projecting second storey bay, and mature plantings that include a Chestnut tree and two large Douglas Firs. The original grounds included five acres; Robert Russell, an Australian, died in 1923, and his wife, Helen, managed this property as a small farm.

This handsome modernist residence was designed by renowned architect Ron Thom for Horace and Mary Norman. It employed simple forms of construction, with a slab on grade foundation, flat roof and flat projecting eaves. Designed on a 4 foot by 8 foot module, it is clad with sheets of plywood. The house has been maintained in original condition and the landscaping provides a beautiful and appropriate setting.
This tall Edwardian house with a recessed balcony at the second storey was originally built for the Eaton family; Leslie Seymour Eaton (1865-1945) was a director of the North Vancouver Coal and Supply Company, and later worked as a florist. From the early 1920s until her death, Jack Loutet's mother, Catherine, known as Kate, lived in this house.

This handsome Shingle Style residence features a second floor oriel window and exposed purlin ends. Simple in its detailing, textural interest is added through the overall use of cedar shingle cladding. The use of multi-paned casement windows, open eaves and exposed purlins show the influence of the British Arts and Crafts movement. This was the home of the Loutet family for many years. Jack Loutet was highly active in community affairs. Born in Couper Angus, Scotland in 1885, he immigrated to Canada in 1905. Professionally he was involved in real estate, but also served as Reeve of the District of North Vancouver in 1923, Mayor of the City of North Vancouver from 1945 to 1947, and was also an M.L.A. in the 1920s. He had also served as first Post Master for the District, from 1912 to 1913. Loutet lived in this house until his death at the age of eighty in 1966.
AMES RESIDENCE  
190 CARISBROOKE ROAD EAST  
Blackadder & MacKay, Architects, 1925

The Tudor Revival Style of this house is highlighted with the use of stucco and wood half-timbering, cross-leaded casements and a tall stone chimney. This imposing home was built for Cyril Ames, manager of Ames Brothers, Manufacturers Agents and distributors of ceramic tiles. Ames (1885-1966) was born in Lancashire and emigrated to Canada in 1908. He started his business in 1910, and worked until his retirement in 1960, after which he moved to Qualicum Beach. From 1912 until 1927, Henry Blackadder was in partnership with British architect Alexander Sinclair Wemyss MacKay. Blackadder & MacKay furnished North Vancouver with a large number of residences in the Craftsman Bungalow and British Arts and Crafts styles. A number of their houses in North Vancouver featured unusually narrow staircases, a design idiosyncrasy attributed to Blackadder's belief that wide staircases were for those "too weighty in... body and head."

CHESTERFIELD SCHOOL  
3371 CHESTERFIELD AVENUE  
Designated Municipal Site  
Heritage Revitalization Agreement

Blackadder & Jameson, Architects, 1912-1913
The Chesterfield House School for day and boarding boys had originally been opened by Albert Henry Scriven in 1908 at the corner of 14th Street and Lonsdale Avenue; five years later it was moved to this location. This large shingle-clad structure once boasted extensive grounds, complete with a gymnasium and swimming pool. The remaining landscaping includes stands of mature hollies, laburnums, cedars, Black Walnut trees, a cherry tree, a rose garden, and a large rhododendron in the front yard. It has now been successfully converted into an apartment building, and retains most of its original character. Despite its institutional origins, its image is compatible with a residential use. Henry Blackadder (1882-1968) was born in Dundee, Scotland on September 11, 1882. His architectural career began at his birthplace. Upon completion of his four-year apprenticeship, he accepted work as an assistant to one of the most prominent firms in London, George & Yeates. In 1911, Blackadder moved to British Columbia and secured his first independent commission, for a residence in Vancouver. Blackadder jointly designed this project with Reyburn Jameson, who was only active in North Vancouver for two years and left soon after this project was initiated.
CRAIGHEAD RESIDENCE  
3097 CONNAUGHT AVENUE  
Sharp & Thompson, Berwick, Pratt, Architects, 1949; Addition in 1950

This unusual post-and-beam structure was original addressed as 697 East Kings Road. Designed for Mr. and Mrs. A.S. Craighead, it takes full advantage of a sloping site, sitting at an angled orientation. As with many of Sharp & Thompson, Berwick, Pratt's best designs, the structural system is honestly expressed on the exterior of the building. A simple and rational system of framing has been adopted, employing a regular module that accommodates windows, doors, and panels of siding. Cantilevered roof beams overhang the cantilevered deck, joined by vertical stringers that form a structural cage. Nelson & Minions were the original contractors, and the cost of construction was $7,200. An addition was built the following year at a cost of $1,800.

BROOKS RESIDENCE  
"NEOTERIC" HOUSE  
2725 CRESCENTVIEW DRIVE  
Fred Thornton Hollingsworth, Architect, 1950

This is one of Hollingsworth's standard house designs, built for Edwin W. Brooks. The interior is arranged around a central raised pavilion, with a central brick chimney, and a brick side wall to the east side facing the property line. The raised pavilion is ringed with horizontal clerestory windows. The extra-wide front door has inset glass panels beside. The cost of construction was $9,500; Gil Bradner was the contractor. In 1958 the existing carport was enclosed and a new carport added.
HOMEACRE  
1401 DEMPSEY ROAD  
1913; Additions in 1916, 1918, 1921 and 1926

This attractive home, in its wonderfully mature landscaped setting, has been owned since 1916 by the Summerfield family. When they acquired the property, they transformed the existing small cottage into a grand estate home. James Thomas Summerfield was involved in insurance and real estate and was active on District Council and other community organizations. As documented in her book "Garden Dreams Realized," Beatrice Summerfield spent over ten years her to complete the surrounding garden. James died in 1955 at the age of seventy-nine; Beatrice lived here until her death in 1970, and the property passed into their son's hands.

ROBERTS RESIDENCE  
1405 DORAN ROAD  
Circa 1911; Additions 1927

Contractor John Evelyn Roberts built the original part of this home circa 1911. It is a well preserved example of the Arts and Crafts style. Roberts was born in India in 1880, and moved to North Vancouver in 1908; he died of diabetes at the age of thirty-seven. His widow, Ella, remained in residence, and in 1927 had an addition built to the west side of the house, attached to the main house but a separate dwelling designed in a Period Revival manner. The house has been well maintained in its beautifully mature landscape.
In 1902, Thomas Samuel Nye (1874-1938), a returning Boer War veteran, chose District Lot 2026 as his military grant for service, and later made his fortune during the land speculation boom through subdivision of his property. Nye went broke, however, building this imposing Tudor Revival home, known locally as "Nye's Folly." In addition to Blackadder, four other architects gave interior and exterior advice on the design of this building. After the local economy collapsed, Nye moved to Daisy Lake in 1915, but later returned to North Vancouver. It remains the centrepiece of the North Lonsdale area. Between the years 1921 and 1932 it was rented to the Kingsley School, a private school for boarders and day boys. The house is distinguished by its superb fitted stonework, and its mature landscaping, which includes an impressive dry stone retaining wall, a long row of planted holly trees, and an unusual specimen Chinese Fir tree. The house was damaged in a 1990 fire, and the property has been subdivided, but the house retains much of its original character and prominence.

This house was built by Thomas Alexander Bone (1867-1937), who was a Scottish-born carpenter who came to Canada in 1904. A masterful sense of detailing is displayed in the tapered porch columns and the delicate window mullions of the multi-paned casement windows. The house is still owned by the Bone family.
The Moon Residence is one of Fred Hollingsworth's more interesting designs. The asymmetrical layout, jutting triangular forms, central interior chimney, and horizontal board-and-batten siding are all overt references to the organic theories of Frank Lloyd Wright. These individual elements are here translated into a comprehensive stylistic expression. Hollingsworth's early modular post-and-beam houses were a response to the post-war housing boom, intended as low-cost housing, simple and easy to erect, built on concrete slabs with no basements. Deceptively simple, they employed the latest in technology to provide comfort, including radiant floor heating. These designs provided maximum efficiency at minimum cost. In his best designs, such as this one, these simple forms are handled with great sophistication, resulting in a structure that belies its original modest cost of $11,000. The floor plan is angled to take full advantage of the spectacular treed lot, located near Edgemont Village. The Moon Residence has been maintained in pristine condition. Jack and Marion Moon only lived here briefly, as Jack was transferred to Calgary shortly after the house was completed. They remained clients of the architect, and Mrs. Moon still resides in the house south of Calgary designed for them by Hollingsworth.

A landmark in Edgemont Village, this church expresses its verticality through the use of a tall structural A-frame roof framed with laminated beams. Wilding was given five sites to choose from; the one that he picked had a sharp fall down a bank to a creek. Because of the grade, the church is reached by a bridge at the upper level. The building is well integrated with the site, with a Sunday School and meeting room at the lower level, and an outdoor patio. Conceived as an all-wood structure, the exterior is clad with vertical rough red cedar boards; the roof was originally clad with cedar shingles to evoke the surrounding woods and mountain views. Cedar is also used throughout much of the interior; the interior of the nave features exposed laminated beams, and is dramatically lit through the use of coloured glass, mostly amber, in small slit windows. A large skylight illuminates the altar area. When it opened in November 1958, the seating capacity was 302 in the nave and 40 in the choir. The total cost of the building was $150,000. Highlands United was published in *R.A.I.C. Journal*, December 1956 and May 1961, *Canadian Architect*, February 1961, and the Massey Medals for Architecture Exhibition, 1961.
"SHALAL GARDENS"
FOUR-PLEX APARTMENTS
3704-3710 EDGEMONT BOULEVARD
3712-3718 EDGEMONT BOULEVARD
3723-3727 BLUEBONNET ROAD
3729 EDGEMONT BOULEVARD
3743-3749 EDGEMONT BOULEVARD
Fred Thornton Hollingsworth, Architect, 1951

These four separate structures were a series built in 1951 for J. Eric Allan. Situated on both sides of Edgemont Boulevard, this was a demonstration of an alternative form of housing in the Capilano Highlands development. Each block contains four self-contained apartments, each with their own ground level entry. These units are arranged in a pinwheel fashion, and are visually separated by tall flange walls built with Roman brick. The window arrangement ensures complete privacy between each unit. Broad roof overhangs, light-coloured stucco cladding, dark encircling beltcourses, and ribbon and corner windows, are used to modulate the mass of the structures. Generally the forms echo the work of Frank Lloyd Wright, but have been developed to suit local conditions. One of the interesting aspects of the Capilano Highlands development was the attempt to create a complete community, with different forms of housing, and a central self-contained shopping area with community amenities. The provision of this type of apartment within a suburban development was considered progressive at the time.

PERRY RESIDENCE
3526 EVERGLADE PLACE
Arthur Erickson, Architect, 1963

This modest structure displays a number of the elements which typify the residential work of Arthur Erickson. A series of irregular rambling interlocking pavilions are grouped around a central courtyard. The rear (living room) block has raised south-facing clerestories, which form the edge of a sloping roof form. The eavetroughs are dramatically extended to provide horizontal emphasis, and to define the edge of the courtyard. Vertical wooden siding is used throughout, and all the wood surfaces have been left with a natural finish. The house is set to the rear and side of a large corner lot, with a cedar hedge at the front, and planted bamboo.
"To many people, a "Modern" house is "one of those flat-roof things with windows all around like a goldfish bowl." Some houses being built today are as unattractive as that definition sounds, but they do not represent contemporary styles of architecture any more than bargain-basement dresses represent the latest Paris fashions.”

"The architects who are turning out our fine, contemporary, Western style of home are not preoccupied with flat roofs or view windows... only with the concept of bright, roomy, efficient houses designed to fit the activities and interests of the prospective owners. Thus the term "Modern" actually embraces an infinite variety of styles, and each should be judged on its own merits.”

"Take, for instance, the "Flying Arrow" home of Jim and Berenice Atkins in Capilano Highlands. Designed by Fred Thornton Hollingsworth, it is an excellent example of good contemporary planning, yet it has an attractive style all its own.”

"A striking feature is the angle-pitched roof. Structurally this is very simple, for the low-pitched overhang is supported by an extension of the interior scissor-beams. Also effective is the use of solid brick in the end wall, a treatment that adds visual and structural stability to the post and beam frame construction. Inside, too, the brick wall, plus the massive brick fireplace, provides an interesting color and texture contrast to the extensive use of wood surface.”

"The compact, open plan gives a lot of freedom in a small area... about 1200 square feet... with an open ceiling over living room, dining room, kitchen, utility and hall. "its' a house that grows on you," says Mrs. Atkins. "The more we live in it the more we like it."

Western Homes & Living, March 1952, page 14.

This striking home was built for the Atkins by contractor Gil Bradner for a total cost of $9,200. Some of the cost-saving features integrated into the design were slab-on-grade construction (with radiant heating - the concrete floors were exposed, polished, and coloured Rust Red. The truss roof beams were originally painted pink. Only clerestory windows faced the street, allowing maximum privacy, while large windows at the rear faced onto a screened patio. A pop-up monitor faces north, and allows an extra band of windows that light the roof trusses. The "Flying Arrow" has been very well-maintained in its original condition, except for one feature; the brick end wall had to be taken down when the adjacent creek overflowed and undermined it.
HILL RESIDENCE
1506 FREDERICK ROAD
Circa 1911, Additions 1914

Simply detailed in the Craftsman Style, this modest house was built by G.G. Smith for the Hill family, who lived here for about twenty years. Bernard Hill was an accountant, and later Treasurer, for the District of North Vancouver. A full front verandah with square columns and balusters is a pleasing feature of this house.

DAVISON RESIDENCE
3096 FROMME ROAD
Circa 1907

The first owner of this house, Walter Horatio Davison (1867-1951), a Scottish immigrant who had come from Nova Scotia in 1904. A mechanical engineer and carpenter by trade, he was in charge of "fluming the bolts" in the Upper Lynn and Rice Lake areas, and was a foreman at the Hastings Shingle Manufacturing Company. The delicate wooden detailing of this house includes drop finials and drilled porch balusters.
HAMILTON RESIDENCE
3321 FROMME ROAD
1911-1912

A unique stone house built by Mr. A. Hamilton, a bricklayer, for his family. The porch is highlighted with a pedimented gable and tapered columns, showing a Craftsman influence; the lintels over the structural openings are unusual for being composed of small pieces of stone. The house was later owned by Constantine Nordby.

SUBURBAN FARMS
4342-44 GALLANT AVENUE
Circa 1930s

This unassuming retail block on the main street of Deep Cove is the only surviving example in the District of North Vancouver of a "boomtown" false front, once the most characteristic form for commercial buildings. It once accommodated the post office and a realty office, then became a butcher shop, and has been a grocery for three decades. Set close to the street, it and the adjacent store at 2211 Panorama Drive establish the commercial character of this key intersection.
LOGAN RESIDENCE
1442 HAROLD ROAD
1922

A simple symmetrically-massed house with arched porch supports and a number of decorative stained glass panels. It is situated at a dead end of Harold Street, adjacent to a ravine. The first owner was John Mitchell Logan, born in Scotland in 1878, who immigrated to Canada in 1910 and moved to North Vancouver in 1918. He worked as a superintendent at J. Coughlan & Sons, Steel Engineers & Fabricators, who later as a shipyard loftsman until his retirement in 1947. Logan lived here until his death in 1951.

"THE HOMESTEAD"
1207 HARRIS AVENUE
1926

This striking log structure was built by John Ernest (Jack) Gillis, a retired logger and one of Deep Cove's first residents. It was built entirely of cedar, using only hand tools such as adzes, axes and hand saws. The rustic decorative features include peeled log railings, a log arch over the entry, exposed log purlin ends, and barn shake roofing. The pronounced bellcast to the front gable roof gives the building a very distinctive profile. Gillis was born in Prince Edward Island in 1898, and he and his wife, Christina, moved here on their honeymoon in 1923. The Deep Cove area was just being opened up, and the road did not yet come through to the four lots they purchased for $20 each. This was one of the few permanent homes in the Deep Cove area at the time, and also served as a small general store in the 1930s. Jack Gillis lived here until his death in 1965.
CANYON HEIGHTS ELEMENTARY SCHOOL
4501 HIGHLAND BOULEVARD
White & Cole, Architects, 1955; Additions in 1956

Built in response to the postwar population boom, the linear mass of this large, low-slung school building is composed of a series of interconnected structures. A one-storey block sits to the south, with a two storey block to the north. A central gymnasium is tied to both blocks by a one storey connecting wing. The present structure is the result of a building program that began in 1955, and continued with additions that began the following year.

"PARADISE"
5690 INDIAN RIVER DRIVE, SUNSHINE
Circa 1919

This is one of the larger examples of the summer homes built in the Sunshine Creek area, oriented towards the water. Two stories in height, with stacked front verandahs, it presents a simple, symmetrical facade facing the beachfront and backs up against a large stand of trees. It was owned during the 1930s by Dr. Alfred T. Harrison, an eye specialist and remembered as a very religious man.
LYNN VALLEY ELEMENTARY SCHOOL
3203 Institute Road
Blackadder & MacKay, Architects, 1920

Following a rapid expansion in population, new schools continued to be built in the Lynn Valley area. In 1911-1912 a third building, with four classrooms, was built. On September 10, 1920, the Minister of Education, the Honourable J.D. McLean, laid the cornerstone for this school, the fourth on this property. Baynes & Horie were the contractors for this elegant structure, which employs alternating bands of brick and precast concrete. Separate entrances were provided for boys and girls, and the corners are highlighted with bulls' eye windows. The original cost for this building was $54,000. The design reflects the early training of its architect, Henry Blackadder. His architectural career spanned four decades in British Columbia, but began with a four-year apprenticeship at his birthplace in Dundee, Scotland. He subsequently accepted work as an assistant to one of the most talented Edwardian architects in London, Sir Ernest George (1839-1922). The designs created by George, and his partner Alfred Yeates, made an indelible impression on Blackadder. During the eight years he worked with them, George & Yeates completed several large commissions, one of which was the design for the British Pavilion at the World's Fair of 1904. The handsome, symmetrical design of this school can be clearly traced to the Edwardian Baroque work of George & Yeates. Made redundant through the construction of a new elementary school, Lynn Valley School has now been converted for use as a Community Heritage Services Centre.
WALTERS RESIDENCE
1279 KEITH ROAD WEST
William H. Birmingham, Architect, 1946

This simple but striking modern house was built for Mr. and Mrs. Howard Walters. It is sited on a large lot at the edge of a cliff, with a spectacular south-facing view. Mature evergreens ring the site, and a paved turn-around sweeps through the front yard. Architect Birmingham (1911-1997) had studied at the University of Toronto, and his post-war work still carried some of his earlier Arts and Crafts influences. In the Walters Residence we can still see this residual influence in the overall horizontal lines and use of simple materials. The modernity of the house is implicit, however, in the broad flat roof planes. The floor plans are simple and compact, with an open plan living and dining room facing south towards the view. A recreation room was placed to the north in a one-storey wing, adjacent to the entry court. The house and property have been very well maintained. Howard H. Walter was a manager at the B.C. Electric Railway Co. This house was built at a cost of $8,500 by C.J. Oliver Ltd. It was published in the R.A.I.C. Journal in June 1947.

LAMBERT RESIDENCE
123 KENSINGTON ROAD EAST
1921

This Craftsman bungalow features a nesting of three gables on the façade, creating an attractive composition and roof design. The walls are shingled and triangular brackets support the eaves. The Craftsman style was the most popular form prior to the First World War, and maintained its popularity well into the 1930s. A comparison with historic photographs show that there have been few alterations, namely the front steps, the enlarged east dormers, and the conversion of an enclosed garage into a carport. The original owner Charles Henry Lambert (1876-1955), and his daughter, Phyllis who also lived here, both worked for the B.C. Fire underwriters Association.
BETHEL METHODIST CHURCH
131 KINGS ROAD EAST
1915

This church is simply-detailed in the Craftsman tradition, with triangular eave brackets, exposed rafter ends and pointed verge-boards. Originally built for a Methodist congregation that was related to the West Vancouver Methodist Church, first services were held in November, 1913. This modest church is unusual for its wartime date of construction. After Unification in 1925, it served as a United church until 1953, and is still used as a hall of worship.

EVA RESIDENCE
145 KINGS ROAD EAST
Circa 1908

Typical of the Late Queen Anne style, with an inset porch and projecting front bay, this modest house is one of the earliest in the North Lonsdale area. John W. Eva, the first owner, was a fireman with the City, and later a quarryman.
HUMPHREYS RESIDENCE
360 KINGS ROAD EAST
Circa 1911

Simply-detailed in the Craftsman style, much of the character of this house is derived from the consistent use of multi-paned casement windows Sydney Humphreys, the first owner, was at the time the Treasurer for the City of North Vancouver. Later, Humphreys (1882-1954) was the proprietor of the London Fish cannery; in 1927 he and his wife Elizabeth Johnstone Humphreys (1889-1976) built a larger home on Grand Boulevard.

LESLIE RESIDENCE
361 KINGS ROAD EAST
Blackadder & MacKay, Architects (attributed), 1921

This Craftsman bungalow, with decorative half-timbering, is situated on a large lot with many mature landscape features. Henry Blackadder, the most prolific local architect at the time, has been attributed as the designer. The first known owner was Matthew Henry Hughes, a labourer with the District of North Vancouver, but he apparently never lived here; the house may have been built on a speculative basis. The first known resident owner was Thomas Soga Leslie (1884-1951), at the time a salesman with the William N. O’Neil Company, a wholesale tile distributor. Leslie later became a director of the company.
WARD RESIDENCE
390 KINGS ROAD EAST
Circa 1910
Designated Municipal Heritage Site

The first owner of this house, William E. Ward, was an employee of the Canadian Pacific Railway. Ward (1864-1954) was a claims clerk, and retired in 1930. This handsome residence demonstrates the strong influence of British Arts and Crafts design, prevalent in British Columbia during the Edwardian era. This residence displays typical Arts and Crafts elements, such as its complex roofline and rich contrast of surface textures including stucco, half-timbering and cedar shingle siding. The use of a British idiom was common, indicating nostalgic familiarity for Britain, and loyalty and patriotism through the commissioning of homes designed by British-trained architects. The Arts and Crafts movement looked both forward - to a new social order and rational expression of construction, and back - to values rooted in British soil. Built on a prominent corner lot, the mature landscaping features a very large Black Walnut tree, and a row of hazelnut trees on the southern edge of the property.

NICHOLSON RESIDENCE
416 KINGS ROAD EAST
1925

This stucco-clad residence features multi-paned wood casement windows and a steeply-pitched front gable roof with a side gambrel extension. The landscaping features a low rock wall at the front, with a high cedar hedge. William Swinton Alan Nicholson (1886-1977), the first owner, was at the time a salesman with the Leith Murray Company.
"STONEHAVEN"
461 KINGS ROAD EAST
Completed circa 1932

An imposing Late Craftsman design, this stone-clad house features a masterful use of form and detailing. Textural interest is added through the alternating use of smooth and rough-dressed facings, and stone eave brackets. The entry features an unusual roman arch supported on paired classical columns. The house was built with surplus stone from the construction of the third Hotel Vancouver after cessation of the work on that project due to the Depression. It took a number of years to complete the construction. The first occupants were George Forrester Jacobs (1874-1962), a real estate agent, who lived here until his death, and his wife Anne Lowndes (née Harrison) Jacobs (1880-1963). The extensively landscaped setting has been carefully maintained over the years, and includes a rock wall with an iron fence at the property line, a curving driveway, a cut-leaf paper birch at the north-east corner, and a notably large tulip tree at the north-west corner.

DICKINSON RESIDENCE
122 KINGS ROAD WEST
1913

The first owner of this Craftsman style house was William Dickinson, a manager for the Royal Bank of Canada. The Dicksons were active in the local community and in Anglican church activities. The house features an inset front porch with unusual open-work porch railings.
DENCH RESIDENCE  
194 KINGS ROAD WEST  
1919

A very good example of the Late Craftsman Style, with triangular eave brackets, tapered window surrounds, and exposed rafter ends. The first owner was Sabra Elizabeth Dench, who lived nearby and maintained this house as a rental property. Dench was born in Nova Scotia in 1860, and lived in North Vancouver until her death in 1938.

MOLLIE NYE HOUSE  
940 LYNN VALLEY ROAD  
1913  
Designated Municipal Heritage Site

Alfred John Nye was born in Brighton, England in 1879, and relocated to North Vancouver in 1891, just as the District was incorporated. Nye was the first British Columbian returnee from the Boer War, and in 1901 he received District Lot 2025 under the South African War Grant Act. This striking Craftsman residence was built in the spring and summer of 1913 by Norman Cross of local fir, cedar and granite. The land had been cleared and the basement excavated by Thomas Spendlove. The house was built at a cost of $3,500. The arched porch opening, supported by tapered stone columns, is a unique and prominent feature. Nye lived here until his death in 1941. Mollie Nye, his daughter, was born in this house, and lived here until her death in 1997. Both the interior and exterior of the house remain virtually unchanged. Mollie Nye’s family wished to see the house preserved as a memorial to this special long term Lynn Valley resident, and as part of a subdivision of the original two acre parcel the house was donated to the District of North Vancouver for community use, and has since been restored. The completed project was opened to the public on April 5, 2003.
The first hotel in the Lynn Valley area, the Dovercourt was built by Harry Holland, an Englishman who had shipped all he necessary beer-making apparatus from home via Cape Horn. The North Shore, however, boasted a preponderance of Presbyterians, and the liquor license was never granted. It opened as a temperance hotel the next year.

A prominent house, built at a late date in a modest variation on an Edwardian style, with chamfered porch columns and decorative gable detailing. The first owners, William Henry Wilkins and his wife, Olive, also originally owned the seven lots adjacent to this house. William Wilkins (1885-1967) was a dairy man; born in Gloucestershire, England, he came to North Vancouver in 1907, and in 1912 married Olive May Newman (1895-1973) who had been born in North Vancouver.
MAGINNIS RESIDENCE
3668 MAGINNIS AVENUE
Circa 1930

Original owner, Irish-born Robert Maginnis (1861-1935), after whom the street was named, operated a modest cattle ranch here as early as 1908. From 1917 until his retirement in 1929, Maginnis was a foreman for the district of North Vancouver. The original house on the site was destroyed by fire and replaced by the present modest, but attractive, late Craftsman-inspired cottage.

LONEY RESIDENCE
427 MONTERAY AVENUE
Ron Howard, Architect, 1960-1961

"When the John Loneys called in architect Ron Howard to design a house for them, they already had two basic essentials: a spectacular view lot in North Vancouver’s Delbrook district, and a complete set of furnishings from their apartment. Because they are a working couple, they especially wanted a home that would be easy to maintain, and they also wanted plenty of space for hobbies."

"So Ron Howard, with a specific set of factors to work from, designed a three-bedroom contemporary home, in a flat-roofed post and beam style, with a basement. The house has a cool and elegant decor, with its exterior featuring vertical channel siding, white plywood panels and walnut brown trim. The interior color scheme is coordinated throughout in white, turquoise, blue, mauve and walnut."

"Painted walls are white, and wall-to-wall carpeting turquoise, making a cool foil for upholstered furniture in brown, turquoise and blue. Custom-made dining furniture and stereo are in a lovely dark walnut, while the kitchen is brightened with Japanese ash cupboards, blue and mauve provincial print wallpaper, turquoise countertops and vinyl tile floor. The master bedroom has a white broadloom carpet for a touch of luxury, with turquoise drapes and spread, contrasted with white painted furniture. Leading from the bedroom is a private balcony, separated from the balcony off the living area. Downstairs is Mr. Loney’s domain, with large workshop, recreation room and storage."

"All in all, the Loneys have ended up with everything they wanted, in a house that functions well as a restful haven from the workaday world."


John and Anne Loney were undoubtedly very happy with the end result. At the time, John Loney was an elevator superintendent for the Saskatchewan Wheat Pool. The house was built by Neilson & Grinn at a cost of $17,000.
THE FROMME BLOCK
3074-3096 MOUNTAIN HIGHWAY
1912

This prominent building, built by Julius M. Fromme, is one of the last remaining commercial heritage buildings in the District of North Vancouver. This landmark structure played an important part in the early life of the Lynn Valley settlement. Fromme, the owner of the Lynn Valley Lumber Company, was a driving force in the development of the local community, and established his company's office here. Typical of its time, this block featured retail units on the ground floor and residential apartments above. Located at the primary intersection in the area, from 1912 until 1958 it was the location of the local post office. The building has been altered with a coat of stucco over its original wooden siding, and the storefronts have been rebuilt, but it retains its original form and much of its historic character. Built to its front property lines, it also makes an important contribution to the streetscape as a visual landmark.

LYNN VALLEY SCHOOL
3220 MOUNTAIN HIGHWAY,
Provincial Department of Land & Works, Architects, 1908

This early one-room schoolhouse was the second to be built on this site; the first had been built in 1904, but was later demolished. This is one of the earliest remaining buildings from the first settlement of Lynn Valley. The design was the standard adopted for British Columbia schools, which by 1906 had the main windows banked on the left side of the entry. Despite having been raised and slightly altered, it still retains much of its original character, and is a prominent symbol of early pioneer days in the area.
LYNN VALLEY METHODIST CHURCH
3355 MOUNTAIN HIGHWAY
1912

The first Methodist services in Lynn Valley were held in 1900 in a shingle mill. When the local school opened in 1904, services were moved there, and it was not until May 1912, when this modest structure was dedicated, that the Methodists in the area had their own church. It was used by the United Church of Canada after Church Union in 1925. Originally built on Institute Road, the church was relocated to this site in 1962, and has subsequently had a number of public uses including a community centre and a play-school, and now houses the Lynn Valley Society for the Performing Arts.

McINTYRE RESIDENCE
3391 MOUNTAIN HIGHWAY
Circa 1911

This early home is a very good example of the vernacular use of the Craftsman style. The one-piece porch pillars and heavy eave brackets are notable features. The second floor originally had a front-facing sleeping porch, since enclosed. James McIntyre, the first owner, was a stableman at the Hastings Shingle Manufacturing Company.
WHALLEY RESIDENCE
2732 NEWMARKET DRIVE
Lewis Construction Company, Designer, 1958; Additions in 1965

Located in Capilano Highlands, this two storey variation on a post-and-beam Lewis structure features diagonally cut beam ends and awning-swing casement windows. It was built for J. Whalley at a cost of $16,000. A cobble stone retaining wall has been used to outline the edge of the driveway. In 1965 a recreation room was added at a cost of $2,500. The house has been very well maintained.

LUCAS RESIDENCE
"NEOTERIC" HOUSE
2895 Newmarket Drive

Fred Thornton Hollingsworth, Architect, 1950
Similar to the other "Neoterics." this house features a broad central brick chimney, a brick sidewall facing the property line, and a raised living room pavilion with clerestory windows. The clients for these houses were generally referred directly to Hollingsworth by Eric Allan. This house was built for A.C. Lucas at a cost of $9,500 by contractor Gil Bradner, whose firm was kept very busy at the time by the Capilano Highlands development.
LOG RESIDENCE
2263 OLD DOLLARTON HIGHWAY
Circa 1935

This small, compact one and one-half storey log residence is located on Dollarton Highway. The overlapped notched log corners are tapered from bottom to top. The structure has been well maintained and was recently renovated; the bottom logs have been meticulously replaced. Originally located at 2047 Dollarton Highway, adjacent to the Swedish Community Hall, the house was relocated in 1960 by T.W. Galloway and Durl Cook.

STEELE RESIDENCE
173 OSBORNE ROAD EAST
Blackadder & MacKay, Architect, 1921

This modest Tudor Revival house features a side entry and porch, and a river rock chimney, and is oriented so that the rear of the building faces towards the view. Typical of the work of Blackadder & MacKay, a British influence is reflected in the design. The first owner was Thomas Steele. By 1929, Ralph Thomas Johnson (1888-1984), an engineer's assistant at Imperial Oil, lived here with his family.
DUNNELL RESIDENCE
310 OSBORNE ROAD EAST
Benzie & Bow, Architects, 1926

This British Arts and Crafts-style residence was built for Bernard Dunnell by Smellie & Gallagher Contractors. Located on a prominent corner site, it features an inset entry, heavy timber eave brackets, and brick stair cheeks. Typical of the work of Benzie & Bow, it features a prominent hipped roof and multi-paned windows that reference traditional British antecedents. Bernard Dunnell was an electrical engineer.

RESIDENCE
133 OSBORNE ROAD WEST
1924

This bungalow is a very good example of the Craftsman style, with many typical features including a porch gable screen, triangular eave brackets, twin-coursed shingles, and triple porch columns. The builder and first owner was Christopher W. Ford, a local contractor, and likely this house was built on a speculative basis; the first known resident was W.J. Gilbert, a printer at the Vancouver Sun.
GREEN-ARMYTAGE RESIDENCE
165 OSBORNE ROAD WEST
1920

This attractive bungalow exhibits a heavy timber gable screen, stone porch piers, exposed rafter ends and notched vergeboards, all hallmarks of the Craftsman Style. Nancy Green-Armytage (1893-1968) was the first registered owner; her husband, Geoffrey Green-Armytage (1888-1954), was a surveyor by trade and later worked as a forest ranger.

KEIR RESIDENCE
244 OSBORNE ROAD WEST
1920

A modest example of the Craftsman style, this hipped roof bungalow features a projecting front verandah with square porch columns and balusters, and multi-paned wooden-sash windows. Alexander Keir, the first owner, was a warehouse foreman for A.P. Slade and Company, wholesale grocers, in Vancouver.
PANORAMA MARKET
2211 PANORMA DRIVE c. 1922

Vinyl siding covers this log structure, which was known as Mollard’s Market for many years. It is a neighbourhood landmark and a commercial anchor that is a landmark at this key intersection. The design features a broad front to the street, a side gabled roof, and a recessed entrance.

PYBUS RESIDENCE/B.C. MILLS PREFAB
PARK ROAD, LYNN HEADWATERS PARK
B.C. Mills Timber & Trading Company, Designers, 1908

This is a rare surviving example of an early “ready-made” building, designed and manufactured by the British Columbia Mills Timber & Trading Company. The B.C.M.T. & T. Co. prefabs, based on a patented modular system, were distributed throughout Western Canada from 1904 until 1910, and are readily distinguishable by the vertical battens that hide the joints between the modular wall panels. Although the use of these prefabricated buildings was widespread at the time, many have since been demolished or altered, and this is likely the last surviving example on the North Shore.

This modest structure was originally erected at 147 East 1st Street in the City of North Vancouver. Built in 1908 for Captain Henry Pybus, it was constructed as an investment property. It may be assumed that the owner chose this prefabricated system for its ease of construction, its cost effectiveness, and its reputation for quality. Pybus owned the property until at least 1920. By approximately 1919 the Pruden family lived in the house. Subsequent residents included Alex V. Carlson, a lumberman (in 1925) and Mark Falcovitch, an electric welder (in 1926). The frequent turnover of tenants may be explained by the modest size of the house, and its original proximity to the industries in the waterfront area.

Although this house is a modest structure, it is a significant surviving example of an important building type, and when threatened by redevelopment, was relocated to Lynn Headwaters Park and is now used for historical displays and as an interpretive centre.
GOLDEN RESIDENCE
CARETAKER’S RESIDENCE, MURDO FRAZER PARK 1950
2720 Pemberton Avenue

Located in a stunning park setting, this one storey rustic log cabin is beautifully wedded to its site. Reached by a bridge that spans a small stream, the house is framed by large trees, and has a duck pond behind. It was built for Victor Golden; the original cost of this house was $3,000; a carport, tool shed and barbecue were added in 1951 for $300. Golden, who owned a chain of restaurants, landscaped the site so that the streams south of Edgemont Boulevard emptied into this collecting pond. The property has been acquired by the District of North Vancouver, and Golden’s house now serves as the caretaker’s residence for Murdo Frazer Park.

HIRST RESIDENCE
1798 PETERS ROAD
Ron Thom, Designer, 1949

Peters Road once had an interesting collection of modernist buildings, now gone except for the Hirst Residence. Douglas Shadbolt designed a house for Bruno and Molly Bobak across the street from this house in 1948, which has been demolished. Architect Ron Thom built his own house at 1793 Peters Street, also demolished. At the time he was building his house, Thom apparently talked to a number of other property owners on the street, and offered to design their houses for free if they would build them just the way he designed them. He was successful in convincing several of them to accept his offer.

This unusual house was built for John Hirst at a cost of $8,000. The strong geometrical expression and sensitive integration with the site suggest Thom’s design strengths, developed more fully in later projects. The linear block of the house is partly set into a slope; a concrete block base anchors the structure, while the upper storey has windows that project outwards like a ship’s bridge. Thom’s dynamic geometry reflects the influence of Frank Lloyd Wright, but also demonstrates a growing appreciation among West Coast designers of the potential freedom allowed by wood frame construction.
O'BOYLE RESIDENCE  
4121 PROSPECT ROAD  
1936  
Designated Municipal Heritage Site

A unique log structure with river rock chimneys; the front door has unusual hammered iron strapwork. This was built as a retirement home for Father F. O'Boyle, who had been associated with Saint Edmund's Roman Catholic Church. O'Boyle was Rector at Holy Rosary Cathedral and Father Superior of the Oblates of Canada. Members of the congregation assisted the contractor, Mr. Smith, with the construction of the house, and the title to the property was held by Vera Morrissette, a wealthy friend of O'Boyle.

GODFREY RESIDENCE  
4220 PROSPECT ROAD  
Thomas Hooper, Architect, 1928-1930

This one of the last houses known to have been designed by the talented Thomas Hooper (1857-1935), a leading British Columbia architect for many years; prior to the First World War Hooper had the largest architectural practice in Western Canada. From 1915 to 1927 he lived in New York, and this was one of the few buildings that he designed after he returned to Vancouver. It was designed for the family of Katharine Jane (Tennant) Godfrey, Hooper’s niece, and her husband, Morley Godfrey, and three children. In 1926, Katharine had contracted tuberculosis, and the only known cure was a high altitude and bed rest. The Tennants acquired this 7/8 of an acre property high up Prospect Road, and in 1928 Hooper designed the house and garage. Construction started first on the large garage, and the family lived there until the house was completed. It had a full bathroom, and the gardener later lived there after the main house was finished. The house is an attractive cottage with Period Revival references such as the rolled eaves on the front dormer, front projecting bays and a rounded entry arch. It is set well back from the street and angled to maximize the view; a deep lawn and rockery, with mature trees, enhance the superb setting.
WILLIAMSON RESIDENCE
192 QUEENS ROAD EAST
1920

Situated at the corner of Queens Road and Saint George's Avenue, this prominent house marks one of the entry points to the North Lonsdale area. The first owner was Franklin Milton Williamson (1885-1958), a locally-based dental surgeon.

BENT RESIDENCE
144 QUEENS ROAD WEST
1912

This stately house exhibits a transitional point in the development of local architectural styles. It features the tall verticality and front gable roof typical of the Edwardian era, overlaid with the decorative Craftsman features. The first owner was Robert J. Bent, and it is very similar in style to another house that Bent built the previous year at 138 Windsor Road East.
RODGERS RESIDENCE
156 QUEENS ROAD WEST
1923

Built for Samuel Cunningham Rodgers (1868-1962), this house indicates the late persistence of the Craftsman style, here seen in the use of triangular eave brackets. The Craftsman style was the most popular housing style prior to the First World War, and remained common until the 1930s. This house forms part of a consistent grouping along 100 Block Queens Road West. Rodgers was a wholesale grocery stockman, and lived here until his death at the age of ninety-three.

CHRISTIE HOUSE
267 QUEENS ROAD WEST
1911
Designated Municipal Heritage Site

This impressive house, with its striking Queen Anne turret, is a prominent landmark on this street. Other notable design features include open eaves with exposed purlins, a consistent use of casement windows with stained glass transoms, and the use of cedar shingles and lapped wooden siding. Interior details include a butler's pantry, and local wood panelling. It was built on a speculative basis by Thomas E. Christie, his brother Henry and their colleague Norman Day; all three worked at the Wallace shipyards. Finished in 1911, it was unoccupied until 1917, after which R.D.E. McMann, a Customs official, lived here for one year. It was later occupied in the 1920s by Dr. Salt as his residence and medical office. Christie House is owned by the District of North Vancouver, and is being converted for use as a community arts facility.
TURNER RESIDENCE  
404 QUEENS ROAD WEST  
1914

This is a well-detailed Craftsman house, with a stone foundation and a full front verandah. It occupies a prominent corner location, and features triangular eave brackets, and a front gable roof with cross gable dormers. It is unusual for being clad with drop-siding. William Turner, the first owner, ran a furniture business in Vancouver.

McCARLEY RESIDENCE  
875 QUEENS ROAD WEST  
Lewis Construction Company, Designer. 1956

This beautifully sited home is another example of the sophistication achieved by the Lewis Construction Company. As a design/build firm, they were able to achieve a surprisingly high standard of work within a fixed idiom. The post-and-beam framework allowed great flexibility in layout, yet certain basic planning principals usually prevailed. Private sleeping rooms were on the ground level, with living and dining rooms and kitchen above. The siting of this house on the crest of a hill takes full advantage of available light. The McCarley Residence has been very well maintained in its original condition.
"The most interesting homes are those which express the personality and interests of their owners. The houses themselves may be modest and their furnishings unpretentious, yet they achieve a distinctive character by reflecting a strong personal taste and pattern of living."

"You can see this in the attractive home of Irwin Hoffman, musical director and conductor of the Vancouver Symphony, and his accomplished wife, concert violinist Esther Glazer... Their active musical interests are expressed in "doing." rather than listening or watching, and so their home includes neither a TV set nor the expected Hi Fi and record library. Separate study and practice areas were a definite requirement."

"Recognized as one of North America’s most talented conductors, Mr. Hoffman begins his 11th concert season with the Vancouver Symphony on October 7th."
Western Homes & Living, September 1962, page 10.

The Hoffman Residence, set among beautifully landscaped grounds, has been pristinely maintained. It is one of the generic "Flying Arrow" houses that Hollingsworth designed in the early 1950s, and has the same pop-up roof monitor, scissor-trusses and brickwork as the Atkins Residence on Forest Hills Drive. Although not originally built for the Hoffman’s, they acquired the house at an early date, and were its best known residents.
HANNA RESIDENCE
4181 RANGER CRESCENT
Doug Simpson, Semmens & Simpson Architects, 1953

Designed by Doug Simpson for John and Freda Hanna, this home was published in Western Homes & Living for October 1954. It has been very well maintained, and its landscaping features a mature Japanese maple and a large oak tree. John Hanna was the President of Center & Hanna, a well-established local undertaking firm.

"After 10 Months in Their New Home the John Hannas Say - We Wouldn't Change a Thing"
"To say that a family has just moved into their new architect-designed home, complete with custom-made furniture, and grounds landscaped by a professional, may seem as though the completed unit lacks individuality. Such is not the case with the John Hanna home in Forest Hills... designed by Doug Simpson of Semmens & Simpson for the Hannas alone. It was their ideas that went into the arrangement of rooms. It was their desire for conservative-contemporary, yet light "child-resistant" furniture which influenced designer Robin Bush in the execution of cabinetwork, chairs, settees, selection of lamps and other miscellaneous items."
"Soft colours have been used throughout, with a delicate shade of aqua predominating on walls and upholsteries. Change of tone is achieved through the general use of Philippine mahogany for built-ins and walls."
Western Homes & Living, October 1954.

POOL RESIDENCE
3219 REGENT AVENUE
Lewis Construction Company, Designer, 1956

This elegant post-and-beam residence, built for Dr. Don Pool and his family, is one of the best realized of Lewis' designs. Set into a slope at the crest of a hill, the carport is entered from the Windsor Avenue side of this corner lot. From Regent Avenue, all that is visible is the top storey. A cathedral entry pavilion juts out at front, with obscure reeded glass panel sidelights. Clerestory windows at the front ensure privacy, while generous glazing at the side and rear maximize on the light and views. Simple in detail, but beautifully proportioned, the house sits on an immaculately landscaped site.
Ned Pratt was very interested in the provision of reasonably-designed low-cost housing. He introduced the idea of post-and-beam construction to this area, and experimented with a variety of ways in which to use it. Pratt accepted the industrial standards of construction, recognizing that it was less expensive to build in a modular fashion. As plywood and other products were available in 4 foot by 8 foot dimensions, this became the unit of design for his simple open plan houses. One material he worked with was plywood, which afforded flexibility at an affordable cost, and he worked closely with Bill Mar, head of research at MacMillan Bloedel, to develop the experimental “Silverwall” system of prefabricated plywood wall panels that could be used as infill cladding in post-and-beam structures. The Ritchie Residence was the first that Pratt designed with a prefabricated panel cladding system. Each panel consists of two sheets of plywood with insulation sandwiched between. It was built at a cost of about $10,000 (including the lot) by contractors Nelson & Minions. Emmett Ritchie was no stranger to the industry; Pratt had previously designed an extravagant house in West Vancouver for his relative, lumber magnate William Brooks.

During the postwar era, the use of expressionistic design was seen as appropriate for houses of worship. Spirituality was expressed not through the use of traditional period revival elements, but rather through soaring vertical forms, dramatic lighting, and natural materials. In the design for St. Catherine’s, verticality is emphasized by the tall A-frame roof. The massing is broken up with a one storey entry pavilion to the east, and a two storey support wing at the rear. A low rock retaining wall visually anchors the front part of the structure, with a cantilevered walkway across the front facade. A large cross is rendered in shadow relief with vertical wooden strips on the solid front panel. Yellow glass strip windows lighten the appearance, and provide a warm golden glow inside. St. Catherine’s is a prominent landmark in the Edgemont Village area. Architect Mark Sharp was the son of G.L. Thornton Sharp, prominent as a partner in one of the province’s best-known firms, Sharp & Thompson.
FORSTER RESIDENCE
1160 RIDGEWOOD DRIVE
Fred Thornton Hollingsworth, Architect, 1950
Designated Municipal Heritage Site
Heritage Revitalization Agreement

This house is located close to Fred Hollingsworth's own home. It features a prow-shaped front wall, built with large stones placed in a form, around which concrete was poured and allowed to set; this is similar to the 'desert concrete' that Frank Lloyd Wright used at Taliesin West. The rest of the house, built for Mr. & Mrs. J.A. Forster at a cost of $12,500, is a rambling linear structure, integrated into the stand of tall evergreens on the site. Art Forster's parents also built a house designed by Hollingsworth nearby, at 3470 Sunset Boulevard.

HOLLINGSWORTH RESIDENCE
1205 RIDGEWOOD DRIVE
Fred Thornton Hollingsworth, Architect, 1946; Carport 1955; Additions 1960 and 1979

"Fred Thornton Hollingsworth: The Romantic"
"Perhaps this is why we stay a small practice - because we're romantics and it is to me exciting to see a family raised in a fine building they have lived in since the day they were born."

Fred Thornton Hollingsworth was born in Goldbourne, England in 1918 and moved to Vancouver in 1929. He articled with the firm Sharp & Thompson, Berwick, Pratt from 1946 to 1951, and afterwards was a design associate with W.H. Birmingham until 1958. He was in practice in Vancouver from 1959 until 1963, then partnered with Barry Downs for three years. Since 1966 he has run his own firm, and is still in active practice. Much of Hollingsworth's work is concentrated in the Capilano Highlands area, where his own home was built on a corner lot right after the end of the Second World War. Fusing the influences of Frank Lloyd Wright, Japanese architecture and the bungalow style of Greene & Greene, this house has acted as a testing ground for his design ideas; several additions have expanded the original modest scale of the house. The garden, which is beautifully integrated with the house, was featured in Western Homes & Living in July 1958. Hollingsworth still lives in this house, after half a century.
INGRAM RESIDENCE  
1255 RIDGEWOOD DRIVE  
Fred Thornton Hollingsworth, Architect, 1946

This well preserved home is located just to the west of Hollingsworth’s own residence. It was built for Mr. & Mrs. Jake S. Ingram at a cost of $6,500, and features an unusual blend of materials, including a cobble stone planter, lapped board siding, and a concrete block feature wall at the entry. Adjacent to the front door is a patterned glass screen wall, with insets of obscure glass. The house is very well integrated with its treed site.

In September 1952 Canadian Homes & Gardens published the Ingram House under the caption "They Built for a Good Long Future - Another Wise Home-Owner, Jake Ingram of Vancouver, Built this Friendly Home Seven Years Ago; Even Today It's as Modern as Canadian TV"

“Here’s a well-planned, average-sized house, typical of contemporary architecture and construction. But wait - if you look up Fred Hollingsworth’s files, you’ll find this house crossed his designing board just after the war. When they built the place it was considered semi-revolutionary, buts it’s pretty well standard by today’s measurements. Take a look at that open layout, the warm, friendly quality of the house... Nothing old fashioned about this hacienda.”

Canadian Homes & Gardens, September, 1952, page 27.
"The House on the Riverbank"

"When you don't have a lot of money to work with, you have to be subtle rather than dramatic, says Vancouver architect Blair MacDonald. This explains the approach he and architect Barry Downs used when they designed a house for Bill and June Chow of North Vancouver. The site itself was dramatic enough, a beautiful lot clothed in evergreens and vine maples sloping steeply from the road down to a gentle terrace beside the broad Seymour River. The character of this lovely setting is reflected in the design of the house, a play of subtle forms and materials that seems to form a part of the scene. Because the house is approached from above, special attention had to be given to the roof. Two different types were used; a flat roof covered with large, smooth stones repeats the texture of the river bed; the sloping cedar shake roof reflects the shape and color of the surrounding evergreens. The use of concrete block for foundation and retaining walls creates another visual link between the house and its setting, a strong horizontal line that ties the long, single-level house in wood and stucco to the rocky foreshore from which it rises. The wall rises 30 feet from the ground at its closest point to the river. This outstanding Western home received countrywide praise when it was selected as one of 17 houses in the 1964 Massey Competition Exhibit which recently toured Canada."

Western Homes & Living, March 1965, page 11.

The Chow Residence has been very well maintained. The area of the house was 1,400 square feet, excluding the carport. It was built by Burdett Construction at a cost of $17,800. Despite the dramatic appearance of the lot, it measures only 80 by 120 feet, a surprisingly compact site which has been brilliantly utilized. Eastern designers were jealous of the freedom expressed in houses such as this; the Western architects had the advantages of adventurous clients and a more benign climate.
KOVAČ RESIDENCE AND STUDIO
2357 RIVERSIDE DRIVE
Ron Thom, Architect, 1959-1960; Garage 1967

At 3,000 square feet, this three storey, four bedroom house is one of the largest that Ron Thom designed. Rudy Kovach was one of Vancouver's best known interior designers of the era, and a friend of Thom's. The site that Kovach chose was the northernmost of the lots on Riverside Drive that face the Seymour River. Kovach bought an existing house, which was later demolished once this substantial studio was built as an addition. The shell of the house was designed by Thom using top quality materials, including cedar planking and edge-cut fir flooring; the interior features were designed by Kovach. The house features a brick fireplace with an arched opening, twelve foot windows downstairs facing the view, and vaulted ceilings on the top floor that follow the angles of the unusual cross-gabled roof. Set on a large lot, the house retains its original square-plan garage, with its pyramidal roof and sculpted finial. The Kovach Residence remains in substantially original condition, and is being restored by its current owner.

DOLLAR MILL HOUSE
571 ROSLYN BOULEVARD
Circa 1920-22

This was one of several houses built by the Dollar Mill for its key employees, such as managers and foremen. It is one of the last to remain substantially unaltered, and is one of the last early intact houses in the Dollarton area. Typical of the period, it displays the use of cedar shingle cladding and a jerkin-headed roof.
CARD RESIDENCE  
1202 ROSS ROAD  
1913

A superb example of the Craftsman Bungalow style, this house is notable for its projecting wrap-around verandah, its ground level basement, and its hip-on-gable roof. The Craftsman style was the most popular residential style during this period, and buildings like this were often constructed from pattern book plans which were acquired from magazines and bungalow publications. The Craftsman Bungalow style flourished on the West Coast, where its development was spurred by a benign climate, and easy availability of wood and skilled carpenters. This house was built for Edith and William Card; William Card was employed as a labourer at the Lynn Valley Lumber Company, and was in active service during the First World War. In 1922, William and Alice Simpson acquired the house, and added the verandah the next year; William Simpson was a painter by trade.

MUNRO RESIDENCE  
1396 ROSS ROAD  
Circa 1910

This tall Edwardian house was built adjacent to J.M. Fromme’s property; Charles Munro was a foreman at the Hastings Shingle Co. Mill on Seymour Creek. The house exhibits typical features of the era, including a front gable roof with symmetrical side shed dormers, and is clad in cedar shingles that came from the Fromme Lumber Mill in Lynn Valley.  
(Archival Photo: Charles Munro, woods-foreman, standing beside a load of cedar shingle bolts being taken off Seymour Range in 1915 (from Draycott "Early Days in Lynn Valley).
FROMME RESIDENCE
1466 ROSS ROAD
1900

This was the first house built in the Lynn Valley area. Julius Martin Fromme was born in Nova Scotia in 1857, and came from a German background. He moved to North Vancouver and homesteaded District Lot 2023 in 1899, soon commencing construction of this house facing the skid road used by the logging industry. Fromme bought the Hastings Shingle Company in 1907, renamed it the Lynn Valley Lumber Company, and built a second mill at Lynn Valley Road and Mountain Highway; this company logged the west bank of Lynn Creek. Fromme was considered one of the pillars of Lynn Valley life; he retired as a lumberman in 1922 but remained very active in community affairs, and served as Reeve from 1924 to 1930. Fromme lived in this house until his death in 1941 at the age of eighty-three. The house was subsequently altered several times, but still retains its original skewed orientation on the lot, and its notable stone fence.

ROUSSEAU RESIDENCE
1509 ROSS ROAD
Circa 1911

This is a very early Craftsman Bungalow, perhaps built as early as 1910. It was first owned by Kenneth Ray Rousseau, a former Ontarian who worked as a manager in the engine division of Fairbanks-Morse and lived here for twenty years.
HAMPTON RESIDENCE  
2950 SAINT GEORGE'S AVENUE  
1920

Located on a prominent corner, this house is an unusual variation on the Craftsman Style. A random ashlar stone foundation, brick arches and stained glass panels highlight this simple structure. Thomas Hampton, a bricklayer, was the first owner.

RESIDENCE  
3039 SAINT GEORGE'S AVENUE  
1912

Tall and imposing, this is a very good example of the popular vernacular residential style of the Edwardian era. A full front porch, supported on Doric columns, adds a graceful touch to this building. Thomas S. Nye was the first owner of this house. Construction started in 1912, but it was not occupied until about 1922, when it was purchased by Gertrude Elizabeth Mair, a war widow.
STROBEL RESIDENCE
3040 SAINT GEORGE'S AVENUE
1915

A sophisticated example of the Craftsman style, with a side gable roof, stone foundation and unusual projecting front porch. Letitia Jackson Strobel was the first registered owner.

CORNISH HOUSE
3190 SAINT GEORGE'S AVENUE
Benjamin John Cornish, Designer, 1911

Grand and imposing in the Tudor Revival Style, this residence was designed and built as a show home by Benjamin John Cornish, a partner in Cornish & Cooper, contractors who built many homes in the North Lonsdale area. Cornish was one of the early settlers on the North Shore, and had been elected a Councillor for the District of North Vancouver in 1899. Cornish & Cooper were prominent manufacturers of sash and doors, mouldings and trim, as well as general contractors. In addition they traded in different woods. Every room in the house contains a variety of woods, and the level of craftsmanship is very high. Cornish sold the house in 1921 to the Ames family, who in 1925 installed the first electric Christmas lights in the District.
WISMER RESIDENCE
167 SAINT JAMES ROAD EAST
Circa 1929

This modest bungalow was built circa 1929, and the first known resident was James Wismer. After a year, the house was occupied by E. Egeberg. One and one-half storeys high, with a side gable roof, shingle siding, wooden-sash casement windows and half-timbering in the gable ends, this house reflects the influence of the British Arts and Crafts style.

BROWN RESIDENCE
382 SAINT JAMES ROAD EAST
1914

Situated at a prominent corner, this large house has a stone foundation, and a side gable roof with a front shed dormer. The extensive mature landscaping includes an unusual Spanish Chestnut tree at the east side of the house. The first owner was Harold Brown, a dock agent for the Grand Trunk Pacific Steamship Company. Brown lived here until 1934.
MORCOM RESIDENCE
389 SAINT JAMES ROAD EAST
Thomas R. Morcom, Architect, 1923

An architect by profession, Thomas Richard Morcom was born in Wales in 1870, immigrated to California, then appeared briefly in Vancouver in 1912 at the height of the great Edwardian boom era. The following year he had relocated to Victoria and by 1913 was in partnership with Vivian J. Cummings, a London-trained architect who had been working in Francis Rattenbury’s office. As well as designing houses, offices and public buildings, in April 1914 Cummings & Morcom let the contract to construct a “fireproof moving picture theatre building” in Esquimalt. Other projects they were working on were not built, due to the financial collapse and the declaration of war in August, 1914. By 1915, Morcom relocated to the mainland. He built, and it is assumed that he designed, this house, in 1923. Morcom was living in the City of North Vancouver at the time of his death in 1936.

WAKLEY RESIDENCE
414 SAINT JAMES ROAD EAST
William Bow, Architect, 1914

Located at a prominent corner in the North Lonsdale area, this landmark house exhibits stylistic elements derived from both the Craftsman and British Arts and Crafts, including a bellcast hipped roof, shed dormers and casement windows. A sunroom is located at the south-west corner of the house. The house was built for Stanley George Wakley (1877-1932), chief clerk at the North Vancouver branch of the B.C. Electric Railway Company. It was occupied by the Wakley family into the 1930s. William Bow (1882-1956) was a Scottish-born and trained architect who later moved to North Vancouver and became one of the most prominent North Shore designers.
Contractor Christopher W. Ford built this home at the time of his marriage in 1914. His wife, Ethel Louise Ford, was a music teacher. Designed in the popular Craftsman style, this modest bungalow features decorative half-timbering in the front gable. Christopher Ford died in North Vancouver in 1945, at the age of eighty-eight; Ethel died in 1950 at the age of eighty.

This was the home of George Gordon Nye (1885-1958), North Vancouver's first professional photographer, who was the brother of Thomas and Alfred Nye. Nye's photographic business operated from approximately 1905 to 1910; afterwards he turned to the more lucrative career of carpentry. His photographs remain however, and are well known today as a chronicle of early North Vancouver life. George and his wife, Bertha, were very active in community affairs. This home is a beautifully preserved example of the typical residential vernacular of the Edwardian era Style, with inset front and rear porches, a hipped roof with front hip dormer, and a stone foundation.
LENNOX RESIDENCE
2905 SAINT KILDA ROAD
1930

Beautifully sited on a steeply sloping lot with a spectacular view, this Period Revival house was built in 1930 for Charles James Lennox, a partner in Lennox & Fletcher, Barristers, and his wife, Dorothy. The garage was built in 1934, and in 1940 a small guest cottage was built on the property. Born in Scotland in 1875, Lennox was later a County Court Judge prior to his retirement in 1950. He lived here until his death in 1952.

MODIN RESIDENCE
1029 SHAKESPEARE AVENUE
1923

This prominent house, located on a well-landscaped corner lot, was built for Carl August Bernhard Modin. Born in Sweden in 1891, Modin moved to Canada in 1910. He relocated to North Vancouver in 1919, and worked as a sawmaker and sawfiler. Modin, who was married to Ester Maria Neilson, died in 1959. This house remained in the ownership of the Modin family for many years. Typical of the influence of the Period revival styles of the 1920s, the house features a side jerkin-headed roof that recalls English Arts and Crafts precedents.
WEST RESIDENCE
585 SHANNON CRESCENT

Fred Thornton Hollingsworth, Architect, 1956
Built for D.R. West by Gray Construction at a cost of $15,000, this house has been beautifully integrated with its sloping site. The carport is sunk below the main bulk of the house, above which is placed a large south-facing deck. The entry faces west; low pitched asymmetrical gable roofs are lifted over triangular clerestory windows. A low curving rock wall, following the curved drive, is used to define the edge of the front lawn. The wood siding has been left unpainted, which ties the house to its heavily wooded site.

TREND HOUSE
4342 SKYLINE DRIVE
Porter & Davidson, Architects, 1954

In the postwar years, young Canadian families embraced modern architecture and all that it represented - easy-to-care-for products, new technology and increased leisure time were all evident in new residential designs. In response, the B.C. wood industry launched a promotion, demonstrating how their products could be used in imaginative and expressive ways. Three main groups, the B.C. Lumber Manufacturers Association, in conjunction with the Plywood Manufacturers Association of B.C. and the Consolidated Red Cedar Shingle Association of B.C., banded together to build eleven “Trend Houses” across Canada in the early 1950s.

Built as display homes, they represented the latest in residential design developments, and showcased the use of wood in modern buildings. These were all architect-designed, open at first to the public, and when possible furnished with award-winning Canadian-designed products, recommended by the National Gallery and Eaton’s Department Store.
Ted and Cora Backer had already acquired this lot when they heard about the Trend House programme; an arrangement was reached whereby a cash contribution was made to the cost of building, suppliers and contractors gave the project special rates, and the house was open to the public for four months before the Backers moved in. John Porter, of Davidson & Porter, was chosen as the architect for this dramatic split level residence. A casual open plan was used, that allows views out from different levels but also privacy from the street. The 6" by 12" roof beams run lengthwise, with the ceilings clad with saw-kerfed 1" by 6" cedar shiplap. There is no central ridge beam, allowing for a more open and flowing expression to the high asymmetrical ceiling. Artist and UBC professor Lionel Thomas was the colour consultant; the original exterior colours were gunmetal black on the cedar shiplap siding, with terra cotta trim. The interior used the same black on the cedar panelling, combined with grayed blue-green, with terra cotta and maize yellow accents. The enclosed kitchen had maize yellow walls and counter tops, and a blue-green linoleum floor.

The living room is on the top level, to maximize exposure to the view, and adjoins the open family room. A generous deck opens off the living room and encircles the house to provide access to the patio at the rear. The dining room is one level down, adjacent to the kitchen; the bedrooms are on the lower level. This house has a remarkably open feeling, although it is only 2,000 square feet in size.

In addition to showcasing the potential of wood in residential construction, the house also demonstrated a number of modern conveniences, including the latest thermostatic temperature controls, remote control touch-plate lighting, copper plumbing and fibreglass insulation.

"The Trend House, then, has demonstrated how these modern materials and conveniences apply under actual living conditions... not just in a testing laboratory or a working model. While a strictly low-cost home would hardly be expected to incorporate all the special features shown in the Trend House, it displays many practical ideas which could be used economically in the most inexpensive home."

Western Homes & Living, August 1954, page 14.
"Architect-Designed Side Split"

"There aren't many homes above the one architect Dave Lichtensteiger has built not far below the bottom of the Grouse Mountain chair-lift in North Vancouver."

"Naturally the view is pretty spectacular this far above the city, and the top floor living area of this side-to-side split-level house makes the most of it."

"Dave and June Lichtensteiger and their four children... enjoy this setting in an attractive plank-and-post-and-beam house that reflects the sensitive design characteristic of this English-trained architect's work."

"From the road it establishes a dramatic mood with a long, low-pitched roof line sweeping to the carport where it breaks its angle of fall in a gentle and unexpected upsweep. The careful arrangement of windows in a pleasing geometrical pattern is nicely related to the bold structural lines and the 4-foot module of construction."

"A solid glue-laminated door also conforms to the module pattern and fits the scale of the spacious entry hall. Rough-textured pebble tiles of green marble provide a pleasant contrast to the smooth finish and light tones of plaster and Japanese Sen wall surfaces."

"The high open-beam ceiling above the entry carries the eye through to the spacious living area on the upper level where the exposed framework of relatively heavy timbers forms an important part of the decorative design."

Western Homes & Living, March 1960, page 12.

The total finished floor area of the house was 1,900 square feet on three levels. The 4" by 10" roof beams were 36 feet long, and were carefully selected so as to avoid warping and checking. The house was built by Burdett Construction at a cost of $15,000. The landscape design was provided by Raoul Robillard, one of the first official landscape architects in British Columbia. Dave Lichtensteiger was known as the architect for the North Vancouver School Board, and in addition to several schools designed the local Board offices.
BAVARIAN ARMS CAFÉ  
5053 SKYLINE DRIVE  
1948

This striking log structure was built for Mrs. P. Ford as a rest stop on Mosquito Creek Trail, at the bottom of the Grouse Mountain Chair Lift. Built at a cost of $3,000, it incorporated a 'Store and Living Quarters.' Set in a forest of mature evergreens, it presents the very picture of appropriate rustic vernacular. It was built with honestly-expressed natural materials, including a rock foundation and smooth-peeled logs. The gambrel roof has a bellcast flare at the edges, and is carried on an interior log truss structure. The windows are multi-paned casement wood sash. In the 1950s a series of new structures was begun on Grouse Mountain, and this chair lift was abandoned. The cafe has since been converted for use as a private residence, and has been very well maintained.

MITCHEL RESIDENCE  
3623 SUNNYCREST DRIVE  
Arthur Erickson, Architect, 1965-1966

Foremost among the innovators of West Coast design was Arthur Erickson. His work has not been characterized by consistency of style but rather by a search for dramatic effects. Among his influences he cites Frank Lloyd Wright as having taught him a great deal about sensitivity to land, space and the materials of building. Born in Vancouver in 1924, his first interest was painting. Graduating from McGill University with honours in 1950, Erickson travelled extensively until 1953, when he returned to Vancouver and set up his sole practice until 1962. He was assistant professor at the University of Oregon from 1955-1956, and later taught at the University of British Columbia, becoming an associate professor in 1961. In partnership with Geoffrey Massey in 1963, Erickson won the competition for the design of Simon Fraser University. The partnership dissolved in 1972, after which Erickson maintained an international series of offices. This dramatic structure displays Erickson's flexible and adventurous use of geometric forms. Long beams are anchored at a steep angle, and propped against a solid back wall to form a high roof form, essentially turning the front facade into a roof. The top and edges dissolve into skylights and slit windows, providing indirect lighting against the back wall surfaces. It is very well integrated with its heavily treed site. Set on a brick plinth; heavy chains are used instead of downspouts. It was built for the owner of Mitchell Press by Herano Construction at a cost of $25,000. The carport was included in the original plans but not constructed until 1968. The Mitchell Residence has been pristinely maintained and landscaped.
CROSS RESIDENCE
3021 SUNNYHURST ROAD
1913

This symmetrically-massed Edwardian house features a full front verandah, tapered porch columns, and its original front door. It was built and occupied by Vernon P. Cross (1880-1916), a local Lynn Valley contractor. Vernon and his brothers George, Norman and Vernon, were early settlers in Lynn Valley; Norman and George were also contractors. The property originally extended south to Ross Road.

KENT'S
5748 SUNSHINE FALLS
Circa 1908-1912

Known by the name of long-time resident Pell Kent, this house was first owned by Julius A. Tepoorten, whose name is remembered in that of nearby Tepoorten Island (officially known as Lone Rock). Tepoorten was born in Adrian, Michigan in 1867, and apprenticed in the drug field in Detroit, moved to Victoria in 1887, then to Vancouver where he opened his wholesale pharmaceutical business in 1909. He built this as a summer cottage - oriented to the water, not the land. The one and one-half storey house has been changed somewhat over the years, the principal change being the addition of the central dormer, but it has retained its cottage appearance and use.
A number of interesting residences in the area around Sunshine Creek are oriented towards the water, reflecting the dependence in this remote area on Indian Arm for communication and transportation. Built for summer use but now also accessible by car, most are now occupied the year around. A long time owner of this house was Charles Frederick Connor (1877-1976), a Vancouver secondary school teacher. Later additions include an octagonal gazebo (built by Connor) and an additional wing.

HILL RESIDENCE
4165 VIRGINIA CRESCENT
Fred Thornton Hollingsworth, Design Associate;
William Henry Birmingham, Architect, 1952

"Bob and Joan Hill, a young North Vancouver couple with four active daughters, are very good authorities on the practical efficiency of the modern single-level home with an open plan, concrete slab floors, natural wood surfaces, and built-in furniture. With a large family and a moderate income, they couldn't afford to pay for contemporary styling just because it was the fashion... they wanted the maximum of living comfort and convenience for their building dollar."

"Being in the mortgage business, Bob has had an unusual opportunity to see a lot of homes, and his experience with successful and unsuccessful designs led him to favor the modern, functional style... from the strictly practical point of view."
Western Homes & Living, March 1955, page 12.
This house was featured on the cover of *Western Homes & Living* for March 1955. The unusual plan of the Hill House was determined by its sloping hillside lot, which falls away sharply at the rear to a creekbed. It is a single storey in height, with diagonal exterior siding, and makes extensive use of concrete block. The enclosed area of the original house was only 1,300 square feet, and the interior arrangement was exceptionally compact. A central chimney provides the focus for the living room, which also features two sets of double French doors that open onto a patio with a view of downtown. Built-in furniture was used throughout, all designed by Hollingsworth, a friend of the Hill family. Ceiling panels of plywood were used to follow the contours of the shallow sloped roof, resulting in shallow fluid vaults that contrasted with the angular solidity of the concrete block interior walls. Interior soffits contained concealed lighting. Concrete floors were used throughout, scored into four foot squares, coloured red, and given a high polish with liquid wax. The contractor was Gilbert Bradner Ltd.

**BENT RESIDENCE**  
138 WINDSOR ROAD EAST  
1911

This house illustrates the influence of the Arts and Crafts style, which gained wide-spread popularity during the Edwardian era. The open front verandah, with its doubled square columns, has now been enclosed. It is part of a grouping of houses of similar style and age on Windsor Road East. The first owner was Robert J. Bent, and it is very similar in style to another house that Bent built the previous year at 144 Queens Road West. Andrew B. Uphill-Robson, a woodmaker who produced most of the furniture at Saint Martin's Church, was a later resident.
FRANCE RESIDENCE
145 WINDSOR ROAD EAST
1913

Designated Municipal Heritage Site
This house is an unusual variation on the Craftsman Style, with a front hip-on-gable roof, and bracketed porch columns. The first owner was William J. France, who was listed in directories as a publisher.

BROWN RESIDENCE
146 WINDSOR ROAD EAST
1913

Part of a cluster of older houses on Windsor Road East, this large Shingle Style residence features an overhanging second floor bay, an inset second floor balcony, and Craftsman eave brackets. The first owner was J.M. Brown.
BIDDLECOMBE RESIDENCE
154 WINDSOR ROAD EAST
Circa 1920

Typical of the British Arts and Crafts style, this prominent house features asymmetrical massing, a high-gabled roofline, a gabled front wall dormer and multi-paned wooden-sash windows. It is part of a grouping of houses of similar style and age on Windsor Road East. The first owner was Frederick J. Biddlecombe.

STEVENS RESIDENCE
180 WINDSOR ROAD EAST
1913

Unusual for its restrained detailing, this shingle-clad cottage features a semi-circular arch entry with a keystone. The first owner was Miss Edith Jane Stevens, a stenographer. Stevens had been born in London, England in 1878, immigrated to Canada at the age of twelve, and died in Victoria in 1967. The mature landscaping on this property includes a stand of fir and cedar to the rear of the lot.
SAINT MARTIN’S ANGLICAN CHURCH
195 WINDSOR ROAD EAST
1922, Additions, 1927, 1947 & 1950

For many years this church has been an important part of the character of the North Lonsdale area. The first services for this mission were held in rented quarters in 1910; in 1919 the parish was officially dedicated to Saint Martin of Tours. What is now the nave was built as a hall in 1922; the next year the hall was converted into a temporary church. In 1927 the church was rebuilt, and was turned 90 degrees on its lot to face Windsor Road. The concrete pile foundations for the nave were laid in 1947, and the tower and new porch were built in 1950. The church is a very consistent example of a vernacular Gothic Revival Style. The lych-gate was originally built in 1924 for Saint James’ Anglican Church in Vancouver, and was designed by Richard T. Perry. Expansion of that church necessitated its removal, and it was moved to Saint Martins’ in 1935.

DALTON RESIDENCE
220 WINDSOR ROAD EAST
1928

Built for J.A.R. Dalton, an accountant who worked for Mitchell Press for forty years, this charming house stands on a prominent corner lot. Similar to many other houses in the area, it features an enclosed sun room on the south-west corner.
THOMSON RESIDENCE  
360 WINDSOR ROAD EAST  
1913

This cottage-style bungalow is distinguished by a bellcast side gable roof, a rubble foundation, and projecting bays, and shows the overall influence of the Craftsman style. The entry is to the west side of the house. The first owner was Mrs. Ellen Moody Thomson.

BROWN RESIDENCE  
361 WINDSOR ROAD EAST  
1913

This imposing house is built in a modified version of the Tudor Revival style. It features a prominent cross-gabled roof with bellcast edges, a prominent brick chimney at the front. The detailing includes a front gabled porch, and a set of leaded glass windows that grace the main stairwell. Philip Lamson Brown (1878-1918) was a salesman, later employed by Carswell & Company Ltd.
STABLER RESIDENCE
389 WINDSOR ROAD EAST
1911

This early Craftsman style structure occupies a prominent corner location. It is simply detailed, with an open gabled front porch, and sunroom to the west side. The landscaping includes large cedar trees to the west and front, and two large maples on the front boulevard. Albert Stabler, the first owner, was involved in real estate and other businesses.

"STANMORE"
461 WINDSOR ROAD EAST
Blackadder & MacKay, Architect, 1927

Built for Hugh Archibald Stevenson and his wife, Alice Maude, this large and imposing house cost a total of $11,500. The contractors were Smellie & Gallagher. The house has been very well preserved; the surviving interior details include mouldings in native Dogwood. Stanmore was the name of a hill near Stevenson's home in Scotland, where he and Alice frequented during their courtship. Stevenson (1888-1958) had been brought to Canada in 1918 by the Federal Government to organize the shipment of grain throughout the country, including the placement of grain elevators and facilities.
MACKENZIE RESIDENCE
494 WINDSOR ROAD EAST
James Clark Mackenzie, Architect, 1913

James C. Mackenzie was born on November 6, 1877 in West Kilbride, Ayrshire, Scotland. He was educated at Ardrossan Academy, Ayr Academy and Glasgow High School, and in 1897, started a five year apprenticeship in Alexander Nisbet Paterson’s office, Glasgow. Seeking new opportunities, James followed his older brother, William, to Prince Rupert, where one of their aunts lived. By 1908 he had moved to Vancouver, and by 1909 had commenced his own practice. He worked mostly on residential projects in the Shaughnessy Heights subdivision, but also received the commission for the new West Vancouver Municipal Hall, 1912. Mackenzie married Amy Crabtree, an English probationary nurse, in 1912, and the following year he designed this elegant Craftsman-inspired home in the North Lonsdale area of North Vancouver for his new family, which included three children by 1917. As work dried up during the First World War, Mackenzie moved his office to his home. Although times were lean, he published an extensive catalogue of house plans, of which his own house was included as No. 514. After the end of the war, he was associated with the Architects Small House Service Bureau (B.C.), which offered a large selection of home plans for thirty dollars each. Mackenzie was also known as a designer of teapots depicting Haida designs, which were made in Japan and were very popular there. Mackenzie died on May 21, 1941 at age sixty-three.

KERR RESIDENCE
606 WINDSOR ROAD EAST
1912-13

This prominent house, on a corner lot, was built for George Kerr, a gardener who moved here from Ontario. Later owner, Charles Bascom Darwin, was the principal of North Star School. The house features its original intricate wood detailing, but has been raised to provide extra headroom in the basement.
"GREEN GABLES"
114 WINDSOR ROAD WEST
James C. Mackenzie, Architect, 1915

This beautifully detailed and stately home was built for the Gibson family; Scottish-born Robert Gibson (1862-1943) was a printer for the *News-Advertiser*, and lived here until his death. This eclectic house is distinguished with the use of ornate classical columns and a large ground floor porch on the eastern side, which demonstrate the influence of the Colonial Revival style. A distinctive profile is provided by the tall chimneys, the jerkin-headed roofs, and the bellcast detailing of the porches. Ionic columns mark the front entry porch. By 1935 the house had been acquired by the Butterworth family, who also had stables on the property.

McCANNEL RESIDENCE
125 WINDSOR ROAD WEST
Circa 1909

A simple frame house, with minimal detailing, that is distinguished by its wrap-around verandah. The first known owner was A.D. McCannel, followed by Theophilus Thompson, a resident of Calgary. Fred Tennant, an electrical contractor, moved here in 1924.
This site, which slopes to the south and on which stands an earlier shingled residence, was bought by Selwyn Pullan, one of the most prominent local photographers of the era. He requested a studio with tall ceilings, a large open area and storage for props. This was meant as a multi-purpose space, which could be cleared out for entertaining large groups. The decision was made not to alter the existing residence, but to construct a separate but connected pavilion. An unusual carport was built beside the house, at the top of the bank; this structure has central steel posts, but the west side is cantilevered from the central beam, and has no side walls or supports. A covered passageway leads down the hill to the studio, which is set into the bank to provide two levels. The entry is at the higher north end, allowing for a lower ceiling, which leads into the dramatic higher space of the studio itself. The exterior of the studio is clad with cedar shingles to match the existing house, with the interior finished with white-painted gyproc. The mullions, trellis and trim are of stained cedar. This was one of the 17 houses in the 1964 Massey Competition Exhibit which toured across the country. It was illustrated in the *R.A.I.C. Journal*, November 1964 and *Canadian Architect*, November 1964.
“Small House That Acts Big”

"With a basic floor plan covering less than 1000 square feet, the home of Sven and Joan Rasmussen in Capilano Highlands has everything that a young married couple could wish for. The crisp, clean, modern lines and functional, open planning are typical of the work of Vancouver Designer Fred Hollingsworth. We were particularly impressed with the spacious dining and living-room areas, both facing large view windows looking out over Vancouver harbor. The entire window arrangement, as you can see, is designed to take advantage of the southern exposure; clerestory windows backlight the living room and filter soft sunlight into the bedrooms. The kitchen is small but it is plenty big enough for a small family. The designer has saved space here by providing a two-stool counter in place of the conventional breakfast nook. This extra space allows for a larger dining room, often a cramped area in small homes."


One of Hollingsworth's more successful small houses, the Rasmussen Residence was a simplified version of the "Neoteric." and presented a very rational approach to open plan design. An exceptionally compact room arrangement made the most of a small budget. A side entry, facing the carport, led through the galley kitchen, the other end of which opened into the dining room. The front entry led into the dining room, which provided access to the other rooms in the house. The house has been maintained in substantially intact condition.
District Heritage Designation and Protection

A building is only legally protected from demolition/alteration if the property has been formally designated by bylaw or has had a legal agreement such as a heritage protection covenant executed and placed on the property title. Heritage designation of a property can only take place with the consent of the owner of the property or if the owner receives compensation.

The District has eight designated properties and two additional properties protected by section 219 covenants. The properties are as outlined below:

1. THOMAS NYE RESIDENCE
   3545 DOWSLEY COURT
   Henry Blackadder, Architect, 1912
   In 1902, Thomas Samuel Nye (1874-1938), a returning Boer War veteran, chose District Lot 2026 as his military grant for service, and later made his fortune during the land speculation boom through subdivision of his property. Nye went broke, however, building this imposing Tudor Revival home, known locally as "Nye's Folly." In addition to Blackadder, four other architects gave interior and exterior advice on the design of this building. After the local economy collapsed, Nye moved to Daisy Lake in 1915, but later returned to North Vancouver. It remains the centrepiece of the North Lonsdale area. Between the years 1921 and 1932 it was rented to the Kingsley School, a private school for boarders and day boys. The house is distinguished by its superb fitted stonework, and its mature landscaping, which includes an impressive dry stone retaining wall, a long row of planted holly trees, and an unusual specimen Chinese Fir tree. The house was damaged in a 1990 fire, and the property has been subdivided, but the house retains much of its original character and prominence.

2. WARD RESIDENCE
   390 KINGS ROAD EAST
   Circa 1910
   The first owner of this house, William E. Ward, was an employee of the Canadian Pacific Railway. Ward (1864-1954) was a claims clerk, and retired in 1930. This handsome residence demonstrates the strong influence of British Arts and Crafts design, prevalent in British Columbia during the Edwardian era. This residence displays typical Arts and Crafts elements, such as its complex roofline and rich contrast of surface textures including stucco, half-timbering and cedar shingle siding. The use of a British idiom was common, indicating nostalgic familiarity for Britain, and loyalty and patriotism through the commissioning of homes designed by British-trained architects. The Arts and Crafts movement looked both forward - to a new social order and rational expression of construction, and back - to values rooted in British soil. Built on a prominent corner lot, the mature landscaping features a very large Black Walnut tree, and a row of hazelnut trees on the southern edge of the property.
### 3. O'BOYLE RESIDENCE
#### 4121 PROSPECT ROAD
#### 1936
A unique log structure with river rock chimneys; the front door has unusual hammered iron strapwork. This was built as a retirement home for Father F. O'Boyle, who had been associated with Saint Edmund's Roman Catholic Church. O'Boyle was Rector at Holy Rosary Cathedral and Father Superior of the Oblates of Canada. Members of the congregation assisted the contractor, Mr. Smith, with the construction of the house, and the title to the property was held by Vera Morrissette, a wealthy friend of O'Boyle.

### 4. CHRISTIE HOUSE
#### 267 QUEENS ROAD WEST
#### 1911
This impressive house, with its striking Queen Anne turret, is a prominent landmark on this street. Other notable design features include open eaves with exposed purlins, a consistent use of casement windows with stained glass transoms, and the use of cedar shingles and lapped wooden siding. Interior details include a butler's pantry, and local wood panelling. It was built on a speculative basis by Thomas E. Christie, his brother Henry and their colleague Norman Day; all three worked at the Wallace shipyards. Finished in 1911, it was unoccupied until 1917, after which R.D.E. McMan, a Customs official, lived here for one year. It was later occupied in the 1920s by Dr. Salt as his residence and medical office. Christie House is owned by the District of North Vancouver, and is being converted for use as a community arts facility.

### 5. FRANCE RESIDENCE
#### 145 WINDSOR ROAD EAST
#### 1913
This house is an unusual variation on the Craftsman Style, with a front hip-on-gable roof, and bracketed porch columns. The first owner was William J. France, who was listed in directories as a publisher.

### 6. LYNN VALLEY ELEMENTARY SCHOOL
#### 3203 Institute Road
**Blackadder & MacKay, Architects**
#### 1920
Following a rapid expansion in population, new schools continued to be built in the Lynn Valley area. In 1911-1912 a third building, with four classrooms, was built. On September 10, 1920, the Minister of Education, the Honourable J.D. McLean, laid the cornerstone for this school, the fourth on this property. Baynes & Horie were the contractors for this elegant structure, which employs alternating bands of brick and precast concrete. Separate entrances were provided for boys and girls, and the corners are highlighted with bulls' eye windows. The original cost for this building was $54,000. The design reflects the early training of its architect, Henry Blackadder His architectural career spanned four decades in British Columbia, but began with a four-year
Apprenticeship at his birthplace in Dundee, Scotland. He subsequently accepted work as an assistant to one of the most talented Edwardian architects in London, Sir Ernest George (1839-1922). The designs created by George, and his partner Alfred Yeates, made an indelible impression on Blackadder. During the eight years he worked with them, George & Yeates completed several large commissions, one of which was the design for the British Pavilion at the World’s Fair of 1904. The handsome, symmetrical design of this school can be clearly traced to the Edwardian Baroque work of George & Yeates. Made redundant through the construction of a new elementary school, Lynn Valley School has now been converted for use as a Community Heritage Services Centre.

7. CHESTERFIELD SCHOOL
3371 CHESTERFIELD AVENUE
Blackadder & Jameson, Architects, 1912-1913
Heritage Revitalization Agreement (2009)
The Chesterfield House School for day and boarding boys had originally been opened by Albert Henry Scriven in 1908 at the corner of 14th Street and Lonsdale Avenue; five years later it was moved to this location. This large shingle-clad structure once boasted extensive grounds, complete with a gymnasium and swimming pool. The remaining landscaping includes stands of mature hollies, laburnums, cedars, Black Walnut trees, a cherry tree, a rose garden, and a large rhododendron in the front yard. It has now been successfully converted into an apartment building, and retains most of its original character. Despite its institutional origins, its image is compatible with a residential use. Henry Blackadder (1882-1968) was born in Dundee, Scotland on September 11, 1882. His architectural career began at his birthplace. Upon completion of his four-year apprenticeship, he accepted work as an assistant to one of the most prominent firms in London, George & Yeates. In 1911, Blackadder moved to British Columbia and secured his first independent commission, for a residence in Vancouver. Blackadder jointly designed this project with Reyburn Jameson, who was only active in North Vancouver for two years and left soon after this project was initiated.

8. FORSTER RESIDENCE
1160 RIDGEWOOD DRIVE
Fred Thornton Hollingsworth, Architect, 1950
Heritage Revitalization Agreement (2011)
This house is located close to Fred Hollingsworth’s own home. It features a prow-shaped front wall, built with large stones placed in a form, around which concrete was poured and allowed to set; this is similar to the ‘desert concrete’ that Frank Lloyd Wright used at Taliesin West. The rest of the house, built for Mr. & Mrs. J.A. Forster at a cost of $12,500, is a rambling linear structure, integrated into the stand of tall evergreens on the site. Art Forster’s parents also built a house designed by Hollingsworth nearby, at 3470 Sunset Boulevard.
Ecole Andre-Piolat  
380 WEST KINGS ROAD  
Old North Star School  
1910  
Heritage Covenant  
The North Star four-room school was originally constructed in 1910/11 to relieve crowding at neighbouring schools. With great excitement a contest was held among the prospective new students in the area to name their new school prior to opening. The eastern portion has stone foundations, the western part concrete, suggesting that it was built in stages. Mr. Rogers was listed as the original builder. The design doubles the form of the Foursquare house, inserting the entrance in the centre.

By the 1980’s the existing school site consisted of two buildings: the original North Star School dating to 1910 and listed on the District’s secondary heritage list (the “Annex”); and the main school which building permit records show was constructed in 1949 with additions since. Due to a decline in enrolment, North Star School closed as a SD 44 school in 1982 and re-opened in 1987 offering Programme Cadre as Andre Piolat School operated by School District 93.

In 2002 School District #93 (Conseil Scolair Francophone) applied to rezone the school site to accommodate additional classroom space. The proposal involved replacement of the main school building with a new school to accommodate an expanded Kindergarten to Grade 12 program as well as a renovation of the heritage annex. The Heritage Annex renovations were completed in with a formal opening on Thursday October 5, 2006. Mr. Jim Galozo, a student at the original North Star school was featured in the celebrations and is seen in the photo chatting with Mayor Richard Walton.

ROBERTS RESIDENCE  
1405 DORAN ROAD  
Circa 1911; Additions 1927  
Owner Covenant to Prohibit Demolition  
Contractor John Evelyn Roberts built the original part of this home circa 1911. It is a well preserved example of the Arts and Crafts style. Roberts was born in India in 1880, and moved to North Vancouver in 1908; he died of diabetes at the age of thirty-seven. His widow, Ella, remained in residence, and in 1927 had an addition built to the west side of the house, attached to the main house but a separate dwelling designed in a Period Revival manner. The house has been well maintained in its beautifully mature landscape.
**District Heritage Revitalization Agreements**

A Heritage Revitalization Agreement (HRA) is a formal voluntary agreement negotiated between a municipality and the owners of a heritage property. Through this type of agreement the *Local Government Act* allows a municipality to negotiate among variances to the zoning bylaw that may affect the property. An HRA requires the approval of Council and almost always requires the designation of the heritage property.

The District has adopted 3 Heritage Revitalization Agreements since 2000 as outlined below. The Agreements are attached for the information of Council.

<table>
<thead>
<tr>
<th>Location</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>940 Lynn Valley Rd (Molly Nye House)</td>
<td>Adopted (2000)</td>
</tr>
<tr>
<td>3371 Chesterfield (Chesterfield Boys School)</td>
<td>Adopted (2009)</td>
</tr>
<tr>
<td>1160 Ridgewood</td>
<td>Adopted (2011)</td>
</tr>
</tbody>
</table>
PRE-ADOPTION REPORT ON BYLAW 7169

TO: Gord Howie, Municipal Manager

FROM: J. Irwin Torry, Manager of Community Planning

SUBJECT: BYLAW 7169 – 940 Lynn Valley Road
HERITAGE REVITALIZATION AGREEMENT BYLAW NO.2

The necessary documents and other material relative to the above application required before adoption of Bylaw 7169 have been received.

Specifically, the District has received:
1. Approval of Bylaw 7169 pursuant to Section 54(2) of the Highway Act; and
2. Provision of an executed Heritage Revitalization Agreement.

The above information meets Council’s policies and therefore Bylaw 7169 is ready to be considered for adoption.

J. Irwin Torry
Manager of Community Planning
October 10, 2000
File: 3060-20/03.00
Tracking Number: RCA -

AUTHOR: Paula Huber, Community Planner

SUBJECT: Sunrise Project - 940 Lynn Valley Road - Bylaw adoption and issuance of Development Permit

RECOMMENDATION:

It is recommended that:

1. The Mayor and Clerk be authorized to enter into an Engineering Services Agreement and execute the Heritage Revitalization Agreement and all other necessary legal agreements pertaining to this development;
2. Bylaw 7166 (rezoning to CD26) be adopted;
3. Bylaw 7169 (Heritage Revitalization Agreement Bylaw No.2) be adopted;
4. Development Permit 03.00 be issued; and
5. The subdivision information be received.

REASON FOR REPORT:

To bring forward for Council’s consideration:
- The legal agreements required to implement this proposal;
- The subdivision of the property;
- Bylaw 7166 which rezones the property at 940 Lynn Valley Road to CD 26;
- Bylaw 7169 which provides for the relocation and refurbishment of the Nye House in accordance with District standards; and
- Development Permit 03.00, which allows for the construction of a senior’s housing project consisting of 64 independent living units and 92 assisted living units.

SUMMARY:

All of the necessary legal agreements, engineering services agreement and design details have been reviewed and are ready for approval. Accordingly, the bylaws are ready to be considered for adoption, the subdivision can be approved and the development permit can be issued.
BACKGROUND:

1. Rezoning Process

This proposal was the subject of a Public Hearing held on June 20, 2000. The Bylaw rezoning the property was subsequently given 2nd and 3rd readings on July 10, 2000. Since that time Community Planning has been working with the applicant and his consultants to complete all outstanding requirements. Specifically, the engineering drawings and estimates for all off-site works related to this project have now been approved. The services agreement has been provided in registrable form and full bonding received. In addition, the application for subdivision has been reviewed and the Approving Officer shall grant approval pending rezoning of the site. All of the other necessary legal documents including easements, tree protection covenants, age restrictions and private party easements have been provided and vetted by our solicitors.

No changes have been made to the building design since the public hearing and the development permit has been prepared for Council's consideration (Attachment D).

2. Nye House

Sunrise Development Inc. will be undertaking the restoration of the Nye House and when the Nye House has been refurbished and accepted by the Municipality, the procedure outlined in the Community Facilities Leasing policy shall be followed to secure a community based operator for the building.

The District is still attempting to secure a parking lease arrangement with the Hillside Baptist Church to provide the parking necessary to support the community use of the Nye House. As an alternative, the District has secured a covenant over a portion of the Karen Magnussen site (between the edge of the parking lot and Lynn Valley Road) and if necessary, will extend the parking lot on the Karen Magnussen site to provide parking for the Nye House as required under the zoning regulations.

EXISTING POLICY:

The development permit guidelines in the Lynn Valley Plan have been met. The provision of land and a restored Nye House to the municipality meets the community objectives outlined in the Lynn Valley Plan.

DISCUSSION:

1. Architectural Plans – The building design has not been changed from that presented at the Public Hearing. The building consists of two elements: 64 independent living units (developed by Ledingham McAllister) and 92 assisted living units (developed by Sunrise). While there is a fire wall between the two buildings and they are being constructed on
separate parcels the buildings have a unified appearance. The buildings are designed to provide a residential flavour in the "craftsmen" architectural style.

At the last presentation to the Advisory Design Panel, the Panel requested that the applicant further explore the design of the loading area and the applicant indicated that they were considering the addition of a porte cochere (drive-thru entrance feature) to the independent living building (lot A). Community Planning is satisfied that there is no further way to improve the loading/delivery design at the front of the building. Access to the rear of the building via Ailsa is not a possibility because the adjacent residents have been given assurance that there will be no access off of Ailsa. The applicant has also confirmed that they will not be pursuing the second porte cochere. Since no changes have been made to the project and there is no way to accommodate the ADP's request for adjustments to the delivery/loading arrangement, the project was not returned to the ADP for further review.

2. Landscape Plans - No changes have been made to the proposed tree retention and landscape plans considered at the time of the public hearing. A detailed maintenance plan for the landscaping around the Nye House has been submitted. The plan has been accepted and will also be referenced in the leasing documents for the Nye House so that any community groups which apply to manage the house for community use, will be obligated to maintain the garden around the house in compliance with the maintenance standards stipulated in the plan. This will ensure the long term viability and beauty of the garden.

3. Engineering Services Agreement – Our solicitors have advised that the requirement for off-site services as part of redevelopment proposals should be handled through engineering services agreements. This approach requires that the applicant submit detailed engineering plans and construction estimates after third reading of the bylaw and that adoption be withheld until the plans are approved and bonding provided.

The off-site works required as part of this development are being handled through a services agreement. Final engineering plans have been submitted and approved along with a detailed cost estimate. A Letter of Credit in the amount of $223,500 has been provided by the applicant to ensure that these works are carried out in compliance with the agreement.

4. Subdivision – A portion of the site has already been subdivided off to create a lot which was transferred to the ownership of the District to facilitate the relocation of the Nye House. The remainder of the lot must be subdivided into 3 additional lots to accommodate the assisted living component, the independent living component and provide some land to be consolidated with the adjacent Waldorf School property.

5. Other Legal Agreements

(a) Heritage Revitalization Agreement – Sunrise has provided an executed Heritage Revitalization Agreement which obligates them to restore the house in compliance with the conservation plan and architectural plans. The house will be completed and turned over to the District within two years of the adoption of the agreement by bylaw.
(b) Amenity Services Commitment Agreement - Sunrise has provided an agreement which requires the assisted living component to provide a basic level of food services, housekeeping and 24hr. emergency alarm support to the residents of the independent living component upon demand. Community Planning is satisfied that this agreement will allow those in the independent living units to have reasonable access to services as necessary.

(c) Right of Way - Right of Way documentation and survey plans have been provided ensuring the provision of a right of way along Lynn Valley Road to accommodate a wider curb lane and a new sidewalk (to be constructed partially on the Sunrise property).

(d) Access Easement - Sunrise has provided documents granting an easement to the District to allow users of the Nye house to drive across their driveway to gain access to the 4 surface parking spaces adjacent to the Nye House.

CONCURRENCE:

Environmental Services

No significant environmental issues have been identified during the processing of this application. Tree protection, storm water management and sediment and erosion control measures will be handled at the building permit stage.

Parks and Engineering Department

The Parks Department has been significantly involved in this project. A final detailed landscape plan is required as a condition of the development permit. Engineering requirements are documented in the Engineering Services Agreement and all issues have been addressed during the plans approval process.

Paula Huber
Development Planner

PH/dw
Attachments:
A - Engineering Services Agreement
B - Bylaw 7166
C - Bylaw 7169
D - DP 3.00
E - Subdivision Plan
F - Reduced Plans
The District of North Vancouver
REPORT TO COUNCIL

May 15, 2000
File: 3060-20-03.00
Tracking Number: RCA-

AUTHOR: Alexandra K. Dmitrasinovic, Community Planner

SUBJECT: 940 Lynn Valley Road - Rezoning Application

RECOMMENDATION:

It is recommended that:

1. Bylaw 7166 be given First Reading;
2. Bylaw 7166 be referred to a Public Hearing; and
3. Bylaw 7169 (Heritage Revitalization Agreement Bylaw No. 2) be given First, Second and Third Reading.

REASON FOR REPORT:

To bring forward for Council's consideration Bylaw 7166 which rezones the property located at 940 Lynn Valley Road to allow for its redevelopment as a 156-unit seniors residential project, to provide for a transfer of property to Waldorf School, and to accommodate a refurbished Nye House for community use pursuant to Bylaw 7169.

SUMMARY:

The rezoning application for the property located at 940 Lynn Valley Road is being brought forward for Council's consideration. It is recommended that Bylaw 7166 which rezones the subject property to CD26 be given First Reading and be referred to a Public Hearing and Bylaw 7169 which addresses the restoration of the Nye House be given First, Second and Third Reading.

BACKGROUND:

Hearthstone Communities had been involved in an earlier proposal to provide a senior's housing development on the subject property. That application was withdrawn in August, 1999. In December, 1999, the property was subdivided to create a lot to be transferred to the District, thereby facilitating the future relocation of the Nye House, and Council accepted
the gift in exchange for a tax receipt. In January, 2000, Sunrise Development Inc. applied to rezone the subject property (Attachment A).

EXISTING POLICY:

The Lynn Valley Plan identifies the subject property as “Public Assembly/Use” and “Public or Mixed Public/Residential Uses”. The Sunrise Development Inc. proposal, including the relocation and refurbishment of the Nye House and transfer of lands to Waldorf School, is consistent with the Plan.

Policy 6.1.2 and Implementation Statement 6.1.2.(1) specifically relate to the retention of the Nye House and its associated land for future public uses, through the District considering several means, including heritage agreements or partnerships.

With respect to the transfer of lands to the Waldorf School to facilitate its proposed future expansion, Policy 11.5.1 and Implementation Statement 11.5.1.(3) & (5) support this effort, limiting its expansion to four residential lots along Lynn Valley Road, not Ailsa Crescent.

ANALYSIS:

1. Proposal

Sunrise Development Inc. has applied to rezone the property located at 940 Lynn Valley Road from Single Family Residential Zone (RS3) to Comprehensive Development Zone 26 (CD26) for a proposed housing development and the Nye House site and to Public Assembly (PA) for the lands being transferred for consolidation with the Waldorf School site. Bylaw 7166 is appended as Attachment B. A development permit will also be required to be issued to ensure that the project is constructed and landscaping is installed in accordance with approved plans.

The proposal is to redevelop the property as a 156-unit senior’s housing development comprised of two components, with separate building entrances and parking garages. The four-storey apartment style building will contain assisted living units and independent living units.

a) Assisted Living Building

Owned and operated by Sunrise Development Inc., the 92 assisted living units will be available on a rental basis, with care being provided to its frail elderly occupants. The development is comprised of 56 studio units, 23 “Denver” units (may be occupied by two residents), and 13 2-bedroom units (may be occupied by 2 residents). The assisted living residence will be licensed to provide Intermediate Care for up to 107 residents under the Community Care Facilities Act. Up to 20% of the assisted living occupants will be Alzheimer’s patients. Amenities will include areas for dining, bistro, lounge, wellness, exercise, library and crafts.
b) Independent Living Building

Developed by Ledingham McAllister, the 64 independent living units will be available for purchase by elderly seniors who may access the various services offered by Sunrise. The unit sizes range from 61.3m² (660 sq. ft.) to 84.6m² (910 sq. ft.), which is consistent with the Lynn Valley Plan encouraging the provision of smaller and more affordable housing units. Anticipating approximately 80 residents in 64 units, the intended market is seniors over 55 years of age, who will have access to a lounge, bistro and dining area.

Future subdivision of the lot to separate the ownership and operation of the assisting living and independent living components is proposed. An easement agreement will be required to ensure continued service access on the main floor and resident access on the second floor, along with shared driveway access from Lynn Valley Road.

Reduced architectural and landscape plans are appended as Attachments C and D.

c) Mollie Nye House

As an amenity provided in conjunction with the rezoning, the Mollie Nye House will be relocated to the recently-acquired District lot. It will be refurbished and surrounded by a community heritage garden at the applicant’s expense. It is recommended that the house be officially designated by the District as a heritage building once restoration work is complete. The building will be used by the community in compliance with Council’s Community Leasing Policy (see Residential Density and Community Amenity Contribution section below). Users of the Nye House will have access to 4 at-grade parking stalls on the Sunrise property and need access to 26 spaces on another site. Hillside Baptist Church has expressed a willingness to accommodate this request, but this requires further review by the Church and District (see Parking section below).

d) Lands to be transferred to Waldorf School

The applicant also proposes to transfer a portion of the site at the eastern edge, via subdivision and consolidation, to the adjacent Vancouver Waldorf School to facilitate its proposed expansion. This area is to be retained as a vegetated buffer strip.

2. Site and Surrounding Area

The subject property is bounded by Hillside Baptist Church on the west, Vancouver Waldorf School and 4 single-family properties on the east, and Ailsa Crescent and Lynn Valley Road to the north and south respectively.

3. Development Issues

a) Parking

Except for 7 surface visitor parking stalls for the use of the residential development and 4 stalls for Nye House users, all parking is provided in an underground parking structure with
all access and egress from Lynn Valley Road. Easement agreements will be required to enable shared access to all three facilities from the one driveway off Lynn Valley Road, and provision of 2 of the 7 surface stalls on the independent living lot for use by the assisted living building.

With respect to the assisted living building, 31 stalls are required based on 1 space per 3 residential units (for seniors’ housing where it is covenanted that 90% of the residents are 65 years or older); 41 stalls are being provided. The Bylaw has been drafted to require 31 stalls for the use of residents and employees and 10 parking spaces for designated visitor parking (8 stalls underground and 2 stalls above ground). This is supportable based on information Sunrise Development has provided which indicates that:

(i) a recent survey of their 3,851 units concluded that 2.7% of residents have cars;
(ii) the maximum staff at any one time will be 20 and that approximately 50% of Sunrise staff use public transportation;
(iii) the maximum number of peak hour visitors is anticipated to be 3 - 5 on weekdays and 6 - 10 on weekends. However, a high percentage of visits are not during peak hours; and
(iv) the provision of 41 stalls for 92 units (at 0.44 parking stalls per unit) is above figures provided in several surveys, including a study by the American Senior Housing Association (0.22 stalls per unit), Institute of Transportation Engineers Parking Generation Manual for Retirement Communities (0.27 - 0.32 stalls per units), and a 1998 Sunrise survey of 26 of its facilities (0.39 stalls per unit).

With respect to the parking requirements for the independent living building, the Zoning Bylaw requires the provision of 128 stalls (2 spaces per dwelling unit). However, the applicant proposes to provide 77 stalls (64 for residents and 13 for visitors). The applicant’s traffic consultant, ND Lea Consultants Ltd., recently completed parking surveys at 14 seniors’ projects in the Lower Mainland, finding a peak parking demand of 0.39 stalls per resident. The proposed parking for the independent living building is in excess of this ratio (at 0.8 stalls per resident) and is being provided on the basis of 1 stall per 1-bedroom and 2-bedroom unit plus 0.2 stalls per unit for visitor parking. This is consistent with staff recommendations for previous applications where units are smaller in floor area (e.g., 800 to 900 sq. ft.).

For community uses in the Nye House, 30 parking spaces are required. The applicant is providing 4 at-grade parking stalls on the District lot for users of the Nye House. In addition, provision of 26 spaces on another site is required. The adjacent Hillside Baptist Church has expressed a willingness to accommodate this request. Community Planning has met with Church representatives to discuss shared use of the Church parking lot and incorporating provisions for its use, upgrade and maintenance in an operating agreement for the Nye House. The Board will discuss the proposal at its June 7, 2000 meeting.

It is anticipated an acceptable agreement with the Church can be reached for Council’s consideration prior to the Public Hearing. Should a shared parking arrangement with the Church not be possible, Community Planning will explore alternative options to accommodate parking for Nye House users, including contacting other owners (e.g., Church
of Jesus Christ of Latter Day Saints and Karen Magnussen RecCentre) to set up a shared parking arrangement.

b) **Age Restriction Covenant**

Due to the extent of the relaxation to the existing parking regulations in the Zoning Bylaw and the intended seniors’ market, it is recommended that an age restriction covenant be registered on-title to ensure one person in each unit in the independent living building is over 55 years of age and each resident in the assisted living building is over 65 years of age.

c) **Residential Density and Community Amenity Contribution**

With respect to the Public Benefit Strategy to implement the Lynn Valley Plan, the subject property is located in the “Conditional Development Contribution Area” where public amenity contributions are negotiated on a case-by-case basis, in accordance with policy directions in the Plan. Contributing to the achievement of Community Development Objectives set out in the Plan, Sunrise Development Inc. has committed to relocate the Mollie Nye House on the adjacent District lot, refurbish the house, install a heritage garden, and provide 4 at-grade parking stalls for House users, at the developer’s expense. The architectural plans for the House are appended as Attachment E, and the landscape plan is shown in Attachment D.

d) **Heritage Revitalization Agreement**

To ensure the relocation and refurbishment of the House and its gifting to the District, the developer has agreed to enter into a Heritage Revitalization Agreement which sets out the terms and conditions of continuing protection for the heritage character and heritage value of the property and the heritage house. The Agreement will provide for the relocation and upgrade of the House in accordance with District standards as set out in the agreement and installation of landscaping in accordance with the approved landscape plan. Following its refurbishment, it is proposed that the House be designated as a heritage building by the District. Bylaw 7169 (Heritage Revitalization Agreement Bylaw No. 2) is appended as Attachment F.

It is anticipated that the District will enter into an operating agreement with a society or foundation (such as the Zajac Foundation) which would be entrusted with the programming, operation and maintenance of the house and grounds, administered through a Board of Directors to include representation from the District, the Lynn Valley Community Association, Lynn Valley Seniors Society, and other relevant community groups with an interest in the ongoing programming in the Nye House.

The Lynn Valley Plan does not prescribe a maximum density for the subject property. In consideration of site conditions and the specific public amenity that is being provided, the CD26 zoning has been established with a floor space ratio (FSR) of 1.2 for the independent living building and 1.6 for the assisted living building.
e) Transfer of Lands to Waldorf School

The transfer of lands to the Waldorf School and its consolidation with the School's current holdings will facilitate its future expansion. However, the transferred portion will be subject to the registration of a no-build covenant, prohibiting the construction of any buildings or structures within these lands, which are to be used for outdoor programs. Submittal of subdivision/consolidation plans will be a condition of development permit issuance.

Pathway linkages to the Waldorf School from the assisted living building are illustrated on the site plan. No pathways from Ailsa Crescent to the Waldorf School across the Sunrise project are proposed.

f) Landscaping and Tree Retention

It is proposed that significant trees will be retained, particularly at the rear of the site on Ailsa Crescent and alongside the ditch on the west side of the site, and will be incorporated into the landscape concept. Several hazard trees require removal due to numerous incidents of tree failure. All but three trees (2 cedar and 1 fir) along Lynn Valley Road and some alder at the southeast corner of the site will be removed and replaced with understorey planting and evergreen trees while protecting desirable existing vegetation. There are 2 trees (magnolia and witch hazel) directly adjacent to the Nye House which will be relocated in more appropriate locations. It is recommended that a restrictive covenant be registered on-title which will identify the tree retention areas adjacent to Ailsa Crescent and Lynn Valley Road, reference the approved landscape plans, tree management plan and arborist report, and require that all trees be monitored for safety and stability by the project arborist during construction.

In the Ailsa Crescent boulevard and in the adjacent treed area, the Parks Department recommends that additional native trees be planted where hazardous trees are removed. This will be a condition of development permit.

There is insufficient boulevard width to provide adequate room for conventional street tree planting. Hence, the on-site landscaping concept includes several street trees and understorey shrub material. Due to concerns about on-going maintenance of the proposed hedge and trees along Lynn Valley Road, it is recommended that a covenant be registered which requires the property owners to maintain the plant material in accordance with BCSLA and BCNTA standards.

Installation of a heritage garden around the Nye House is proposed, utilizing plants saved from the original garden, where possible. While pathway improvements around the Nye House have been proposed, some entry features, e.g., trellises, and planting beds have been eliminated which should be reinstated on the plans as a condition of development permit.

A detailed maintenance plan for the landscaping around the Nye House is required to be prepared by the landscape architect, prior to Final Adoption of Bylaw 7169. This plan will be referenced in the Heritage Revitalization Agreement and used by the District for budgeting
and contract preparation purposes in leasing the District lot, as the lessee will be responsible for the maintenance of the landscaping. A covenant would be registered requiring the lessee to maintain the landscaping, and should the landscaping not be maintained, would enable Sunrise Development Inc. and the Strata Council of the independent living building to seek recourse and undertake restorative landscaping as necessary to meet the objectives of the approved landscape plan. To clarify maintenance responsibilities, it is recommended that the property line defining the District lot in the surface parking area be realigned, prior to issuance of an occupancy permit.

Timing/Approval Process

Should Council give First Reading to Bylaw 7166, it will be referred to the next available Public Hearing. It is recommended that Bylaw 7169 be given First, Second, and Third Reading at this time.

Concurrence

Engineering Department

The Engineering Department has provided the applicant with preliminary engineering requirements with respect to this development. Issues identified in Attachment G need to be addressed prior to bylaw adoption and issuance of a development permit.

With respect to traffic issues, the developer will be required to widen the outer lane on Lynn Valley Road to accommodate bike traffic. In addition, the traffic impact study prepared by N.D. Lea Consultants Ltd. has been reviewed. The study indicates only minor vehicle impact on Lynn Valley Road and adjacent streets with the addition of vehicle volumes generated by this development. With the proposed improvements to the centre median/left turn bays and the alignment of the driveway with Mollie Nye Way, no vehicle access conflicts are expected. No additional capacity problems are anticipated. Additional information is required with respect to the upgrade of the special pedestrian crosswalk to a pedestrian signal to provide an increased level of service for seniors from this development crossing Lynn Valley Road.

Environmental Services

Environmental Services has requested that porous surfaces be used for pathways in the vicinity of the Nye House, adjacent to the small ditch on the west side of the lot. As most of the site will be covered by an underground parkade, an engineering storm water disposal system will be required and oil/grit interceptors will be provided.

The existing ditch provides virtually no fish habitat and very few wildlife features, and will be cleaned up as an aesthetic feature. An improved crushed granite pathway with wood edging and lit to District trail lighting standards will run from Ailsa Crescent to the upgraded creek crossing to the Hillside Baptist Church and link with paved walkways to the Nye House and Lynn Valley Road. The creek crossing will be upgraded with a new culvert, 2m-wide asphalt path over the creek with metal handrails, and stone-facing in the ditch. Specific
improvements to the ditch and landscaping to be installed adjacent to the ditch have not been shown on the landscape plan; this will be a condition of the development permit.

**Committee Input**

**Advisory Design Panel**

The project was forwarded to the December 9, 1999 Advisory Design Panel meeting for members' preliminary comment. The formal proposal was reviewed at the Advisory Design Panel's meeting of January 13, 2000. Minutes are appended as Attachment H. The Panel supported the project as presented for rezoning, with further exploration of the design of the loading area and related comments as per the minutes. The Panel was chiefly concerned about the location and visibility of the loading bay at the front of the building, between the two residential uses.

The application will be referred back to the June 8, 2000 Panel meeting to review minor design changes. All garbage collection will occur underground using a low-profile system, with many deliveries also taking place underground to take advantage of the freight elevator. However, Sunrise Development Inc. has advised that some large vehicles will not be able to access the underground due to height and turning radius restrictions. The applicant feels that the proposed at-grade loading is the best solution and that a financial and architectural burden would result from having all delivery functions taking place underground, requiring additional excavation and ramping.

The applicant has subsequently advised that they are considering the addition of a porte cochere to the independent living building (to be reviewed by the Advisory Design Panel at its June meeting). Incorporation of this element has been provided for in the Bylaw.

**Advisory Planning Commission**

The Advisory Planning Commission (APC) reviewed the preliminary proposal at its August 18, 1999 meeting and the formal application at its January 19, 2000 meeting (Attachment I) which received support in-principle. The bylaws will be referred back to the APC for its information prior to the Public Hearing.

**Community Heritage Commission**

The proposed relocation and refurbishment of the Mollie Nye House will be discussed at the next Community Heritage Commission meeting to be held on May 24, 2000.

**Public Input**

**Public Information Meeting**

The applicant hosted the Public Information Meeting on January 20, 2000. Approximately 50 people attended the meeting. The following comments and concerns were raised at the meeting and included on returned commentary sheets:
• questions about the operation of both the independent and assisted-living components;
• concern about changes in the character of the neighbourhood, and adaptability of new development with minimal impact on the landscape;
• concern about increased traffic on Lynn Valley Road and interruption of traffic flow;
• questions about access to the site and parking, including use of the adjacent Church parking lot for users of the Nye house;
• loss of bird and wildlife habitat;
• extent of tree retention, the retention of the forested area and no buildings permitted on the lands to be transferred to Waldorf, and retention of the forested area around the relocated Nye house;
• adequate screening of the building from Lynn Valley Road;
• sensitive restoration of the Nye house so it does not look like a new house/ retain the house in its current state;
• size and scale of the 4-storey building and queries about reducing it to 2 or 3 stories;
• good senior's housing concept and building design;
• affordability issues re: buying and renting the units;
• installation of security lights at rear of the project; and
• maintenance of the grounds around the Nye house to be the developer's responsibility.

Vancouver Waldorf School

The Vancouver Waldorf School has advised that it supports the Sunrise proposal, and will promote and develop programs to enhance intergenerational working together with the residents of the assisted living facility. The proposed pathway from Lynn Valley Road to the School grounds will also enhance the building of an intergenerational community.

With respect to the lands being transferred to the Waldorf School, trees and shrubs will be planted to soften the visual impact of the Sunrise project from the Waldorf site and provide consistent landscaping across the Lynn Valley Road frontage, incorporating some "gateway" elements into the concept.

Hillside Baptist Church

In conjunction with the potential use of its parking lot by Nye House users, the Hillside Baptist Church suggested that a new pedestrian trail be constructed along the east side of the ditch between the bridge crossing and Lynn Valley Road. The applicant will provide this in conjunction with the landscaping around the Nye House (Attachment D).

The Church also suggested that the alder trees adjacent to the ditch be removed and that flowering shrubs be planted on the banks. Some alders will be removed as part of the property's redevelopment, along with the installation of replacement trees and native shrub material. Details regarding tree retention and installation of plant material will be required as a condition of development permit issuance.
Lynn Valley Plan Monitoring Group

The Lynn Valley Plan Monitoring Group reviewed this project and found it to be generally consistent with the intent of the Lynn Valley Plan.

Alexandra K. Dmitrasinovic
Community Planner
AKD/

Attachments
A – Site and Surrounding Area Map
B – Bylaw 7166
C – Architectural (residential)
D – Landscape plans (residential and Nye)
E – Architectural plans – Nye House
F – Bylaw 7169
G – Engineering requirements and issues
H – ADP minutes
I – APC minutes

REVIEWED WITH:
☐ Communications
☐ Env. Protection
☐ Human Resources
☐ Eng. Trans/Public Works
☐ Eng. Admin
☐ Eng. Parks
☐ Eng. Utilities

REVIEWED WITH:
☐ Finance
☐ Fire Services
☐ Clerk’s Office
☐ Land
☐ Building
☐ Community Planning

REVIEWED WITH:
External Agencies:
☐ Recreation Commission
☐ Library Board
☐ Health Dept.
☐ RCMP
☐ Other: ____________________

REVIEWED WITH:
Advisory Committees:
☐ ____________
☐ ____________
☐ ____________
THE CORPORATION OF THE DISTRICT OF NORTH VANCOUVER

BYLAW 7169

A bylaw to enter into a heritage revitalization agreement pursuant to Section 966 of the Local Government Act
(Sunrise of Lynn Valley)

The Council for The Corporation of the District of North Vancouver, having observed the relevant provisions of the Local Government Act, enacts the following:

Title

1. This bylaw may be cited as "DISTRICT OF NORTH VANCOUVER HERITAGE REVITALIZATION AGREEMENT BYLAW NO. 2".

Authorization to Enter into an Agreement

2. The Council authorizes The District of North Vancouver to enter into a Heritage Revitalization Agreement in respect of the Lands described as Lot F Except Part subdivided by Plan LMP 44509, Block 13, District Lot 2025, Group 1, New Westminster District Plan 9926, as set out in Schedule "A" entitled the "Heritage Revitalization Agreement", attached to and forming part of this Bylaw.

Execution of Agreement

3. The Mayor and Municipal Clerk are authorized to execute any documents required to give effect to the intent of this bylaw.

PASSED by the Council on the 23rd day of May, 2000.

APPROVED by the Ministry of Transportation and Highways on the 13th day of June, 2000.

ADOPTED by the Council on the 16th day of October, 2000.

"DON H. BELL"  
MAYOR

"AGNES S. HILSEN"  
MUNICIPAL CLERK

Certified a true copy

Municipal Clerk

Document No: 186289
HERITAGE REVITALIZATION AGREEMENT

This Agreement made the ___ day of ________, 2000

BETWEEN:

SUNRISE OF LYNN VALLEY LIMITED, c/o 3000 – 1055 West Georgia Street, Vancouver, B.C., V6E 3R3

(the "Owner")

OF THE FIRST PART

AND:

THE CORPORATION OF THE DISTRICT OF NORTH VANCOUVER, a municipal corporation by letters patent pursuant to the Municipal Act and having offices at 355 West Queens Road, North Vancouver, B.C., V7L 4K1

(the "District")

OF THE SECOND PART

WHEREAS:

A. The Owner is entitled to become the registered owner in fee simple of those certain portions of the following lands and premises situate in the District of North Vancouver, British Columbia and described as:

PID: 009-616-152
Lot F Except Part Subdivided by Plan LMP44509
Block 13
District Lot 2025
Group 1
New Westminster District
Plan 9928,
shown as Lots 2 and 3 on the Plan of Subdivision (the "Subdivision Plan") prepared by Clare Hobbs, B.C.L.S., a photo-reduced copy of which is attached hereto as Appendix "D" (the "Owner’s Lands");

B. The house presently situate on the Owner’s Lands (the "Heritage House") is listed on the District’s Heritage Inventory;

C. The District and the Owner consider the Heritage House to have heritage value;

D. The District is the registered owner in fee simple of the following lands and premises situate in the District of North Vancouver, British Columbia in the vicinity of the Owner’s Lands and described as:

PID: 024-657-603
Lot 1
Block 13
District Lot 2025
Group 1
New Westminster District
Plan LMP44509,

which shall be reconfigured as Lot 1 as shown on the Subdivision Plan (the “District’s Lands”);

E. The Owner wishes to move the Heritage House onto the District’s Lands and the District and the Owner agree that the heritage value of the Heritage House can be protected and conserved by moving it to the District’s Lands;

F. The Owner has applied for and the District’s Council has considered a rezoning of the Owner’s Lands to permit the development of a multi-family residential building and an intermediate care facility and the Council considers that the moving of the Heritage House onto the District’s Lands in connection with such development would be in the public interest;

G. For the purpose of conservation of the heritage value and character of the Heritage House, the Owner and the District have agreed to enter into this Agreement setting out the terms and conditions of protection for the heritage character and heritage value of the Heritage House,

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the mutual premises of the parties hereto and for other good and valuable consideration (the receipt and sufficiency of whereof is hereby by the parties acknowledged) the Owner and the District covenant
and agree with one another pursuant to section 966 of the Municipal Act, R.S.B.C. 1996, c. 323, as follows.

Relocation and Alteration of Heritage House

1. The Owner shall, in conformance with all bylaws and regulations having application, move the Heritage House to the District’s Lands.

2. In the course of and upon moving the Heritage House to the District’s Lands, the Owner must commence and complete the restoration, repair, alteration, and conservation of the Heritage House and install landscaping in strict accordance with the standards, specifications, phasing and timing (less any time involved in processing applications for permits or licenses submitted to the District by the Owner) required by the Conservation Plan attached hereto as Appendix “A” (the “Conservation Plan”) and the approved architectural and landscaping plans attached hereto as Appendix “B” (the “Architectural and Landscaping Plans”). The relocation, restoration, repair, alteration, and conservation of the Heritage House and the installation of the off-street parking referred to in paragraph 7 are hereinafter referred to as the “Work”.

3. Prior to commencement of the Work, the Owner must obtain all necessary permits and licenses from the District to permit commencement and completion of the Work.

4. The Work must be done at the Owner’s sole expense in accordance with known engineering and heritage conservation practices. If there are conflicts or ambiguities in the interpretation of the Conservation Plan or the Architectural and Landscaping Plans, the “Principles of Heritage Restoration” attached to this Agreement as Appendix “C”, shall govern the interpretation.

Timing and Phasing of Relocation

5. The Owner must commence and complete the Work including the installation of all landscaping and parking facilities in accordance with the timing and phasing requirements of the Conservation Plan, but in any event no later than two years following adoption of this Agreement by bylaw of the Council of the District.

6. The Owner must advise the District’s Planning, Building and Environment Services Division of the progress of the Work, upon request.

Off-Street Parking

7. The Owner shall provide off-street parking spaces for the Heritage House on the District’s Lands in accordance with the relevant provisions of the Zoning Bylaw relating to the CD-26 Zone and in accordance with the Architectural and Landscaping Plans.

Appearance and Repair During Conservation
8. The Owner shall secure the Heritage House from the elements and from vandalism and maintain it in good appearance and repair during the course of the Work and shall not allow unsightly materials or debris to accumulate on either the Owner’s Lands or the District’s Lands.

Completion

9. Upon completion of the Work the Owner shall advise the District’s Director of Planning, Building and Environment Services who shall, upon being satisfied that the Work has been completed in accordance with the terms of this Agreement, advise the Owner in writing that the Owner’s obligations under this Agreement have been satisfied. The Owner may then request that the District, by bylaw, discharge this Agreement from the Owner’s Lands in accordance with the provisions of the Municipal Act.

Damage, Destruction and Repairs to the Heritage House

10. If the Heritage House is damaged during the course of the work, the Owner shall repair the damage in accordance with Appendix “A” or, if Appendix “A” is not applicable to the portion or component of the building that has been damaged, pursuant to a heritage alteration permit issued by the Council.

11. If, in the opinion of the District, the Heritage House is damaged beyond repair for any reason whatsoever during the course of the Work, the Owner must at the Owner’s expense, construct on the District’s Lands a replica of the Heritage House as modified and altered by the Conservation Plan.

12. The Owner shall use it best efforts to commence and complete any repairs or reconstruction of the Heritage House with reasonable dispatch.

Application of this Agreement

13. The terms and conditions of this Agreement apply to the structure, exterior, and interior and all other portions and parts of the Heritage House.

No Liability to District

14. In no case shall the District be liable or responsible in any way for:

(a) any personal injury, death or consequential damage of any nature whatsoever, howsoever caused, that be suffered or sustained by the Owner or by any other person who may be on the Owner’s Lands or the District’s Lands; or

(b) any loss or damage of any nature whatsoever, howsoever caused to the Owner’s Lands or the District’s Lands or any improvements or personal property thereon belonging to the Owner or to any other person;
arising directly or indirectly from compliance with the restrictions and requirements herein, wrongful or negligent failure or omission to comply with restrictions and requirements herein, or refusal, omission or failure of the District to enforce or require compliance by the Owner with the restrictions or requirements herein or with any other term, condition or provision of this Agreement.

Reasonable Care and Risk

15. The Owner shall at all times, in complying with the restrictions or requirements herein and its obligations in respect thereof, take reasonable care not to injure any person or cause or allow damage to any property, and shall take reasonable care not to cause, suffer, permit or allow any condition to exist that might reasonably lead to, cause or result in injury to any person or property including persons and property on adjacent lands. It shall be the sole responsibility of the Owner to comply and maintain compliance with the restrictions and requirements herein in a safe manner, and without reasonably foreseeable risk to person or property as aforesaid, and to comply with all Workers Compensation Board requirements in respect of the Work.

Builders Liens

16. The Owner shall comply with all requirements of the Builders Lien Act in respect of the Works and the District's Lands as if the Owner were the owner of the District's Lands and shall take all steps necessary, including any applications to the court, to remove any claim of builder's lien that may be filed against title to the District's Lands in connection with the Work. The Owner shall provide to the District prior to the commencement of the Work security in the form of an unconditional, irrevocable letter of credit in the amount of ten per cent of the estimated cost of the Work as certified by the Owner's engineer or architect. The District may upon failure of the Owner to obtain the discharge of any claim of builder's lien draw on the security to satisfy the lien claim.

Indemnity

17. The Owner shall at all times indemnify and save harmless the District of and from all loss and damage, and all actions, claims, costs, demands, expenses, fines, liabilities and suits of any nature whatsoever by whomsoever brought for which the District shall or may become liable, incur or suffer by reason of existence and effect whether direct or indirect of the restrictions or requirements herein, or breach or non-performance by the Owner of any covenant, term or provision hereof, or by reason of any work or action of the Owner in performance of its obligations hereunder, or by reason of any wrongful act or omission, default or negligence of the Owner.

No Waiver

18. No restrictions, requirements or other provisions in this Agreement shall be deemed to have been waived by the District unless a written waiver authorized by resolution of the Council.
and signed by an officer of the District has first been obtained, and without limiting the
generality of the foregoing, no condoning, excusing or overlooking by the District on
previous occasions of any default nor any previous written waiver shall be taken to operate
as a waiver by the District of any subsequent default or in any way to defeat or affect the
rights of remedies of the District.

Statutory Authority and Proprietary Rights

19. Nothing in this Agreement shall limit, impair, fetter, or derogate from the statutory powers
of the District all of which powers may be exercised by the District from time to time and at
any time to the fullest extent that the District is enabled, and no permissive bylaw enacted by
the District, or permit, license or approval, granted, made or issued thereunder, or pursuant
to Statute, by the District shall estop, limit or impair the District from relying upon and
enforcing this Agreement in its proprietary capacity as the owner of an interest in the
Owner's Lands.

Compliance with Laws

20. Despite any provision of this Agreement, the Owner shall comply with all laws, including
bylaws of the District and all regulations and orders of any authority having jurisdiction, and
to the extent only that such laws, regulations and orders are mandatory and necessarily
require the breach of any restriction or positive obligation herein to be observed or
performed by the Owner, or less than strict compliance with the terms hereof, then the
Owner upon sixty (60) days written notice to the District shall be excused from complying
with such restrictions or performing such obligation and such restriction or obligation shall
be suspended but only to the extent and for the time that such mandatory law, regulation or
order is inconsistent with compliance with the said restrictions or obligations.

Inspection

21. Without limiting the District's power of inspection conferred by statute and in addition
thereto, the District shall be entitled at all reasonable times and from time to time to enter
onto the Owner's Lands for the purpose of ensuring that the Owner is fully observing and
performing all of the restrictions and requirements in this Agreement to be observed and
performed by the Owner.

Headings

22. The headings in this Agreement are inserted for convenience only and shall not affect the
construction of this Agreement or any provision hereof.

Appendices

23. All appendices to this Agreement are incorporated into and form part of this Agreement.
Number and Gender

24. Whenever the singular or masculine or neuter is used in this Agreement, the same shall be construed to mean the plural or feminine or body corporate where the context so requires.

Successors Bound

25. All restrictions, rights and liabilities herein imposed upon or given to the respective parties shall extend to and be binding upon their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF the Owner and the District have executed this Agreement as of the date first above written.

SUNRISE OF LYNN VALLEY LIMITED

Per: ____________________________
    Name:

Per: ____________________________
    Name:

THE CORPORATION OF THE DISTRICT
OF NORTH VANCOUVER

Per: ____________________________
    Don Bell, Mayor

Per: ____________________________
    Agnes Hilsen, Clerk

[Notice of this Agreement and amendments to it will be filed in the Land Title Office and once filed this Agreement and amendments will be binding on all persons who acquire an interest in the Owner’s Lands]
June 3, 2009
File: 3060/20/9.09

AUTHOR: Kathleen Larsen, Community Planner

SUBJECT: 213/215 West Osborne Road - Chesterfield House Heritage Revitalization Agreement

RECOMMENDATION:

It is recommended that:

1. Council give the following bylaws first reading and refer them to them to a Public Hearing set for June 23, 2009:
   a) North Lonsdale – Delbrook Official Community Plan amending Bylaw 7789;
   b) Heritage Revitalization Agreement Authorization Bylaw 7787; and
   c) Heritage Designation Bylaw 7788; and

2. Council pass the following resolutions:
   a) That pursuant to Section 879 of the Local Government Act, additional consultation is not required beyond that already undertaken with respect to Bylaw 7789; and
   b) That pursuant to Section 882(3)(a) of the Local Government Act, Council has considered Bylaw 7789 in conjunction with its Financial Plan and applicable Waste Management Plan.
REASON FOR REPORT:

The Heritage Revitalization Agreement will allow for the designation and long term protection of the Chesterfield House apartment building in addition to achieving additional neighbourhood and site benefits.

SUMMARY:

Through a Heritage Revitalization Agreement the District will achieve a variety of benefits including the heritage designation of “Chesterfield House”, a Primary listed heritage building on the District’s Heritage Inventory (Lot 2). In return, the owner will be permitted to develop an adjacent vacant lot (Lot 1) for two new dwellings designed to complement the existing heritage building.

Site and Surrounding Area:

The site consists of two existing legal lots (Lots 1 and 2) on the corner of West Osborne Road and Chesterfield Avenue. Lot 1 is vacant but contains some landscaping and Chesterfield House Apartments is situated on Lot 2. It is noted that the Chesterfield House building is sited right on the common boundary between 213 and 215 West Osborne Road. The site and surrounding neighbourhood are zoned Residential Single-Family Norwood Queens (RSNQ).
BACKGROUND:

Chesterfield House was constructed in 1913 as a day and boarding school for boys and is an excellent example of an institutional building in the Craftsman/Tudor revival style with construction typical of the period. During the 1940's the building was converted into a small apartment with 10 units. The building is currently listed on the "Primary List" of the District's Heritage Inventory.

Chesterfield House Apartment Building

The adjacent vacant lot to the east at 213 West Osborne Rd is also listed on the "Primary List" of the District's Heritage Inventory as the property provides a pathway and front entrance to Chesterfield apartments while also allowing the heritage features of the apartment building to be viewed by the community and contribute to the character of the neighbourhood.

In 2008, the owners of the two subject properties submitted a building permit application to the District to allow for the construction of a 241.5m² (2600 sq ft) two storey single-family house with a full basement, secondary suite and detached garage on the vacant lot (Lot 1). Staff were concerned that this proposal would be out of character with the adjacent heritage building (Chesterfield House), and result in the loss of the pathway through to Chesterfield House along with the landscaping on the vacant lot.

As a result, Council issued a 60 day Temporary Protection Order and introduced Heritage Designation bylaws for both properties in September 2008. It was intended that the Temporary Protection order would give staff the opportunity to work with the applicant to establish a building form on the lot that would better complement the existing adjacent heritage building ("Chesterfield House").

A public hearing was held in October 2008. The hearing was subsequently closed and the Temporary Protection Order expired in November 2008.
On February 25, 2009 the Community Heritage Commission passed the following motion:

"THAT WHEREAS Chesterfield House is considered to be a unique heritage asset in the District of North Vancouver AND WHEREAS the siting, access, landscape and views to the Chesterfield House are an integral experience of this heritage asset AND WHEREAS a conventional development of a single family house on 213 West Osborne would seriously undermine the heritage experience and value THEREFORE BE IT RESOLVED THAT the Community Heritage Commission supports the proposed heritage designation for 213 West Osborne Road and 215 West Osborne Road (Chesterfield House and adjacent landscaped lot) AND FURTHER the Community Heritage Commission requests that consideration be given to the development of these lots as a single heritage property AND THAT any future development take a unified approach to heritage preservation of the house and property such as incorporating two complementary small-scale carriage houses on the north and south corners of 213 Osborne Road with a common heritage landscape."

EXISTING POLICY:

The subject properties are both designated "Residential" in the District Official Community Plan and "Low Density" in the North Lonsdale-Delbrook Official Community Plan. Both lots are also zoned RSNQ (Single-Family Norwood Queens).

ANALYSIS:

Pending the expiry of the Temporary Protection Order, the owners have worked with staff on a proposed Heritage Revitalization Agreement that will apply to the two properties.

A Heritage Revitalization Agreement is a formal voluntary agreement negotiated between a municipality and the owners of a heritage property and approved by Council. Through this type of agreement, the Local Government Act allows a municipality to negotiate among other items, variances to both the zoning and subdivision requirements that pertain to the property. The agreement may also outline the duties, obligations and benefits negotiated by both parties to the agreement. In this case, one of staff’s primary objectives of the agreement is the designation of the Chesterfield House apartment building as a protected heritage structure.

In return for allowing for the designation of Chesterfield House (Lot 2), the owners are proposing to construct two 148.4m² (1597 sq ft) single-family dwellings plus attached 37.16m² (400 sq ft) garages in keeping with the architectural style of the Chesterfield House heritage building (plans attached as Schedule B to the Heritage Revitalization Agreement). The proposed new houses will be constructed to Energuide 80 providing a high energy efficiency standard. All pavement on site will be of porous construction. No secondary suites will be permitted.
Proposed Redevelopment of Lot 1

EAST ELEVATION - CHESTERFIELD AVENUE

SOUTH ELEVATION - LANE

SOUTH ELEVATION - COURTYARD
As shown on the landscape/site plan, a common garden and entrance pathway through to Chesterfield House apartments will be maintained through the centre of the lot between the two new dwellings in order to preserve the heritage appearance of the garden, an open aspect through to the heritage apartment building from Chesterfield Street and an existing pedestrian access pathway.

*Landscape/ Site Plan*
SUBJECT: 213/215 West Osborne Road - Chesterfield House Heritage Revitalization Agreement

June 3, 2009

In return for the additional density staff have also negotiated a variety of potential neighbourhood benefits on the Chesterfield House site, including Heritage Designation of the building, additional off-street parking stalls, improved site drainage, and fire system upgrades.

Staff see this proposal as a substantial improvement to the alternative of a larger single family dwelling (with secondary suite) immediately adjacent to Chesterfield House as permitted under the zoning. In addition, the District will achieve the permanent protection of a valued heritage building along with the proposed site upgrades.

Amendment to the North Lonsdale OCP

An amendment to the North Lonsdale OCP is required to change the designation of the property from Low Density to Medium Density (with a specific maximum of 15 units per acre to allow for a maximum of two new single-family dwellings) in order to accommodate the construction of the two new dwellings.

Public Input:

On May 19, 2009, staff held an information meeting with concerned neighbourhood residents to clarify some of the issues relating to the proposal. A total of 13 neighbours were in attendance. A variety of concerns were raised primarily relating to the history of the property, and the impact of the new houses on the surrounding neighbourhood.

As the property has been historically maintained as a single parcel many of the neighbours were surprised to learn that the subject property is actually two legal lots. There was a general assumption that the heritage building on the property would preclude the possibility of any further development on the site.

Some of the neighbours in attendance also mentioned that they understood that there was an agreement in place between the District and previous owners of Chesterfield House with a variety of stipulations including restrictions to further development and a requirement for the owner of Chesterfield House to live on site.
A search of archival records at the Hall indicates no record of such an agreement pertaining to Chesterfield House. A historical title search also indicated that no agreements of this type or restrictions have ever been placed on the title of the property. Several past staff members who were involved in planning, heritage planning and the land department from the time period of 1980-2000 were also interviewed but none were aware of any agreement. If some sort of agreement did exist in the past it is not likely it could be legally enforced on subsequent landowners.

Kathleen Larsen  
Community Planner

Attachments:
A - North Lonsdale-Delbrook Amending Bylaw  
B - Heritage Revitalization Agreement Bylaw  
C - Heritage Designation Bylaw

REVIEWED WITH:
☐ Sustainable Community Development  
☐ Development Services  
☐ Utilities  
☐ Engineering Operations  
☐ Parks & Environment  
☐ Economic Development  
☐ Clerk's Office  
☐ Corporate Services  
☐ Communications  
☐ Finance  
☐ Fire Services  
☐ Human resources  
☐ ITS  
☐ Solicitor  
☐ GIS

REVIEWED WITH:
External Agencies:
☐ Library Board  
☐ NS Health  
☐ RCMP  
☐ Recreation Commission  
☐ Other:

REVIEWED WITH:
Advisory Committees:
☐

Document: 1205581
The Corporation of the District of North Vancouver

Bylaw 7789

A bylaw to amend the North Lonsdale – Delbrook Official Community Plan (Bylaw 6750)

The Council for the Corporation of the District of North Vancouver enacts as follows:

Citation
1. This bylaw may be cited as “NORTH LONSDALE – DELBROOK OFFICIAL COMMUNITY PLAN AMENDING BYLAW 6”.

Amendments
2. The North Lonsdale – Delbrook Official Community Plan Schedule in the Official Community Plan Bylaw 6750 is amended by:
   a) Changing the land use designation for the lot legally described as Lot 1 of Lot I, Blocks 4 to 13, District Lot 2026, Plan 1002 (PID: 015-035-646) and illustrated on the attached map from low density to medium density at a maximum density of 15 units per acre (6 units per ha).

READ a first time this the day of June, 2009.

PUBLIC HEARING held this the day of , 2009.

READ a second time this the day of , 2009.

READ a third time this the day of , 2009.

ADOPTED this the day of , 2009.

Mayor Municipal Clerk

Certified a true copy

Municipal Clerk
Bylaw 7789 - North Lonsdale - Delbrook
Official Community Plan Amending Bylaw 6

Proposed Development
From: Low Density Residential
To: Medium Density Residential
(at a maximum of 15 units per acre)
A bylaw to enter into a heritage agreement pursuant to section 966 of the Local Government Act (RSBC 1996, c.323)

The Council for the Corporation of the District of North Vancouver enacts as follows:

Citation
1. This bylaw may be cited as "Heritage Revitalization Authorization Agreement Bylaw 7787 - Chesterfield House".

Heritage Revitalization Agreement
2. The Council of the District of North Vancouver is authorized to enter into a Heritage Revitalization Agreement substantially in the form of the agreement attached to this Bylaw (the "Heritage Revitalization Agreement") with the owners of the properties and building located at 215 West Osborne Road and legally described as PID: 015-035-654, Lot 2 of Lot I, Blocks 4-13, District Lot 2026, Plan 1002 and 213 West Osborne Road legally described as Lot 1 of Lot I, Blocks 4 to 13, District Lot 2026, Plan 1002 (PID: 015-035-646).

Execution of Agreement
3. The Mayor and Municipal Clerk are authorized on behalf of the Council to sign the Heritage Revitalization Agreement substantially in the form attached as Schedule A and titled "Heritage Revitalization Agreement - Chesterfield House" and forming part of this Bylaw.

READ a first time this the day of , 2009.

PUBLIC HEARING held this the day of , 2009.

READ a second time this the day of , 2009.

READ a third time this the day of , 2009.

ADOPTED this the day of , 2009.

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

Document: 1205889
HERITAGE REVITALIZATION AGREEMENT

CHESTERFIELD HOUSE

This Agreement made the day of 12009,

BETWEEN:

TINA CHOW AND LIANG QIAO
25990 – 48th Avenue
Aldergrove, BC V4W 1J2

(the "Owner")

AND:

DISTRICT OF NORTH VANCOUVER
355 West Queens Road
North Vancouver, BC V7N 4N5

(the "District")

WHEREAS:

A. The Owner is the registered Owner in fee simple of the following lands and premises at 213 and 215 West Osborne Road in the District of North Vancouver, British Columbia and legally described as:

PID: 015-035-646, Lot 1 of I, Blocks 4-13, District Lot 2026, Plan 1002 ("Lot 1")

and

PID: 015-035-654, Lot 2 of I, Blocks 4-13, District Lot 2026, Plan 1002 ("Lot 2")

(collectively, the "Lands");

B. The District and the Owner consider that these Lands, including the house located on Lot 2 ("Chesterfield House") and the landscaping located on Lot 1, have heritage value which should be protected and preserved;

C. Section 966 of the Local Government Act authorizes a local government to enter into a Heritage Revitalization Agreement with the owners of heritage property allowing variations of, and supplements to, the provisions of a zoning bylaw, subdivision bylaw, development permit and heritage alteration permit;
D. For the purpose of conserving the heritage value of Chesterfield House, the Owner and the District have agreed to enter into this Agreement setting out the terms and conditions of continuing protection for the heritage character and heritage value of this heritage building;

E. The improvements on and heritage character of Chesterfield House and the landscaping on Lot 1 which both the Owner and the District desire to conserve and which constitute the heritage value of the Lands have been described by text, photographs and plans attached as Schedule A to this Agreement;

In consideration of the mutual promises of the parties and for other good and valuable consideration (the receipt and sufficiency of which is acknowledged), the Owner and the District covenant and agree pursuant to Section 966 of the Local Government Act as follows:

Interpretation

1. In this Agreement:

   (a) "Conservation" includes, in relation to heritage, any activity undertaken to protect, preserve or enhance the heritage value or heritage character of heritage property or an area;

   (b) "Director" means the District’s Director of Planning, Permits & Bylaws;

   (c) "Heritage character" means the overall effect produced by traits or features which give property or an area a distinctive quality or appearance; and

   (d) "Heritage value" means historical, cultural, aesthetic, scientific or educational worth or usefulness of property or an area.

Heritage Revitalization

2. The parties agree that the Lands have heritage value, deserving of protection and conservation and the Owner specifically agrees to maintain, preserve and protect the heritage character of Chesterfield House as well as the landscaping (the “Heritage Landscaping”) located on Lot 1 and more particularly described in Schedule A in accordance with this Agreement.

3. The parties agree that notwithstanding the provisions of District bylaw requirements related to the existing RSNQ zoning on the Property, the Lands may be used and developed in the following manner:

   (a) Retain Chesterfield House as a 10-unit multi-family residential building on Lot 2 constituting a non-conforming use in accordance with the provisions of section 911 of the Local Government Act;
(b) Retain the Heritage Landscaping and the additional landscaping to be completed in accordance with the landscape plan under section 7 on Lot 1;

(c) Develop Lot 1 in accordance with the plans attached as Schedule B, provided that in no event shall the floor space, as defined in the District's Zoning Bylaw 3210, of either of the buildings to be constructed on Lot 1 exceed 148.2 m² (1595 sq ft) plus an attached garage of a maximum of 37.16 m² (400 sq ft); and all in accordance with the terms and conditions of this Agreement.

4. The Owner expressly acknowledges that Lot 1 may only be developed in accordance with this Agreement and that upon execution of this Agreement, any right to develop under the provisions of the RSNQ zoning in the District Zoning Bylaw 3210 ceases.

Lot 1

5. The Owner expressly acknowledges and agrees that it is a condition of entering into this Agreement that the following documents be registered in the Land Title Office against title to Lot 1 prior to the Council for the District adopting the Heritage Revitalization Agreement Authorization Bylaw 7787 which authorizes the District to enter into this Agreement:

   (a) an access easement in favour of Lot 2 granting pedestrian access across Lot 1 to Chesterfield Avenue generally in the location of the pathway delineated on the landscape plan in Schedule B; and

   (b) a restrictive covenant requiring that the landscaped areas referenced in section (3)(b) are retained and maintained in accordance with the terms and conditions of such covenant,

both in a form acceptable to the Municipal Solicitor.

6. The Owner agrees that the development of Lot 1 shall include the following components:

   (a) Construction to Energuide 80 standard;

   (b) All pavement on the site to be of porous construction;

   (c) Non combustible construction on the west elevations (including the roof) of the new buildings;

   (d) Exterior colour scheme of the proposed dwellings to complement Chesterfield House and to be approved by the Director in advance, with future colour changes to be similarly approved; and

   (e) Secondary suites are not permitted.
7. The Owner further agrees to prepare a detailed landscape plan and boulevard planting plan which creates a heritage garden setting to complement the heritage character of Chesterfield House (the "Landscaping and Site Plan"). The Owner agrees to submit the Landscaping and Site Plan to the Director for approval prior to issuance of a building permit.

8. Notwithstanding any other term of this Agreement, prior to commencing any development work on Lot 1, the Owner must obtain all necessary permits and approvals from the District.

Lot 2

9. The Owner agrees to maintain Chesterfield House to such a standard which, in the opinion of the Director, retains the heritage character and heritage value of the building and site. The Owner further acknowledges that the District Standards of Maintenance Bylaw 6917 which protects the interests of tenants in rental buildings applies to this building.

10. The Owner specifically acknowledges and agrees as follows:

   (a) Alterations and improvements to the exterior of Chesterfield House will require a Heritage Alteration permit issued by the Director;

   (b) A maximum of 10 apartment units are permitted on the site as a legal non-conforming use and are subject to the limitations of Section 911 of the Local Government Act;

   (c) The existing entrance stairway on the east elevation of the building shall be reconstructed to reflect its original configuration as shown on the Landscaping and Site Plan and in accordance with a building permit issued by the District;

   (d) The existing garage may be used for parking purposes only and no accessory use is permitted;

   (e) Parking stalls shall be constructed on the rear of Lot 2 as shown on the final approved landscape/site plan;

   (f) The building fire prevention system shall be upgraded to the satisfaction of the Chief Building Official and must include the following:

      i. a monitored fire alarm system;

      ii. smoke alarms that are hard-wired and interconnected on all floors of the building, including the basement; and

      iii. heat detectors in the basement storage room;

   or an equivalent fire prevention system which has been approved by the Chief Building Official; and
(g) Stormwater on the site must be managed by collecting and piping it to the municipal storm system to the satisfaction of the Chief Building Official;

(h) The landscape plan referred to in item 7 shall also address landscaping in the front yard of Chesterfield House Apartments along West Osborne Road. Such landscaping shall be chosen to complement Chesterfield House and to reflect the heritage setting of the property.

11. The Owner agrees to complete construction and/or installation of the stairway, parking stalls, fire prevention system upgrades, and stormwater drainage system referred to in sections 10(c), (e), (f), and (g) no later than two years following adoption of Heritage Revitalization Agreement Authorization Bylaw 7787.

12. The parties agree that the exterior of Chesterfield House shall be designated as protected heritage property pursuant to section 967 of the Local Government Act.

Discretion

13. Wherever in this Agreement a heritage alteration permit is required, the discretion to approve, refuse or issue such permit is delegated by the District to the Director and:

(a) such exercise of discretion relating to the issuance of the heritage alteration permit shall be made by the Director acting reasonably in accordance with sound municipal heritage and conservation practice;

(b) such exercise of discretion, including any terms and conditions imposed, shall be consistent with the Local Government Act, and with the intent of preserving the heritage character and heritage value of Chesterfield House and its setting; and

(c) the Director may refer any exercise of discretion to the District of North Vancouver Community Heritage Commission for advice.

Heritage Alteration Permits

14. In accordance with the terms and conditions of this Agreement, the Owner shall not alter the exterior heritage character or the exterior appearance of Chesterfield House except as permitted by a Heritage Alteration Permit issued by the District.

Construction and Maintenance of Works

15. Wherever in this Agreement the Owner is issued a heritage alteration permit to restore, rehabilitate, replicate, repair, replace, maintain or in any way alter improvements on, or features of Chesterfield House or the Lands, or to construct or maintain other works to protect or conserve such improvements or features, all such work shall be done at the Owner's sole expense strictly in accordance with the heritage alteration permit and all plans and specifications forming part thereof and shall be diligently and continuously maintained in good repair and efficient operating condition by the
Owner at the Owner's sole expense in accordance with good engineering, design, heritage and conservation practice.

Compliance with District Bylaws

16. Except as expressly permitted by this Agreement, any development or use of the Lands, including any construction, restoration, and repair of Chesterfield House, must comply with all applicable bylaws of the District.

Damage or Destruction

17. Subject to section 19, in the event that Chesterfield House is damaged, the parties agree that the Owner must repair the building, in which event the Owners shall forthwith commence the repair work and complete the same within one year of the date of damage.

18. In the event that Chesterfield House is damaged or destroyed to the extent of 75% or more of its value above its foundations, as determined by the Chief Building Official, the terms of this Agreement which relate to Chesterfield House shall cease to be of any effect and thereafter all use and occupation of Lot 2 shall be in accordance with the District Zoning Bylaw No. 3210, as amended, and in accordance with all other bylaws or regulations of the District or any other laws of an authority having jurisdiction. For clarity, in the event of damage or destruction of Chesterfield House as outlined above, the remainder of this Agreement continues to apply to Lot 1.

Breach

19. In the event that the Owner is in breach of a material term of this Agreement, the District may give the Owner notice in writing of the breach and the Owner shall ensure it does nothing to further the breach and shall remedy the breach within 30 days of receipt of the notice. In the event that the Owner fails to remedy the breach within the time allotted by the notice, the District may by bylaw cancel this Agreement with respect to Chesterfield House whereupon all use and occupation of Lot 2 shall be in accordance with the District Zoning Bylaw 3210, as amended, and in accordance with all other bylaws or regulations of the District or any other laws of authority having jurisdiction.

Amendment

20. The parties acknowledge and agree that this Agreement may only be amended by one of the following means:

(a) By bylaw with the consent of the parties provided that a public hearing shall be held if an amendment would permit a change to use or density of use on the Lands; or

(b) By Heritage Alteration Permit issued pursuant to section 972 of the Local Government Act.

Representations

21. It is mutually understood and agreed that the District has made no representations, covenants, warranties, promises or agreements, express or implied, other than those contained in this Agreement.
Statutory Functions

22. Except as expressly varied or supplemented herein, this Agreement shall not prejudice or affect the rights and powers of the District in the exercise of its statutory functions and responsibilities, including, but not limited to, the Local Government Act and its rights and powers under any enactments, bylaws, order or regulations, all of which, except as expressly varied or supplemented herein, are applicable to the Property.

No Liability to District

23. In no case shall the District be liable or responsible in any way for:

(a) any personal injury, death or consequential damage of any nature whatever, however caused, that may be suffered or sustained by the Owner or by any other person who may be on the Lands; or

(b) any loss or damage of any nature whatever, however caused to the Lands or any improvements or personal property thereon belonging to the Owner or to any other person;

arising directly or indirectly from compliance with the restrictions and requirements herein, wrongful or negligent failure or omission to comply with restrictions and requirements herein, or refusal, omission or failure of the District to enforce or require compliance by the Owner with the restrictions or requirements herein or with any other term condition or provision of this Agreement.

Indemnity

24. The Owners shall at all times indemnify and save harmless the District of and from all loss and damage, and all actions, claims, costs, demands, expenses, fines, liabilities and suites of any nature whatsoever by whomsoever brought for which the District shall or may become liable, incur or suffer by reason of existence and effect whether direct or indirect of the restrictions or requirements herein, or breach or non-performance by the Owners of any covenant, term or provision hereof, or by reason of any work or action of the Owners in performance of its obligations hereunder, or by reason of any wrongful act or omission, default or negligence of the Owners.

Alternative Remedies

25. Any performance by the District pursuant to a statutory right to perform the obligations of an Owner arising out of this Agreement, including out of any heritage alteration permit issued out of this Agreement, may be exercised fully in accordance with the Local Government Act, and shall be without prejudice to any and all other remedies at law and equity available to the District, and no reference herein to, or exercise of any specific right or remedy by the District, shall preclude the District from exercising any other right or remedy.
Damages

26. The Owner covenants and agrees that the measure of damages for any breach of the restrictions or requirements of this Agreement shall include, but shall not be limited to, the actual cost and expense of all administration, labour, materials, equipment, services and work required for all remedial acts necessary to fully restore, rehabilitate, replace or maintain the building, structure, improvement on or feature of the Lands having heritage value to be protected, conserved, preserved or kept in its natural state. The nature and extent of any breach of the said restrictions and requirements, and the nature and extent of any restoration, rehabilitation, replacement, maintenance or remedial work or action of any nature required to remedy such breach shall be determined by the District in its sole discretion.

No Waiver

27. No restrictions, requirements or other provisions in this Agreement shall be deemed to have been waived by the District unless a written waiver authorized by resolution of the Council and signed by an officer of the District has first been obtained, and without limiting the generality of the foregoing, no condoning, excusing or overlooking by the District on previous occasions of any default nor any previous written waiver shall be taken to operate as a waiver by the District of any subsequent default or in any way to defeat or affect the rights of remedies the District.

Statutory Authority and Proprietary Rights

28. Nothing in this Agreement shall limit, impair, fetter, or derogate from the statutory powers of the District, all of which powers may be exercised by the District from time to time and at any time to the fullest extent that the District is enabled, and no permissive bylaw enacted by the District, or permit, license or approval, granted, made or issued thereunder, or pursuant to statute, by the District shall estop, limit or impair the District from relying upon and enforcing this Agreement.

Compliance with Laws

29. Despite any provision of this Agreement, the Owner shall comply with all laws, including bylaws of the District and all regulations and orders of any authority having jurisdiction, and to the extent only that such laws, regulations and orders are mandatory and necessarily require the breach of any restriction or positive obligation herein to be observed or performed by the Owner, or less than strict compliance with the terms hereof, then the Owners upon sixty (60) days’ written notice to the District shall be excused from complying with such restrictions or performing such obligation and such restriction or obligation shall be suspended but only to the extent and for the time that such mandatory law, regulation or order is inconsistent with compliance with the said restrictions or obligations.

Notice

30. Any notice to be given hereunder shall be in writing and may be either delivered personally or sent by prepaid registered mail and if so mailed shall be deemed to have been given five (5) days following the date upon which it was mailed. The address of the parties for the purpose of notice shall be as follows:
To the District:

Attention: Municipal Clerk
District of North Vancouver
355 West Queens Road
North Vancouver, BC V7N 4N5

If to the Owners:

Tina Chow and Liang Qiao
25990 – 48th Avenue
Aldergrove, BC V4W 1J2

Any party hereto may at any time give notice in writing to the other of any change of address and after the third day of the giving of such notice the address therein specified shall be the address of such part for the giving of notices.

Arbitration

31. The Owner, if dissatisfied with the District’s interpretation of this Agreement or the application of any material term of this Agreement, may require that the matter be decided and determined by binding arbitration as follows:

(a) the Owner must, within fourteen (14) days of any exercise of discretion by the District, give notice to the District of its intention to dispute and in such notice shall name a member in good standing of the Architectural Institute of British Columbia who has agreed to act as an arbitrator;

(b) the District shall within seven (7) days of receipt of the notice of dispute either accept the Owner’s arbitrator, or name another with the same qualifications willing to act, and shall give notice of the same to the Owner;

(c) where the Owner and the District have each named an arbitrator, the two arbitrators shall within fourteen (14) days of the District’s notice pursuant to section 32(b) appoint a third arbitrator having the same qualifications and the three arbitrators shall decide the dispute;

(d) where the District accepts the arbitrator first selected by the Owner, that arbitrator shall act as a single arbitrator and forthwith decide the dispute;

(e) any arbitrator’s decision in respect of the exercise of a discretion by the District shall be final, conclusive and binding on all parties.
Inspection

32. Without limiting the District’s power of inspection conferred by statute and in addition thereto, the District shall be entitled at all reasonable times and from time to time to enter onto the Lands for the purpose of ensuring that the Owner is fully observing and performing all of the restrictions and requirements in this Agreement to be observed and performed by the Owner.

Severance

33. If any part of this Agreement is for any reason held to be invalid by a court of competent jurisdiction, the invalid portion is to be severed from the rest of this Agreement and the decision that it is invalid does not affect the validity of the remainder of this Agreement.

Headings

34. The headings in this Agreement are inserted for convenience only and shall not affect the construction of this Agreement or any provision hereof.

Successors Bound

35. All restrictions, rights and liabilities herein imposed upon or given to the respective parties shall extend to and be binding upon their respective heirs, executors, administrators, successors and assigns. When the Owner is more than one party they shall be bound jointly and severally by the terms, covenants and agreements herein on the part of the Owner.

36. The District will file a notice in the Land Title Office in accordance with section 966 of the Local Government Act and upon registration of such notice, this Agreement and any amendment to it shall be binding on all persons who acquire an interest in the land affected by this Agreement.

Other Documents

37. The Owner agrees at the request of the District to execute and deliver or cause to be executed and delivered all such further agreements, documents and instruments and to do and perform or cause to done and performed all acts and things as may be required in the opinion of the District to give full effect to this Agreement.

The remainder of this page is intentionally left blank
No Partnership or Agency

38. The parties agree that nothing contained in this Agreement creates a partnership, joint venture or agency relationship between the parties.

The Owner and the District have executed this Agreement as of the date first above written.

Signed, Sealed and Delivered by Tina Chow and Liang Qiao in the presence of:

________________________) Tina Chow
Name

________________________) Liang Qiao
Address

________________________)
Occupation

Signed by the duly authorized signatories of the District of North Vancouver:

________________________) Richard Walton, Mayor

________________________) James Gordon, Clerk
SCHEDULE A to Heritage Revitalization Agreement – Bylaw 7787 – “Chesterfield House“
Heritage Features of Chesterfield House Apartments and Landscaping Features to be Retained

215 Chesterfield Avenue (“Chesterfield House Apartments”) – North Elevation (June 5, 2009)

215 Chesterfield Avenue (“Chesterfield House Apartments”) – East Elevation (June 5, 2009)
SCHEDULE A to Heritage Revitalization Agreement – Bylaw 7787 – “Chesterfield House”
Heritage Features of Chesterfield House Apartments and Landscaping Features to be Retained

215 Chesterfield Avenue ("Chesterfield House Apartments") – South Elevation (June 5, 2009)

215 Chesterfield Avenue ("Chesterfield House Apartments") – West Elevation (June 5, 2009)
SCHEDULE A to Heritage Revitalization Agreement – Bylaw 7787 – “Chesterfield House”
Heritage Features of Chesterfield House Apartments and Landscaping Features to be Retained

Existing Pathway and Heritage garden features through 213 Chesterfield (Lot 1) - June 5, 2009
SCHEDULE A to Heritage Revitalization Agreement – Bylaw 7787 – "Chesterfield House"  
Heritage Features of Chesterfield House Apartments and Landscaping Features to be Retained

Heritage garden feature - 213 Chesterfield (Lot 1) - June 5, 2009

East property line of 215 Chesterfield
The District of North Vancouver

REPORT TO COUNCIL

November 8, 2011
File: 3060/20/59.11

AUTHOR: Kathleen Larsen, Community Planner

SUBJECT: Bylaws 7908 and 7909: 1160 Ridgewood Drive – Heritage Revitalization Agreement and Heritage Designation

RECOMMENDATION:

It is recommended that:

1. Council give bylaws 7908 and 7909 first reading to allow for redevelopment under a heritage revitalization agreement and heritage designation of the property at 1160 Ridgewood Drive and Council refer these bylaws to a Public Hearing.

REASON FOR REPORT:

The Heritage Designation Bylaw and Heritage Revitalization Agreement Bylaw will allow for the development and subsequent designation and long term protection of 1160 Ridgewood Drive that includes a Fred Hollingsworth designed house which is listed on the District’s Modern Heritage Inventory.

SUMMARY:

Through the proposed bylaws the District will achieve heritage designation and the permanent protection of a retained portion of “Forster House”, a Secondary listed heritage building on the District’s Modern Heritage Inventory. In return, the owner will be permitted to retain the foundation of the house adjacent to the creek and construct a new addition on the north side of the house. The Agreement will also allow for the construction of a combined coach house and single car garage along the east property line.
Site and Surrounding Area:

The site and surrounding neighbourhood to the east is zoned Residential Single-Family Edgemont (RSE). To the west are single-family properties zoned Residential Single-Family Edgemont West (RSEW). McCartney creek runs through the northern portion of the site. Directly to the southwest of the site on the corner of Sunset Blvd and Ridgewood Drive is District owned property zoned Natural Parkland (NPL).

The existing approximate 206.9m² (2227 sq ft) house on the 1272.9 m² (13,702 sq ft) lot is located at its closest point approximately 4.6m (15 ft) from the top of the creek bank. The lot is heavily treed primarily with hemlock and cedar. An existing approximately 78.1m² (841 sq ft) detached suite and carport is located on the south side of the subject house partially on the property to the east. Although the District has no records of building permits for this structure a legal easement is in place to allow for the building to occupy the portion of the adjacent property at 3395 Edgemont road.

BACKGROUND:

The subject property contains the Forster Residence which was constructed in 1950 and designed in the West Coast Modern Style by renowned architect Fred Thornton Hollingsworth. The building is considered a significant heritage resource with a variety of West Coast Modern Design features including a prow-shaped front wall with an internal fireplace, diamond bay windows, and coloured glass windows along with blue slate steps at the entry-way. The house is listed both on the "Secondary List" of the District’s Modern Heritage Inventory and as a potential candidate for the District’s Heritage Register.

The coach house structure and carport were not designed by Hollingsworth and were constructed in the following years. It is noted that the carport is partially located on a neighbouring property enabled by the benefit of a private easement.
The existing house and coach house/carport structure are currently in poor condition and not considered safe for occupancy. In meeting with staff about redevelopment opportunities a new owner of the property indicated a desire to retain the heritage house on the existing footprint of the house directly adjacent to the creek.

Consideration of a Heritage Revitalization Agreement process was explored as a possible alternative that would allow for some flexibility in the redevelopment of the site and still allow for the retention of a portion of the existing heritage house. In order to move forward with this process the applicant has provided both redevelopment plans and a detailed heritage assessment and conservation plan for the site completed by Donald Luxton, Heritage Consultant (attached as Schedule A to the Heritage Revitalization Agreement). The owner has also agreed to the designation and permanent protection of both the property and retained portion of the heritage house.

"Forster House" with Coach House in foreground - 1160 Ridgewood Drive

EXISTING POLICY:

The subject property is designated “Residential” in the District Official Community Plan and for reference as “Detached Residential” in the Upper Capilano Official Community Plan. The lot is zoned RSE (Single-Family Edgemont)

The proposal is in keeping with policy 6.5.4 of the District’s Official Community Plan that stipulates an objective to ensure a clear sense of identity and links to the past present and future and specifically to:

6.5. 4. Encourage the protection and enhancement of building and sites which have historic significance to the community by exploring opportunities to use the tools and incentives available under the Local Government Act (page 57)
The owners have worked with staff on a proposed Heritage Revitalization Agreement that will apply to the property. A Heritage Revitalization Agreement is a formal voluntary agreement negotiated between a municipality and the owners of a heritage property and approved by Council. Through this type of agreement, the Local Government Act allows a municipality to negotiate among other items, variances to the zoning requirements that pertain to the property. The agreement may also outline the duties, obligations and benefits negotiated by both parties to the agreement.

In this case, one of the primary objectives of the agreement is the designation of the retained portion of Forster House as a permanently protected heritage structure. The Heritage Revitalization Agreement will ensure that the integrity of the retained heritage portion of the house is not compromised by the new construction and can be maintained over an extended period of time. In addition the HRA will require that the addition to the house be undertaken in a manner sympathetic to the architectural style of the existing house. Under the designation bylaw any future change to the structures on the property will require a Heritage Alteration Permit approved by the General Manager of Planning, Properties and Permits.

As part of the Heritage Revitalization Agreement the owners are proposing the retention and rehabilitation of an 82.68m² (890 sq ft) portion of the existing Forster House together with a new 240.1 m² (2,585 sq ft) two storey addition to the north side of the existing house. Also proposed is the replacement of an existing detached guest room and carport on the site with a new 68.74m² (740 sq ft) coach house and 18.6m² (200 sq ft) single-car garage along the east property line. Plans are attached as Schedule B to the Heritage Revitalization Agreement. The existing carport structure which currently extends onto the property to the east will be removed as part of this proposal and all of the new construction will be located entirely on the subject site.

The maximum permitted floorspace in the RSE zone is 325.1m² (3500 sq ft) regardless of the size of the lot. As the total floorspace proposed for the lot is 349.8m² (3765 sq ft) the owners are asking that the additional 24.6m² (265 sq ft) of floorspace be permitted to assist in the additional costs incurred by the rehabilitation of the historic portion of the house. This additional floorspace will increase the permitted density on the lot. A Heritage Revitalization Agreement can vary both use and density with the provision of a Public Hearing.

The Heritage Revitalization Agreement will also specifically prohibit the subdivision of the property or secondary suites in either the principal dwelling or coach house structure.

Given that only a portion of the heritage house is being retained staff have requested a letter from the Heritage Consultant to verify that the property would be worthy of designation should the proposed redevelopment plans be approved. This letter is attached for the information of Council as Attachment A.
Existing Site Plan
Proposed Elevation Plans

Retained Heritage House

SOUTH ELEVATION

Retained Heritage House

EAST ELEVATION

Retained Heritage House

NORTH ELEVATION

Retained Heritage House

WEST ELEVATION

Retained Heritage House
In keeping with the submitted Conservation Plan the section of the house that includes the prominent heritage features including the main entrance, kitchen, living and dining room will be retained and rehabilitated. The Heritage Revitalization Agreement stipulates that this work will be undertaken under the guidance and review of a qualified Heritage Consultant approved by the District. A maintenance plan submitted by the Heritage Consultant for the retained portion of the heritage house will also be required prior to issuance of a building permit.

1160 Ridgewood – Sample of Heritage Features in Retained Potion of House

Green Building:

In accordance with District requirements all new construction on the site must meet a minimum energy performance baseline of EnerGuide 80 and achieve a performance level equivalent to the Built Green ‘Gold’ standard. All pavement on the site will be of porous construction. These requirements will also be included as part of the Heritage Agreement.

As outlined in the attached Conservation Plan and required under the Heritage Agreement, energy efficiency considerations that reflect the specific site and heritage structure will be
applied to the restored portion of the heritage house through the use of Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada. As part of the conservation project this process will be overseen by a Heritage Consultant approved by the District.

Environment:

As the property is in a Streamside Protection Area the Heritage Revitalization Agreement will require:

- An environmental management plan which ensures tree protection and protection of the creek during the construction process; and
- A tree re-planting plan which provides for the planting of three new native trees from the District’s approved native species list for each tree approved for removal by the District; and
- An environmental habitat compensation plan prepared by a qualified environmental professional providing for the restoration of approximately 1275 sq ft of riparian area on the subject lands. Typically these type of restoration works can be achieved by removing invasive plant species, and providing new native planting or supplementing existing native vegetation with new vegetation.

The development permit will also require a landscape plan that details all the environmental protection and compensation measures. This plan must be reviewed and approved by District Staff prior to issuance of any Building Permits. A security deposit will be required to ensure that all environmental protection measures, replanting and compensation works are completed in accordance with the development permit requirements.

Public Input:

The application was circulated to the Edgemont Community Association, as well as to 46 properties within 75m of the subject site. The Edgemont Community Association has indicated that they have no comments on this proposal. Five residents have contacted the District with responses to the application.

Most inquiries required clarification regarding the Heritage Revitalization process. One neighbour adjacent to the creek to the west required clarification on the impact to the creek and bank area of the house. Another neighbour to the south at 1150 Ridgewood while supportive of the HRA concept expressed some concern about tree removal and the siting of the coach house adjacent to his lot.

The applicant has worked with the adjacent neighbour directly to the east at 3395 Edgemont Boulevard to minimize the impact of the new construction and any potential loss of privacy on their property. The applicant has agreed to both a tree planting plan on their property and adjustments to the decks on the east side of the new addition to Forster House to address the neighbour’s concerns.
Another neighbour within the notification area voiced general concerns regarding encroachments into creek areas.

Fred Hollingsworth, the architect who originally designed the subject house, also still resides within the notification area. In response to his enquiry regarding the application, staff visited him at his house to clarify the application process and discuss the applicant’s plans for redevelopment.

Conclusion:

Under Provincial Heritage Legislation, a heritage house cannot be designated and protected without the permission of the owner or appropriate compensation from the municipality. The Heritage Revitalization Agreement process is one of a few incentives that can be offered by local government to the homeowner to encourage the designation and permanent protection of a heritage home. In keeping with the attached letter of support provided by the Heritage consultant staff, see this proposal as an opportunity to retain and rehabilitate a portion of a valued heritage resource and feel the potential designation and Heritage Revitalization Agreement merit Council and community consideration.

Options:

The following options are available for Council’s consideration:

1. Introduce Bylaw 7908 and 7909 and refer the bylaws to Public Hearing (Staff Recommendation); or
2. Defeat Bylaws 7908 and 7909 at first reading.

Kathleen Larsen
Community Planner

Attachments:
A - Letter of support from Heritage Consultant Donald Luxton
B - Heritage Revitalization Agreement Bylaw 7908
C - Heritage Designation Bylaw 7909
Wednesday, August 24, 2011

Ms. Kathleen Larsen  
Community Planner  
District of North Vancouver  
355 West Queens Road  
North Vancouver, BC V7N 4N5

Dear Ms. Larsen;

RE: Forster Residence, 1160 Ridgewood Drive  
Heritage Revitalization Agreement and proposed Heritage Designation

The 1950 Forster Residence was designed by renowned architect Fred Thornton Hollingsworth, and is a significant heritage resource. It is presently listed in the Building Heritage Inventory of the District of North Vancouver. This proposed project will involve the preservation of the original front section of the house and a rehabilitation of the rear portion. The drawings for the rehabilitation of the historic site were prepared by Vernacular Design Inc. and include:

- Site plan with the location of all buildings and parking layout
- Floor plans including proposed uses and area calculations
- Building elevations

The proposed design follows the design principles developed by F.T. Hollingsworth, and the new construction is sympathetic to the historic portion of the house that is to be retained. The proposed interventions are itemized in the Forster Residence Conservation Plan (August 2011) that has been prepared by our firm, and have been reviewed using the Standards and Guidelines for the Conservation of Historic Places in Canada.

Due to the intrinsic heritage value and characteristic-defining elements of the historic house, and considering existing the environmental and material conditions outlined in our Conservation Plan, we support the proposed rehabilitation of the site. As designed and ultimately constructed, the subject property should be protected through municipal heritage designation [Local Government Act S.967-968]. This legal protection should include the retained portion of the heritage house, the contemporary interventions and the site itself. This will allow for continuing protection of the house as well as design control of any future interventions. The site can also be officially listed on a Heritage Register by Resolution of Council [Local Government Act S.954].

If you have questions regarding our recommendations noted in this letter, please do not hesitate to contact us.

Sincerely

Donald Luxton, FRAIC  
Donald Luxton & Associates Inc.
Bylaw 7908

A bylaw to enter into a heritage agreement
pursuant to section 966 of the Local Government Act (RSBC 1996, c.323)

The Council for The Corporation of the District of North Vancouver enacts as follows:

Citation
1. This bylaw may be cited as "Heritage Revitalization Agreement Authorization Bylaw - 1160 Ridgewood Drive, Bylaw 7908, 2011".

Heritage Revitalization Agreement
2. The Council is authorized to enter into a Heritage Revitalization Agreement substantially in the form of the agreement attached to this Bylaw (the "Heritage Revitalization Agreement") with the owners of the lands located at 1160 Ridgewood Drive and legally described as: PID: 010-398-015, Lot 9 Block 68, District Lots 598 to 601, Plan 7661.

Execution of Agreement
3. The Mayor and Municipal Clerk are authorized on behalf of the Council to sign the Heritage Revitalization Agreement substantially in the form attached as Schedule A and titled "Heritage Revitalization Agreement – Forster House" and forming part of this Bylaw.

READ a first time the
PUBLIC HEARING held the
READ a second time the
READ a third time the

ADOPTED the

Mayor

Municipal Clerk

Certified a true copy

Municipal Clerk

Document 1720953
Schedule A to Bylaw 7908
HERITAGE REVITALIZATION AGREEMENT

Forster House

This Agreement made the day of , 2011,

BETWEEN:

Arman Tehrani
2505 Westhill Drive
West Vancouver BC V7S 3A3

and

Amin Eskooch
907 - 689 Abbott St
Vancouver BC V6B 0J2

(the “Owner”)

AND:

District of North Vancouver
355 West Queens Road
North Vancouver, BC V7N 4N5

(the “District”)

WHEREAS:

A. The Owners are the registered owners in fee simple of the following lands and premises at 1160 Ridgewood Drive in the District of North Vancouver, British Columbia and legally described as:

   PID: 010-398-015, Lot 9 Block 68 District Lots 598 to 601 Plan 7661

   (the “Lands”);

B. The District and the Owner consider that the Lands, including the residential building located on the Lands at the date of this Agreement (“Forster House”), have heritage value which should be protected and preserved;

C. Section 966 of the Local Government Act, RSBC 1996, c. 323 authorizes a local government to enter into a Heritage Revitalization Agreement with the owners of heritage property allowing variations of, and supplements to, the provisions of a zoning bylaw, subdivision bylaw, development permit and Heritage Alteration Permit;
D. For the purpose of conserving the heritage value of Forster House and the Lands, the Owner and the District have agreed to enter into this Agreement setting out the terms and conditions of continuing protection for the heritage character and heritage value of this heritage building and the surrounding land;

E. The heritage character and heritage value of Forster House and the Lands which both the Owner and the District desire to conserve have been described in the Conservation Plan completed by Donald Luxton Associates Inc., dated August 2011 attached as Schedule A to this Agreement (the "Conservation Plan");

F. Council of the District of North Vancouver has adopted Bylaw No. 7908 authorizing this Heritage Revitalization Agreement.

In consideration of the mutual promises of the parties and for other good and valuable consideration (the receipt and sufficiency of which is acknowledged), the Owner and the District covenant and agree pursuant to Section 966 of the Local Government Act as follows:

1. Interpretation. In this Agreement:
   (a) "Chief Building Official" means the District's Manager of Development Services;
   (b) "Conservation" includes, in relation to heritage, any activity undertaken to protect, preserve or enhance the heritage value or heritage character of heritage property or an area;
   (c) "Director" means the District's General Manager of Planning, Properties & Permits;
   (d) "Heritage Alteration Permit" means a permit issued by District pursuant to section 972 of the Local Government Act, RSBC 1996, c. 323,
   (e) "Heritage character" means the overall effect produced by traits or features which give property or an area a distinctive quality or appearance; and
   (f) "Heritage value" means historical, cultural, aesthetic, scientific or educational worth or usefulness of property or an area.

2. Heritage Revitalization. The parties agree that the Lands, including Forster House, have heritage value, deserving of protection and conservation and the Owner specifically agrees to maintain, preserve and protect the heritage character of the Lands and Forster House in accordance with this Agreement.

3. Heritage Designation. The parties agree that the Lands and the Retained Portion of Forster House (defined below) are to be designated as protected heritage property pursuant to section 967 of the Local Government Act.
4. **Registration.** Upon adoption of the Heritage Revitalization Agreement Authorization Bylaw 7908, the Owner agrees to register this Agreement against title to the Lands in the form of a section 219 covenant in favour of the District and in priority to all financial charges.

5. **Development.** The Owner expressly acknowledges that the Lands may only be developed

   (a) in accordance with the terms and conditions of this Agreement; and

   (b) in accordance with the Conservation Plan with oversight by a qualified heritage professional approved by the District.

6. The parties agree that notwithstanding the provisions of District Zoning Bylaw 3210, as amended from time to time, the Lands may be used and developed in substantial accordance with the plans attached as Schedule B and in accordance with this Agreement, including:

   (a) Retention of a portion of Forster House (the "Retained Portion"); and

   (b) Construction of a 2-storey addition onto Forster House and a detached coach house (the "Additional Construction").

7. The parties agree that in no event shall the total floor space on the property, as defined in the District’s Zoning Bylaw 3210, exceed 350m² (3765 sq ft).

8. **No Subdivision.** The Owner specifically acknowledges that notwithstanding any of the terms or conditions of this Agreement or of any District bylaw, the Lands may not be subdivided in any form including but not limited to creation of a new fee simple, air space or strata lot.

9. The Owner agrees that the Additional Construction on the Lands shall conform to the following:

   (a) Construction to Energuide 80 standard with a performance level equivalent to Built Green ‘Gold’ Standard;

   (b) All paved surfaces on the Lands to be of porous construction;

   (c) Exterior colour scheme of the proposed dwellings is to be complementary to Forster House and to be approved by the Director in advance, with any and all future colour changes to be similarly approved; and

   (d) No more than two dwellings are permitted on the Lands, such dwellings to be comprised of one principal dwelling and one coach house which are to be constructed as the Additional Construction in accordance with the plans attached as Schedule B and no other dwellings, suites, or living spaces of any kind are permitted.

10. Prior to the issuance of any building permits for the Lands, the Owner agrees to provide to the District for approval a plan prepared by a qualified heritage professional for energy efficiency
considerations to be incorporated in the restoration of the Retained Portion of Forster House in accordance with the Parks Canada – Standards and Guidelines for the Conservation of Historic Places in Canada.

11. Notwithstanding any other term of this Agreement, prior to commencing any development work on the Lands, the Owner must obtain all necessary permits and approvals from the District.

12. The Owner expressly agrees to use good faith best efforts to have removed from title the easement which is currently registered on the property adjacent to the Lands, legally described as Lot C, except part included in Plan 8362, Block 68, District Lots 598 to 601, Plan 7691, filed in the Land Title Office under registration number GD099697 and set out in Explanatory Plan 20309.

13. Landscaping. The Owner agrees that all landscaping on the Lands will be of a design which complements the heritage character of Forster House. The final landscape plan is to be reviewed and approved by District Staff prior to release of the Building Permit.

14. Environmental Management. Prior to the issuance of any building permits in relation to the Lands, the Owner must submit to the District for approval an application for a Streamside Development Permit, including:

   (a) an environmental management plan which ensures tree protection and protection of Mackay Creek throughout the construction process;

   (b) a tree re-planting plan which provides for the planting of three new native trees from the District’s approved native species list for each tree approved for removal by the District; and

   (c) an environmental habitat compensation plan prepared by a qualified environmental professional providing for the restoration of approximately 1275ft² of riparian area on the subject Lands. This type of restoration works can typically be achieved by removing invasive plant species and providing new native planting or supplementing existing native vegetation with new vegetation. A landscape plan that details all the environmental protection and compensation measures must be reviewed and approved by District staff prior to issuance of any Building Permits. A security deposit in an amount equivalent to 120% of the value of the work will be required to ensure that all environmental protection measures, replanting and compensation works are completed to the satisfaction of District staff.

15. Maintenance. The Owner agrees to maintain all improvements of the Lands to such a standard which, in the opinion of the Director, retains the heritage character and heritage value of Forster House and the Lands.

16. Prior to the issuance of any building permits for the Lands, the Owner agrees to submit a maintenance plan, as referenced in the Conservation Plan, which provides for future maintenance of all
improvements on the Lands. The Owner further agrees that such future maintenance shall be overseen by a qualified heritage professional approved by the District.

17. Discretion. Wherever in this Agreement a Heritage Alteration Permit is required, the discretion to approve, refuse or issue such permit is delegated by the District to the Director and:

(a) such exercise of discretion relating to the issuance of the Heritage Alteration Permit shall be made by the Director acting reasonably in accordance with sound municipal heritage and conservation practice;

(b) such exercise of discretion, including any terms and conditions imposed, shall be consistent with the Local Government Act, and with the intent of preserving the heritage character and heritage value of Forster House and its setting; and

(c) the Director may seek advice from the District of North Vancouver Community Heritage Commission with respect to any exercise of discretion under this Agreement.

18. Heritage Alteration Permits. In accordance with the terms and conditions of this Agreement, the Owner shall not alter the Lands, including the interior or exterior of the Retained Portion of Forster House and the Additional Construction, except as permitted by a Heritage Alteration Permit issued by the District.

19. Wherever in this Agreement the Owner is issued a Heritage Alteration Permit to restore, rehabilitate, replicate, repair, replace, maintain or in any way alter improvements on, or features of the Lands or the improvements, or to construct or maintain other works to protect or conserve such improvements or features, all such work shall be done at the Owner’s sole expense strictly in accordance with the Heritage Alteration Permit and all plans and specifications forming part thereof and shall be diligently and continuously maintained in good repair and efficient operating condition by the Owner at the Owner’s sole expense in accordance with good engineering, design, heritage and conservation practice.

20. Compliance with District Bylaws. Except as expressly permitted by this Agreement, any development or use of the Lands, including any construction, restoration, and repair of Forster House, must comply with all applicable bylaws of the District.

21. Damage or Destruction. Subject to sections 18 and 20, in the event that the Retained Portion of Forster House and/or the Additional Construction is damaged, the parties agree that the Owner must repair the building, in which event the Owner shall forthwith commence the repair work and complete the same within one year of the date of damage.

22. In the event that the Retained Portion of Forster House is damaged or destroyed to the extent of 75% or more of its value above its foundations, as determined by the Chief Building Official, the terms of this Agreement which relate to Forster House shall cease to be of any effect and thereafter all use and occupation of the Lands shall be in accordance with the District Zoning Bylaw No. 3210, as amended, and in accordance with all other bylaws or regulations of the District or any other laws of an authority having jurisdiction.
23. **Breach.** In the event that the Owner is in breach of a material term of this Agreement, the District may give the Owner notice in writing of the breach and the Owner shall ensure it does nothing to further the breach and shall remedy the breach within 30 days of receipt of the notice. In the event that the Owner fails to remedy the breach within the time allotted by the notice, the District may by bylaw cancel this Agreement whereupon all use and occupation of the Lands shall be in accordance with the District Zoning Bylaw 3210, as amended, and in accordance with all other bylaws or regulations of the District or any other laws of authority having jurisdiction.

24. **Amendment.** The parties acknowledge and agree that this Agreement may only be amended by:

(a) Bylaw with the consent of the parties provided that a public hearing shall be held if an amendment would permit a change to use or density of use on the Lands; or

(b) By Heritage Alteration Permit issued pursuant to section 972 of the *Local Government Act*.

25. **Representations.** It is mutually understood and agreed that the District has made no representations, covenants, warranties, promises or agreements, express or implied, other than those contained in this Agreement.

26. **Statutory Functions.** Except as expressly varied or supplemented herein, this Agreement shall not prejudice or affect the rights and powers of the District in the exercise of its statutory functions and responsibilities, including, but not limited to, the *Local Government Act* and its rights and powers under any enactments, bylaws, order or regulations, all of which, except as expressly varied or supplemented herein, are applicable to the Lands.

27. **No Liability to District.** In no case shall the District be liable or responsible in any way for:

(a) any personal injury, death or consequential damage of any nature whatever, however caused, that may be suffered or sustained by the Owner or by any other person who may be on the Lands; or

(b) any loss or damage of any nature whatever, however caused to the Lands or any improvements or personal property thereon belonging to the Owner or to any other person;

arising directly or indirectly from compliance with the restrictions and requirements herein, wrongful or negligent failure or omission to comply with restrictions and requirements herein, or refusal, omission or failure of the District to enforce or require compliance by the Owner with the restrictions or requirements herein or with any other term condition or provision of this Agreement.

28. **Indemnity.** The Owner shall at all times indemnify and save harmless the District of and from all loss and damage, and all actions, claims, costs, demands, expenses, fines, liabilities and suits of any nature whatever by whomever brought for which the District shall or may become liable, incur or suffer by reason of the existence and effect, whether direct or indirect, of the restrictions or requirements
herein, or breach or non-performance by the Owner of any covenant, term or provision hereof, or by reason of any work or action of the Owner in performance of its obligations hereunder, or by reason of any wrongful act or omission, default or negligence of the Owner.

29. Alternative Remedies. Any performance by the District pursuant to a statutory right to perform the obligations of an Owner arising out of this Agreement, including out of any Heritage Alteration Permit issued out of this Agreement, may be exercised fully in accordance with the Local Government Act, and shall be without prejudice to any and all other remedies at law and equity available to the District, and no reference herein to, or exercise of any specific right or remedy by the District, shall preclude the District from exercising any other right or remedy.

30. Damages. The Owner covenants and agrees that the measure of damages for any breach of the restrictions or requirements of this Agreement shall include, but shall not be limited to, the actual cost and expense of all administration, labour, materials, equipment, services and work required for all remedial acts necessary to fully restore, rehabilitate, replace or maintain the building, structure, improvement on or feature of the Lands having heritage value to be protected, conserved, preserved or kept in its natural state. The nature and extent of any breach of the said restrictions and requirements, and the nature and extent of any restoration, rehabilitation, replacement, maintenance or remedial work or action of any nature required to remedy such breach shall be determined by the District in its sole discretion.

31. No Waiver. No restrictions, requirements or other provisions in this Agreement shall be deemed to have been waived by the District unless a written waiver authorized by resolution of the Council and signed by an officer of the District has first been obtained, and without limiting the generality of the foregoing, no condoning, excusing or overlooking by the District on previous occasions of any default nor any previous written waiver shall be taken to operate as a waiver by the District of any subsequent default or in any way to defeat or affect the rights of remedies the District.

32. Statutory Authority and Proprietary Rights. Nothing in this Agreement shall limit, impair, fetter, or derogate from the statutory powers of the District, all of which powers may be exercised by the District from time to time and at any time to the fullest extent that the District is enabled, and no permissive bylaw enacted by the District, or permit, license or approval, granted, made or issued thereunder, or pursuant to statute, by the District shall estop, limit or impair the District from relying upon and enforcing this Agreement.

33. Compliance with Laws. Despite any provision of this Agreement, the Owner shall comply with all laws, including bylaws of the District and all regulations and orders of any authority having jurisdiction, and to the extent only that such laws, regulations and orders are mandatory and necessarily require the breach of any restriction or positive obligation herein to be observed or performed by the Owner, or less than strict compliance with the terms hereof, then the Owner upon sixty (60) days' written notice to the District shall be excused from complying with such restrictions or performing such obligation and such restriction or obligation shall be suspended but only to the extent and for the time that such mandatory law, regulation or order is inconsistent with compliance with the said restrictions or obligations.
34. Notice. Any notice to be given hereunder shall be in writing and may be either delivered personally or sent by prepaid registered mail and if so mailed shall be deemed to have been given five (5) days following the date upon which it was mailed. The addresses of the parties for the purpose of notice are:

The District:

Attention: Municipal Clerk
District of North Vancouver
355 West Queens Road
North Vancouver, BC V7N 4N5

The Owner:

Arman Tehrani
2505 Westhill Drive
West Vancouver, BC V7S 3A3

and

Amin Eskooch
907 – 689 Abbott Street
Vancouver, BC V6B 0J2

Any party hereto may at any time give notice in writing to the other of any change of address and after the third day of the giving of such notice the address specified shall be the address of such party for the giving of notices.

35. Arbitration. The Owner, if dissatisfied with the District’s interpretation of this Agreement or the application of any material term of this Agreement, may require that the matter be decided and determined by binding arbitration as follows:

(a) the Owner must, within fourteen (14) days of any exercise of discretion by the District, give notice to the District of its intention to dispute and in such notice shall name a member in good standing of the Architectural Institute of British Columbia who has agreed to act as an arbitrator;

(b) the District shall within seven (7) days of receipt of the notice of dispute either accept the Owner’s arbitrator, or name another with the same qualifications willing to act, and shall give notice of the same to the Owner;

(c) where the Owner and the District have each named an arbitrator, the two arbitrators shall within fourteen (14) days of the District’s notice pursuant to section 32(b) appoint a third arbitrator having the same qualifications and the three arbitrators shall decide the dispute;
(d) where the District accepts the arbitrator first selected by the Owner, that arbitrator shall act as a single arbitrator and forthwith decide the dispute;

(e) any arbitrator's decision in respect of the exercise of a discretion by the District shall be final, conclusive and binding on all parties.

36. Inspection. Without limiting the District's power of inspection conferred by statute and in addition thereto, the District shall be entitled at all reasonable times and from time to time to enter onto the Lands for the purpose of ensuring that the Owner is fully observing and performing all of the restrictions and requirements in this Agreement to be observed and performed by the Owner.

37. Severance. If any part of this Agreement is for any reason held to be invalid by a court of competent jurisdiction, the invalid portion is to be severed from the rest of this Agreement and the decision that it is invalid does not affect the validity of the remainder of this Agreement.

38. Headings. The headings in this Agreement are inserted for convenience only and shall not affect the construction of this Agreement or any provision hereof.

39. Successors Bound. All restrictions, rights and liabilities herein imposed upon or given to the respective parties shall extend to and be binding upon their respective heirs, executors, administrators, successors and assigns. When the Owner is more than one party they shall be bound jointly and severally by the terms, covenants and agreements herein on the part of the Owner.

40. Notice Binding. The Owner will file a notice in the Land Title Office in accordance with section 966 of the Local Government Act and upon registration of such notice, this Agreement and any amendment to it shall be binding on all persons who acquire an interest in the land affected by this Agreement.

41. Other Documents. The Owner agrees at the request of the District to execute and deliver or cause to be executed and delivered all such further agreements, documents and instruments and to do and perform or cause to be done and performed all acts and things as may be required in the opinion of the District to give full effect to this Agreement.
42. **No Partnership or Agency.** The parties agree that nothing contained in this Agreement creates a partnership, joint venture or agency relationship between the parties.

The Owner and the District have executed this Agreement as of the date first above written.

Signed, Sealed and Delivered by Arman Tehrani and Amin Eskooch in the presence of:

________________________
Name

________________________
Address

________________________
Address

________________________
Occupation

Signed by the authorized signatories of the District of North Vancouver:

________________________
Richard Walton, Mayor

________________________
James Gordon, Clerk
SCHEDULE A

CONSERVATION PLAN for 1160 Ridgewood Drive, North Vancouver prepared by Donald Luxton Associates Inc., dated August 2011
CONSERVATION PLAN
1160 RIDGEWOOD DRIVE
DISTRICT OF NORTH VANCOUVER

DONALD LUXTON
ASSOCIATES INC.

1030 - 470 Granville Street
Vancouver BC | V6C 1V5
T 604 688 1216 | F 604 683 7494
www.donaldluxton.com

AUGUST 2011
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View of the 1950 Forster Residence from the south.
1. INTRODUCTION

Subject Property: Forster Residence
1160 Ridgewood Drive
North Vancouver, British Columbia

Construction Date: 1950

Original Architect: Fred Thornton Hollingsworth

Original Owner: J.A. Forster

Legal Status: Listed in Heritage Building Inventory

The 1950 Forster Residence is a one-story house and detached cabin designed in the West Coast Modern Style by architect Fred Thornton Hollingsworth, who was among the young postwar generation of modern architects who developed this style in British Columbia. New architectural designs were adopted to accommodate local site conditions, particularly on the North Shore with its rocky terrain. This new style of building offered functional, simple and cost efficient solutions for the growing population and young families in the Greater Vancouver region.

Fred Hollingsworth was deeply affected by the organic design of Frank Lloyd Wright and developed his own architectural idiom based on the following organic principles listed below.

These overall principles should guide the future development of the property and the rehabilitation of the Forster Residence, in order to recognize the original design intent and heritage character of the site. The proposed interventions will also require sympathetic solutions to the structural integrity of the house, that is presently compromised due to its siting, soil condition and surrounding environmental conditions, which will be further explained in this report.

Note: The orientation of the Forster Residence is at an approximately 45-degree angle to “true north”, the report refers to “north” as the “project north”, although the actual orientation is “true north-east”.

- Truth in architecture and materials and rejecting false materials that mimic other materials qualities and/or appearance;
- Space as a sense of horizontal and vertical continuity in scale of the human need and function;
- Light in its daily and seasonal movements as an element of surprise and delight;
- Ornament should not be understood as an application to something but as integral element of architecture and “of the thing and not on it”, a phrase Hollingsworth expressed for all his architectural designs.
2.0 DESCRIPTION OF THE SITE

2.1 HISTORICAL CONTEXT

The Forster Residence is a one-storey house designed as an early and fine example of the West Coast Modern Style of architecture by prolific residential architect Fred Thornton Hollingsworth. The West Coast Modern Style of architecture evolved after World War II, and Hollingsworth, beginning his design career in 1946, was among the young generation of Modern architects who helped develop this style in Greater Vancouver.

West Coast Modern Style architecture is characterized by specific elements, which all apply to the Forster Residence. The elements include scenic sites, located in previously undeveloped areas, and the integration of the building into the natural environment. The house design is low and linear, with interior open-plan layouts. The exposure of indigenous materials such as cedar board and batten siding and timber for internal structures was one of the features of this contemporary domestic style, with exposed structural elements that replaced the ornate ornamentation of traditional architectural styles.

Hollingsworth was responsible for the design of a multitude of houses on Vancouver's North Shore. His ability to integrate houses into the natural environment while still providing the client with a unique and tailored plan, based on their needs and wants, was one of his many strengths as an architect. The application of new technologies and techniques was another part of Hollingsworth's approach, enabling wide-open interior spaces that served multifunctional purposes.

Natural light was considered the key design element in this new Modern architecture. Floor-to-ceiling windows provided ample daylight of the interior, as seen on the rear façade of the Forster Residence, which exhibits 'diamond' shaped bay windows, sloping downwards to the west of the site. The large window elements also connected the interior and exterior spaces in an almost seamless fashion, and generous glazed doors provided easy access to outdoor decks and patios.

2.2 DESCRIPTION OF THE HISTORIC SITE

Constructed in 1950, the Forster Residence was built in the then-developing Capilano Highlands area of the District of North Vancouver, where suburban settlement began to occur following World War II. The original lot is irregular in shape with sloping topographical changes in elevation, which slopes to the west. The mature vegetation is mostly native, with a few introduced species; the house is located in very close proximity to MacKay Creek, which runs along the west side of the house.

The subject property is bordered by Ridgewood Drive to the south and has a paved driveway that provides access to the main Forster Residence as well as to the adjacent one-room guest room and attached carport. The 1950 Forster Residence is a detached residential home with a rambling linear main floor level running from north to south. The house opens up to a second level at the rear, which features an expanse of 'diamond' shaped bay windows, which slope toward the ground. The east portion of the house features a concrete decked verandah, which looks down upon MacKay Creek. The historic house will be partially conserved and a two-storey addition added on the north side while the existing guest room will be replaced with a slightly larger auxiliary building as part of the proposed conservation and redevelopment of the site. Archival documents of the historic house do not exist.

2.3 THE ARCHITECT: F.T. HOLLINGSWORTH

Fred Thornton Hollingsworth was born in Golbourne, England, in 1917 and emigrated with his family to Vancouver in 1929. After attending the Vancouver School of Art (later known as the Emily Carr University of Art and Design), he briefly pursued a career in commercial design before moving into architecture. In 1946, at the age of 29, Hollingsworth created plans for his own house, to be constructed in North Vancouver. The drawings captured the attention of Ned Pratt, partner in the firm Sharp and Thompson, Berwick, Pratt, which had established itself as the premier Modern architecture firm in Vancouver at the time. Hollingsworth worked with the firm, a position that he held from 1946 to 1951.
Hollingsworth's design sensibilities were influenced by the organic principles of Frank Lloyd Wright, including his Usonian houses, and the innovative formal and spatial configurations from other renowned architects. He became recognized as one of the foremost residential architects of the new West Coast Modern Style. He explored intensely the interrelationship between building and site and his early houses, commonly utilizing the existing topography, natural materials and light in order to create spatial ambience using low-cost modular and local materials.

From 1951 to 1958 Hollingsworth became a Design Associate with William Birmingham, where he incorporated Asian and First Nations design elements into his architecture. During this time he formed the group “The Intellects” with, among others, Ron Thom and Arthur Erickson, as well as Barry Downs, with whom he would form a highly productive partnership from 1963 to 1967. Hollingsworth and Downs were awarded the Massey Gold Medal for Architecture in 1964 for the design of the Maltby House in West Vancouver.

Hollingsworth was most intrigued with the design of domestic architecture, and received commission for housing designs in other parts of British Columbia and the United States. He embraced the innovative concepts of modernism, and defined seven principles of design approach and execution:

1. The use of locally produced materials including naturally derived components,
2. The adaptation of natural structural devices such as the cantilever,
3. The alliance of built to topographical form, using orientation to gain vista and environmental efficiency,
4. The active inter-connection of interior volume to external setting,
5. The free spatial interchange between defined areas of communal and personal activity,
6. The integral expression of structure in form and aesthetic effect,
7. The exploitation of the space-making and space-expanding properties of the interplay of plane and geometry.

Fred Hollingsworth served as the President of the Architectural Institute of British Columbia from 1971 to 1972 and of the Royal Architectural Institute of Canada from 1975 to 1976. By the end of his career, Hollingsworth had designed not only domestic but also institutional and commercial projects before he retired from his practice in 2001. He still lives in the house that he designed in 1946 on Ridgewood Drive in North Vancouver.

“Form and function are one.”

(Living Spaces, p. 39)
2.4 THE WEST COAST STYLE

After 1945, the Greater Vancouver region became a centre of innovative residential designs in North America. Growing population and changes in lifestyle opened the door for new housing concepts, which were affordable for young families. Progressive and experimental architects developed the West Coast Style based on the principles of modern architecture: functionalism, simplicity, and flexibility.

Undeveloped and inexpensive land on the North Shore often comprised sloping and irregular sites with expansive views. Designing for such sites offered a welcome opportunity for upcoming architects to experiment with new designs and building technology. Among the generation of emerging architects in the Greater Vancouver area were Ned Pratt (of Thompson, Berwick, Pratt), Arthur Erickson, Ron Thom, and also Fred Thornton Hollingsworth, who designed publicized and award-winning homes.

The West Coast Style has several common features, which are also characteristic of the Forster Residence. The style responded to the rough topography and climate conditions of then "unbuildable" sites on the North Shore with expansive vistas over the ocean, native forests and mountain views. The entrance and parking were commonly placed facing the street to allow the living areas to open to private garden spaces at the rear.

The houses were designed in geometric forms with local and prefabricated materials used in modular fashion for cost-efficient construction. Modern materials of glass, steel, concrete, and new technology were used, often with cantilevered forms, ceiling-height fenestration and open floor plans. Flat or low-pitched roofs were decked with asphalt roofing material, which replaced the traditional and increasingly expensive cedar shingles.

Walls were filled with modular windows and panels to create a rhythmic pattern of solid and voids. Natural light was considered a key design element in this new modern architecture. Floor-to-ceiling windows provided ample daylighting of the interior.

The large window elements connected the interior and exterior spaces in an almost seamless fashion and provided easy access to outdoor decks and patios, which extended the living area.

Traditional floor plans were replaced with flexible, multifunctional layouts to serve a new, more informal lifestyle. Interior spaces were not decorated with ornate features; contrasting natural materials such as wood, brick, stone, and plaster were used to create interesting visual effects. In particular timber structural members were exposed and often stained together with plywood surfaces. Interior and exterior spaces were integrated by creating lines of vision through transparent windows and doors to patios, private garden spaces, zones designed for special uses, and access to the surrounding nature. The arrangement of hedges, shrubbery and beds of low-growing plants formed abstract geometrical patterns. These geometrical patterns reinforced the horizontal and vertical planes of the modern house.

The functional and simple design of the West Coast Style homes responded to a contemporary lifestyle. Open plan layouts with flowing interior open spaces and extensive glazing allowed flexible uses and interaction with the surrounding scenic landscapes or native forests and riverbanks.

Mature trees on the west side and in close proximity to the house.
DESCRIPTION OF THE SITE

Diamond-shaped windows above concrete walls, stairs to western patio. Geometric glass screen wall at entrance stairs.

Prow-shaped cantilevered roof. Concrete steps leading from the patio down to the creek.

Diamond-shaped windows above concrete walls, stairs to western patio.
3.0 STATEMENT OF SIGNIFICANCE

HERITAGE VALUE OF THE HISTORIC PLACE

The Forster Residence is valued as an early example of West Coast Modern Style architecture, designed in 1950 by prolific local architect Fred Thornton Hollingsworth. Exemplified by its design innovation, advanced architectural technologies, use of natural materials, and sensitive integration with the natural environment, the West Coast Style of architecture was prevalent between 1945 and 1970. This was an era of postwar optimism, prosperity, growth, and pent-up demand for new housing. The Forster Residence is a fine representation of this new Modern architecture, and features exposed beams, a complex open layout and a variety of roof forms. Utilizing high-quality materials and progressive techniques, the Forster Residence features sophisticated lines that give it an organic sense of flow, while still differentiating it from simplistic post-and-beam structures that both preceded and followed its construction. The interior features vaulted ceilings with exposed beams as well as a variety of original stone and woodwork.

The Forster Residence is significant for its association with prominent architect, Fred Thornton Hollingsworth. During his early years as an architect, Hollingsworth practised in a style he defined as 'Neoteric', a take on residential West Coast Modernism, which he applied to over 50 houses on the North Shore of Vancouver; the Forster Residence being an example of this type of house. Inspired by Frank Lloyd Wright, Hollingsworth furthered his creativity as his career progressed, experimenting with different products, technologies and materials. The influence of Wright on his work is clearly evident here in the use of 'desert' concrete – in which large boulders are placed in forms and concrete poured around them – used by Wright in his studio at Taliesin West. Hollingsworth had visited Wright's studio on a number of occasions, and was familiar with its unique materials, horizontal massing and diagonal planning.

The Forster residence additionally illustrates the emerging development of the North Shore suburbs in the postwar era. This was one of the earlier houses built in the Capilano Highlands neighbourhood. Significantly, many of these new houses were architect-designed in a contemporary style.

DESCRIPTION OF THE HISTORIC PLACE

The Forster Residence, located in the Highlands neighbourhood of the District of North Vancouver, is a one-storey house, built on an elevated lot overlooking MacKay Creek. An early example of residential West Coast Modern Style architecture, it features a complex roofline and horizontal board-and-batten siding. The house is characterized by its prow-shaped desert concrete walls and its integration with the natural environment.

Name: Forster Residence
Address: 1160 Ridgewood Drive, North Vancouver
Original Owner: J.A. Forster
Date of Construction: 1950
Architect: Fred Thornton Hollingsworth

The architectural style of the Forster Residence exemplifies the integration of the structure with its natural setting, as seen in the use of desert concrete walls and the integration of the house with the surrounding landscape. The house features a complex roofline, horizontal board-and-batten siding, and a prow-shaped design, all of which contribute to its overall aesthetic and functional design.
indicating a broad acceptance of the role of good design in modern living. Hollingsworth chose to build his own home in this neighbourhood, and has lived here since. Through referrals and reputation, he attracted numerous clients in the area. His consistent and sophisticated influence on the local built environment was pervasive, and many examples of his work remain in existence.

Built on an expansive residential lot, the Forster Residence is additionally significant for its seamless blend with the natural environment, a hallmark feature of the West Coast Modern Style. Hollingsworth was known for his appreciation of nature and his utilization of natural materials and natural light when possible. The rambling, linear, organic flow of the house, combined with its proximity to MacKay Creek, its landscaping of mature trees and foliage, as well as the natural wood siding and desert concrete, combine to give the impression that the house grew out of the ground, as an integral part of the natural environment.

CHARACTER-DEFINING ELEMENTS

The key elements that define the heritage character of the Forster Residence include its:

- location on Ridgewood Drive, as part of the Capilano Highlands neighbourhood of the District of North Vancouver;
- continuous residential use;
- residential form, scale and massing as expressed by its: one-storey height anchored by desert concrete structures; sloping, gable, and prow roof structures; and multi-level rooflines with clerestory windows;
- wood-frame, concrete and stone construction with horizontal board-and-batten siding, wood frame windows, wide-overhanging eaves, concrete foundation, retaining wall and steps, and desert concrete walls;
- features of its West Coast Modern design, including its: rambling, linear design; concrete prow-shaped front wall with internal fireplace; large multi-paned windows; ‘diamond’ bay windows, which angle toward the west of the site; wide overhanging eaves with closed soffits; direct association with the mature surrounding natural environment;
- variety of original wooden-sash windows including: multi-paned fixed windows, casement windows, clerestory windows and variety of coloured glass windows at the front entryway; and original wooden front door; and
- associated landscape features including mature trees and plantings, in close proximity to MacKay Creek.
4.0 CONSERVATION GUIDELINES

4.1 NATIONAL STANDARDS AND GUIDELINES

The Parks Canada Standard and Guidelines for the Conservation of Historic Places in Canada (2010) has been used to assess the conservation interventions at the 1950 Forster Residence. Under the guidelines, it is proposed that alterations to the historic structure consist mainly of rehabilitation, with additional aspects of preservation and restoration as defined below:

**Preservation**: the action or process of protecting, maintaining, and/or stabilizing the existing elements, form, and integrity of a historic place or of an individual component, while protecting its heritage value.

**Restoration**: the action or process of accurately revealing, recovering or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.

**Rehabilitation**: the action or process of making possible a continuing or compatible contemporary use of a historic place or an individual component, through repair, alterations, and/or additions, while protecting its heritage value.

Interventions should be based upon the Standards outlined in the Standards and Guidelines, which are conservation principles of best practice. The following General Standards should be followed when carrying out any work to an historic property.

**STANDARDS FOR ALL CONSERVATION PROJECTS**

1. **Conserve the heritage value of a historic place.** Do not remove, replace, or substantially alter its intact or repairable character-defining elements. Do not move a part of a historic place if its current location is a character-defining element.

2. **Conserve changes to a historic place, which over time, have become character-defining elements in their own right.**

3. **Conserve heritage value by adopting an approach calling for minimal intervention.**

4. **Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of** historical development by adding elements from other historic places or other properties or by combining features of the same property that never coexisted.

5. **Find a use for a historic place that requires minimal or no change to its character-defining elements.**

6. **Protect and, if necessary, stabilize a historic place until any subsequent intervention is undertaken.** Protect and preserve archaeological resources in place. Where there is potential for disturbance of archaeological resources, take mitigation measures to limit damage and loss of information.

7. **Evaluate the existing condition of character-defining element to determine the appropriate intervention needed.** Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.

8. **Maintain character-defining elements on an ongoing basis.** Repair character-defining element by reinforcing the materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.

9. **Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable upon close inspection.** Document any intervention for future reference.

**ADDITIONAL STANDARDS RELATING TO REHABILITATION**

10. **Repair rather than replace character-defining elements.** Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.

11. **Conserve the heritage value and character-defining elements when creating any new additions to a historic place and any related new construction. Make**
the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.

12. Create any new additions or related new construction so that the essential form and integrity of a historic place will not be impaired if the new work is removed in the future.

ADDITIONAL STANDARDS RELATING TO RESTORATION

13. Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.

14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

4.2 GENERAL CONSERVATION STRATEGY

The subject property located at 1160 Ridgewood Drive is listed in the Heritage Building Inventory of the District of North Vancouver. The rehabilitation of the historic resource will be enabled under a Heritage Revitalization Agreement (HRA) that will respond to the unique conservation situation that requires relaxation to zoning regulations.

An HRA is a voluntary written agreement negotiated for a specific site by a local government and the owner of the heritage property and does not set a precedent for other sites. It is intended to enable the conservation and rehabilitation of a particular property and its written conditions include duties, obligations and benefits negotiated by both parties. An HRA is commonly used for sites that require exceptions and relaxations to zoning regulations and supersedes local government zoning regulations and may vary use, density, and siting regulations.

The implementation of an economically viable development of a listed historic site and its integration with conservation goals is dependent on support by the local regulatory authority.

The proposed development of the subject property prepared by Vernacular Design Inc. considers the partial retention and rehabilitation of the Forster Residence, including a sympathetic two-storey addition to the rear while continuing the historic residential use, and the construction of a slightly larger auxiliary building used as a Coach House to replace the existing guest room and carport. The proposed work further includes the realignment of the property lines on the east side (refer to Explanatory Plan 20309, Line of Easement) and the ecological restoration of the park to the south bordering Ridgewood Drive.

In order to achieve a viable development from a joint conservation and economic perspective, the proposed density for the subject site with an allowable FSR of 3,500 sq. ft. request an exemption as a conservation incentive:

- Retained portion of the historic house: approx. 90 sq. ft.
- Two-storey addition to historic house: approx. 2,600 sq. ft.
- New Coach House: approx. 735 sq. ft.
- Total net floor area: approx. 3,335 sq. ft.
- Gross floor area: approx. 4,225 sq. ft.
- Over (variance): 725 sq. ft. (request for exemption)

The exemption of 725 sq. ft. would ensure the partial preservation of an important heritage site of the modern West Coast Style in the District of North Vancouver. It will assist the owner with the costs of rehabilitating the remaining portion of the Forster Residence, whose physical integrity is particularly challenged by its surrounding environmental conditions, explained in more detail in this report.

The proposed interventions to the Forster Residence and its site acknowledge the modernist design principles developed by Hollingsworth. The new design elements are expressed in a contemporary functional Modernist idiom and link the old and new with materials and detailing emphasizing the horizontality and design vocabulary of the original design.
All interventions will comply with Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada (2010) while meeting current code regulations and using modern technology.

4.3 SUSTAINABILITY STRATEGY

Sustainability is most commonly defined as “meeting the needs of the present without compromising the ability of future generations to meet their own needs” (Common Future, The Bruntland Commission). The four-pillar model of sustainability identifies four interlinked dimensions: environmental, economic, social and cultural sustainability, the latter including the built heritage environment.

Parks Canada incorporated sustainability considerations in their Standards and Guidelines balancing conservation principles and sustainability objectives:

“Both heritage conservation and sustainability aim to conserve. In the case of heritage buildings, this includes considering the inherent performance and durability of their character-defining assemblies, systems and materials, and the minimal interventions required to achieve the most effective sustainability improvements.”

The following considerations for energy efficiency in historic structures are recommended by Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada and can be utilized at the subject property:

General
• Working with sustainability and conservation specialists to determine the most appropriate solution to sustainability requirements with the least impact on the character-defining elements and overall heritage value of the historic building.

Envelope
• Exercising caution and foreseeing the potential effects of insulating the building envelope to avoid damaging changes, such as displacing the dew point and creating thermal bridges, or increasing the snow load.

• Ensuring that structural, drainage and access requirements to improve the roof’s energy efficiency can be met without damaging character-defining elements.
• Adding new features to meet sustainability requirements, such as solar panels, in a manner that respects the exterior form and minimizes impact on character-defining elements.

Windows, Doors
• Complying with energy efficiency objectives in upgrades to character-defining doors, windows and storefronts by installing weather-stripping, storm windows, interior shades and, if historically appropriate, blinds and awnings. The energy efficiency of the building envelope and systems as a whole should be considered.
• Maintaining the building’s inherent energy-conserving features in good operating condition, such as operable windows or louvered blinds for natural ventilation.
• Reinstating, where possible, character-defining natural ventilation and daylight, such as operable transom windows and atrium skylights.
• Installing interior storm windows where original windows are character-defining and exterior storms are inappropriate.

Entrances, Porches
• Complying with energy efficiency objectives by maintaining inherent energy conserving features, such as overhangs, awnings and vestibules while preserving heritage value.

Mechanical / Electrical Systems
• Ensuring that the introduction of new types of mechanical and electrical systems, such as solar, geothermal or heat-exchange systems, will have minimal impact on the character-defining elements of the historic building.
4.4 HERITAGE EQUIVALENCIES AND EXEMPTIONS

As a structure that is identified as a heritage building, the Forster Residence will be eligible for heritage variances that will enable a higher degree of heritage conservation and retention of original material, including considerations available under the following provincial legislation.

BC BUILDING CODE

Building Code upgrading is the most important aspect of heritage building rehabilitation, as it ensures life safety and long-term protection for the resource. It is essential to consider heritage buildings on a case-by-case basis, as the blanket application of Code requirements do not recognize the individual requirements and inherent strengths of each building. Over the past few years, a number of equivalencies have been developed and adopted in the British Columbia Building Code that enable more sensitive and appropriate heritage building upgrades (Alternative Compliance Methods for Heritage Buildings, BCBC 2006, Div. A, App. A). For example, the use of sprinklers in a heritage structure helps to satisfy fire separation and exiting requirements.

Given that Code compliance is such a significant factor in the conservation of heritage buildings, the most important consideration is to provide viable economic methods of achieving building upgrades. In addition to the equivalencies offered under the current Code, the District can also accept the report of a Building Code Engineer as to acceptable levels of code performance.

ENERGY EFFICIENCY ACT

The Energy Efficiency Act (Energy Efficiency Standards Regulation) was amended in 2009 to include the following definition:

"designated heritage building" means a building that is
(a) a Provincial heritage site within the meaning of the Heritage Conservation Act or otherwise included in the Provincial heritage register under that Act,
(b) protected through heritage designation or included in a community heritage register by a local government under the Local Government Act,
(c) protected through heritage designation or included in the heritage register by the Council under the Vancouver Charter, or
(d) protected through heritage designation or included in a community heritage register by the Trust Council or a local trust committee under the Islands Trust Act.

Under this new definition, Energy Efficiency standards do not apply to windows, glazing products, door slabs or products installed in heritage buildings. This means that exemptions can be allowed to energy upgrading measures that would destroy heritage character-defining elements such as original windows and doors.

These provisions do not preclude that heritage buildings must be made more energy efficient, but they do allow a more sensitive approach of alternate compliance to individual situations and a higher degree of retained integrity. Increased energy performance can be provided through non-intrusive methods such as attic insulation, improved mechanical systems, and storm windows. Please refer to Standards and Guidelines for the Conservation of Historic Places in Canada for further detail about energy efficiency considerations.
5.0 CONDITION REVIEW AND CONSERVATION ASSESSMENT

5.1 GENERAL
The Forster Residence was built in 1950 in a then newly developing area at the base of the North Shore Mountains in the District of North Vancouver. Influenced in its modern design by the emerging West Coast Style, it can be generally noted that the location of the house and existing environmental conditions of the site played an important role in, first, the original design of the house, which follows the organic architecture of this innovative style while utilizing local site conditions and materials. Second, the existing physical condition of the house is a direct outcome of its natural surrounding characterized by a stream corridor with a steep terrain, mature vegetation in close proximity of the house, and low light levels, all detrimental to the longevity of wooden and masonry structures.

The following chapter describes the exterior and interior materials, physical condition and recommended conservation strategy for the subject property.

5.2 SITE
The 1950 Forster Residence is located in the Capilano Highlands on the north side of Ridgewood Drive and built on an irregular lot that principally stretches in a north-south direction. A narrow asphalt driveway from Ridgewood Drive surrounded by mature evergreens leads to the setback house constructed near the property line to the north. A small guest room with an attached carport is situated to the southeast. The north and east sides of the lot are bordered by neighboring residential lots and enclosed with a later wooden fence. The northeast corner is the highest point of the sloping lot. (Appendix D: Site Survey Plan).

The surrounding neighbourhood is characterized by mainly single-family houses near the local commercial centre, Edgemont Village. The topography is characterized by mountain slopes with rugged and densely forested terrain particularly in stream corridors. The Forster Residence is located in near proximity to such a stream corridor, MacKay Creek. It is a well-treed site that slopes to the east bank of the creek. The presently developed landscaped area and features mostly mature native and few non-native species together with a former garden in the northeast corner.

The Forster Residence organically integrates the single-storey structure into the existing landscape. This topography required concrete steps and retaining walls in order to stabilize the house and navigate the sloping terrain on the creek side. Remaining stumps of cut down trees were incorporated into the poured-in place retaining walls and concrete steps during construction, and have since deteriorated, leaving several void spaces.

Since its construction in 1950, the existing rugged topography and mature vegetation have caused visible damage to portions of the historic house. Heavy rainfalls running down the sloping riverbank have washed out the soil underneath the concrete path at the northwest side and presumably in other locations that could not be accessed. In addition to this noticeable subsidence, there are other areas where the original concrete work has settled and cracked. Hemlock, cedar and fir trees, native to western North America, are extant on the site, especially near the house on the west and south. Such trees develop in freely drained soils a dense, profuse root system that can damage masonry slabs and wall structures.

In addition, the house is partially located under the dripline of these trees potentially causing water damage to the roof membrane and structure. The mature trees on the existing lot pose a direct hazard to the historic structure by extensive root work damaging the foundation walls, shading the site and not allowing daylight to dry the exterior materials, and potential threat of old trees falling onto the house. Mature trees are also extant on the adjacent park located on the south side of the subject property.

There is also intense climbing of ivy on the south masonry wall. Ivy is well adopted for living in woodlands and thrives well where light levels are low. The damage caused to the historic wall will be further described in Section 5.4: Masonry.

A small one-room guest house, located in a 45-degree angle to the Forster Residence, appears to have been built after the main house, and features a simple rectangular plan with a flat cantilevered roof and an irregularly shaped portion on the east side housing an additional rear room. A multi-paned horizontal window in the south wall provides daylight.
A two-car carport was added at the southeast side. The flat-roof structure is placed on a concrete slab and finished with the same materials as the house. The design team is exploring the option of replacing this structure with a slightly larger auxiliary building containing a residential suite and a single car garage.

CONSERVATION RECOMMENDATION: PRESERVATION AND REHABILITATION

The Site and Park
- The mature trees on the existing lot and adjacent park require ecological restoration in close collaboration with the local authority.
- Mature trees need to be removed and replaced with substitute trees as per specification by the District of North Vancouver. At present it is proposed to remove thirteen trees on the subject property.

The House
- The historic Forster Residence is a recognized heritage structure and its most significant front portion will be preserved in situ. The retained portion requires a structural condition assessment to determine interventions to stabilize or replace existing retaining walls.

The Guest Room and Carport
- This structure appears to be a later addition to the site. The proposed development considers the removal of the structure as the current layout does not allow a reasonable use of the existing space. In addition, the carport encroaches onto the adjacent property and it is proposed that this easement should be cancelled. A new auxiliary building housing a Coach House sympathetic in its design to the historic Forster Residence is being proposed.
5.3 FORM, MASSING AND SCALE

The one-storey Forster Residence was built in one phase in 1950 and features an asymmetrical layout. Projecting walls, at times in a triangular shape, cantilevered roofs, and concrete steps and paths negotiating the terrain provide interesting viewing angles of the surroundings, and at the same time organically blend into the natural setting.

Hollingsworth applied his functional organic design strategy for the Forster Residence, which he described as "architecture should be of site and on it." In this sense, the structure utilizes local site conditions and materials and responded to the new postwar lifestyles with open floor plans and an interchange between public and private spaces on the exterior and interior so it appears that the "house occupies rather than intrudes upon its site."

The rehabilitation of the house would entail the removal of the rear portion, and the retention and rehabilitation of the front structure consisting of the main entrance, kitchen, living and dining room as the main heritage features of the historic house.

CONSERVATION RECOMMENDATION: REHABILITATION

- The existing form, massing and scale of the front portion of the Forster Residence will be retained, structurally stabilized, and repaired or rehabilitated where necessary.
- The proposed development of the site should recognize the principle design strategies as outlined by the original architect.
- The design and location of proposed additions should be reviewed by the Heritage Consultant.
- The guest room and carport structure can be removed if desired as it does not significantly contribute to the heritage value of the subject property.

5.4 MASONRY

Hollingsworth relished in discussing designs and materials with colleagues and drawing new ideas from architects such as the so-called "desert concrete" from Frank Lloyd Wright. This material is a combination of cement and large chunks of rock, poured into slanting walls and topped with roof superstructure where necessary. A similar system was used on the Forster Residence, which has no basement or crawl space; the poured-in-place concrete floor slab principally follows the natural terrain. The masonry and retaining walls were built with large stones placed in a form, around which concrete was poured and allowed to set. Structural retaining walls were placed in strategic locations on the west side of the house, facing the creek.

Significant cracking and deterioration of the slab is visible in several locations due to settling and damage caused by vegetation such as tree roots. This is also true for the prow-shaped western retaining wall near the concrete steps that visibly leaning to the creek side. This has enormous structural implication on the interior, where the floor in the living room is dramatically sloping down towards the creek side. A large interior half-height masonry wall has become detached from a load-bearing wall supporting the roof structure. The load-bearing beams in the living room are temporarily shored up and the ceiling system reinforced. These interventions attempt to mitigate the considerable movement of the retaining walls and slab due to subsidence caused by soil erosion and tree roots.

It is also evident that during the construction of the foundation walls, several tree stumps were not removed but retained in place and incorporated into the concrete walls. This procedure presumably adds to the overall destabilization of the foundation of the historic house, as the stumps rot out and leave large void spaces. This is further accelerating the settlement and cracking of the concrete slabs and vertical piers.

"Desert concrete" was also used on the exterior west and south walls, the latter facing the street. For aesthetic reasons, climbing vines were planted against the concrete walls. Ivy has its feeding roots anchored in the ground and climb up.
trees or walls with strong adhesion to rough surfaces. This can lead to ivy stems penetrating the mortar of masonry walls and breaking up the structure. Ivy removal can even lead to further damage to the walls, with further structural or waterproofing problems. The site visit indicated that ivy was cut from the west concrete wall with dead stems remaining attached to the structure; removal caused concrete to break off in localized areas. The south wall is presently fully covered with ivy and roots and stems are causing considerable damage to the masonry wall and loss of material.

A concrete path exists on the west and north sides of the house, both leading to a private terrace on the creek side. From here, a cracked concrete landing and steps made of concrete plates lead a steep path down to the bank to the creek. A makeshift wooden handrail is installed on one side.

Concrete plates in organically shaped round forms cover the elevated front terrace at the entry. Four steps and a landing with irregular blue/green floor slates lead to the main entrance of the house. These floor slates continue into the interior hall and down to the lower living room, linking the exterior and interior space. This, plus the low “compressed” ceiling of the entry are a key design feature.

A retaining wall on the southeast side of the house, supporting the elevated terrace near the main entry, is constructed with cylindrical sonotube concrete forms, stacked rocks, poured-in-place concrete and the aforementioned “concrete desert”.

**CONSERVATION RECOMMENDATION: PRESERVATION AND REHABILITATION**

- The existing vegetation, including trees and ivy compromising the structural integrity of the house, should be reviewed by a specialist. Removal of existing vegetation causing damage to the house needs to be considered where necessary. This includes vegetation that is currently damaging the house and that which will grow to a size that will cause further damage in the future.
- The conditions of the existing concrete slab and retaining walls will be reviewed by a structural engineer.
- Repairs and upgrades to damaged masonry walls should be undertaken in a manner that preserves the aesthetic appearance of the original architectural design.
- The blue/green floor slates at the front steps and landing on the east side of the house are character-defining elements and should be preserved or carefully removed, stored and reinstated in their original location.

"Desert concrete" wall covered with ivy on the south sides
5.5 WOOD SIDING

Both structures, the house and the guest room, have exterior wall finishes made of horizontal board-and-batten siding. It is a traditional use of wood siding and one of the more cost-effective solutions, as locally milled lumber was readily available. The larger horizontal board is placed on the exterior of the structure and smaller strips of wood, the batten, then placed on the joints of the horizontal boards to close the gaps. 8" boards and 1 3/4" battens were installed on the house and cabin respectively allowing an economic fabrication of the finish material. Board-and-batten was traditionally installed vertically; the use of this treatment in this manner recalls the work of Frank Lloyd Wright’s Prairie School houses and his later Usonian houses, which display a notable horizontal emphasis.

The painted board-and-batten siding is overall in good condition due to the large roof overhangs protecting the exterior walls, with localized areas of splitting and peeling paint. More significant deterioration is visible in locations where the wood is exposed to the elements such as fascia boards and unprotected board-and-batten siding. They show splitting and rotted wood and in one instance signs of animal infestation (presumably rodents).

CONSERVATION RECOMMENDATION: PRESERVATION AND REHABILITATION

- Board-and-batten siding should be retained where possible, and siding from the portions of the house and the guest house should be removed and salvaged for repair work.
- Remove severely deteriorated paint that is not adhered to the wood using a flexible metal spatula in order to prepare a sound surface for repainting.
- Replace missing or damaged siding where necessary. Replicated replacements should be milled to match original in profile and air-dried to avoid changes in size due to shrinkage.
- Combed or textured siding or fibre cement products such as Hardie Board are not acceptable for repair or new construction.

5.6 WINDOWS & DOORS

The Forster Residence has retained a variety of windows, including horizontal clerestory wood windows on the west and east sides, assemblies of vertical multi-paned wood windows divided by simple muntins with 90-degree angles in the living room, a metal sliding door with adjacent floor-to-ceiling fixed metal windows in the kitchen leading to the western terrace, and assemblies of horizontal fixed and sliding metal windows in the bedrooms.

Skylights are a frequently used means to provide natural light into interior spaces; the Forster Residence is located in a densely forested area with low light levels. The skylights are apparently a later interventions and installed in sets of three are installed in the hallway, living room, kitchen and utility room, with additional skylights in the bedrooms.

Near the front door is a patterned glass screen wall, with insets of obscure coloured glass providing light to the living room. The Forster Residence has a simple wooden entry door with a varnish finish. Surrounding trim is made of simple boards with no additional ornamentation. Elaborate mouldings, headers, sills, or other decorative elements do not exist and the modular design of the windows on the house and cabin contributed to the practical aesthetics of the West Coast Style, and the original low construction costs of $12,500 for this house.
The windows and doors are generally in good condition except for the vertical wood windows on the west and south elevations of the house. Glazing is missing in some windows and acrylic panels and sheeting have been installed. The subsidence of the south elevation has caused racking and detachment of the window frames from the masonry wall. More recently, spray foam has been used in the increasing gaps in the window frames. The wood frames of windows on the south and particular west walls are extremely deteriorated due to moisture damage, which has caused splitting, spreading rot and water penetration into the interior. Water staining is also highly visible on interior ceiling panels near many skylights and the roof ridge.

**CONSERVATION RECOMMENDATION: PRESERVATION AND REHABILITATION**

The original wooden and coloured glass screen of the historic house have significant heritage value. They should be preserved and restored where possible.

- An inventory of windows to be preserved and repaired should be prepared
- The windows should be protected during construction on the house and removed from the site to asafe storage place or workshop if they cannot be retained in situ. Existing glazing should be retained and cleaned. Weather-strip the windows to improve thermal performance. Double-glazing can be considered if it can be sensitively inserted within the design of existing frames.
- Remove deteriorated and rotten wood elements and replace to match existing in profile. Replace missing glazing to match existing. Prepare wood surfaces for repainting.
- The condition of the glazing, in particular coloured glass, should be investigated to identify the minimum repairs necessary in order to retain the original elements.
- Historic windows should be used as examples to restore missing windows.
- A contractor experienced in the repair of historic windows should be retained to carry out the work.
- The design of new windows should be sympathetic to the heritage character of the historic house.

Images to the left: Wood windows installed above subsiding concrete walls.
Top: Sliding windows in the private rooms on the west elevation.
5.7 ROOF & CHIMNEY

The main portion of the house with the linear interior hallway is covered with a low-pitched gabled roof with a small, angled front gable that sits slightly angled on the sloping roof above the living room area facing the street. The tongue-and-groove soffit of the overhangs is painted.

A flat roof exists above the east portion of the Forster Residence housing a utility room and cantilevers over the entrance area. The present asphalt shingling of the main roof would be a typical roof covering for houses of this type. Localized repairs were undertaken with asphalt roll roofing on the main roof. Needles and other organic matter from nearby trees are located on the roof. A service power pole is installed on top of the flat roof above the utility room. The review of the interior space shows significant water staining in many locations indicating severe water penetration issues through the existing roof. Aluminum gutters and downspouts are extant on the house, but in poor condition and broken or disconnected in some locations; their failure is exacerbating the deterioration of the historic fabric.

A historic internal chimney located near the boiler/utility rooms is built with common red bricks and a concrete cap. The brickwork shows some efflorescence and organic growth but appears to be in stable condition. Metal flashing at the base prevents water ingress but requires repairs. A previously rehabilitated chimney connected to an interior fireplace in the living room received a new metal flue that rises high above the roof on the south side.

CONSERVATION RECOMMENDATION: REHABILITATION

- The condition of the existing roofing material should be investigated.
- Remove the existing roofing material and re-roof with black or grey asphalt (Duro-oid) shingles.
- If the rehabilitation of the house requires the removal of the existing chimney, it is acceptable as the chimney is not a significant design feature.
- Design and install an adequate rainwater disposal system and ensure proper drainage away from the house.
- The design of the new construction should be sympathetic to the existing roof shape and original design intent.

Multi-level roofline with gabled and flat roofs and a large number of skylights providing natural light.
5.8 COLOUR SCHEDULE

The historic appearance of the original scheme of the Forster Residence will be based on the original colour scheme, determined through a microscopic colour analysis of paint samples removed from the architectural elements of the house. This is a highly typical colour palette of the time. The trim colour corresponds to Frank Lloyd Wright's favourite colour “Cherokee Red”, which he used on many of his buildings including the window sash of “Fallingwater” and throughout Taliesin West.

CONSERVATION RECOMMENDATION: RESTORATION

- Restore the original finish, hue and placement of applied colour on the historic portion of the building.
- Complete all basic repairs and replacements and remove surface dust and grime before preparing, priming and painting. Be sure that all surfaces to be painted are dry.
- Scrape and sand painted surfaces only as deep as necessary to reach a sound base. Do not strip all previous paint except to repair base-material decay. Abrasive paint removal such as sandblasting or power-washing that can cause damage to the surface of an existing substrate is not recommended.
- Paint all areas of exposed wood elements with paint primer. Select an appropriate primer for materials being painted (e.g. if latex paint is used over original oil paint, select an oil-based primer).
- The colours for the new construction can be differentiated but should be within the same colour family and sympathetic with the historic site and overall design strategy of the original architect.

ORIGINAl COLOUR SCHEME

- Board-and-Batten Siding: matched to Benjamin Moore “Provincial Park” CC-664
- Window Mullions: matched to Benjamin Moore “Sundried Tomato” CC-62
- Window Sash: matched to Benjamin Moore “Sundried Tomato” CC-62
The interior configuration of the Forster Residence follows the typical design of the West Coast Style, featuring open living and entertaining spaces at the front separated from the private family rooms in the rear. Also, the use of local materials such as wood and concrete stone for the interior walls and ceiling finishes creates an aesthetic appearance of different surface textures and colours.

The house has a generally linear floor plan that provides a varied layout, with the main entry door at the east side leading to the angled lowered living room that can be reached by four steps made of blue/green slate tiles. The ceiling of the entry area is deliberately lowered to create a sense of compression upon entry, which then opens out as the other spaces are entered; this was a direct quote of the work of Frank Lloyd Wright, and enlivens the spatial experience of the house through contrast between higher and lower spaces and angles. On the east side a glass screen wall with partially coloured panes provides an interesting contrast to the otherwise brown (wood wall and ceiling panelling) and grey (masonry wall) surfaces of the living room.

The open fireplace in the masonry wall to the south is a central element of the living room, which also features vertical windows to the south and the creek side to the west. Throughout the interior a structural wooden beam join in the centre, and the wooden plank walls and ceilings are exposed and varnished. Ceiling panels were used to follow the contours of the sloped roofs and contrast with the angular solidity of the masonry interior walls.

Due to the major settling of the floor slab and leaning of the retaining wall at the south side, a dramatic slope in the living room floor towards the west side is notable. This led to the use of temporary shoring throughout the living room.

A large kitchen opposite to the main entrance is separated from the lower living room by a long approximately 3'1/2" high masonry wall used as a counter that was originally connected to a ceiling-high load-bearing masonry feature wall. This half-height masonry counter became detached from the load-bearing wall and shows a 4" gap due to the slab movement. As the interior kitchen and dining area will be rehabilitated, it is proposed to remove the existing masonry wall to allow more open access to the living room.

The hallway leading to the private living areas to the north has a minimal width and is illuminated by horizontal clerestory windows on the east side. Three bedrooms face the creek side, with one bathroom and one boiler room to east, the latter with access to a large utility room. Wood wall and ceiling panelling, and built-in furniture, assisted in the creation of the individualized interior design while standard materials were utilized to minimize the costs. Significant staining on ceiling panels caused by water penetration is evident in many locations of the house and indicates severe leakage problems of the existing roof, in particular near the ridge and skylights.

**CONSERVATION RECOMMENDATION: REHABILITATION**

- The interior configuration of the retained portion of the house will be rehabilitated while preserving characteristic interior elements.
- Interventions that are necessary to satisfy structural, electrical or code requirements or to meet modern user needs should be sensibly designed to allow preservation or reinstatement of interior features where possible.
6.0 MAINTENANCE PLAN

6.1 MAINTENANCE GUIDELINES
A maintenance schedule should be formulated that adheres to the Standards and Guidelines for the Conservation of Historic Places in Canada (2010). Routine maintenance keeps water out of the building, which is the single most damaging element to a heritage building. Maintenance also prevents damage by sun, wind, snow, frost and all weather; prevents damage by insects and vermin; and aids in protecting all parts of the building against deterioration. The effort and expense expended on an aggressive maintenance will not only lead to a higher degree of preservation but also will over time potentially save large amount of money otherwise required for later repairs. This Maintenance Plan should form part of the ongoing documentation for the building and should be regularly reviewed by those responsible for building maintenance.

6.1.1 PERMITTING
Repair activities, such as simple repair of materials in-kind, or repainting in the same colour, should be exempt from requiring municipal permits. Other more intensive activities will require the issuance of a Heritage Alteration Permit.

6.1.2 CLEANING
Following the Standards and Guidelines for the Conservation of Historic Places in Canada, be mindful of the principle that recommends 'using the gentlest means possible'. Any cleaning procedures should be undertaken on a routine basis, and should be undertaken with non-destructive methods. Cleaning of the house will be limited to the exterior material. All of these elements are usually easily cleaned, using a soft, natural bristle brush, without water, to remove dirt and other material. If a more intense cleaning is required, this can be accomplished with warm water, mild detergent (such as Simple Green®) and a soft bristle brush. High-pressure power-washing or sandblasting are not considered acceptable.

6.1.3 REPAIRS AND REPLACEMENT OF DETERIORATED MATERIALS
Interventions such as repairs and replacements must conform to the Standards and Guidelines for the Conservation of Historic Places in Canada. The building’s character-defining elements – characteristics of the building which contribute to its heritage value such as materials, form, configuration, etc. – must be conserved, referencing the following principals to guide interventions:
- An approach of minimal intervention must be adopted - where intervention is carried out it is by the least intrusive and most gentle means possible.
- Repair rather than replace character-defining elements.
- Repair character-defining elements using recognized conservation methods.
- Replace 'in kind' extensively deteriorated or missing parts of character-defining elements.
- Make interventions physically and visually compatible with the historic place.

6.1.4 MAINTENANCE OF EXTERIORS - KEEPING THE WATER OUT
Water, in all its forms and sources (rain, snow, frost, rising ground water, leaking pipes, back-splash, etc.) is the single most damaging element to historic buildings. Water supports all forms of biological decay such as rot, fungus, moss, lichen, termites, powder post beetle, other insects, etc. Keeping a building dry is the single best method of combating biological decay.

The most common place for water to enter a building is through the roof and/or the guttering and downspout systems. An apparent minor roof or clogged gutter leak that is ignored can introduce enough moisture to support biological decay in a building on a scale necessitating removal of walls and floors, replacement of structural systems and services. Keeping roofs repaired or renewed and gutters frequently cleaned is a more cost-effective option. Evidence of a small interior leak should be viewed as a warning for a much larger and worrisome water damage problem elsewhere and should be fixed immediately.
6.2 INSPECTION CHECKLIST

The following checklist considers a wide range of potential problems specific to the house such as water/moisture penetration; material deterioration; structural deterioration; site and environmental issues. This checklist should be filled out by the owner on an annual basis and stored in the owner’s Information File for the house.

EXTERIOR INSPECTION

SITE INSPECTION:
- Is the lot well drained?
- Do trees need pruning - are there dangerous dead limbs?
- Do plants hold water against the structure?
- Do trees overhang or touch the structure - rubbing damage?
- Can shrub and tree roots damage the structure?
- Are there creepers or vines on the structure - causing damage?
- Is the paint peeling? Cracking?

FOUNDATION:
- Moisture: Is rising damp present?
- Is there back-splashing from ground to structure?
- Does water drain away from foundation? Puddles?
- Is the moisture problem general or local?
- Is spalling from freezing present? (Flakes or powder?)
- Is efflorescence present?
- Is spalling from sub-fluorescence present?
- Is damp proof course present?
- Are there shrinkage cracks in the foundation?
- Are there movement cracks in the foundation?
- Is crack monitoring required?
- Is uneven foundation settlement evident?
- Do foundation openings (doors and windows) show: rust; rot; insect attack; paint failure; soil build-up; deflection of lintels?

STRUCTURE:

Wood Elements:
- Are there moisture problems present? (Rising damp, rain penetration, condensation moisture from plants, water run-off from roof, sills, or ledges?)
- Is wood in direct contact with the ground?
- Is there insect attack present? Where and probable source?
- Is there fungal attack present? Where and probable source?
- Are there any other forms of biological attack? (Moss, birds, etc.) Where and probable source?
- Is the wood surface damaged from UV radiation? (bleached surface, loose surface fibres)
- Is the wood warped, cupped or twisted?
- Is the wood split? Are there loose knots?
- Are nails pulling loose or rusted?
- Is there any staining of wood elements? Source?

Condition of Exterior Paint Materials:
- Paint shows: blistering, sagging or wrinkling, alligatoring, peeling, Cause?
- Paint has the following stains: rust, bleeding knots, mildew, etc. Cause?
- Paint cleanliness, especially at air vents?

Windows:
- Is there glass cracked or missing?
- If the glazing is putted has it gone brittle and cracked? Fallen out? Painted to shed water?
- If the glass is secured by beading, are the beads in good condition?
- Is there condensation or water damage to the paint and wood?
- Are the sashes easy to operate? If hinged, do they swing freely?
- Is the frame free from distortion?
- Is the end grain properly sealed?
Doors:
- Do the doors create a good seal when closed?
- Are the hinges sprung? In need of lubrication?
- Do locks and latches work freely?
- Are door frames wicking up water? Where? Why?
- Are door frames caulked at the siding? Is the caulking in good condition?
- What is the condition of the sill?

Gutters and Downspouts:
- Are downspouts leaking? Clogged? Are there holes or corrosion? (Water against structure)
- Are downspouts complete without any missing sections? Are they properly connected?
- Are eaves clean? Do they show any sagging?
- Is the water being effectively carried away from the downspout by a drainage system? Do downspouts drain completely away?

Roof:
- Are there water blockage points behind chimneys or valleys?
- Is the leading edge of the roof wet?
- Is there evidence of biological attack? (Fungus, moss, birds, insects)
- Are shingles wind damaged or severely weathered?
- Are the nails sound? Are there loose or missing shingles?
- Are flashings well sealed, especially at the chimney?
- Do the soffits show any signs of water damage? Insect or bird infestation?

INTERIOR

Living Space:
- Materials: wood, masonry – are they sound, or uneven, cracked, out of plumb or alignment; are there signs of settlement, old, or recent (bulging walls, long cracks, etc.)?
- Finishes: paints, stains, etc. – are they dirty, peeling, stained, cracked?
- Are there any signs of water leakage or moisture damage? (Mould? Water-stains?)

Concealed spaces:
- Is light visible through walls, to the outsider or to another space?
- Are the ventilators for windowless spaces clear and functional?
- Do pipes or exhausts pass through concealed spaces without leaks?
- Are wooden elements soft, damp, cracked? Is metal material rusted, paint peeling or off altogether?
- Infestations - are there signs of birds, bats, insects, rodents, past or present?
6.3 MAINTENANCE PLAN

Daily
- Observations noted during cleaning (cracks; damp, dripping pipes; malfunctioning hardware; etc.) to be noted in log book or building file
- Usual cleaning, as required

Weekly
- Clean gutters during periods of heavy leaf fall
- Clean air filters as necessary

Monthly
- Have all rainwater gutters, downspouts, drains cleaned out
- Lubricate any mechanical heating, pumps, etc., as required
- Major issues entered into the log book

Quarterly
- Check roofs inside and outside including gutters, valleys, downspouts, etc.
- Check doors for closing and locking
- Clean light fixtures

Semi-annually
- Semi-annual inspection and report with special focus on seasonal issues
- Thorough cleaning of gutters and downspouts to cope with winter rains and summer storms
- Check smoke detectors
- Check condition of weather sealants (Fall)
- Service mechanical units such as heating (Fall)
- Clean the exterior using a soft bristle broom/brush

Annually (Spring)
- Inspect foundation for cracks, deterioration or loss
- Inspect windows for paint and glazing compound failure, wood decay and proper operation
- Complete annual inspection and report for Information File

- Clean out of all perimeter drains and rainwater systems
- Overhaul electric system; change light bulbs and tubes
- Check all sprinkler systems
- Check all fire extinguishers and have access to them
- Touch up worn paint on the building's exterior
- Oil all locks, hinges, etc.
- Service mechanical units such as air conditioning/pumps etc.
- Check for plant, insect or animal infestation
- Routine cleaning, as required

Five Year Cycle
- A full inspection report by a heritage professional should be undertaken every five years comparing records from previous inspections and the original work, particularly monitoring structural movement and durability of utilities.
- Repaint wooden sash windows every five to fifteen years. With proper maintenance, wood windows have the potential to last indefinitely.

Ten Year Cycle
- Check condition of roof every ten years after last replacement.

Twenty Year Cycle
- Confirm condition of roof and estimate effective lifespan. Replace when required.

Storm Inspections (as required)
- After any storm, inspection must occur for any damage. Gutters and roofs need to be checked and cleaned.

Major Maintenance Work (as Required)
- Thorough repainting, re-roofing, gutter, downspout and drain replacement; replacement of deteriorated building materials etc.
APPENDIX A: RESEARCH SOURCES

The Forster Residence, 1160 Ridgewood Drive, North Vancouver, B.C.

Legal Description: Lot 9, Block 68, District Lots 598 to 601, Plan 7661
Easements: Explanatory Plan 20309

Literature:


Guest room and carport.
APPENDIX B:
ADDITIONAL EXTERIOR IMAGES

- Tree stump integrated in retaining wall
- Patio on west side with sliding doors from the dining room
- Retaining wall: poured in place, concrete, and sonotubes
Washed out soil underneath concrete path at northwest corner of the house.

Damaged fascia board.

Main roof with repair patches made of roll roofing (1) and plastic sheets (2) protecting the clerestory windows from water ingress.
APPENDIX C: ADDITIONAL INTERIOR IMAGES

Original slate steps.

Entry hall with low ceiling and wood finish.

Living room

Settling masonry wall on south side.
APPENDIX C

Utility room to be removed.

Kitchen with sloped ceiling and skylights.

Water damage on interior wood finishes.

Typical clerestory window, here with signs of water staining below.
APPENDIX D: SITE SURVEY PLAN

Topographic Survey Plan
Hubbs, Winter & MacDonald,
B.C. Land Surveyors, 2010
SCHEDULE B

BUILDING PLANS
BASEMENT
NEW ADDITION
1307.00 SQ.FT
279.00

DECK ABOVE

EXISTING HERITAGE

BASEMENT FLOOR PLAN
1300 SQ.FT (EXCLUDED FROM F.R.)
NEW CONC. STAIRS

TREATED CEDAR DECK FLOORING

DECK

$298.00

230.00 SQ.FT.

DN/RM

12'11"

EXISTING STEPS

DN

NEW CONC. STAIRS

EXISTING STEPS

REPLICATED WINDOWS

MAIN FLOOR PLAN

NEW FIRST STORY ADDITION: 1300 SQ.FT.
EXISTING HERITAGE BUILDING: 890 SQ.FT.

MAIN FLOOR

1160 Ridgewood Dr
North Vancouver
UPPER FLOOR
280 SQ FT

MAIN FLOOR
460 SQ FT

TOTAL COACH HOUSE FLOOR AREA 740.00 SQ FT
TOTAL GARAGE: 200.00 SQ FT
The Corporation of the District of North Vancouver

Bylaw 7909

A bylaw to designate property as heritage property
pursuant to section 967 of the Local Government Act (RSBC 1996, c. 323)

The Council for The Corporation of the District of North Vancouver enacts as follows:

Citation
1. This bylaw may be cited as "Heritage Designation Bylaw 7909 - 1160 Ridgewood Drive, Bylaw 7909, 2011".

Heritage Designation Protection
2. The Council designates the following as protected heritage property pursuant to section 967 of the Local Government Act:

(a) the lands located at 1160 Ridgewood Drive and legally described as: PID: 010-398-015, Lot 9 Block 68, District Lots 598 to 601, Plan 7661 (the "Lands"); and

(b) the exterior and interior of the portion of the building on the Lands shown outlined and shaded gray and marked "HERITAGE" on the site plan attached to this bylaw as Schedule A (the "Retained Structure").

Authority to issue Heritage Alteration Permit
3. Pursuant to section 972 of the Local Government Act, the Council delegates to the Director - Planning, Properties & Permits the authority to issue heritage alteration permits to authorize alterations to interior and exterior of the Retained Structure not otherwise permitted by this bylaw, provided that the alterations, including the material used and the design, colour and texture are in the opinion of the Director – Planning, Properties & Permits appropriate to the general period and style for the building.

READ a first time the
PUBLIC HEARING held the
READ a second time the
READ a third time the
ADOPTED the

Mayor

Municipal Clerk

Certified a true copy
SCHEDULE A to BYLAW 7909
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Hello,

Please see the following answers to the questions posed by Councillor Hicks below:

**Has the initial work performed on the heritage house, i.e. painting, removing the basement etc., diminished any components of heritage?**

The Conservation and Maintenance plan for the Thomson House prepared by Don Luxton (the heritage consultant on the project) and dated February 2016 will guide the proposed renovations and conservation of the house, should the HRA be approved by Council. The heritage consultant has stated that the house’s current condition, including the initial work, does not diminish its heritage value and has clarified that under the consultant’s guidance and supervision appropriate renovations will be completed through the HRA (Heritage Revitalization Agreement) and Conservation Plan.

The Heritage Consultant has also confirmed specifically that:

- The lifting of the house does not affect its heritage value. The house will be placed on an appropriate foundation as part of the renovations.
- The house is intended to be re-painted in the proposed authentic colour scheme.
- As is common practice the chimney has been removed but is intended to be rebuilt when the house is relocated.

**Is the current zoning which maintains a very large lot coverage foreseen as a situation into the future whilst subdivisions and 33 foot lots exist all around?**

The current RSQ zoning in Upper Lonsdale/Oueensdale was adopted in 2002 and intended to maintain the existing lot pattern in the area. As shown on the attached RSQ zoning map the minimum permitted single-family lot size varies from 15m (50 ft) in width closer to Lonsdale Avenue to larger lots with a minimum of 18m (59 ft) and 24m (78.7 ft) width in the eastern portion of the neighbourhood (please see attached zoning map).

Since the establishment of the RSQ zoning, the area has remained very stable with little in the way of subdivision or additional infill. There are no Small Lot Infill Areas (SLIAs) in the RSQ zoned area identified in the Zoning Bylaw and there have been no subdivisions approved to establish smaller lot sizes than permitted under the RSQ zoning bylaw requirements. There are no current proposals to review the subdivision requirements or minimum lot size provisions in the RSQ zone.

Apart from existing lots that already may have subdivision potential under the RSQ zoning provisions, the only other anticipated potential for subdivision would arise from consideration of heritage protection applications – each of which would require an HRA and Public Hearing. A map locating Heritage Register homes on lots that exceed 30.5 m (100 ft) in width lots in the Queensdale area is attached. Apart from 360 E. Windsor Road, there are no other active inquiries for HRA’s or subdivision in the RSQ zoned area at this time.
Also of note:

When land developers/owners approach District staff with a plan to develop homes on the heritage registry, staff discuss a variety of options for redevelopment that may preserve the heritage value and character while allowing some redevelopment, which is sensitive to the neighbourhood character, in accordance with the OCP, which indicates the District should “Encourage the protection and enhancement of buildings and sites which have historic significance to the community by exploring opportunities to use the tools and incentives available under the Local Government Act” (Policy 6.5.4.)

As was the case with this applicant, various combinations of single family homes, secondary suites and coach houses are discussed. In addition, subdivision was discussed, because for the developer, this is the key method of obtaining sufficient revenue to support the renovation and/or relocation of the heritage home. Ultimately, the owner decided to proceed with the HRA application as summarized in staff’s report.

Dan Milburn, MCIP, RPP, RI
Acting General Manager, Planning, Properties & Permits
District of North Vancouver
355 West Queens Road, North Vancouver, BC V7N 4N5
Ph: (604) 990-2423 Fax: (604) 984-8664
Reception: (604) 990-2311
Email: milburnd@dnv.org
Web: www.dnv.org
Single-Family Residential Queensdale Zone

MINIMUM AREA 660m²
MINIMUM WIDTH 15m

MINIMUM AREA 850m²
MINIMUM WIDTH 18m

MINIMUM AREA 1100m²
MINIMUM WIDTH 24m

RSQ - Single-Family Residential Queensdale Zone
PA - Public Assembly Zone
PRO - Park, Recreation And Open Space Zone

BYLAW 7251
SECTION A: The Building Permit Process in the District
SECTION B: Requirements for Building Permit Drawings
SECTION C: Relevant Sections of the Zoning Bylaw
SECTION D: RSQ Zoning Information
SECTION E: RSQ Zoning Checklist

BUILDING DEPARTMENT CONTACT AND INFORMATION

Hours of Operation:
8:00 am – 4:30 pm, Monday – Friday
Closed on Statutory Holidays

Inspector Availability:
8:00 am – 9:30 am, Monday – Friday

Telephone: 604-990-2480
Fax: 604-984-9683
Web: www.dnv.org
Email: building@dnv.org
24 Hr Inspection Request: 604-990-2444

Residential Plan Reviewers are available by telephone during working hours

Building Permit Applications and Inquiries are by Appointment Only
1) Examples of Work Requiring a Building Permit

- new homes, garages, and carports
- additions and alterations to existing buildings
- creating a Secondary Suite (see bulletin)
- demolition
- swimming pools
- retaining walls greater than 4 ft. – see page 17 of this handout for more details
- sheds or accessory buildings exceeding $10m^2$ (107 sq.ft.) – sheds must always meet the setback requirements regardless of size

2) Environmental Protection

Schedule B of the District’s Official Community Plan (OCP) establishes a number of Development Permit Areas (DPA), including:

- Protection of the Natural Environment
- Streamside Protection
- Wildfire Hazard
- Creek Hazard
- Slope Hazard

Please check the online maps at [www.geoweb.dnv.org](http://www.geoweb.dnv.org) to see if your property falls within any of these DPAs. If so, you will have to complete an Environmental Protection & Natural Hazard DPA Application and submit it with the information required to our Environmental, Sustainability Department for processing and permit approval or exemption in accordance with OCP policy.

Other environmental permits may be required depending on your proposed work. Please check the District’s website [www.dnv.org](http://www.dnv.org) in the Environment Section on the Permits page:

- Tree Permit
- Soil Permit
- Aquatic Permit
3) **Engineering Service Connections**

a) **Service Connections** - all applicants should contact Engineering Administration at 604-990-2450 to determine access to services, connection requirements, connection fees and service inverts early in the design stage.

b) **Crossings for Vehicle Access** - in all single-family zones, when a lot abuts both an opened street and an opened lane, no vehicular access will be permitted from the street. When no lane access is available, vehicular access off a street will be limited to a single driveway crossing of no more than 6.1m in width. Applicants should contact Engineering Administration at 604-990-2450 to determine acceptable locations for vehicular access from the street and any other work proposed in the boulevard.

4) **The Building Permit Application**

Required at Time of Application:

- appointment with Residential Plans Reviewer (990-2480)
- environmental questionnaire completed (4 copies of sediment erosion control plan)
- a letter of authorization from the registered homeowner if someone other than the homeowner is applying
- 2 complete sets of building permit drawings, including required survey
- 50% of the building permit fee (non-refundable) – for complete list of fees please see Schedule A of the Building Bylaw
- applicable zoning checklist completed
- recent title search

Required at Issuance (new construction):

- HPO Owner Builder Registration Form
- HPO Licenced Builder Registration Form

Please see [www.hpo.bc.ca](http://www.hpo.bc.ca) for more info or call 604-646-7050.

5) **The Fees & Securities**

Once the drawings and other permit application documents comply with the District Zoning Bylaw, the District Building Bylaw, and the BC Building Code, and all applicable fees and deposits are paid, and then a "Building Permit" is issued. Typical fees may include but not limited to:

- security deposit
- building permit fee
- water connection fee
- sanitary sewer connection fee
- storm sewer connection fee
- storm and sanitary inspection chambers
- installation of curbing
- environmental permit fees
- environmental security deposits
6) Conditions of the Building Permit

The work as specified on the drawings must commence within 6 months from the date of issuance of the Building Permit. The Building Permit expires 2 years after the date of issuance.

7) Other Permits

Separate permits and inspections are required for sub-trade work such as electrical wiring, plumbing, hydronic heating, sprinkler systems, gas and drainage. These are applied for and issued from the Building Department.
The following is a list of drawings required for a building permit application. The requirements as listed below are typical for new house construction. Small projects may require less detail. The District will require a Professional Engineer's Letter of Assurance and 2 sets of sealed drawings, should the structural aspects of the work fall outside of Part 9 of the BC Building Code.

**Topographical Survey (recommended scale 1/8" = 1', or 1:100)**

- prepared by a registered B.C. Land Surveyor
- lot dimensions and setbacks of existing buildings and structures
- contours required at 3 ft. intervals
- curb & property corner elevations
- existing ridge elevation
- existing maximum eave height
- main floor elevation
- perimeter spot elevations where proposed structure will be sited
- datum determination points

**Site Plan (recommended scale 1/8" = 1', or 1:100)**

- setbacks to all structures
- natural and finished grades at all building corners
- main floor and ridge elevation
- datum determination points
- retaining walls, stairs and decks
- upper floor line indicated
- driveway location and size

**Foundation Plan (recommended scale 1/4" = 1', or 1:50)**

- location and size of all foundations including pad footings (this information may be combined with the floor plans)
Floor Plans (recommended scale 1/4" = 1', or 1:50)

- structural framing indicated (lumber grade and species, beam sizes, joist spacing size and direction, trusses indicated, etc.)
- fully dimensioned
- room use and size indicated
- window and door sizes
- stair rise/run
- roof plan/layout
- section line

Four (4) Exterior Elevations (recommended scale 1/4" = 1', or 1:50)

- building height base line
- maximum building height line
- maximum eave height
- natural and finished geodetic grade elevations
- spatial separation calculations
- window wells and retaining walls
- floor and/or deck geodetic elevations
- roof slope indicated

Typical Full Cross-Section (recommended scale 1/4" = 1', or 1:50)

- basement, main floor, upper floor, maximum eave, and ridge elevation specified
- room clear heights
- construction details and material list
- roof slope indicated
The following pages contain pertinent extracts from the District of North Vancouver Consolidated Zoning Bylaw, summarized for size, shape and siting regulations for single-family dwellings and accessory buildings in Residential Zones. Specific neighbourhood zoning is attached. These extracts are issued as a guide for quick reference and convenience only. Completeness and accuracy are not guaranteed. For complete and up-to-date information, refer to the official Consolidated Zoning Bylaw (Parent Bylaw #3210). Zoning Bylaw regulations are subject to change. Please contact the Planning Department at 604-990-2387 for updates.

PART 1 TITLE

This Bylaw may be cited for all purposes as the "District of North Vancouver Zoning Bylaw, 1965".

PART 2 INTERPRETATION

In this Bylaw, unless the context otherwise requires,

"accessory to" means customarily incidental to the permitted use of land, buildings or structures located on the same lot;

"balcony" means a cantilevered deck that projects from a wall of a building and which, except for a railing, is not enclosed; (Bylaw 5609)

"basement" means a storey or storeys of a building located below the first storey; (Bylaw 6039)

"bed and breakfast" means a home occupation business in a single-family residential building which provides temporary accommodation rented to a person or persons on a daily or weekly basis for a period not to exceed 28 consecutive days; (Bylaw 6946)
"boarders and lodgers" means persons provided with accommodation and meals in a single-family residential building for payment of rent for a period of not less than 28 consecutive days and where such accommodation shall not include separate cooking facilities; (Bylaw 6946)

"building" means a structure located on the ground, wholly or partly enclosed with walls and roofs, and used for the shelter or accommodation of persons, animals, chattels or things, or any combination thereof;

"building height base line" with respect to a single family residential building or structure, means the line created by:

(i) averaging the two front datum determination points on the lot; and
(ii) averaging the two rear datum determination points on the lot; and
(iii) longitudinally extending a line joining (i) and (ii) above,

all of which is illustrated by way of the following diagram:

"cooking facility" means a room or portion thereof where and the equipment by which meals may be prepared; (Bylaw 5957)

"coverage, building" means that portion of a lot or lots, expressed as a percentage, occupied by all buildings and structures 0.9m (3 ft.) or greater in height above finished grade;
"coverage, site" means that portion of the lot or lots, expressed as a percentage, occupied by the total of all buildings and structures 0.9m (3 ft.) or greater above finished grade, parking and loading spaces, manoeuvring aisles, driveways and exterior storage areas; (Bylaw 6751)

“datum determination points, front” for a single family residential lot means the two points on a lot created where the frontmost wall face of the principal building or projections thereof intersect with the outermost sidewalk faces or projections thereof measured at the lesser of natural or finished grade; (Bylaw 6833)

“datum determination points, rear” for a single family residential lot means the two points on a lot created where the rearmost wall face of the principal building or projections thereof intersect with the outermost sidewalk faces or projections thereof measured at the lesser of natural or finished grade; (Bylaw 6833)

"dwelling unit" means one or more habitable rooms for the residential accommodation of only one family and contains or provides for only one cooking facility; (Bylaw 6922)

“floor space ratio” means that figure obtained when the gross floor area of all buildings and structures, except those areas exempted by section 410, is divided by the lot area upon which the buildings and structures are situated; (Bylaw 6833)

"grade, finished" means the level of ground created by human action; but excludes created localized depressions; (Bylaw 6833)

"grade, natural" means the undisturbed ground level formed without human intervention or, where the undisturbed ground level cannot be accurately ascertained because of previous human intervention, the natural grade shall mean the ground level established at the date of the adoption of Bylaw 6039 (June 13, 1988) but excludes natural localized depressions; (Bylaw 6833)

"gross floor area" means the total floor area of a building or structure measured to the exterior of its walls; (Bylaw 6685)

"height" means:

(i) with respect to a building or structure in a single family residential zone the greatest vertical distance measured from the building height base line to the topmost part of the building or structure, except that in the case of an accessory building or structure it shall be the vertical distance measured from the floor level to the highest point of the building or structure; (Bylaw 6833)
"home occupation" means any occupation or profession conducted for gain in a dwelling unit, except that a swim school may be operated outside of a dwelling unit, and includes the operation of a kindergarten for not more than twenty children;

(Bylaw 6864 & 4314)

"land" includes the surface of water;

"localized depression" means except as stipulated in the RSPH zone, Subsection 509.3, in the RSK zone, Subsection 511.3 and in the RSH Zone Subsection 512.3, in the RSCH Zone, Subsection 514.3, and in the RSE Zone, Subsection 515.3:

(Bylaw 7042, 7092, 7101, 7190)

(i) an existing depression in natural grade not exceeding 3m (9.8 ft.) in breadth or the lesser of 3m (9.8 ft.) or 20% of the wall length along any building wall that it intersects;

(ii) a depression below the normal natural or finished grade created for the purpose of providing vehicle or pedestrian entrance to a building subject to the following conditions:

(a) only one vehicle entrance and one pedestrian entrance are permitted as localised depressions on a single family residential building;

(b) on any side of a building in a single family residential zone, the total localised depression width shall not exceed the lesser of 50% of the corresponding building width or length, or:

- 6.0m (20 ft.) wide for a vehicle access
- 2.44 (8 ft.) wide and 3.0m² (32 sq.ft.) in area for a pedestrian access
- 7.3m (24 ft.) wide for a combined vehicle and pedestrian access;

(iii) a light well on any side of a single family residential building extending not more than 0.75m (2.5 ft.) beyond the building wall face and not exceeding 25% of the corresponding building width or length in total for one or more light wells; and

(iv) any combination of vehicle or pedestrian entrances, light wells and natural depressions remaining after finish grading shall not exceed 50% of the corresponding building width or length along any side of a building.
"lot area", means the horizontal area within the lot lines of a lot, excluding:

(a) lots that are inaccessible by road;
(b) land covered by a natural body of water;
(c) land within a powerline right-of-way; and
(d) land
   (i) on a steep slope where the grade generally exceeds 50%,
   (ii) land in a ravine, or
   (iii) on a river or creek bank,  

"lot depth" means the length of the centre lot line;  

"lot line, centre" means the linear measurement across the lot taken from the centre of the front lot line to the centre of the rear lot line;  

"lot line, front" means:

(i) the lot line or lines common to street and lot, or, in the case of a lot having lot lines in common with more than one street, the lot line or lines common to the lot and the street with the shortest frontage; or,
(ii) in the case of a panhandle lot, the lot line forming the narrow side of the end of the lot from which the panhandle extends;  

(iii) the lot line or lines forming the narrow side of the lot nearest the frontage in the case where the frontage of the lot is located on the long side of the lot.  

"lot line, rear" means the lot line or lines opposite to and most distant from the front lot line, or, in the case of a lot having two intersecting side lot lines, the rear lot line shall be deemed to be a line within the lot twenty feet in length, which is parallel to and most distant from the front lot line;

"lot width" means the shorter of the following two linear measurements:

(i) a line across the lot perpendicular to the centre lot line at 29.5 feet to the rear of the front lot line;

(ii) a line across the lot perpendicular to the centre lot line at 59 feet to the rear of the front lot line;
provided that the front lot line shall not be less than two-thirds (2/3) of the minimum width requirement for that lot; (Bylaw 6402)

"maximum building depth" in the RS 1-5 zones means that a centre line through the dwelling shall be established using the datum determination points at the front and rear of the house. The exterior walls on either side of this centre line may not exceed a total of 19.8m (65 ft.). For all other zones "maximum building depth" means the linear measurement of a single-family residential building taken from the exterior wall face closest to the front lot line measured parallel to the centre lot line to the exterior wall face closest to the rear lot line, including an attached garage or carport; (Bylaw 6402, 6644 & 7618)

"maximum dwelling unit size" means the total gross floor area as used in calculating the floor space ratio; (Bylaws 5930 and 6142)

"maximum eave height" in all single family zones, except as stipulated in the Queensdale Neighbourhood Zone (RSQ), Subsection 516.3, shall be the vertical distance from the lesser of the natural or finished grade measured at the base of the building or structure to the intersection of the exterior wall face or projection thereof with the top surface of the building except that portion of wall contained within a roof gable; (Bylaw 6192, 6402 & 7250)

"media-related establishments" means land, buildings and structures used for music, film and video production studios, advertising establishments, printing and publishing establishments and radio and television stations; (Bylaw 6685)

"minimum front setback line" means a line which is parallel to the front lot line and which is at the minimum front yard setback; (Bylaw 6192)

"minimum rear setback line" means a line which is parallel to the rear lot line which is at the minimum rear yard setback; (Bylaw 6192)

"ocean natural boundary line" means the visible high-water mark of the ocean where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil or rock of the bed of the ocean a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself; (Bylaw 7618)

"open space" means an area that is located on the ground and which is open at all sides with the exception of structural necessary elements for support when there is a building above the open space; (Bylaw 6833)
"panhandle" means the narrow strip of land connecting the body of the lot with the street; (Bylaw 4787)

"parking structure" means a wholly or partly enclosed structure for temporary parking and protection of one or more motor vehicles which are otherwise in active use and which, when accessory to a single family residential building, includes an attached or detached carport or garage or a dedicated space within the principal building; (Bylaw 6833)

"principal building" in a single family residential zone means a permitted single family residential building, but excludes parking structures and other accessory buildings up to the limits exempted from floor space ratio calculations in section 410; (Bylaw 6833)

"residential building, single-family" means a building consisting of one dwelling unit or, in a single-family residential zone, a building consisting of a combination of one dwelling unit and one secondary suite; (Bylaw 6922)

"satellite dish antenna" means any parabolic or spherical antenna which receives television or other signals from orbiting satellites or other devices; (Bylaw 6132)

"secondary suite" means an accessory dwelling unit on a lot in a zone that permits a single family residential building; (Bylaw 8036)

"storey" means that portion of a building which is situated between the surface of any floor and the surface of the floor next above it, and if there is no floor above it, that portion between the surface of such floor and the ceiling above it; (Bylaw 6039)

"storey, first" means the uppermost storey having its floor level not more than 2m (6.5 ft.) above the lowest of the average levels of finished grade adjoining each exterior wall of a building, except that localised depressions shall not be considered in the determination of average levels of finished grade; (Bylaw 6833)

"storey, upper" means the topmost storey:

a) which is either immediately above the first storey, or,

b) where the first storey is partially below natural or finished grade, the topmost storey having a floor level which is more than 2.1m (7 ft.) above
the highest of the average wall grades of each elevation when measured from the lesser of natural or finished grade, as illustrated in the following sketches.  

(Bylaw 6757)

“veranda” for a single family residential building means a one storey high roofed portico, gallery or porch adjoining an exterior wall or walls of a building and open at all other sides with the exception of necessary structural support columns and a guard or rail not exceeding a height of 1.1m (3.5 ft.) and with a floor not higher than the lowest above-grade building floor on the side of the building to which it is attached;  

(Bylaw 6833)
PART 3 GENERAL OPERATIVE CLAUSES

301 Zones

(1) The whole of the area of the District of North Vancouver is hereby divided into zones as shown upon the maps and plans contained in the Plan Section of this Bylaw or defined by description in this Bylaw and the said maps, plans and descriptions are hereby made and declared to be an integral part of this Bylaw.

(2) The said zones are designated as follows:

<table>
<thead>
<tr>
<th>DESIGNATION</th>
<th>SHORT FORM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family Residential One Acre Zone</td>
<td>RS 1</td>
</tr>
<tr>
<td>Single-Family Residential 12000 Zone</td>
<td>RS 2</td>
</tr>
<tr>
<td>Single-Family Residential 7200 Zone</td>
<td>RS 3</td>
</tr>
<tr>
<td>Single-Family Residential 6000 Zone</td>
<td>RS 4</td>
</tr>
<tr>
<td>Single-Family Residential 4000 Zone</td>
<td>RS 5</td>
</tr>
<tr>
<td>Single-Family Residential Highlands Zone</td>
<td>RSH</td>
</tr>
<tr>
<td>Single-Family Residential Marlborough Heights Zone</td>
<td>RSMH</td>
</tr>
<tr>
<td>Single-Family Residential Norgate Zone</td>
<td>RSN</td>
</tr>
<tr>
<td>Single-Family Residential Delbrook Zone</td>
<td>RSD</td>
</tr>
<tr>
<td>Single-Family Residential Keith Lynn Zone</td>
<td>RSKL</td>
</tr>
<tr>
<td>Single-Family Residential Murdo Frazer Zone</td>
<td>RSMF</td>
</tr>
<tr>
<td>Single-Family Residential Norwood Queens Zone</td>
<td>RSNQ</td>
</tr>
<tr>
<td>Single-Family Residential Pemberton Heights Zone</td>
<td>RSQ</td>
</tr>
<tr>
<td>Single-Family Residential Sunset Gardens Zone</td>
<td>RSSG</td>
</tr>
<tr>
<td>Single-Family Residential Kilmer Zone</td>
<td>RSK</td>
</tr>
<tr>
<td>Single-Family Residential Highlands Zone</td>
<td>RSH</td>
</tr>
<tr>
<td>Single-Family Residential Edgemont West Zone</td>
<td>RSEW</td>
</tr>
<tr>
<td>Single-Family Residential Canyon Heights Zone</td>
<td>RSECH</td>
</tr>
<tr>
<td>Single-Family Residential Edgemont Zone</td>
<td>RSE</td>
</tr>
<tr>
<td>Single-Family Residential Queensdale Zone</td>
<td>RSQ</td>
</tr>
</tbody>
</table>

308 Determination of Grades

(1) Plans submitted in conjunction with a building permit application shall identify both natural and finished grades referenced to an established datum at or adjacent to the site.

(2) The applicant shall provide the natural grade and the finished grade to the satisfaction of the Chief Building Inspector. (Bylaw 6039)
PART 4 GENERAL REGULATIONS

407 Height Exceptions

Notwithstanding any other height provisions of this Bylaw, the following buildings, structures or portions thereof shall not be subject to height limitation:

- Cooling, fire and hose, observation, floodlight, distillation, transmission, ski-lift, warning device and water towers; bulkheads, tanks and bunkers, domestic radio and television antennae, masts and aerials; monitors; church spires; belfries and domes; monuments; chimney and smoke stacks; flag poles; cranes; grain elevators; and, gas holders. (Bylaw 6767)

408 General Siting Regulations

(1) Except in Single-Family Residential Zones, if an area on a given lot is not designated and delineated as 'Siting Area' in the Plan Section of this bylaw or 'Development Permit Area' on the Zoning Map and Plan Section of this bylaw, buildings and structures shall not occupy more than 10% of the lot area. (Bylaws 4478 and 5337)

(2) For the purposes of siting regulations of this Bylaw, when in a resolution or bylaw the Council declares that the establishing, diverting, or widening of a highway is necessary, such establishing, diverting, or widening is deemed to have been made at the time of the adoption of the resolution or bylaw. (Bylaw 3379)

(3) In the case of panhandle lots in Single-Family Residential Zones only, the panhandle is excluded for the purposes of setback and lot area regulations. (Bylaws 4787 and 5537)
Siting Exceptions

Notwithstanding any other siting provisions of this Bylaw, the following structures or portions thereof shall be regulated as follows:

(1) Underground structures:

Except in the case of swimming pools, structures underground or projecting not more than three feet at any point above the adjacent ground surface may be sited in any portion of the lot;

(2) Projecting features:

(a) in the case of bay windows and hutch alcoves, the horizontal length is limited to eight feet at the outer face and the minimum distances to the lot lines may be reduced by two feet, (Bylaw 6142)

(b) In the case of light wells, fireplaces, chimneys, cornices, leaders, gutters, pilasters, belt courses, sills and ornamental features, the minimum distances to the lot lines may be reduced by two feet, (Bylaws 5097, 6142 and 6833)

(c) in the case of verandas, steps, roofs and sunlight control projections on the front or rear of a building or on the side of a building facing a side lot line common to the lot and street or lane, or on any side of a building within a siting area, the minimum distances to the lot lines may be reduced by four feet, (Bylaws 6142 and 6833)

(d) in the case of eaves and sunlight control projections on the side of a building facing a side lot line common to a lot and any other lot may, excepting thereout the RSE zone and the RS1 to RS5 zones, project to within three feet of such side lot line. In the RS1 to RS5 zones eaves and sunlight control projections on the side of a building facing a side lots line common to a lot and any other lot may project to within two feet of such side lot line. In the RSE zone, eaves and sunlight projections on the side of a parking structure facing a side lot line common to a lot and any other lot may project to within three feet of such side lot line, while eaves and sunlight control projections located on any non-parking structure facing a side lot line common to a lot and any other lot may project to within four feet of such side lot line; (Bylaw 7618)

(e) in the case of roof deck guards and balustrades, the minimum distances to the lot lines may be reduced by one foot, (Bylaw 6142)
(f) in the case of cantilevered decks or balconies on the front or rear of a building facing a front lot line, or on any side of a building within a siting area, the minimum distance to the lot lines may be reduced by six feet,

but in any case shall not result in a sideyard of less than three feet.  
(Bylaws 5097 and 6142)

(3) Retaining Walls:

Retaining walls may be constructed within the required setback area of a lot when the wall or walls do not extend above a line commencing 4.0 feet above the lesser of natural grade and finished grade at the outer face of the outermost wall and projected upward and inward on the lot at an angle of 45° as illustrated by the following diagram:

(Bylaw 6653)
(4) Fences and free-standing walls:

(a) Subject to the provisions of any other Municipal Bylaw relating to the construction and maintenance of fences adjacent to a public highway, fences and free-standing walls 6.0 feet or less in height may be constructed on any portion of the lot, except in the case of a fence or free-standing wall located on a retaining wall within the required setback area of a lot when the height of the fence or free-standing wall shall not extend more than 4.0 feet above the maximum allowable height for a retaining wall alone as regulated by sub-section 409 (3); (Bylaw 6039)

(b) Fences and free-standing walls 8.0 feet or less in height may be constructed in any open space 25.0 feet to the rear of a lot line facing a street, except in the case of a fence or free-standing wall located on a retaining wall within the required setback area of a lot when the height of the fence or free-standing wall shall not extend more than 4.0 feet above the maximum allowable height for a retaining wall alone as regulated by subsection 409(3); (Bylaws 6039, 6685 and 6833)

(c) Fences and free-standing walls over eight feet in height shall conform to the size, shape and siting regulations for building within the zone;

(d) Notwithstanding the provisions of (b) and (c), fences of twelve feet in height or less may be constructed on any portion of a lot in an industrial zone, or, when such fence is ordinarily required for a recreational use of land and when the portion of the fence above that otherwise permitted in the zone is of an open wire mesh, in any other zone. (Bylaw 5097)
The following are excluded from floor space ratio calculations:

1. For single family residential buildings, exclude:
   
   (a) the floor area contained within that part of buildings and structures having an adjacent exposed perimeter wall of less than 4.0 feet from the floor above to the lesser of natural grade and finished grade as illustrated by the following diagram and formulas

   \[
   F.S.R. = \frac{A}{\text{Lot Area}} \\
   A = B + C \left( \frac{p^2}{p^1} \right)
   \]

   \[A\] - Total floor area to be included in F.S.R. calculation
   \[B\] - Total floor area of all storeys wholly above grade
   \[C\] - Total floor area of all storeys partially below grade
   \[p^1\] - Total perimeter length of a storey partially below ground
   \[p^2\] - Length of \(p^1\) exposed 4ft or more from floor above

   (b) except in RSD, RSMH, RSN, RSE and RS1-5 zones, balconies and verandas not exceeding in total area 10% of the allowable gross floor area of the principal building as determined by the floor space ratio. In the RSE and RS1-5 zones, balconies, verandas and uncovered decks supported by posts greater than 6 ft. 6 inches in height not exceeding in total area 10% of the allowable gross floor area of the principal building as determined by the floor space ratio; (Bylaw 7190 & 7618)

   (c) open spaces below elevated buildings and structures;
except in the RSD, RSMH and RSN zones, parking structures not exceeding the following:

i. for lots less than 464.5 m$^2$ (5,000 sq.ft.): 22.3 m$^2$ (240 sq.ft.) except in the following cases:

- in the RSQ zone where the exemption is 26.8 m$^2$ (288 sq.ft.); and (Bylaw 7250)
- in the RSPH zone where the exemption is 22.3 m$^2$ (240 sq.ft.) unless the parking structure is located behind the rear wall of the house, in which case the exemption is increased to 42 m$^2$ (452.1 sq.ft.).

ii. for lots of 464.5 m$^2$ (5,000 sq.ft.) or greater: 37.16 m$^2$ (400 sq.ft.), except in the following cases:

- in the RSE zone where the exemption is 40.9 m$^2$ (440 sq.ft.); (Bylaw 7190)
- in the RSQ zone, where the exemption is 53.5 m$^2$ (576 sq.ft.) (Bylaw 7250)
- in the RSPH zone where the exemption is 45 m$^2$ (484 sq.ft.) unless the parking structure is located behind the rear wall of the house in which case the exemption is increased to 56 m$^2$ (603 sq.ft.) (Bylaw 7006)

except in the RSK and RSE Zones, accessory buildings, other than parking structures and accessory buildings containing secondary suites, not exceeding 25 m$^2$ (269 sq.ft.). In the RSE zone, accessory buildings, other than parking structures and accessory buildings containing secondary suites, not exceeding 19.5 m$^2$ (210 sq.ft.); and (Bylaw 8036, 7006, 7042 & 7190)

trellises, pergolas and similar incidental open-sided structures not exceeding in total area 18 m$^2$ (194 sq.ft.) and having overhead framing members spaced to leave not less than 80% of the horizontal surface open to the sky. (Bylaw 6833)

in the RSK Zone, covered decks not exceeding 20 m$^2$ (215 sq.ft.) in total. (Bylaw 7042)
PART 5 – RESIDENTIAL ZONE REGULATIONS

500 Single-Family Residential Zones (RS)

Intent

The intent of the RS zoning regulations is to maintain the single-family residential character of all properties zoned RS.

501 Uses in Single-Family Residential Zones (RS)

All uses of land, buildings and structures in RS Zones are prohibited except

501.1 (a) Principal Use:

(i) One single family residential building;

(b) Accessory Uses:

(i) home occupations;

(ii) accommodation of not more than two boarders or lodgers in a single-family residential building;

(iii) secondary suites subject to the following regulations:

a) secondary suites are permitted only in single-family residential zones;

b) only one secondary suite is permitted on a single-family residential lot;

c) the owner of a single-family residential building containing a secondary suite shall be a resident of either the secondary suite or the principal residential dwelling unit; and
d) a single-family residential building containing more than one boarder or lodger may not have a secondary suite;

(iv) bed and breakfast business subject to the regulations contained in Section 405A; and,

(v) buildings and structures accessory to Subsection 501.1(a).

516 Single Family Residential Queensdale (RSQ)

Intent

The intent of the RSQ Zone is to establish development unique to the Queensdale Neighbourhood, as identified on Map 516.

516.1 Single-Family Residential Buildings:

a) shall not exceed either the maximum height or maximum eave height stipulated in Table 516.1 except that where the average elevation of the front datum determination points is below the average street curb elevations so that a line joining the two average elevations inclines at a slope of 25% or greater below the horizontal, then

• the allowable height of the principal building is bonused with an increase in height of 0.6m (2 ft.) for a slope of 25% or greater or 1.2m (4 ft.) for a slope of 30% or greater;
- the allowable eave height is bonused with an increase of 0.6m (2 ft.) for a slope of 25% or greater or 1.2m (4 ft.) for a slope of 30% or greater to the extent that the height of the eave above finished grade does not exceed 6.71m (22 ft.); as illustrated by the following diagram:

![Average Curb Elevation Diagram]

**TABLE 516.1 - SINGLE FAMILY - QUEENSDALE (RSQ)**

<table>
<thead>
<tr>
<th>Lot Width</th>
<th>Roof Pitch</th>
<th>Maximum Height</th>
<th>Maximum Eave Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>For lots less than 12.19m (40 ft.)</td>
<td>Flat Roof, 3 in 12 slope or greater</td>
<td>6.71m (22 ft.)</td>
<td>6.71m (22 ft.)</td>
</tr>
<tr>
<td></td>
<td>4 in 12 slope or greater</td>
<td>7.92m (26 ft.)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4 ½ in 12 slope or greater</td>
<td>8.53m (28 ft.)</td>
<td></td>
</tr>
<tr>
<td>For lots 12.19m (40 ft.) or more</td>
<td>Flat Roof, 3 in 12 slope or greater</td>
<td>6.71m (22 ft.)</td>
<td>6.71m (22 ft.)</td>
</tr>
<tr>
<td></td>
<td>4 in 12 slope or greater</td>
<td>7.92m (26 ft.)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4 ½ in 12 slope or greater</td>
<td>8.53m (28 ft.)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>6 in 12 slope or greater</td>
<td>9.14m (30 ft.)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>9 in 12 slope or greater</td>
<td>9.75m (32 ft.)</td>
<td></td>
</tr>
</tbody>
</table>

(b) shall not extend above a line projected at a vertical angle of 45° inward from the point of maximum eave height with the exception of dormers of no more than 2.44m (10 ft.) in width and gable ends;

(c) shall not exceed the building coverage, setbacks, maximum building depth, floor space ratio, maximum principal building size stipulated in Table 510.2 as follows:
TABLE 516.2 – SINGLE FAMILY – QUEENSDALE (RSQ)

<table>
<thead>
<tr>
<th>Element</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Coverage (including parking and accessory structures)</td>
<td>40%</td>
</tr>
<tr>
<td>Setbacks</td>
<td></td>
</tr>
<tr>
<td>a) front and rear each</td>
<td>7.62m (25 ft.) minimum</td>
</tr>
<tr>
<td>b) side</td>
<td>1.22m (4 ft.) minimum</td>
</tr>
<tr>
<td>c) combined sideyards</td>
<td>20% of lot width minimum</td>
</tr>
<tr>
<td>d) flanking streets</td>
<td>10% of lot width, but in any event the building shall not be required to be less than 7.32m (24 ft.) in width</td>
</tr>
<tr>
<td>Maximum Building Depth</td>
<td>19.81m (65 ft.)</td>
</tr>
<tr>
<td>Floor Space Ratio</td>
<td>the greater of .45 or 2,200 sq.ft.</td>
</tr>
<tr>
<td>a) for all lots</td>
<td></td>
</tr>
<tr>
<td>b) in the case of rooms having ceilings greater than 3.66m (12 ft.) above the level of the floor below</td>
<td>that area above 3.66m (12 ft.) shall be counted as if it were an additional floor level for the purpose of determining the total floor area of a building to be included in the calculation of floor space ratio</td>
</tr>
<tr>
<td>Maximum Principal Building Size</td>
<td>551.83m² (5,940 sq.ft.)</td>
</tr>
</tbody>
</table>

510.2 Attached and Detached Accessory Buildings and Structures:

(a) attached or detached parking structures and other accessory buildings and structures shall be regulated in accordance with Table 510.3 below:

TABLE 510.3 – ATTACHED & DETACHED ACCESSORY BUILDINGS & STRUCTURES (RSQ)

<table>
<thead>
<tr>
<th>Element</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking Buildings and Structures</td>
<td></td>
</tr>
<tr>
<td>Setbacks</td>
<td></td>
</tr>
<tr>
<td>a) from a lot line facing a street</td>
<td>4.5m (15 ft.) for straight-in entry access or 3.0m (10 ft.) for side entry access minimum, but need not be more than the principal building setback</td>
</tr>
<tr>
<td>b) from a lot line facing a lane or from any other building or other structure</td>
<td>1.52m (5 ft.) minimum</td>
</tr>
<tr>
<td>c) corner lot situation</td>
<td>in the front 7.62m (25 ft.) not less than 6m (20 ft&gt;) or ½ of the lot width, whichever is less, from any side lot line common to lot and street</td>
</tr>
<tr>
<td>d) from a lot line abutting another lot</td>
<td>1.2m (4 ft.), except that abutting detached garages or carports concurrently designed and built may be mirror imaged with no setback along the shared property line or two lots, each of which is 12.2m (40 ft.) or less in width</td>
</tr>
<tr>
<td>Size in a required front yard</td>
<td>shall not exceed the lesser of 25% of the required front yard of 52.5m² (576 sq.ft.)</td>
</tr>
<tr>
<td>Height</td>
<td></td>
</tr>
<tr>
<td>a) flat roof</td>
<td>3.66m (12 ft.)</td>
</tr>
<tr>
<td>Element</td>
<td>Regulation</td>
</tr>
<tr>
<td>---------</td>
<td>------------</td>
</tr>
<tr>
<td>b) slope of 3 in 12 or greater</td>
<td>4.57m (15 ft.)</td>
</tr>
</tbody>
</table>

### Other Accessory Buildings & Structures

#### Location
- are allowed in a rear yard or interior side yard only

#### Setbacks

<table>
<thead>
<tr>
<th>Subcategory</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) from a lot line facing a street</td>
<td>3.0m (10 ft.) minimum</td>
</tr>
<tr>
<td>b) from a lot line facing a lane or from any other building or other structure</td>
<td>1.52m (5 ft.) minimum</td>
</tr>
<tr>
<td>c) from side lot line abutting another lot</td>
<td>1.2m (4 ft.) minimum</td>
</tr>
</tbody>
</table>

#### Size

<table>
<thead>
<tr>
<th>Subcategory</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) in the interior side or rear yard</td>
<td>shall not exceed 25m² (269 sq.ft.)</td>
</tr>
<tr>
<td>b) in the required rear yard</td>
<td>accessory buildings and structures, or accessory buildings and structures in combination with other uses, shall not exceed 40% of the required rear yard area</td>
</tr>
</tbody>
</table>

#### Height

<table>
<thead>
<tr>
<th>Subcategory</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) flat roof</td>
<td>3.66m (12 ft.)</td>
</tr>
<tr>
<td>b) 3 in 12 slope or greater</td>
<td>4.57m (15 ft.)</td>
</tr>
</tbody>
</table>

### Parking Structures and Other Accessory Buildings in Combination

#### Size

<table>
<thead>
<tr>
<th>Subcategory</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) in the required rear yard</td>
<td>shall not exceed 40% of the required rear yard area</td>
</tr>
<tr>
<td>b) in total on the lot</td>
<td>shall not exceed 74.32m² (800 sq.ft.)</td>
</tr>
</tbody>
</table>

### Special Cases

#### Swimming Pools

<table>
<thead>
<tr>
<th>Subcategory</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) location</td>
<td>allowed in front or rear yards</td>
</tr>
<tr>
<td>b) setback from rear lot line</td>
<td>not less than 3m (10 ft.)</td>
</tr>
</tbody>
</table>

#### Satellite Antennae

<table>
<thead>
<tr>
<th>Subcategory</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) siting</td>
<td>must be in the rear yard</td>
</tr>
<tr>
<td>b) setbacks</td>
<td>not less than 1.52m (5 ft.) from the rear lot line and not less than 10% of the lot width from any side lot line</td>
</tr>
<tr>
<td>c) corner lot</td>
<td>not less than 6.1m (20 ft.) from any side lot line common to the lot and street</td>
</tr>
<tr>
<td>d) height</td>
<td>not more than 3.66m (12 ft.) above grade</td>
</tr>
</tbody>
</table>
516.3 Unique Interpretation Required for the RSQ Zone:

Notwithstanding the definition for "maximum eave height" contained in Part 2 Interpretation, the term "maximum eave height", when applied to lots zoned RSQ, shall be interpreted as follows:

"maximum eave height" shall be the vertical distance measured from the building height base line, and extending to the intersection of the exterior wall face or projection thereof with the top surface of the building, except that portion of wall contained within a roof gable.

See Development Servicing Bylaw No. 7388 Section B.12 for driveway crossing regulations. Please inquire with the Engineering Department if there are any questions.

PART 10 OFF-STREET PARKING SPACE AND LOADING SPACE REGULATIONS

1001 Required Off-Street Parking Spaces

The minimum number of off-street parking spaces required for land and buildings shall be calculated on the basis of the following table and to the nearest whole number:

<table>
<thead>
<tr>
<th>USE</th>
<th>NUMBER OF SPACES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Residential Buildings</td>
<td>2 per dwelling unit</td>
</tr>
<tr>
<td>Single Family Residential Buildings with a Secondary Suite</td>
<td>3 per building</td>
</tr>
</tbody>
</table>

1005 Parking and Loading Space Sizes

1005.1 Each off-street parking space and required loading space shall comply with the dimensions indicated in the following table:

<table>
<thead>
<tr>
<th>TYPE OF PARKING SPACE</th>
<th>WIDTH</th>
<th>LENGTH</th>
<th>CLEAR HEIGHT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard Space</td>
<td>2.7m (8.83 ft.)</td>
<td>5.7m (18.7 ft.)</td>
<td>2.1m (6.9 ft.)</td>
</tr>
<tr>
<td>Small Car Space</td>
<td>2.6m (8.50 ft.)</td>
<td>4.9m (16.1 ft.)</td>
<td>2.1m (6.9 ft.)</td>
</tr>
</tbody>
</table>

1007 Provision of Small Car Spaces

1007.1 Small car parking spaces may be provided on the following basis:

(a) when provided in compliance with the minimum requirements of Section 1001, shall not exceed 30% of the requirement.
### PROPERTY INFORMATION

<table>
<thead>
<tr>
<th>Address</th>
<th>Permit Number:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Depth:</td>
<td>Ground Snow Load:</td>
</tr>
<tr>
<td>Lot Width:</td>
<td>Main Flr Geodetic: ft</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>m</td>
</tr>
<tr>
<td>Countable Lot Area: (refer to Lot Area Definition in Zoning Guide)</td>
<td></td>
</tr>
</tbody>
</table>

### SETBACKS

<table>
<thead>
<tr>
<th>Principal Structure</th>
<th>Minimum</th>
<th>Proposed</th>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front</td>
<td>25'</td>
<td></td>
<td>y/n</td>
</tr>
<tr>
<td>Rear</td>
<td>25'</td>
<td></td>
<td>y/n</td>
</tr>
<tr>
<td>N-S-E-W side</td>
<td>4'</td>
<td></td>
<td>y/n</td>
</tr>
<tr>
<td>N-S-E-W side</td>
<td>4'</td>
<td></td>
<td>y/n</td>
</tr>
</tbody>
</table>

**Note:** Shaded areas for DNV use only

| Combined sideyards = 20% of lot width | y/n |
| Flanking Street = 10% of lot width  | y/n |

**Parking Structure** *(see bylaw)*

| Lot line facing a street – straight entry* | 15' | y/n |
| Lot line facing a street – side entry*    | 10' | y/n |
| Lot line abutting a lane                  | 5'  | y/n |
| From any other building or structure      | 5'  | y/n |
| Corner lot (front 25')*                   |     | y/n |
| Lot line abutting another lot             |     | y/n |

**Accessory Building**

| Lot line facing a street                  | 10' | y/n |
| From any other building or structure      | 5'  | y/n |
| Lot line abutting another lot             | 4'  | y/n |

| Complies with maximum building depth of 65'? | y/n |
| Accessory Buildings allowed in a rear or interior side yard only? | y/n |
| Complies with minimum 3'-0" setback for projections? | y/n |
| Complies with secondary suite area and 3 on-site parking spaces? | y/n |

### DATUM DETERMINATION POINTS

<table>
<thead>
<tr>
<th>Left</th>
<th>Right</th>
<th>Average</th>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front</td>
<td></td>
<td></td>
<td>y/n</td>
</tr>
<tr>
<td>Rear</td>
<td></td>
<td></td>
<td>y/n</td>
</tr>
</tbody>
</table>

### BUILDING HEIGHT

<table>
<thead>
<tr>
<th>(see zoning bylaw)</th>
<th>Roof Pitch</th>
<th>Maximum</th>
<th>Bonus</th>
<th>Proposed</th>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal Build Lot width &lt; 40'</td>
<td>in 12</td>
<td></td>
<td>y/n</td>
<td>y/n</td>
<td>y/n</td>
</tr>
<tr>
<td>Principal Build Lot width ≥ 40'</td>
<td>in 12</td>
<td></td>
<td>y/n</td>
<td>y/n</td>
<td>y/n</td>
</tr>
<tr>
<td>Parking Structure/Accessory Building</td>
<td>in 12</td>
<td></td>
<td>y/n</td>
<td>y/n</td>
<td>y/n</td>
</tr>
</tbody>
</table>
**EAVE HEIGHT** – See Unique Interpretation for RSQ Zone

<table>
<thead>
<tr>
<th>Principal Building</th>
<th>Maximum</th>
<th>Bonus</th>
<th>Proposed</th>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**BUILDING COVERAGE**

<table>
<thead>
<tr>
<th>(See Zoning Bylaw)</th>
<th>Maximum</th>
<th>Proposed</th>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Building &amp; Structures</td>
<td>.40 x lot area max</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**PARKING STRUCTURES & ACCESSORY BUILDINGS**

| Parking Structure in a required front yard | .25 x required front yard (576 sq.ft.) max | y/n |
| Accessory Building in interior side or rear yard | 269 sq.ft. max | y/n |
| Accessory Building in required rear yard | .40 x required rear yard | y/n |
| Combined Parking & Accessory Building in required rear yard | .40 x required rear yard | y/n |
| Combined Parking & Accessory Building in Total on lot | 800 sq.ft. max | y/n |

**FLOOR SPACE RATIO**

<table>
<thead>
<tr>
<th>Floor Space Ratio</th>
<th>The greater of 2,200 sq.ft. or Lot area x 0.45 = to max 5,940 sq.ft.</th>
<th>Proposed</th>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>EnerGuide = % bonus = sq.ft. = max Voluntary □ Mandatory □</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Floor Area</th>
<th>Existing</th>
<th>Proposed</th>
<th>Deductions</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basement **</td>
<td>**</td>
<td></td>
<td></td>
<td>y/n</td>
</tr>
<tr>
<td>Main</td>
<td></td>
<td></td>
<td></td>
<td>y/n</td>
</tr>
<tr>
<td>Upper</td>
<td></td>
<td></td>
<td></td>
<td>y/n</td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
<td></td>
<td>y/n</td>
</tr>
<tr>
<td>Parking Structure</td>
<td></td>
<td></td>
<td></td>
<td>y/n</td>
</tr>
<tr>
<td>Accessory Building</td>
<td></td>
<td></td>
<td></td>
<td>y/n</td>
</tr>
<tr>
<td>Trellises, pergolas, etc</td>
<td></td>
<td></td>
<td></td>
<td>y/n</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td>y/n</td>
</tr>
</tbody>
</table>

**Countable area = __________ x (_________ + __________) **

Basement Floor Area P2

Date completed: ________________________________

Approved by Residential Plans Reviewer: ________________________________

RSQ Zoning Guide
February 2015
Hello Councillor Bond.

Please find attached spreadsheet with the requested sales comps in Queensdale for single family home sales. I have included all sales in the circled area below since March 1, 2016. There have been 29 sales in that area. I filtered the spreadsheet it by price but feel free to play with it and filter the data by age of home or by size of lot (etc.)

I know you asked for the past couple of years, however, when analyzing sales comps you typically do not want to go back any further than 3-4 months due to the considerable variability in the real estate market day to day, week to week, month to month and year to year. If you want me to go back a couple of years I absolutely can but it will be a huge amount of data to analyze and will most likely not provide much more information or insight to this particular neighbourhood market.
<table>
<thead>
<tr>
<th>TOTAL LISTING COUNT:</th>
<th>29</th>
<th>DAYS ON MARKET:</th>
<th>30</th>
<th>1</th>
<th>10</th>
<th>8</th>
</tr>
</thead>
<tbody>
<tr>
<td>LIST PRICE:</td>
<td>$4,100,000</td>
<td>$928,000</td>
<td>$1,844,637</td>
<td>$1,798,000</td>
<td>$53,494,500</td>
<td></td>
</tr>
<tr>
<td>MEDIAN TOTAL PRICE:</td>
<td>$3,650,000</td>
<td>$1,100,000</td>
<td>$1,960,429</td>
<td>$1,838,000</td>
<td>$56,852,468</td>
<td></td>
</tr>
</tbody>
</table>

Map showing various property prices and locations around Toronto.
Salient points;

- Age of home is misleading. Most of these homes have been substantially renovated to like new condition in the past five years.
- It does appear that the larger lots do fetch a higher purchase price. Due to the variability in age and condition of home it seems that the larger lots are more desirable due to something I call a “trophy” type property. This is a purchase by a specific segment of the market who wish to own a large lot and not necessarily for future potential subdivision. Typically the large lot provides extra privacy and the designation of owning an executive/estate type property lifestyle. It also allows for the potential of constructing a larger home in the future.
- Average sale price per sq ft (of land) is $269.

I hope that helps in what you are looking for. Please let me know if you need anything else or have questions regarding this data.

Ryan P. Malcolm RI(BC)
Manager - Real Estate & Properties
District of North Vancouver

(d) 604-990-2264
(m) 604-220-7596
(w) dnv.org
QUEENSDALE SALES COMPS

QUEENSDALE SALES COMPS (Feb - June 2016)

ML #

R2069839 222 E 28TH STREET
R2055756 118 SANDRINGHAM CRESCENT

S/A
VNVUL
VNVUL

R2061465 231 E 27TH STREET

Address

Price

list Date

DOM

Tot BR

Tot Baths #Kitchens TotFIArea Yr Bit

Age

$1,100,000

5/16/2016

11

2

1

1

1,420

1941

$1,288,000
$1,318,000

4/9/2016

23

VNVUL

4/25/2016

7

3
2

2
2

1
2

1,629
1,742

1991
1919

R2067985 256 E OSBORNE ROAD

VNVUL

$1,435,000

S/10/2016

3

3

1

2,037

1976

R2063601 2757 EASTERN AVENUE

VNVUL

$1,500,000

4/28/2016

20
12

s

2,555

VNVUL

$1,558,000

VNVUL

$1,600,000

30
7

2

R2053490 324 E KINGS ROAD
R2039610 216 E 27TH STREET

5/2/2016
4/5/2016

1

2,494
2,082

2

2,381

1928

R2039008 614 E WINDSOR ROAD

1
1

2,189

R2051110 3188 ST. ANDREWS AVENUE

4
2
2
3
2
2
4

1

R2064869 3453 ST. GEORGES AVENUE

2,636

2

VNVUL

4

3
4

2/28/2016

VNVPP

$1,610,000
$1,650,588

2/25/2016

7

5

VNVUL

$1,775,000

3/29/2016

8

5

R2044554 3468 ST. GEORGES AVENUE
R2072128 3677 REGENT AVENUE

VNVUL

$1,780,000

3/9/2016

$1,780,000

S/24/2016

25
7

6

VNVUL

R2066575 201 E 27TH STREET

VNVUL

5/6/2016
3/22/2016

R2040490 170 EST. JAMES ROAD

VNVUL
VNVUL

$1,797,000
$1,833,000

10

R2048469 257 E ST. JAMES ROAD

$1,838,000

2/29/2016

6
6
3

R205772S 635 E WINDSOR ROAD

VNVPP

$1,970,000

R2039004 141 E WINDSOR ROAD
R2045424 3566 REGENT AVENUE

VNVUL

$1,970,000

4/14/2016
2/25/2016

9

1
7

4

3
5

1

3,189
2,340

2

3,357

2
2

1

2,246

1
1
1
1
1
1

3
3

$2,067,880
$2,098,000

3/14/2016

R2079110 245 E KINGS ROAD

VNVPP
VNVUL

6
6
9

6/9/2016

1

4
4

3
3

R2064002 492 EST. JAMES ROAD

VNVUL

$2,185,000

S/2/2016

8

4

R2067813 245 E WINDSOR ROAD
R2057451 133 W OSBORNE ROAD

VNVUL

$2,200,000

3

R2077304 412 SOMERSET STREET

$2,201,000
$2,250,000

5/9/2016
4/14/2016

10

VNVUL
VNVUL

8
8

R2067922 460 EST. JAMES ROAD

VNVUL

$2,400,000

5/9/2016

7

6
4
4

3
3
3
2

R2043278 672 EST. JAMES ROAD
R2067084 395 WELLINGTON DRIVE

VNVPP

$2,400,000

3/8/2016

$2,400,000

19

4

R2050867 310 EST. JAMES ROAD

VNVUL

$2,588,000
$2,610,000

5/9/2016
4/4/2016

3
3

R2053180 624 E CARISBROOKE ROAD

VNVUL
VNVPP

6
2

3/30/2016

15

s

6

R2063023 114 W WINDSOR ROAD

VNVUL

$3,650,000

4/19/2016

3

3

1

6/6/2016

6

3

2
2

Lot Size
Price per S• Style of Ho Sold Date
RPM Notes
Frontage - Depth
33
82.4
2, 719
$405 2 Storey w
5/27/2016 Some updates.

25

129

4,588

$281 2 Storey

97
40

33

134.5

4,439

33

1977

39

33

120
144

3,960
4,752

$297 Rancher/B
$362 3 Storey

1961
1947

55

33

157

5,181

69

so

132
122

1961

88
55

33
66

132

8,712

1959

57

122

16
46

33

7,930
6,006

$224 2 Storey

2000

65
182
127

7,620

$234 2 Storey

$316 2 Storey, 2

5/2/2016 Some updates. Odd shaped lot.
5/2/2016 Some updates. Basement suite.
S/30/2016 Renovated. View.

$301 2 Storey

S/10/2016 Renovated.

6,600

$242 2 Storey

4/12/2016 land value

4,026

$400 2 St orey w
$189 4 Level Spl
$296 2 Storey w

3/3/2016 Average
4/6/2016 Substantial renovations

9

60
40

140

5,600

$321 2 Storey w

5/31/2016 Average
5/16/2016 Some renovations. 2 bed legal suite.

63

66

132

2,321

1953
1958

58

61
67

116

8,712
7,076

$210 Rancher/B
$260 2 Storey

3/23/2016 Land value
3/7/2016 View and some renovat ions
4/20/2016 Post and beam. Some updates.

1970
2007

2,670

1960

56

$223 3 Level Spl

1931
1970

85
46

so

131.9
123

8,837

2,598
2,265

6,150

$320 2 Storey

64

128

8,192

$252 2 Storey, S

2,726

1975

41

66

132

2,396

1976

40

79

131

8,712
10,349

$241 Rancher/B
$211 3 Level Spl

3,040

1956
1924

60

66

132

8,712

$253 Rancher/B

92
54

48

135

6,480

$340 2 Storey w


so

130

6,500

$346 2 Storey

6/14/2016 Renovated

1

3,073
2,807

3

1

3,717

2
3

1
1

2,055

4

1

3,826
4,495

2
1

75

2,118

2,200

1962

3/2/2016 Average
3/23/2016 Average
6/10/2016 land value
5/10/2016 Average
S/19/2016 Substantial renovat ions. Basement suite.

90

131

11,790

$204 2 Storey

S/16/2016 Renovated

99.3

122

12,115

$198 1 Storey

150
120

15,000

$160 Rancher/B

3/14/2016 Land Value
S/11/2016 Substantial recent renovations

42

100
70

1910

106

100

13,200

1915

101

136

132
124

1963
1962
1959
1974

53
54
57

8,400
16,864

$308 2 Storey
$198 2 Storey
$216 2 Storey w

4/23/2016 Substantial 2010 renovation
4/22/2016 Two legal lots


<table>
<thead>
<tr>
<th>PERMIT NUMBER</th>
<th>PERMIT TYPE</th>
<th>PERMIT SUBTYPE</th>
<th>STATUS</th>
<th>DESCRIPTION</th>
<th>ISSUE DATE</th>
<th>VALUE</th>
<th>ZONE CODE</th>
<th>NAME</th>
</tr>
</thead>
<tbody>
<tr>
<td>BLD2016-00248</td>
<td>SF Demolition</td>
<td>Open</td>
<td>Single Family Demolition</td>
<td>9/8/2015</td>
<td>7000 RSQ</td>
<td>10000 RSQ</td>
<td>SINGLE-FAMILY RESIDENTIAL QUEENSDALE ZONE</td>
<td></td>
</tr>
<tr>
<td>BLD2013-00054</td>
<td>Building SF Alteration - Minor</td>
<td>Finalized</td>
<td>Minor Main Floor Renovations, Upper Floor Addition</td>
<td>9/7/2015</td>
<td>7000 RSQ</td>
<td>10000 RSQ</td>
<td>SINGLE-FAMILY RESIDENTIAL QUEENSDALE ZONE</td>
<td></td>
</tr>
<tr>
<td>BLD2016-00010</td>
<td>SF Alteration - Minor</td>
<td>Finalized</td>
<td>Bathroom RENOVATION IN BASEMENT</td>
<td>2/24/2015</td>
<td>6000 RSQ</td>
<td>10000 RSQ</td>
<td>SINGLE-FAMILY RESIDENTIAL QUEENSDALE ZONE</td>
<td></td>
</tr>
<tr>
<td>BLD2013-00091</td>
<td>Building SF Alteration - Minor</td>
<td>Issued</td>
<td>Demolition of SFD - Vanect Feb 12/15</td>
<td>7/15/2015</td>
<td>10000 RSQ</td>
<td>10000 RSQ</td>
<td>SINGLE-FAMILY RESIDENTIAL QUEENSDALE ZONE</td>
<td></td>
</tr>
<tr>
<td>BLD2016-00435</td>
<td>SF New Construction</td>
<td>Finalized</td>
<td>New Construction of SFD w/ Secondary Suite</td>
<td>8/6/2015</td>
<td>70000 RSQ</td>
<td>10000 RSQ</td>
<td>SINGLE-FAMILY RESIDENTIAL QUEENSDALE ZONE</td>
<td></td>
</tr>
<tr>
<td>BLD2016-00420</td>
<td>SF Demolition</td>
<td>Finalized</td>
<td>Demolition of SFD - July 15/14</td>
<td>8/6/2015</td>
<td>10000 RSQ</td>
<td>10000 RSQ</td>
<td>SINGLE-FAMILY RESIDENTIAL QUEENSDALE ZONE</td>
<td></td>
</tr>
<tr>
<td>BLD2016-00417</td>
<td>SF Alteration - Major</td>
<td>Finalized</td>
<td>Repair of fire damaged Strata SFD to match existing roof line and walls (no exterior changes); also structural work to reconfigure kitchen</td>
<td>7/30/2014</td>
<td>21000 RSQ</td>
<td>10000 RSQ</td>
<td>SINGLE-FAMILY RESIDENTIAL QUEENSDALE ZONE</td>
<td></td>
</tr>
<tr>
<td>BLD2016-00404</td>
<td>SF Addition - Minor</td>
<td>Issued</td>
<td>Deck Addition</td>
<td>7/6/2015</td>
<td>6500 RSQ</td>
<td>10000 RSQ</td>
<td>SINGLE-FAMILY RESIDENTIAL QUEENSDALE ZONE</td>
<td></td>
</tr>
<tr>
<td>BLD2016-00201</td>
<td>SF in-Ground Pool/Hot Tub</td>
<td>Issued</td>
<td>Construction of an In-Ground Swimming Pool and Hot Tub <strong>Extended BP until Sept 7th, 2016</strong></td>
<td>4/24/2014</td>
<td>80000 RSQ</td>
<td>10000 RSQ</td>
<td>SINGLE-FAMILY RESIDENTIAL QUEENSDALE ZONE</td>
<td></td>
</tr>
<tr>
<td>BLD2016-00359</td>
<td>SF Addition - Minor</td>
<td>Finalized</td>
<td>Interior Renovation, Replace Windows/ Side Roof</td>
<td>2/7/2014</td>
<td>10000 RSQ</td>
<td>10000 RSQ</td>
<td>SINGLE-FAMILY RESIDENTIAL QUEENSDALE ZONE</td>
<td></td>
</tr>
<tr>
<td>BLD2013-00391</td>
<td>SF Demolition</td>
<td>Finalized</td>
<td>Demolition of SFD</td>
<td>7/24/2013</td>
<td>10000 RSQ</td>
<td>10000 RSQ</td>
<td>SINGLE-FAMILY RESIDENTIAL QUEENSDALE ZONE</td>
<td></td>
</tr>
<tr>
<td>BLD2013-00392</td>
<td>SF Addition - Minor</td>
<td>Issued</td>
<td>New Canopy and Patio</td>
<td>7/9/2013</td>
<td>9675 RSQ</td>
<td>10000 RSQ</td>
<td>SINGLE-FAMILY RESIDENTIAL QUEENSDALE ZONE</td>
<td></td>
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<tr>
<td>BLD2013-00289</td>
<td>SF Alteration - Minor</td>
<td>Finalized</td>
<td>Deck &amp; Kitchen &amp; Ceiling Vault</td>
<td>6/18/2013</td>
<td>80000 RSQ</td>
<td>10000 RSQ</td>
<td>SINGLE-FAMILY RESIDENTIAL QUEENSDALE ZONE</td>
<td></td>
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<tr>
<td>BLD2013-00177</td>
<td>SF Alteration - Minor</td>
<td>Finalized</td>
<td>DEMOLITION.</td>
<td>6/7/2013</td>
<td>10000 RSQ</td>
<td>10000 RSQ</td>
<td>SINGLE-FAMILY RESIDENTIAL QUEENSDALE ZONE</td>
<td></td>
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<tr>
<td>BLD2012-00775</td>
<td>SF Alteration - Major</td>
<td>Issued</td>
<td>Renovation/Addition</td>
<td>2/20/2013</td>
<td>70000 RSQ</td>
<td>10000 RSQ</td>
<td>SINGLE-FAMILY RESIDENTIAL QUEENSDALE ZONE</td>
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</table>
For your information during the Public Hearing one member of Council requested a copy of the questions and answers provided by staff during the presentation. A copy is being forwarded to all of Mayor and Council prior to close of the Hearing for your information. A copy has also been placed in the Public Hearing binder prior to close of the Hearing.

Kathleen Larsen
Community Planner
Q> How many homes in the Queensdale zone have been voluntarily protected with an HRA?

A> There have been no homes in the Queensdale area voluntarily protected with an HRA. There are 2 properties at 145 East Windsor Road and 390 Kings Road that has been voluntarily protected by a Heritage Designation Bylaw.

Q> What is the average value of a large lot in Queensdale on a 100 ft lot with new house compared to older home?

There were two sales of older homes on 100 ft lots in the Queensdale neighborhood in 2016. Sales indicate their value between 22 and 2.6 million. Newer homes on smaller 33 ft lots sold for approximately 1.7 million during the same time period. There were no comparable house sales for new houses on large lots in 2016.

It should be noted however that most of the homes have been substantially renovated to like new condition in the past five years.

It does appear that the larger lots do fetch a higher purchase price. Due to the variability in age and condition of home it seems that the larger lots are desirable and appeal to a specific segment of the market who wish to own a large lot and not necessarily for future potential subdivision.

Typically the large lot provides extra privacy and the designation of owning an executive/estate type property lifestyle. It also allows for the potential of constructing a larger home in the future.

The average sale price per sq ft (of land) is $269.
Q>What would the impact of entering into an HRA have on lot value?

Opinions vary, but an HRA usually works to maximize development potential and ultimate value of a property in return for protection of the heritage house on the site. Furthermore protected houses tend to be well maintained, helping them to retain their value. However, a protected heritage property appeals to a smaller specialty niche purchaser.

Q>How has the population changed in the Queensdale area over the past 20/15/10/5 years?

The population in the Queensdale area has remained extremely stable remaining at about 3.9 persons per household over the past 20 years. In 1996 the population was 1,129 growing to an estimated 1,159 by June 2016.

Q>How did the development of the lot completed to-date proceed?

Building Permit and Demo permit application in August 2015

Tree permits issued in October 6, 2015 –

Tree removal ensued soon after

House was raised in preparation for new work

Stop work permit issued for raising of house on October 27 2015

Staff worked with the applicant during the following months and a HRA application was made on February 2 2016

Q>Are there tax incentives that Council could consider to encourage heritage retention?

The Community Charter provides a local government with the ability to provide tax incentives to the owners of protected Heritage buildings however this tool has not been widely used in BC as it provides a limited incentive and generally not enough to make a heritage project work successfully. Most tax programs have been found to work better for commercial situations. There is no existing tax incentive program in the District of North Vancouver.
What other incentives (other than subdivision) could be provided to encourage heritage retention?

The following is a preliminary list of incentive options that could be bought forward:

- Stratification of single family heritage homes into two unit dwellings;
- Permit coach house with basement
- Stratification of a coach house accessory to a single-family heritage home
- Increase the permitted uses such as permitting a bed and breakfast in a coach house
- Vehicle parking reductions
- Density bonus for dedication and restoration of heritage buildings
- Consideration of incentives for homes relocated within the district

If the heritage house was to be retained as a coach house on the property would it require a variance or new HRA?

An HRA will be required whether the house is retained on a new subdivided parcel or is retained as a coach house on the parent parcel.

What might be involved in the owner giving the house to the District rather having it demolished?

A preliminary review of the property indicates that the house would be difficult to move through the tree lined streets of East Windsor and would require cutting back of overhanging branches. Once to Lonsdale the move would be more straightforward.

Nikkel Brothers moving offers a website that offers character and heritage houses for sale. Moving costs are paid by the recipient of the house. A typical move to a Vancouver suburb lying along the river could cost approximately $115,000.

There are no potential sites in the Queensdale area. Should there be interest in moving the house to a District site staff would need to review and potential or viable properties.
park cost of moving a house in the neighbourhood of for move 40-50k additional charges about 15k. Raise or lower cable and telephone wires. Traffic signals. Sometimes property owner give 30000 or so to avoid all the removal requirements. To make a deal work. Barging about another 15k.

Existing 13,153 sq ft lot - would allow for a 5918.8 sq ft house

Proposed lots of 6576 sq ft would allow 2959 sq ft

Heritage House 2,402 sq ft

New House 3,192 sq ft with energuide 86 bonus