



Shaughnessy Heights Property Owners' Association

“Working to enhance the value and quality of living in historic Shaughnessy”

“保護及改善桑尼斯區的歷史，物業價值，以及生活品質”



Spring 2016 Newsletter

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NOTICE OF ANNUAL GENERAL MEETING

Notice is hereby given that the Annual General Meeting of the Shaughnessy Heights Property Owners' Association will be held at:

**Strathcona Room, The Arbutus Club,
2001 Nanton Ave, Vancouver, on
Wednesday, May 11, 2016 at 7:00pm**

Come early for refreshments and chat with your neighbours!

AGENDA

7pm Call to order

- Approval of the Agenda
- Approval of 2015 AGM minutes
- President's Report
- Treasurer's Report
- Election of Directors
- Any Other Business

8pm Presentation: “Off Track - Doing the best with Shaughnessy's Arbutus Greenway boundary” - Jerry Dobrovolny, General Manager 'Engineering Services' Vancouver

TIME TO RENEW OR JOIN SHPOA

May is membership renewal month for SHPOA. Renew at the AGM or join online at: www.shpoa.ca/membership (click >>Join or Renew Now).

Or mail cheques (\$25 couple, \$15 single) to:

SHPOA, P. O. Box 62059, #147-4255 Arbutus Street, Vancouver, BC V6J 1Z1.

As our website notes, SHPOA is, “a resident-run organization dedicated to the protection and preservation of historic Shaughnessy”. Our organization has always promoted the preservation of the historic homes and gardens in Shaughnessy. The new Heritage Conservation Area (HCA) designation for First Shaughnessy seemed like an essential step to halt the relentless destruction of meritorious heritage homes.

Unfortunately, however well-intentioned the HCA, the reality is that it's implementation is beset with problems, and misinformation abounds. The rules of the game are not straightforward and it seems that the City has not implemented the procedures to make it work without irritating everyone. A morning spent on the City's website left me none the wiser. Surely, putting clear information on vancouver.ca would save money, time and frustration.

In this newsletter we have some articles that relate to the HCA and describe some of the issues. The views expressed in these articles are those of the authors.

Gillian Kirkby, Editor

1037 W King Edward Should be Opposed

Whether or not you agree with the City designating First Shaughnessy a Heritage Conservation Area (HCA), it can't help but smack of irony that the Planning Department is so quickly considering a rezoning in order to override the tenants of the HCA. At this time the City should be building community support for the HCA, support based on preserving the integrity of First Shaughnessy, including the properties located along its boundaries, as a complete neighbourhood.

As background, when the City introduced the HCA, it provided for exemptions to the First Shaughnessy Guidelines in order to accommodate city-wide initiatives. One such initiative is the City's Interim Rezoning Policy for Increasing Affordable Housing. At that time the City stated that any proposals based on city-wide initiatives would have to conform to the FSDS and the attendant Design Guidelines. We had anticipated that relaxations would be considered to enable such initiatives with a goal towards their compatibility with the existing fabric of this unique

and historic neighbourhood. Unfortunately, the proposal before the City, as it currently stands, is so far from the First Shaughnessy Guidelines that we are shocked that it is even being considered.

The Project envisages the construction of a four-storey residential building comprising 36 secured rental units with a total gross floor area of 43,066 square feet covering 84% of the site and representing a density of 1.47 FSR. The 19,000 sq. ft. property, located along the south boundary of First Shaughnessy Heritage Conservation Area (FSHCA), is bordered on three sides by a side lane, a rear lane and West King Edward. Across the side lane is a four storey mixed-use commercial building fronting Oak Street, a commercial strip zoned C-2. The proposal envisages a significant reduction of required building setbacks in order to fit it all in. The proposal does not come close to meeting the Design Guidelines of the FSHCA.

The architect claims that the use of a stepped building profile to attempt a transition from the existing 4-storey development fronting Oak Street to the single-family zoned First Shaughnessy. While we see how the project blends into the Oak Street building, the First Shaughnessy element is wanting. Given that the site is within the borders of the recently designated First Shaughnessy HCA, we would expect the transition to reflect this origin and the City's strong preference to maintain the heritage streetscape of First Shaughnessy. The current proposal does not.

We ask that you write the city to express your dismay and to ask that the City require the proponent to revise his plan to present a project that would truly transition 'from' First Shaughnessy and respect the neighbourhood in which it is located.

(Visit <http://former.vancouver.ca/commsvcs/planning/rezoning/applications/1037wkinged/index.htm>)

Peter Kappel

Character Home Zoning Review

The City of Vancouver has started a process to review how to provide incentives that would encourage property owners to retain character homes throughout the City. Currently, three houses a day are demolished, many of which are livable and may have some historic attributes. This review corresponds to the City's "Green" focus on eliminating unnecessary waste of demolition and rebuild. The focus of the review is single family neighborhoods including Second and Third Shaughnessy. Other neighbourhoods that have been impacted by demolitions also include Kerrisdale, Arbutus, Dunbar, Point Grey and areas within Kitsilano.

The City hosted a workshop in December 2015 and invited key stakeholders to the meeting. The focus was on a discussion about the key issues around demolitions in the RS-3, RS-3A and RS-5 neighbourhoods. The key stakeholder groups included representatives from the City, Heritage Vancouver, key neighbourhood associations, developers, architects, and others. Each group had an opportunity to share their views on how to incent property owners to retain their homes and renovate instead of complete demolitions. Many ideas were tabled including:

- Re-zoning in certain areas, similar to what has happened in Kitsilano;
- Financial incentives to retain;
- Facilitate an improved process at City Hall for renovation approvals;
- Manage new build FSR to limit "monster" homes being built.

After much discussion, the City has agreed to continue to study this issue and provide a recommendation to Council by the summer 2016. A consultative approach with the neighbourhoods was promised.

Anne Boyle

Railway Tracks to become Greenway

On March 7th this year the City of Vancouver purchased the Arbutus Corridor from Canadian Pacific Railway for \$55million. In a press release, Mayor Robertson stated that, "Thanks to this landmark agreement, the City will be able to transform the area into an outstanding greenway and connect neighbourhoods from False Creek to Marpole."

Shaughnessy residents, and everyone else along the corridor, who have lived with a quarter century of uncertainty, are pleased at the prospect of walking and cycling trails in place of the railway lines, although there is some concern about the "light rail" use that is mentioned in the plans.

The City has established the Arbutus Greenway Project Office to oversee the future of the corridor. An environmental assessment indicated no significant contamination on the site and CPR will commence removing the rails by the end of this year. It can't happen soon enough for me and my dog!

(More information: vancouver.ca/arbutus-greenway)

Gillian Kirkby

How Much Density is Too Much?

How much density is too much? Vancouver seems to be in a development boom with new buildings appearing everywhere. The claim is that we need to accommodate the thousands of new people who are choosing to live here, with projections of another million people living in BC by

2034 (source Statistics Canada), most of those in the Lower Mainland.

We hear the constant message that we need to provide affordable housing with more rental units, in the form of condos and townhouses, for those who cannot afford to buy properties. The question is: Is there a point at which the density becomes too much? Should there be a limit?

More density creates more traffic, pollution, decreased green space and loss of views to the mountains and water. Increased density directly affects the livability of Vancouver for its residents, many of whom have lived here for decades. Growth and change keep a city vibrant but how much is tolerable without destroying the quality of life that makes Vancouver a great place to live?

Yes, Vancouver does need affordable housing, but it should be planned, not created by spot re-zoning instigated by developers looking to make a profit. We are in a situation where citizens are made to feel guilty if they oppose a tower in their neighbourhood. They are manipulated into feeling selfish that they oppose affordability and are tagged as NIMBYs (not in my back yard). It is almost as if affordability and density have become a marketing strategy by developers. Most neighbourhoods appreciate that increased density and rental units are necessary, but does the tower need to be 12 or more stories? How much density is too much?

Kathy Reichert

Your Home or a Public Monument?

Your house is your property. You are taxed on its value as property. Your name is on the title. You may do with it what you wish provided the use meets certain basic legal requirements.

Recently, however, a vocal group of preservationists in Vancouver are challenging your right to deal with your property within the existing legal framework. They are successfully lobbying the City of Vancouver to override property rights by designating your home as a public monument, whether or not it has any historical merit. By simply stating that your pre-1940 home has 'character', the City can force compliance with new regulations.

Despite the fact that homeowners affected by these new regulations are, in effect, being forced to keep their homes for supposed public benefit, the City does not provide any tangible compensation. It seems the preservationist lobby and the City have essentially decided that homeowners should relinquish their property rights and subsidize Vancouver's need for 'character homes'.

Most residents of single family zoned neighbourhoods regard the expropriation of property rights without compensation as unacceptable. Nevertheless, the cause of the vocal minority, who wish to freeze redevelopment of pre-1940's houses, is gaining momentum. They are even holding demonstrations to 'save' non-heritage homes for the simple reason that they disagree with the owner's decision to redevelop their property.

Many preservationists cite 'affordability' as the reason redevelopment should not take place, as if retaining pre-1940's houses will make any significant difference. Most of these homes are underdeveloped for their lot size and are also impractical to upgrade to current energy efficient standards.

One has to ask why, if the City wants 'character homes', the building code is not simply modified to include design guidelines similar to those found in the RS5 zoning that was able to retain neighbourhood character in 2nd and 3rd Shaughnessy, rather than opting for enforced retention? There are new homes being built there that certainly reflect the design merits of the older homes but with much more efficient construction.

Ironically, some of the so-called "monster houses" of the eighties have been demolished without having to comply with the City's new recycling provisions. With Vancouver's green initiative in mind, what is the difference between recycling material from a post-1940's home versus that from a pre-1940's home?

In another bizarre twist of logic, owners of pre-1940's homes in 2nd and 3rd Shaughnessy are being told that, if they wish to redevelop a pre-1940's home, they will not be eligible to apply for the bonus square footage allowed by the RS5 provisions. Rather, they will be required to build according to the outright provisions of RS3 which, unlike RS5, has no design guidelines! Having participated in the controversy that led to the very successful adoption of the RS5 zoning in our area, I am appalled by this arbitrary action by the City of Vancouver.

Residents of 2nd and 3rd Shaughnessy should keep informed regarding the City's plans to curtail property rights in the name of conservation. Look carefully at the restrictive regulations that have been adopted in 1st Shaughnessy further to its designation as a Heritage Conservation Area. First Shaughnessy residents are only now realizing what the City has taken from them, and there is widespread dissatisfaction.

Your pre-1940's 'character home' is not a public monument, it is a reflection of your personal taste. If the City and its heritage advocates want to preserve old homes,

let them purchase them; however, it would be more logical and fair to put design guidelines in place to promote the construction of replacement character residences built to modern standards. Many such homes have been built, but the City does not yet recognize these as meritorious.

Be wary of having your property rights confiscated by those who claim a higher purpose that really doesn't make a great deal of common sense or is self-serving.

Mik Ball

HCA - A Policy Designed by Zealots not Preservationists

On September 29th, 2015, Vancouver City Council adopted a number of by-laws described as the First Shaughnessy Heritage Conservation Area Official Development Plan (FS-HCA-ODP).

317 First Shaughnessy properties were selected for heritage protection, solely on the basis that they were constructed before 1940, and with no heritage merits reviews whatsoever. They were then listed in a schedule to the FS-HCA-ODP, to be Protected Heritage Property. As a result, these properties are subject to a number of extraordinary provisions, which impose restrictions and obligations on their owners and diminish their value. This arguably amounts to expropriation of basic private ownership rights for these properties. Council takes the view that no compensation is payable because the heritage designations were wholesale, done as part of the creation of Vancouver's first Heritage Conservation Area.

The procedure for requesting removal from the schedule of Protected Heritage Properties is preposterously Byzantine and costly. For these owners, a planning decision appeal must go to a Council hearing, even though every other owner in the City has a right of appeal to an independent board of variance.

There has been a significant deterioration in the value of these pre-1940 homes, as compared those built after 1940, which affects not just sales values, but the owner's borrowing ability. The by-laws provide for extraordinary and burdensome maintenance and upkeep requirements applicable only to these owners.

It seems the heritage zealots misled the public in many ways, the most serious of which is that there will be no loss of value. BC Assessment, even with very limited sales figures, has recognized the fallacy of that and has reduced the assessments of all pre-1940 homeowners who appealed by 5%. This many seem insignificant but there is a total of six million square feet of affected property, so, if a \$400 dollar per square foot figure is used, the total

loss for the area is already \$120 million dollars. Next year, when they have more sales figures, I am sure that number will be much greater.

A group of residents has applied to the BC Supreme Court to challenge the HCA. Every homeowner in the city should be concerned about the outcome. The heritage zealots hope to implement this policy citywide, a misguided effort in which the City transfers the costs of its actions to property owners through its Heritage Action Plan (HAP).

Bob Angus

ARKS Update

1) Arbutus Mall: Construction has begun on the first stage of the Arbutus Mall. Safeway, BMO, Mogi and the Liquor Store will remain open during all construction phases.

2) Ryerson Church: Ryerson Church and co-developer Wall Financial plan to redevelop the Ryerson Church lands and three neighbouring houses along 45th Avenue on either side of Yew Street. They propose to replace them with a 12-storey condominium tower, a rental building of 5-storeys, townhouses, a 2-storey activity centre and underground parking, along with renovations to the existing heritage church. The applicant has applied for a zoning change to allow this development. Local homeowners are opposed to a 12-storey building in their single family zoned area. The ARKS Vision also does not support a 10-12 storey buildings.

Information: ryersonunited.ca/redeveloping-ryerson

City Planners: Michelle McGuire and Susan Haid

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3) 3212 E. Boulevard Housing Demonstration Project: This parcel of land is for sale having been rezoned for a 7-unit complex. Any new purchaser must use the existing design or go through the public consultation process.

4) 4066 MacDonald and Alamein Avenue: Plans are just beginning to redevelop the current garage with a condo development.

Topics also included Character Home Demolition and 1037 West King Edward. Please see earlier articles in this newsletter for information on these projects.

ARKS meets the third Wednesday of every month at 7pm at the Kerrisdale Community Centre. Please come and join us and make a difference in your community!

Kathy Reichert