

**TO:** CITY MANAGER

1996 JUNE 19

**FROM:** DIRECTOR OF PLANNING

**SUBJECT: PROPOSED HERITAGE DESIGNATION OF THE  
"J.D. SHEARER HOUSE" UNDER THE TERMS  
OF THE MUNICIPAL ACT**

**PURPOSE:** To request that Council designate the "J.D. Shearer House" at 5573 Buckingham Avenue as a heritage building.

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**RECOMMENDATIONS:**

1. **THAT** Council initiate the process to designate the J.D. Shearer House at 5573 Buckingham Avenue as a heritage building.
2. **THAT** a heritage designation bylaw be prepared and advanced to First Reading on 1996 July 08 and to a Public Hearing on 1996 July 23.
3. **THAT** the owners, Holyoake Investment Inc., be sent a copy of this report.
4. **THAT** the Community Heritage Commission be sent a copy of this report.

**R E P O R T**

**1.0 BACKGROUND:**

In 1912, the J.D. Shearer family constructed their Arts & Crafts styled family home at 5573 Buckingham Avenue. Built as part of an exclusive subdivision created in 1911 by Claude Hill, this home was situated on a large (1.79 acres) lot at the corner of Buckingham and Haszard Street. For the past fifty years the home was owned by the Yewdale family who planted many trees and developed a park-like estate on the property. In 1994, an application for subdivision was made for the property and through this process the property has been divided into six lots with significant tree retention areas. On one of the lots the existing heritage house which appears in the list of buildings in "Windows to Burnaby's Past", has been retained and the owners have agreed to consent to the designation of the house as a heritage building.

**2.0 DESIGNATION PROCESS:**

Under the terms of the New *Heritage Conservation Statutes Amendment Act* that was proclaimed by the Province on 1994 October 13, the Municipal Act provides for the designation by bylaw of property that "..... has heritage value or character ...." (Section 1022).

This will have the effect that any future changes to the exterior of the building will require a heritage alteration permit that would be reviewed by the Community Heritage Commission and considered by Council. Demolition of the building would only be permitted by resolution of Council to rescind the designation bylaw.

Section 1023 of the Act specifies the formal procedures to be followed as part of the designation process which includes a Public Hearing, notification of the owners, and a report outlining the heritage value of the property, the relationship to community or OCP objectives, the effect of the designation upon the use, the condition and viability of the property and the possibility of the need for financial support.

Specifically the Act requires:

- that a Public Hearing be held.
- that 10 days prior to the Public Hearing, notice must be served on all owners and occupiers of the property.
- that newspaper notices be published in two consecutive issues of a newspaper with the last publication to be at least three days prior but not more than 10 days prior to the Public Hearing.
- that a report be prepared which includes the information in Section 3.0 of this report.
- that a completed bylaw be filed in the Land Title Office, the Province and with the owners.

### **3.0 HERITAGE INFORMATION (FROM SECTION 1023 OF THE ACT):**

#### **3.1 Heritage Value:**

This house was constructed in 1912 by the J.D. Shearer family. This arts and crafts style house was one of the larger early houses in the Buckingham/Deer Lake neighbourhood. It is considered a very good example of this style of architecture and is one of but a handful of the remaining homes of this type.

#### **3.2 Compatibility of Conservation with Community Plan and Adjoining Land Use:**

The conservation of heritage resources is addressed in the section of Burnaby's Official Community Plan which establishes the preservation and enhancement of the quality and livability of the physical environment as a goal.

The conservation of this two storey house in its original location on Buckingham Avenue will maintain an element of continuity in the neighbourhood with other homes such as the Dutch Colonial house across the street at 5520 Buckingham Avenue. The area is also in proximity to the Deer Lake Park precinct which contains a number of buildings of note from this period.

### **3.3 Condition and Economic Viability of the Property:**

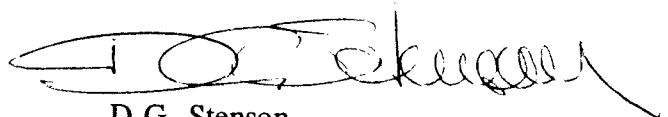
The house is basically sound and has been regularly maintained by the Yewdale family. The house will be sold in due course by the developer as a private residence at market value. (At present Mrs. Yewdale continues to rent the property back from the developer).

### **3.4 Possible Need for Financial Support to Enable Conservation:**

The building will be owned as a private dwelling and maintained accordingly. There is no major apparent restoration needs and the design of the house does not impose any unusual maintenance requirements for the wood and stucco finishes. The designation bylaw will provide for an alteration to the exterior, requested by the developer, to add an attached double garage and to permit an addition to a portion of the rear of the house in an area that is not original to allow for a new family room and enlarged kitchen. The plans illustrating these permitted changes will be attached to the designation bylaw and will allow the owner to proceed with the work in the future.

### **4.0 NEXT STEPS:**

Upon completion of the Public Hearing and Council consideration of the bylaw, the approved bylaw would be filed in the Land Title office and with the Ministry of Small Business, Tourism and Culture and notice would be given to the owners in the prescribed form.



D.G. Stenson  
Director Planning and Building

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cc. City Solicitor  
City Clerk

