

TO: CITY MANAGER 1998 March 05

FROM: DIRECTOR PLANNING AND BUILDING OUR FILE: 10.340

**SUBJECT: CHARLES R. SHAW HOUSE**  
**7979 12TH AVENUE**  
**(Normanna Rest Home Site)**  
**Preliminary Plan Approval #11884**

PURPOSE: To seek authority from Council to prepare a Heritage Revitalization Agreement which will allow the retention of the 1891 "Charles R. Shaw House" as part of the Normanna Seniors Multi-Level Care facility redevelopment.

**RECOMMENDATIONS:**

1. **THAT** the City Solicitor be authorized to bring forward a Heritage Revitalization Agreement Bylaw under Section 966 of the Municipal Act to permit the construction of a new care facility and the restoration and maintenance of the 1891 Charles R. Shaw House.
2. **THAT** a Community Heritage Register be established to identify real property that is considered to be heritage property in Burnaby and that the house at 7979 - 12<sup>th</sup> Avenue known as the "Charles R. Shaw House" be placed on this register and that the City Clerk be authorized to notify the owner as per Section 954 of the Municipal Act.
3. **THAT** a copy of this report be referred to the Community Heritage Commission for information.

**REPORT**

**1.0 Background**

The Normanna Rest Home property is currently the subject of a redevelopment plan under the existing P5 zoning. A new 100 bed multi-level care facility has been designed and is currently the subject of review under the Preliminary Plan Approval process.

During the initial design process, Planning staff encouraged the retention of the 1891 heritage house on the property constructed by Burnaby's first Reeve Charles R. Shaw. The property owners, The Norwegian Old Peoples Home Association, have agreed to retain the existing heritage building on site as facility support space for their volunteer staff.

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The proposed new care facility building which will occupy the bulk of the site meets with most of the requirements of the Zoning Bylaw. Board of Variance approval has been granted for minor variations to building and fence heights. However, in order to accommodate retention of the Shaw House, a Heritage Revitalization Agreement is required to permit an increase in the Lot Coverage of this site as outlined in the Zoning Bylaw for the Community Institutional District (P5).

The requirements of the bylaw allows for 40% total lot coverage. The proposed new care facility building is slightly over this requirement with a coverage calculated at 40.55%. The Shaw House would add 1,015 square feet (94.3 square metres to the site), for a total of 41.18% lot coverage. This slight conflict with the P5 zone requirements can be accommodated through the use of a Heritage Revitalization Agreement which permits zoning bylaws to be varied as an incentive to retain heritage buildings in the community.

The proposed landscape plan of the site has made suitable provision for the retention of existing trees and the addition of gardens for the enjoyment of the rest home residents. The designation of the Shaw House as a heritage building and its continued use as facility support space for staff, volunteers or visitors would not significantly affect the recreation space plan for the site.

The Heritage Revitalization Agreement will enable the owner to proceed expeditiously with the finalization of a Preliminary Plan Approval and towards construction of the planned development.

## 2.0 Heritage Assessment

The Charles R. Shaw House has been determined through a heritage assessment to form a significant heritage resource for the City (see attached location sketch and photo).

### History

The Normanna property was the original farm site of Charles R. Shaw, a native of Great Grimsby, in Lincolnshire, England who arrived in New Westminster in 1889. Shaw purchased this property circa 1891, building his home shortly afterwards and developing a small market garden farm in addition to pursuing his house painting and decorating business.

Charles Shaw was very active in the movement to form a local municipality in 1891-92. As an unordained Methodist preacher, he was educated and accustomed to public speaking. On October 8, 1892 he was elected unanimously by a show of hands as the first Reeve of the new Municipality

of Burnaby. Due to other obligations, Shaw did not seek re-election during a ballot election held in early 1893 and was succeeded by Nicolai Schou.

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The house and property were sold by Shaw in 1894. In 1918 the property was acquired by James Brookes who renovated the home adding a new wing and porch. In 1927 the house was moved from its former site to allow for construction of the Brooke's mansion and sited to face Thirteenth Street to become the gardener's house. A large portion of the 1918 Brookes addition was removed at that time but the porch was retained.

### Architectural Features

The original Victorian Queen Anne styled home remains substantially intact with its decorative shingled gable, barge-board, siding and windows. The later c.1918 front verandah addition was designed to blend with the existing home and contributes to the building's attractive front facade. This style of house is extremely rare in Burnaby with all other known examples having been demolished or altered significantly. The Charles R. Shaw house is a significant example of Burnaby's early settlement era as it is one of only five documented buildings constructed in the 1890's.

### **3.0 Heritage Revitalization Agreement Proposal:**

Recent amendments to the Municipal Act provide a legal mechanism, the entering into of a Heritage Revitalization Agreement, to vary normal Zoning Bylaw requirements in order for a municipality to ensure the preservation of a heritage site.

A Heritage Revitalization Agreement is a formal voluntary written agreement negotiated by a local government and an owner of heritage property, which outlines the duties, obligations and benefits negotiated by both parties to the agreement. It is intended to provide a powerful and flexible tool which enable agreements to be specifically written to suit unique properties and situations. Section 966 of the Municipal Act provides that a Heritage Revitalization Agreement may vary or supplement provisions of the Zoning Bylaw. The terms of the agreement prevail over local government zoning regulation. The agreement is filed in the Land Title Office and with the Provincial Ministry responsible for the Heritage Conservation Act.

It is proposed that a Heritage Revitalization Agreement be prepared to ensure the preservation of the Shaw House. It will specifically seek the owner's permission to include the house on a heritage register, to establish specific exterior restoration guidelines and to ensure the future placement of an interpretive plaque identifying and outlining the significance of the Charles R. Shaw House. In return for these requirements, the agreement will provide for the amendment of the lot coverage provisions under the zoning district to allow the heritage building's retention and accommodation of the total building development proposed under the present Preliminary Plan Approval application.

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#### **4.0 Heritage Register Proposed for Burnaby**

Section 954 of the Municipal Act permits a local government, by resolution, to establish a community heritage register that identifies real property that is considered by the local government to be heritage property. The City Solicitor advises that in order to make properties eligible for inclusion in a Heritage Revitalization Agreement, they should be included in a register, and that the owners be notified of this inclusion.

In due course, it is considered appropriate that all City designated heritage properties, both publicly and privately owned, be included in the register in order to have all such significant buildings included in one list. The register does not, in itself, protect or regulate heritage properties but it does have the advantage that the owner is notified and, if there is an objection to their inclusion, Council may choose to not include them.

At present the 1985 "Windows to Burnaby's Past" prepared by the Burnaby Historical Society which represents our "Preliminary List of Heritage Buildings" is out of date and the Community Heritage Commission has expressed an interest in updating it. The register will be a useful component of this heritage inventory. The scope of work required to update this will be the subject of a future report to the Heritage Commission and Council.

#### **5.0 Conclusion**

Planning staff have met with the owner's representatives to discuss the retention of the Shaw House and the owners have agreed to this approach in order to proceed expeditiously with the planned development. There is significant heritage merit to the building to warrant use of a Heritage Revitalization Agreement. Staff are satisfied that the increased lot coverage of this proposal will not significantly affect the intent of the zoning bylaw, or detract from the project's design. The City Solicitor has requested that the building be included in a Heritage Register in order to make this property eligible for inclusion in a Heritage Revitalization Agreement. The Heritage Revitalization Agreement is on the same agenda for the necessary readings.

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Council approval of this agreement with the owners would ensure that a significant Burnaby heritage building is retained, while providing the property owner with an additional asset which will serve the operation of the of the proposed Normanna multi-level senior care facility which is to be built on the balance of this site.



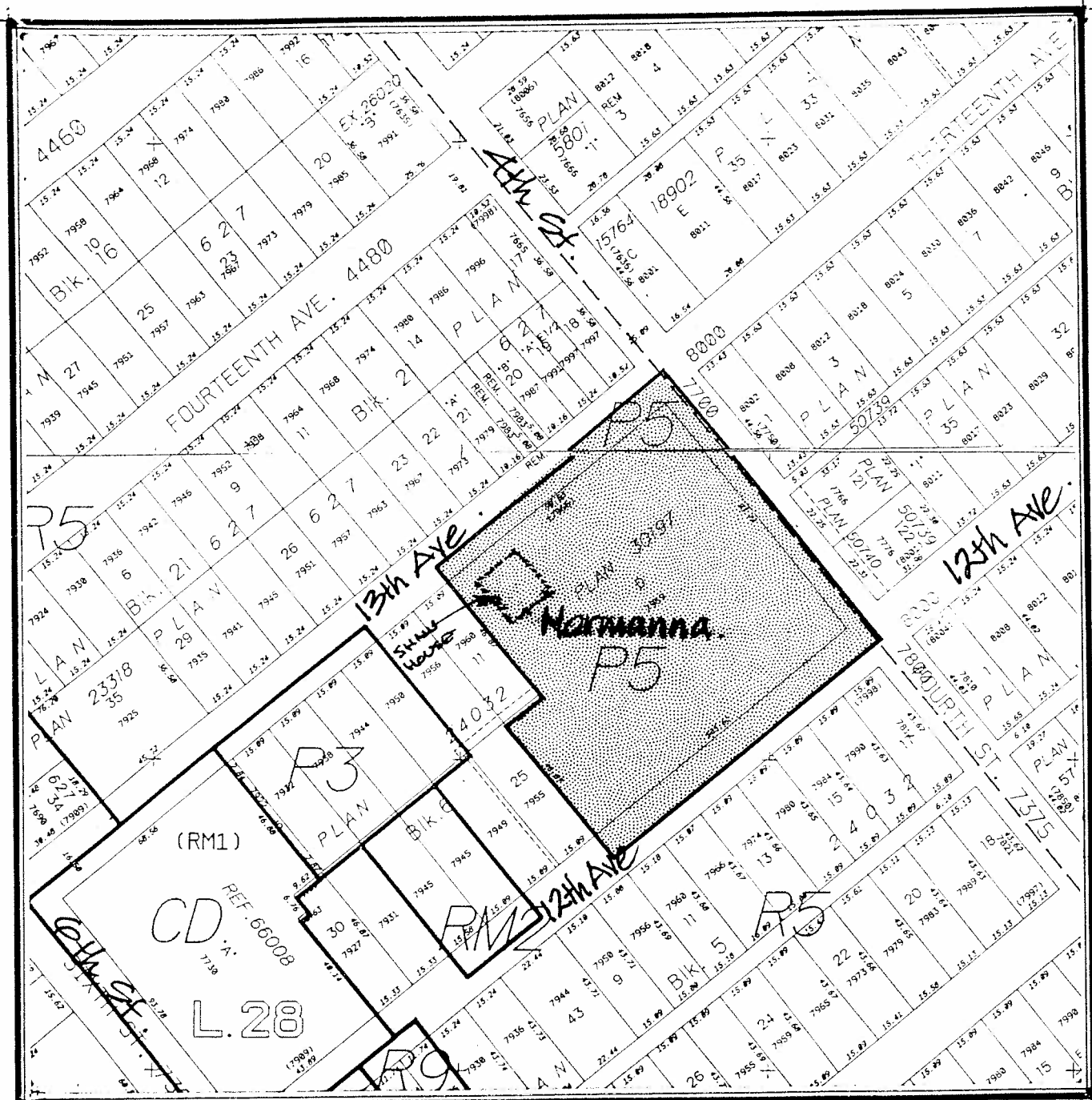
D. G. Stenson  
Director Planning and Building

BR:JW:hr

Attach.

cc: City Clerk  
City Solicitor


c:\heritage\shwhous.Rpt



Date: 07.03.98

Scale:

Drawn By: JW

 City of Burnaby  
 Planning & Building Dept  
 Location sketch.



CHARLES R. SHAW HOUSE  
 7979 12TH AVENUE  
 (Normanna Rest Home Site)  
 Figure 1.



CHARLES R. SHAW HOUSE  
7979 12TH AVENUE  
(Normanna Rest Home Site)

Date: 1998

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City of  
**Burnaby**  
Planning & Building Dept

*Figure 2*

