

**From:** [Denise Bemister](#)  
**To:** [LegislativeServices](#)  
**Subject:** Heritage Designation 7828 Stanley Street  
**Date:** Thursday, June 22, 2023 7:19:52 PM  
**Attachments:** [Heritage 2.docx](#)

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To whom it may concern,

Please find enclosed a letter regarding the heritage designation of 7828 Stanley Street to be heard on June 27, 2023. Please add it to the file for the hearing and kindly send a reply indicating receipt of my email. Thank you,

Denise Bemister  
7809 Stanley Street  
Burnaby, B.C.

Hal and Denise Bemister  
Owners  
7809 Stanley Street  
June 19, 2023

To the Mayor and City Council,

We are writing you regarding the designation of 7828 Stanley Street as a Heritage House.

First and foremost we would like to say this is not an easy letter to write. The people living in the house are good neighbours and lovely people. Because of the conditions being placed on them to make the house a Heritage House, they are asking to be allowed to subdivide off a portion of their lot. They have pre-sold this lot for a great deal of money, which is truly life changing for them. It's hard to promote a view that may take that away. We do not do so lightly.

To be clear, we are not against the Heritage House designation. We are against the conditions placed on the owners to make this a Heritage House and the means by which those conditions are to be met, which is to subdivide the property into a smaller lot and build an overly large house with a full underground basement suite. The subdivision is an area with known water problems on a very narrow road, and there could be severe unintended property tax consequences not just in our neighbourhood but on anybody in Burnaby living in an older home.

**In short, you are being asked to okay as a Heritage House a house with a number of heritage features removed (a porch, three or four windows, and original landscaping) for a reproduction porch that no one knows what looks like. If the house were to remain as it is with all the Heritage features intact, there would be no need for a subdivision at all, and the house would be a lovely addition to Burnaby's heritage inventory.**

#### **The Porch:**

The reasons the subdivision must take place is due to the demand to replace a front porch on the house. The porch that is on the house has been there for over 100 years. The previous porch was replaced after only a few years, and we can only assume for a good reason. A portion of the first porch can be seen from one side in a few pictures so no one is really sure what the original porch actually looked like.

In Burnaby's Policy for Municipally owned building and sites regarding Heritage Houses it states clearly in Appendix II, B.C. Heritage Trust Conservation Principles, under General Conservation Principles:

*"1. All heritage conservation work, whether it be on a building, monument, or site, should be based upon and preceded by sufficient historical research, site analysis and documentation to identify and safeguard fully the heritage values to be conserved.*

*2. The evolution of the structure(s) and the site should be respected. The contributions of all periods are important to the historical development and merit retention. Decisions about appropriate levels of intervention shall be based upon the heritage values of each contribution." (emphasis added)*

and

*"5. Conjecture and the falsification of building elements should be avoided in all heritage conservation projects." (emphasis added)*

Further it states under Specific Rehabilitation Principles:

***"Alterations which seek to create an earlier appearance or which use different architectural elements from other buildings or structures are discouraged."***  
(emphasis added)

A porch that has stood with the house for over a hundred years would seem to have far more historical value than a porch that only lasted for a few years, especially when rebuilding the original porch would rely on pure conjecture which should be, as it states above, discouraged.

#### **Landscaping:**

Secondly, a driveway will have to be constructed on the opposite side of the house from where it exists now. In doing this much of the front lawn and rock garden will have to be removed. A very old and graceful willow tree at the front of the house will also have to be removed. The same document quoted above under section 3.3.4 Relocation has this to say about landscaping:

*"Relocation of primary heritage buildings should be viewed as a last resort.... Moving a building alters the original context of a building and can destroy its cultural and architectural integrity. **As a building is vitally connected with the surrounding landscape its original context should not be destroyed.**"* (emphasis added)

To allow for these changes to be made, there is a proposal to subdivide the current lot into the Heritage House and a separate lot. This subdivision and house proposal doesn't seem to be mentioned in the public notification and I'm not sure has been mentioned to Council at all. They are asking for three bylaws to be varied to allow for such a house to be built. These are to allow for a reduce lot size, 1/3 less than the size currently allowed, the set-back from the road to be 2 feet less than that currently allowed, and the lot frontage to be 39 feet, again 1/3 less than currently allowed for. The home proposed for this lot will be 3,200 square feet with a full underground basement suite. Most houses on the street are 2,000 square feet. So this house will be 1/3 larger than the houses in the neighbourhood on a lot 1/3 smaller.. The house will be narrower and longer and deeper than houses in the neighbourhood, will not conform with the neighbourhood, and will effectively block both neighbouring houses.

This brings up three major concerns.

1. Water. The area has a troubled history with water. Despite years of denials from City Hall, there was a creek that ran behind the houses on that side of the street. Thirty years ago my children played in it. The currently driveway has had sink holes and suffers damage today because of the water that runs beneath it. We spoke with a woman who grew up in the house 80 years before and she confirmed the creek ran behind the house and down the north side between the house and the tennis courts that used to be there. Putting in a full basement below ground on the south side of the house (the uphill side) will force the water somewhere else and that very likely will be in the downhill direction affecting the Heritage House they are trying to preserve.

Before the house sold to the current owners, we helped to remove a shed from the north side of the property that was falling over due to erosion from water. This is in the area they are proposing a new garage and driveway. Many neighbours on that side of the street, including the proposed Heritage House, have experienced water problems in their basements over the years.

2. Parking. (See pictures at the end of letter) We worry about access to our property. Stanley Street is a very narrow street. It has been improved recently but there is only room for two cars to pass when there is no cars parked on the side. Our driveway has been considerably shortened by the new road built a few years ago and is fairly tricky to get in and out of. A car parking near the driveway would necessitate an almost 90 turn to enter or exit the driveway - pretty impossible with a car. Other neighbours with steep driveways would also face the same problem. A pull-out for parking exists in front

of the proposed Heritage House, but half of it will be lost for the new driveway to be constructed on the north side of the property.

While the proposed house has provisions for parking for two cars, it seems extremely unlikely this would be enough for both the upstairs family and the tenants in the suite below. The pull-out parking is already being used for a work vehicle by tenants that live on the uphill side of the street near Canada Way. It seems parking for four cars would be reasonable for a house with a suite and that leaves two cars parking on the street.

With cars parking all along one side of the road it becomes impossible to for two cars to pass on Stanley. I have seen both the garbage trucks and the firetruck go up on the sidewalk to get by a parked vehicle. When the road was narrow you could pull onto a shoulder or use the pullouts. The shoulder is now a sidewalk and the pull-outs have cars parked in them.

Stanley Street is used by emergency vehicles to access our neighbourhood. The corner at 6<sup>th</sup> and Burris is difficult for the larger vehicles to navigate and the only alternative would be Berkley Street and wind down through the neighbourhood, which would add time to a response.

3. Taxation: The most important of our objections is the unintended tax consequences. On speaking with B.C. Assessment we were informed that because of the high price of the subdivided lot, it changes the highest and best use criteria used to evaluate properties, and anyone with an older house that could be designated heritage (and we could find no definition of what constitutes heritage so it could be based just on age of the home) with an area that could be subdivided off into a smaller lot (and the 39 foot frontage would be the precedent) would now be taxed as two properties rather than one. They specifically cited the Ramsay Residence at 7864 Stanley house two doors down from the subject property as an example where that assessment could occur.

This could have huge consequences for not just ourselves and our neighbours but anyone living anywhere in Burnaby, and most those people have no idea Council is making a decision that would affect their lives so drastically.

As stated in the beginning, this letter is not written lightly. There are consequences to whatever Council decides and we think Council should be aware of all of those consequences before it makes its decision.

Yours truly,

Denise and Hal Bemister  
7809 Stanley Street  
Burnaby, B.C.





This is an older picture showing subject house and the proposed lot taken from our driveway at 7809 Stanley Street. The new house would as wide as the trailer and the carport and would extend out to approximately to the rear-end of the station wagon, and back to the end of the lot. It also shows the windows that are to be removed.

The next pictures show Stanley Street and how narrow it is, even without cars parked along it.



Two pictures showing a dump truck passing the driveway and front of 7809 Stanley Street. Parking is allowed beside the black fence. A telephone pole is on opposite side of the road.





Looking up Stanley Street towards Canada Way, showing, again, the width of the road. Parking is allowed on the right-hand side of the street.



Looking down Stanley Street to 6<sup>th</sup> Street showing the parking pull-out in front of the subject house. Parking is allowed on the left-hand side of the street. You can see a dump truck and a garbage truck. If there were cars parked on the left-hand side of the street the trucks would not be able to continue down the road. The willow tree mentioned in my letter is also shown on the right-hand side.

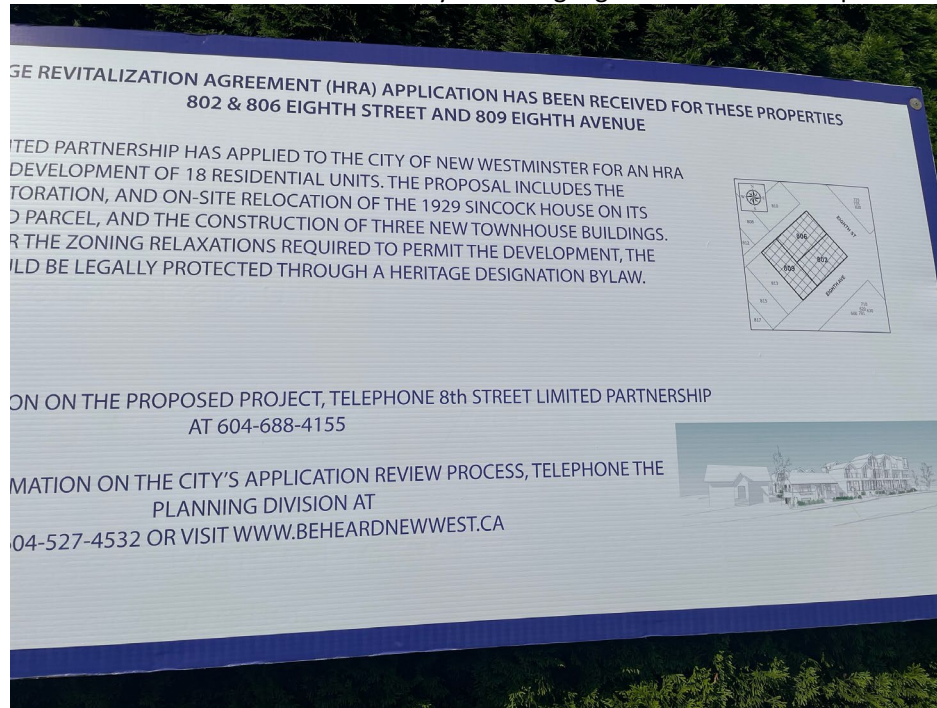


And a vacuum truck very kindly parked on Stanley so cars can pass by. The car behind is parked in a parking pull-out.

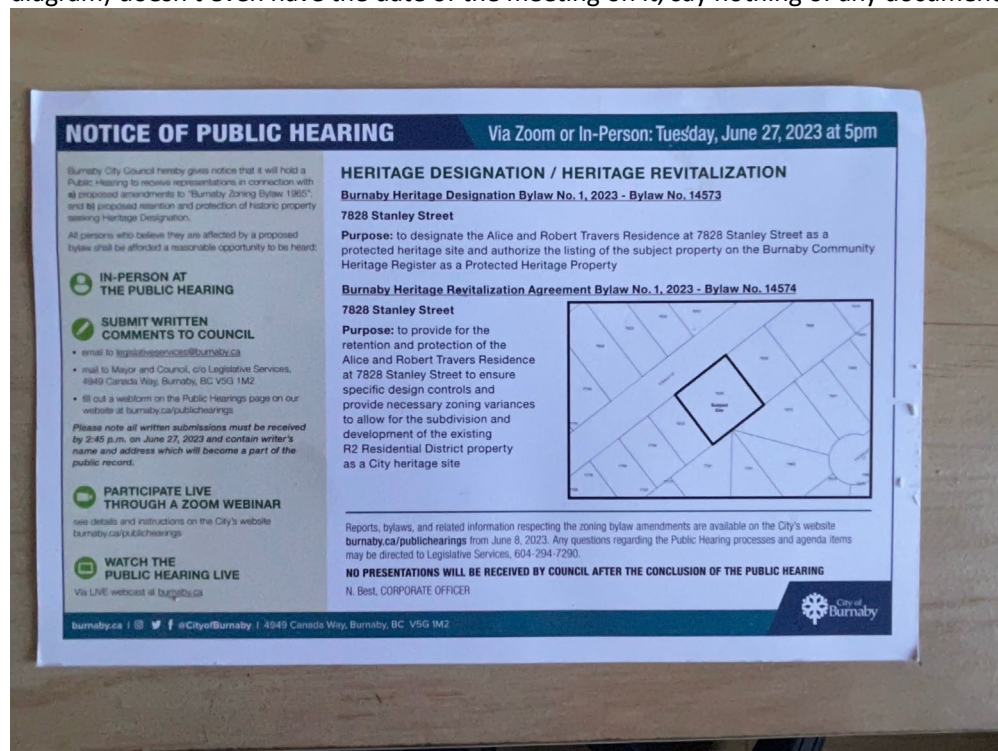
And I can't help but comment:

Here is how New Westminster handles exactly the same kind of application. This sign has been on Canada Way and 8th Street for at least six weeks now.

**Note:** The subdivision is shown clearly on the signage in both words and pictures.



And below is how Burnaby handles it. This notice is sent only to houses within 30 metres of the subject property, not even to the whole street the house is on. Note: The subdivision is not shown **AT ALL** in the Burnaby notification in either picture or words. The webpage they recommend to you (below the lot diagram) doesn't even have the date of the meeting on it, say nothing of any documents.



And that demonstrates why Burnaby residents don't trust City Hall.