



MEMORANDUM

Date: December 19, 2018 Our File: 1010-20-17-030
To: Heritage Advisory Committee
From: Lisa Berg, Senior Community Planner
Re: **Binning House HRA**

APPLICATION TYPE

Heritage Revitalization Agreement (HRA) application.

SUMMARY

The proposed HRA would enable the subdivision of the property into two lots as incentive for enhanced protection of the BC Binning House beyond the existing bylaws, complete restoration of the house in accordance with the Conservation Plan prepared by Donald Luxton and Associates, and public access to the site.

CONTEXT

The house is located in the single family neighbourhood of Altamont, on a sloped site, with views of the ocean and the UBC peninsula (**Appendix A**). The house was designed by owner and artist BC Binning in 1939 and construction completed in 1941. In 1966 a detached two-storey structure containing a garage on the upper level and a potting shed at the lower level was built adjacent to the street and remains in place today. The house is largely original, with additions limited to a bathroom addition and skylights added in the late 1980s. The original mural located at the entrance is one of its most notable elements, however, it has been painted over a number of times.

Noteworthy landscape features include a Japanese maple, mature rhododendrons and a grapevine planted by Binning near the upper terrace. Although once a supporting feature of the house, the landscape in recent years has been left to overgrow and invasive species have begun to take over.

EXISTING HERITAGE PROTECTION BYLAWS

Two key bylaws apply with respect to the protection of the home:

- Heritage Designation Bylaw (4157, 1999)
- Heritage Maintenance Bylaw (4187, 1999)

These bylaws (attached as **Appendix B and C** respectively) work together to protect the house from alteration or destruction and require the owner to maintain the house in “good order”, and are summarized as follows:

Document #3843533

1. Heritage Designation Bylaw: The house was designated as a municipally protected resource via this bylaw. It promotes the preservation of the house and designated it as protected heritage property including:
 - a. The exterior of the building, including the overall form of the building, all structural membranes, materials, exterior colours, and finishes; and
 - b. All interior structural members, including materials and finishes, and all interior walls, ceilings and floors, including materials, colours, and finishes. For clarification, this did not include kitchen and washroom cabinetry, and plumbing and electrical fixtures.

This bylaw further requires a Heritage Alteration Permit for changes, repair or replacement of certain exterior or interior features of the building. It also requires that the house be maintained in good order in accordance with the Heritage Maintenance Bylaw.

2. Heritage Maintenance Bylaw: This bylaw promotes the maintenance of municipally designated buildings and sites. It restricts alterations, structural changes, moving or altering the building, and excavation or building on the property. The bylaw sets out minimum site maintenance standards including the requirement to keep the house “in good order,” maintenance of original designated features (warranting replacement when only necessary), and limits the alteration of designated features as necessary to protect them.

THE PROPOSAL

The District has received an HRA application for the site. Under an HRA in exchange for subdivision of the property, the owner offers:

- protection and enhancement of the Binning House as described below;
- public access to the Binning House as described in the letter provided by Donald Luxton (**Appendix D**); and
- volumetric parameters to limit the massing of the new house on the southern lot.

Potential Enhancement

As per above, the existing heritage bylaws for the house protect the structure and exterior and interior finishes “in good order.” However, they do not preserve personal artifacts of Binning, including his studio materials, the murals, furniture, and other “non-structural” elements. Further, the bylaws do not serve to preserve or call for the maintenance of the landscape and do not provide for any public access to the site.

In summary, the proposed HRA would enable the subdivision of the property into two lots as incentive for:

1. Enhanced protection of the Binning House beyond the current bylaws, including of protection and preservation of personal artifacts within the home, the murals, and other items not identified as “protected heritage property.’

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2. Restoration of the Binning House in accordance with the Heritage Conservation Plan (**Appendix E**) prepared by Donald Luxton and Associates, which seeks a higher order of restoration than required by current bylaws, complete with specifics around materials, structure, electrical, interior and exterior walls, landscaping and paint colour.
3. Protecting and maintaining landscape features.
4. Public access to the Binning House.
5. Heritage maintenance guidelines.

The proposal is attached as **Appendix F** to this memo.

ITEMS TO ADDRESS

Input from the committee is sought on the following:

1. Is the general approach to secure enhanced protection of the heritage resource and public access to it supportable?
2. If so, is the proposal to subdivide the property in exchange appropriate?
3. The appropriateness of the proposed alterations and restoration identified under the Conservation Plan vis-à-vis the character defining elements of the Binning House.

Attachments:

- A- Context Map
- B- Heritage Designation Bylaw 4157, 1999
- C- Heritage Maintenance Bylaw 4187, 1999
- D- HRA Conditions Letter, D. Luxton December 2018
- E- Conservation Plan December 2018
- F- Proposed Package