



District of West Vancouver

Heritage Designation Bylaw No. 5031, 2019
(985 Duchess Avenue)

Effective Date: April 20, 2020

Heritage Designation Bylaw No. 5031, 2019

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District of West Vancouver

Heritage Designation Bylaw No. 5031, 2019

A bylaw to designate 985 Duchess Avenue as protected heritage property.

WHEREAS the Council of The Corporation of the District of West Vancouver deems that the Boyd House located at 985 Duchess Avenue has heritage value and heritage character, and that the designation of the property is desirable for its conservation; and

WHEREAS the owner of the Property has requested that this bylaw be adopted; and

WHEREAS the owner of the Property has entered into a Heritage Revitalization Agreement with the District pursuant to Section 610 of the *Local Government Act* in which, in return for certain variances of District bylaws that would otherwise prohibit the development in accordance with the owners plans for the Property, the owner has waived any entitlement to compensation to which the owner would be entitled to by section 613 of the *Local Government Act* should the designation effected by this bylaw reduce the market value of the Property;

NOW THEREFORE, the Council of The Corporation of the District of West Vancouver enacts as follows:

Part 1 Citation

1.1 This bylaw may be cited as Heritage Designation Bylaw No. 5031, 2019.

Part 2 Severability

2.1 If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Part 3 Definitions

3.1 In this bylaw:

“Normal Repair” means the replacement of elements of the structure or finishing materials of a building with components that are equivalent to those being replaced in material composition, dimensions and quality, except where the element being replaced is not original to the building in which case a Heritage Alteration Permit is required;

“Property” means that parcel of land in West Vancouver, British Columbia, having a civic address of 985 Duchess Avenue and a legal description of LOT 2 BLOCK D WEST PORTION OF DISTRICT LOT 1042 PLAN 7554 and Parcel Identifier: 010-569-537;

“Conservation Plan” means the document having that name prepared by Donald Luxton and Associates Inc., dated March 2019, a copy of which forms part of Heritage Revitalization Agreement Bylaw, No. 5030, 2019.

Part 4 Heritage Designation

4.1 The property is designated as protected heritage property under section 611 of the *Local Government Act*.

4.2 The designation applies to the following:

4.2.1 All exterior aspects of the Boyd House including without limitation the aspects that are specifically listed as Character-Defining Elements in the Conservation Plan;

4.2.2 All interior aspects of the Boyd House that are specifically listed as Character-Defining Elements in the Conservation Plan; and

4.2.3 Other site characteristics identified as Character-Defining Elements of the property as identified in the Conservation Plan.

Part 5 Heritage Alteration Permit

5.1 All alterations to the elements and features of the Property referred to in section 4.2 require a Heritage Alteration Permit, except:

5.1.1 Normal repair and maintenance of the Boyd House carried out in accordance with Heritage Maintenance Bylaw No. 4187, 1999.

Part 6 Delegation

- 6.1 The Council delegates to the Director of Planning and Development Services the authority to issue heritage alteration permits to authorize alterations not otherwise permitted by this bylaw or by Heritage Maintenance Bylaw No. 4187, 1999, provided that the alterations are in the opinion of the Director appropriate to the general period and style of the Boyd House and the Property, and do not remove, replace or substantially alter its intact or repairable character-defining elements, as identified in the Conservation Plan.

READ A FIRST TIME on December 2, 2019

PUBLICATION OF NOTICE OF PUBLIC HEARING on January 3 and 8, 2020

PUBLIC HEARING HELD on January 13, 2020

READ A SECOND TIME on January 13, 2020

READ A THIRD TIME on January 13, 2020

THIRD READING RESCINDED on February 10, 2020

MODIFIED on February 10, 2020

READ A THIRD TIME AS MODIFIED on February 10, 2020

ADOPTED by the Council on April 20, 2020

[Original signed by Mayor]

Mayor

[Original signed by Corporate Officer]

Corporate Officer