



District of West Vancouver

Heritage Designation Bylaw No. 5235, 2023 (1591 Haywood Avenue)

Effective Date: November 20, 2023

Heritage Designation Bylaw No. 5235, 2023

Table of Contents

Part 1	Citation.....	1
Part 2	Severability	1
Part 3	Definitions	2
Part 4	Heritage Designation	2
Part 5	Heritage Alteration Permit.....	3
Part 6	Delegation.....	3

District of West Vancouver

Heritage Designation Bylaw No. 5235, 2023

A bylaw to designate 1591 Haywood Avenue as protected heritage property.

WHEREAS the Local Government Act, RSBC 2015, c. 1 provides Council with authority, by bylaw, to designate real property, in whole or part, as protected heritage property, on terms and conditions it considers appropriate;

WHEREAS the Council of The Corporation of the District of West Vancouver deems that the residential building known as the Clegg House located at 1591 Haywood Avenue has heritage value and heritage character, and that the designation of the property is desirable for its conservation;

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. 5235, 2023.

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:

“Character-Defining Elements” means the elements that define the heritage value of the Clegg House, as identified in section 3 of the Conservation Plan.

“Conservation Plan” means the document having that name prepared by Dewhirst Lessard Consulting, dated October 2021/ March 2022, a copy of which forms part of Heritage Revitalization Agreement Bylaw, No. 5234, 2023.

“Heritage Building” means the residential building known as the Clegg House located on the Property;

“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;

“Property” means that parcel of land in West Vancouver, British Columbia, having a civic address of 1591 Haywood Avenue and a legal description of LOT 14 BLOCK 1 NORTH ½ of DISTRICT LOT 1055 PLAN 4180 and Parcel Identifier: 011-772-301;

Part 4 Heritage Designation

4.1 The Property, having a civic address of 1591 Haywood Avenue and a legal description of LOT 14 BLOCK 1 NORTH ½ of DISTRICT LOT 1055 PLAN 4180 and Parcel Identifier: 011-772-301, is hereby designated in its entirety as protected heritage property under section 611 of the *Local Government Act*.

4.2 The designation under this Bylaw applies to the following:

4.2.1 All exterior aspects of the Heritage Building including, without limitation, the aspects that are specifically listed as Character-Defining Elements in the Conservation Plan; and

4.2.2 The interior aspects of the Heritage Building that are specifically referenced in the Conservation Plan, including the existing fireplace, mantle and surrounds on the main floor.

Part 5 Heritage Alteration Permit

- 5.1 All alterations to the elements and features of the Heritage Building referred to in section 4.2 require a heritage alteration permit, except:
 - 5.1.1 Normal Repair and maintenance of the Heritage Building carried out in accordance with Heritage Maintenance Bylaw No. 4187, 1999; and
 - 5.1.2 Minor alterations that, in the opinion of the Director of Planning and Development Services, are in keeping with the character of the Property, as determined by the Director of Planning and Development Services in their sole discretion.

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 Heritage Building 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 September 25, 2023

PUBLICATION OF NOTICE OF PUBLIC HEARING on October 11 and 18, 2023

PUBLIC HEARING HELD on October 23, 2023

READ A SECOND TIME on October 30, 2023

READ A THIRD TIME on October 30, 2023

ADOPTED by the Council on November 20, 2023.

[Original signed by Mayor]

Mayor

[Original signed by Deputy Corporate Officer]

Deputy Corporate Officer