

Appendix C
Heritage Assessment
(June, 2022)



Heritage Assessment

Northern Red Oak Tree – 203 Pembina Street, New Westminster





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1. INTRODUCTION

Address: 203 Pembina Street, New Westminister

Legal Description: Lot 1, District Lot 757, Land District 1, Plan NWP2586

Neighbourhood: Queensborough

Zoning: RQ-1

Type of Resource: Landscape; Tree

Historic Name: None

Original Owner: Not known

Date of Tree (approximate): 1940 or earlier

Species: Northern Red Oak

Heritage Status: None

This report is a heritage assessment and evaluation of a Northern Red Oak tree located at 203 Pembina Street, dating from pre-1940. It is located in the south-west area of New Westminister known as Queensborough (Figure 1).

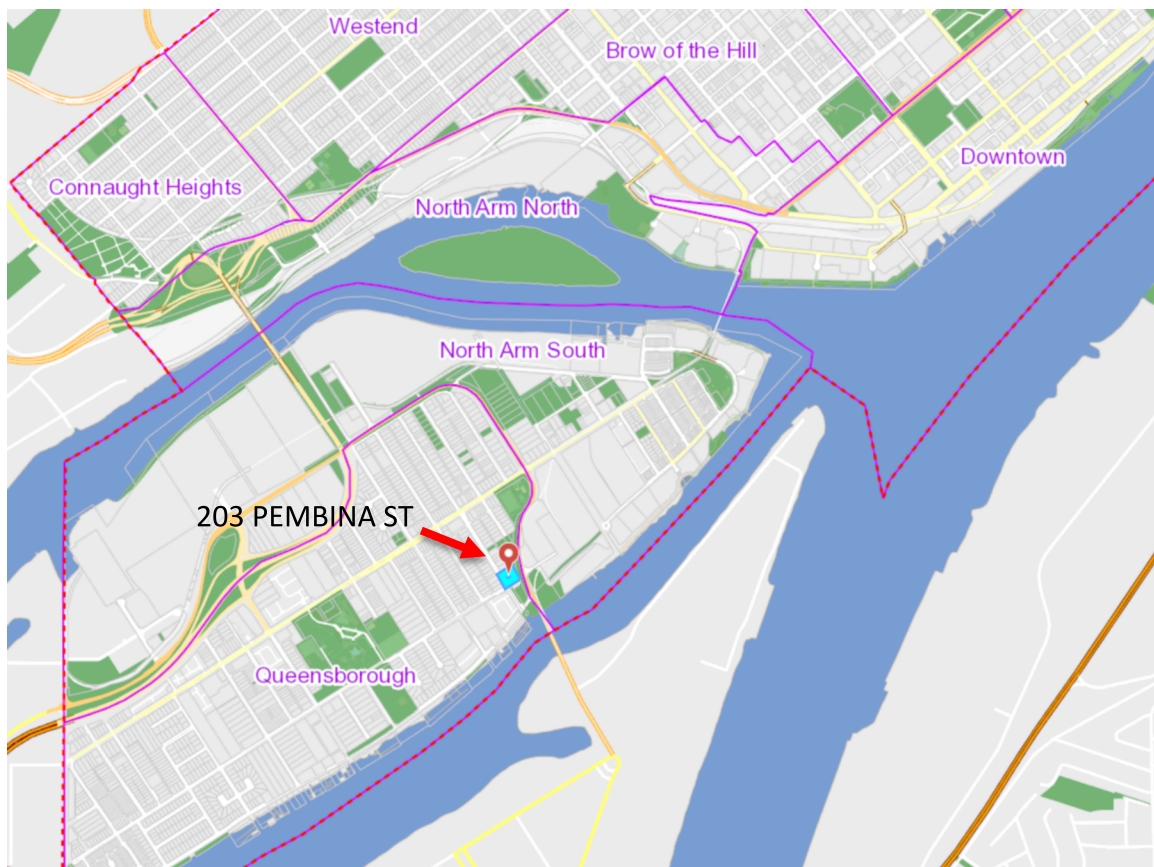


Figure 1: Location of 203 Pembina Street in the broader context of New Westminster
Source: City of New Westminster CityViews

A site visit was completed on **April 29, 2022** at which time the site and tree were photographed and documented.

This Heritage Assessment is based on information obtained from the City of New Westminster, City of Richmond and City of Vancouver Archives, along with VPL Special Collections, and the New Westminster Public Library. In addition, an arborist's report dated September 13, 2020 was used to further assess this tree. The Assessment outlines the historical, contextual and other aspects of interest as part of its evaluation as a resource noted by City of New Westminster Planning Department staff as a tree that is potentially of historical interest, in the context of the proposed redevelopment of the site.

2. OVERVIEW

The property on which the Northern Red Oak tree is located, at 203 Pembina Street comprises an area of 1,072 sq.m. (11,543 sq.ft.). This is a corner lot, with the house fronting Pembina Street and siding on to Salter Street (Figure 2); it backs on to greenspace that borders Derwent Way (Figures 3 and 4). The oak tree is set very close to the front of the property line, along Pembina Street. There are a variety of housing types in the immediate area, ranging from older to much newer and larger single-family houses, along with low-rise apartments.



Figure 2: 203 Pembina Street and its Surroundings
Source: City of New Westminster City Views

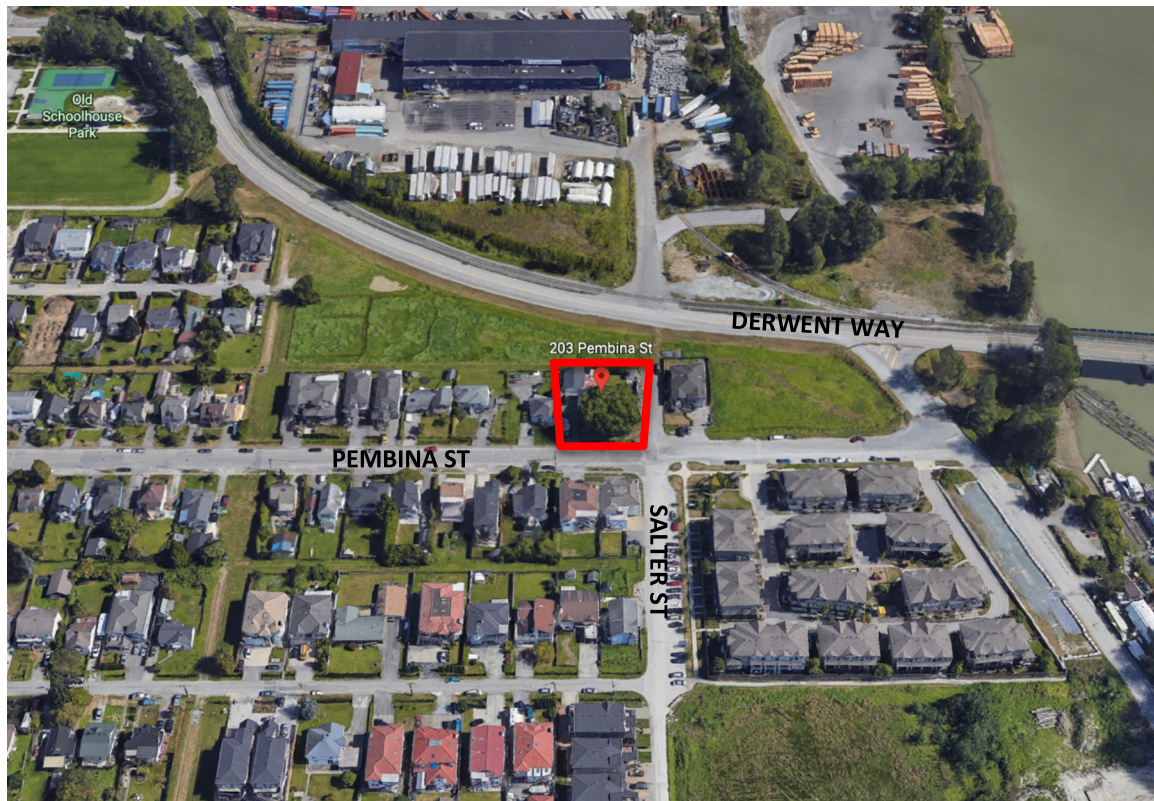


Figure 3: Oblique Aerial of 203 Pembina Street, seen from front



Figure 4: Oblique Aerial of 203 Pembina Street, seen from rear

2.1. HISTORIC CONTEXT OF QUEENSBOROUGH

Queensborough is a neighbourhood which developed as part of the earliest growth of New Westminster, initially serving as a government (military) reserve acquired by the City of New Westminster in 1889. By 1891 a critical connection was made to the city proper: a swing bridge was constructed with a road connecting New Westminster to Richmond (Steveston), known at the time as Lulu Island Road. It crossed the Fraser River's North Arm and bisected Queensborough. The area known as Lot 757 was subdivided into large parcels around that time (Figure 5).

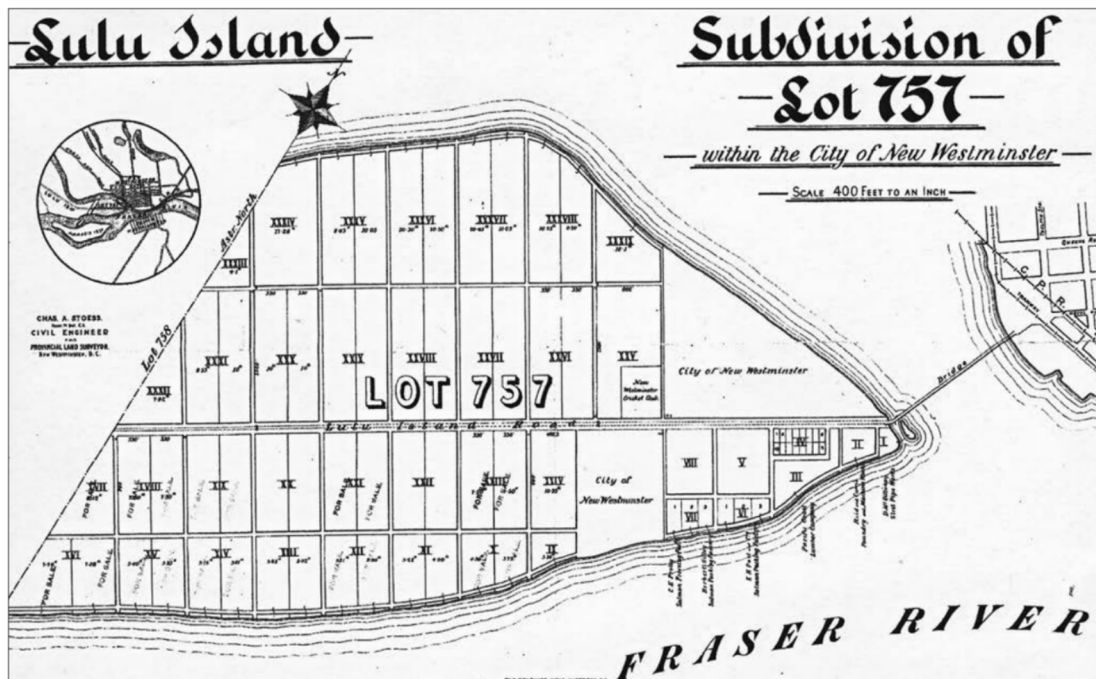


Figure 5: 1895 Map of Lot 757 acquired by New Westminster
Source: Queensborough Historical Neighbourhood Context Statement, 2011

Queensborough was specifically acquired for industrial use – presumably because of the limited area along New Westminster's river edge and its steep slopes. The flat terrain and long stretches of river frontage made this land ideal for such use. In addition, the strategic connection between New Westminster and outlying links to marine distribution points, particularly Steveston, was strongly promoted in the 1890s which included a road link that later became a BC Electric Railway (BCER) route (Figure 6).

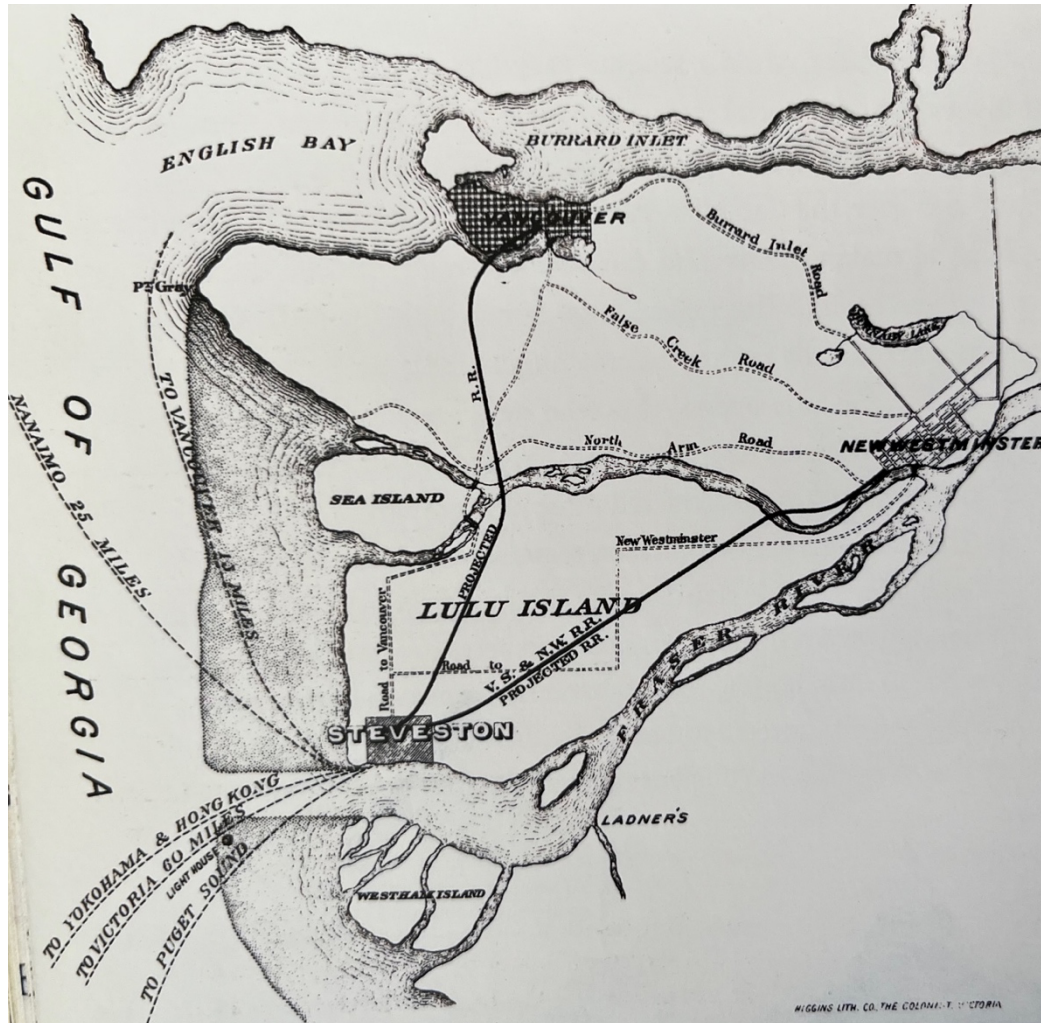


Figure 6: W.H. Steve's Promotional Map – showing Steveston, 1889

Source: Historical Atlas of Vancouver and the Fraser Valley, p. 46.

Industrial activity was initially limited to the most easterly end of Queensborough on both the North and South Arms of the Fraser River. The growth was slow, in part due to global and more local economic restraints, and how the area began to compete with residential use that began to take hold in the first two decades of the 1900s as the community began to grow.

While industrial uses in the area made it less desirable for the middle and upper-class, who opted to build houses in and around Queen's Park, the industry attracted those who would have been employed at the local mills or factories. In addition, the early auction of lands in 1892 promoted the area as ideal for market gardens or nursery purposes, along with an optimistic prediction that it was "only a matter of time when all of the manufacturing establishments of the city are located on this property."¹

¹ Details of the auction of building lots in Queensborough in 1892 (Richmond Archives)

Many suburban areas tend to support agricultural uses that later transform to either residential or industrial uses, but Queensborough is unique in how agriculture and industry began on equal footings, with the development of riverfront industries processing resources such as lumber, and factories such as the Canadian Pacific Airplane plant and Mercer's shipyards. The area's prominence was signaled by the opening of a post office in 1908 on what was then Lulu Island Road (now Ewen Avenue) (Figure 7). By then, a school was already in place.



Figure 7: Queensborough General Store and Post Office, 1911. New Westminster Archives IHP4476

2.2. SITE HISTORY AND SURROUNDING NEIGHBOURHOOD CONTEXT

The immediate area evolved gradually, which around the turn of the century represented the outlying fringe of New Westminster. Development was restricted by the limited access to the area: there was one bridge across the North Fraser River along which the BCER ran a line through the area (Figure 8).



Figure 8: 1913 Fire Insurance Plans (superimposed), illustrating the east section of Queensborough with the property now addressed as 203 Pembina Street outlined in red. City of Vancouver Archives, Item 1972-472.15, Plates 126 and 128.

Industrial development and the subdivision of larger sections for residential along the eastern tip of Lulu Island flanking that BCER line was well underway. Some of the subdivided sections optimistically extended all the way to the North Fraser River. The pre-World War I development of houses on those lots, though, was quite limited. In eastern Queensborough, on the sections that had been subdivided – between Wood Street to the west and Johnston Street to the east – roughly 11% of the lots on the south side of Ewen Avenue had a house by 1913, while less than 2% on the north side of Ewen Avenue had a house (as illustrated in Figure 8). 203 Pembina Street was not developed until 1966, which reflected the later development on the east side of

Pembina Street and both sides of Dorer Street (now Fenton Street) (Figure 9). Further detail on the historical pattern of development along Pembina Street is provided in Section 3.1 of this report.



Figure 9: 1913 Fire Insurance Plan, 203 Pembina Street (Lot 1) outlined.

Basic services were situated along Ewen Avenue and while housing was in place by the early 1910s, development did not earnestly begin until the 1920s, due to the economic depression, and World War I. Development was effectively stalled by late 1913 and economic output was re-directed to the war effort. The post-war area saw development re-activated, and areas such as Queensborough began to fill in from the 1920s through to the 1950s.

This is confirmed by lot numbering and later air photographs. While the subdivision of Section XXIV appears, at first glance, to have been completed all at once, the actual subdivision took place in two stages, but all of it was before 1913. The north-westerly half up to Ewen Avenue was subdivided as Lots 1 to 31 and the south-westerly half down to Salter Street, was subdivided as Lots 1 to 21 – it is this series of lots within which 203 Pembina Street is located as Lot 1 (Figure 10).

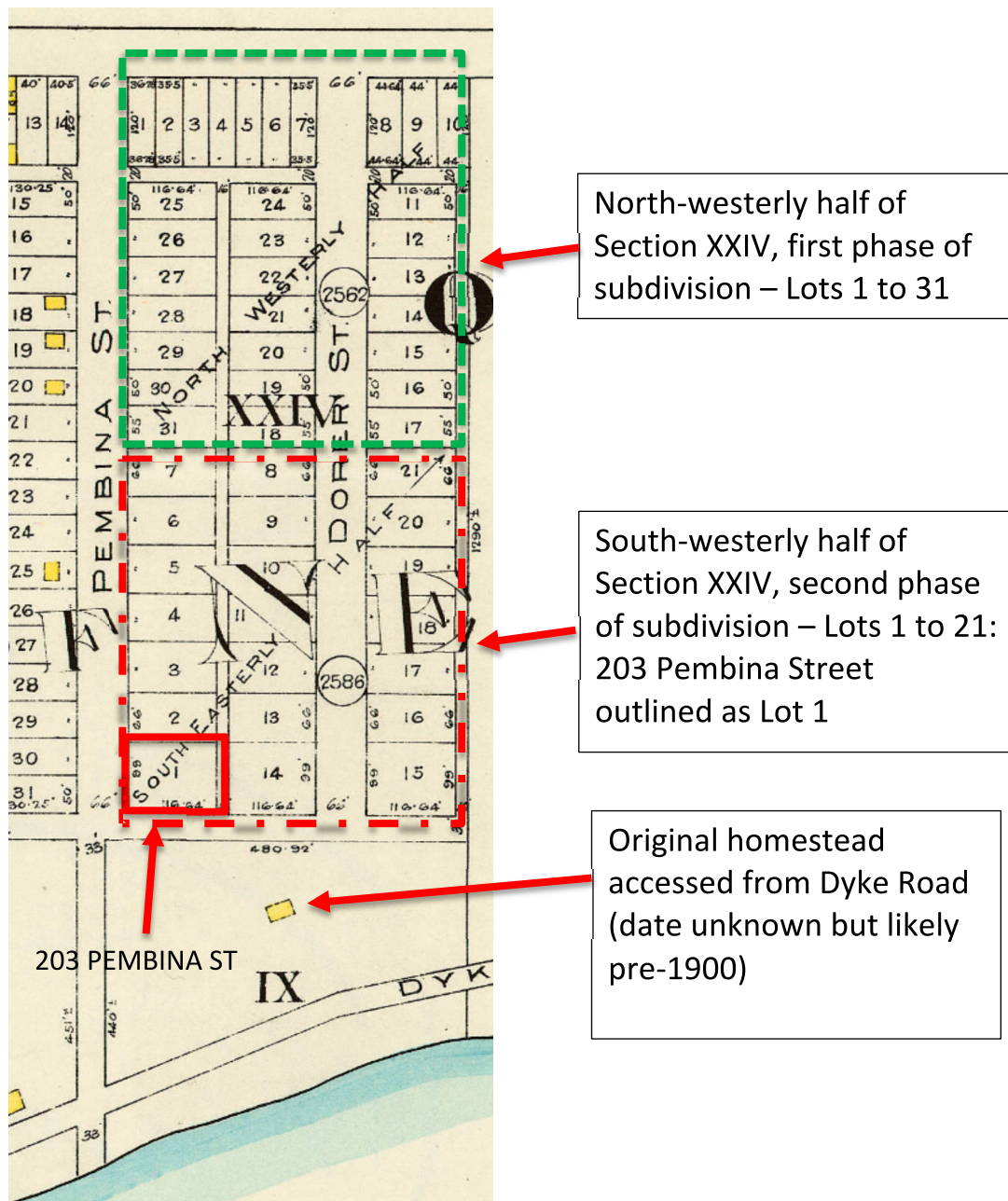


Figure 10: Detail of subdivision of subject site and surrounding from 1913 Fire Insurance Plan

It is this anomaly that may explain how the north-westerly half was developed from the 1910s to the 1950s, while the south-westerly half, comprising the east side of Pembina Street, remained undeveloped until at least the late 1950s. This is illustrated in the 1957 Fire Insurance Plan (Figure 11).

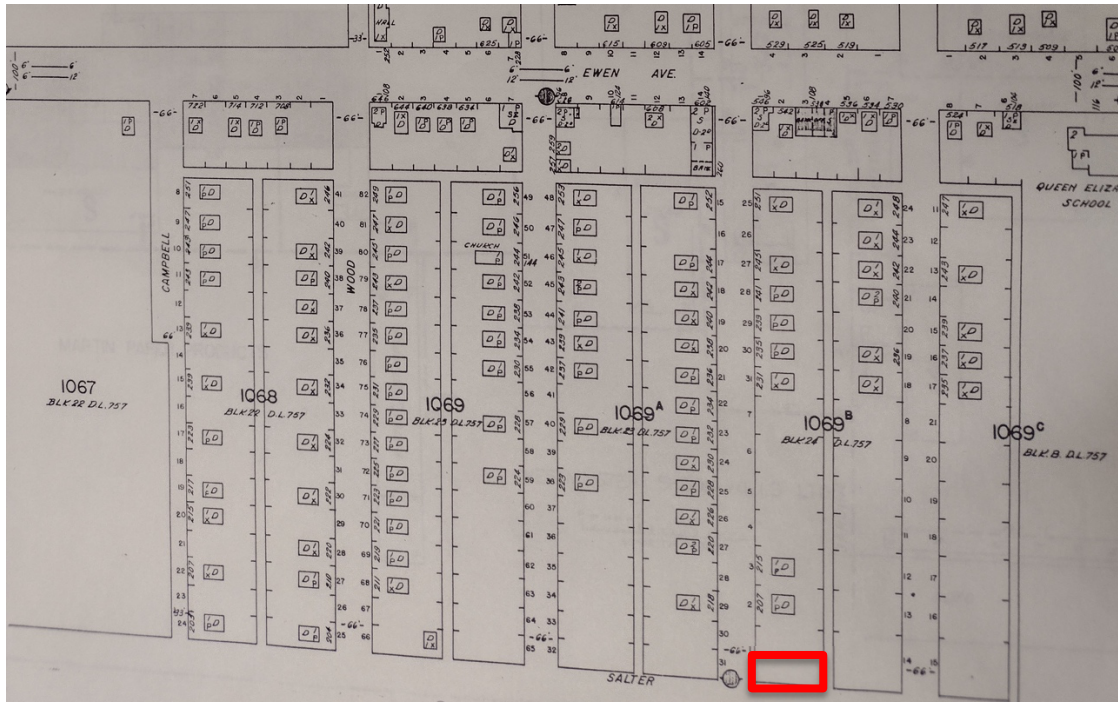


Figure 11: 1957 Fire Insurance Plan, 203 Pembina Street (Lot 1) outlined.
City of New Westminster Archives

A mid-1950s air photo similarly shows how the area along and near Pembina Street was developed (Figure 12). While the reason for the delayed development of the east side of Pembina Street is not clear, it is probable that some or all of those Lots 1 through 21 remained under single ownership for a longer period, and therefore remained as farmland, as is evident in the air photo. On this basis, it is probable that the some of the vacant parcels, including the subject site, were still connected to the farm homestead that fronted on to Dyke Road for a period of time, and quite likely that the Northern Oak tree was planted in conjunction with that homestead.

If the lots on the east side of Pembina Street had been under multiple ownership, they would likely have undergone the same pattern of earlier development as the west side of Pembina Street.



Figure 12: Aerial view of Queensborough, 1954. South-westerly half of Section XXIV outlined. City of New Westminster Archives IHP6685

3. HISTORICAL PATTERN

3.1. PEMBINA STREET

The area around 203 Pembina Street is made up of a various residential forms and density: single-family houses of a similar modest scale to the north and south, larger houses on the west side and low-rise apartments to the southwest. The development trends are partly evident in the ages of houses. While those that were redeveloped in the last two decades cannot illustrate the original development pattern, it is the ages of the original houses such as those as early as the mid-1910s, and groupings of 1940s and 1950s houses that give some insight into the development of the block (Figure 13).



Figure 13: Age of Dwellings Surrounding 203 Pembina Street

Source: BC Assessment

The oldest house in the immediate vicinity is a Vernacular style house at 220 Pembina Street, dating to 1912 (Figure 14). Notably, all the oldest houses are on the west side of Pembina Street.



Figure 14: West side of Pembina Street: 220 Pembina Street (1912), centre-right

Otherwise, all the other surrounding single-family dwellings are somewhat newer, with four houses dating from the 1940s and two from the 1950s. The early 1940s development of these dwellings, in particular, illustrates the demand for wartime housing for those working in the local industries tied to wartime production. What remains of the original housing stock on the west side of Pembina Street is markedly older than the original housing stock on the east side of the street (Figure 15). This also corresponds with the aerial photo from 1954 that shows houses on the west side of Pembina Street but few houses on the east side. Houses from the late 1990s and early 2000s are likely replacements of those that would originally have been from the mid 20th century or earlier.

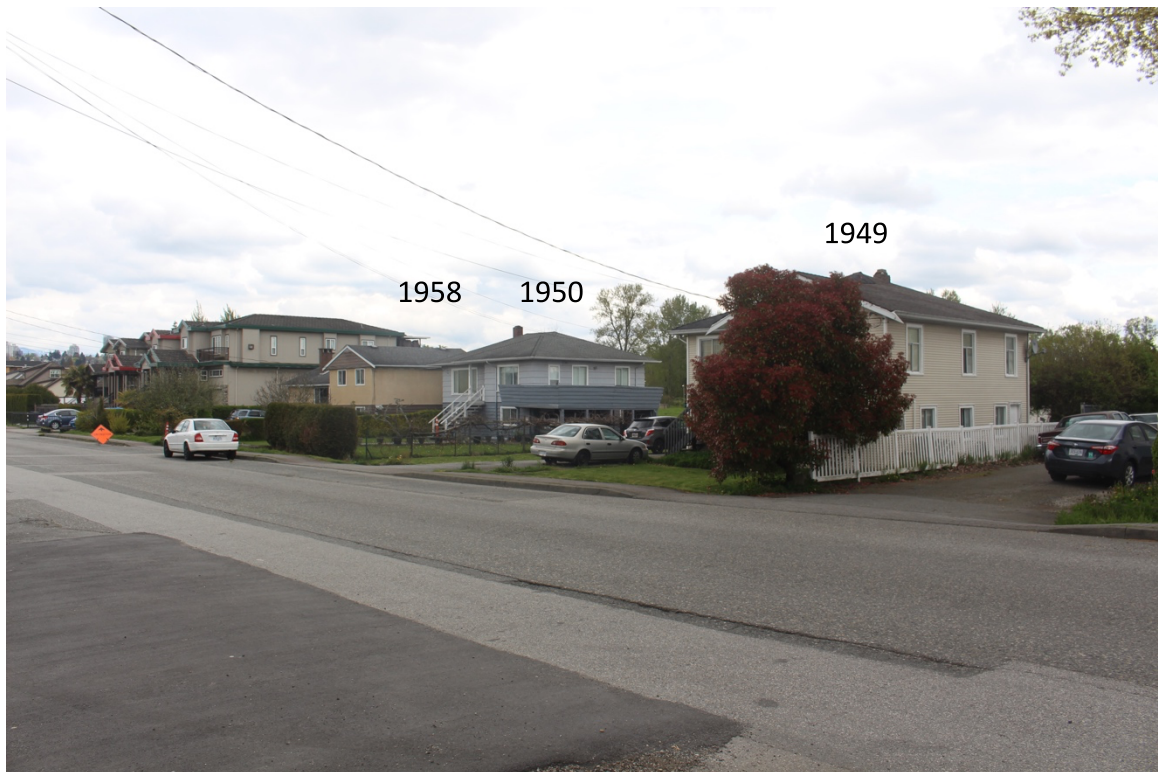


Figure 15: East side of Pembina Street: houses immediately north of 203 Pembina

The ages of original houses more accurately illustrate the pattern of early development – as opposed to the ages of houses that are currently in place. Based on listings in City Directories, a pattern becomes more evident along the 200 block (Figure 16). The years when development on the west side of the 200 block of Pembina Street was most active was prior to 1950, and notably, five houses built prior to 1925. Similarly, the north half of the east side of the 200 block of Pembina Street, was nearly entirely developed prior to 1945. By contrast, the south half of the east side of Pembina Street experienced almost no development until after 1955, with only two houses built by 1951.

As such, 203 Pembina Street, for which records indicate construction in 1966, did not have a house situated on the property prior to that date (i.e. no house was demolished to make way for the existing dwelling). Based on that observation, and in conjunction with the arborist report, it can be concluded that the oak tree was planted well before development began to take place from the late 1940s through the 1960s and therefore it has no association with any of the houses on the east side of the south half of the 200 block. A plausible explanation for its planting is its earlier association with the pioneer homestead situated on South Dyke Road.

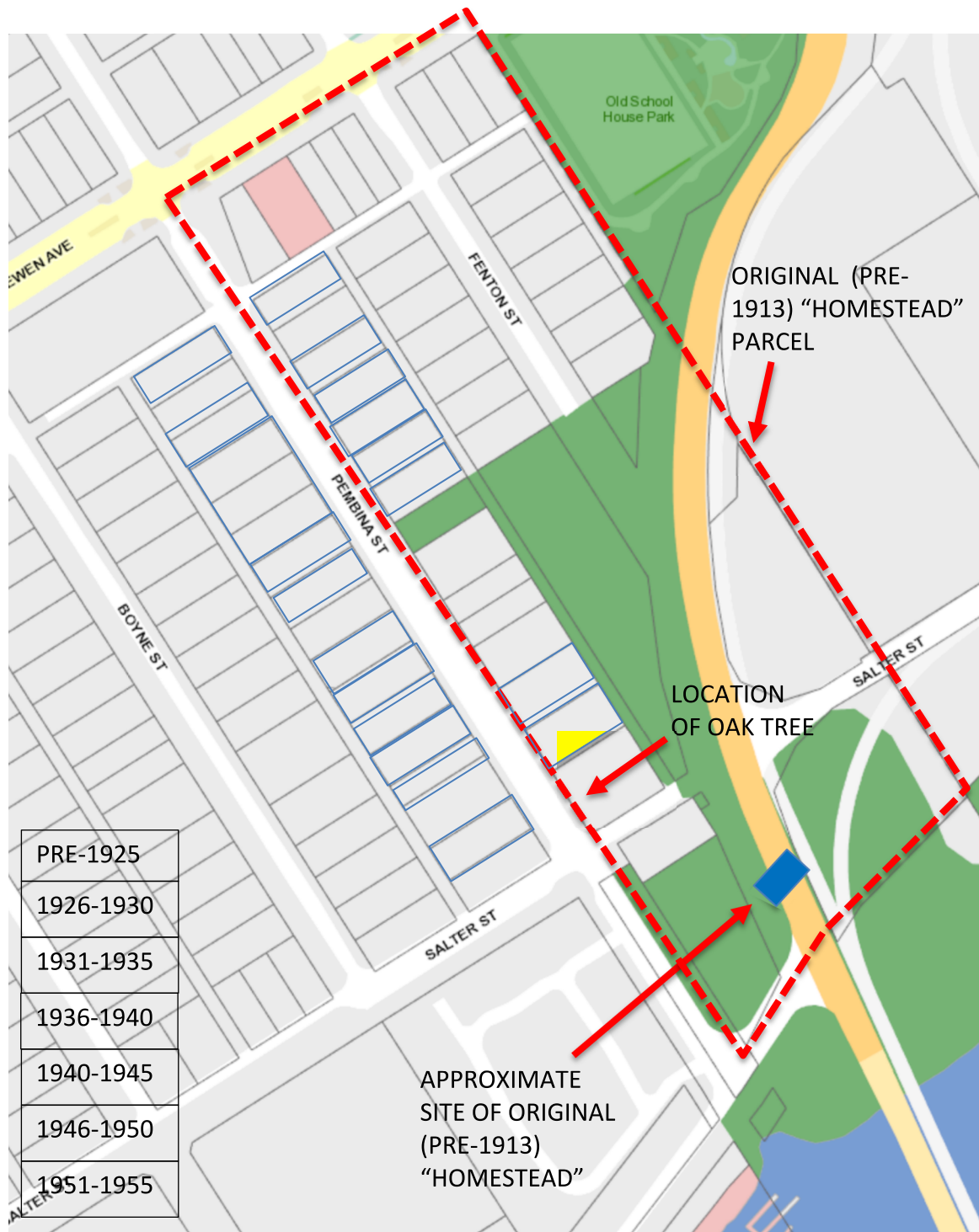


Figure 16: Dates of original houses on Pembina Street – east side as part of original “homestead” parcel (dash line), compared to west side of Pembina

Source: City Directories, VPL Special Collections

To conclude, based on the historical pattern of development, analyzing records such as BC Assessment, City Directories, air photographs and Fire Insurance Plans, along with the current arborist’s report, a strong connection can be made between some of the earliest development of the area as a farming community and the planting of

the oak tree on a farm. Its planting either pre-dates the initial subdivision, or it occurred when the land was subdivided but remained undeveloped: given its estimated age, it is associated with neither the existing house nor the mid-to-late-20th century development on the east side of Pembina Street.

4. ASSESSMENT AND PHOTOGRAPHIC INVENTORY

The Northern Red Oak tree is estimated to have been planted around 1940 or earlier, and is one of the largest such trees in New Westminister. It has six major trunks growing off the primary trunk at roughly four feet above ground (Figure 17).



Figure 17: Base of tree with multiple stems extending up and outward from the main trunk

It is estimated to be 60 feet tall and is a landmark natural feature in the local area. The canopy takes up roughly one-third of the site. While there are oak trees of similar size (or larger) in Queen's Park, this is the only oak tree in Queensborough of such age, size and prominence. There are other trees in Queensborough that are larger, but none of them is a Northern Red Oak.

4.1. WEST SIDE (FRONT)

The front of the property is open to the street, with a shallow drainage ditch running along the edge adjacent the sidewalk (Figure 18). This is the most prominent siting of the tree, given that it is set only 15 feet from the edge of the ditch, and the same distance to the front of the house. The canopy of the tree extends well beyond the roofline of the house, with six primary stems leading off from the lower trunk, each of which forms an expansive crown.



Figure 18: West side of property as seen from Pembina Street

4.2. SOUTH SIDE

The south side of the property borders Salter Street and is entirely open at the front and side corner. The proximity of the house to the oak tree is evident on this side (Figure 19). Select pruning that has taken place in recent years to reduce the expansive overhang of the tree over the house is evident from this side.



Figure 19: South side of property as seen from Salter Street

4.3. EAST SIDE (REAR)

The east side of the property comprises an open yard with a garage extending to the rear, along which is a hedge (Figure 20). The rear yard is fairly large, due to the wide frontage of this property. The oak tree is easily visible even with the house obstructing part of the lower section, with multiple stems extending upward.



Figure 20: East side of site (rear) looking toward Pembina Street

4.4. NORTH SIDE

The north side of the property features a driveway between the wall of the house and the property line (Figure 21). Similar to the south side, the view of the oak tree from this side illustrates just how close the tree is to the house, and the select pruning that has taken place to reduce the expansive overhang of the tree over the house.



Figure 21: North side of property, looking toward the corner of Pembina and Salter Street

4.5. CONCLUSION

The Northern Red Oak tree situated at 203 Pembina Street is healthy, with limited pruning to the side adjacent the house. It is a landmark feature and dominates the front yard due to its expansive canopy and its height.

4.6. HERITAGE EVALUATION

4.6.1. AESTHETIC

This evaluates the type of landscape, tree or other feature, its uniqueness amongst the local area or broader community, including design attributes (if applicable), construction methods and materials (if applicable), and any documentation on the significance of the designer/architect (if applicable).

SPECIES

Assessment: It is a Northern Red Oak tree, and while found in other parts of the Lower Mainland, is uncommon to the local area and native to south-eastern and south-central Canada and the eastern and central United States.	
Grading: A good example of a species of tree that remains common in New Westminster and the Lower Mainland. It appears healthy.	Good
Scoring:	12

DESIGN

Assessment: No design features can be attributed to the tree as it does not form part of a larger landscape with human intervention.	
Grading: No special significance or quality.	Fair
Scoring:	0

Subtotal: 12

4.6.2. CULTURAL HISTORY

This evaluates the historical association with important people or events, along with historical patterns within the community's or wider city history.

HISTORICAL ASSOCIATION

Assessment: The historical documentation of the tree is known to be associated with members of the former firehall situated immediately to the south, who gathered on the property to enjoy the shade.	
Grading: While the landscape feature does have some known historical association, it is somewhat tenuous and not directly related to an event, organization or person(s) that may be important to the local area.	Fair
Scoring:	0

HISTORICAL PATTERN

Assessment: The age of the tree points to a high probability that it was planted either around the time of the initial subdivision of an agricultural parcel (c. 1913) which fronted on to the South Arm of the Fraser River (then known as Dyke Road), or if slightly later, at a time when the pioneer homestead was still in place. This was when Lot 1 was still part of that farm homestead. It is one of the last remnants of this early pioneer settlement, harking back to a time when farming was the prevalent activity (with industrial further to the east).	
Grading: A landscape feature that is one of the earliest surviving examples in a local area.	Very Good
Scoring:	15

Subtotal: 15**4.6.3. GENERAL CONTEXT**

This evaluates the context of a landscape, tree or other feature within the broader historical landscape or neighbourhood, its compatibility with other features or the built form, and its symbolic importance as a local or wider landmark.

LANDSCAPE/SITE

Assessment: The tree is set on a flat site, and a corner lot, in close proximity to a house dating from 1966. There are no other landscape features connected to the tree.	
Grading: No significant and recognizable landscape features or building/site relationship.	Fair
Scoring:	0

NEIGHBOURHOOD

Assessment: The tree is not situated in the vicinity of other trees of a similar vintage, and there is no continuity to other properties.	
Grading: A landscape feature which is not part of a contiguous group of similar trees, in terms of type or age, but is in an area of compatible use.	Fair
Scoring:	0

VISUAL/SYMBOLIC

Assessment: The tree has strong visual value, and is a landmark in the neighbourhood.	
Grading: A landscape feature which has landmark or symbolic significance.	Good
Scoring:	8

Subtotal: 8**4.6.4. CONDITION/INTEGRITY**

This evaluates the degree to which the landscape, tree or other feature has been altered over time. Alterations should also be taken into account, as they might contribute to a deeper understanding of how the resource has evolved over time.

Assessment: The tree has retained its overall form, with some minor pruning on the east side (adjacent the house), with excellent compartmentalization: none of it affects the canopy or height. Pruning has been done in a way that is respectful and has not compromised its health or impacted the historic character.	
Grading: A landscape feature with no alterations that detract from its overall appearance or affect its health.	Excellent
Scoring:	0

Subtotal: 0**TOTAL: 35 (of a maximum of 70)**

4.6.5. CONCLUSION

Based on the above evaluation, and supporting documentation, it is concluded that the Northern Red Oak tree situated at 203 Pembina Street has heritage value. This is connected primarily to its age, its illustration of the most early historical pattern of development in Queensborough in the early 20th century, associated with the pioneer agricultural development of the eastern end of Lulu Island, and its feature as landmark in the local area. As one of the largest oak trees in New Westminster, it is in excellent overall health and has been generally well maintained.

A **score of at least 20** is expected for a landscape, tree or other feature to be considered worthy of a candidate for heritage consideration, including addition to a Heritage Register. Based on this evaluation, and its score of 35 of a maximum total of 70, it is concluded that this oak tree **does** have adequate heritage merit to be considered worthy of retention and consideration for addition to either a heritage inventory or heritage register.

5. HERITAGE PLANNING TOOLS

The City of Vancouver has 35 resources listed on its Heritage Register that are trees. While only a small number are legally protected by by-law (see Section 5.1), having a resource such as a tree on a heritage register forms the basis for proceeding in the future to have any one of these trees legally protected, either through designation, a Heritage Revitalization Agreement, or covenant.

5.1. HERITAGE DESIGNATION

Heritage designation is a form of legal protection for heritage resources found in the *Local Government Act*. It is achieved through municipal (city, town or village) Council's approval of a by-law, and it can apply to part or all of an exterior and structure, and it may also apply to select interior elements itemized in the by-law. It may also apply to cultural landscapes or landscape features, including trees. Typically, any building (or other feature) that is listed on a municipal heritage register, or qualifies to be added to a heritage register, may receive heritage designation through either a voluntary process brought forward by the owner, or through a development permit process that may involve heritage incentives.

The intent of heritage designation is to protect a resource over the long-term, and cannot be terminated without Council approval. Alterations that are made to a designated component are expected to be respectful and compatible, and require a Heritage Alteration Permit issued by the municipality in conjunction with a Development Permit or some other kind of permit.

Incentives are often proposed as a form of “compensation” to the owner, which the owner legally waives through a side agreement or some other written confirmation. (If the compensation is not waived, a municipality can be liable to compensate the owner for loss in property value if it can be proved that the heritage designation had an adverse impact on property value.)

Approval of a heritage designation by-law must be made through the Public Hearing process. Because of the compensation issue, virtually all designations are “voluntary”, in the sense that the owner agrees to it in conjunction with incentives offered by the municipality typically through a development permit or rezoning process. Incentives are either monetary or non-monetary – or designation may be done as a truly voluntary exercise where the owner offers the designation and waives the right to compensation. The former approach, through a development permit or rezoning, is the predominant approach, while latter is much less common.

Incentives, as noted above, can be monetary, in the form of grants or municipal tax abatement, or non-monetary, such as additional floor area, additional residential units, or other zoning incentives. The incentives are weighed against the obligations of legal protection and the costs of refurbishing, moving or otherwise restoring a heritage resource.

In the case of trees or other landscape features, a number of precedents exist in the Lower Mainland where they were protected by a designation by-law. These include:

- Shannon Estate, 7128 Adera Street, Vancouver: three Copper Beeches
- 4100-8400 Cambie Street, Vancouver: multiple trees located on the Cambie Boulevard
- 5872 Wales Street, Vancouver: two Douglas Firs and a Copper Beech
- Avenue of Trees, North Side Old McLellan Road, Surrey: 14 Douglas Fir and one Western Red Cedar
- West Side Old McLellan Road, north of Christ Church, Surrey: one Royal Oak
- 8920 Queen Mary Boulevard, Surrey: Red Cedar Stump
- Semiahmoo Trail, from 20th Avenue north to Nickomekl River, Surrey: all landscape features including trees
- St. Oswald’s Trees, 190 Street between 95A and 96 Avenue, Surrey: four Douglas Firs and Western Red Cedar
- 10011 Cambie Road, Richmond: Redwood Trees (Richmond Bylaw #5395)
- 6900 River Road, Richmond: Brighthouse Trees (Richmond Bylaw #8734)

As a first step prior to heritage designation, a resource is typically already listed on a municipal Heritage Register, or it has been assessed as worthy of addition to a Register. In the latter case, the administrative addition to the Register and Public

Hearing to introduce (and ultimately enact) the designation by-law can be approved simultaneously by Council.

In the past, heritage designation was commonly used by municipalities to protect trees on public property, but in more recent years, equally stringent protection has been put in place through city-wide tree by-laws regardless of the heritage qualities of any tree, that allows for long-term protection.

Heritage designation can still be used on private property, but it does require the owner to waive compensation that the city may be liable for under the *Local Government Act*. The other important consideration is that designation on its own may not be the appropriate planning tool to achieve tree or landscape protection in exchange for zoning variances or other substantial incentives such as density. Using heritage designation as the approach in exchange for incentives would only work in jurisdictions where Council has granted the Director of Planning the discretion (and authority) to relax certain provisions. There is another tool more specifically tailored to this situation which any municipality can use, known as a Heritage Revitalization Agreement (see Section 5.2).

5.2. HERITAGE REVITALIZATION AGREEMENT

Under the *Local Government Act*, a Heritage Revitalization Agreement (HRA) is a legal agreement negotiated between an owner and a municipality, and may provide for a wide range of both specific and flexible provisions. It may vary municipal by-laws such as zoning, signage, and others.

An HRA may be time-specific or longer term (time unspecified). It can also include provisions covering the owner's obligations to seek municipal approval through the permit process for alterations to components that are protected (generally exterior elements only), and the owner's obligations to maintain the building to a high standard. The agreement must be tied to a by-law passed by Council, and it is sometimes used in conjunction with Heritage Designation (see Section 5.2), although it is not necessary to have the two linked together.

If an HRA varies use or density, a Public Hearing is required. It is another means of offering heritage incentives to an owner – by varying zoning provisions or other by-laws that are tailored to the specific circumstances of the site – to compensate for the obligations of the terms of the agreement.

It is not necessary for a resource to be listed on a municipal heritage register in order to be approved as an HRA, it simply has to be formally recognized by municipal Council as having heritage value. That is what forms the basis for the legal agreement, typically expressed in a Statement of Significance. However, virtually all HRAs have been for resources that are already listed on, or brought forward for

addition to, a municipal heritage register. One example of a resource that is not on a heritage register, which is subject to an HRA, is the BowMac sign on West Broadway in Vancouver (albeit not a landscape resource but nevertheless protected by the HRA).

Other examples of landscape resources protected by an HRA include the following:

- Shannon Estate, 1520 Atlas Lane, Vancouver: three Copper Beeches as part of designation of the mansion and grounds of estate – to permit additional density as part of a townhouse redevelopment
- 5872 Wales Street, Vancouver: two Douglas Firs and a Copper Beech as part of designation of the house – to permit additional density
- Latimer Residence, 8534 192 Street, Surrey: one Sawtooth Oak and two Bigleaf Maple – permit a second single family dwelling.
- Guy Richardson House, 16940 Friesian Drive, Surrey: original rose garden and rock wall – to vary setbacks, height and permitted floor area.

5.3. SECTION 219 COVENANT

A covenant is an alternative form of legal protection, as defined under Section 219 of the *Land Title Act*. It is generally a simpler form of protection that can be implemented in a shorter time frame, as it does not require Council approval, Public Hearing, or by-law enactment. It does not include a compensation provision as is the case with heritage designation, which simplifies the process. It requires registration at the Land Title Office for it to be put on title, and is typically done in conjunction with a development permit, a simpler process than rezoning.

However, it has many limitations – for example, it cannot vary use or density – although some of the terms that are often found in an HRA can be duplicated in a covenant. It is more useful in cases where certain elements of a heritage building, such as a façade, are being retained and restored with the rest of the building demolished and redeveloped.

5.4. CONCLUSION

Heritage designation, Heritage Revitalization Agreements and Section 219 Covenants are all effective means of protecting a heritage resource, but each has their limitations and challenges in terms of timing, process and approvals.

Heritage designation is the most traditional form of legal protection, but also one of the more challenging approaches, as financial (or other) compensation needs to be provided through either a rezoning or development permit process, unless the owner waives that compensation requirement (i.e. “voluntary” designation). Compensation can be either monetary, using grants, tax relief, etc. – or non-

monetary using incentives such as by-law relaxation, in cases where planning policy allows.

An HRA is the most flexible and effective tool for heritage protection and incentives are most often (and more effectively) captured through an HRA. For example, for sites that are particularly complicated due to building siting, landscaping or external components such as existing zoning or OCP provisions, the HRA is the most effective as it can vary zoning or other by-law provisions, and offer incentives to the owner in exchange for long-term protection. Incentives can also be crafted to off-set the premium costs for rehabilitation and restoration. In particular, for buildings or structures that cannot be moved without compromising the structural integrity or context or for natural features that simply cannot be moved without impacting the health or historic context, the HRA is the perfect tool to allow flexible planning provisions, critical to achieve retention, preservation and rehabilitation. As a natural feature that has cultural and contextual significance, the oak tree situated at 203 Pembina Street meets the criteria for such consideration – through recognition, retention and protection, and the HRA is the recommended approach here.

A Section 219 Covenant would be another means of protection, but only if zoning by-law variances were not required. In the case of this oak tree, variances clearly are required in order to both develop the property with the retention of the tree. Therefore, a covenant is not a recommended approach in this case.

6. FINAL CONCLUSIONS

The Northern Red Oak tree located at 203 Pembina Street, confirmed by an arborist as over 80 years old, is a historic feature within the cultural landscape of Queensborough. The tree is healthy, well cared for and is a neighbourhood landmark. It has been evaluated and is considered worthy of retention, and its historic and natural attributes make it an excellent candidate to be added to a local or municipal heritage inventory, or a Heritage Register. Given its historical, cultural and aesthetic value, protection tools should be considered as part of any proposal for redevelopment of this property. A Heritage Revitalization Agreement is the most appropriate tool to allow for the retention and legal protection of the Northern Red Oak tree, putting in place long-term obligations on the owner (registered on title) to retain and protect it, while providing the necessary by-law variances that will also allow for the redevelopment of this property.

7. HISTORIC RESEARCH

7.1. OWNERSHIP AND OCCUPANCY

Ownership and occupancy were not researched as part of this report, as neither aspect was not considered relevant to the historical significance of the Northern Red Oak tree.

7.2. CITY DIRECTORIES

City Directories were consulted for the purpose of establishing a historical development pattern along Pembina Street. However, the directories were not used to determine association with any particular individual, as would typically be the case with researching a building.

7.3. REFERENCES – MUNICIPAL AND OTHER RECORDS

- Title Search: N/A
- City of New Westminster Plans: No plans available
- City of New Westminster Archives Plans: No plans available
- Water Application Records: Not available
- Maps: Fire Insurance Plans: 1913 and 1957
- City Directories: Wrigley's British Columbia Directory (1919-1923); Wrigley Henderson Amalgamated (1924-1926); Wrigley's BC Directory (1926-1932); Wrigley's Greater Vancouver and New Westminster Directory (1933); Sun British Columbia Directory (1934); British Columbia and Yukon Directory (1935-1948); Vancouver and New Westminster City Directory (1949 -1955); Lower Fraser Valley Directory (1956-1966)
- BC Assessment Records <https://www.bcasessment.ca/>
- The History of Queensborough by Queensborough Landing SC, November 8, 2018 <http://queensboroughlanding.ca/the-history-of-queensborough/>
- New Westminster's Neighbourhoods – Historical Context Statements (Queensborough), Denise Cook Design / Birmingham & Wood / Jean Barman, July 8, 2011
<https://www.newwestcity.ca/database/rte/files/Queensborough%20Context%2008%20July%202011.pdf>

7.4. PUBLICATIONS AND DOCUMENTS

- *Royal City – A Photographic Inventory of New Westminster, 1858-1960.* Jim Wolf, Heritage House Publishing Company Ltd., 2005.
- *Historical Atlas of Vancouver and the Fraser Valley.* Derek Hayes, Douglas & McIntyre, 2005.
- *Penguin Dictionary of Architecture and Landscape Architecture*, 5th Edition, Penguin Books, 1999.
- *Time and Tide: The Settlement of Lulu Island's South Arm Shore.* Mary Keen, City of Richmond Archives, 2005.



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