

## SUMMARY AND RECOMMENDATION

5. HERITAGE DESIGNATION AND HERITAGE REVITALIZATION AGREEMENT (HRA):  
3308 Ash Street (Prefontaine Residence)

**Summary:** To designate the existing heritage building as a protected heritage property and approve a Heritage Revitalization Agreement (HRA) to permit a subdivision of the site into two separate parcels and construct a two-family dwelling on the new parcel. The application proposes variances to both the Subdivision and Zoning and Development By-laws.

**Applicant:** Klaus Budde, Design Consultant  
Donald Luxton, Donald Luxton & Associates  
R.J. McCulloch, Donald Luxton & Associates

**Recommended Approval:** By the General Manager of Planning and Development Services, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT Council instruct the Director of Legal Services to bring forward for enactment pursuant to Section 593 of the *Vancouver Charter* a by-law to designate as a protected heritage property the heritage building at 3308 Ash Street, known as the Prefontaine Residence (the "heritage building") [PID: 015-155-366; Lot 1, Block 520, PLAN 723, District Lot 472, New Westminster (the "site")].
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment pursuant to Section 592 of the *Vancouver Charter* a by-law for a Heritage Revitalization Agreement to:
  - (i) secure the rehabilitation and long-term preservation of the heritage building;
  - (ii) vary the *Subdivision By-law* and the *Zoning and Development By-law* as necessary to permit a subdivision of the site into two new parcels and to permit one of the new parcels to contain the heritage building, in its current location, and the other to contain a new Two-Family Dwelling (duplex) to be constructed therein as proposed under Development Permit Application DE415913 and as more particularly described in the Policy Report dated December 4, 2012, entitled "3308 Ash Street - Prefontaine Residence - Heritage Designation and Heritage Revitalization Agreement".
- C. THAT the Heritage Revitalization Agreement shall be prepared, completed and registered and given priority on title to the site to the satisfaction of the Director of Legal Services and the Director of Planning.
- D. THAT, in connection with the proposed heritage designation and heritage revitalization agreement discussed herein, Council waive for the new Two-Family Dwelling proposed under Development Permit Application DE415913, the requirement contained in paragraph 3.3 of the *Strata Title Policies for RS, RT and RM Zones* that it is to be a condition to development permit approval for a new Two-Family Dwelling on a site with an area less than 668 square metres (7,200 square feet) in an RS-7 Zone

that the registered owner is to execute a covenant which must be registered against title to the property that prohibits registration of a strata plan.

- E. THAT Recommendations A to D be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
  - (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

[HD/HRA - 3308 Ash Street (Prefontaine Residence)]