

SUMMARY AND RECOMMENDATION

**2. HERITAGE DESIGNATION/HERITAGE REVITALIZATION AGREEMENT (HRA):
3091 West 3rd Avenue (Muller House)**

Summary: To add the existing building to the Vancouver Heritage Register, designate it as a protected heritage property, and approve a Heritage Revitalization Agreement (HRA) to permit the conversion of the heritage building to a Multiple Conversion Dwelling containing two dwelling units and the construction of a new infill one-family dwelling on the site. The application proposes variances to the Zoning and Development By-law.

Applicant: Hitesh Neb, Formwerks Architectural

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 add to the Vancouver Heritage Register in the 'B' evaluation category the residential building at 3091 West 3rd Avenue [*PID: 011-100-371; Lot 18 of Lot 1, Block 25, District Lot 192, Plan 5673* (the "site")], known as the Muller House (the "heritage building").
- B. 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 the Muller House as a protected heritage property.
- C. 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 the City to enter into a Heritage Revitalization Agreement in respect of the Muller House to:
 - i. secure its rehabilitation and long-term preservation; and
 - ii. vary the *Zoning and Development By-law* in respect of the site to permit the conversion of the heritage building to a Multiple Conversion Dwelling containing two Dwelling Units and to permit the construction of a new Infill One-Family Dwelling on the site as proposed under Development Permit Application DE416162 and as more particularly described in the Policy Report dated March 7, 2013, entitled "3091 West 3rd Avenue - Muller House - Heritage Designation and Heritage Revitalization Agreement".
- D. 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.
- 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 - 3091 West 3rd Avenue (Muller House)]