

## SUMMARY AND RECOMMENDATION

## 5. HERITAGE DESIGNATION: 3182 West 3rd Avenue

**Summary:** To designate as a protected heritage property the building known as the Birnie House, which is located at 3182 West 3rd Avenue and which is listed in the 'C' evaluation category on the Vancouver Heritage Register. The proposal would see the conversion of the house from three suites to a one-family dwelling with a secondary suite. The application proposes variances to the Zoning and Development By-law.

**Applicant:** Derrick Fluker and Amy Chapman-Fluker (property owners)

**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 residential building at 3182 West 3rd Avenue [*PID 015-417-174; E 1/2 of Lot 1, Block 26, District Lot 540, Plan 229*] known as the "Birnie House".
- B. THAT Council approve the granting of an increase to the floor space ratio permitted for the site, as proposed in Development Permit application no. DE416388, as compensation for the conservation and rehabilitation of the Birnie House and the designation of it as protected heritage property under section 593 of the Vancouver Charter.
- C. THAT Recommendations A and B 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 – 3182 West 3rd Avenue]