

SUMMARY AND RECOMMENDATION

1. HERITAGE DESIGNATION AND REVITALIZATION AGREEMENT: 604 East 23rd Avenue (Mitchell Residence)

Summary: To designate the exterior of the building at 604 E 23rd Avenue (Mitchell Residence), which is listed in the 'B' evaluation category on the Vancouver Heritage Register. To enter into a Heritage Revitalisation Agreement to secure the rehabilitation and long-term preservation of the heritage building, and vary the Zoning and Development By-law, as necessary, to permit development of the site including infill development and bonus density, as proposed under Development Permit Application Number DE419627.

Applicant: Sandra Moore, Birmingham and Wood Architects

Recommended Approval: By the General Manager of Planning, Urban Design and Sustainability, 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 Sections 593 and 594 of the *Vancouver Charter*, the by-law to designate the exterior of the Mitchell Residence at 604 East 23rd Avenue [*PID: 015-638-561; Lot 1, Block 5, District Lot 301, Plan 187*], which is listed in the 'B' evaluation category on the Vancouver Heritage Register, as protected heritage property.
- 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 the City to enter into a Heritage Revitalization Agreement to:
 - (i) secure the rehabilitation and long-term preservation of the heritage building; and
 - (ii) vary the *Zoning and Development By-law* as necessary to permit development of the site, including infill development and bonus density, as proposed under Development Permit Application Number DE419627 and as more particularly described in this report dated June 2, 2017, entitled "Heritage Designation and Heritage Revitalization Agreement: 604 East 23rd Avenue (Mitchell Residence)".
- C. THAT the Heritage Revitalization Agreement shall be prepared, completed and noted, registered, and given priority on title to the site to the satisfaction of the Director of Legal Services and the General Manager of Planning, Urban Design, and Sustainability.
- D. THAT, subject to Council's approval of the heritage designation and the Heritage Revitalization Agreement discussed in this report dated June 2, 2017, entitled "Heritage Designation and Heritage Revitalization Agreement: 604 East 23rd Avenue (Mitchell Residence)", Council waive for the site, for the development as proposed under the DP Application, the requirements contained in paragraph 3.1 of the *Strata Title Policies for RS, RT and RM Zones*, including a condition of development permit

approval for new development on a site that the registered owner is to execute a covenant which must be registered against title to the property which prohibits registration of a strata plan.

E. THAT 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 nor any 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.

[604 East 23rd Avenue - Mitchell Residence]