

SUMMARY AND RECOMMENDATION

4. HERITAGE DESIGNATION/HERITAGE REVITALIZATION AGREEMENT (HRA):
731 East 22nd Avenue (Emily Durie House)

Summary: To designate the existing building, currently listed on the Vancouver Heritage Register in the 'B' evaluation category, as a protected heritage property, and to approve a Heritage Revitalization Agreement (HRA) for the site. The application proposes variances to the *Subdivision By-law* and to the *Zoning and Development By-law*, as set forth in Development Permit Numbers DE417636 and DE417637, to permit the creation of two new parcels for the site, one which is to contain the heritage building and one which is to contain a new Two-Family Dwelling.

Applicant: Adam Steinberg

Recommended Approval: By the General Manager of Planning and Development Services:

- 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 the Emily Durie House (the "heritage building") at 731 East 22nd Avenue [PID: 015-640-744; Lot 19, Blocks 30, District Lot 301, Plan 187] (the "site"), which is listed on the Vancouver Heritage Register in the 'B' evaluation category, 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 authorizing the City to enter into a Heritage Revitalization Agreement in respect of the site to:
 - i. secure the rehabilitation and long-term preservation of the heritage building; and
 - ii. vary the *Subdivision By-law* to allow for the subdivision of the site to create two new parcels, one which is to contain the heritage building, and one which is to contain a new Two-Family Dwelling (the "new duplex"), and to vary the *Zoning and Development By-law* in respect of the site to permit the rehabilitation of the heritage building and the construction of the new duplex, as proposed under Development Permit Application Nos. DE417636 and DE417637 (the "DP Applications") and as more particularly described in the Policy Report dated June 18, 2014, entitled "731 East 22nd Avenue - Emily Durie House - Heritage Revitalization Agreement and Heritage Designation".
- 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 duplex proposed under Development Permit Application No. DE417637 the requirement contained in Section 5.1 of the *Strata Title Policies for RS, RT and RM Zones* that it is to be a condition of development permit approval for the registered owner of the site to execute a

covenant which must be registered against title to the site which prohibits strata titling.

- 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 - 731 East 22nd Avenue (Emily Durie House)]