

## SUMMARY AND RECOMMENDATION

5. HERITAGE DESIGNATION/HERITAGE REVITALIZATION AGREEMENT (HRA):  
1795 Napier Street (Robertson Memorial Presbyterian Church)

**Summary:** To designate the existing heritage building as protected heritage property and to seek Council's approval of a Heritage Revitalization Agreement which will permit modifications proposed for the heritage building and construction of a new multiple dwelling (townhouse) and a new one-family dwelling, as proposed under development permit application DE414529.

**Applicant:** Ms. Sandra Moore, Birmingham and Wood Architects and Planners.

**Recommended Approval:** By the Director of Planning:

- A. THAT the building at 1795 Napier Street, known as "The Robertson Memorial Presbyterian Church", which has the legal description of Lot 17 to Lot 19, Block 29, District Lot 264A, Plan 1190; PID: 014-938-693 ; PID: 014-938-715 ; and PID: 014-938-766 respectively, and listed in the "C" evaluation category on the Vancouver Heritage Register, be designated as protected heritage property pursuant to the provisions of Section 593 of the *Vancouver Charter*.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment a by-law to designate the heritage building at 1795 Napier Street as a protected heritage property under Section 593 of the *Vancouver Charter*.
- C. THAT Council authorize the Director of Legal Services to prepare, negotiate, and conclude on the City's behalf, in respect of the heritage building, a Heritage Revitalization Agreement under Section 592 of the *Vancouver Charter* to:
  - (a) secure the rehabilitation and long-term preservation of the heritage building at 1795 Napier Street; and
  - (b) vary the Zoning and Development By-law, in respect of the Lands, to permit modifications proposed for the heritage building and construction of a new Multiple Dwelling (townhouse) building and a new One-Family Dwelling building under Development Permit Application Number DE414529 and as more particularly described in this report.
- D. THAT Council instruct the Director of Legal Services to bring forward for enactment under Section 592 of the *Vancouver Charter* by-laws authorizing the City entering into the Heritage Revitalization Agreement for the heritage building at 1795 Napier Street, known as "The Robertson Memorial Presbyterian Church".
- E. THAT the Heritage Revitalization Agreement shall be prepared, completed, registered on title to the Lands, and given priority on title, to the satisfaction of the Director of Legal Services and the Director of Planning.
- F. THAT Recommendations A to E be adopted on the following conditions:

- (a) 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; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
- (b) THAT any approval that may be granted following the public hearing shall not obligate the City to enact the proposed by-laws, and any costs incurred in fulfilling requirements imposed as a condition of the Heritage Revitalization Agreement are at the risk of the property owner; and
- (c) THAT the City and all its officials, including the Approving Authority, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

**[HD/HRA - 1795 Napier Street (Robertson Memorial Presbyterian Church)]**