

SUMMARY AND RECOMMENDATION

1. HERITAGE DESIGNATION/HERITAGE REVITALIZATION AGREEMENT (HRA):
1196 West 59th Avenue (The Ramsay Residence)

Summary: To designate the existing heritage building as protected heritage property and to seek Council's approval of a Heritage Revitalization Agreement (HRA). The HRA which will permit a repositioning of and modifications to the heritage building and the construction of an additional residential building as proposed under development permit applications DE414312 and DE414313. It will also permit zoning variances, including an increase in density in excess of that prescribed in the Zoning District Schedule and a subdivision variance in exchange for heritage protection and conservation.

Applicant: Paul Phillips, EDG Homes Inc.

Recommended Approval: By the Director of Planning:

- A. THAT the heritage building at 1196 West 59th Avenue (the "Lands"), known as 'The Ramsay Residence' (the "heritage building"), which have the legal description of Lot 1 and Lot 2 of 5 Block 1001 District Lot 526 Plan 3148; PIDs 013-094-181 and 013-094-203 respectively, and listed in the 'A' 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 as 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;
 - (b) vary the Subdivision By-law to permit the creation from the Lands of two new parcels, one of which will be narrower than otherwise permitted under the Subdivision By-law; and
 - (c) vary the Zoning and Development By-law in respect of the two new parcels to be created by the proposed subdivision of the Lands to permit a repositioning thereon of and modifications to the heritage building and the construction thereon of an additional residential building as proposed under Development Permit application numbers DE414312 and DE414313, and as more particularly described in this report.
- D. THAT Council instruct the Director of Legal Services to bring forward for enactment a by-law under Section 592 of the *Vancouver Charter* to authorize the City entering into the Heritage Revitalization Agreement for the heritage building as described above.

- 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.

[RZ - 1196 West 59th Avenue (The Ramsay Residence)]