



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: June 29, 2017
Contact: Anita Molaro
Contact No.: 604.871.6479
RTS No.: 11975
VanRIMS No.: 08-2000-20
Meeting Date: July 25, 2017

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability in
consultation with the Director of Legal Services

SUBJECT: Heritage Revitalization Agreement Amendment: 1451 Angus Drive - Reifel
Residence

RECOMMENDATION

- A. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Section 592 of the *Vancouver Charter*, a by-law to amend the Heritage Revitalization Agreement (the "HRA") entered into pursuant to Heritage Revitalization Agreement By-law No. 10988 in respect of the heritage building known as the Reifel Residence (the "Heritage Building"), located at 1451 Angus Drive (PID 011-533-251; Lot 5, Block 50, District Lot 526, Plan 4502) (the "Property")), in order to permit an increase in height while at the same time retaining the benefit of by-law variances as provided for in the HRA, generally in accordance with Appendix A.
- B. THAT the amendment to the HRA shall be prepared, completed, registered and given priority on title to the lands described above to the satisfaction of the Director of Legal Services and the Director of Planning.
- C. THAT Recommendation A be adopted on the following conditions:
 - i. THAT the passage of the above resolution 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.

REPORT SUMMARY

The purpose of this report is to seek Council's approval for enactment of a by-law to amend the Heritage Revitalization Agreement (HRA) currently registered on title to the Property as described in Recommendation A, located at 1451 Angus Drive.

The purpose of the proposed HRA amendment is to address the current minor amendment to development application DE415755 (the "DP Application") for a single-family residence under construction, by removing the limitation on height so that the proposed increase to height conforms to the provisions in the *First Shaughnessy District Schedule* of the *Zoning and Development By-law*.

The General Manager of Planning, Urban Design, and Sustainability is prepared to approve the DP Application should Council approve the recommendations of this report.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Pursuant to Section 592(4) of the *Vancouver Charter*, an HRA may only be amended by by-law and with the consent of the owner of the subject property. Notice of the HRA was filed in the Land Title Office on title to the parcel of 1451 Angus Drive as required by the *Vancouver Charter*, and the owner of the Property has consented to the proposed amendment. Therefore Council may consider the amendments to the HRA as proposed. This matter does not require a Public Hearing as the amendment to the HRA does not propose any change to the use or density on the site (s.592(8), *Vancouver Charter*).

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

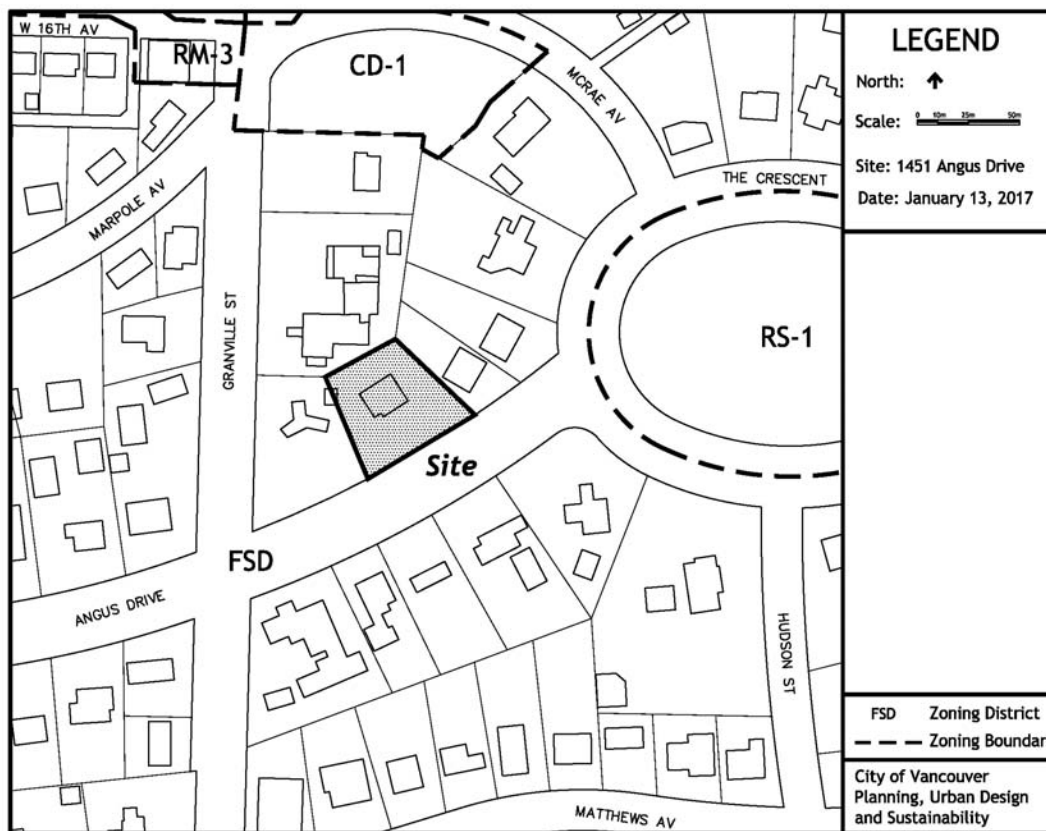
The General Manager of Planning, Urban Design, and Sustainability RECOMMENDS approval of A, B and C.

REPORT

Background and Context

In June 2014, Council approved the heritage designation for the structure and exterior envelope of the improvements and exterior building materials of the Reifel Residence, a B-listing on the Heritage Register, and the HRA to be registered against title. The purpose of the HRA was to allow additional floor area and to address existing non-conforming height, as an incentive to rehabilitate and provide long-term protection to the Reifel Residence. Variances to the *First Shaughnessy Official Development Plan* were approved through the HRA. At that time, height was limited to the lesser of 10.7 metres (35 feet) or 2½ storeys, and approval of the HRA allowed existing height, at 12.3 metres (40.2 feet), to conform. Since that time, the *First Shaughnessy District Schedule* of the *Zoning and Development By-law* was approved and conditionally permits height to a maximum of 13.7 metres (45 feet).

Figure 1: Site and Surrounding Zoning



Strategic Analysis

As part of the DP Application, the height of the Reifel Residence is proposed to be increased to 12.8 metres (42 feet). The proposed amendment to the HRA is to remove the provision for maximum height so that it may be addressed through the conditional provisions of the *First Shaughnessy District Schedule* of the *Zoning and Development By-law*. The Director of Planning will then have discretion to approve the minor amendment to this DP Application, through the issuance of a Heritage Alteration Permit, that will allow the house to be raised by 0.5 metres (1.8 feet). Table 1 below summarizes the original HRA provision and the proposed revision.

Regulation	Approved under HRA in 2014	Proposed HRA Amendment
Height	12.3 m (40.2 ft.) 3-storey *	Remove this provision from the HRA so that proposed height of 12.8 m (42 ft.) is addressed under Section 4.3 of the <i>First Shaughnessy District Schedule</i> of the <i>Zoning and Development By-law</i>

* The house was raised as a result of the previous application. Although it retains a 2½ storey form, the measurement of the number of storeys increased to 3 as a result of the top floor measured as a percentage of the area of the floor below.

There is no impact anticipated as a result of the proposed change to height. Staff have concluded that the amendment to height will not affect the heritage character of the Heritage Building and will not affect the immediate neighbours.

Financial Implications

The proposed HRA amendment regarding the height limit will not generate additional development contributions.

Legal

The owners of the Property have agreed to the above described amendment to the HRA which has been prepared by Legal Services in consultation with Planning, Urban Design and Sustainability.

CONCLUSION

The owners of 1451 Angus Drive have applied to amend the HRA for that address. The DP Application has been reviewed and is supported by staff to allow residential development to take place under the provisions of the First Shaughnessy District Schedule of the *Zoning and Development By-law*. The proposed HRA amendment will specifically address a modest increase to height. Staff recommend that Council instruct the Director of Legal Services to bring forward for enactment a by-law to enter into an agreement to amend the HRA as set out in this report.

* * * * *

2. **Modification of HRA**

The HRA is hereby modified as of the date that this Agreement is registered in the Land Title Office as follows:

- (a) Section 7.1(b) is hereby deleted in its entirety.