

Corporate Report

NO: R084

COUNCIL DATE: April 18, 2005



REGULAR

TO: Mayor & Council DATE: April 14, 2005
 FROM: City Solicitor FILE: 6800-20(CURR)
 SUBJECT: Currie House - 5731 - 182 Street

RECOMMENDATION

It is recommended that Council:

1. Receive this report as information.
2. Approve the Currie House relocation Agreement as follows:
 - (a) Rescind Surrey Official Community Plan By law, 1996, No. 12900, Text No. 52 Amendment By law, 2005, No. 15707 ("By law 15707");
 - (b) Rescind City of Surrey Temporary Heritage Protection By law, 2005, No. 15708 ("By law 15708"); and
 - (b) Approve the Building Purchase Agreement (the "Agreement") attached as Appendix I to relocate the Currie House.

BACKGROUND

By law 15707 passed its first reading on April 11, 2005 pursuant to Resolution R05 806. In By law 15707 the single family dwelling commonly referred to as the Currie House (the "Currie House") located at 5731 – 182 Street, Surrey, BC was identified as having heritage value and was designated to be within a Heritage Conservation Area.

City Council resolved under Section 954 of the *Local Government Act*, R.S.B.C. 1996, c. 323, as amended, (the "*Local Government Act*") to include the Currie House on the Surrey Heritage Register pursuant to Resolution R05 861.

By law 15708 passed its third reading on April 11, 2005 pursuant to Resolution R05 864. By law 15708 authorized the building inspector to withhold the issuance of any demolition permit in respect of the Currie House.

Pursuant to Resolution R05 865 City staff were directed to negotiate a written agreement with Robert Earl Maynes and Jo Anne Alice Van Beek (the "Owners") with respect to moving the Currie House to another site at the City's expense and that staff report back to Council on the negotiated agreement on April 18, 2005.

DISCUSSION

1. AGREEMENT

The Agreement attached as Appendix I has been executed by the Owners of the Currie House and is subject to Council approval. The key elements of the Agreement are as follows:

- (a) The City has until May 30, 2005 to move the Currie House at the City's expense to another site.
- (b) The Currie House is not insured by the Owners, is vacant and unsecured.
- (c) The City has access to the Currie House between now and May 30, 2005.
- (d) In the event the City elects to move the Currie House, the Owners, at their sole cost, have to clean the site, remove all landscaping they wish to retain and disconnect the sewer, water, hydro and gas.
- (e) The Agreement stipulates that if the City is unable to relocate the Currie House, then the City agrees to issue a demolition permit on or before May 30, 2005 and the Owners must pay for all costs of demolition.
- (f) The City has agreed to pay the Owners their reasonable legal fees and disbursements for reviewing the Agreement.

2. RELOCATION OPTIONS

The following are two possible options regarding the sale/relocation of the Currie House. It should be noted that the Currie House has been completely gutted inside and would have to be brought to current Building Code requirements or Building Code equivalencies under the heritage revitalization provisions when it is relocated. As well, a recent addition to the back of the Currie House would have to be removed in order to transport the house.

(a) TEMPORARILY RELOCATE HOUSE TO CLAUDE HARVEY PARK (5780 – 182 STREET) AND MARKET TO A THIRD PARTY

The City could move the Currie House across the road to the southern corner of Claude Harvey Park (see map attached as Appendix II). The Currie House would remain on skids while staff marketed the house in an effort to find a purchaser for the dwelling. The estimated cost for this initial "temporary" relocation would be \$30,000 – \$35,000. This option would meet the time constraints faced on the existing lot; however, there would be no guarantee that the City could find a party to take the house. Discussions with contractors indicate that the costs involved with preparing a site to accept the house, moving costs, bringing the house up to code and finishing the interior would be significant. It should be noted that under this option the City may be required to relocate the house again.

(b) RELOCATE THE CURRIE HOUSE TO CLAUDE HARVEY PARK OR PARK LOT AT 18335 – 56A AVENUE, SUBDIVIDE SUITABLE BUILDING LOT AND SELL HOUSE AND LOT WITH HERITAGE COVENANT

Under this option the City would relocate the Currie House to Claude Harvey Park or the parkland lot located at 18335 – 56A Avenue (see map attached as Appendix II),

subdivide a suitable building lot and market the house and lot with a heritage covenant. The prospective purchaser would be required to pay for all related costs to permanently site the house on the lot and bring it up to a livable standard.

The marketability of the finished house will be limited due to its small size ($\pm 1,500$ ft²) and the restrictions contained in the heritage revitalization agreement. Based on these constraints and previous experience with the sale of the Guy Richardson House and the Daniel Johnson House, the cost to the City under this option would be significant and much greater than that of Option (a) above. Such costs would include the moving, subdivision and marketing expenses as well as the loss in lot revenue potential.

In addition to the above cost estimates it is uncertain if the Heritage Advisory Committee would require the purchaser to bring the exterior of the Currie House back to original heritage conditions. If required to do so under the revitalization agreement, the additional costs could exceed \$20,000 as the windows, doors, gutters, and roof have all been recently replaced with modern materials.

If the City sells a parcel of parkland for a reduced market value, the City would have to take the loss out of general revenue to put in the parkland acquisition fund in order to comply with the *Local Government Act*.

COST IMPACTS

In view of the overall costs involved and the precedent that may be set by the City relocating this heritage property at its own cost, this matter is brought to Council's attention.

It should be noted that heritage protection has been achieved in cases where financial impacts related to preservation of heritage properties are arranged through the rezoning/subdivision process of applicants whereby the increase in value of the assets (brought about by Council decision related to rezoning/subdivision approvals) is both a condition as well as financial consideration towards preservation of heritage properties. Heritage protection has been voluntarily entered into by owners of properties not subject to development.

Should Council choose, for any reason, to not approve the Currie House relocation Agreement, but instead issue a demolition permit to the Owners, then the following decisions are required:

- (a) Rescind By law 15707;
- (b) Rescind By law 15708;
- (c) Not approve the Agreement attached as Appendix I to relocate the Currie House; and
- (d) Issue a demolition permit.

CRAIG MacFARLANE

City Solicitor

MSC:mlg
Attachments

c.c. General Manager, Planning & Development
General Manager, Engineering

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POTENTIAL CITY OWNED RELOCATION SITES

