

City of Kelowna Public Hearing AGENDA



Tuesday, May 17, 2016
6:00 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

THE CHAIR WILL CALL THE HEARING TO ORDER:

1. (a) The purpose of this Hearing is to consider certain bylaws which, if adopted, shall amend *Kelowna 2030* - Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.

(b) All persons who believe that their interest in property is affected by the proposed bylaws shall be afforded a reason-able opportunity to be heard or to present written submissions respecting matters contained in the bylaws that are the subject of this hearing. This Hearing is open to the public and all representations to Council form part of the public record. A live audio feed may be broadcast and recorded by Castanet.

(c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after May 3, 2016 (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.

(d) Council debate on the proposed bylaws is scheduled to take place during the Regular Council meeting after the conclusion of this Hearing. It should be noted, however, that for some items a final decision may not be able to be reached tonight.

(e) It must be emphasized that Council will not receive any representation from the applicant or members of the public after conclusion of this Public Hearing.

2. Notification of Meeting

The City Clerk will provide information as to how the Hearing was publicized.

3. Individual Bylaw Submissions

- | | | |
|------------|---|----------------|
| 3.1 | 268 Lake Avenue, BL11240 (Z16-0005) - Frank Renou & Joan Chapman | 4 - 14 |
| | To rezone the subject property to facilitate the development of a carriage house. | |
| 3.2 | 330 Merrifield Road, BL11241 (Z16-0011) - Corey Knorr Construction Ltd. | 15 - 23 |
| | To rezone the subject property from RU1 to RU2 to facilitate a 2-lot subdivision. | |
| 3.3 | 845 Kinnear Court, BL11242 (Z15-0050) - Carol Kergan | 24 - 36 |
| | To rezone the subject property to facilitate the conversion of an accessory building to a carriage house on the subject parcel. | |
| 3.4 | 135 Mugford Road & 345 Rutland Road N, BL11243 (Z15-0059) - City of Kelowna | 37 - 79 |
| | To rezone the subject properties to facilitate the redevelopment and adaptive re-use of the heritage building and site. | |
| 3.5 | 820 Finns Road, BL11246 (OCP15-0016) & BL11247 (Z15-0053) - Raif Holdings Ltd. | |
| | TO BE DEFERRED DURING THE REGULAR MEETING PORTION OF THE AGENDA AS PER THE APPLICANT'S REQUEST. | |

4. Termination

5. Procedure on each Bylaw Submission

- (a) Brief description of the application by City Staff (Land Use Management);
- (b) The Chair will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.
- (c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.
- (d) The Chair will call for representation from the public in attendance as follows:
 - (i) The microphone at the public podium has been provided for any person(s) wishing to make representation at the Hearing.
 - (ii) The Chair will recognize ONLY speakers at the podium.
 - (iii) Speakers are encouraged to limit their remarks to 5 minutes, however, if they have additional information they may address Council again after all other

members of the public have been heard a first time.

(e) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.

(f) Questions by staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.

(g) Final calls for representation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

Note: Any applicant or member of the public may use visual aids (e.g. photographs, sketches, slideshows, etc.) to assist in their presentation or questions. The computer and ELMO document camera at the public podium are available. Please ask staff for assistance prior to your item if required.

REPORT TO COUNCIL



Date: April 25, 2016

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TB)

Application: Z16-0005

Owner: Frank Arthur Renou
Joan Estelle Miller-Chapman

Address: 268 Lake Avenue

Applicant: Scott Renou

Subject: Rezoning Application

Existing OCP Designation: S2RES - Single/Two Unit Residential

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU1c - Large Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z16-0005 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 14, ODYD, Plan 42536 located at 268 Lake Avenue, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated March 1, 2016;

2.0 Purpose

To rezone the subject property to facilitate the development of a carriage house.

3.0 Community Planning

Community Planning Staff supports the proposed rezoning application to allow the development of a carriage house on the subject property. The S2RES - Single / Two Unit Residential land use designation supports the proposed RU1c - Large Lot Housing with Carriage House zone. The proposed carriage house use is consistent with the Official Community Plan (OCP) policies for Compact Urban Form and Sensitive Infill.

Council Policy No. 367 with respect to public consultation was undertaken by the applicant. All adjacent neighbours within a 50m radius were provided with a circulation package that was delivered in person on April 5th, 2016.

4.0 Proposal

4.1 Background

The original 2 storey dwelling with walk out basement was constructed in 1995 in a heritage style. The adjacent property to the west completed a carriage house development in October 2014. The property is within the Abbot Marshall Conservation Area, and should Council choose to support the rezoning request, Staff will come forward with a Development Variance Permit application and Heritage Alteration Permit application for approval.

4.2 Project Description

The proposed 1 ½ storey carriage house meets all of the zoning requirements except for 1 variance. Parking requirements are met with 3 garage stalls on the main floor of the carriage house. Private outdoor space is provided with direct access from the main entrance of the carriage house on the interior of the lot, and privacy is maintained between the two dwellings through the use of fencing. The side yard setbacks exceed the minimum reducing impact on adjacent neighbours and fencing is to be retained to protect private outdoor space. The rear yard setback exceeds the minimum for improved sight lines when entering and exiting the three garage stalls.

One variance is required to vary the upper floor area of the carriage house from 75% of the carriage house footprint (required) to 80.5% (proposed).

The subject property is located within the Urban Core area on the north side of Lake Avenue, east of Pandosy Street. The close proximity to downtown, beaches, and nearby transit on Pandosy Street makes this an ideal location for increased density as per the OCP urban policies for Compact Urban Form and Sensitive Infill. The lot is fully serviced and the proposed use is supported by the OCP Future Land Use.

The Walkability score of this subject property is 87/100 meaning it is very walkable and most errands can be completed on foot. The Transit score is 48/100 which means there are a few nearby transit options.

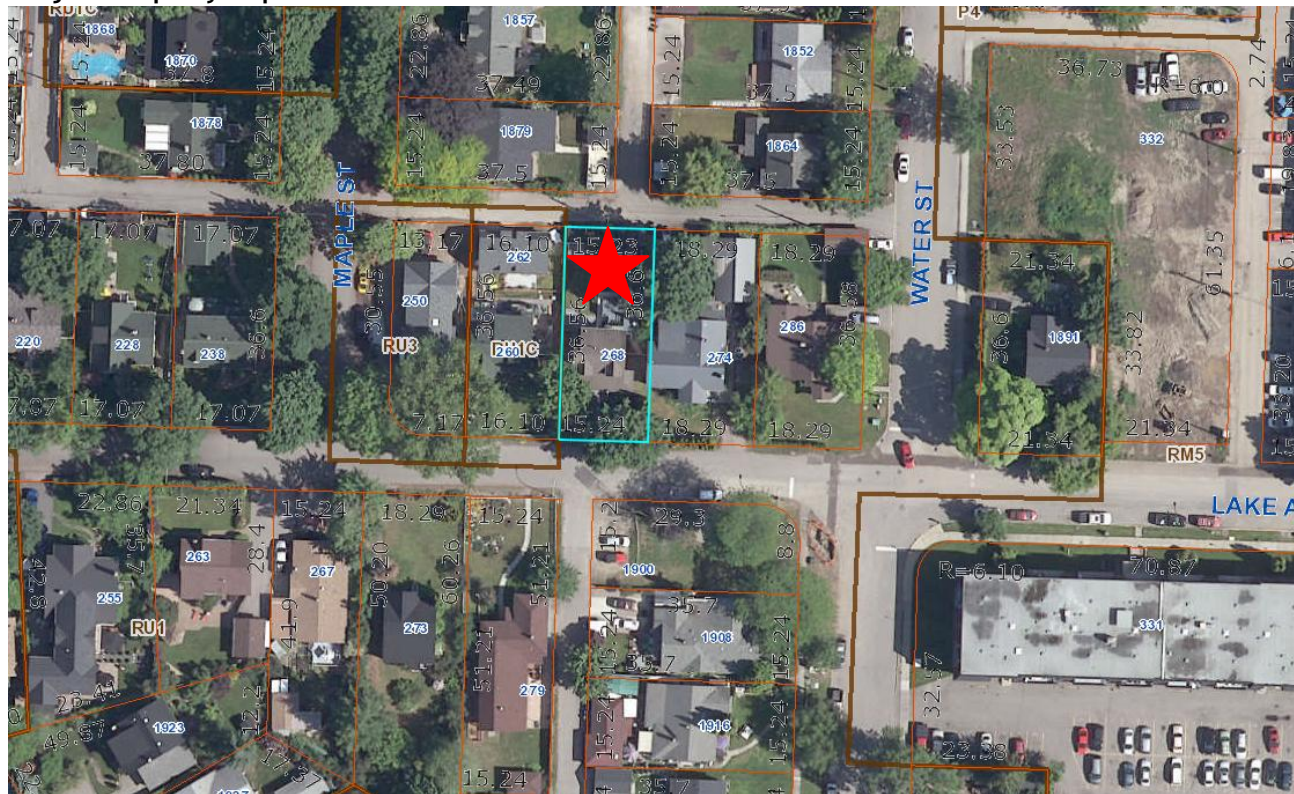
4.3 Site Context

The surrounding neighborhood is predominantly RU1, however an increase in density to RU1c lots has occurred in the area with 5 RU1c lots in close proximity including the lot immediately adjacent.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Residential
East	RU1 - Large Lot Housing	Residential
South	RU1 - Large Lot Housing	Residential
West	RU1 - Large Lot Housing with Carriage House	Residential

Subject Property Map:



4.4 Zoning Analysis Table

CRITERIA	RU1c ZONE REQUIREMENT	PROPOSAL
Subdivision or Existing Lot Regulations		
Minimum Lot Width	15.0 m	15.24 m
Minimum Lot Depth	30.0 m	36.55 m
Minimum Lot Area	550 m ²	556.66 m ²
Development Regulations		
Maximum Total Site Coverage (buildings)	40%	39.98%
Maximum Total Site Coverage (buildings, driveways & parking)	50%	41.89%
Carriage House Development Regulations		
Maximum Accessory Site Coverage	14%	14%
Maximum Accessory Building Footprint	90 m ²	77.92 m ²
Maximum Net Floor Area	90 m ²	62.70 m ²
Maximum Net Floor Area to Principal Building	75%	65.44 %
Maximum Upper Storey Floor Area to Building Footprint	75%	80.47% ❗
Maximum Height (to mid-point)	4.8 m	4.77 m

Maximum Height (to peak)	Peak of principal dwelling (8.07m)	6.34 m
Minimum Side Yard (West)	2.0 m	2.31 m
Minimum Side Yard (East)	2.0 m	2.56 m
Minimum Rear Yard	0.9 m	1.50 m
Minimum Distance to Principal Building	3.0 m	5.8 m
Other Regulations		
Minimum Parking Requirements	3 stalls	3 stalls
Minimum Private Open Space	30 m ² per dwelling	40.48 m ² per dwelling
● Indicates a variance maximum upper storey floor area to building permit from 75% (required) to 80.5% (proposed).		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Sensitive Infill.² Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

6.0 Technical Comments

6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- Provide the City of Kelowna Bulletin #88-02 (Secondary Suites Requirements in a single family dwelling) for minimum requirements. The drawings submitted for Building Permit application is to indicate the method of fire separation between the suite and the garage
- Range hood above the stove and the washroom to vent separately to the exterior of the building. The size of the penetration for this duct thru a fire separation is restricted by BCBC 12, so provide size of ducts and fire separation details at time of Building Permit Applications.

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

- A fire rated exit stairwell is required from the suite to the exterior c/w fire rated doors that open into the stairwell and a fire rating on the bottom of the stairs. Please provide these details on the building permit drawing sets.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

- Please see attached Schedule "A" dated March 1, 2016

6.3 Fire Department

- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- If a fence is ever constructed between the dwellings a gate with a clear width of 1100mm is required.
- All units shall have a posted address on Lake Ave. for emergency response
- Do not release BP until all life safety concerns are completed.

6.4 FortisBC Electric

There are primary distribution facilities along Lake Avenue and within the lane adjacent the subject's north property line. There appears to be existing infrastructure on the property that should be protected by appropriate land rights in order to ensure proper delivery and maintenance of the service. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

6.5 FortisBC Gas

Please be advised FortisBC Gas has reviewed the above mentioned referral and the gas service line will be impacted, therefore, it will need to be altered and/or abandoned and renewed to support this proposal.

7.0 Application Chronology

Date of Application Received: January 7, 2016
Date Public Consultation Completed: April 5, 2016

Report prepared by:

Trisa Brandt, Planner I

Reviewed by:



Terry Barton, Urban Planning Manager

Approved for Inclusion:



Ryan Smith, Community Planning Department Manager

Attachments:

Schedule "A" dated March 1, 2016

Site Plan and Landscape Plan

Floor Plans

Conceptual Elevations

Context/Site Photos

CITY OF KELOWNA

MEMORANDUM

Date: March 1, 2015
File No.: Z16-0005

To: Community Planning (TB)

From: Development Engineering Manager(SM)

Subject: 268 Lake Ave

RU1c

Development Engineering has the following comments and requirements associated with this application to rezone from RU1 to RU1c.

1. Domestic Water and Fire Protection

Our records indicate this property is currently serviced with a 19mm-diameter water service. The service is adequate for the proposed application.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. An inspection chamber (IC) complete with brooks box should be installed on the service at the owner's cost. Service upgrades can be provided by the City at the applicant's cost. **The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade.** For estimate inquiry's please contact Sergio Sartori, by email ssartori@kelowna.ca or phone, 250-469-8589.

3. Roads

Provide an additional highway allowance widening of 2.76m for the widening of Lake Ave. This widening is to be accomplished by:

- i) A Road Reservation Agreement with the City of Kelowna.

4. Development Permit and Site Related Issues

Direct the roof drains into on-site splash pads.

5. Electric Power and Telecommunication Services

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.



Steve Muenz, P. Eng.
Development Engineering Manager

SS

SCHEDULE <u>A</u>
This forms part of development
Permit # <u>Z16-0005</u>



FELIX WESTERKAMP, dplng(PH)
1690 WATER STREET
KELOWNA, B.C. V1Y 4T8
(250) 879-1606
f.westerkamp@fwp.ca
www.felixwesterkamp.com

CONSULTANTS

ISSUED FOR DP

PROPOSED NEW
CARRIAGE HOUSE
&
REZONING FROM
RU1 TO RU1c

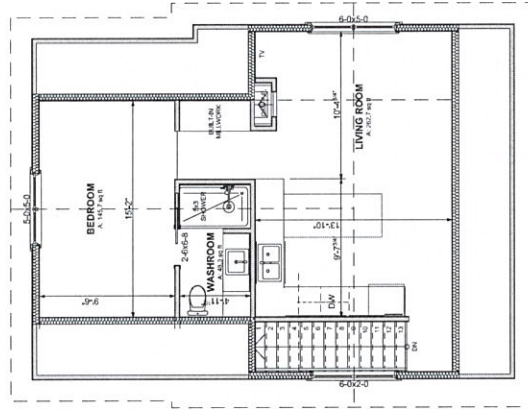
268 Lake Ave. Kelowna BC
LOT A, DL14, ODYD
PLAN 42536

MARK	DATE	DESCRIPTION

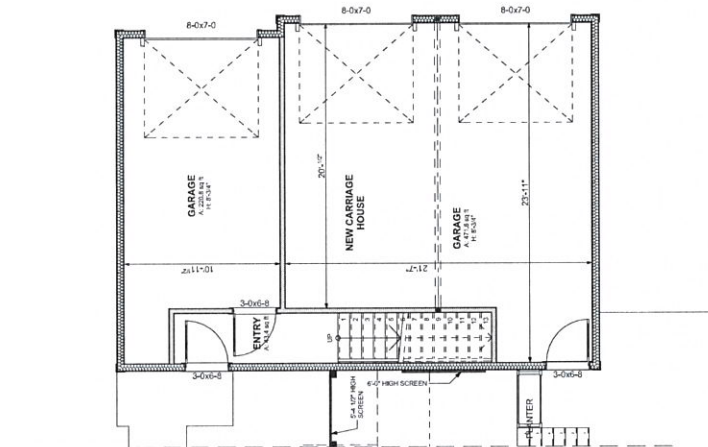
DATE	14/2016
MODEL FILE	
DRAWN BY	
CHK'D BY	
COPYRIGHT	

SHEET TITLE	CARRIAGE HOUSE FLOOR PLANS
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DP-002
SHEET 29



DP-Carriage House Upper Floor
SCALE: 1/4" = 1'-0"



DP-Carriage House Main Floor
SCALE: 1/4" = 1'-0"



REPORT TO COUNCIL



Date: May 2, 2016

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TB)

Application: Z16-0011 **Owner:** Corey Knorr Construction Ltd., Inc. No. BC0389398

Address: 330 Merrifield Rd **Applicant:** Corey Knorr

Subject: Rezoning Application

Existing OCP Designation: S2RES - Single/Two Unit Residential

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU2 - Medium Lot Housing

1.0 Recommendation

THAT Rezoning Application No. Z16-0011 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Section 26, Township 26, ODYD, Plan 18164 located at 330 Merrifield Rd, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing zone be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated April 6, 2016;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer;

2.0 Purpose

To rezone the subject property from RU1 to RU2 to facilitate a 2-lot subdivision.

3.0 Community Planning

Community Planning supports the proposal to rezone the subject property. The rezoning of this property from RU1 to RU2 would allow it to be subdivided into two lots and a single family dwelling developed on the second lot. The existing lot has one single family dwelling with a

suite, and the rezoning and subdivision would not cause any variances on the existing dwelling. This is consistent with the Official Community Plan (OCP) Future Land Use Designation of S2RES - Single/Two Family Residential and the OCP urban infill policy of compact urban form. The subject property is located within the Permanent Growth Boundary in the City's Core Area.

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbour consultation by individually contacting the neighbours on April 6, 2016.

4.0 Proposal

4.1 Background

The subject property had a single family dwelling that was damaged by fire in August 2014. The home was demolished in July 2015, and a new single family dwelling with a suite was completed in January 2016. The siting of the new single family dwelling was sited to allow for a future rezoning and subsequent subdivision without variances.

4.2 Project Description

The subject property is 931m² and the proposed rezoning does not trigger any variances. The RU2 - Medium Lot Housing zoning would allow the property to be subdivided into 2 lots without triggering a variance on the existing single family dwelling with suite. The second lot could then be developed with a single family dwelling, or a single family dwelling with suite. Should Council approve this rezoning, the Subdivision Approving Officer will review the application to subdivide. Should this be successful, a development permit would not be required for the single family dwelling on the new lot provided there were no variances requested.

This rezoning is consistent with the Future Land Use of Single/Two Unit Residential. It is also consistent with the OCP policy of Compact Urban Form, creating density where infrastructure already exists and is within 400m walking distance of transit stops.

4.3 Site Context

The subject property is located on the west side of Merrifield Road, north of Hwy 33 E and south of Mugford Road. It is within the Permanent Growth Boundary and the Core Area, and within walking distance to Mugford Park and Briarwood Park. It is a short drive to the commercial amenities located at Rutland Road and Highway 33 E.

There is an RU2 development two blocks to the east on Poonian Street that consists of 55 lots. There are nearly 20 RU6 lots in close proximity.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Residential
East	RU1 - Large Lot Housing	Residential
South	RU1 - Large Lot Housing	Residential
West	RU1 - Large Lot Housing	Residential

Subject Property Map: 330 Merrifield Road



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU2 ZONE REQUIREMENTS	PROPOSAL
Existing Lot		
Minimum Lot Area	400 m ²	913 m ²
Minimum Lot Width	13.0 m	30.40 m
Minimum Lot Depth	30.0 m	30.04 m
Proposed Future Subdivision		
Minimum Lot Area	400 m ²	Lot 1: 410 m ² Lot 2: 503 m ²
Minimum Lot Width	13.0 m	Lot 1: 13.67 m Lot 2: 16.74
Minimum Lot Depth	30.0 m	Lot 1: 30.04 m Lot 2: 30.04 m

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

6.0 Technical Comments

6.1 Development Engineering Department

- Please see attached Schedule "A" attached to the Report from the Community Planning Department dated April 6, 2016.

6.2 Fire Department

- Ensure both lots are addressed off of Merrifield Rd
- Ensure appropriate fire flows/hydrants in area.

6.3 FortisBC Gas

- Please be advised FortisBC Gas has reviewed the above mentioned referral and the gas service line may be impacted by this proposal. A Statutory Right of Way will be required to protect the existing asset from encroachment or a gas service alteration will be required.

6.4 FortisBC Electric

- There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Merrifield Rd. To date, arrangements have not been completed to meet the requirements to service the proposed subdivision. The applicant is responsible for costs associated with changes to the proposed lots' existing service, if any, as well as the provision of appropriate land rights where required.
- Otherwise, FBC(E) has no concerns with this circulation.

6.5 Rutland Water Works District

- Please see attached letter dated February 25, 2016

6.6 Ministry of Transportation

- Preliminary Approval is granted for the rezoning for one year pursuant to Section 52(3)(a) of the Transportation Act.

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

- Please forward the bylaw for Ministry signature after 3rd reading.

7.0 Application Chronology

Date of Application Received: February 18, 2016

Date Public Consultation Completed: April 6, 2016

Report prepared by:

Trisa Brandt, Planner I

Reviewed by:

☐

Terry Barton, Urban Planning Manager

Approved for Inclusion:

☐

Ryan Smith, Community Planning Department Manager

Attachments:

Schedule "A": Development Engineering Memorandum dated April 6, 2016

Letter from Rutland Water Works District dated February 25, 2016

Site Plan

Site Photo

CITY OF KELOWNA
MEMORANDUM

Date: April 06, 2016
File No.: Z16-0011
To: Community Planning (TB)
From: Development Engineering Manager (SM)
Subject: 330 Merrifield Road

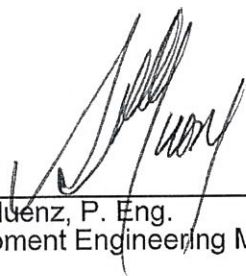
RU1 to RU2

Development Engineering has the following comments and requirements associated with this application.

1. General

Road frontage improvements are triggered by this rezoning application. The requirements include curb and gutter, storm drainage system and pavement widening. Also required is a landscaped boulevard, street lighting and the re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The cost of this construction is at the applicant's expense and securities will be required.

The proposed redevelopment includes the subject parcel being subdivided into two lots. A subdivision application will require service upgrades that include the installation of additional services. The work will require road cuts and boulevard and pavement restoration. These Works will be at the developer's expense. Development Engineering is prepared to defer the requirements of the rezoning application to the subdivision stage under file No. S16-0017.



Steve Muenz, P. Eng.
Development Engineering Manager

jo

SCHEDULE A

This forms part of development

Permit # Z16-0011



106 – 200 Dougall Road North
Kelowna, BC V1X 3K5
www.rutlandwaterworks.com

p: (250) 765-5218
f: (250) 765-7765
e: info@rutlandwaterworks.com

February 25, 2016

Corey Knorr Construction Ltd
182 Fitzpatrick Rd
Kelowna BC V1X 5C7

RE: Lot A, 18164 – 330 Merrifield Rd SUBDIVISION Z16-0011, S16-0017 RWD File 16/04

In response to City of Kelowna request for comment the following is a summary of Rutland Waterworks District requirements:

- | | |
|--|------------|
| 1. Capital Expenditure Charges | \$2,700.00 |
| Please pay by separate cheque, noting file # 16/04 CEC | |
| 2. Water Service Works Deposit | 1,500.00 |
| Please pay by separate cheque, noting file # 16/04 Works
(Includes new water meter) | |

Upon receipt of above noted fees a water certificate will be issued.

Should you have any questions or require further information, please contact the undersigned.

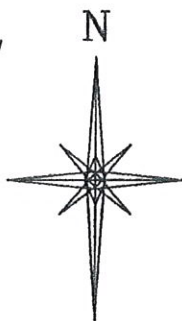
Sincerely,

Pete Preston
General Manager

c. City of Kelowna (Planning Department)

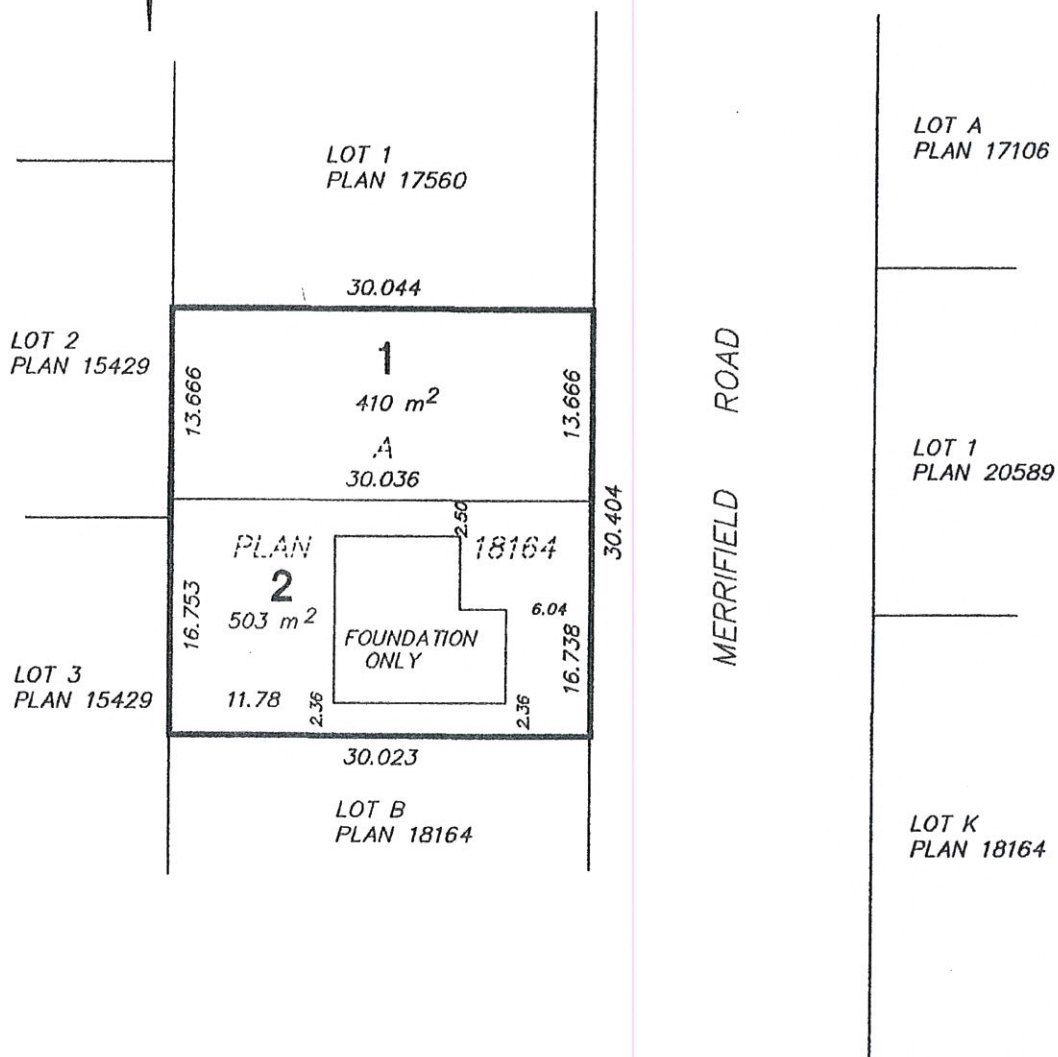
PROPOSED SUBDIVISION OF LOT A PLAN 18164 SEC. 26 TP. 26 O.D.Y.D.

Civic Address:
330 Merrifield Road
Kelowna, BC



SCALE 1:500

DISTANCES ARE IN METRES.

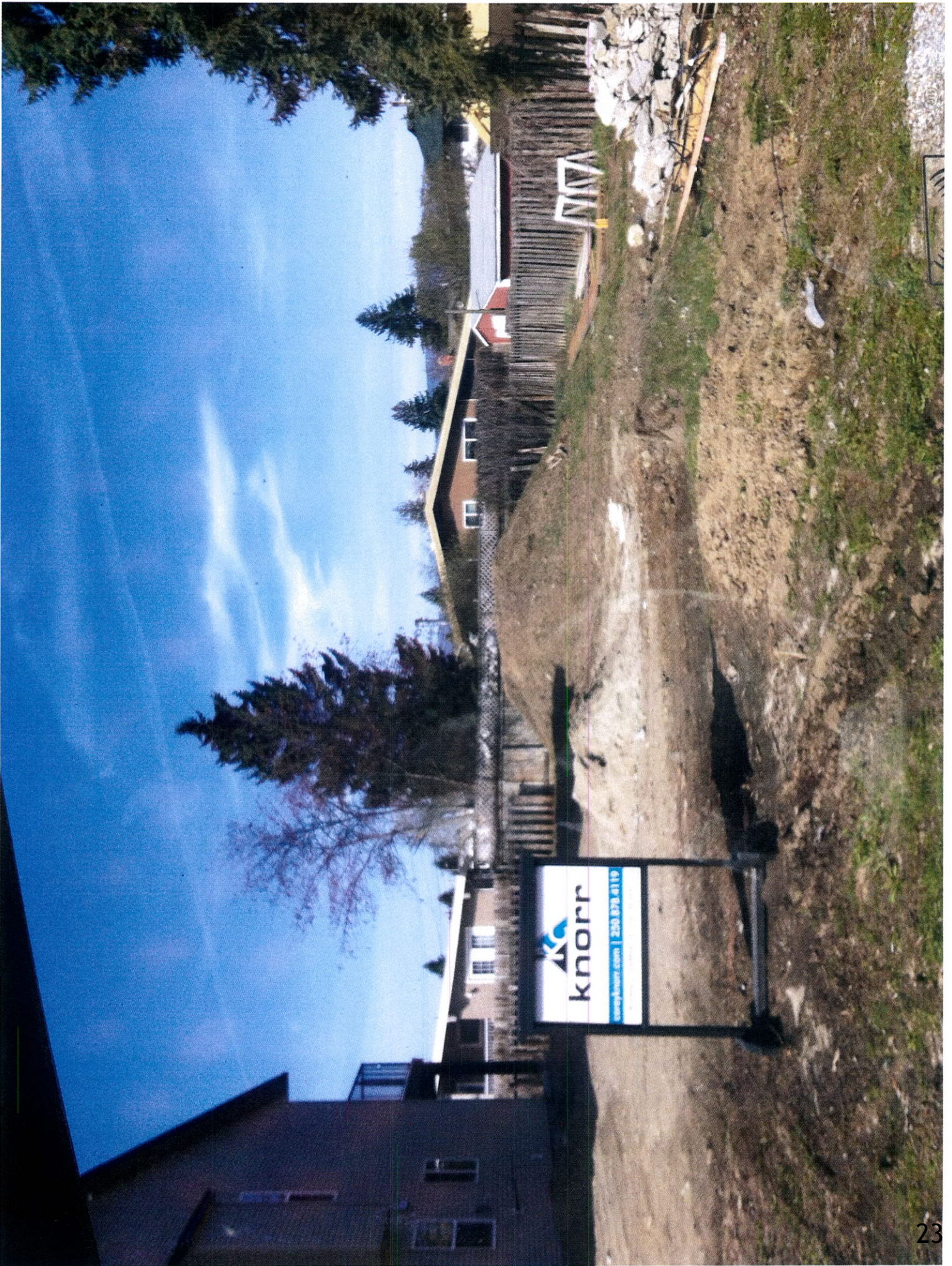


NOTE:
SUBDIVISION REQUIRES RE-ZONING

FILE 16772 FB 380

CLIENT - COREY KNORR CONST.

D.A. Goddard Land Surveying Inc.
103-1358 St. Paul Street, Kelowna
Phone (250) 763-3733



REPORT TO COUNCIL



Date: May 2, 2016

RIM No. 1250-30

To: City Manager

From: Community Planning Department (LK)

Application: Z15-0050 **Owner:** Carol Kergan

Address: 845 Kinnear Ct **Applicant:** Carol Kergan

Subject: Rezoning Application

Existing OCP Designation: S2RES - Single / Two Unit Residential

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU1c - Large Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z15-0050 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6 District Lot 135 ODYD Plan 25798, located at 845 Kinnear Court, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance and completion of a Building Permit for the removal of the existing second kitchen within the primary dwelling for the subject property;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Variance Permit for the subject property.

2.0 Purpose

To rezone the subject property to facilitate the conversion of an accessory building to a carriage house on the subject parcel.

3.0 Community Planning

Community Planning Staff supports the proposed rezoning application to allow the construction of a carriage house on the subject property. The S2RES - Single / Two Unit Residential land use designation permits the proposed RU1c - Large Lot Housing with Carriage House zone. Currently the adjacent parcels contain single family dwellings with a few having carriage houses. Across Kinnear Court from the subject parcel is a large parking lot for the Bethel Church.

4.0 Proposal

4.1 Background

The existing 1 ½ storey single detached dwelling with a single attached garage was constructed in June of 1977. The existing accessory building was approved for construction in September of the same year. A second kitchen was approved for within the dwelling in June of 2003. Since that time, there have been multiple bylaw enforcement investigations regarding illegal suites. The applicant has since purchased the home and is taking measures to legalize the existing accessory building as a carriage house. The second kitchen will be removed from the dwelling to ensure bylaw compliance is addressed.

4.2 Project Description

The subject parcel is located within the Permanent Growth Boundary on the south side of Kinnear Court. At the time of construction, the accessory building met all of the Zoning Bylaw regulations. In rezoning the parcel to allow for the conversion of the accessory building to a carriage house, one variance is triggered. The required side yard setback of 2.0 m would need a variance to be reduced to 1.17 m proposed.



Parking for the primary dwelling is accommodated at the front of the house with a single car attached garage and the driveway is able to accommodate an additional parking space. Parking for the carriage house is accessed from the rear lane. The parking space provided is large enough to accommodate 3 vehicles. Private amenity space is located beside the carriage house. A fence will be added to provide privacy between the primary dwelling and the carriage house. The addition of a lit pathway from the street to the carriage house will provide additional access.



The requested variance to the east side setback will not negatively affect the adjacent parcel, as the neighbouring property has a raised planter bed garden which extends the length of the carriage house. This, along with the shed and fence in the adjacent rear yard, creates separation and privacy to the proposed carriage house.

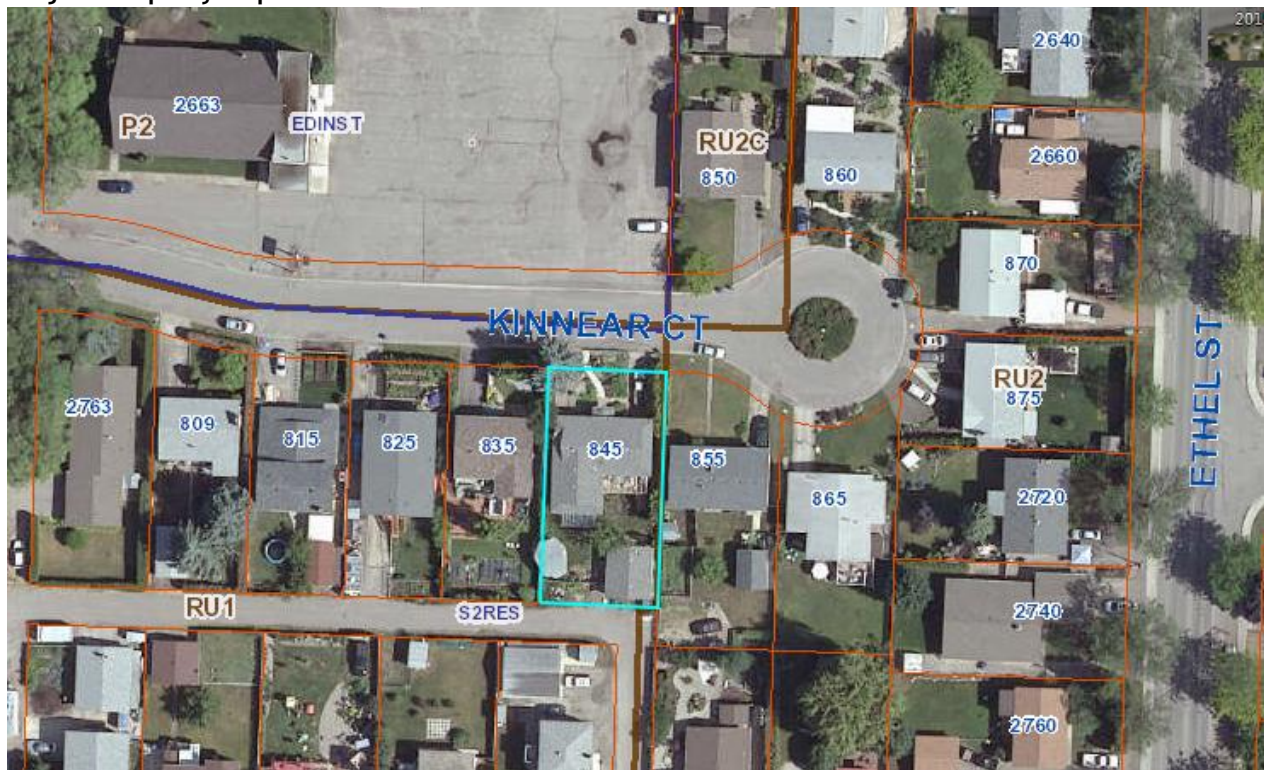
4.3 Site Context

The subject property is located on the south side of Kinnear Court in the South Pandosy/KLO sector of Kelowna.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P2 - Education & Minor Institutional RU2c - Medium Lot Housing with Carriage House	Religious Assembly Single Family Dwelling with Carriage House
East	RU1 - Large Lot Housing	Single Family Dwelling
South	RU1 - Large Lot Housing	Single Family Dwelling
West	RU1 - Large Lot Housing	Single Family Dwelling

Subject Property Map:



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1c ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	550 m ²	667 m ²
Min. Lot Width	16.5 m	18.23 m
Min. Lot Depth	30 m	36.58 m
Development Regulations		
Site Coverage	40%	29%
Site Coverage: accessory buildings or structures and carriage house (one storey)	20%	6.67%

Floor area of carriage house (footprint)	100 m ²	44.5 m ²
Max. area of carriage house (total building area)	130 m ²	44.5 m ²
Max. net floor area of carriage house to total net floor area of principal building	75%	22.94%
Height (mid point of roof)	4.8 m	3.24 m
Setback from Principal Dwelling	3.0 m	5.76 m
Carriage House Regulations		
Max. Height	4.8 m	3.24 m
Min. Side Yard (east)	2.0 m	1.17 m●
Min. Side Yard (west)	2.0 m	10.96 m
Min. Rear Yard (with a lane)	0.9 m	1.52 m
Height (carriage house shall not be higher than existing primary dwelling unit)	1 1/2 storey ex. House	1 storey Carriage house
Other Regulations		
Min. Parking Requirements	3 stalls	+3 stalls provided
Min. Private Open Space	30 m ²	+30 m ²
● Indicates a requested variance to the side setback to a carriage house.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

6.0 Technical Comments

6.1 Building & Permitting Department

- Full Plan check for Building Code related issues will be done at time of Building Permit applications.
- Please indicate how the requirements of Radon mitigation are being applied to this structure.

6.2 Development Engineering Department

- See attached Development Engineering memorandum.

6.3 Bylaw Services

- Bylaw Services has two open files for this property, an illegal suite in the main house and an illegal suite in the garage with numerous complaints received. Records indicate an

"Affidavit for a second kitchen", within the main dwelling, which has been misused with complaints for both units dating back to 2003.

6.4 Fire Department

- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- All units shall have a posted address on Kinnear Court for emergency response.
- Should a gate or fence be installed between main house and carriage house the gate is to open without special knowledge (locking device and have a clear width of 1100mm.
- Emergency access is NOT from the lane to the south but from Kinnear Court.

7.0 Application Chronology

Date of Application Received:	September 24, 2015
Date of Amended Plans Received:	January 27, 2016
Date Public Consultation Completed:	April 8, 2016

Report prepared by:

Lydia Korolchuk, Planner

Reviewed by:

☐

Terry Barton, Urban Planning Manager

Approved for Inclusion:

☐

Ryan Smith, Community Planning Department Manager

Attachments:

Subject Property Map

Site Plan

Conceptual Elevations

Attachment A: Development Engineering Memorandum dated October 27, 2015

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

CITY OF KELOWNA
MEMORANDUM

Date: October 27, 2015
File No.: Z15-0050

To: Community Planning (LK)

From: Development Engineering Manager

Subject: 845 Kinnear Court

RU1c

Development Engineering has the following comments and requirements associated with this application to rezone from RU1 to RU1c.

1. Domestic Water and Fire Protection

Our records indicate this property is currently serviced with a 19mm-diameter water service. . The service is adequate for the proposed application.

2. Sanitary Sewer

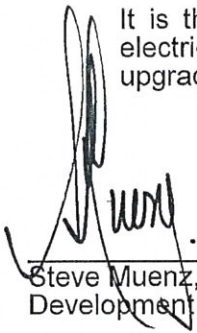
Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. An inspection chamber (IC) complete with brooks box should be installed on the service at the owner's cost. Service upgrades can be provided by the City at the applicant's cost. **The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade.** For estimate inquiry's please contact Sergio Sartori, by email ssartori@kelowna.ca or phone, 250-469-8589.

3. Development Permit and Site Related Issues

Direct the roof drains into on-site splash pads.
On-site parking modules must meet zoning bylaw requirements.
All driveway/parking areas must be finished with a dust free surface.

4. Electric Power and Telecommunication Services

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.



Steve Muenz, P. Eng.
Development Engineering Manager

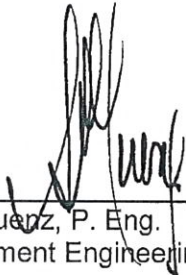
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CITY OF KELOWNA
MEMORANDUM

Date: October 27, 2015
File No.: DVP15-0232
To: Community Planning (LK)
From: Development Engineering Manager (SM)
Subject: 845 Kinnear Court

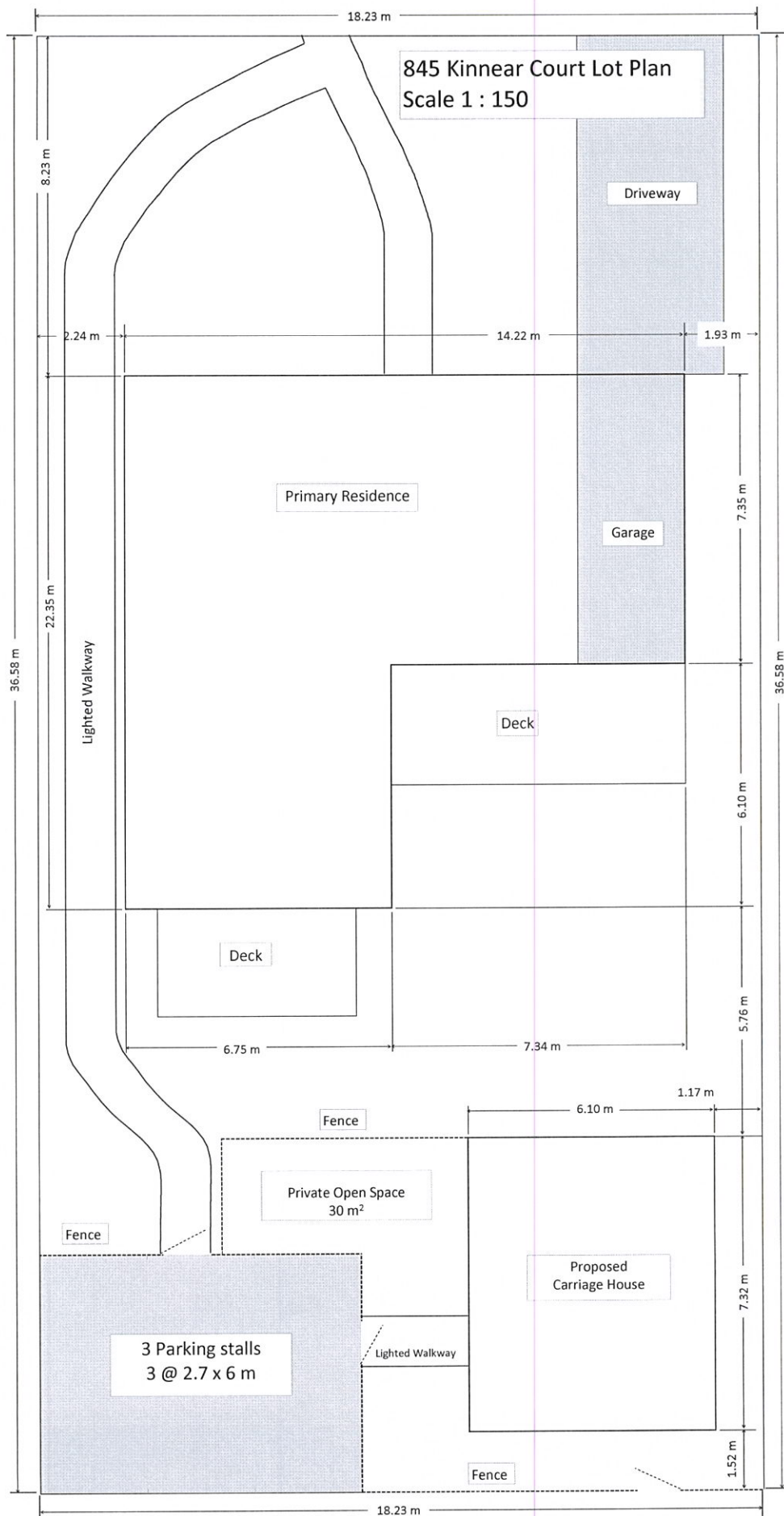
Development Engineering comments and requirements regarding this development permit application are as follows:

This development variance permit application to vary the side yard setback does not compromise any municipal services.



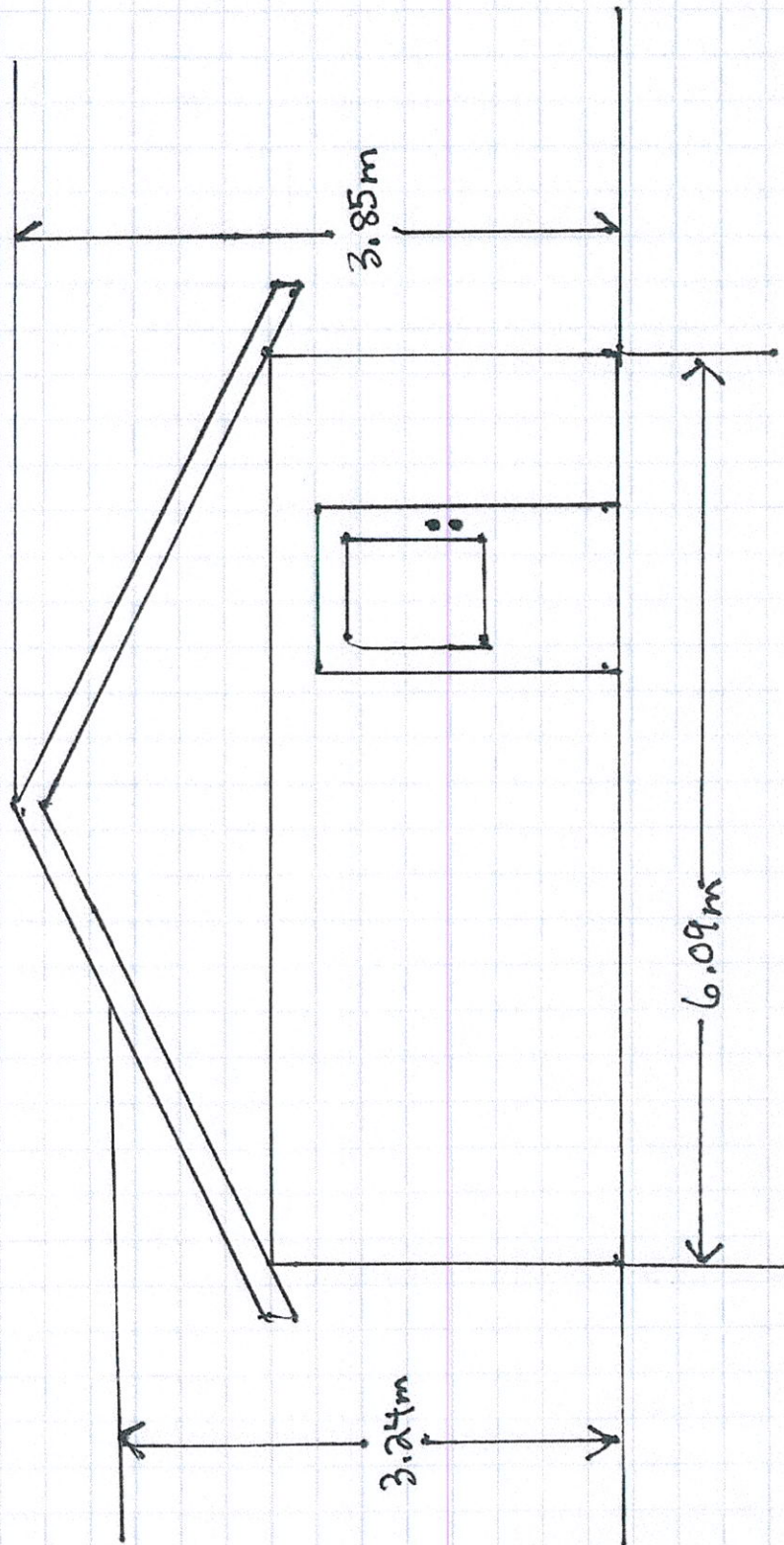
Steve Muenz, P. Eng.
Development Engineering Manager

SS



Scale
1 square = 1 foot

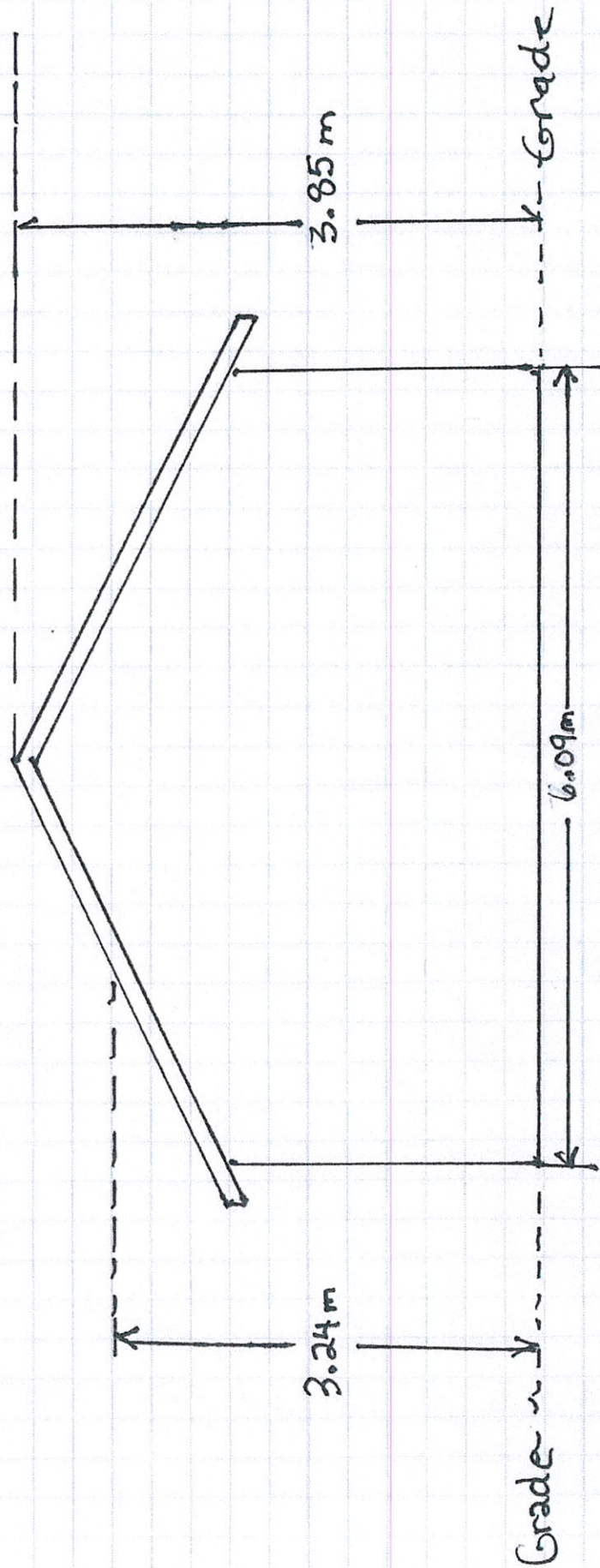
845 Kinnear Ct
Rear Carriage House



South Perspective

Scale
1 square = 1 foot

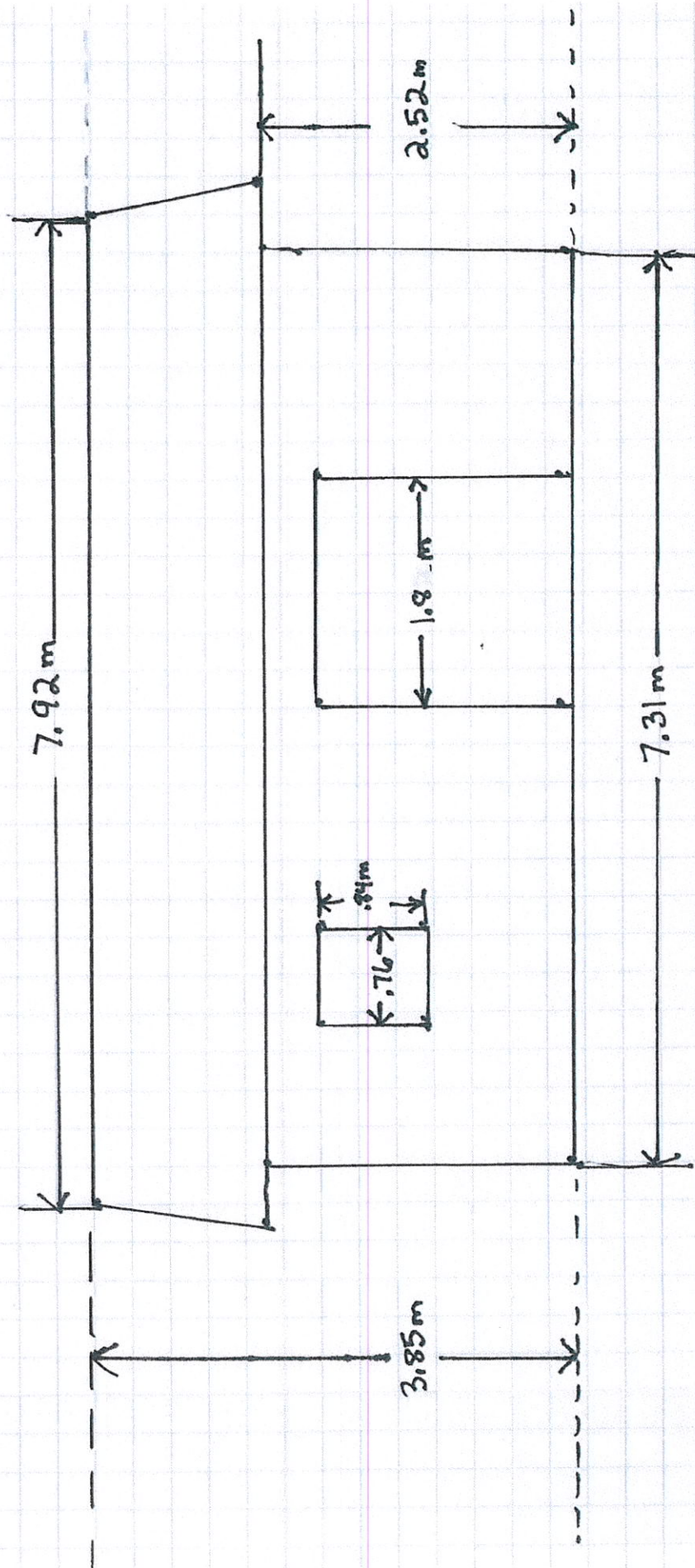
845 Kinnear Ct
Rear 'Carriage' House



North Perspective

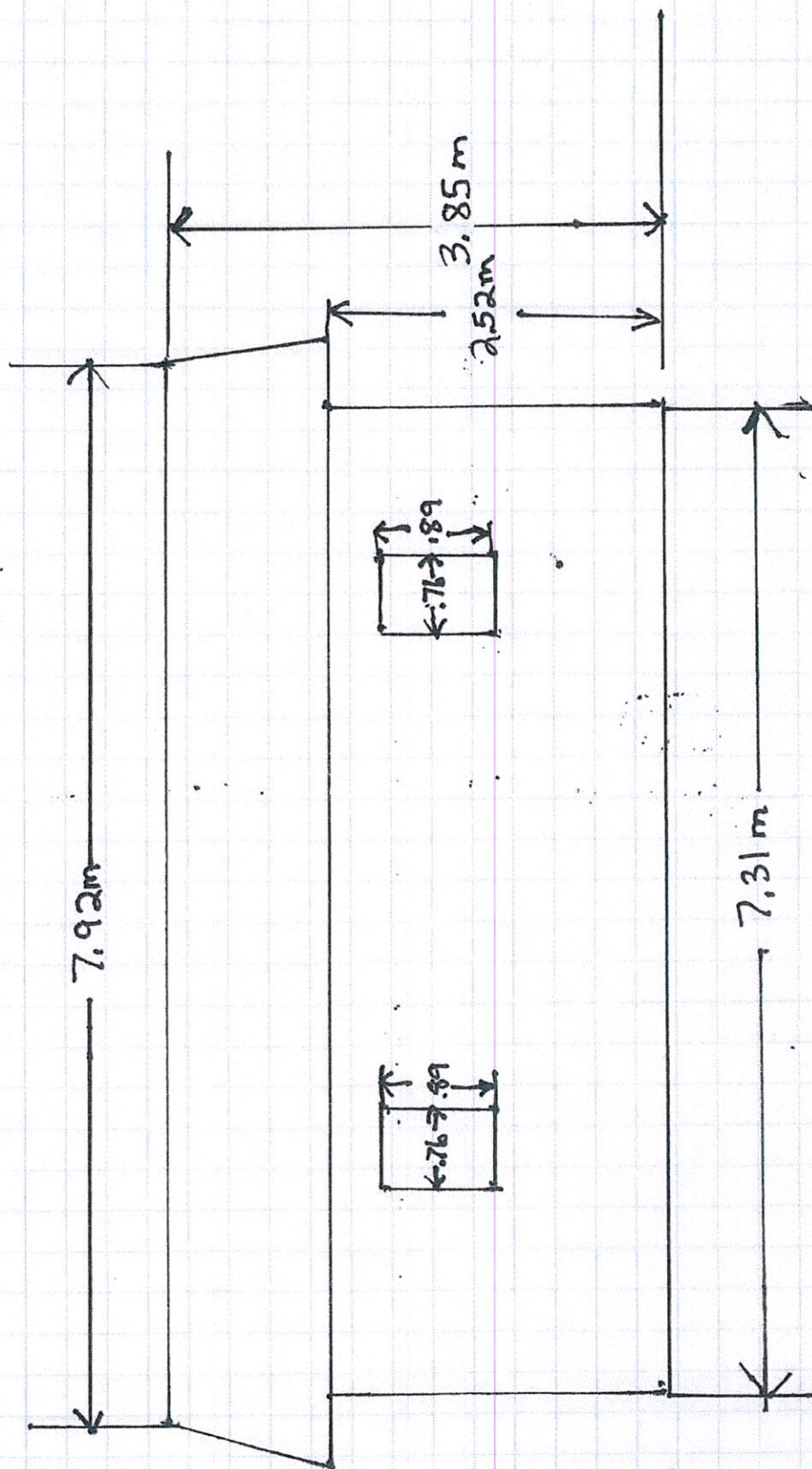
Scale
1 sq = 1 ft.

845 Kinneer Ct
Rear Carriage House



Scale
1 sq = 1 ft

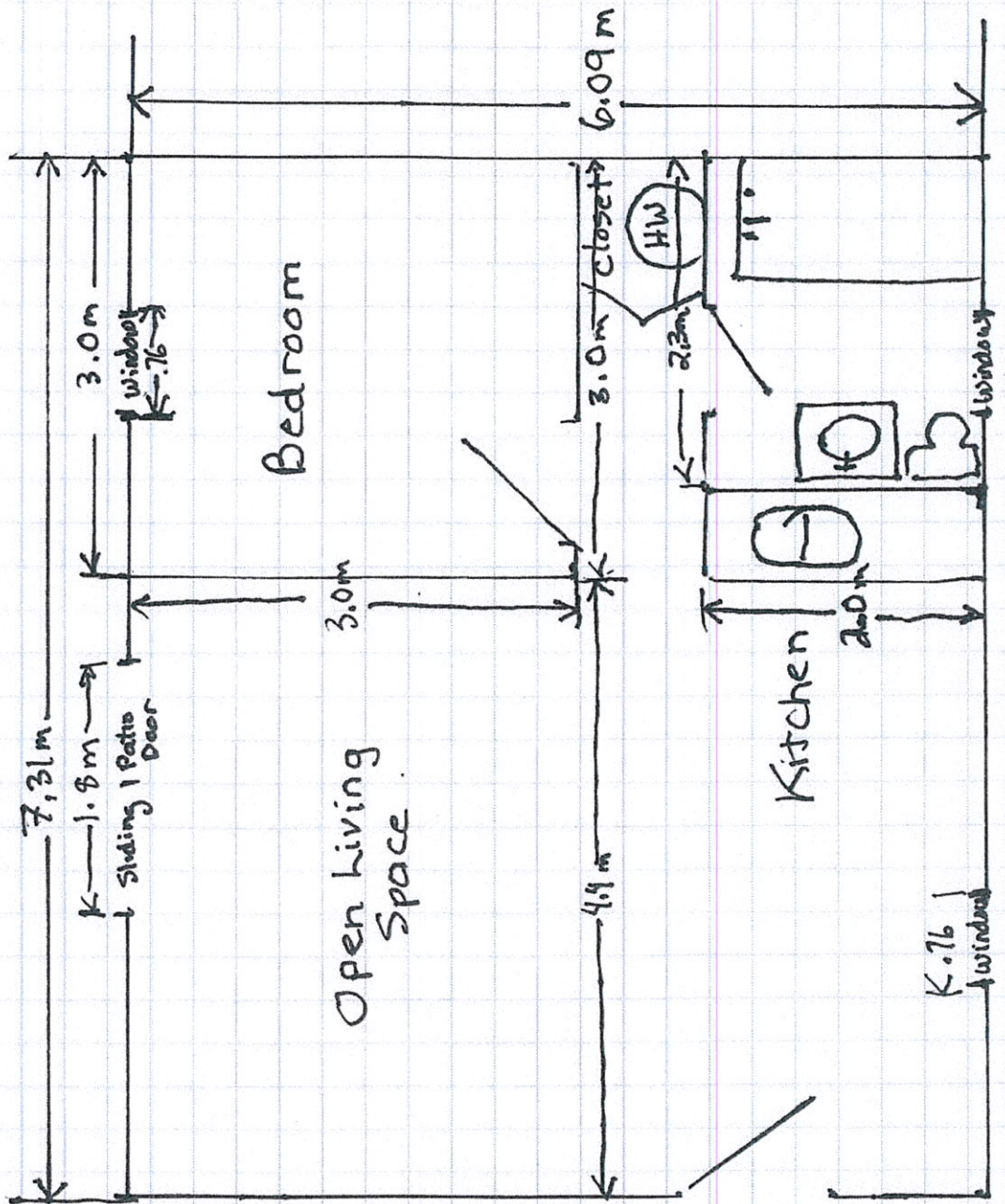
845 Kinnear Court
Rear Carriage House



East Perspective

Scale
1 square = 1 sq foot

845 Kinnear Court
Rear Carriage House



Layout of Interior

REPORT TO COUNCIL



Date: May 2, 2016

RIM No. 1250-30

To: City Manager

From: Community Planning Department (LK)

Application: Z15-0059 **Owner:** City of Kelowna

Address: 135 Mugford Road, 345 Rutland Road N **Applicant:** Peter Chataway

Subject: Rezoning Application

Existing OCP Designation: EDINST - Educational / Major Institutional

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: P2 - Education and Minor Institutional

1.0 Recommendation

THAT Rezoning Application No. Z15-0059 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of THAT part of Lot 3 which may be more particularly described as follows: commencing at the north east corner of the area covered by Plan B3922; thence following the north boundary of said Lot 3 Plan 2478 bearing south 89 degrees 48 minutes east for a distance of 50 feet; thence south 75 feet; thence bearing 89 degrees and 48 minutes west for a distance of 50 feet to the south east corner of the said area covered by Plan B3922; thence following the east boundary of said area north for a distance of 75 feet to the point of commencement, and containing by admeasurement 0.086 of an acre more or less; Section 26 Township 26 ODYD Plan 2478, located at 135 Mugford Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the P2 - Education and Minor Institutional zone; and by changing the zoning classification of Lot 1 Section 26 Township 26 ODYD Plan 9290, located at 345 Rutland Road N, Kelowna, BC from the RU1 - Large Lot Housing zone to the P2 - Education and Minor Institutional zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated December 22, 2015;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of Ministry of Transportation and Infrastructure;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Heritage Alteration Permit for the subject property.

2.0 Purpose

To rezone the subject properties to facilitate the redevelopment and adaptive re-use of the heritage building and site.

3.0 Community Planning

Community Planning Staff supports the proposed rezoning to permit the redevelopment of the subject properties, which includes the building known as old Saint Aidan's Church. This is a highly visible location within the Rutland area at the corner of Rutland Road N and Mugford Road. The historic church is listed on the municipal heritage registry for its association within the Anglican Church, its importance to the early community of Rutland and its architectural Arts and Crafts style. The proposed rezoning is consistent with the Official Community Plan (OCP) Future Land Use for the parcels.

In 2013, the City of Kelowna commissioned the firm, Donald Luxton and Associates Inc., to provide an independent heritage impact statement of the proposed rehabilitation of the subject site. The purpose of the report was to evaluate the impact of the proposed development on character-defining elements of the historic church and to provide conservation recommendations to mitigate potential adverse impacts. The report concluded that the proposed changes to the building are acceptable from a heritage perspective and balanced with the proposed modern uses.

4.0 Proposal

4.1 Background

St. Aidan's Anglican Church was built in 1933 and is located on the corner parcel addressed at 365 Rutland Road N. The neighbourhood is mainly single family homes with multi-residential located across Rutland Road N. The church is a one-storey, front gabled building. In 1938 an addition of the chancel at the rear of the building and the vestry on the north side was completed. In 1958, the front vestibule was enclosed as the original porch was relocated and reused as the Lych Gate. In 1990, the church was deconsecrated and purchased by the City of Kelowna. Currently, the structure is not occupied and exterior openings have been boarded up. The building is situated in a road right of way and cannot be preserved in its current location. The proposal will see it relocated centrally on the site. The character-defining elements of materials, forms and spatial configurations will be preserved throughout the adaptive re-use and renovation.

Lych Gate



In 2009, St. Aidan's Church was identified as high priority for conservation work through the City's Heritage Asset Management Strategy. A Request for Expressions of Interest was put out in 2012. The submission from the Okanagan Buddhist Cultural Society (OBCS) garnered further discussion. After the Request for Proposal (RFP) process, The City of Kelowna and OBCS signed a Memorandum of Understanding agreement (MOU) based on the premise that The City of Kelowna would sell the land to the OBCS. The MOU establishes the future conservation objectives and

acceptable uses with respect to the redevelopment and restoration of the old St. Aidan's Church building.

4.2 Project Description

The goal is the adaptive re-use of the building with conservation of the structure and site in a manner that will showcase and celebrate it as a community heritage asset. The Society is proposing to conserve the existing old St. Aidan's Church building. The three subject parcels will be consolidated and the structure centrally located on the new parcel. The proposed addition to the existing building will include a new entry on the north side of the chancel, a church hall and cultural centre on the south side of the chancel, a new foundation and site improvements. The changes to the site will include a parking area at the rear of the parcel and a publicly accessible Friendship Garden in the northwest corner. A Heritage Alteration Permit (HAP) will be required for the proposed changes and will be considered by Council at a later date, should the rezoning be successful, along with the requirement of a Heritage Designation (HD) in the form of a municipal bylaw.

The proposal consists of three parcels which will be consolidated. 135 Mugford Road was purchased by the City in 1992 and was leased as an Early Years Learning Centre until it was demolished in the mid-2000's. 345 Rutland Road was purchased by the City in 2004 and the single family dwelling was rented until it was demolished in 2014. 365 Rutland Road is the St. Aidan's Church site. As part of the lot consolidation, future road widening requirements will see a 3.2 m road dedication along Rutland Road N and a 9.14 m road dedication along Mugford Road. This will include a new corner rounding. These requirements will establish the new property lines of the consolidated parcel. To ensure the provision of a future rear lane is possible, a road reserve will be registered.

The redevelopment of the parcels will provide on-site parking, increase the accessibility of the site, and create an open and inviting garden area. The parking area will provide accessible parking with ramp access, a loading area and a turnaround stall.

Staff views the proposed redevelopment of the site positively. The heritage building will be adaptively re-used with many of the original character defining elements preserved. Since the relocation of the structure is unavoidable due to the road widening requirement, the new central location ensures the building is still the prominent feature of the parcel. The proposed modern use of the building as a Cultural Centre will provide a positive contribution to the Rutland Town Centre.

4.3 Site Context

The subject properties are located at the intersection of Rutland Road N and Mugford Road. The proposal consists of three parcels, 345 & 365 Rutland Rd N and 135 Mugford Rd which will be consolidated into one larger parcel. The Future Land Use Designation is EDINST - Educational / Major Institutional and is within the Rutland Urban Centre and the Permanent Growth Boundary.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Single Dwelling Housing
East	RU1 - Large Lot Housing	Single Dwelling Housing
South	RU1 - Large Lot Housing	Single Dwelling Housing
West	RM5 - Medium Density Multiple Housing	Apartments

Subject Property Map:



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	P2 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	660 m ²	1490 m ² (proposed lot)
Minimum Lot Width	18 m	36.52 m
Minimum Lot Depth	30 m	41.16 m
Development Regulations		
Maximum Floor Area Ratio	1.0	0.20
Maximum Site Coverage (buildings)	40%	20.04%
Maximum Site Coverage (buildings, driveways and parking)	60%	
Maximum Height	13.5 m or 3 stories	6.7 m (proposed addition)
Minimum Front Yard	6.0 m	6.10 m
Minimum Side Yard (south)	4.5 m	4.9 m
Minimum Side Yard (north)	6.0 m	14.36 m
Minimum Rear Yard	7.5 m	19.2 m
Other Regulations		
Minimum Parking Requirements	21	21
Minimum Bicycle Parking	5	5
Minimum Loading Space	1	1

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Heritage Register.¹ Use the Kelowna Heritage Register for fully informed decision-making regarding land use of heritage properties.

Heritage Designation.² Encourage owners of properties listed in the Kelowna Heritage Register and identified as significant to voluntarily provide long-term heritage protection to their properties through the use of a Heritage Designation Bylaw.

5.2 Heritage Conservation Area Development Guidelines

Restoration Guidelines for Designated Heritage Sites.³

- Authenticity to the architectural style, original site configuration, landscaping and auxiliary structures are encouraged to be adhere to for all restorations.
- Colour schemes are encouraged to be authentic to the period and architectural style of the designated building.

6.0 Technical Comments

6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s)
- Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
- A Building Code analysis is required for the structure at time of building permit applications.
- Fire resistance ratings are required for storage, janitor and/or garbage enclosure room(s). The drawings submitted for building permit is to clearly identify how this rating will be achieved and where these area(s) are located.
- An exit analysis is required as part of the code analysis at time of building permit application. The exit analysis is to address travel distances within the units, multiple parking areas (future), number of required exits per area, accessibility etc
- Size and location of all signage to be clearly defined as part of the development permit. This should include the signage required for the building addressing to be defined on the drawings per the bylaws on the permit application drawings.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation are being applied to this structure.

6.2 Development Engineering Department

- See Attachment "A"

¹ City of Kelowna Official Community Plan, Policy 5.7.1 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.7.2 (Development Process Chapter).

³ City of Kelowna Abbott Street & Marshall Street Heritage Conservation Area, Policy 4.11 (Development Guidelines).

6.3 Fire Department

- A construction fire safety plan is required to be submitted prior to the start of construction
- Should the occupant load be above 300 a fire alarm shall be installed. Should the fire alarm be required, an approved Fire Department steel lock box or key tube acceptable to the fire dept. is required by the fire dept. entrance.
- Assembly occupancy requires a fire safety plan as per section 2.8 BCFC at occupancy. The fire safety plan and floor plans are to be submitted for approval in AutoCAD Drawing format on a CD.
- All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met.
- Contact Fire Prevention Branch for fire extinguisher requirements and placement.
- dumpster/refuse container must be 3 meters from structures or overhangs

6.4 Ministry of Transportation

- Based on the materials provided November 9, 2015, Preliminary Approval is granted for this rezoning for one year pursuant to section 52(3)(a) of the Transportation Act.

Please provide the final bylaw after third reading to this Ministry for final approval.

7.0 Application Chronology

Date of Application Received: November 6, 2015
Date Public Consultation Completed: January 4, 2016

Report prepared by:

Lydia Korolchuk, Planner

Reviewed by:

☐

Terry Barton, Urban Planning Manager

Approved for Inclusion:

☐

Ryan Smith, Community Planning Department Manager

Attachments:

Site Context Plan

Schedule A: Site plan & Floor plans

Schedule B: Conceptual Elevations

Landscape Plan

Attachment A: Development Engineering Memorandum

Attachment B: Rutland Waterworks District Letter

Attachment C: Statement of Significance

Attachment D: Heritage Register

Attachment E: Memorandum of Understanding

CITY OF KELOWNA
MEMORANDUM

Date: March 30, 2016
File No.: Z15-0059 Revised 03
To: Urban Planning Management (LK)
From: Development Engineering Manager (SM)
Subject: 345 Rutland Rd N, 135 Mugford Rd RU1 to P2

The Development Engineering Department has the following comments and requirements associated with this application to rezone the properties at 345 Rutland Rd North and 135 Mugford Rd from RU1 to P2 and consolidate with 365 Rutland Rd North to accommodate the relocation and restoration of Old Saint Aidan's Church.

The road and utility upgrading requirements outlined in this report will be a requirement of this development.

The Development Engineering Technologist for this project is Jason Ough

1. Domestic Water and Fire Protection

- (a) The property is located within the Rutland Water District (RWD) service area. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. The developer is responsible, if necessary, to arrange with RWD staff for any service improvements and the decommissioning of existing services. Only one water service will be permitted to a consolidated lot.
- (b) A water meter is mandatory for each property and must be installed inside the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost. Boulevard landscaping, complete with underground irrigation system, must be integrated with the on-site irrigation system.

2. Sanitary Sewer

The developer's consulting mechanical engineer will determine the development requirements of the proposed development and establish the service needs. Both lots fronting Rutland Rd N have existing sanitary sewer services. Only one service per lot will be permitted for this development. The applicant will arrange for the removal and disconnection of any sanitary sewer services that are no longer needed and the installation of one new larger service, if required, at the applicants cost.

3. Storm Drainage

The developer must engage a consulting civil engineer to provide a storm water management plan which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of a lot grading plan, identify minimum basement elevation (MBE), overland drainage routes, floodplain elevations and setbacks, and provision of a storm drainage service for the lot and /or recommendations for onsite drainage containment and disposal systems. The on-site drainage systems may be connected to the existing municipal drainage system in Rutland Rd with an overflow service.

4. Road Improvements

- (a) Driveway access to Rutland Road North must be relocated to Mugford Road and restoration of continuous barrier curb and sidewalk is required at the developer's expense.

- (b) ~~Construction of a public lane along the east property line of the consolidated property is required at the developer's expense. The lane will be built to one half width (3.0m) of the urban standard SS-R2 complete with asphalt curb along the east property line.~~

Revised: 6.0m along the east property line will be taken as Highway Reserve. The land is reserved for the future lane and may be used for temporary parking. If only 3m is required for future lane dedication, the remaining 3m will be returned to the cultural center. The applicant will design the onsite parking construction such that it can be utilized for the future permanent lane.

- (c) ~~Increased pedestrian traffic related to this development triggers the need for a cross walk to the west side of Rutland Road North. The developer will submit a design and estimated cost for a cross walk at McIntosh Road.~~

Revised: This development will increase pedestrian crossing demand across Rutland Road adjacent to the site. It should be a two-stage crossing, estimated to cost \$25,000 paid for by the developer.

Revised: The pedestrian crossing at Rutland Road will not be a requirement of this application. If the need to construct a crosswalk is identified in future, these works will be undertaken as part of the annual Capital Construction program.

- (d) The existing pedestrian curb letdown at the corner of Rutland Road North and Mugford Road is facing north-west to indicate crossing in both directions. This must be relocated to a position that directs pedestrian traffic to cross Mugford Road only and deter pedestrians from attempting to cross Rutland Road North. Relocation of this curb letdown and restoration of continuous barrier curb and sidewalk is required at the developer's expense.

- (e) The estimated cost of required road frontage and lane improvement works, for bonding purpose, must be determined based upon a design provided by the developer to be reviewed by the City of Kelowna.

- (f) Verify that physical driveway access will satisfy City requirements for the consolidated lot.

5. Road Dedication and Subdivision Requirements

- (a) ~~The developer is required to consolidate the subject properties.~~

Revised: The technical subdivision (consolidation) will be deferred to the HAP phase of this development application process.

- (b) The developer is required dedicate roadway along the north frontage of 365 Rutland Road North and 135 Mugford Road to align with the property at 155 Mugford Road.
- (c) The developer is required to provide 3.0m (measured the east property line of 345 Rutland Rd N) of road dedication for an access lane along the east property line of the consolidated property.
- (d) Grant Statutory Rights Of Way if required for utility services.
- (e) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.

6. Electric Power and Telecommunication Services

All proposed service connections are to be installed underground. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.

7. Design and Construction

- (a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- (b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- (c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- (d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- (e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

8. Survey Monuments and Iron Pins

If any legal survey monuments or property iron pins are removed or disturbed during construction, the developer will be invoiced a flat sum of \$1,200.00 per incident to cover the cost of replacement and legal registration. Security bonding will not be released until restitution is made.

9. Other Engineering Comments


- (a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- (b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.

10. Servicing Agreements for Works and Services

- a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

11. Administration Charge

An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as (3% of Total Off-Site Construction Cost plus GST)



Steve Muenz, P. Eng.
Development Engineering Manager

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CITY OF KELOWNA
MEMORANDUM

Date: December 22, 2015
File No.: HD15-0001
To: Urban Planning Management (LK)
From: Development Engineering Manager (SM)
Subject: 345, 365 Rutland Rd N, 135 Mugford Rd

Development Engineering comments and requirements regarding this development permit application are as follows:

This development permit application for Heritage Designation of Old Saint Aidan's Church does not compromise any municipal services.



Steve Muenz, P. Eng.
Development Engineering Manager

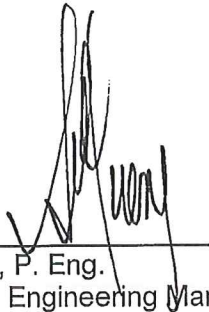
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CITY OF KELOWNA
MEMORANDUM

Date: December 22, 2015
File No.: DVP15-0277
To: Community Planning (LK)
From: Development Engineering Manager (SM)
Subject: 345, 365 Rutland Rd N, 135 Mugford Rd

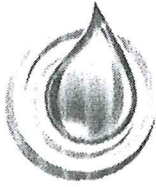
Development Engineering comments and requirements regarding this development permit application are as follows:

This development variance permit application to vary the landscape buffer to 1m at the East and South boundaries of the consolidated lot does not compromise any municipal services.



Steve Muenz, P. Eng.
Development Engineering Manager

jo



Rutland
WATERWORKS DISTRICT

106 – 200 Dougall Road North
Kelowna, BC V1X 3K5
www.rutlandwaterworks.com

p: (250) 765-5218
f: (250) 765-7765
e: info@rutlandwaterworks.com

December 17, 2015

Peter Chataway, Agent
Okanagan Buddhist Cultural Society
220 Mugford Rd
Kelowna BC V1X 2E2

**RE: Lot A, Plan EPP51686 – 365 & 345 Rutland Rd N & 135 Mugford Rd File #
HD 15-0001 RWD File 15/18**

In response to City of Kelowna request for comment the following is a summary of
Rutland Waterworks District requirements:

1. Capital Expenditure Charges **\$2,700.00**

Please pay by separate cheque, noting file # 15/18/CEC

2. Additional Costs:

Service Abandonment and Upgrade **\$10,000.00**

Please pay by separate cheque, noting file # 15/18/AD

Existing service to former lot 2478 Pt. 3 should be abandoned and the service to former
Lot 1, PI 9290 utilized but must be upgraded to the main.

Please note costs are an estimate and any credit or invoice for additional costs will be
adjusted prior to turn on of water service.

Upon receipt of above noted fees a water certificate will be issued.

...2

December 17, 2015
Peter J. Chataway, Agent
Page 2

Should you have any questions or require further information, please contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read 'Pete Preston', written over a horizontal line.

Pete Preston
General Manager

c. City of Kelowna Planning Department

PP/clp


[New Search](#)

Heritage Building

365 Rutland Rd - St. Aidan's Church

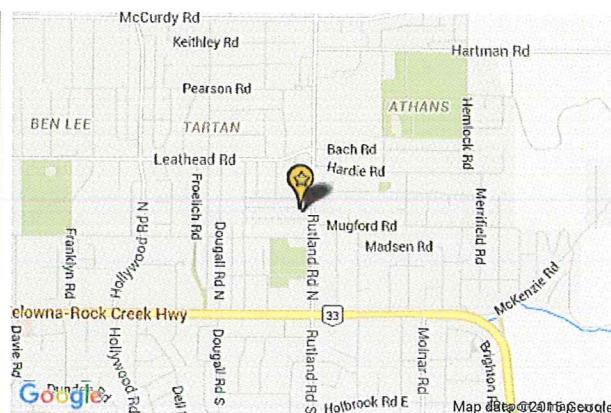
Place St. Aidan's Anglican Church is a one-storey, front-gabled church distinguished by its square front-projecting entryway with crenellated parapets and a round-arched entry with a wood-panelled door. The church is located on a highly visible lot on Rutland Road, at the corner of Mugford Road, in the Rutland neighbourhood of Kelowna. The site is now owned by the City of Kelowna.

Heritage Value: St. Aidan's Anglican Church, built in 1933, is valued as a symbol of the importance of the Anglican Church to the early rural community of Rutland. It also represents the importance of local churches to rural settlements, and the central role they played in community life. The church's strategic positioning in a highly visible and central location in Rutland is a prominent statement of the importance of the Anglican Church to the early community. Rutland and East Kelowna were established as outstations of St. Michael and All Angels Anglican Church in 1912. A meeting was held in the Rutland Community Hall on January 9, 1929, to discuss the building of a church facility. At the time, there was no place for Anglican worship in Rutland other than a small room in the Community Hall. The site for a new church was donated by Mr. and Mrs. Ben Hardie, who owned the local grocery and hardware store. The design was provided by Enoch Mugford (1879-1969), superintendent of the Black Mountain Irrigation District, and prominent local developer and contractor Hector Maranda (1879-1967) led the mostly volunteer building crew. St. Aidan's Rutland was dedicated on June 18, 1933. In 1938, a chancel and a vestry were added. Of interest is the Norman arch between the chancel and nave, a replica of the entrance to St. Aidan's first church at Lindisfarne Abbey in Northumberland, England. In 1958, the original porch was moved to the front of the lot for use as a lych gate, to allow the construction of an enclosed front vestibule.

The church is also significant as a demonstration of simple British Arts and Crafts influences, which serves to honour the Diocese's motherland and illustrates a conscious shift to a traditional style reflective of the social and economic consciousness of the interwar period. At the time, buildings were expected to display some sort of historical reference in order to demonstrate good taste and underlying conservatism. The British Arts and Crafts influence is demonstrated in the steeply pitched, overhanging roof with exposed rafters and the use of roughcast stucco.

Character Defining Elements: Key elements that define the heritage character of the St. Aidan's Anglican Church include its:

- Prominent location at the corner of Rutland and Mugford Roads in the Rutland neighbourhood
- Ecclesiastical form, scale and massing as expressed by its: rectangular plan; one-storey height; and front-gabled roof with gabled projection at side of church
- Post and beam frame construction and rock-dash stucco cladding
- Features of the British Arts and Craft style including: steeply pitched roofline with exposed rafter tails; decorated bargeboards, curved upper window openings; and entryway with curved doorway and crenellated parapet
- Exterior features such as internal chimney clad in stucco
- Original window openings, with inset Gothic pointed-arch multi-paned wooden-sash windows
- Round-arched, vertically-panelled wooden front door with original hardware
- Interior features such as fir floors and baseboards, lath-and-plaster walls, barrel-vaulted ceiling and arched entry to chancel
- Associated landscape features such as a mature deciduous tree at front of property, a portion of the original coursed rock perimeter wall, and the original porch now used as a lych gate



' E '

Memorandum of Understanding
Between
The Okanagan Buddhist Cultural Society
and
The City of Kelowna
November, 2014

1. Introduction

This Memorandum of Understanding (MOU) sets out a general understanding between the Okanagan Buddhist Cultural Society (the Society) and the City of Kelowna (the City) with respect to the redevelopment and restoration of old St. Aidan's Church building in Rutland.

2. Goal

The goal is adaptive re-use of this facility with conservation of the building and site in a manner that will showcase and celebrate the facility as a community heritage asset.

3. Background

The Society is proposing to conserve the existing old St. Aidan's Church building. The Society is also proposing an addition to the existing building to include a church hall and cultural centre, as well as site improvements including a parking area and a new publicly-accessible Friendship Garden.

An agreement with the Society will result in the conservation of a significant heritage asset that is currently in disrepair and will assure its adaptive re-use as a community benefit, consistent with the heritage-related policies identified in the City of Kelowna Official Community Plan. Additionally, accruing economic benefits from the operation of the facility will be a positive contribution to the revitalization of the Rutland Town Centre.

4. The Subject Site

The City is the legal owner of 135 Mugford Road, 345 Rutland Road North, and 365 Rutland Road North, collectively known as the 'Subject Site'. The existing residential building at 345 Rutland Road will be removed and the site made good at the City's expense and the City will sell the Subject Site to the Society as a consolidated, titled lot, as per the terms and conditions of this agreement.

5. Project Contributions

In addition to the long-term public benefits identified above, the Society will purchase the Subject Site from the City for \$100,000.00. The Society will also construct a publicly-accessible Friendship Garden on the Subject Site and provide public access to the building on an as-available basis and within stated operating hours as determined by the Society.

6. Building Program

365 Rutland Road North is zoned P2 (Educational and Minor Institutional). 135 Mugford Road and 345 Rutland Road North will be rezoned from RU1 (Large Lot Housing) to P2. A Heritage Alteration Permit (HAP) and a Heritage Designation in the form of a municipal bylaw will also be required.

Each application process will require consideration by the Community Heritage Committee as well as a Public Hearing and adoption by City Council. As the HAP will include any required variances, a Development Permit and a Development Variance Permit will not be required.

Applications for the rezoning, the HAP, and the Heritage Designation will be undertaken by the Society, noting that the application processes can run concurrently.

All improvements of the building and site will be the responsibility of the Society. Heritage conservation of the existing building will be consistent with the Statement of Significance as set out in the City of Kelowna Heritage Register, in the municipal Heritage Designation bylaw, and according to best practices as set out in the *Standards and Guidelines for the Conservation of Historic Places in Canada (Parks Canada, Second Edition, 2010)*.

7. Permits and Fees

The proposed development is subject to all permits, fees, and approvals required under the processes outlined herein.

8. Building Relocation

Relocation of the existing building within the Subject Site to facilitate the necessary public road takings for the City's transportation network will be the responsibility of the Society.

9. Site Servicing

The City commits to providing all City utility services to the property line at its cost (water, and sanitary and storm drainage). All private utility service hookups will be the responsibility of the Society and should be accessed through City road rights-of-way.

10. Friendship Garden

The design of the Friendship Garden will be according to Vietnamese Buddhist traditions and practices and not require any references to the building or other aspects of the Subject Site or to otherwise adhere to the heritage aesthetics of the building and site.

11. Parking

The applicant must provide adequate parking for the facility on-site in accordance with Zoning Bylaw 8000 or subject to a variance as approved by City Council.

12. Future Changes to Building and/or Subject Site

Any changes to the building and/or Subject Site subsequent to the initial changes proposed by the Society will be governed by the municipal Heritage Designation bylaw. As such, any future changes to the building and/or Subject Site will require a Heritage Alteration permit.

To ensure that the building improvements as proposed by the Society are realized, the City will register a development covenant on the Subject Site dictating that the Subject Site will only be developed and built upon in accordance with the City-approved development plans.

13. Public Access

The Society will register a Statutory Right of Way on the Subject Site guaranteeing public access to the community garden area.

14. Right of First Refusal

An Option to Purchase will be registered on the Subject Site, giving the City the right to re-purchase the property at the equivalent discount to market value at which it was sold to the

Society. The terms of the option will be determined as part of the Purchase and Sale agreement of the Subject Site.

15. Commercial Occupancy

Any commercial occupancy in the building must be approved by the City and comply with the P2 zoning. The City agrees that minor food services directly attributable to the facility operations will be supported by City staff.

16. Legal, Survey & Registration Costs

The City will be responsible for all costs associated with consolidation of the lots comprising the Subject Site. The Society will be responsible for costs associated with establishing a Statutory Right of Way identified in section 13. above and all other costs associated with the proposed development.

17. Development Permit Process

All parties will work co-operatively to identify and address issues with the intent that the Subdivision, Rezoning, Heritage Alteration Permit, Heritage Designation, and Building Permit applications can be processed in a timely fashion. Subject to Council approval, the aim is for a construction start in 2015. All parties recognize that good communication, prompt responses, and complete documentation will be essential to achieve this schedule.

18. Geotechnical

Any geotechnical improvements required for development of the Subject Site are the responsibility of the Society and must not negatively impact adjoining publicly- or privately-owned buildings or infrastructure.

19. Communications

The Society will be responsible for all aspects of public communications and community engagement for the project.

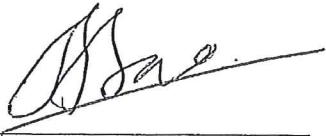
20. Expiry of the MOU

The agreement will expire twelve (12) months after execution of the agreement by both parties.

21. Execution of the MOU

No legal rights or obligations of either party shall be created or shall arise from the execution or approval of this MOU. The parties hereby acknowledge the MOU as an indication of intentions to proceed with the proposed project in good faith and that any binding obligations between the parties will be secured by way of future contracts.

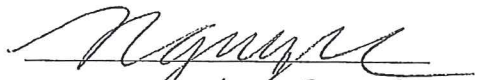
For: Okanagan Buddhist
Cultural Society



MINH CHAU

PRESIDENT

NOV 13 2014



HAO VAN NGUYEN

SECRETARY

NOV 13 2014

For: The City of Kelowna



Mayor Walter Gray

Walter Gray, MAYOR



City Clerk

Karen Needham,
Deputy City Clerk



Note: 19 Carstalls-
6m.Hwy.Reserve

NO.	DATE	DESCRIPTION
1	JULY	ISSUED FOR REVIEW
2	AUGUST	ISSUED FOR CLIENT REVIEW
3	SEPTEMBER	ISSUED FOR RFP
4	SEPTEMBER	FINAL APPLICATION REVIEW
5	SEPTEMBER	CONTRACT AMENDMENT



CONSULTANT:
PETER CHATAWAY, B.Arch.
RELOWANA, N.C.

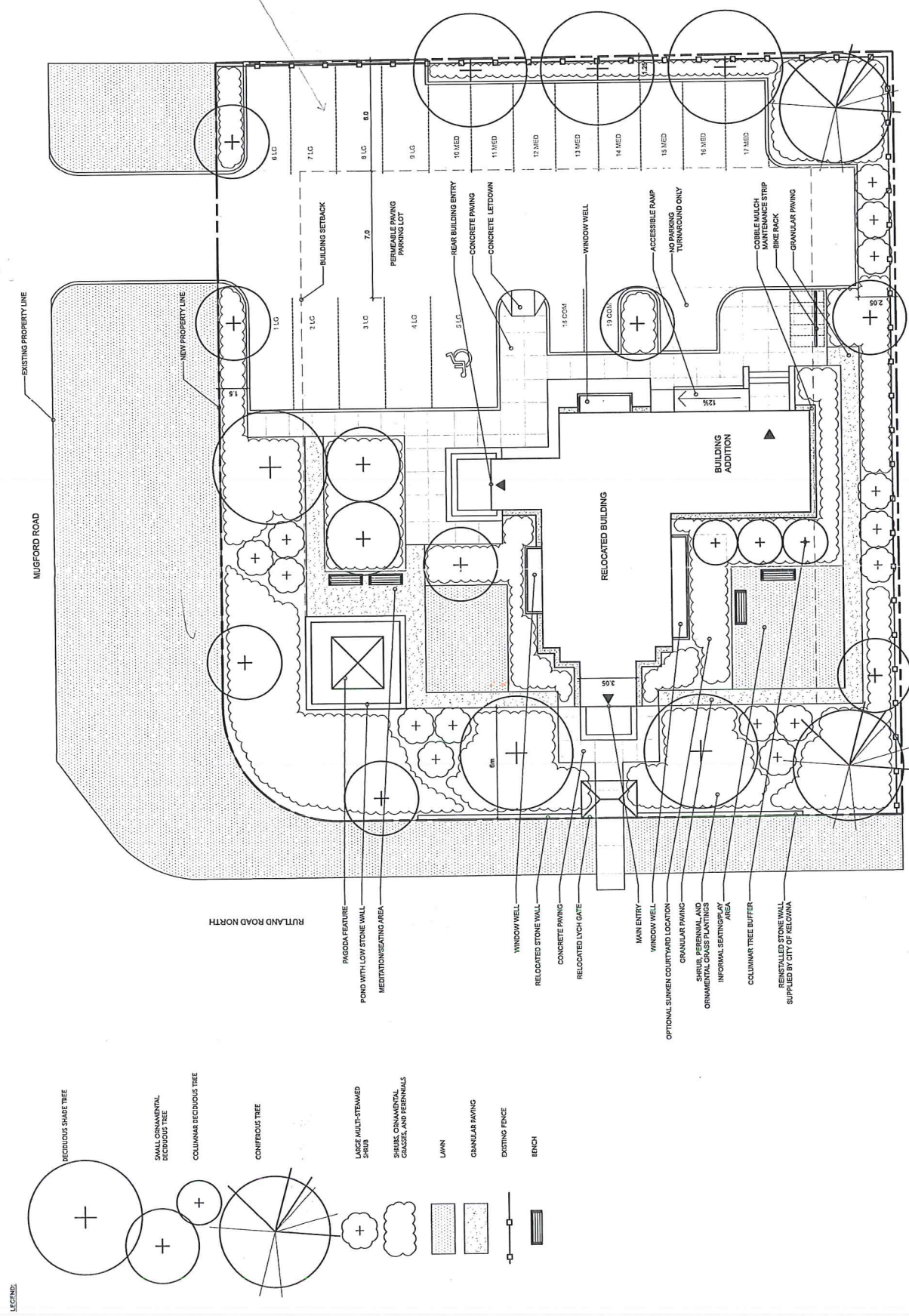
CLIENT:
OKANAGAN BUDDHIST
CULTURAL SOCIETY
RELOWANA, N.C.

PROJECT:
OKANAGAN BUDDHIST
CULTURAL CENTRE
RELOWANA, N.C.

SHEET TITLE
CONCEPTUAL SITE PLAN

DESIGN BY	AN
DESIGNED BY	AJ
CHECKED BY	AN
PROJECT NO.	15-044
SCALE	1:200

SHEET NO.
L-1



LEGEND:

ST. AIDAN'S CHURCH

HERITAGE IMPACT STATEMENT

DECEMBER 2013



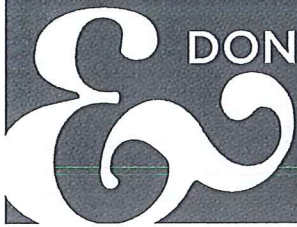
DONALD LUXTON
AND ASSOCIATES INC



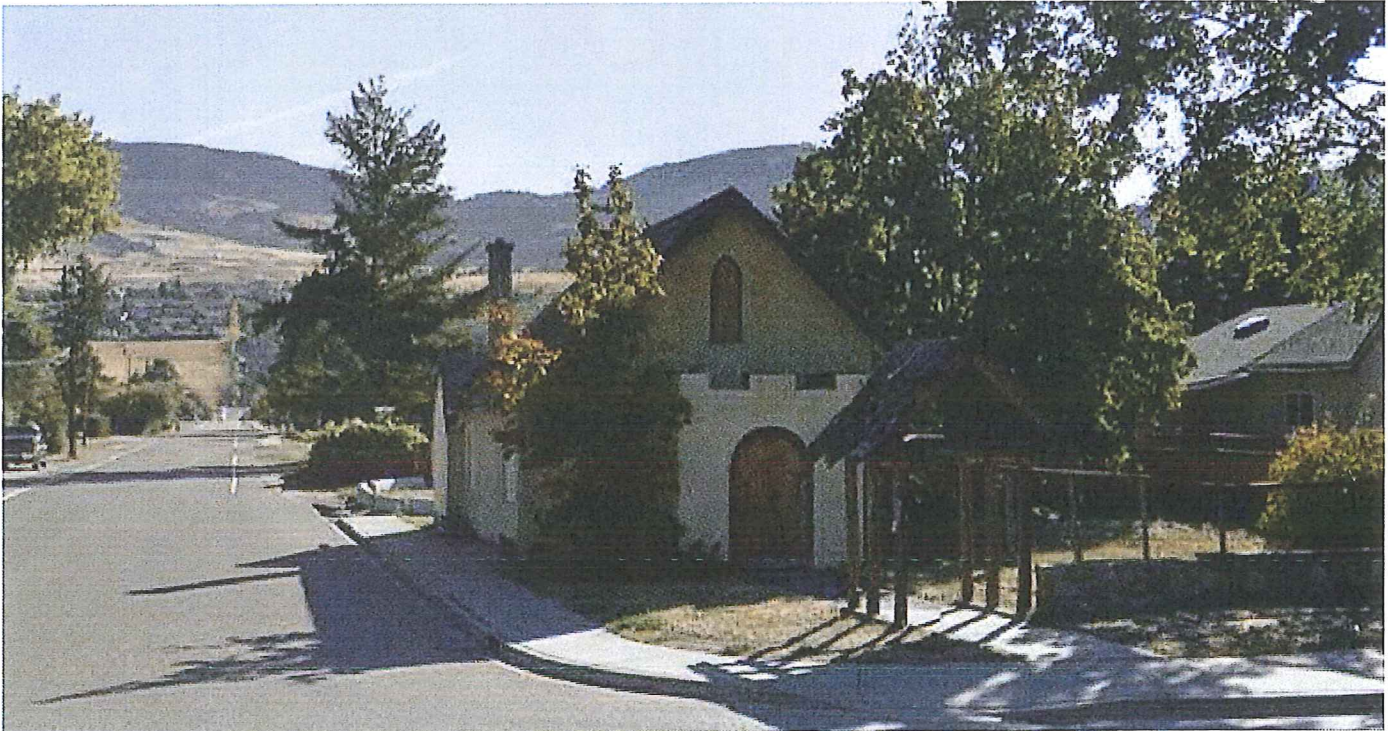
DONALD LUXTON AND ASSOCIATES INC.
1030 - 470 GRANVILLE STREET VANCOUVER BC V6C 1V5
info@donaldluxton.com 604 688 1216 www.donaldluxton.com

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DONALD LUXTON
ASSOCIATES



St. Aidan's Church looking east, 2013 (Google Earth)

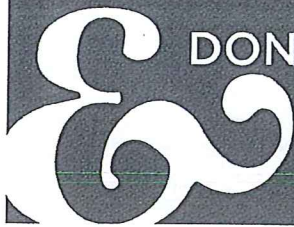
INTRODUCTION

1. INTRODUCTION

SUBJECT PROPERTY:	ST. AIDAN'S CHURCH
ADDRESS:	365 RUTLAND ROAD, KELOWNA
DATE OF CONSTRUCTION:	1933 1938 ADDITION OF CHANCEL AND VESTRY 1958 ORIGINAL PORCH RELOCATED AND REUSED AS LYCH GATE, FRONT VESTIBULE ENCLOSED
ORIGINAL DESIGNER:	ENOCH MUGFORD
ORIGINAL CONTRACTOR:	HECTOR MARANDA
CURRENT OWNER:	CITY OF KELOWNA
HERITAGE STATUS:	LISTED ON MUNICIPAL HERITAGE REGISTER

The historic St. Aidan's Church is situated at the corner of Rutland and Mugford Road in a highly visible location in the Rutland neighbourhood of Kelowna. Built in 1933 and listed on the municipal heritage register, the historic church is valued for its association with the Anglican Church, its importance to the early community of Rutland and its architectural British Arts and Crafts style associated with the Diocese's motherland.

Our firm was commissioned by the City of Kelowna to provide an independent and professional heritage impact statement of the proposed rehabilitation of the subject site. The purpose of this report is to evaluate the impact of the proposed development on character-defining elements of the historic church and to provide conservation recommendations to mitigate potential adverse impacts.



2. DESCRIPTION OF THE SITE

Located in the mostly residential neighbourhood of Rutland on the northeast of Kelowna's city core, the church was built in 1933 as a local community church prominently situated at a street intersection. The historic St. Aidan's Church is a one-storey structure facing west towards Rutland Road and north towards Mugford Road. To the east and south sides are residential lots with single family homes.

The post and beam construction is finished with original rock-dash stucco cladding and the roof was originally covered with cedar shingles that were later replaced with asphalt shingles.

Early alterations in 1938 included the addition of an east-facing chancel entered through a Norman arch, a later removed vestry on the north façade and an interior stucco-clad chimney.



Prominent corner location of St. Aidan's Church in Rutland, 2013 (Google Earth)

DESCRIPTION OF THE SITE

In 1958, the original wooden entrance porch attached to the west façade was relocated to the front of the lot and repurposed as a lych gate while an enclosed front vestibule was constructed. In 1990, the historic church was deconsecrated and purchased by the City of Kelowna. The structure is not occupied and exterior openings are boarded up. The historic church is situated in the right of way and cannot be preserved in its original location.

St. Adain's Church is a listed historic resource on the municipal heritage register. The heritage value of the historic site is embodied in character-defining materials, forms, location and spatial configurations. These elements should be preserved during interventions, if possible, in order to retain the heritage character and value of the historic site.



Southwest view of St. Aidan's Church with lych gate and rock wall, 2013 (Google Earth)

3. STATEMENT OF SIGNIFICANCE

NAME: St. Aidan's Church
ADDRESS: 365 Rutland Road, Kelowna
DATE OF CONSTRUCTION: 1933

DESCRIPTION OF THE HISTORIC PLACE

St. Aidan's Anglican Church is a one-storey, front-gabled church distinguished by its square front-projecting entryway with crenellated parapets and a round-arched entry with a wood-panelled door. The church is located on a highly visible lot on Rutland Road, at the corner of Mugford Road, in the Rutland neighbourhood of Kelowna. The site is now owned by the City of Kelowna.

HERITAGE VALUE

St. Aidan's Anglican Church, built in 1933, is valued as a symbol of the importance of the Anglican Church to the early rural community of Rutland. It also represents the importance of local churches to rural settlements, and the central role they played in community life. The church's strategic positioning in a highly visible and central location in Rutland is a prominent statement of the importance of the Anglican Church to the early community. Rutland and East Kelowna were established as outstations of St. Michael and All Angels Anglican Church in 1912. A meeting was held in the Rutland Community Hall on January 9, 1929, to discuss the

building of a church facility. At the time, there was no place for Anglican worship in Rutland other than a small room in the Community Hall. The site for a new church was donated by Mr. and Mrs. Ben Hardie, who owned the local grocery and hardware store. The design was provided by Enoch Mugford (1879-1969), superintendent of the Black Mountain Irrigation District, and prominent local developer and contractor Hector Maranda (1879-1967) led the mostly volunteer building crew. St. Aidan's Rutland was dedicated on June 18, 1933. In 1938, a chancel and a vestry were added. Of interest is the Norman arch between the chancel and nave, a replica of the entrance to St. Aidan's first church at Lindisfarne Abbey in Northumberland, England. In 1958, the original porch was moved to the front of the lot for use as a lych gate, to allow the construction of an enclosed front vestibule.

The church is also significant as a demonstration of simple British Arts and Crafts influences, which serves to honour the Diocese's motherland and illustrates a conscious shift to a traditional style reflective of the social and economic consciousness of the interwar period. At the time, buildings were expected to display some sort of historical reference in order to demonstrate good taste and underlying conservatism. The British Arts and Crafts influence is demonstrated in the steeply pitched, overhanging roof with exposed rafters and the use of roughcast stucco.

STATEMENT OF SIGNIFICANCE

CHARACTER-DEFINING ELEMENTS

Key elements that define the heritage character of the St. Aidan's Anglican Church include its:

- Prominent location at the corner of Rutland and Mugford Roads in the Rutland neighbourhood
- Ecclesiastical form, scale and massing as expressed by its: rectangular plan; one-storey height; and front-gabled roof with gabled projection at side of church
- Post and beam frame construction and rock-dash stucco cladding
- Features of the British Arts and Craft style including: steeply pitched roofline with exposed rafter tails; decorated bargeboards, curved upper window openings; and entryway with curved doorway and crenellated parapet
- Exterior features such as internal chimney clad in stucco
- Original window openings, with inset Gothic pointed-arch multi-paned wooden-sash windows
- Round-arched, vertically-panelled wooden front door with original hardware
- Interior features such as fir floors and baseboards, lath-and-plaster walls, barrel-vaulted ceiling and arched entry to chancel
- Associated landscape features such as a mature deciduous tree at front of property, a portion of the original coursed rock perimeter wall, and the original porch now used as a lych gate



Interior view with Norman arch , 1938 (courtesy: City of Kelowna)

4. HERITAGE IMPACT STATEMENT

Proposed interventions to a historic site should adhere to Parks Canada's *Standards and Guidelines for the Conservation of Historic Places in Canada* (2010) outlining the guiding principles of best conservation practice. Under these guidelines the proposed relocation and rehabilitation of the historic St. Aidan's Church was evaluated. This report can be used as a planning tool to evaluate the proposed interventions and to protect and conserve the heritage character and value of the historic resource.

4.1 ASSESSMENT METHODOLOGY

The objective of this assessment is to identify the significance of effects on character-defining elements that likely arise from the proposed development.

The evaluation entailed a desktop review of the building information file provided by the City of Kelowna. The data included information about the historic evolution of the site, its current condition, historic and recent site photos, the Statement of Significance and copies of the proposed design concept.

The assessment methodology follows a set of criteria that assists in the evaluation of potentially beneficial and adverse impacts associated with the proposed rehabilitation. These criteria are described below and assess the level of potential impacts on the heritage value and character-defining elements of St. Aidan's Church.

CATEGORIES OF POTENTIAL IMPACTS

- **Magnitude:** Describes the level of physical intervention.
- **Severity:** Describes a reversible or irreversible effect.
- **Duration:** Describes a temporary or permanent effect.
- **Range:** Describes the spatial distribution of an effect (on or off site).

EFFECTS OF POTENTIAL IMPACTS

- **Neutral:** The development does not affect the historic significance and value of the site.
- **Beneficial:** A sympathetic impact that potentially enhances the heritage value and character.
- **Adverse:** A harmful impact that potentially diminishes the heritage value and character.

SCALE OF POTENTIAL IMPACTS

- **Low:** The proposed intervention is minimal and the heritage value is only slightly beneficial or adversely affected.
- **Medium:** Noticeable physical impacts are either beneficial or adverse to the heritage value and character of a site.
- **High:** The heritage value and character are either significantly enhanced or totally altered or destroyed.

RATING SYSTEM OF POTENTIAL IMPACTS

Neutral: (•)
Beneficial: low (••), medium (•••), high (••••)
Adverse: low (••), medium (•••), high (••••)

This report evaluates the impact the proposed development may have on the character-defining elements of the historic St. Aidan's Church. These impacts can be beneficial, neutral or adverse to the attributes of the historic structure and its site context.

In case where adverse impacts are identified, conservation recommendations to minimize any potential for diminishing the heritage value of the site are proposed for consideration. The proposed concept design also provides appropriate mitigation measures in some instances.

HERITAGE IMPACT STATEMENT

4.2 DESCRIPTION OF THE PROPOSED DESIGN

The primary conservation strategy proposed for St. Aidan's Church is **Rehabilitation** with components of **Restoration** and **Preservation** of specific building elements. These treatments are described in the *Standards and Guidelines for the Conservation of Historic Places in Canada* (2010):

REHABILITATION

The action or process of making possible a continuing or compatible contemporary use of an historic place, or an individual component, while protecting its heritage value.

RESTORATION

The action or process of accurately revealing, recovering or representing the state of an historic place, or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.

PRESERVATION

The action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of an historic place, or of an individual component, while protecting its heritage value.

The conceptual design package, consisting of a site plan, floor plans, elevation drawings and a landscape plan, provided a general overview over the proposed physical interventions and future use of the subject site as the Okanagan Buddhist Cultural Centre. In summary, the conceptual design considers the following interventions.

The historic St. Aidan's Church is situated in the road allowance right of way and the preservation of the structure in its original location is not feasible. It is planned to move the structure to allow for future widening of Mugford Road. The church will be relocated and placed onto new foundations on an adjacent lot. A new full basement with window wells on three sides will provide additional functional space below grade.

The main body and roof structure of the historic church will be mostly retained while a new one-storey hall will be constructed at the southeast corner of the church and connected with two new wall openings. A smaller addition with an entry at the north façade reminisces the 1938 vestry that was later removed.

Exterior character-defining elements such as the roof structure, post and beam walls with stucco cladding, and wood-sash windows will be mainly preserved and restored. Original materials that are currently missing will be reinstated including the original cedar shingle roofing material.

With regards to interior character-defining elements the concept design mentions the retention of the historic Norman arch. It is assumed that the barrel-vaulted ceiling of the church will be retained. The conservation treatments of other interior elements such as the original fir floor or baseboards is not described in the design concept.

Historic landscape features that are still extant including the wooden lych gate and a rock wall on the west perimeter will be dismantled and relocated as part of the proposed rehabilitation of the historic site.

4.3 HERITAGE IMPACT ASSESSMENT

The proposed rehabilitation of the historic St. Aidan's Church and the adaptive re-use was evaluated under Parks Canada's *Standards and Guidelines for the Conservation of Historic Places in Canada* to ensure good conservation practice is followed. Under these guidelines the design of new additions to historic places should adhere to **Standard 11**:

- (a) Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction.
- (b) Make the new work physically and visually compatible with, subordinate to, and distinguishable from the historic place.

The conceptual design was evaluated based on this Standard and the report identifies beneficial and adverse impacts associated with the proposed rehabilitation including their level of impact on the heritage value and character-defining elements of St. Aidan's Church.

Recommendations for mitigating potentially adverse impacts are outlined. These mitigation measures may be considered to avoid or limit potentially adverse impacts on the heritage value and character of the heritage resource.

A. LOCATION

Character-defining Element

Prominent location at the corner of Rutland and Mugford Roads in the Rutland neighbourhood.

Description of Impact

- Proposed relocation approximately 56 feet south and slightly east to an adjacent lot. It appears that the original lot and adjacent lot will be consolidated.
- The east-west direction of the church will be retained.

Level of Impact (••)

- The original setting of the historic church will not be preserved. This is a permanent intervention and irreversible if the road will be widened in the future.
- The relocation in close proximity to the original location while reinstating the prominent corner location and retaining the original east-west direction of the church, are design strategies that respect the historical setting of the church and its spatial relations with its surroundings.

Conservation Recommendation

- Photographically document and measure dimensions of exterior and interior character-defining elements before any work commences on site.



West elevation, 1933 (courtesy: City of Kelowna)

HERITAGE IMPACT STATEMENT

B. EXTERIOR ARCHITECTURAL FEATURES

Character-defining Element

Ecclesiastical form, scale and massing as expressed by its: rectangular plan; one-storey height; and front-gabled roof with gabled projection at side of church.

Description of Impact

- The form, scale and massing of the historic church will be mainly retained except for the new one-storey "Ben Hardie" hall addition at the southeast corner. The height of the new hall is lower than the original church roof.
- It is proposed to finish the hall with new stucco cladding matching the original.
- The appearance of the west and north façades will be preserved except for a new north facing entry reminiscing the 1938 vestry.
- It appears that the original height of the church will be reinstated when lowered onto new foundations at the new location.
- A new full basement with window wells on the north, east and south sides provides additional functional space below grade.

Level of Impact (•)

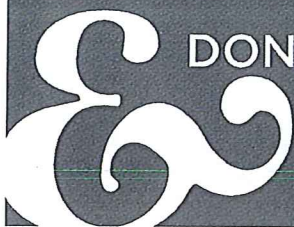
- The proposed additions are permanent and reversible interventions.
- The essential form and integrity of the historic church is being retained even if the new additions may be removed in the future.
- The visual impact of the proposed new hall is minimal and barely visible from the street intersection.
- The overall design of the new additions is sympathetic to the historic structure.
- Alterations below grade (full basement and window wells) do not diminish the heritage value and character of the church.
- The additional functional spaces (hall, north entry, full basement) are highly beneficial for the re-use of the vacant church.

Conservation Recommendations

- It should be confirmed that the relation of the original roof ridge to grade will be retained in the new location (the church should not be significantly raised).
- The relocation of the structure including temporary bracing should not damage character-defining elements.



Southwest elevations, 1933 (courtesy: City of Kelowna)



Character-defining Element

Post and beam frame construction and rock-dash stucco cladding.

Description of Impact

- The post and beam frame construction will be mainly retained and presumably requires structural and/or seismic upgrades.
- The original rock-dash stucco cladding will be preserved and presumably repaired where required.
- Interventions entail new wall openings for proposed additions.
- New building services (MEP) will presumably be installed.

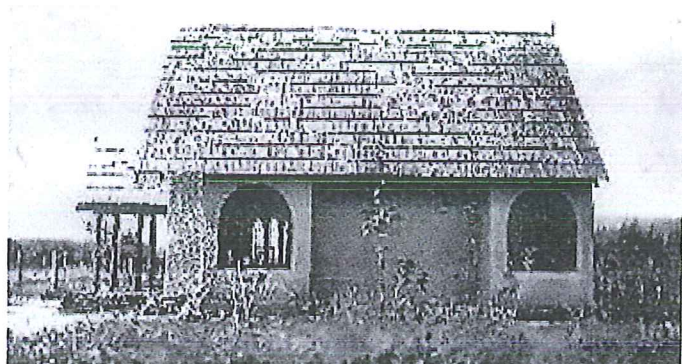
Level of Impact (•) potentially (••)

- Structural/seismic upgrades and new building services have potentially a high visual, permanent and irreversible impact on exterior and/or interior character-defining elements. However, they are essential for the adaptive re-use of the church and contribute to the long-term use and thus protection of the historic resource.

- The restoration and repair of the historic rock-dash stucco cladding is beneficial as it will preserve the historic fabric.
- The new wall openings connecting the new additions with the historic church are not visible from the outside.

Conservation Recommendations

- Structural and/or seismic upgrades and the installation of services (MEP) should be sensibly designed to minimize the impact on character-defining elements.
- Repair of the historic rock-dash stucco cladding should be carried out with suitable repair products.
- The stucco cladding of the new hall and north entry additions should be visually distinguishable from the historic church in order to follow good conservation practice. This can be achieved with a slightly different stucco colour of the same hue as the original stucco finish or different stucco surface texture.



South elevation with original wooden porch, 1933 (courtesy: City of Kelowna)

HERITAGE IMPACT STATEMENT

Character-defining Element

Features of the British Arts and Craft style including: steeply pitched roofline with exposed rafter tails; decorated bargeboards, curved upper window openings; and entryway with curved doorway and crenellated parapet.

Description of Impact

- The proposed design mainly preserves the architectural British Arts and Crafts features except in areas where these elements are disturbed to allow for the construction of new additions.

Level of Impact (•)

- The impact is minimal and only in localized areas with new additions. The interventions are permanent but can be reversed in the future.
- It is assumed that historic rafter tails, bargeboards, curved upper window openings, and entryway with curved doorway and crenellated parapet will be repaired as required to increase the lifespan of the historic fabric.
- It is assumed that the steeply pitched roofline and its relation to grade will be preserved.

Conservation Recommendations

- Replace decayed or missing Arts and Crafts features to match originals in material and form.
- Reinstall the original height of the church in its new location.

Character-defining Element

Exterior features such as internal chimney clad in stucco.

Description of Impact

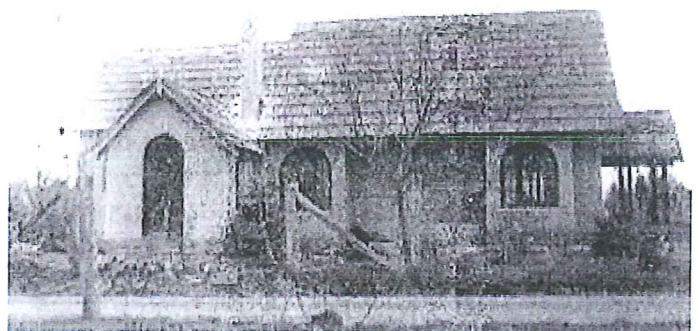
- The internal stucco-clad chimney will be retained as a character-defining element.

Level of Impact (••)

- The retention of the chimney is beneficial to protect the heritage character of the church.

Conservation Recommendations

- The chimney should be relocated with the structure if possible and not deconstructed and rebuilt.
- The chimney can be decommissioned if desired while the exterior stack rising above the roof should be preserved and repaired as required.
- Structural restraints of the chimney may be required and should be designed to minimise the visual impact when viewed from the street.



North elevation with chimney and vestry, 1938 (courtesy: City of Kelowna)

Character-defining Element

Original window openings, with inset Gothic pointed-arch multi-paned wooden-sash windows.

Description of Impact

- The historic window openings will be retained and the multi-paned wood-sash windows and glazing restored as required.

Level of Impact (•••)

- The historic windows in their original openings are important features of the church.
- The restoration of the historic window sashes and glazing contributes significantly to extend the lifespan of these character-defining elements.

Conservation Recommendations

- The single glazing of the historic multi-paned windows should be preserved. Missing or damaged glass should be replaced in kind. Original hardware should be preserved.
- Thermal performance of the historic windows can be increased with storm windows.
- New windows in the proposed new additions may utilize modern technology (e.g. double-panes), which will also help in distinguishing old from new.

Character-defining Element

Round-arched, vertically-panelled wooden front door with original hardware.

Description of Impact

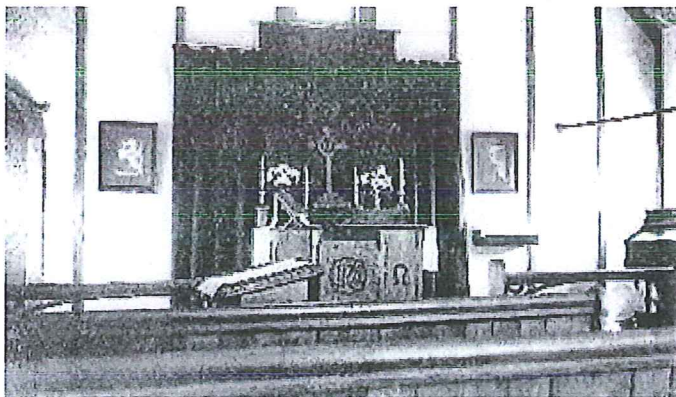
- The original panelled wooden front door will be retained and repaired as required.
- Information about the original door hardware was not available.

Level of Impact (•••)

- The restoration of the wooden front door as a character-defining element is highly beneficial.

Conservation Recommendations

- The original hardware should be preserved and repaired if possible.
- The design of the new entry door in the north-facing addition can be inspired by the west-facing front door while installing new hardware sympathetic to the historic character of the church.



View of altar, 1933 (courtesy: City of Kelowna)

HERITAGE IMPACT STATEMENT

3. INTERIOR ARCHITECTURAL FEATURES

Character-defining Element

Interior features such as fir floors and baseboards, lath-and-plaster walls, barrel-vaulted ceiling and arched entry to chancel.

Description of Impact

- The Norman arch will be retained.
- Information if other interior features (fir floors, baseboards, lath-and-plaster walls, barrel-vaulted ceiling) will be retained is not available.

Level of Impact (●) potentially (●●)

- The permanent retention of the Norman arch as a character-defining element is beneficial.
- It is assumed that other listed interior features, in particular the barrel-vaulted ceiling, will be retained and restored where possible.
- Structural/seismic and services (MEP) upgrades may have potentially low to high visual and permanent impacts on the interior finishes. Any alterations will also be difficult to reverse in the future. However, upgrades are required to rehabilitate and re-use the vacant structure, which is strongly desired in order to extend the lifespan of the historic church.

Conservation Recommendations

- Structural and/or seismic upgrades and new building services should be respectful in their design and aim to preserve the interior historic fabric as much as possible.
- If character-defining elements need to be disturbed, historic materials should be salvaged and reinstated if possible. Otherwise new materials to match historic should be installed.

4. LANDSCAPE FEATURES

Character-defining Element

Associated landscape features such as a mature deciduous tree at front of property, a portion of the original coursed rock perimeter wall, and the original porch now used as a lych gate.

Description of Impact

- The proposed relocation of the church requires the dismantling and reinstatement of historic materials (rock wall and lych gate) in new locations.
- Vegetation listed as character-defining elements may have to be removed.
- Overall the existing landscape surrounding the relocated church will be redesigned and includes new features (pagoda at northwest corner, parking lot to the east, etc.).

Level of Impact (●●)

- The dismantling and relocation of the rock wall and historic lych gate are moderately adverse impacts, also considering that the lych gate (originally the wooden entrance porch) has been relocated in the past. The design proposes to reinstate their current spatial and functional relation to the church at their new locations as a mitigation measure.
- Mature trees may have to be removed as part of the rehabilitation of the site. This would be a permanent impact, which can be mitigated by planting new trees of the same species.
- New vegetation and proposed landscape structures (pagoda) may potentially obstruct the view of the church at the prominent corner location. This would have a permanent but reversible impact.
- The new parking lot to the east does not diminish the heritage character of the church and provides easier access.
- Overall the new landscape design concept visually enhances the open space surrounding the church and its continuous use as a cultural-spiritual place.

5. CONCLUSION

Conservation Recommendations

- The lych gate and rock wall should be photographically documented and measured before carefully salvaged and reinstated in their new locations.
- Landscape features may be designed as such that they do not considerably obscure the church viewed from the street intersection.

5. CONCLUSION

The heritage impact statement has identified a number of effects the proposed development potentially has on the heritage value and character of the historic St. Aidan's Church. These impacts have mostly beneficial effects on the character-defining elements as they generally aim to retain and restore important architectural features. This approach prevents further deterioration of the historic fabric while allowing for the rehabilitation and future use of the vacant church.

Considering that the relocation of the structure is unavoidable, which is the most significant adverse impact, the proposed new location in close proximity to the original setting is a good mitigation measure that reinstates the prominent corner location.

Structural and/or seismic upgrades to meet code requirements and the installation of modern services may potentially harm exterior or interior character-defining elements. These interventions, however, provide an interior functional space that meets contemporary standards. A design that minimises impacts these alterations potentially have on character-defining elements would follow good conservation practice.

The proposed new additions (south hall, north entry) do not diminish the integrity of the historic resource and their design and locations are compatible with the historic character of the church.

Recommendations for mitigation measures where deemed appropriate, are listed in the assessment and may be considered during the planning process for the historic site. Overall the proposed design for the rehabilitation of St. Aidan's Church is respectful to the historic resource and follows Parks Canada's *Standards and Guidelines for the Conservation of Historic Places in Canada*.

CONCLUSION

Appendix A – Resources

Conceptual design drawings (2013), Peter J. Chataway B.Arch.

Conceptual site plan (2013), Bench Site Design

Heritage Impact Assessment in British Columbia (2013), BC Heritage Branch

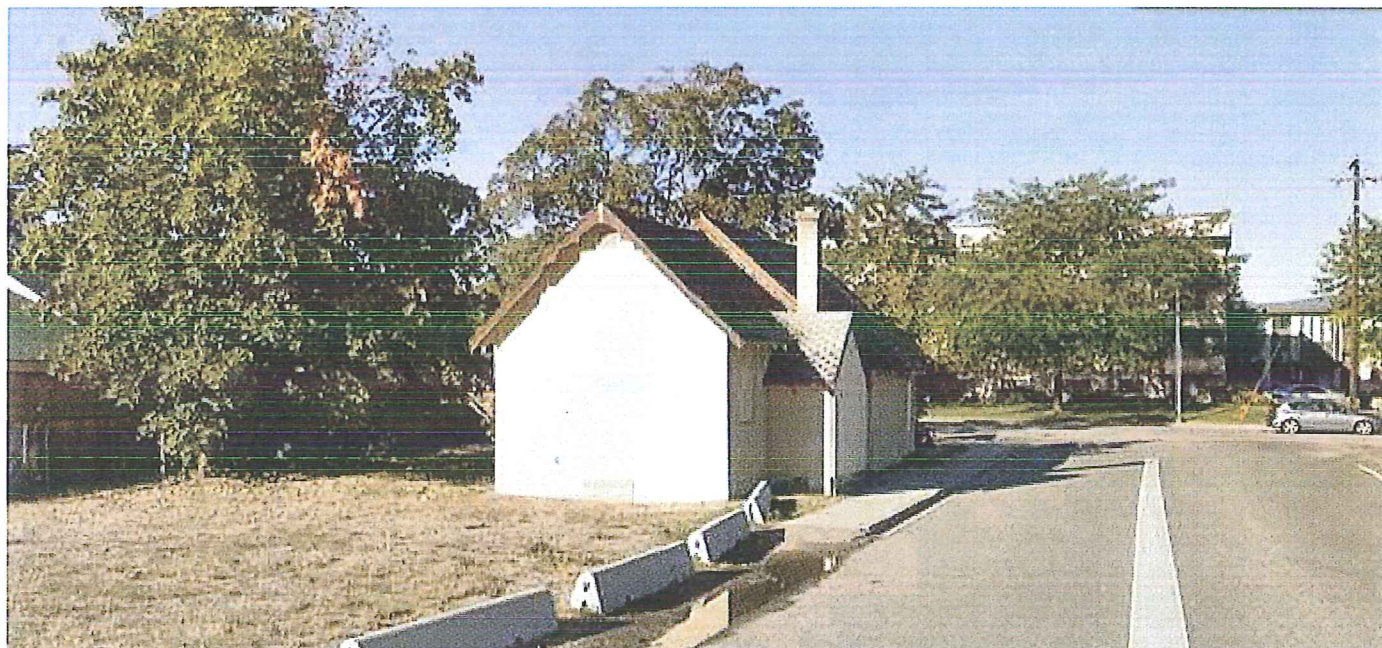
Standards and Guidelines for the Conservation of Historic Places in Canada (2010), Parks Canada

St. Aidan's Church Statement of Significance, City of Kelowna, Heritage Register

Additional Resources

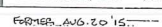
U.S. National Park Service:

- Preservation Brief 9: The Repair of Historic Wooden Windows
- Preservation Brief 14: New Exterior Additions to Historic Buildings: Preservation Concerns
- Preservation Brief 19: The Repair and Replacement of Historic Wooden Shingle Roofs
- Preservation Brief 22: The Preservation and Repair of Historic Stucco
- Preservation Brief 41: The Seismic Retrofit of Historic Buildings. Keeping Preservation in the Forefront.



View of northeast elevations, 2013 (Google Earth)

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