

City of Kelowna

Regular Council Meeting

AGENDA



Tuesday, May 30, 2017
6:00 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. **Call to Order**
2. **Reaffirmation of Oath of Office**

The Oath of Office will be read by Councillor DeHart.
3. **Confirmation of Minutes** 1 - 14

Public Hearing - May 16, 2017
Regular Meeting - May 16, 2017
4. **Bylaws Considered at Public Hearing**
 - 4.1 **280 Nickel Road, BL11403 (Z16-0064) - Clinton and Barry Senko** 15 - 15

To give Bylaw No. 11403 second and third readings in order to facilitate the development of two dwelling housing on the subject property.
 - 4.2 **2800 Hwy 97 N - BL11405 (OCP16-0021) - o802333 BC Ltd** 16 - 16

Requires a majority of all members of Council (5).
To give Bylaw No. 11405 second and third readings in order to change the future land use from the REP - Resource Protection Area designation to the IND - Industrial Designation.
 - 4.3 **2800 Hwy 97 N, BL11406 (Z16-0072) - o802333 BC Ltd** 17 - 18

To give Bylaw No. 11406 second and third readings in order to rezone the subject property from the A1 - Agriculture 1 zone to the I2 - General Industrial zone.
 - 4.4 **105-115 Hwy 33 W, BL11407 (Z16-0080) - Chi Quang Ly** 19 - 19

To give Bylaw No. 11407 second and third readings in order to rezone the subject property from C4 - Urban Centre Commercial to C3 - Community Commercial.

4.5	4629 Lakeshore Rd, BL11408 (HRA17-0001) - City of Kelowna and JEM HTB Properties Inc.	20 - 108
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To give Bylaw No. 11408 second and third readings in order for the City to enter into a Heritage Revitalization Authorization Agreement with JEM HTB Properties Inc. for the property located at 4629 Lakeshore Road, "Surtees Property".

5. Notification of Meeting

The City Clerk will provide information as to how the following items on the Agenda were publicized.

6. Liquor License Application Reports

6.1	2270 Garner Rd, LL17-0002 - Aura Rose & Wouter Van der Hall	109 - 126
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City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the liquor license application to come forward.

To seek Council's support for a Special Events Area Endorsement to an existing Manufacturing and Tasting Liquor License in an A1 – Agriculture 1 zone with an occupant load of 150 persons maximum for no more than 10 music events per year, in addition to several harvest/ seasonal events per year.

7. Development Permit and Development Variance Permit Reports

7.1	2273-2275 Aberdeen St, BL11332 (Z16-0056) - Robert & Lynn Anderson and Alexander & Margaret Kramar	127 - 127
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To adopt Bylaw No. 11332 in order to rezone the subject property from RU6 – Two Dwelling Housing to RM1 – Four Dwelling Housing.

7.2	2273-2275 Aberdeen St, DVP16-0216 - Robert & Lynn Anderson & Alexander & Margaret Kramar	128 - 145
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City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.

To consider the form and character of a multiple dwelling housing project, to vary the rear yard setback from 6.0m required to 1.5m proposed, and to vary the number of parking stalls from 6 required to 4 proposed.

City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.

To consider a Staff recommendation to NOT issue a Development Variance Permit to vary the maximum permitted projection into a front yard from 0.6 m to 2.18 m.

8. Reminders

9. Termination



City of Kelowna

Public Hearing

Minutes

Date: Tuesday, May 16, 2017
 Location: Council Chamber
 City Hall, 1435 Water Street

Council Members Present: Mayor Colin Basran and Councillors Maxine DeHart*, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben*, Mohini Singh and Luke Stack

Staff Present: City Manager, Ron Mattiussi; Deputy City Clerk, Karen Needham; Divisional Director, Community Planning & Strategic Investments, Doug Gilchrist*; Community Planning Department Manager, Ryan Smith; Urban Planning Manager, Terry Barton; and FOI Legislative Coordinator, Sandi Horning

(* denotes partial attendance)

1. Call to Order

Mayor Basran called the Hearing to order at 6:03 p.m.

Mayor Basran advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "Kelowna 2030 - Official Community Plan Bylaw No. 10500" and Zoning Bylaw No. 8000", and all submissions received, either in writing or verbally, will be taken into consideration when the proposed bylaws are presented for reading at the Regular Council Meeting which follows this Public Hearing.

2. Notification of Meeting

The Deputy City Clerk advised that Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on May 3, 2017 and by being placed in the Kelowna Daily Courier issues on

Friday May 5, 2017 and Wednesday, May 10, 2017 and by sending out or otherwise mailing 328 statutory notices to the owners and occupiers of surrounding properties on May 2, 2017.

The correspondence and/or petitions received in response to advertising for the applications on tonight's agenda were arranged and circulated to Council in accordance with Council Policy No. 309.

3. Individual Bylaw Submissions

3.1 1065 Guisachan Rd, Z17-0022 (BL11390)- Bridget McKittrick-Gillberg & Michael Gillberg

Councillor Sieben joined the meeting at 6:06 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The Deputy City Clerk advised that no correspondence had been received.

The Applicant was present, but did not have anything further to add to staff's comments.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Gallery:

Ken Cappos, Casorso Road

- Displayed photos of the current development adjacent to the subject property.
- Expressed a concern with the neighbourhood consultation and notification.

Kevin Barnett, Applicant:

- Provided information regarding the neighbourhood consultation process.

There were no further comments.

3.2 140 Mills Road, Z17-0003 (BL11391) - Derer's Tile Haus Inc. No. BC0917501

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The Deputy City Clerk advised that the following correspondence had been received:

Letter of Concern:

G. Mike Kitzerman, Terai Court

Letter of Support:

Cody MacKay, Mills Road

The Applicant's representative was present, but did not have anything further to add to staff's comments.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council. No one come forward.

3.3 849 Raymer Road, Z17-0017 (BL11392) - Sascha and Margaret Heinrich

Councillor Sieben declared a conflict of interest as he owns property adjacent to the subject property and left the meeting at 6:20 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The Deputy City Clerk advised that no correspondence had been received.

The Applicant was present, but did not having anything further to add to staff's comments.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Gallery:

Ken Cappos, Casorso Road:

- Displayed photos of infill developments around the City.
- Believes that infill housing should be helping out low income earners and students.
- Believes property owners are tearing down houses in order to build larger more expensive homes.
- Would like a moratorium placed on infill housing applications.

Sascha Hienrich, Applicant:

- Advised that his parents will be living in the carriage house.

There were no further comments.

Councillor Sieben rejoined the meeting at 6:29 p.m.

3.4 1920-1936 Summit Drive, TA17-0006 (BL11393) - Various Owners

Councillor DeHart declared a conflict of interest as the proposed use of the subject property is in competition with her employer and left the meeting at 6:29 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

The Deputy City Clerk advised that the following correspondence had been received:

Letter of Concern:

Ken Hutchinson, Glenmore Road

Jordan Hettinga, Applicant's Representative:

- Provided the rationale the proposed rezoning.
- Believes that the retail liquor store will provide closer access to liquor sales and will meet any demands for the neighbourhood.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council. No one came forward.

Councillor DeHart rejoined the meeting at 6:38 p.m.

3.5 242 Clifton Road, Z17-0016 (BL11399) - James and Nelly Oostenbrink

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.
- Noted the criteria for the RU6 zone and clarified that the zone allows for a maximum of 2 units.
- Displayed a site photo and noted that the intention is to share the walkway and driveway access.
- Confirmed that the addition of another unit on the site would not trigger a change to the access to the subject property.

The Deputy City Clerk advised that the following correspondence had been received:

Letter of Concern:

Steve Pope & Pam Moore, Clifton Road
Bernard Stetzl, Camelot Ct

Letter of Opposition submitted by Mark Roth with 5 signatures:

Merlin Court

Letters in Favour or Support:

Yvonne Topf, Magic Drive
Barbara Howard, Magic Drive
Helga Hartmann, Boppart Court
Marlene Long, Camelot Court
Jim & Elly Osinga, Clifton Road
Mark Stetzl, Woodwind Court
Kelly & Katherine Graves, Magic Drive
Judy Sutherland, Merlin Court

Jim Oostenbrink, Applicant:

- Distributed a copy of his PowerPoint Presentation and the supplemental rationale letter for consideration.
- Displayed a PowerPoint Presentation setting out the rationale for the rezoning and proposed additional residence.
- Would like to rezone the property in order to construct a second dwelling on the site so that his son & daughter-in-law could reside there.

- No variances are being requested and the proposal fully meets the intent of the Official Community Plan.
- Advised that the subject property is actually not in "Magic Estates".
- Displayed a photo of the proposed residence.
- Advised that the neighbourhood comments on the design have been very positive to date.
- Provided information regarding the driveway access to the residence.
- A formal cross access easement agreement has been recommended by the City and has been agreed to.
- Since 1979, City Lot #244 has been the only access route for the existing home.
- The pedestrian corridor is not maintained by the City and he has maintained it since moving to the property 11 years ago.
- Does not believe one home will increase traffic in the area.
- Believes that Merlin Court has more vehicles and more parking issues, which he believes is more hazardous to the pedestrians using the walkway.
- Is willing to address privacy concerns with all of the neighbours.
- Willing to work with Planning staff to address the delineation between the pedestrian walkway and the driveway access.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Gallery:

Mark Roth, Merlin Court

- Lives in one the properties that is adjacent to the subject property.
- Not happy with another home in the neighbourhood.
- Displayed photos of the access area and noted that his main concern is with access to the subject property.
- Expressed a concern with the location of the proposed residence and commented that it does not fit into the neighbourhood.
- Believes that there are actually 2 accesses to the site.
- Displayed a photo and noted that the pedestrian walkway is not clearly defined.
- Displayed a photo of the subject property from his backyard.
- Believes that planting vegetation would not mitigate his privacy concerns.
- Advised that the Applicant has not consulted with him.
- Displayed a video of a vehicle leaving the subject property and noted the safety issues with the driveway access.
- Believes that the design of the new residence does not allow for any vehicles to turn around on the site and therefore they will have to back out of the driveway.
- Responded to questions from Council.

Morgan Borrowman, Merlin Court:

- Has several concerns with the proposed rezoning and second dwelling.
- He and several other seniors use the walkway often, and it is very dangerous.
- Concerned with traffic safety and noted that adding more traffic is very risky.
- Expressed a concern that the proposal will de-value the subject property as well as the surrounding properties.
- Responded to questions from Council.

- Clarified that mostly concerned with the location of the driveway access off of Clifton Road.
- Noted that the walkway is used to access a nearby park.

Jake Redekop, Merlin Court:

- Expressed a concern with safety as there are a lot of children in the neighbourhood.
- The shared pathway/driveway is not acceptable. Need to make a walkway a 'walkway' and a driveway a 'driveway' in order to minimize the risk to safety.

Jim Oostenbrink, Applicant:

- Responded to the interveners' concerns.
- Believes that demarcation between the driveway and walkway should be part of the application. The asphalt could become the pedestrian walkway.
- Shared quotes for neighbours who support his application.
- Wants to work with the neighbourhood on a solution.
- Clarified there are currently 2 driveways on the site and the new residence would use the 2nd driveway.
- Advised that Lot #244 is city-owned property.
- Confirmed that the drawing in the package provided by him illustrating the two (2) existing driveways is different than the drawing provided by staff.
- Responded to questions from Council.

Staff:

- Responded to questions from Council.
- Confirmed that this application does not require a landscape plan.
- Confirmed that formalizing the access through an easement will address maintenance and liability concerns.
- Confirmed that there no concerns with the 2 driveways on the site.
- Provided an overview of how 'off site improvements' are dealt with during the rezoning process.

There were no further comments.

3.6 4491 Nottingham Road, Z17-0004 (BL11400) - Christine Reimann

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The Deputy City Clerk advised that no correspondence had been received.

The Applicant was present, but did not have anything to add to staff's comments.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council. No one came forward.

3.7 547 Osprey Avenue, Z16-0033 (L11401)- Lok Tien Enterprises Ltd.

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

- Confirmed that accessible parking spaces are not required for accessory surface parking lots.

The Deputy City Clerk advised that the following correspondence had been received:

Letter of Concern submitted by Dr. Daniel Kim on behalf of the Commercial Strata Building

Owners:

Osprey Avenue and Tutt Street

Tom, Architect & Applicant's Representative:

- Advised that this is the first phase of a comprehensive development. The next phase will include accessible parking.
- Advised that the proposed surface parking lot is designed to be monthly parking, not daily parking.
- Responded to questions from Council.
- Provided the rationale for requesting 2 accesses to the site. It will be safer to access the lot from Osprey Avenue as it is likely that the laneway will not be there in the future.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Gallery:

Matt Hemmingsen, Osprey Avenue:

- Represents the owners of Strata at Osprey Avenue & Tutt Street.
- Outlined the concerns as expressed in the correspondence submitted to Council.
- Believes there will be vehicle traffic issues with the laneway as there are already waste removal issues.
- Expressed a concern with the proposed variances and setbacks.
- Believes that there is parking available in the area.
- Clarified that the strata parking is on private property and that the City would not allow fencing to block the laneway.
- Responded to questions from Council.

Tom, Architect & Applicant's Representative:

- Addressed the intervenor's concerns.
- Believes that a small parking system, with access from Osprey, will not present issues and should alleviate laneway access.
- Confirmed that the laneway will remain open at this time and access would be permitted.
- Responded to questions from Council.
- The use of the parking area will be accessed substantially off of Osprey.


Staff:

- Responded to questions from Council.
- Provided different scenarios for the future development of the 4 properties.
- Provided different scenarios for future access, which is dependent upon how the 4 properties are developed in the future.
- Clarified easement in place for right of access through adjacent development continuing the lane to Tutt Street.

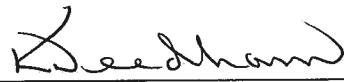
There were no further comments.

4. Termination

The Hearing was declared terminated at 8:07 p.m.



Mayor



Deputy City Clerk

/slh

DRAFT



City of Kelowna

Regular Council Meeting

Minutes

Date: Tuesday, May 16, 2017
Location: Council Chamber
City Hall, 1435 Water Street

Council Members Present: Mayor Colin Basran and Councillors Maxine DeHart*, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben*, Mohini Singh and Luke Stack

Staff Present: City Manager, Ron Mattiussi; Deputy City Clerk, Karen Needham; Divisional Director, Community Planning & Strategic Investments, Doug Gilchrist*; Community Planning Department Manager, Ryan Smith; Urban Planning Manager, Terry Barton; and FOI Legislative Coordinator, Sandi Horning

(* denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 8:16 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Mayor Basran.

3. Confirmation of Minutes

Moved By Councillor Sieben/Seconded By Councillor DeHart

R389/17/05/16 THAT the Minutes of the Public Hearing and Regular Meeting of April 25, 2017 be confirmed as circulated;

AND THAT the Minutes of the Public Hearing and Regular Meeting of May 2, 2017 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

4.1 1065 Guisachan Rd, Z17-0022 (BL11390) - Bridget McKittrick-Gillberg & Michael Gillberg

Moved By Councillor Hodge/Seconded By Councillor Gray

R390/17/05/16 THAT Bylaw No. 11390 be read a second and third time and be adopted.

Carried

4.2 140 Mills Road, Z17-0003 (BL11391) - Derer's Tile Haus Inc. No. BC917501

Moved By Councillor Gray/Seconded By Councillor Hodge

R391/17/05/16 THAT Bylaw No. 11391 be read a second and third time.

Carried

4.3 849 Raymer Road, Z17-0017 (BL11392) - Sascha and Margaret Heinrich

Councillor Sieben declared a conflict of interest as he owns property adjacent to the subject property and left the meeting at 8:20 p.m.

Moved By Councillor Given/Seconded By Councillor Donn

R392/17/05/16 THAT Bylaw No. 11392 be read a second and third time and be adopted.

Carried

Councillor Sieben rejoined the meeting at 8:21 p.m.

4.4 1920-1936 Summit Drive, TA17-0006 (BL11393) - Lindy Holdings Ltd

Councillor DeHart declared a conflict of interest as the proposed use of the subject property is in competition with her employer and left the meeting at 8:21 p.m.

Moved By Councillor Donn/Seconded By Councillor Given

R393/17/05/16 THAT Bylaw No. 11393 be read a second and third time.

Carried

Staff:

- Responded to questions from Council.
- Provided the rationale for scrutizing liquor sales in the area.

City Manager:

- Provided clarification regarding the application and the CD3 zone.

Councillor DeHart rejoined the meeting at 8:27 p.m.

4.5 242 Clifton Road, Z17-0016 (BL11399)- James and Nelly Oostenbrink

Moved By Councillor Stack/Seconded By Councillor DeHart

R394/17/05/16 THAT Bylaw No. 11399 be read a second and third time.

Carried

Councillor Hodge – Opposed.

Moved By Councillor Stack/Seconded By Councillor DeHart

R395/17/05/16 THAT Council directs staff to investigate options, and implement a solution, for pedestrian and vehicular delineation with respect to the pedestrian walkway located adjacent to 242 Clifton Road in order to mitigate any potential pedestrian/vehicular conflicts.

Carried

Councillor Hodge – Opposed.

4.6 4491 Nottingham Road, Z17-0004 (BL11400) - Christine Reimann

Moved By Councillor DeHart/Seconded By Councillor Singh

R396/17/05/16 THAT Bylaw No. 11400 be read a second and third time.

Carried

4.7 547 Osprey Avenue, Z16-0033 (BL11401) - Lok Tien Enterprises Ltd

Moved By Councillor Stack/Seconded By Councillor DeHart

R397/17/05/16 THAT Bylaw No. 11401 be read a second and third time.

Carried

5. Notification of Meeting

The Deputy City Clerk advised that Notice of these Development Variance Permit Applications was given by sending out of otherwise mailing 25 statutory notices to the owners and occupiers of the surrounding properties on May 2, 2017.

The correspondence and/or petitions received in response to advertising for the applications on tonight's Agenda were arranged and circulated to Council in accordance with Council Policy No. 309

6. Development Permit and Development Variance Permit Reports

6.1 905 Kennedy Street, DVP17-0063 - Calla-Syna Dreyer

Staff:

- Displayed a PowerPoint Presentation summarizing the application.
- Responded to questions from Council.
- Confirmed that a building permit is required for the construction of the pool.
- Confirmed that fence height is also regulated on the property, not just along the property line.
- Confirmed that 'hedge' fencing is not restricted in height.
- Confirmed that fence height is also restricted when atop a retaining wall.

The Deputy City Clerk advised that the following correspondence and/or petitions had been received:

Package of 15 Form Letters of Support submitted by the applicant:

Calla-Syna Dreyer, Kennedy Street

Letter of Comment submitted by the applicant:

Calla-Syna Dreyer, Kennedy Street

Birte Decloux, Applicant's Representative:

- Displayed a PowerPoint Presentation summarizing the rationale for the proposed development.
- Discussed the materials chosen for the fence and noted that the property owner wished to improve aesthetics and mitigate graffiti.
- Advised that the surrounding neighbours are supportive of the variance.
- Responded to questions from Council.

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Gallery:

Kim Dodds, Liban Court:

- Lives directly across the laneway from the subject property.
- Fully supports the variances and believes that this would be a great addition and enhancement to the neighbourhood.
- Responded to questions from Council.
- Confirmed that there are carriage homes in the neighbourhood.

Staff:

- Responded to questions from Council.
- Clarified the requirements for fencing and retaining walls.

There were no further comments.

Moved By Councillor Sieben/Seconded By Councillor Given

R398/17/05/16 THAT Council NOT authorize the issuance of Development Variance Permit No. DVP17-0063 for Lot 2 Section 29 Township 26 ODYD Plan 14046, located at 905 Kennedy St, Kelowna, BC.

Defeated

Councillors DeHart, Donn, Hodge, Singh & Stack – Opposed.

Moved By Councillor Stack/Seconded By Councillor Donn

R399/17/05/16 THAT Development Variance Permit No. DVP17-0063 for Lot 2, Section 29, Township 26, ODYD, Plan 14046 located at 905 Kennedy Street, Kelowna, BC to allow the construction of a fence be approved subject to the following:

1. The dimensions, siting and exterior finish of the fence to be constructed on the land be in accordance with Schedule "A";

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted, as shown on Schedule "A":

Section 7.5.3: Fencing and Retaining Wall Regulations

To vary the maximum fence height in a residential zone from 2.0m permitted to 2.75m proposed.


AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

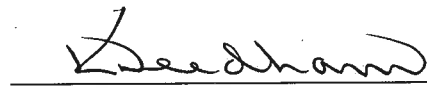
Mayor Basran and Councillors Given, Gray & Sieben – Opposed.

8. Termination

The meeting was declared terminated at 9:26 p.m.



Mayor



Deputy City Clerk

/slh

DRAFT

CITY OF KELOWNA
BYLAW NO. 11403
Z16-0064 – 280 Nickel Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 4, Section 27, Township 26, ODYD, Plan 8839 located on Nickel Rd, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RM1 – Four Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 8th day of May, 2017.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 11405

Official Community Plan Amendment No. OCP16-0021 – 2800 Hwy 97 N

A bylaw to amend the "*Kelowna 2030* – Official Community Plan Bylaw No. 10500".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* – Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of Lot 1 District Lots 124 and 143 ODYD Plan KAP83915 Except Plan KAP84828 and EPP57498, located on Hwy 97 N, Kelowna, B.C., from REP – Resource Protection Area designation to the IND - Industrial designation.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 15th day of May, 2017.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11406
Z16-0072 – 2800 Hwy 97 N

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of a portion of Lot 1 District Lots 124 and 143 ODYD Plan KAP83915 Except Plan KAP84828 and EPP57498 located on Hwy 97 N, Kelowna, B.C., from the A1 – Agriculture 1 zone to the I2 – General Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 15th day of May, 2017.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

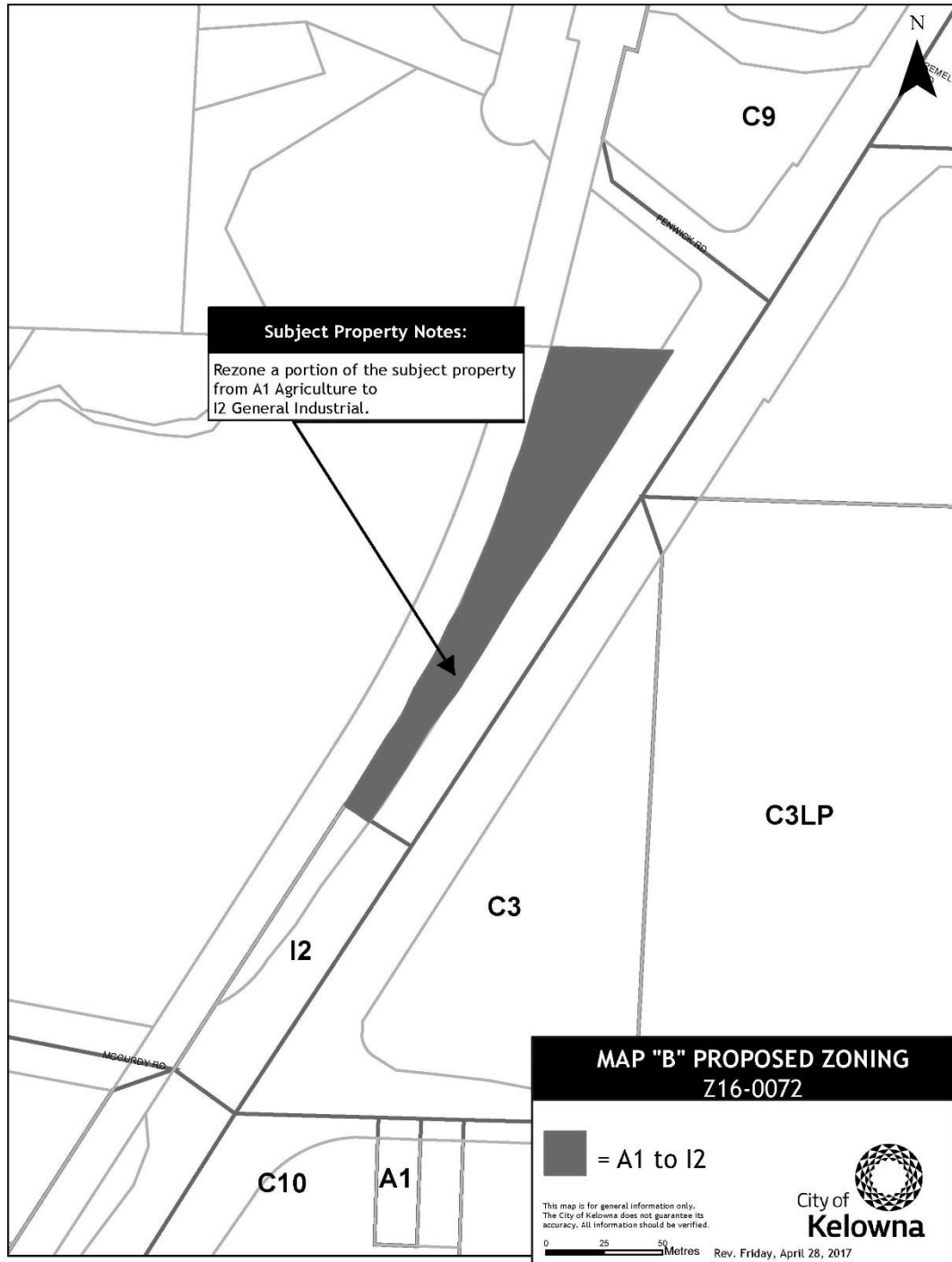
Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA
BYLAW NO. 11407
Z16-0080 – 105-115 Hwy 33 W

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, Section 23, Township 26, ODYD, Plan 8678 located on Hwy 33 W, Kelowna, B.C., from the C4 — Urban Center Commercial zone to the C3 — Community Commercial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 15th day of May, 2017.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 11408

Heritage Revitalization Agreement Authorization Bylaw HRA17-0001 –

City of Kelowna and JEM HTB Properties Inc.

4629 Lakeshore Road

WHEREAS a local government may, by bylaw, enter into a heritage revitalization agreement with the Owner of property which Council deems to be of heritage value pursuant to section 610 of the *Local Government Act*;

AND WHEREAS the Municipal Council of the City of Kelowna is desirous of entering into a Heritage Revitalization Agreement with JEM HTB Properties Inc. for the property located at 4629 Lakeshore Road, Kelowna, B.C.;

THEREFORE the Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. The Municipal Council of the City of Kelowna hereby authorizes the City of Kelowna to enter into a Heritage Revitalization Agreement with JEM HTB Properties Inc for the property known as the "Surtees Property" located at 4629 Lakeshore Road, Kelowna, B.C., and legally described as:

Lot A, Section 25, Township 28, SDYD, Plan KAP71341

In the form of such Agreement attached to and forming part of this bylaw as Schedule "A".

2. The Mayor and City Clerk are hereby authorized to execute the attached agreement, as well as any conveyances, deeds, receipts and other documents in connection with the attached agreement, and to affix the corporate seal of the City of Kelowna to same.
3. This bylaw shall come into full force and effect as of and from the date of adoption.

Read a first time by the Municipal Council this 15th day of May, 2017.

Considered at a Public Hearing this 30th day of May, 2017.

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

SCHEDULE "A"
HERITAGE REVITALIZATION
AGREEMENT

THIS AGREEMENT dated as of the _-day of _____, 2017

BETWEEN:

City of Kelowna, a Municipal Corporation having offices at 1435 Water Street, Kelowna, British Columbia V1Y 1J4

(herein called the "CITY")

OF THE FIRST PART

AND: JEM HTB Properties Inc. of 401- 590 KLO Road, Kelowna, British Columbia, V1Y7S2

(herein called the "LEASEE")

OF THE SECOND PART

WHEREAS a local government may, by bylaw, enter into a Heritage Revitalization Agreement with the Leasee of property identified as having heritage value, pursuant to Section 610 of the *Local Government Act*;

AND WHEREAS the Leasee has interest in certain real property on which is situated a building of heritage value, pursuant to the City's Heritage Register, which property and building are located at 4629 Lakeshore Road, Kelowna, BC and legally described as:

Parcel Identifier: 025-433-997
Lot A, Section 25 Township 28, SDYD, Plan KAP71341

(herein called the "Heritage Lands")

AND WHEREAS the Leasee has presented to the City a proposal for the use, development and preservation of the Heritage Lands and has voluntarily and without any requirement by the City, entered into this agreement pursuant to Section 610 of the *Local Government Act*;

AND WHEREAS a local government must hold a Public Hearing on the matter before entering into, or amending, a Heritage Revitalization Agreement If the agreement or amendment would permit a change to the use or density of use that is not otherwise authorized by the applicable zoning of the Heritage Lands and for these purposes Section 464 through 470 of the *Local Government Act* apply;

AND WHEREAS within thirty days after entering into, or amending, a Heritage Revitalization Agreement the local government must file a notice in the Land Title Office in accordance with Section 594 of the *Local Government Act* and give notice to the Minister responsible for the *Heritage Conservation Act* in accordance with Section 595 of the *Local Government Act*;

NOW THEREFORE In consideration of the mutual promises contained in this agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

SCHEDULE "A" HRA1**1.0 Heritage Revitalization**

- 1.1** The parties agree that the Heritage Lands have heritage value, deserving of protection and conservation and the Leasee specifically agrees to maintain, preserve and protect the heritage character of the buildings located on the Surtees Property in accordance with attached Schedule "AA".
- 1.2** 2 The parties agree that the Heritage Lands may, notwithstanding Zoning Bylaw No. 8000 including the provision identified in the P3- Parks and Open Space zoning on the Heritage Lands, be developed under the following regulations:

HRA17-0001 Regulations	
CRITERIA	Parameter
Permitted Uses	
Principal Uses	(a) animal clinics, minor (b) breweries and distilleries, minor (c) child care centre, major (d) child care centre, minor (e) community garden (f) community recreation services (g) financial services (h) food primary establishment (i) Health Services, Major (j) Health Services, Minor (k) liquor primary establishment, minor (l) parks & open space (m) participant recreation services, indoor (n) participant recreation services, outdoor (o) personal service establishments (p) private clubs (q) public libraries and cultural exhibits (r) offices (s) retail liquor sales establishment (t) retail stores, convenience (u) retail stores, general
Secondary Uses	(a) agriculture, urban (b) amusement arcades, minor (c) home based businesses, minor (d) residential security/operator unit
Development Regulations	
Max commercial FAR	0.3
Max Residential FAR	0.2
Max Site Coverage	
Max Height	10.5 m or 2 ¹ / ₂ storeys
Setbacks	n/a
Parking Regulations	
Parking for Commercial	15 stalls required
Parking for Public (Trail Head spaces)	13 stalls
Other Regulations	

Specific Rules	a) Drive-in and drive-thru food services are not a permitted form of development
Notes	
De fin iti ons and meaning of words are extracted from Ci t y of Ke lo wna Zoning Bylaw No.8000 as amended from t ime to time.	

- 1.3** The parties agree that, except as varied or supplemented by the provisions of this agreement, all bylaws and regulations of the City and all laws of any authority having jurisdiction shall apply to the property and commercial business.
- 1.3.1 To clarify Bylaw No. 10515 Development Cost Charges will not apply to any of the restored buildings onsite and will only apply to the one (1) new commercial building permitted through this agreement.
- 1.4** Where a Heritage Alteration Permit is required, the discretion to approve, refuse, or revise such permit is delegated by Council to the Director of Community Planning.
- 2.0 Conservation and Maintenance of Existing Development.**
- 2.1** The leasee agrees not to alter the exterior of the heritage buildings or heritage character other than as described in Schedule "B" pursuant to a Heritage Alteration Permit issued by the City, and in accordance with this agreement.
- 2.2** The leasee agrees to maintain the exterior of the Heritage Buildings (barn and house) on the Heritage Lands in general accordance with the Heritage Report labelled "Surtees House & Barn, 4629 Lakeshore Road" prepared by Donald Luxt on and Assoc. (dated March 2017) attached hereto as Schedule "D". The interior layout of the heritage buildings will be determined by the Leasee, subject to BC Building Code requirements.
- 2.3** If original features must be replaced, the new material shall be similar or identical to the original. Where original features were removed through earlier renovations or alterations and the replacements were not in keeping with the original style of the building, any subsequent replacement of these features shall complement the building's heritage style.
- 3.0 Proposed Development**
- 3.1** The parties agree that no more than one (1) new commercial building with a foot print of no more than 2,200 square feet and a total gross building area of no more than 4,400 square feet. The building character of this new building is to contrast with the existing heritage buildings in a manner that provides a strong juxtaposition between the two forms. The building is to confirm to provincial building codes. Such new development is attached hereto as Schedule "B".
- 3.2** 2 The Leasee agrees to undertake and maintain appropriate landscaping on the subject property in general accordance with the landscape plan attached hereto as Schedule "C" and forming part of this agreement.
- 3.3** The Leasee agrees to undertake and maintain an internal road network as required for vehicle circulation and associated parking areas. The road network should be able to accommodate future parking expansion requirements by the City for the Bellevue Creek linear park. A combination of asphalt and concrete or concrete pavers shall be used to create an aesthetically pleasing road network. All pedestrian crossings over the road area shall be combined with traffic calming measures such as raised crossings and signage to ensure pedestrian safety. This road network will be in accordance with the landscape plan attached hereto as Schedule "C".
- 3.4** The Leasee agrees to undertake and maintain public (pedestrian and vehicular) access from Lakeshore Road to the future trail head for the Bellevue Creek Linear Park. This access network will be in accordance with the landscape plan attached hereto as Schedule "C". The Leasee will be required to guarantee public access from 6:00am - 11:00pm (or as otherwise stipulated in Bylaw No. 10680). The Leasee acknowledges that the Subject Lands will be encumbered with a

SCHEDULE "A" HRA1

Statutory Right of Way guaranteeing public access to the site in a manner agreed upon between the City and Leasee.

- 3.5** It is the goal of the City and Leasee to preserve the natural state of the site. The City understands that due to the development and the associated road right of way, some trees will need to be removed. All efforts shall be made by the Leasee to minimize the site impact in order to protect the trees and hillside vegetation. There is a registered covenant (KT71699) on title to protect the existing hillside and associated vegetation.
- 3.6** As part of this agreement it is understood that the Leasee will require signage on each of the buildings including the Heritage Buildings. All signage will conform to City of Kelowna Sign Bylaw # 8235. For the Heritage Buildings signage will be limited to the approximate size and locations as described within Schedule "B" and all signage on the heritage buildings must be non-illuminated and non-animated.
- 3.7** As part of this agreement it is understood that the Leasee will document the decisions made during the construction process and how they relate to the principles set out in the statement of significance & conservation plans as outlined in the Donald Luxt on and Associates Report dated March 2017.
- 3.8** As part of this agreement a Heritage Alteration Permit application will be triggered by any changes to the Statement of Significance with respect to the heritage structures on the property as identified in Schedule 'D'.

4.0 Damage or Destruction

- 4.1** In the event that no more than 75% of the Heritage Building is damaged, the parties agree as follows:

a) The Leasee may repair the Heritage Building in which event the Leasee shall forthwith commence the repair work and complete same within one year of the date of damage;

OR, in the event that the Heritage Building is destroyed,

b) The City may, by bylaw, and after conducting a Public Hearing in the manner prescribed by Sections 464 through 470 of the *Local Government Act*, cancel this agreement, whereupon all use and occupation of the Heritage Lands shall thenceforth be in accordance with the zoning bylaws of the City and in accordance with all other bylaws or regulations of the City or any other laws of authority having jurisdiction.

5.0 Breach

- 5.1** In the event that the Leasee is in breach of any term of this Agreement, the City may give the Leasee notice in writing of the breach and the Leasee shall remedy the breach within 30 days of receipt of the notice. In the event that the Leasee fails to remedy the breach within the time allotted by the notice, the City may, by bylaw and after conducting a Public Hearing in the manner prescribed by Sections 464 through 470 of the *Local Government Act*, cancel this Agreement whereupon all use and occupation of the Heritage Lands shall thenceforth be in accordance with the zoning bylaws of the City and in accordance with all other bylaws or regulations of the City or any other laws of authority having jurisdiction.

6.0 Amendment

- 6.1** The parties acknowledge and agree that this Agreement may only be amended by one of the following means:

a) By bylaw with the consent of the parties provided that a Public Hearing shall be held if an amendment would permit a change to use or density of use on site or;

SCHEDULE "A" HRA1

b) By Heritage Alteration Permit (HAP), issued pursuant to Section 617 of the *Local Government Act*.

7.0 Representations

7.1 It is mutually understood and agreed upon between the parties that the City has made no representations, covenants, warranties, promises or agreements expressed or implied, other than those expressly contained in this Agreement.

8.0 Statutory Functions

8.1 Except as expressly varied or supplemented herein, this Agreement shall not prejudice or affect the rights and powers of the City in the exercise of its statutory functions and responsibilities including, but not limited to, the *Local Government Act* and its rights and powers under any enactments, bylaws, order or regulations, all of which, except as expressly varied or supplemented herein, are applicable to the Heritage Lands.

9.0 Inurement

9.1 This Agreement inures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

10.0 Other Documents

10.1 The Leasee agrees at the request of the City, to execute and deliver or cause to be executed and delivered all such further agreements, documents and instruments and to do and perform or cause to be done and performed all such acts and things as may be required in the opinion of the City to give full effect to the intent of this Agreement.

11.0 Notices

11.1 Any notice required to be given pursuant to this Agreement shall be in writing and shall either be delivered mailed by registered mail as follows :

(a) To the City:

City of Kelowna
1435 Water Street
Kelowna, B.C. V1Y 1J4

ATTENTION: City Clerk

(b) To the Leasee:

JEM HTB Properties Inc.
401- 590 KLO Road
Kelowna, BC
V1Y7S2

Or, to such other address to which a party hereto may from time to time advise in writing

12.0 No Partnership or Agency

12.1 The parties agree that nothing contained herein creates a relationship between the parties of partnership, joint venture or agency.

IN WITNESS WHEREOF this Agreement has been executed by the parties hereto on the day and year first above written.

CITY OF KELOWNA
By its authorized signatories

Mayor

City Clerk

JEM **HTS** Properties Inc.
By its authorized Signatories

Shirley W. [REDACTED]

In the presence of:

LINDA HOLLAND

Witness (print name)

L Holland

Witness (Signature)

3771 Carral Road, Westbank, Bc

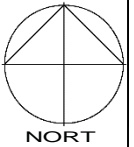
Address

Bookkeeper

Occupation



WORMAN
RESIDENTIAL HOMES | COMMERCIAL | DEVELOPMENT



SITE PLAN
SCALE: 1" = 50'

PROJECT DATA

CIVIC ADDRESS: 4629 LAKESHORE ROAD, KELOWNA, BC
LEGAL DESCRIPTION: LOT 1, PLAN 71311, O.K., 0.0 Y.O.
CURRENT ZONING: P3

EXISTING BARN MAIN FLOOR • 2,025 SQ. FT. (188.1 SQ. M.)
EXISTING BARN SECOND FLOOR • 1,415 SQ. FT. (131.5 SQ. M.)
EXISTING HOUSE MAIN FLOOR • 1,242 SQ. FT. (115.4 SQ. M.)
NEW CRUM MAIN FLOOR • 2,090 SQ. FT. (193.2 SQ. M.)

TOTAL NET BUILDING AREA: 6,772 SQ. FT. (629.2 SQ. M.)

1" = 50'

COMMERCIAL SPACES PROPOSED
TRAILHEAD SPACES PROPOSED

17 STALLS
11 STALLS

SURTESS HERITAGE PARK
4629 LAKESHORE ROAD KELOWNA

SITE PLAN



AO

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206 - 1889 Spall Road
Kelowna, BC V1Y 2C1
T (250) 868-9270
www.outlanddesign.ca

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SU A E

PLANT LIST

BOTANICAL NAME	COMMON NAME	QTY	SIZE / SPACING & REMARKS
TREES			
ACE G AB	CK NTAN APE	5	6c CA.
T A C ATA	TTE AE NEN	5	6c CA.
SHRUBS			
C N SABA B S E W	B S E W GW	13	#01 CNT./2.0. C. SPAC NG
N S S T N E A A	A T C E E TWG GW	2	#01 CNT./0.75. C. SPAC NG
P H S C A S P P	A T S G N N E B A K	2	#01 CNT./1.5. C. SPAC NG
A K N T E E A A	N T C N S W W W	2	#01 CNT./1.5. C. SPAC NG
S NGA EE PAB N	W A K E A N C	51	#01 CNT./0.9. C. SPAC NG
PERENNIALS & GRASSES			
ACH AE PEN A C T H G	C T H G A W	75	#01 CNT./0.75. C. SPAC NG
V S T B E C H S V S N G	C H N E S E A W	75	#01 CNT./0.75. C. SPAC NG
ESCHA P S A C E P T S A	T T E H A G S	5	#01 CNT./0.75. C. SPAC NG
H S T A G A C P E	G A C H E A S T A	5	#01 CNT./1.0. C. SPAC NG
A V A N A N G A A H C T E	N H S N H A V E N E	5	#01 CNT./0.75. C. SPAC NG
P A T H E N C S S T C S P A T	V G N A C E E P E	2	#01 CNT./1.5. C. SPAC NG
P E N N S E T C A C E S	G N C N S A S S	37	#01 CNT./1.2. C. SPAC NG
B E C K A C A G A S T	C T C N E W E	2	#01 CNT./0.75. C. SPAC NG

NOTES

- 1 P A N T A E A A N C N S T C T N E T H S S H A E E T E X C E E B C N A S T A N S A .
- 2 A S A N S A N S A C E A S H A B W E A T E E B A A T A T C T E
N E G N G A T N S T E .
- 3 T E E A N S H B B E S T E E S S E N A N 5 0 W C H N T
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- 4 T E E A N S H B B E S T E C E V A N N 3 0 0 E P T H T P S P A C E W E T .
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S H .

PROJECT T T E

SURTEES PROPERTY

Kelowna, BC

AW NG T T E

CONCEPTUAL LANDSCAPE PLAN

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ATE AP . 26, 2017

SCA E

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ISSUED FOR REVIEW ONLY
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OUTLAND DESIGN
LANDSCAPE ARCHITECTURE



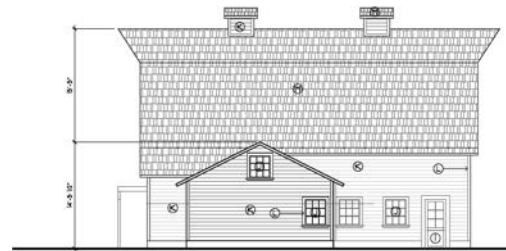




EXISTING RED BARN - NORTH ELEVATION
SCALE: 1/8" = 1'-0"



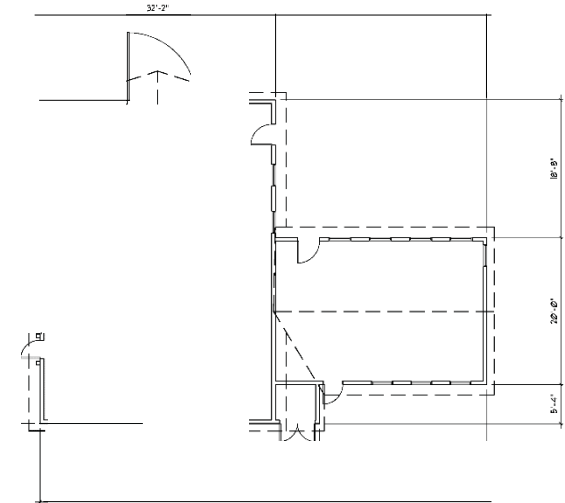
EXISTING RED BARN - EAST ELEVATION
SCALE: 1/8" = 1'-0"



EXISTING RED BARN - WEST ELEVATION
SCALE: 1/8" = 1'-0"



EXISTING RED BARN - SOUTH ELEVATION



EXISTING RED BARN - FLOOR PLAN
SCALE: 1/8" = 1'-0"

LEGEND	
①	CONCRETE INWALLED PANELS
②	
③	PRE-FINISHED METAL FLASHING
④	11,000 CANOPY FLASHINGS
⑤	PRE-FINISHED EXTRUDED ALUMINUM WINDOW
⑥	METAL WINDOW
⑦	6" X 6" STEEL CANOPY FLASHING PAINTED BLACK
⑧	METAL PANEL ROOFING PAINTED BLACK
⑨	EXISTING WINDOW FRAME PAINTED
⑩	EXISTING WINDOW FRAME PAINTED
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SUBTRESS HERITAGE PARK
4629 LAKESIDE ROAD KELLOWNA
EXTG RED BARN



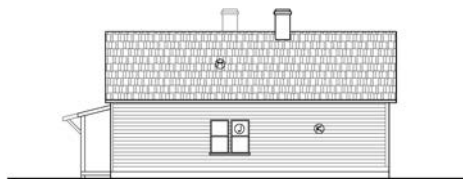
EXISTING WHITE HOUSE - NORTH ELEVATION



EXISTING WHITE HOUSE - (FRONT) WEST ELEVATION

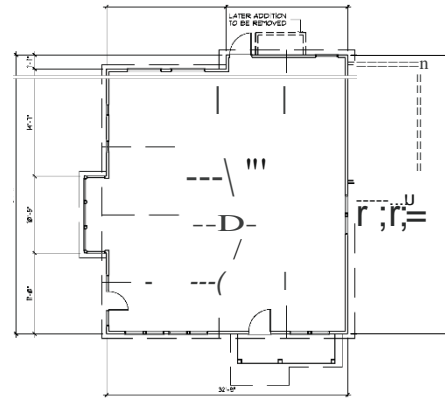


EXISTING WHITE HOUSE - (REAR) EAST ELEVATION



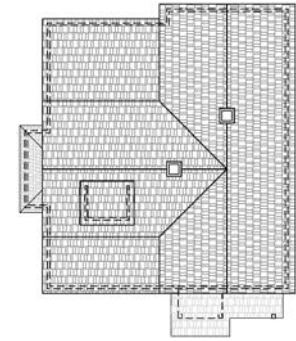
EXISTING WHITE HOUSE - SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



EXISTING WHITE HOUSE - FLOOR PLAN

SCALE: 1/8" = 1'-0"



EXISTING WHITE HOUSE - ROOF PLAN

SCALE: 1/8" = 1'-0"

LEGEND	
①	CONCRETE INWALLED PANELS
②	PRE-FINISHED METAL FLASHING
③	11.000 CANOPY FLASHING
④	PRE-FINISHED EXTRUDED ALUMINUM BRIDGELAP JOINTS
⑤	1" METAL Ux1000 4" AA" E PAINTED
⑥	6" X 6" STEEL C 12" E, PAINTED BLACK
⑦	1" METAL PANEL ROOFING & JACK
⑧	EXISTING 11.000 DOOR & FRAME PAINTED
⑨	EXISTING 11.000 WINDOW PAINTED
⑩	EXISTING 11.000 SIDING PAINTED
⑪	EXISTING 11.000 TRIM PAINTED
⑫	SAUN LUGRIZ 2x12 ALUMINUM SIDING
⑬	EXPOSED LULAM BEAM PAINTED

SURTESS HERITAGE FARM
4629 LAKESHORE ROAD KELOWNA

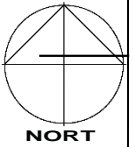
EXTG RED BAR]..



LEGEND,

(T) CONCRETE INEULATED PANELS
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 (M) METAL LKWOOD 4" X 4" E. PAINTED ALACK
 (S) 6" X 6" STEEL CANNOPY F. E. PAINTED ALACK
 (M) METAL PANEL 11X11 ACK
 (E) EXISTING 1.000 DOOR + FRAMA. PAINTED
 (J) EXISTING 11.1X11 LKWOOD. PAINTED
 (H) EXISTING 11.1X11 DOOR IN LK. PAINTED
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5 UR TE 55 HERITAG E FARK
4629 LAKES HORE ROAD KELOWNA
NEW CRU.
A3



RELOCATION PLAN
SCALE: 1" = 30'

SURTESS HERITAGE PARK
4629 LAKESHORE ROAD KELOWNA
RELOCATION PLAN

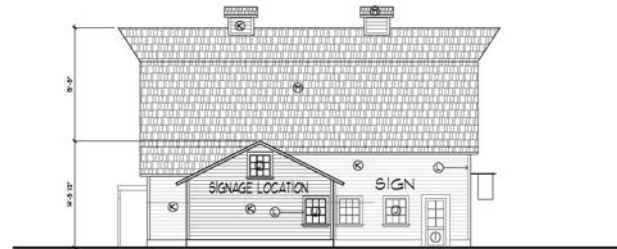
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EXISTING RED BARN - NORTH ELEVATION



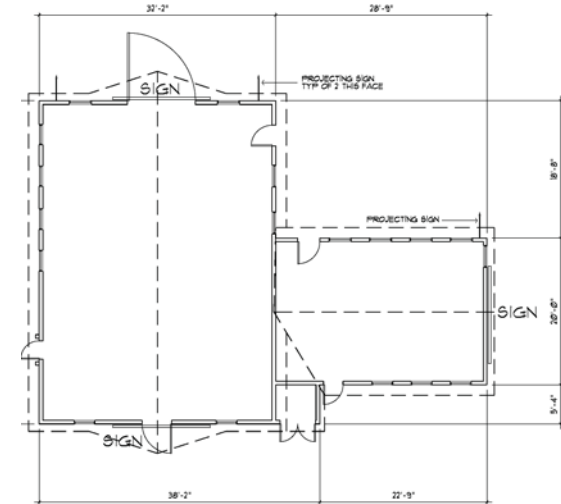
EXISTING RED BARN - EAST ELEVATION
SCALE: 1/8" = 1'-0"



EXISTING RED BARN - WEST ELEVATION
SCALE: 1/8" = 1'-0"



EXISTING RED BARN - SOUTH ELEVATION



EXISTING RED BARN - SIGNAGE PLAN
SCALE: 1/8" = 1'-0"

SIGNAGE PLAN

LEGEND	
(1)	CO. CRETE INVLATED PANELS
(2)	CO. CRETE INVLATED PANELS
(3)	CO. CRETE INVLATED PANELS
(4)	CO. CRETE INVLATED PANELS
(5)	CO. CRETE INVLATED PANELS
(6)	CO. CRETE INVLATED PANELS
(7)	CO. CRETE INVLATED PANELS
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SURTESS HERITAGE FARM
4629 LAKESHORE ROAD KELOWNA
EXTG RED BARN, 1



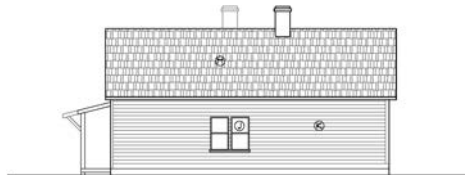
EXISTING WHITE HOUSE - NORTH ELEVATION



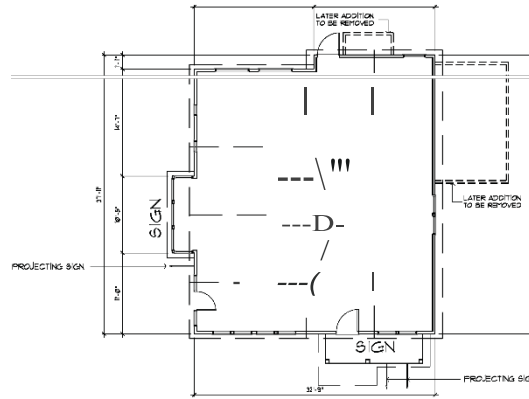
EXISTING WHITE HOUSE - (FRONT/WEST) ELEVATION



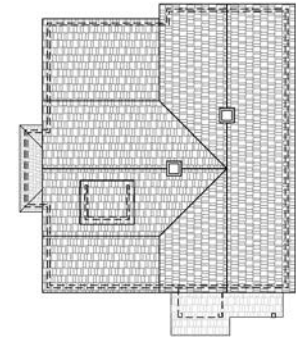
EXISTING WHITE HOUSE - (REAR/EAST) ELEVATION



EXISTING WHITE HOUSE - SOUTH ELEVATION



EXISTING WHITE HOUSE - SIGNAGE PLAN
SCALE: 1/8" = 1'-0"



EXISTING WHITE HOUSE - ROOF PLAN
SCALE: 1/8" = 1'-0"

SIGNAGE PLAN

LEGEND	
①	CONCRETE PANELS
②	
③	
④	CANOPY FEATURE
⑤	PRE-FINISHED EXTRUDED ALUMINUM 00:3F<
⑥	METAL U.S. 1000 4" AA" E. PAINTED
⑦	6" X 6" STEEL CANOPY F. E. PAINTED at ACK.
⑧	METAL PANEL ROOFING, BLACK
⑨	EXISTING 11.000 DOOR + FRAME, PAINTED
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5 URTE55 HERITAGE PARK
4620 LAKESHORE ROAD, KELLOWNA
EXT'G RED BAR).



WOOD SIDING:

"PENDRELL RED" #VC-29

WINDOW SASH:

"OXFORD IVORY" #VC-1

WINDOW, DOOR, CORNER TRIM, FASCIA, SOFFIT AND OTHER TRIMS:

"OXFORD IVORY" VC-1



ROOF: CEDAR SHINGLES

SCHEDULE	B
This forms part of application # HRA17-0001	
Planner Initials	AC
 City of Kelowna COMMUNITY PLANNING	



WORMAN

WORMAN HOMES & COMMUNITY DEVELOPMENT

EXTERIOR FINISHES

4629 LAKESHORE ROAD, KELOWNA, BC
"BARN"

PROJECT NO: 4629

MARCH 10, 2017



WOOD SIDING:

"PENDRELL VERDIGRIS" #VC-22



WOOD WINDOW FRAMES & SASHES:

"HASTINGS RED" #VC-30

WINDOW, DOOR, CORNER TRIM,
FASCIA, SOFFIT AND OTHER TRIMS:
"OXFORDIVORY" VC-1

ROOF:

CEDAR SHINGLES

DOORS:

STAINED AND VARNISHED

SCHEDULE

B

This forms part of application
HRA17-0001

Planner
Initials

AC



WORMAN
WORMAN HOMES | WORMAN COMMERCIAL

EXTERIOR FINISHES

4629 LAKESHORE ROAD, KELOWNA, BC
"HOUSE"

PROJECT NO: 4629

MARCH 10, 2017



WINDOW FRAMES, METAL ARCHES,
SLOPED ROOFING & METAL FLASHING
BLACK METAL



PRECAST CONCRETE PANELS:
NATURAL CONCRETE



WOOD ELEMENTS:
"MEDIUM WALNUT"

SCHEDULE		B
This forms part of application # HRA17-0001		
Planner Initials	AC	 City of Kelowna COMMUNITY PLANNING



WORMAN

EXTERIOR FINISHES

4629 LAKESHORE ROAD, KELOWNA, BC
"NEW BUILDING"

PROJECT NO: 4629

MAR 10, 2017



SURTEES HOUSE & BARN

4629 LAKESHORE ROAD, KELOWNA, BC

CONSERVATION PLANS

MARCH 2017

SCHEDULE

D

This forms part of application

HRA17-0001

Planner
Initials

AC



City of
Kelowna
COMMUNITY PLANNING

Schedule D includes the whole report (64 pages)

DONALD LUXTON
AND ASSOCIATES INC



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Photos of the Surtees House & Barn [Ursula Surtees Collection]

1.0 INTRODUCTION

HISTORIC NAME: Surtees House and Barn
CIVIC ADDRESS: 4629 Lakeshore Road, Kelowna
ORIGINAL OWNER: A.B. Carle
OTHER OWNERS: James H. Baillie (1910); John Coutts Surtees & Ursula Margaret Surtees (1978)
CONSTRUCTION DATE: House circa 1910, Barn circa 1927

The Surtees House & Barn, located at 4629 Lakeshore Road, comprise a site important for its long-term association with the settlement of the Okanagan Mission area, for its ownership by notable local figures, and as significant examples of vernacular architecture.

The house was built circa 1910, and is the oldest building that survives in the area. Notably, the site was part of the local response to the Soldier's Settlement Scheme. The barn was built circa 1927, and is linked to the social and economic development of Okanagan Mission in the 1920s and 1930s. The barn is significant as one of the few surviving early agricultural outbuildings in the area. The site was prominent for a number of years as a point of interpretation of Kelowna's First Nations and pioneer history.

The site is now proposed for redevelopment by Worman Commercial, in partnership with the City of Kelowna. It includes the relocation of the heritage assets within the Surtees Property site, the restoration of the exterior of the Surtees House & Barn, and the rehabilitation of the interior spaces to accommodate their adaptive re-use for commercial and retail purposes. A contemporary, detached infill building is also being proposed on site as part of the redevelopment scheme.

The Surtees House & Barn Conservation Plans are based on Parks Canada's *Standards & Guidelines for the Conservation of Historic Places in Canada*, and outlines the preservation, restoration, and rehabilitation that will occur as part of the proposed redevelopment.

2.0 HISTORIC CONTEXT

THE OKANAGAN MISSION

Salish First Nations groups first inhabited the area known as Okanagan Mission. In 1859, Father Charles Marie Pandosy, of the Missionary Oblates of Mary Immaculate, founded the first white settlement in the Okanagan Valley on what is now Benvoulin Road. Pandosy built the first school for settlers and native children, and planted the first apples and grapes. Unlike other early settlements in British Columbia at the turn of the century, Pandosy's Mission did not rely on fur trading or gold mining as its primary resource, but sustained itself through agriculture. Significantly, this was the first permanent non-native settlement in the interior apart from the forts of the Hudson's Bay Company.

In 1884, as a satellite of the Pandosy Mission, a Roman Catholic Church and a large school were built in Okanagan Mission. It was not until the first decade of the twentieth century, however, that Okanagan Mission experienced significant population growth. This was the time of the Great Western boom, when settlers – lured by a booming economy fuelled by the promise of the completion of the Panama Canal – arrived in droves seeking land and opportunities. During this decade, settlers arrived, purchased land, and set up homes. Simultaneously, the landscape of Okanagan Mission changed, evolving from rangelands and swamps, to agricultural land such as orchards and hay meadows. This period is also noted as the heyday of the Bellevue Hotel (demolished in 1954), which was started in 1908 by J.H. Baillie. The Bellevue Hotel, which was located at the intersection of Collett and Bellevue Roads, was originally built by Gifford R. Thomson as a family house with an orchard. After purchasing the house, Baillie converted it into a hotel, and began promoting it as the centre of the Okanagan Mission townsite. Concurrently, the construction of the Kettle Valley Railway, which began in 1910, attracted many of its workers to the area. Several tents, which were set up behind the hotel, served as temporary accommodation for the KVR workers.

The construction of the St. Andrew's Anglican Church in 1911, which functioned as an outstation of the parish of Kelowna, is indicative of Okanagan Mission's growth. A two-room school house was built west of the Bellevue Hotel in 1917. The First World War, however, resulted in a population decline as many of Okanagan Mission's men went overseas to serve. By 1920, there was a renewed interest in agricultural activities. Acreages in the Okanagan Mission were plentiful in orchard, hay or pasture. Tobacco was also grown in limited commercial quantities. Okanagan Mission and the surrounding area prospered from expanded transportation links in the 1920s. A sternwheeler landed at the CPR dock at the foot of Collett Road. In addition, a stage-coach ran between Okanagan Mission and downtown Kelowna, departing daily at 10 am and returning at 3 pm. The population increased again in 1925, after the completion of the Canadian National Railway, which linked Vernon and Kelowna.

HISTORY OF THE SURTEES HOUSE & BARN

The pre-emptor of this site was Gifford Rutter Thompson, who acquired the land in 1905 from the Crown. In 1910 it was sold to A.B. Carle, who sold in turn to J.H. Baillie, who held the property for just one year.

Baillie (died 1956) played a significant role in the development of the Okanagan Mission. He arrived in Okanagan Mission in 1903. The following year he bought two large blocks of land and subdivided them. Baillie then proceeded to build a cottage opposite the school on Swamp Road. In 1906, he took over as postmaster for the Okanagan Mission. Two years later, in 1908, he was operating the Bellevue Hotel and a real estate office. Baillie donated the land for St. Andrew's Church, which adjoins the Surtees property.





Bellevue Hotel and the Okanagan Mission settlement, looking west towards the Lake. [KMA1606 (above), KMA2707 (below)]

HISTORIC CONTEXT

Baillie sold this property to the South Kelowna Land Company in 1911, and it is unknown if Baillie or the Company built the original building on the site, which is the earliest part of the house. It appears to have been constructed in 1910 and was used as the Ritz Café, run by two local women and a place of some notoriety.

An acute shortage of accommodation was brought on at the end of World War One by the return of soldiers from overseas. In December 1918, the federal government authorized the Soldiers' Settlement Act to provide twenty-five million dollars in loans to the provinces for housing initiatives for returning veterans, the first significant public sector initiative to promote homebuilding. As housing was a provincial responsibility at the time, these measures had to be instituted under the War Measures Act. The federal housing guidelines defined the scheme's

objectives as providing housing to those in greatest need. In March 1919, British Columbia passed the B.C. Better Housing Act to take advantage of the new federal programmes. This property was acquired by the Soldiers' Settlement Board in 1920, and settled by Allen Surtees circa 1924. Allan Surtees made substantial additions to the building at that time for use as his residence.

The site was subsequently sold to Edward Coelen (1896-1978) in 1942, who then sold in 1961 to Glenn and Verna Coe. John Surtees and his wife, Ursula Surtees, later purchased the property. After John's death in 1980, Ursula retained the property until 1993. This property, and adjacent businesses, were a hub of activity during the time of Ursula's residence, utilized for both Pioneer and First Nation programming.



Corner view of the Surtees House. [Ursula Surtees Collection]

HISTORIC CONTEXT



Front facade of the Surtees House (top) and northwest corner of the historic house, partially showing bay window at north elevation (bottom). [Ursula Surtees Collection]

HISTORIC CONTEXT

The Surtees House & Barn are additionally valued for their connection with a Scottish noble family, the Marjoribanks, and the Surtees family. English-born Allen Villiers Surtees married Ishbel Agnes Marjoribanks (1897-1939) in Kelowna of 1921. Together they bought the former Ritz Café and surrounding land circa 1924. Ishbel Agnes was the daughter of Coutts Marjoribanks (1860-1924), the 2nd son of Lord Sir Dudley Coutts Marjoribanks of Tweedmouth, and brother of Lady Aberdeen (née Ishbel Maria Marjoribanks). Coutts Marjoribanks operated the Aberdeen's two farms in the Okanagan, including Coldstream, a 13,000-acre ranch near Vernon, and Guisachan, a 480-acre ranch in the Okanagan Valley, named after the family's estate in Scotland.

Ishbel Agnes inherited two large sums of money from her grandfather, Dudley Coutts Marjoribanks, who owned shares in the Hudson's Bay Company and the Kelowna oil wells. One of these inheritances facilitated the construction of the Surtees Barn circa 1927, and another went towards investing in the Three Gables Hotel in Penticton (built 1931). Ishbel Agnes and Allen Surtees had only one child, named John (1922-1980), who later owned the property.

Following the barn's construction, Allen Surtees imported the finest dairy cattle from the Channel Islands, U.K. and started his dairy farm, named Greenways. In 1927, the Surtees provided work for Thomas Apsey (1870- 1943), from Devon U.K. and his wife Elizabeth (1884-1967) from Perth, Scotland. In addition, Allen served on many agricultural and dairy committees. The Surtees, who had rights to Bellevue creek, put a small pump in and watered not only their own lawn but also the shrubs and lawn of the neighbouring St. Andrew's Church. The Surtees also donated a piece of land between the creek and the north side of the church. Both Ishbel Agnes and Allen were devoted to their community and invested time and money to help the area prosper in the 1930s when economic troubles persisted.



Photos showing Surtees Barn in the background, as viewed from the southeast corner. [Ursula Surtees Collection]

The Surtees Barn is noted for the various purposes it served over the years. When the Surtees owned it, the local riding club had their dances there. In subsequent years, the barn became a popular workspace for artists. Both Walter Dexter (born 1931) and Bob Kingsmill, two renowned British Columbia potters, utilized the barn as a workshop. Similarly, painters Don Li-Leger (born 1948) and Gwen Lamont (1909-1979), both used the barn as a workspace. Barbara Keller (died 1986), widow of General Rod Keller, Commander in Chief of the 2nd Canadian Division in World War II, ran an antique shop out of the main portion of the barn.

HISTORY OF OKANAGAN MISSION HOUSE & BARN

“Allen Villiers Surtees purchased the land from J.H. Baillie who had purchased it from the original pre-emptor. Prior to his purchase, a small building known as the Ritz Café was operated by two “ladies” who catered to all appetites. It was close to the Bellevue Hotel and the landing stage at the Mission and trade was good. One lady named Stella had her own way of dealing with the hot weather and could often be spied lying in the adjacent flume in the nude and happily inebriated. The Ritz Café is now part of the present house and the bedroom facing the road and the front hall still have the original V-joint paneling.

Allen Surtees courted then married Ishbel Marjoribanks, daughter of Coutts Marjoribanks, 2nd son of the Baron Tweedmouth, and brother of Lady Aberdeen. Allen Surtees added a dining room, kitchen, bathroom and an upstairs room to the former café.

Here he brought his bride. Their only child, John Surtees, was born in this home. One of the features of the house was steam heat and radiators were throughout the house including upstairs. Later, when the property was sold to the Coelens, the whole system froze up one winter when the house was empty for a few days.

Ishbel Surtees inherited two small fortunes. The first of which helped to build the barn, the finest in the district having double walls, draft free windows, hay chutes, a manure rack and bucket which ran on a rail to the back of the property. A round silo stood on the left hand side of the barn facing the road. For years the riding club used the upstairs for their dances as the floor was well sprung.

Allen Surtees imported dairy cattle from the Channel Islands, the offspring of whom are still here today. In 1910, the Apseys had come out from Aberdeen to stay at Coldstream with Lady Aberdeen. In 1927 they moved to the Mission to help run the Dairy Farm known as “Greenways”. The original sign was on the barn for many years.

When John Surtees purchased the property back in the 1960s, many of the dairy records for milk production were still on the walls. Endearing names such as Buttercup and Daisy were given to these highbred Channel Island cows, along with their pedigree.

The role of the barn changed over the years. Two well known potters, Walter Dexter and Bob Kingsmill produced a great deal of pottery in the barn. Walter Dexter was one of the few potters invited

HISTORIC CONTEXT

to show at the Montreal Expo and Bob Kingsmill is now a renowned B.C. potter living in Coldstream and he owns a gallery featuring his work on Granville Island in Vancouver. Two well known local artists, Gwen Lamont and Don Li-Leger used the upstairs of the barn as a studio. Later, Barbara Keller, widow of General Rod Keller, Commander in Chief of the 2nd Canadian Division in WWII ran an antique shop out of the main part of the barn for several years. The barn also provided jobs for a number of men during this hard economic period. I used to get a number of people stopping by the house just to tell me that they had worked in the barn.

The small house at the back of the property was built by Bob Kingsmill. (Note: this house no longer exists). Mr. Surtees said that Bob could use the land at no cost but when Bob moved, it had to be sold to the Surtees for the cost of the building. Bob incorporated several interesting features such as colored and stained glass windows and a long semi-skylight window in the roof. Bob Kingsmill's wife, Yolanda, was a daughter of a Swiss Ambassador who delighted in catching fish in the creek during his many visits to the valley.

The log building is over 100 years old but it was not original to this site. (Note: this building has been removed by the City). When Springfield road was built it went through the Fairborn's (Freeborn?) property. They offered the building to me. We took it apart log by log using a color and numbering system and set it up in its new location. This building was used for years by the Kelowna Museum as the focus for their Pioneer Days program. Hundreds of children learned how to make baking powder biscuits on the wood



Photos showing interior spaces of Surtees House: dining room at early extension, showing expressed roof rafters (top); living room at north end of the original house, showing north bay window to the left (bottom). [Ursula Surtees Collection]

burning stove and how to cut the fuel to supply the heat along with many of the other skills needed to be self-sufficient in early settler's time. This log cabin is made of cottonwood, which was quite soft when newly cut down and hardens to an iron texture in a few years. I have had many young men and women from those school classes tell me how well they remembered these particular school field trips.

For years the Surtees' (who had creek rights) put a small pump in the creek and watered not only their lawn but the lawn and shrubs of the little St. Andrews church. We also donated the piece of land between the creek and north side of the church, as originally that whole piece was part of the Baillie property and that piece was snipped out and donated by Baillie for the building of the church and the remainder that surrounded it including the creek side piece. In consideration of the donation a bench was promised with John Surtees' name on it as a memorial. Sadly, that did not happen.

This site is a mixture of historic social and economic development. The trees in the back are magnificent and some seeds from these trees and the Douglas Fir were sent to Kew Garden in London, England, when it had been badly damaged in a storm, to help restock it.

Allen Surtees served on many agricultural and dairy committees. He had a very fine voice and in early radio days often sang over the new radio station established by the Browne family. Ishbel set a social tone with afternoon teas etc. She was well-travelled having taken the expected grand tour as part of her education. Her grandfather Baron Tweedmouth had shares in the Hudson's Bay Company

and she inherited these. This money went toward building the Three Gables Hotel in Penticton. There were also investments in the Kelowna Oil wells. They both believed in the Okanagan and invested much time and money in trying to help it prosper especially in the 1930s when things were very tough."

- Ursula Surtees

3.0 STATEMENTS OF SIGNIFICANCE

SURTEES HOUSE 4629 LAKESHORE ROAD, KELOWNA

Description of Historic Place

The Surtees House is a one and one-half storey, wood-frame structure located at 4639 Lakeshore Road in Kelowna's Mission Sector. Built circa 1910, the Edwardian-era house shares the property with the Surtees Barn, constructed circa 1927.

Heritage Value of Historic Place

Constructed around 1910, the Surtees House is valued for its notable ownership history, for its association with the development of the Okanagan Mission, and for its Edwardian-era architecture.

The Surtees House property is significant for its ownership history by prominent community figures. J.H. Baillie, who played a substantial role in the development of the Okanagan Mission following his arrival in 1903, originally owned this property. In 1906, he took over as postmaster for the Okanagan Mission and, two years later, Baillie was operating the Bellevue Hotel and a real estate office. Aside from his business endeavours, Baillie was a charitable figure and donated the land for the St. Andrew's Church, which adjoins this Lakeshore Road property. Baillie had purchased this property in 1910 and then sold it in 1911 to the South Kelowna Land Company; the house was constructed just prior to or just following this sale. During the early 1910s, the house was occupied by the Ritz Café, a business owned by two local women, which offered food, as well as more carnal selections, to local workers. Following the First World War, the Soldiers' Settlement Board acquired the property and held it until its 1924 purchase by well-known community members, and property namesakes, Allen and Ishbel Surtees. The Surtees expanded the house and constructed an impressive barn on the site as part of their Greenways Dairy operation, which operated until the property was sold to Edward Coelen in 1942. The property was once again owned by members of the Surtees family, John and Ursula, by the 1970s; they remained until 1993.

The Surtees House is associated with the social and economic development of the Okanagan Mission through the early twentieth century. In 1927, the Surtees provided work for Thomas Apsey (1870-1943), from Devon, England, and his wife Elizabeth (1884-1967) from Perth, Scotland. In addition, Allen Surtees served on many agricultural and dairy committees. The Surtees, who had rights to Bellevue Creek, installed a small pump and watered not only their own lawn but also the shrubs and lawn of the neighbouring St. Andrew's Church. The Surtees also donated a piece of land between the creek and the north side of the church. Both Ishbel and Allen were devoted to their community and invested time and money to help sustain the area through the 1930s, when economic malaise emerged.

The Surtees House is a valued example of vernacular, Edwardian-era architecture. The house is among the oldest extant structures from the early Okanagan Mission settlement and displays design tenets of the Edwardian era, including locally sourced wooden materials. In 1924, the Surtees made additions to the original house, including a dining room, kitchen, bathroom, and an upstairs room.

Character-Defining Elements

Key elements that define the heritage character of the Surtees House include:

- location on the Surtees property along Lakeshore Road in the City of Kelowna;
- continuous use since circa 1910;
- residential form, scale and massing as expressed by its one and one-half storey height and gabled roof;
- wood-frame construction;
- vernacular, Edwardian-era architecture expressed by its: wooden lapped siding, wooden bargeboards and cornerboards, open verandah, and hipped-roof bays and shed-roof extensions;
- variety of wooden windows, including double-hung assemblies;
- internal brick chimneys; and

- associated landscape features, including stone walls and a number of deciduous and coniferous trees on the property, which is shared with the adjacent Surtees Barn.

SURTEES BARN

4629 LAKESHORE ROAD, KELOWNA

Description of Historic Place

The Surtees Barn is a two-storey farm building with traditional gambrel roof located at 4639 Lakeshore Road in Kelowna's Mission Sector. Built circa 1927, the barn is characterized by its slightly flared eaves, front projecting peak, two rooftop cupolas, and its drop wooden siding. The barn shares the property with the Surtees House, constructed circa 1910.

Heritage Value of Historic Place

The Surtees Barn is valued for its association with original owners, Allen and Ishbel Surtees, for its association with various artists and organizations throughout its lifespan, and for its vernacular agrarian architecture, which was state-of-the-art at the time of its construction.

English-born Allen Villiers Surtees married Ishbel Agnes Marjoribanks in 1921 and together they purchased this property in the mid-1920s. Since 1920, the property had been in the possession of the Soldiers' Settlement Board. Ishbel was the daughter of Coutts Marjoribanks (1860-1924), the second son of Lord Sir Dudley Coutts Marjoribanks of Tweedmouth, and brother of Lady Aberdeen. Coutts Marjoribanks operated the Aberdeen's two farms in the Okanagan, including Coldstream, a 13,000-acre ranch near Vernon, and Guisachan, a 480-acre ranch in the Okanagan Valley, named after the family's estate in Scotland. Ishbel inherited two large sums of money from her grandfather, who owned shares in the Hudson's Bay Company and the Kelowna oil wells. One of these inheritances facilitated the construction of the Surtees Barn circa 1927 and the importation of the finest dairy cattle from the Channel Islands, establishing the Surtees'

Greenways Dairy operation. Ishbel Surtees died in 1939, just before the Second World War, and Allan Surtees sold the house and dairy farm before joining the war efforts. The couple is remembered for their active involvement in and generosity toward the local community. Allen served on many agricultural and dairy committees and the couple donated a piece of land between Bellevue Creek and the north side of the adjacent St. Andrew's Church. Additionally, the Surtees' invested time and money to help sustain the area through the Great Depression of the 1930s.

The Surtees Barn is noted for the various non-dairy purposes it served over the years. When it was owned by the Surtees family, the local riding club used the second floor of the barn for their dances and events. In subsequent years, the barn became a popular workspace for artists. Both Walter Dexter (born 1931) and Bob Kingsmill, two renowned British Columbia potters, utilized the barn as a workshop. Similarly, painters Don Li-Leger (born 1948) and Gwen Lamont (1909-1979), both used the barn as a workspace. Barbara Keller, widow of General Rod Keller, Commander in Chief of the 2nd Canadian Division in World War II, ran an antique shop out of the main portion of the barn.

The Surtees Barn is additionally significant as an example of vernacular interwar architecture. Constructed by Allen Surtees, the barn was reportedly the finest in the district. It was constructed with double walls, draft-free windows, hay chutes, and a manure rack and bucket, which ran on a rail to the back of the property; it was also the first in the Okanagan Mission to have electricity. The barn is significant as one of the few surviving early agricultural buildings in the area.

Character-Defining Elements

Key elements that define the heritage character of the Surtees Barn include:

- location on the Surtees property along Lakeshore Road in the City of Kelowna;
- continuous use since circa 1927;

STATEMENTS OF SIGNIFICANCE

- agrarian form, scale and massing as expressed by its two storey height and gambrel roof;
- wood-frame construction;
- vernacular architecture expressed by its: gambrel roof with its slightly flared eaves and front projecting peak; original drop wooden siding with cornerboards; open second storey, indicating its original function as a hayloft; two rooftop cupolas with venting and gabled caps; and an early extension with side-gabled roof to the west;
- variety of original wooden windows and openings in central symmetry at gable end elevations and openings;
- original wooden doors;
- interior gambrel rafters; and
- associated landscape features including stone walls and a number of deciduous and coniferous trees.



4.0 CONSERVATION GUIDELINES

4.1 STANDARDS AND GUIDELINES

The Surtees House & Barn are considered to form a significant historical site in Kelowna, and are listed on the Kelowna Heritage Register. The Parks Canada's *Standards & Guidelines for the Conservation of Historic Places in Canada* is the source used to assess the appropriate level of conservation and intervention. Under the *Standards & Guidelines*, the work proposed for the Surtees House & Barn includes aspects of preservation, rehabilitation and restoration.

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

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

Rehabilitation: the action or process of making possible a continuing or compatible contemporary use of a historic place or an individual component, through repair, alterations, and/or additions, while protecting its heritage value.

Interventions to the historic assets should be based upon the Standards outlined in the *Standards & Guidelines*, which are conservation principles of best practice. The following *General Standards* should be followed when carrying out any work to an historic property.

STANDARDS

Standards relating to all Conservation Projects

1. Conserve the heritage value of a historic place. Do not remove, replace, or substantially alter its intact or repairable character-defining elements. Do not move a part of a historic place if its current location is a character-defining element.
2. Conserve changes to a historic place, which over time, have become character-defining elements in their own right.
3. Conserve heritage value by adopting an approach calling for minimal intervention.
4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties or by combining features of the same property that never coexisted.
5. Find a use for a historic place that requires minimal or no change to its character defining elements.
6. Protect and, if necessary, stabilize a historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbance of archaeological resources, take mitigation measures to limit damage and loss of information.
7. Evaluate the existing condition of character-defining element to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.
8. Maintain character-defining elements on an ongoing basis. Repair character-defining element by reinforcing the materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.

CONSERVATION GUIDELINES

9. Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable upon close inspection. Document any intervention for future reference.

Additional Standards relating to Rehabilitation

10. Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.
11. Conserve the heritage value and character-defining elements when creating any new additions to a historic place and any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.
12. Create any new additions or related new construction so that the essential form and integrity of a historic place will not be impaired if the new work is removed in the future.

Additional Standards relating to Restoration

13. Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

4.2 CONSERVATION REFERENCES

The proposed work entails the Restoration of the exterior of the Surtees House & Barn, along with the rehabilitation of their interior to accommodate for adaptive re-use of the historic assets. The following conservation resources should be referred to:

Standards & Guidelines for the Conservation of Historic Places in Canada, Parks Canada, 2010.
<http://www.historicplaces.ca/en/pages/standards-normes/document.aspx>

National Park Service, Technical Preservation Services. Preservation Briefs:

Preservation Brief 3: Improving Energy Efficiency in Historic Buildings.

<http://www.nps.gov/tps/how-to-preserve/briefs/3-improve-energy-efficiency.htm>

Preservation Brief 4: Roofing for Historic Buildings.

<http://www.nps.gov/tps/how-to-preserve/briefs/4-roofing.htm>

Preservation Brief 6: Dangers of Abrasive Cleaning to Historic Buildings.

<http://www.nps.gov/tps/how-to-preserve/briefs/6-dangers-abrasive-cleaning.htm>

Preservation Brief 9: The Repair of Historic Wooden Windows.

<http://www.nps.gov/tps/how-to-preserve/briefs/9-wooden-windows.htm>

Preservation Brief 10: Exterior Paint Problems on Historic Woodwork.

<http://www.nps.gov/tps/how-to-preserve/briefs/10-paint-problems.htm>

Preservation Brief 14: New Exterior Additions to Historic Buildings: Preservation Concerns.

<http://www.nps.gov/tps/how-to-preserve/briefs/14-exterior-additions.htm>



Preservation Brief 17: Architectural Character – Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving their Character.
<http://www.nps.gov/tps/how-to-preserve/briefs/17-architectural-character.htm>

Preservation Brief 18: Rehabilitating Interiors in Historic Buildings – Identifying Character-Defining Elements.
<http://www.nps.gov/tps/how-to-preserve/briefs/18-rehabilitating-interiors.htm>

Preservation Brief 19: The Repair and Replacement of Historic Wood Shingle Roofs.
<http://www.nps.gov/tps/how-to-preserve/briefs/19-wooden-shingle-roofs.htm>

Preservation Brief 20: The Preservation of Historic Barns.
<http://www.nps.gov/tps/how-to-preserve/briefs/20-barns.htm>

Preservation Brief 24: Heating, Ventilating, and Cooling Historic Buildings: Problems and Recommended Approaches.
<http://www.nps.gov/tps/how-to-preserve/briefs/24-heat-vent-cool.htm>

Preservation Brief 32: Making Historic Properties Accessible.
<http://www.nps.gov/tps/how-to-preserve/briefs/32-accessibility.htm>

Preservation Brief 36: Protecting Cultural Landscapes: Planning, Treatment and Management of Historic Landscapes.
<http://www.nps.gov/tps/how-to-preserve/briefs/36-cultural-landscapes.htm>

Preservation Brief 37: Appropriate Methods of Reducing Lead-Paint Hazards in Historic Housing.
<http://www.nps.gov/tps/how-to-preserve/briefs/37-lead-paint-hazards.htm>

Preservation Brief 38: Removing Graffiti from Historic Masonry.
<http://www.nps.gov/tps/how-to-preserve/briefs/38-remove-graffiti.htm>

Preservation Brief 39: Holding the Line: Controlling Unwanted Moisture in Historic Buildings.
<http://www.nps.gov/tps/how-to-preserve/briefs/39-control-unwanted-moisture.htm>

Preservation Brief 41: The Seismic Retrofit of Historic Buildings: Keeping Preservation in the Forefront.
<http://www.nps.gov/tps/how-to-preserve/briefs/41-seismic-retrofit.htm>

Preservation Brief 45: Preserving Historic Wooden Porches.
<http://www.nps.gov/tps/how-to-preserve/briefs/45-wooden-porches.htm>

Preservation Brief 47: Maintaining the Exterior of Small and Medium Size Historic Buildings.
<http://www.nps.gov/tps/how-to-preserve/briefs/47-maintaining-exterior.htm>

4.3 GENERAL CONSERVATION STRATEGY

The primary intent is to preserve the two existing historic buildings, while undertaking a rehabilitation that will upgrade their structures and services to increase functionality for commercial and retail uses. As part of the scope of work, character-defining elements will be preserved, while missing or deteriorated elements will be restored. The Heritage Revitalization Agreement includes a rehabilitation scheme that is being prepared by Worman Commercial. It also includes a Heritage Designation Bylaw, and the conservation of the Surtees House and Barn in a manner that meets the City's heritage objectives for the site.

CONSERVATION GUIDELINES

The major proposed interventions of the overall project are to:

- Relocate of the historic assets within the property site
- Restore the exterior of the historic assets
- Provide necessary structural and seismic upgrades
- Rehabilitate the interior of the historic assets to accommodate adaptive re-use as commercial and retail spaces, while preserving their interior character-defining elements as possible.

Due to the proposed addition to the historic assets, all new visible construction will be considered a modern addition to the historic structure. The *Standards & Guidelines* list recommendations for new additions to historic places. The proposed design scheme should follow these principles:

- Designing a new addition in a manner that draws a clear distinction between what is historic and what is new.
- Design for the new work may be contemporary or may reference design motifs from the historic place. In either case, it should be compatible in terms of mass, materials, relationship of solids to voids, and colour, yet be distinguishable from the historic place.
- The new additions should be physically and visually compatible with, subordinate to and distinguishable from the preserved historic façade.

If an historic building must be moved, relocation on its existing lot is the least intrusive approach. The following Relocation Guidelines should be implemented for the relocation of the Surtees House & Barn within the existing property:

- A relocation plan should be prepared prior to relocation that ensures that the least destructive method of relocation will be used.

- Alterations to the historic structure proposed to further the relocation process should be evaluated in accordance with the Conservation Plan and reviewed by the Heritage Consultant. This can involve removal of later additions that are not enhancing the heritage value and historic appearance of the heritage buildings; for example, the concrete corner addition.
- Only an experienced and qualified contractor shall undertake the physical relocation of the historic structure.
- Preserve historic fabric of the exterior elevations including the wood-frame structure with original wood siding, wood sash windows and doors, and roof structure as much as possible.
- Preserve original interior brick chimneys of the Surtees House, and monitor vents of the Surtees Barn, in situ and relocate with the main structure if possible. Alternatively reconstruct chimney with salvaged bricks to match historic appearance, if unable to relocate with the historic building due to structural reasons.
- Appropriate foundation materials shall be used at the new site, which can include reinforced concrete foundations and floor slab. The final relative location to grade should match the original as closely as possible, taking into account applicable codes.
- Provide utility installations for electricity, communication and other service connections underground if possible. All installations located above ground should be incorporated harmoniously into the design concept for the relocated structure.



4.4 SUSTAINABILITY STRATEGY

Heritage conservation and sustainable development can go hand in hand with the mutual effort of all stakeholders. In a practical context, the conservation and re-use of historic and existing structures contributes to environmental sustainability by reducing solid waste disposal, saving embodied energy, and conserving historic materials that are often less consumptive of energy than many new replacement materials.

In 2016, the Federal Provincial/Territorial Ministers of Culture & Heritage in Canada (FPTMCHC) published a document entitled, *Building Resilience: Practical Guidelines for the Retrofit and Rehabilitation of Buildings in Canada* that is “intended to establish a common pan-Canadian ‘how-to’ approach for practitioners, professionals, building owners, and operators alike.”

The following is an excerpt from the introduction of the document:

*[Building Resilience] is intended to serve as a “sustainable building toolkit” that will enhance understanding of the environmental benefits of heritage conservation and of the strong interrelationship between natural and built heritage conservation. Intended as a useful set of best practices, the guidelines in **Building Resilience** can be applied to existing and traditionally constructed buildings as well as formally recognized heritage places.*

These guidelines are primarily aimed at assisting designers, owners, and builders in providing existing buildings with increased levels of sustainability while protecting character-defining elements and, thus, their heritage value. The guidelines are also intended for a broader audience of architects, building developers, owners,

custodians and managers, contractors, crafts and trades people, energy advisers and sustainability specialists, engineers, heritage professionals, and officials responsible for built heritage and the existing built environment at all jurisdictional levels.

***Building Resilience** is not meant to provide case-specific advice. It is intended to provide guidance with some measure of flexibility, acknowledging the difficulty of evaluating the impact of every scenario and the realities of projects where buildings may contain inherently sustainable elements but limited or no heritage value. All interventions must be evaluated based on their unique context, on a case-by-case basis, by experts equipped with the necessary knowledge and experience to ensure a balanced consideration of heritage value and sustainable rehabilitation measures.*

***Building Resilience** can be read as a stand-alone document, but it may also further illustrate and build on the sustainability considerations in the Standards and Guidelines for the Conservation of Historic Places in Canada.*

4.5 ALTERNATE COMPLIANCE

As a listed building on the Municipal Heritage Register, the Surtees House & Barn may be eligible for heritage variances that will enable a higher degree of heritage conservation and retention of original material, including considerations available under the following municipal legislation.

4.5.2 BRITISH COLUMBIA BUILDING CODE

Building Code upgrading ensures life safety and long-term protection for historic resources. It is important to consider heritage buildings on a case-by-case basis, as the blanket application of Code requirements do not recognize the individual requirements and inherent strengths of each building. Over the past few years, a number of equivalencies have been developed and adopted in the British Columbia Building Code that enable more sensitive and appropriate heritage building upgrades. For example, the use of sprinklers in a heritage structure helps to satisfy fire separation and exiting requirements. Table A-1.1.1.1., found in Appendix A of the Code, outlines the “Alternative Compliance Methods for Heritage Buildings.”

Given that Code compliance is such a significant factor in the conservation of heritage buildings, the most important consideration is to provide viable economic methods of achieving building upgrades. In addition to the equivalencies offered under the current Code, the City can also accept the report of a Building Code Engineer as to acceptable levels of code performance.

4.5.3 ENERGY EFFICIENCY ACT

The provincial Energy Efficiency Act (Energy Efficiency Standards Regulation) was amended in 2009 to exempt buildings protected through heritage designation or listed on a community heritage register from compliance with the regulations. Energy Efficiency standards therefore do not apply to windows, glazing products, door slabs or products

installed in heritage buildings. This means that exemptions can be allowed to energy upgrading measures that would destroy heritage character-defining elements such as original windows and doors.

These provisions do not preclude that heritage buildings must be made more energy efficient, but they do allow a more sensitive approach of alternate compliance to individual situations and a higher degree of retained integrity. Increased energy performance can be provided through non-intrusive methods of alternate compliance, such as improved insulation and mechanical systems. Please refer to the *Standards & Guidelines for the Conservation of Historic Places in Canada* for further detail about “Energy Efficiency Considerations.”

4.6 SITE PROTECTION & STABILIZATION

It is the responsibility of the owner to ensure the heritage resource is protected from damage at all times. At any time that the Surtees House & Barn are left vacant, they should remain secured against intrusion and vandalism through the use of appropriate fencing and security measures. This is especially important if the buildings are missing windows or doors or is left elevated for any period of time.

Security measure may include mothballing the historic property and/or hiring a security guard for the duration of the work. Generally, once a heritage property is no longer undergoing rehabilitation work and is under occupancy of its owners, lockable doors and lower level windows and continued monitoring by the owners should be adequate protection. A comprehensive site protection plan should be developed in discussion between owner, contractor and/or architect. Plan may be reviewed by Heritage Consultant, if desired.

The Surtees House & Barn are currently vacant and the structures should remain closed up to protect them from the weather and to prohibit unauthorized access.

The following checklist will ensure that work items for the protection during the temporary mothballing of each historic assets are not inadvertently omitted and the listed heritage resources secured:

Moisture

- ☐ Is the roof watertight?
- ☐ Is exterior cladding in good condition to keep water out?
- ☐ Is the site of the temporary location properly graded for water run-off?

Ventilation

- ☐ Have steps been taken to ensure proper ventilation of the building?
- ☐ Have interior doors been left open for ventilation purposes?
- ☐ Has the secured building been checked within the last 3 months for interior dampness or excessive humidity?

Pests

- ☐ Have nests/pests been removed from the building's interior and eaves?
- ☐ Are adequate screens in place to guard against pests?
- ☐ Has the building been inspected and treated for termites, carpenter ants, rodents, etc.?

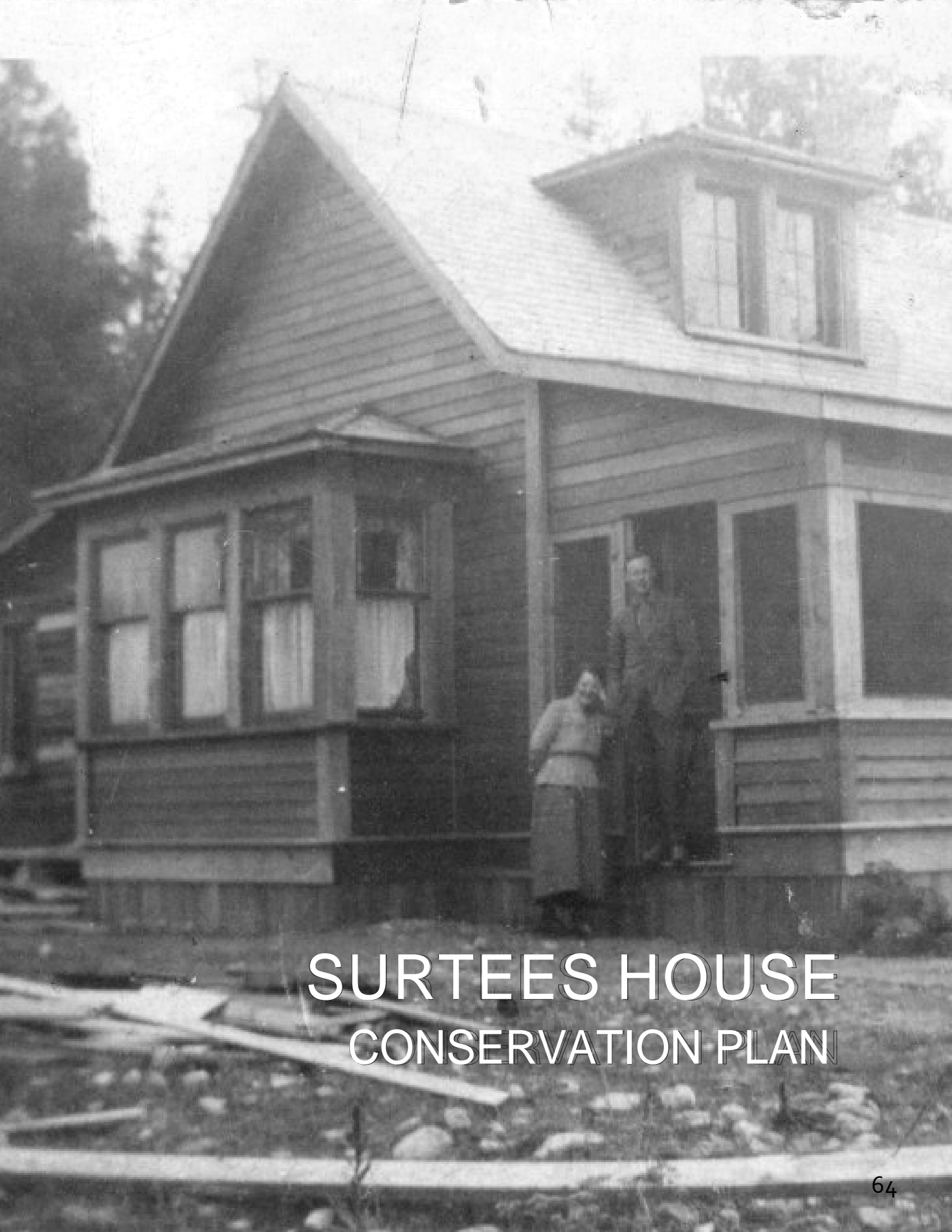
Security

- ☐ Are smoke and fire detectors in working order?
- ☐ Are wall openings boarded up and exterior doors securely fastened?
- ☐ Are plans in place to monitor the building on a regular basis?
- ☐ Are the keys to the building in a secure but accessible location?
- ☐ Are the grounds being kept from becoming overgrown?

- ☐ Have the following been removed from the interior: trash, hazardous materials such as inflammable liquids, poisons, and paints and canned goods that could freeze and burst?
- ☐ Is the site securely fenced and regularly patrolled?
- ☐ Is the building signed identifying it as a protected heritage building with a phone number for citizens to call with questions or concerns or report vandals?

The aforementioned items will assist in protecting the listed heritage resources that are currently unoccupied during the planning process until actual site work commences.





SURTEES HOUSE CONSERVATION PLAN

5.0 CONSERVATION RECOMMENDATIONS

A condition review of the Surtees House was carried out during a site visit in February 2017. Observations were made only in areas accessible during the review. In addition to the visual review of the building, paint samples were taken from exterior building materials and examined. The recommendations for the preservation and rehabilitation of the historic residence are based on the site review, material samples, and archival documents that provide valuable information about the original appearance of the Surtees House.

The following chapter describes the materials, physical condition and recommended conservation strategy for the Surtees House based on Parks Canada *Standards & Guidelines for the Conservation of Historic Places in Canada*.

5.1 SITE

The Surtees House is located at 4629 Lakeshore Road, at the southwest portion of the Surtees Property, with its historic front facade facing a strip mall across the street. Directly adjacent to the north of the property is St. Andrew's Church with a small cemetery to the rear. The southern edge of the property is characterized by a small hill that is vegetated by mature trees and shrubs. Located diagonally behind the house to the northeast is the Surtees Barn that was built in 1927.

The Surtees property is valued for its central location at the heart of the original Okanagan Mission settlement. It has many natural heritage features such as the Bellevue Creek and its riparian flora and fauna, and mature deciduous and coniferous trees acting as noise and visual barrier from adjacent neighbouring properties.

The location of the Surtees house, its relationship to the Surtees Barn, and the surrounding natural heritage features of the property are important character-defining element of the historic assets.

Conservation Strategy: Relocation

- Preserve the historic front facade as it relates to Lakeshore Road.
- Protect and retain natural heritage features of the Surtees property. Replace in kind disturbed vegetation with new plantings to match original as required.
- Relocate the historic house within the property lines.

5.1.1 RELOCATION

Site protection measures should be done in order to preserve the structure prior to relocation. Before moving the house to its permanent location, the following **Relocation Guidelines** should be implemented:

- A relocation plan should be prepared to ensure that the least destructive method of relocation will be used. The original exterior brick chimney should be moved with the main house, if possible.
- The existing structural bracing should be reviewed by a qualified engineer or a professional building relocation company.
- An experienced and qualified contractor should undertake the physical relocation of the historic structure.
- Appropriate foundation materials can be used at the new site, which can include reinforced concrete basement walls and slab.
- Provide utility installations for electricity, communication and other service connections underground. Installations located above ground should be incorporated harmoniously into the design concept for the relocated structure.
- Implement measures for site protection, in particular when the house sits vacant, and until construction work commences.





Aerial maps showing location of the Surtees House at 4629 Lakeshore Road, and the extent of Surtees Property.

CONSERVATION RECOMMENDATIONS

5.2 OVERALL FORM, SCALE & MASSING

The Surtees House is valued as one of the oldest structures to survive in this vicinity. The original residential form, scale, and massing of the historic house circa 1910 remains legible despite a number of rehabilitation throughout the years. It includes: early addition to the front and rear of the north elevation by Allan Surtees circa 1924, and later unsympathetic extension to the kitchen at the side (south) and rear (east) elevations (date unknown).

The Surtees House is characterized by its: one and one-half storey height, with partial basement accessible from the exterior rear of the house; cross gable roof, with front and rear extension, and hipped-roof dormer; hipped-roof bay window to the north, and; front porch, with shed roof and closed balustrade. Its original configuration, along with the early additions to the historic house, are important character-defining elements that should be preserved.

Later additions to the kitchen area include a small extension to the rear (east elevation), as well as to the side (south elevation), which is characterized by a low-slope roof and a tall, exterior brick chimney. These later additions do not contribute to the historic character of the house, and may be demolished to restore the original overall form, scale, and massing of the Surtees House.

Future rehabilitation of the historic house should ensure the conservation of its heritage value by adopting minimal intervention that retains the integrity of its overall form, scale, and massing.

Conservation Strategy: Preservation

- Preserve the overall form, scale and massing of the building.
- Preserve the primary elevations (front façade and north elevation) as it relates to Lakeshore Road.
- All new addition should be reviewed by Heritage Consultant to ensure that the essential form and integrity of the historic asset is preserved.



Historic front facade (west elevation) of Surtees House at 4629 Lakeshore Road.

CONSERVATION RECOMMENDATIONS



Perspectival views of the Surtees House along Lakeshore Road showing partial west and south elevations (top), and partial west and north elevations (bottom). Note that the .

CONSERVATION RECOMMENDATIONS



Perspectival view of the Surtees House showing partial east (rear) and north elevations (top); Rear elevation of surtees House to the east (bottom)



Lower portion of bay window at north elevation, showing wood lapped siding, window sill, and board trims. Note that foundation wall is clad in later vertical siding.



Portion of rear elevation showing opening to unoccupied partial basement, with exposed cast-in-place concrete foundation walls.

5.3 FOUNDATION

The foundation of the Surtees House was inaccessible during the initial review, and would require the removal of exterior cladding in localized area to expose the foundation beneath. However, a partial basement was noted from an opening at the rear of the building, suggesting that the timber-frame structure is sitting on a cast-in-place concrete footing and foundation wall.

The existing foundation should be rehabilitated to include seismic reinforcements, as required. Careful attention should be executed to ensure the exterior walls above grade, particularly the primary elevations (front façade and north elevation), are not damaged during demolition of foundation, and relocation of the house. The heritage resource should be protected from damage or destruction at all times. Reference sections 4.3: *General Conservation Strategy* and 4.6: *Site Protection* for further information.

Conservation Strategy: Rehabilitation

- If new foundations are proposed, concrete is a suitable material. New material should match original in appearance, as viewed from the exterior, as possible.
- Foundations should be reviewed by a Structural Engineer. Once condition is assessed, conservation recommendations can be finalized.
- To ensure the prolonged preservation of the new foundations, all landscaping should be separated from the foundations at grade by a course of gravel or decorative stones, which help prevent splash back and assist drainage. New vegetation may assist in concealing the newly exposed foundations, if desired.

5.4 EXTERIOR WOOD-FRAME WALLS

The Surtees House features a traditional wood-frame construction, that is likely balloon-framed, given the abundance of old growth lumber in the past. In general, the exterior wood-frame walls appear to be in good condition, with no evident signs of heavy deterioration based on visual observation from the interior and exterior of the historic house. Further investigation is required to determine its construction and structural integrity.

The original exterior wall cladding of the historic house are still intact, and is characterized by horizontal wood siding with bevelled profile. The original wood siding of the historic house is visually and physically distinguishable from replacement wood siding, illustrating the craftsmanship involved with construction of earlier vernacular detailing of the exterior wood-frame walls. Original woodtrims are also extant at all elevations, which include, but not limited to: corner boards, skirt boards, window and door surround trims, window sills and door thresholds.

The exterior wood cladding and trims appears to be in good condition with signs of minor deterioration in localized areas, which are attributed to natural weathering and inadequate protection and stabilization since the house was left unoccupied. All aforementioned elements contribute to the historic character of the Surtees House, and should be preserved, and repaired as required.

Conservation Strategy: Preservation

- Due to the integrity of the original wood-frame structure, the exterior walls should be preserved through retention and in-situ repair work.
- Preserve the original wood-frame structure of the historic building.
- Preserve original siding on all elevations, if possible, and clean surface for repainting.
- Replace damaged siding to match existing in material, size, profile and thickness.
- Any existing trim should be preserved, and new material that is visually physically compatible with the original should be reinstated when original fabric is missing. Combed and/or textured lumber is not acceptable. Hardi-plank or other cementitious boards are not acceptable.
- Design structural or seismic upgrades so as to minimize the impact to the character-defining elements.
- Utilize Alternate Compliance Methods outlined in the BC Building Code for fire and spatial separations, including installation of sprinklers where possible.
- Cleaning procedures should be undertaken with non-destructive methods. Areas with biological growth should be cleaned using a soft, natural bristle brush, without water, to remove dirt and other material. If a more intense cleaning is required, this can be accomplished with warm water, mild detergent (such as D/2 Biological Solution®) and a soft bristle brush. High-pressure power washing, abrasive cleaning or sandblasting should not be allowed under any circumstances.



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Photo showing existing condition of original exterior wall, with horizontal lapped wood siding and trims at north elevation (top left), and at the interior return walls of the enclosed early addition to the west (top right).



Photos showing original exterior walls with original materials interfaced with later rehabilitation with inappropriate detailing; at historic front facade between door and window opening (bottom left), and at south elevation and return wall of later addition (bottom right).

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5.5 ROOF

The original T-shaped configuration of the cross-gabled roof structure of the Surtees House retains its legibility, that is likely clad with wooden shingles. A small portion of the cross-gabled roof structure is exposed from the interior of the house, and appears to be in good condition. Further investigation is required to determine its structural integrity. The historic house also features early front and rear extension to the north, a hipped-roof dormer facing west, a hipped-roof bay window to the north, and a modest front porch with shed roof.

The roof of the historic house is characterized by narrow overhang with closed soffit, and are clad with later asphalt shingles that do not contribute to the historic character of the house. Archival photos show hexagonal asphalt shingles, which indicates that the existing cladding have been in place for at least 25 years. It appears to be in fair condition, showing signs of deterioration in localized areas, as evident by heavy biological growth, granular loss, and staining.

Original wood structure should be retained as much as possible. New cedar shingles is preferred replacement material, but asphalt shingles may also be used as roofing replacement to match original in appearance, and should be reviewed by Heritage Consultant prior to installation.



Existing condition of original, primary cross-gabled roof, with shed roof extension of early addition to the northeast portion of the house, as well as two original interior brick masonry chimney stacks along the roof ridges.

Conservation Recommendation: Rehabilitation

- Preserve the roof structure in its current configuration, as expressed by its primary cross-gabled roofstructure.
- If required, roofing membrane and cladding system may be rehabilitated. Cedar shingles are the preferred material, but uroid shingles or Aged Cedar Enviroshingles™ are also acceptable.
- Retain the original bargeboards and fascia boards, as well as the soffit any exposed roof elements.
- Design and install adequate rainwater disposal system and ensure proper drainage from the site is maintained. Wood gutters with galvanized steel downspouts are recommended. Aluminum in appropriate colours is also acceptable. Paint or provide specification of drainage system elements according to colour schedule devised by Heritage Consultant.



Southwest corner view of the house showing later addition, with exterior brick chimney in the foreground, and two original interior chimney stacks in the background.

5.5.1 CHIMNEYS

The Surtees House features two original interior brick chimney along the roof ridges that provides venting for the kitchen and the fireplace. Above the roofline, the chimneys appear to be in poor condition, with missing brick masonry units, including the original corbelled crown detail. The bricks require cleaning and repointing, but generally appears to be in fair condition. Based on observations in the kitchen area, the chimney flue terminates abruptly within the interior wall, and is only supported by the interior wood-frame of the house. This configuration may have structural implications to the integrity of the chimney, and further investigation is required if the intent is to restore the element from the interior.

A later, exterior brick chimney is extant at the south kitchen extension of the historic house. It does not have a heritage value, and may be demolished to restore the historic character of the Surtees House. The original chimneys should be preserved in their original configuration and exterior appearance. Venting may be installed within the existing chimney opening, and should not protrude through any of the exterior brickwork. The original brickwork should be carefully cleaned and repointed, as required.

Conservation Recommendation: Preservation

- Preserve the original chimneys in its original configuration, if possible.
- Original chimneys may require structural stabilization.
- Investigate condition of brickwork. If required, brickwork may be repointed and cleaned using a natural bristle brush and mild rinse detergent.
- If the existing chimneys need to be removed prior to relocation, the existing chimney should be carefully documented prior to dismantling of the existing chimneys. All sound, brick masonry units should be salvaged. Chimneys should be reinstated above roofline to match original configuration using salvaged masonry as possible, or

CONSERVATION RECOMMENDATIONS

if necessary, with new, full-dimensioned brick masonry units to match the original. Reconstruction should be discussed with the Heritage Consultant.

5.6 FENESTRATION

Windows, doors and storefronts are among the most conspicuous feature of any building. In addition to their function – providing light, views, fresh air and access to the building – their arrangement and design is fundamental to the building's appearance and heritage value. Each element of fenestration is, in itself, a complex assembly whose function and operation must be considered as part of its conservation. – Standards and Guidelines for the Conservation of Historic Places in Canada.

5.6.1 WINDOWS

The Surtees House originally featured a number of wood window assemblies, which include double-hung, casement, and fixed wood window sashes, some with six window panes in true divided lights.

Initial observations were done from the interior of the house because all of the window openings of the Surtees House have been securely boarded up from the exterior. A number of surviving original window sashes with missing or broken glazing are exposed from the interior of the house; some openings with missing assemblies were also noted during the review. Most of the windows are finished with paint.

In general, the window sashes appear to be in good and repairable condition. Some areas of the house were inaccessible, and further investigation would

be required to determine full condition of extant, original window assemblies. The windows of the historic house are important character-defining elements that should be preserved, and repaired as necessary.

Conservation Strategy: Preservation

- Inspect for condition and complete detailed inventory to determine extent of recommended repair or replacement.
- Retain existing window sashes; repair as required; install replacement matching sashes where missing or beyond repair.
- Preserve and repair as required, using in kind repair techniques where feasible.
- Overhaul, tighten/reinforce joints. Repair frame, trim and counterbalances.
- Each window should be made weather tight by re-puttying and weather-stripping as necessary.
- Retain historic glass, where possible. Where broken glass exists in historic wood-sash windows, the broken glass should be replaced. When removing broken glass, the exterior putty should be carefully chipped off with a chisel and the glazier's points should be removed. The wood where the new glass will be rested on should be scraped and cleaned well, and given a coat of linseed oil to prevent the wood from absorbing the oil from the new putty. The new glass should be cut 1/16-1/8th smaller than the opening to allow for expansion and irregularities in the opening, to ensure the glazing does not crack due to natural forces. Window repairs should be undertaken by a contractor skilled in heritage restoration.
- Replacement glass to be single glazing, and visually and physically compatible with existing.
- Prime and repaint as required in appropriate colour, based on colour schedule devised by Heritage Consultant.



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Photos showing existing typical conditions of surviving original wood windows and doors: gable ends at the east/west elevations (1, 2); bay window at north elevation (3); historic front facade at west elevation, showing partial wood door (4); rear exterior door at east elevation (5); main entrance door at west elevation (6).

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5.6.2 DOORS

The Surtees House features two original exterior door assemblies, which include the main entrance door at the front porch, and a secondary entrance door to the kitchen area at the rear of the house. Both doors are characterized by inset wood panelling and glazing unit that are finished with paint in unsympathetic colour. The surviving original exterior wooden door assemblies contribute to the historic character of the house and should be preserved, and repaired as required.

Conservation Strategy: Preservation




- Retain the door openings in their original locations, and preserve and repair all original door.
- New doors should be visually compatible with the historic character of the building.

5.7 EXTERIOR COLOUR SCHEDULE

Part of the restoration process is to finish the building in historically appropriate paint colours. The following preliminary colour scheme has been derived by the Heritage Consultant. On-site paint sampling and microscopic paint analysis did not provide sufficient evidence to determine the original colour scheme. A preliminary placeholder colour scheme has been suggested, using Benjamin Moore's Historical True Colours Palette. Further on-site analysis is required for final colour confirmation once access is available.

Prior to final paint application, samples of these colours should be placed on the building to be viewed in natural light. Final colour selection can then be verified. Matching to any other paint company products should be verified by the Heritage Consultant.

PRELIMINARY COLOUR TABLE: SURTEES HOUSE, 4629 LAKESHORE ROAD, KELOWNA

Element	Colour	Code	Sample	Finish
Wood Window Frames & Sashes	Hastings Red	VC-30		High Gloss
Doors	Stained & Varnished	-	-	-
Wood Siding	Pendrell Verdigris	VC-22		Flat
Window & Door Trim, Corner & Skirt Boards, Fascia, Soffit, Other Trims	Oxford Ivory	VC-15		Semi-Gloss
Roof	Cedar Shingles	-	-	-

Paint colours come from Benjamin Moore's *Historical Vancouver True Colours*

5.8 INTERIOR

“Interior features can include elements such as interior walls, floors and ceilings, mouldings, staircases, fireplace mantels, faucets, sinks, built-in cabinets, light fixtures, hardware, radiators, mail chutes, telephone booths and elevators. Because their heritage value resides not only in their physical characteristics, but also in their location in the historic building, it is important to protect them from removal. This is particularly true of doors, banisters, church pews, fireplace mantels, sinks and light fixtures, which are often replaced instead of being upgraded. Reuse in their original location not only protects their heritage value, but is also a more sustainable approach to conserving these artefacts.” Standards & Guidelines for the Conservation of Historic Places in Canada

Building Code upgrading is one of the most important aspects of heritage building rehabilitation, as it ensures life safety and long-term protection for the resource. However, the interior features of an historic property are often heavily damaged in the process. Both Vancouver Building By-law and the British Columbia Building Code offer equivalencies and exemptions to heritage buildings, which enable a higher degree of heritage conservation and retention of original material. The following guidelines pertaining to Health, Safety and Security Considerations from the *Standards & Guidelines* should be followed when faced with the conservation of interior character-defining elements:

- Upgrade interior features to meet health, safety and security requirements, in a manner that preserves the existing feature and minimizes impact on its heritage value.
- Work with code specialists to determine the most appropriate solution to health, safety and security requirements with the least impact on the character-defining elements and overall heritage value of the historic building.

- Explore all options for modifications to existing interior features to meet functional requirements prior to considering removal or replacement.
- Remove or encapsulate hazardous materials, such as friable asbestos insulation, using the least-invasive abatement methods possible, and only after thorough testing has been conducted.
- Install sensitively designed fire-suppression systems that retain character-defining elements and respect heritage value.

5.8.1 WALLS AND CEILINGS

The interior walls and ceilings of the Surtees House feature different finishes that include gypsum board and V-joint panelling. The front hall retains the V-joint panelling on the walls and ceilings, interfaced with corner board trim. The large bedroom with bay window to the north features a low ceiling with expressed horizontal beams, providing a coffered effect with flat inset gypsum board.

On the opposite sides of the bedroom to the east and the west are the early extensions to the original house, with walls that are characterized by horizontal wood siding of the original exterior walls. The dining area to the east features exposed roof rafters with an angle web wood member; the ceiling is covered in square ceramic tiles, which are not historically accurate.

The adaptive re-use of the Surtees House would require the rehabilitation of the interior of the house, and all efforts should be made to ensure that new work retains the integrity of the historic house, and is physically and visually compatible with, subordinate to and distinguishable from the historic place.

Conservation Strategy: Rehabilitation

CONSERVATION RECOMMENDATIONS



Interior space of the enclosed vestibule (west early addition) showing original exterior horizontal wood lapped siding to the right.



Interior space of the dining room (east early addition) showing exposed shed roof rafters with angle web wood members.



Interior brick masonry chimney flue terminating at midsection of the interior wall, partially showing wood structural support.



Surviving original v-joint panelling on walls and ceiling of front hall, showing original main entrance door to the left.

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5.8.2 STAIRCASE

The Surtees House features an original, narrow winder staircase that is accessible from the large bedroom to the north, leading up to the attic spaces behind the fireplace. The low-height attic apices may have been used for storage or boarding rooms for servants. The staircase is intact and appears to be in good condition, and may be rehabilitated, as necessary.

Conservation Strategy: Rehabilitation

5.8.3 FIREPLACE

The Surtees House features a modest brick masonry fireplace with raised concrete hearth and wood mantel. The paint finish is not historically accurate, and should be removed. The fireplace is intact and appears to be in good condition, and may be rehabilitated, as necessary.

Conservation Strategy: Rehabilitation



Photos showing surviving interior character-defining elements of Surtees House, including narrow winder staircase; brick masonry fireplace with raised concrete hearth and wood mantel; low ceiling with expressed horizontal beams and coffered-effect.

6.0 MAINTENANCE PLAN

A Maintenance Plan should be adopted by the property owner, who is responsible for the long-term protection of the heritage features of the Surtees House. The Maintenance Plan should include provisions for:

- Copies of the Maintenance Plan and this Conservation Report to be incorporated into the terms of reference for the management and maintenance contract for the building;
- Cyclical maintenance procedures to be adopted as outlined below;
- Record drawings and photos of the building to be kept by the management / maintenance contractor; and
- Records of all maintenance procedures to be kept by the owner.

A thorough maintenance plan will ensure the integrity of the Surtees House is preserved. If existing materials are regularly maintained and deterioration is significantly reduced or prevented, the integrity of materials and workmanship of the building will be protected. Proper maintenance is the most cost effective method of extending the life of a building, and preserving its character-defining elements. The survival of historic buildings in good condition is primarily due to regular upkeep and the preservation of historic materials.

6.1 MAINTENANCE GUIDELINES

A maintenance schedule should be formulated that adheres to the *Standards & Guidelines for the Conservation of Historic Places in Canada*. As defined by the *Standards & Guidelines*, maintenance is defined as:

Routine, cyclical, non-destructive actions necessary to slow the deterioration of a historic place. It entails periodic inspection; routine, cyclical, non-destructive cleaning; minor repair and refinishing operations; replacement of damaged or deteriorated materials that are impractical to save.

The assumption that newly renovated buildings become immune to deterioration and require less maintenance is a falsehood. Rather, newly renovated buildings require heightened vigilance to spot errors in construction where previous problems had not occurred, and where deterioration may gain a foothold.

Routine maintenance keeps water out of the building, which is the single most damaging element to a heritage building. Maintenance also prevents damage by sun, wind, snow, frost and all weather; prevents damage by insects and vermin; and aids in protecting all parts of the building against deterioration. The effort and expense expended on an aggressive maintenance will not only lead to a higher degree of preservation, but also over time potentially save large amount of money otherwise required for later repairs.

6.2 PERMITTING

Repair activities, such as simple in-kind repair of materials, or repainting in the same colour, should be exempt from requiring city permits. Other more intensive activities will require the issuance of a Heritage Alteration Permit.

6.3 ROUTINE, CYCLICAL AND NON-DESTRUCTIVE CLEANING

Following the *Standards & Guidelines for the Conservation of Historic Places in Canada*, be mindful of the principle that recommends “using the gentlest means possible”. Any cleaning procedures should be undertaken on a routine basis and should be undertaken with non-destructive methods. Cleaning should be limited to the exterior material such as concrete surfaces and wood elements such as siding and trims. All of these elements are usually easily cleaned, simply with a soft, natural bristle brush, without water, to remove dirt and other material. If a more intensive cleaning is required,



this can be accomplished with warm water, mild detergent and a soft bristle brush. High-pressure washing, sandblasting or other abrasive cleaning should not be undertaken under any circumstances.

6.4 REPAIRS AND REPLACEMENT OF DETERIORATED MATERIALS

Interventions such as repairs and replacements must conform to the *Standards & Guidelines for the Conservation of Historic Places in Canada*. The building's character-defining elements – characteristics of the building that contribute to its heritage value (and identified in the Statement of Significance) such as materials, form, configuration, etc. – must be conserved, referencing the following principles to guide interventions:

- An approach of minimal intervention must be adopted - where intervention is carried out it will be by the least intrusive and most gentle means possible.
- Repair rather than replace character-defining elements.
- Repair character-defining elements using recognized conservation methods.
- Replace 'in kind' extensively deteriorated or missing parts of character-defining elements.
- Make interventions physically and visually compatible with the historic place.

6.5 INSPECTIONS

Inspections are a key element in the maintenance plan, and should be carried out by a qualified person or firm, preferably with experience in the assessment of heritage buildings. These inspections should be conducted on a regular and timely schedule. The inspection should address all aspects of the building including exterior, interior and site conditions. It makes good sense to inspect a building in wet weather, as well as in dry, in order to see how water runs off – or through – a building. From this inspection, an inspection report should

be compiled that will include notes, sketches and observations. It is helpful for the inspector to have copies of the building's elevation drawings on which to mark areas of concern such as cracks, staining and rot. These observations can then be included in the report. The report need not be overly complicated or formal, but must be thorough, clear and concise. Issues of concern, taken from the report should then be entered in a log book so that corrective action can be documented and tracked. Major issues of concern should be extracted from the report by the property manager.

An appropriate schedule for regular, periodic inspections would be twice a year, preferably during spring and fall. The spring inspection should be more rigorous since in spring moisture-related deterioration is most visible, and because needed work, such as painting, can be completed during the good weather in summer. The fall inspection should focus on seasonal issues such as weather- sealants, mechanical (heating) systems and drainage issues. Comprehensive inspections should occur at five-year periods, comparing records from previous inspections and the original work, particularly in monitoring structural movement and durability of utilities. Inspections should also occur after major storms.

6.6 INFORMATION FILE

The Surtees House should have its own information file where an inspection report can be filed. This file should also contain the log book that itemizes problems and corrective action. Additionally, this file should contain building plans, building permits, heritage reports, photographs and other relevant documentation so that a complete understanding of the building and its evolution is readily available, which will aid in determining appropriate interventions when needed.

The file should also contain a list outlining the finishes and materials used, and information

MAINTENANCE PLAN

detailing where they are available (store, supplier). The building owner should keep on hand a stock of spare materials for minor repairs.

6.6.1 LOG BOOK

The maintenance log book is an important maintenance tool that should be kept to record all maintenance activities, recurring problems and building observations and will assist in the overall maintenance planning of the historic residence. Routine maintenance work should be noted in the maintenance log to keep track of past and plan future activities. All items noted on the maintenance log should indicate the date, problem, type of repair, location and all other observations and information pertaining to each specific maintenance activity.

Each log should include the full list of recommended maintenance and inspection areas noted in this Maintenance Plan, to ensure a record of all activities is maintained. A full record of these activities will help in planning future repairs and provide valuable building information for all parties involved in the overall maintenance and operation of the building, and will provide essential information for long term programming and determining of future budgets. It will also serve as a reminder to amend the maintenance and inspection activities should new issues be discovered or previous recommendations prove inaccurate.

The log book will also indicate unexpectedly repeated repairs, which may help in solving more serious problems that may arise in the historic building. The log book is a living document that will require constant adding to, and should be kept in the information file along with other documentation noted in section 6.6 *Information File*.

6.7 EXTERIOR MAINTENANCE

Water, in all its forms and sources (rain, snow, frost, rising ground water, leaking pipes, back-splash, etc.) is the single most damaging element to historic buildings.

The most common place for water to enter a building is through the roof. Keeping roofs repaired or renewed is the most cost-effective maintenance option. Evidence of a small interior leak should be viewed as a warning for a much larger and worrisome water damage problem elsewhere and should be fixed immediately.

6.7.1 INSPECTION CHECKLIST

The following checklist considers a wide range of potential problems specific to the Surtees House, such as water/moisture penetration, material deterioration and structural deterioration. This does not include interior inspections.

EXTERIOR INSPECTION

Site Inspection:

- ☐ Is the lot well drained? Is there pooling of water?
- ☐ Does water drain away from foundation?

Foundation

- ☐ Moisture: Is rising damp present?
- ☐ Is there back splashing from ground to structure?
- ☐ Is any moisture problem general or local?
- ☐ Is damp proof course present?
- ☐ Are there shrinkage cracks in the foundation?
- ☐ Are there movement cracks in the foundation?
- ☐ Is crack monitoring required?
- ☐ Is uneven foundation settlement evident?
- ☐ Are foundation crawl space vents clear and working?
- ☐ Do foundation openings (doors and windows) show: rust; rot; insect attack; soil build-up;
- ☐ Deflection of lintels?



Wood Elements

- ☐ Are there moisture problems present? (Rising damp, rain penetration, condensation moisture from plants, water run-off from roof, sills, or ledges?)
- ☐ Is wood in direct contact with the ground?
- ☐ Is there insect attack present? Where and probable source?
- ☐ Is there fungal attack present? Where and probable source?
- ☐ Are there any other forms of biological attack? (Moss, birds, etc.) Where and probable source?
- ☐ Is any wood surface damaged from UV radiation? (bleached surface, loose surface fibres)
- ☐ Is any wood warped, cupped or twisted?
- ☐ Is any wood split? Are there loose knots?
- ☐ Are nails pulling loose or rusted?
- ☐ Is there any staining of wood elements? Source?

Condition of Exterior Painted Materials

- ☐ Paint shows: blistering, sagging or wrinkling, alligatoring, peeling. Cause?
- ☐ Paint has the following stains: rust, bleeding knots, mildew, etc. Cause?
- ☐ Paint cleanliness, especially at air vents?

Porch:

- ☐ Are steps safe? Balustrade secure?
- ☐ Do any support columns show rot at their bases?
- ☐ Attachment – are porches, steps, etc. securely connected to the building?

Windows

- ☐ Is there glass cracked or missing?
- ☐ If the glazing is puttied has it gone brittle and cracked? Fallen out? Painted to shed water?
- ☐ If the glass is secured by beading, are the beads in good condition?
- ☐ Is there condensation or water damage to the paint?
- ☐ Are the sashes easy to operate? If hinged, do they swing freely?
- ☐ Is the frame free from distortion?

- ☐ Do sills show weathering or deterioration?
- ☐ Are drip mouldings/flashings above the windows properly shedding water?
- ☐ Is the caulking between the frame and the cladding in good condition?

Doors

- ☐ Do the doors create a good seal when closed?
- ☐ Are the hinges sprung? In need of lubrication?
- ☐ Do locks and latches work freely?
- ☐ If glazed, is the glass in good condition? Does the putty need repair?
- ☐ Are door frames wicking up water? Where? Why?
- ☐ Are door frames caulked at the cladding? Is the caulking in good condition?
- ☐ What is the condition of the sill?

Gutters and Downspouts

- ☐ Are downspouts leaking? Clogged? Are there holes or corrosion? (Water against structure)
- ☐ Are downspouts complete without any missing sections? Are they properly connected?
- ☐ Is the water being effectively carried away from the downspout by a drainage system?
- ☐ Do downspouts drain completely away?

Roof

- ☐ Are there water blockage points?
- ☐ Is the leading edge of the roof wet?
- ☐ Is there evidence of biological attack? (Fungus, moss, birds, insects)
- ☐ Are wood shingles wind damaged or severely weathered? Are they cupped or split or lifting?
- ☐ Are the nails sound? Are there loose or missing shingles?
- ☐ Are flashings well seated?
- ☐ If there is a lightning protection system are the cables properly connected and grounded?
- ☐ Does the soffit show any signs of water damage? Insect or bird infestation?
- ☐ Is there rubbish buildup on the roof?

MAINTENANCE PLAN

INTERIOR INSPECTION

Basement

- ☐ Are there signs of moisture damage to the walls?
- ☐ Are there signs of past flooding, or leaks from the floor above? Is the floor damp?
- ☐ Are walls even or buckling or cracked? Is the floor cracked or heaved?
- ☐ Are there signs of insect or rodent infestation?

Concealed spaces

- ☐ Is light visible through walls, to the outside or to another space?
- ☐ Are the ventilators for windowless spaces clear and functional?
- ☐ Do pipes or exhausts that pass through concealed spaces leak?
- ☐ Are wooden elements soft, damp, cracked? Is metal material rusted, paint peeling or off altogether?
- ☐ Infestations - are there signs of birds, bats, insects, rodents, past or present?

6.7.2 MAINTENANCE PROGRAMME

INSPECTION CYCLE:

Daily

- Observations noted during cleaning (cracks; damp, dripping pipes; malfunctioning hardware; etc.) to be noted in log book or building file.

Semi-annually

- Semi-annual inspection and report with special focus on seasonal issues.
- Thorough cleaning of drainage system to cope with winter rains and summer storms
- Check condition of weather sealants (Fall).
- Clean the exterior using a soft bristle broom/brush.

Annually (Spring)

- Inspect concrete for cracks, deterioration.
- Inspect metal elements, especially in areas that may trap water.
- Inspect windows for paint and glazing compound failure, corrosion and wood decay and proper operation.
- Complete annual inspection and report.
- Clean out of all perimeter drains and rainwater systems.
- Touch up worn paint on the building's exterior.
- Check for plant, insect or animal infestation.
- Routine cleaning, as required.

Five-Year Cycle

- A full inspection report should be undertaken every five years comparing records from previous inspections and the original work, particularly monitoring structural movement and durability of utilities.
- Repaint windows every five to fifteen years.

Ten-Year Cycle

- Check condition of roof every ten years after last replacement.

Twenty-Year Cycle

- Confirm condition of roof and estimate effective lifespan. Replace when required.

Major Maintenance Work (as required)

- Thorough repainting, downspout and drain replacement; replacement of deteriorated building materials; etc.





SURTEES BARN

7.0 CONSERVATION RECOMMENDATIONS

A condition review of the Surtees Barn was carried out during a site visit in February 2017. Observations were made only in areas accessible during the review. In addition to the visual review of the building, paint samples were taken from exterior building materials and examined. The recommendations for the preservation and rehabilitation of the historic barn are based on the site review, material samples, and archival documents that provide valuable information about the original appearance of the Surtees Barn.

The following chapter describes the materials, physical condition and recommended conservation strategy for the Surtees Barn based on Parks Canada *Standards & Guidelines for the Conservation of Historic Places in Canada*.

7.1 SITE

The Surtees Barn is located within the Surtees property at 4629 Lakeshore Road, diagonally situated to the northeast of the Surtees House. It is characterized by a narrow set back from the north property line, with the front gable end of the barn directly facing St. Andrew's Church. To the south is a small hill that features a number of mature trees and shrubs.

The Surtees property is valued for its central location at the heart of the original Okanagan Mission settlement. It has many natural heritage features such as the Bellevue Creek and its riparian flora and fauna, and mature deciduous and coniferous trees acting as noise and visual barrier from adjacent neighbouring properties.

The Surtees Barn is intimately associated with the Surtees house, and along with its relationship to the surrounding natural heritage features of the property, its location is an important character-defining element of the historic assets.

Conservation Strategy: Relocation

- Preserve the original location of the building. All rehabilitation work should occur within the property lines.
- Retain the relationship of the Surtees Barn with the Surtees House and the surrounding natural heritage features.
- Protect and retain natural heritage features of the Surtees property. Replace in kind disturbed vegetation with new plantings to match original as required.
- Relocate the historic building within the property lines.

7.1.1 RELOCATION

Site protection measures should be done in order to preserve the structure prior to relocation. Before moving the barn to its permanent location, the following **Relocation Guidelines** should be implemented:

- A relocation plan should be prepared to ensure that the least destructive method of relocation will be used. The original monitor vents should be moved with the barn, if possible.
- The existing structural bracing should be reviewed by a qualified engineer or a professional building relocation company.
- An experienced and qualified contractor should undertake the physical relocation of the historic structure.
- Appropriate foundation materials can be used at the new site, which can include reinforced concrete basement walls and slab.
- Provide utility installations for electricity, communication and other service connections underground. Installations located above ground should be incorporated harmoniously into the design concept for the relocated structure.
- Implement measures for site protection, in particular when the barn sits vacant, and until construction work commences.





Aerial maps showing location of the Surtees Barn at 4629 Lakeshore Road, and the extent of Surtees Property.

CONSERVATION RECOMMENDATIONS



Archival photo showing south elevation of Surtees Barn with cross of church in the background (top; date unknown); photo showing existing condition of Surtees Barn, as viewed from southwest, with St. Andrew's Church in the background.

CONSERVATION RECOMMENDATIONS



Photos showing north elevation of Surtees Barn, as viewed from northeast (top) and northwest (bottom). Note hill with mature landscape in the background.

CONSERVATION RECOMMENDATIONS



Archival photo showing east elevation of the Surtees Barn (top), with small log house in the background (demolished). Photo showing existing condition of east elevation of the Surtees Barn (bottom); note in the background showing a portion of the Surtees House to the left, and the St. Andrew's Church to the right.

7.2 OVERALL FORM, SCALE & MASSING

The Surtees Barn retains its original form, scale, and massing, characterized by its two-storey height; gambrel roof with slightly flared eaves, a peaked roof projection above the hayloft opening to the north, and two venting stacks along the roof ridge; fenestration in central symmetry at gable end elevations; and an early extension with side- gable roof to the west. Based on archival photos, a series of later interventions was done to the early extension. None are surviving, but traces of their roof outline remain visible on the west side exterior walls of the barn.

The overall form, scale, and massing of the Surtees Barn, including the early extension to the west, are important character-defining elements that should be preserved, and repaired as necessary. All efforts should be made to ensure conservation of its heritage value by adopting minimal intervention that retains the integrity of its overall form, scale, and massing.

Conservation Strategy: Preservation

- Preserve the overall form, scale and massing of the Surtees Barn.
- All new addition should be reviewed by Heritage Consultant to ensure that the essential form and integrity of the historic asset is preserved.

7.3 FOUNDATIONS

The Surtees Barn features exposed, poured-in-place concrete foundation walls supporting its original wood-frame structure, and raised concrete floor slab. A new concrete foundation will be constructed prior to relocation of the historic building. Careful attention should be executed to ensure the exterior walls above grade are not damaged during demolition of existing foundation and relocation of the barn. The heritage resource should be protected from damage or destruction at all times. Reference sections 4.3: *General Conservation Strategy* and 4.6: *Site Protection* for further information.

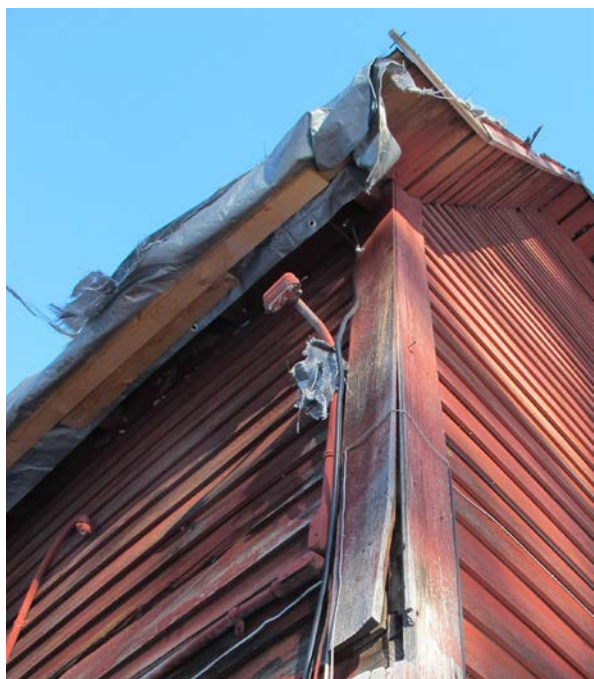


Basement of the west extension to the Surtees Barn.

CONSERVATION RECOMMENDATIONS



Photos showing typical deteriorated condition of exterior wall cladding above concrete foundation walls. Note profile of original drop siding (top right).



Photos showing typical deteriorated condition of exterior wall cladding, as well as roof soffit and corner board trims.

CONSERVATION RECOMMENDATIONS



Northeast corner condition of the existing, original exterior walls of the Surtees Barn, showing unsympathetic paint finish.



Interior side of the wall-to-roof interface, showing typical existing condition of the original wood materials.

Conservation Strategy: Rehabilitation

- If new foundations are proposed, concrete is a suitable material. New material should match original in appearance, as viewed from the exterior, as possible.
- Foundations should be reviewed by a Structural Engineer. Once condition is assessed, conservation recommendations can be finalized.
- To ensure the prolonged preservation of the new foundations, all landscaping should be separated from the foundations at grade by a course of gravel or decorative stones, which help prevent splash back and assist drainage. New vegetation may assist in concealing the newly exposed foundations, if desired.

7.4 EXTERIOR WOOD-FRAME WALLS

The Surtees Barn features a traditional wood-frame construction with exposed roof structure in gambrel and side-gable configuration, and partially-exposed wood studs of the exterior walls at the second floor level, as viewed from the interior of the building. In general, the exterior wood-frame walls appear to be in fair condition, with no evident signs of heavy deterioration based on visual observation from the interior and exterior of the barn. Further investigation is required to determine its construction and structural integrity.

The exterior walls of the building feature surviving original materials, which include horizontal wood drop siding, and wood trims such as corner boards, skirt boards, window and door surround trims, and window sills. The exterior wood cladding and trims appears to be in fair condition, with most of the original materials showing signs of deterioration, as evident by: wood shrinkage, cracking, or missing pieces altogether; peeling of paint; discolouration; staining; and some biological growth in localized areas. These conditions may have resulted from inadequate protection of the historic asset since the building was left unoccupied.

CONSERVATION RECOMMENDATIONS

The exterior wood-frame walls are important character-defining elements of the Surtees Barn, and should be preserved and repaired, as required. The proposed rehabilitation scheme will include structural, seismic, and envelope upgrades, and all original wood materials, particularly the horizontal drop siding and trims in good condition will be salvaged, reinstated, and finished to match original.

Conservation Strategy: Preservation

- Due to the integrity of the original wood-frame structure, the exterior walls should be preserved through retention and in-situ repair work, as possible.
- Preserve the original wood-frame structure of the historic building, and carefully document exterior walls prior to relocation and dismantling.
- Any existing original materials in good condition should be salvaged, and reinstated to match original. Replace damaged siding to match existing in material, size, profile and thickness.
- New materials that is visually physically compatible with the original should be reinstated when original fabric is missing. Combed and/or textured lumber is not acceptable. Hardi-plank or other cementitious boards are not acceptable.
- Design structural, seismic, and envelope upgrades so as to minimize the impact to the character-defining elements.
- Utilize Alternate Compliance Methods outlined in the BC Building Code for fire and spatial separations, including installation of sprinklers where possible.
- Cleaning procedures should be undertaken with non-destructive methods. Areas with biological growth should be cleaned using a soft, natural bristle brush, without water, to remove dirt and other material. If a more intense cleaning is required, this can be accomplished with warm water, mild detergent (such as D/2 Biological Solution®) and a soft bristle brush. High-pressure power washing, abrasive cleaning or sandblasting should not be allowed under any circumstances.

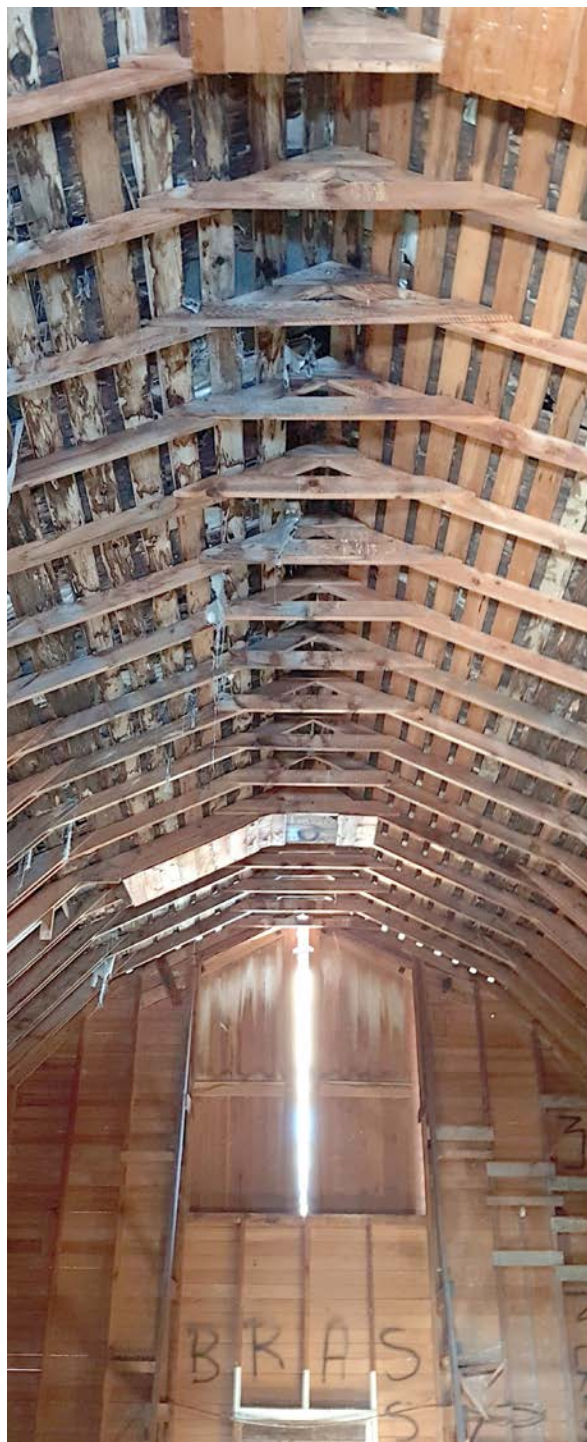


Photo showing interior side of the exterior wood-frame walls, looking north, and underside of the gambrel roof structure of the Surtees Barn.



7.5 ROOF

The gambrel roof of the Surtees Barn is the most prominent feature of the historic asset, both from the exterior and the interior of the building. Functionally, the gambrel configuration allowed for an enlarged storage capacity of the hayloft. The roof of the Surtees Barn is characterized by flared eaves to the east and west, and a narrow roof overhang at gambrel ends to the north and south, with a peaked projection on the north side.

In general, the roof cladding appears to be in poor condition. The temporary roof protection is heavily damaged, which may result in further water penetration and unwanted access to pests.

Conservation Recommendation: Rehabilitation

- Preserve the roof structure in its current configuration, as expressed by its primary cross-gabled roofstructure.
- If required, roofing membrane and cladding system may be rehabilitated. Cedar shingles are the preferred material, but Duroid shingles or Aged Cedar Enviroshingles™ are also acceptable.
- Retain the original bargeboards and fascia boards, as well as the soffit and any exposed roof elements.
- Design and install adequate rainwater disposal system and ensure proper drainage from the site is maintained. Wood gutters with galvanized steel downspouts are recommended. Aluminum in appropriate colours is also acceptable. Paint or provide specification of drainage system elements according to colour schedule devised by Heritage Consultant.

7.5.1 MONITOR VENTS

The Surtees Barn features two original monitor vents along the roof ridges, characterized by wooden louvers, walls clad in horizontal drop siding, and front-gabled cap. The monitor vents were inaccessible during the review, but observations

from the ground indicate that they appear to be in fair condition, showing signs of minor deterioration caused by natural weathering. Further investigation is required to determine their existing condition and structural integrity.

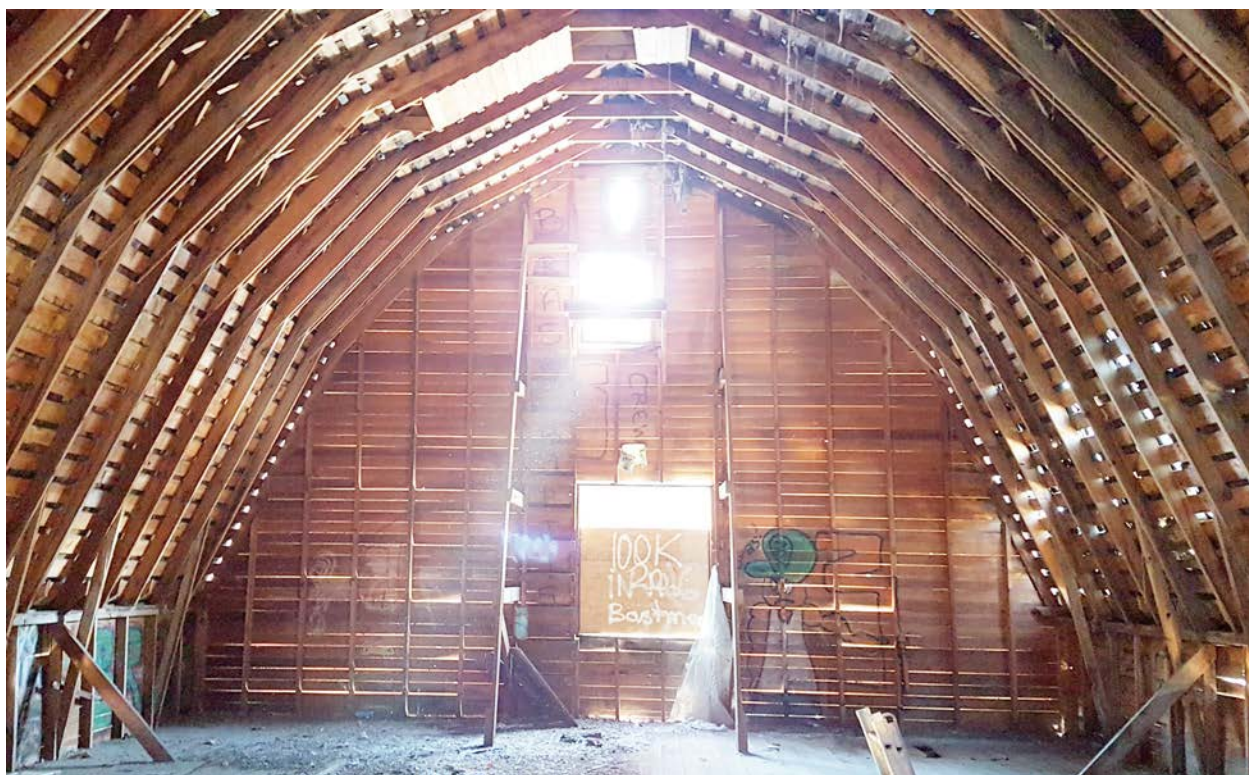
Conservation Recommendation: Preservation

- Preserve the original monitor vents in its original configuration, if possible.
- Original chimneys may require structural stabilization.
- Investigate condition of louvers and siding. If required, they should be repaired and cleaned using gentlest means as possible.
- If the existing monitor vents need to be removed prior to relocation, the existing monitor vents should be carefully documented prior to dismantling. All sound, original materials should be salvaged. Monitor vents should be reinstated above roofline to match original configuration using salvaged original materials as possible, or if necessary, with new materials to match the original. Reconstruction should be discussed with the Heritage Consultant.



Photo showing typical deteriorated condition of two, existing monitor vents along the roof ridge.

CONSERVATION RECOMMENDATIONS



Photos showing exposed gambrel roof structure of the Surtees Barn.

CONSERVATION RECOMMENDATIONS



Photos showing side-gabled roof structure of the Surtees Barn extension, from exterior (top) and interior (bottom) side.

CONSERVATION RECOMMENDATIONS

7.6 FENESTRATION

Windows, doors and storefronts are among the most conspicuous feature of any building. In addition to their function – providing light, views, fresh air and access to the building – their arrangement and design is fundamental to the building's appearance and heritage value. Each element of fenestration is, in itself, a complex assembly whose function and operation must be considered as part of its conservation. – Standards and Guidelines for the Conservation of Historic Places in Canada.

7.6.1 WINDOWS

The Surtees Barn features surviving original wood window assemblies, including a number of fixed wood window sashes in various sizes, with six window panes in true divided lights. All of the window openings have been securely boarded up from the exterior, and all observations of surviving wood window sashes were done from interior spaces of the Surtees Barn that were accessible during the initial review. Further investigation would be required to assess the condition of all extant, original window assemblies.

All of surviving sashes were finished in paint, and some have missing or broken glazing, while others have been entirely detached from the window opening. In general, the window sashes appear to be in good and repairable condition. The windows of the Surtees Barn are important character-defining elements that should be preserved, and repaired as necessary.

One later window opening was introduced at the loft level of the south elevation, which breaks central symmetry of the gable ends. This could be rehabilitated in a sympathetic manner by enlarging the opening to achieve central symmetry.



Photos showing original, existing door assembly at west return of south elevation (top), and later door surround trim at east elevation (bottom).

Conservation Strategy: Preservation

- Inspect for condition and complete detailed inventory to determine extent of recommended repair or replacement.
- Retain existing window sashes; repair as required; install replacement matching sashes where missing or beyond repair.
- Preserve and repair as required, using in kind repair techniques where feasible.
- Overhaul, tighten/reinforce joints. Repair frame, trim and counterbalances.
- Each window should be made weather tight by re-puttying and weather-stripping as necessary.
- Retain historic glass, where possible. Where broken glass exists in historic wood-sash windows, the broken glass should be replaced. When removing broken glass, the exterior putty should be carefully chipped off with a chisel and the glazier's points should be removed. The wood where the new glass will be rested on should be scraped and cleaned well, and given a coat of linseed oil to prevent the wood from absorbing the oil from the new putty. The new glass should be cut 1/16-1/8th smaller than the opening to allow for expansion and irregularities in the opening, to ensure the glazing does not crack due to natural forces. Window repairs should be undertaken by a contractor skilled in heritage restoration.
- Replacement glass to be single glazing, and visually and physically compatible with existing.
- Prime and repaint as required in appropriate colour, based on colour schedule devised by Heritage Consultant.

7.6.2 DOORS

The Surtees Barn features original door openings on all elevations, although it appears that only one later door is extant, which is located at the west wall return of the Surtees Barn. The door is characterized by an inset panelling, with six glass panes in true divided lights. The surviving later door should be preserved, and repaired as necessary. All missing doors should be replaced with new, appropriate wooden doors that are sympathetic to the historic character of the Barn.

Conservation Strategy: Preservation & Rehabilitation

- Retain the door openings in their original locations, and preserve and repair all original door.
- New doors should be visually compatible with the historic character of the building.




7.7 EXTERIOR COLOUR SCHEDULE

Part of the restoration process is to finish the building in historically appropriate paint colours. The following preliminary colour scheme has been derived by the Heritage Consultant, based on on-site paint sampling and microscopic paint analysis. The colours have been matched to Benjamin Moore's Historical True Colours Palette. Further on-site analysis is required for final colour confirmation once access is available.

Prior to final paint application, samples of these colours should be placed on the building to be viewed in natural light. Final colour selection can then be verified. Matching to any other paint company products should be verified by the Heritage Consultant.

CONSERVATION RECOMMENDATIONS

PRELIMINARY COLOUR TABLE: NAME OF BUILDING, ADDRESS

Element	Colour*	Code	Sample	Finish
Wood Siding	Pendrell Red	VC-29		Flat
Window Sash	Oxford Ivory	VC-I		High-Gloss
Door	TBD	-		-
Window & Door Trim, Corner & Skirt Boards, Fascia, Soffit, Other Trims	Oxford Ivory	VC-I		Semi-Gloss
Roof	Cedar Shingles	-	-	-

*Paint colours come from Benjamin Moore's *Historical Vancouver True Colours*



8.0 MAINTENANCE PLAN

A Maintenance Plan should be adopted by the property owner, who is responsible for the long-term protection of the heritage features of the Surtees Barn. The Maintenance Plan should include provisions for:

- Copies of the Maintenance Plan and this Conservation Report to be incorporated into the terms of reference for the management and maintenance contract for the building;
- Cyclical maintenance procedures to be adopted as outlined below;
- Record drawings and photos of the building to be kept by the management / maintenance contractor; and
- Records of all maintenance procedures to be kept by the owner.

A thorough maintenance plan will ensure the integrity of the Surtees Barn is preserved. If existing materials are regularly maintained and deterioration is significantly reduced or prevented, the integrity of materials and workmanship of the building will be protected. Proper maintenance is the most cost effective method of extending the life of a building, and preserving its character-defining elements. The survival of historic buildings in good condition is primarily due to regular upkeep and the preservation of historic materials.

8.1 MAINTENANCE GUIDELINES

A maintenance schedule should be formulated that adheres to the *Standards & Guidelines for the Conservation of Historic Places in Canada*. As defined by the *Standards & Guidelines*, maintenance is defined as:

Routine, cyclical, non-destructive actions necessary to slow the deterioration of a historic place. It entails periodic inspection; routine, cyclical, non-destructive cleaning; minor repair and refinishing operations; replacement of damaged or deteriorated materials that are impractical to save.

The assumption that newly renovated buildings become immune to deterioration and require less maintenance is a falsehood. Rather, newly renovated buildings require heightened vigilance to spot errors in construction where previous problems had not occurred, and where deterioration may gain a foothold.

Routine maintenance keeps water out of the building, which is the single most damaging element to a heritage building. Maintenance also prevents damage by sun, wind, snow, frost and all weather; prevents damage by insects and vermin; and aids in protecting all parts of the building against deterioration. The effort and expense expended on an aggressive maintenance will not only lead to a higher degree of preservation, but also over time potentially save large amount of money otherwise required for later repairs.

8.2 PERMITTING

Repair activities, such as simple in-kind repair of materials, or repainting in the same colour, should be exempt from requiring city permits. Other more intensive activities will require the issuance of a Heritage Alteration Permit.

8.3 ROUTINE, CYCLICAL AND NON-DESTRUCTIVE CLEANING

Following the *Standards & Guidelines for the Conservation of Historic Places in Canada*, be mindful of the principle that recommends “using the gentlest means possible”. Any cleaning procedures should be undertaken on a routine basis and should be undertaken with non-destructive methods. Cleaning should be limited to the exterior material such as concrete and stucco wall surfaces and wood elements such as storefront frames. All of these elements are usually easily cleaned, simply with a soft, natural bristle brush, without water, to remove dirt and other material. If a more intensive

MAINTENANCE PLAN

cleaning is required, this can be accomplished with warm water, mild detergent and a soft bristle brush. High-pressure washing, sandblasting or other abrasive cleaning should not be undertaken under any circumstances.

8.4 REPAIRS AND REPLACEMENT OF DETERIORATED MATERIALS

Interventions such as repairs and replacements must conform to the *Standards & Guidelines for the Conservation of Historic Places in Canada*. The building's character-defining elements – characteristics of the building that contribute to its heritage value (and identified in the Statement of Significance) such as materials, form, configuration, etc. – must be conserved, referencing the following principles to guide interventions:

- An approach of minimal intervention must be adopted – where intervention is carried out it will be by the least intrusive and most gentle means possible.
- Repair rather than replace character-defining elements.
- Repair character-defining elements using recognized conservation methods.
- Replace 'in kind' extensively deteriorated or missing parts of character-defining elements.
- Make interventions physically and visually compatible with the historic place.

8.5 INSPECTIONS

Inspections are a key element in the maintenance plan, and should be carried out by a qualified person or firm, preferably with experience in the assessment of heritage buildings. These inspections should be conducted on a regular and timely schedule. The inspection should address all aspects of the building including exterior, interior and site conditions. It makes good sense to inspect a building in wet weather, as well as in dry, in order to see how water runs off – or through – a building.

From this inspection, an inspection report should be compiled that will include notes, sketches and observations. It is helpful for the inspector to have copies of the building's elevation drawings on which to mark areas of concern such as cracks, staining and rot. These observations can then be included in the report. The report need not be overly complicated or formal, but must be thorough, clear and concise. Issues of concern, taken from the report should then be entered in a log book so that corrective action can be documented and tracked. Major issues of concern should be extracted from the report by the property manager.

An appropriate schedule for regular, periodic inspections would be twice a year, preferably during spring and fall. The spring inspection should be more rigorous since in spring moisture-related deterioration is most visible, and because needed work, such as painting, can be completed during the good weather in summer. The fall inspection should focus on seasonal issues such as weather-sealants, mechanical (heating) systems and drainage issues. Comprehensive inspections should occur at five-year periods, comparing records from previous inspections and the original work, particularly in monitoring structural movement and durability of utilities. Inspections should also occur after major storms.

8.6 INFORMATION FILE

The building should have its own information file where an inspection report can be filed. This file should also contain the log book that itemizes problems and corrective action. Additionally, this file should contain building plans, building permits, heritage reports, photographs and other relevant documentation so that a complete understanding of the building and its evolution is readily available, which will aid in determining appropriate interventions when needed.



The file should also contain a list outlining the finishes and materials used, and information detailing where they are available (store, supplier). The building owner should keep on hand a stock of spare materials for minor repairs.

8.6.1 LOG BOOK

The maintenance log book is an important maintenance tool that should be kept to record all maintenance activities, recurring problems and building observations and will assist in the overall maintenance planning of the building. Routine maintenance work should be noted in the maintenance log to keep track of past and plan future activities. All items noted on the maintenance log should indicate the date, problem, type of repair, location and all other observations and information pertaining to each specific maintenance activity.

Each log should include the full list of recommended maintenance and inspection areas noted in this Maintenance Plan, to ensure a record of all activities is maintained. A full record of these activities will help in planning future repairs and provide valuable building information for all parties involved in the overall maintenance and operation of the building, and will provide essential information for long term programming and determining of future budgets. It will also serve as a reminder to amend the maintenance and inspection activities should new issues be discovered or previous recommendations prove inaccurate.

The log book will also indicate unexpectedly repeated repairs, which may help in solving more serious problems that may arise in the historic building. The log book is a living document that will require constant adding to, and should be kept in the information file along with other documentation noted in section 6.6 *Information File*.

8.7 EXTERIOR MAINTENANCE

Water, in all its forms and sources (rain, snow, frost, rising ground water, leaking pipes, back-splash, etc.) is the single most damaging element to historic buildings.

The most common place for water to enter a building is through the roof. Keeping roofs repaired or renewed is the most cost-effective maintenance option. Evidence of a small interior leak should be viewed as a warning for a much larger and worrisome water damage problem elsewhere and should be fixed immediately.

8.7.1 INSPECTION CHECKLIST

The following checklist considers a wide range of potential problems specific to the Surtees Barn, such as water/moisture penetration, material deterioration and structural deterioration. This does not include interior inspections.

EXTERIOR INSPECTION

Site Inspection:

- ☐ Is the lot well drained? Is there pooling of water?
- ☐ Does water drain away from foundation?

Foundation

- ☐ Moisture: Is rising damp present?
- ☐ Is there back splashing from ground to structure?
- ☐ Is any moisture problem general or local?
- ☐ Is damp proof course present?
- ☐ Are there shrinkage cracks in the foundation?
- ☐ Are there movement cracks in the foundation?
- ☐ Is crack monitoring required?
- ☐ Is uneven foundation settlement evident?
- ☐ Are foundation crawl space vents clear and working?
- ☐ Do foundation openings (doors and windows) show: rust; rot; insect attack; paint failure; soil build-up;
- ☐ Deflection of lintels?

MAINTENANCE PLAN

Wood Elements

- ☐ Are there moisture problems present? (Rising damp, rain penetration, condensation moisture from plants, water run-off from roof, sills, or ledges?)
- ☐ Is wood in direct contact with the ground?
- ☐ Is there insect attack present? Where and probable source?
- ☐ Is there fungal attack present? Where and probable source?
- ☐ Are there any other forms of biological attack? (Moss, birds, etc.) Where and probable source?
- ☐ Is any wood surface damaged from UV radiation? (bleached surface, loose surface fibres)
- ☐ Is any wood warped, cupped or twisted?
- ☐ Is any wood split? Are there loose knots?
- ☐ Are nails pulling loose or rusted?
- ☐ Is there any staining of wood elements? Source?

Condition of Exterior Painted Materials

- ☐ Paint shows: blistering, sagging or wrinkling, alligating, peeling. Cause?
- ☐ Paint has the following stains: rust, bleeding knots, mildew, etc. Cause?
- ☐ Paint cleanliness, especially at air vents?

Windows

- ☐ Is there glass cracked or missing?
- ☐ If the glazing is puttied has it gone brittle and cracked? Fallen out? Painted to shed water?
- ☐ If the glass is secured by beading, are the beads in good condition?
- ☐ Is there condensation or water damage to the paint?
- ☐ Are the sashes easy to operate? If hinged, do they swing freely?
- ☐ Is the frame free from distortion?
- ☐ Do sills show weathering or deterioration?
- ☐ Are drip mouldings/flashings above the windows properly shedding water?
- ☐ Is the caulking between the frame and the cladding in good condition?

Doors

- ☐ Do the doors create a good seal when closed?
- ☐ Are the hinges sprung? In need of lubrication?
- ☐ Do locks and latches work freely?
- ☐ If glazed, is the glass in good condition? Does the putty need repair?
- ☐ Are door frames wicking up water? Where? Why?
- ☐ Are door frames caulked at the cladding? Is the caulking in good condition?
- ☐ What is the condition of the sill?

Roof

- ☐ Are there water blockage points?
- ☐ Is there evidence of biological attack? (Fungus, moss, birds, insects)
- ☐ Are wood shingles wind damaged or severely weathered? Are they cupped or split or lifting?
- ☐ Are the nails sound? Are there loose or missing shingles?
- ☐ If there is a lightening protection system are the cables properly connected and grounded?
- ☐ Does the soffit show any signs of water damage? Insect or bird infestation?
- ☐ Is there rubbish buildup on the roof?
- ☐ Are flashings well positioned and sealed?

INTERIOR INSPECTION

Basement

- ☐ Are there signs of moisture damage to the walls? Is masonry cracked, discoloured, spalling?
- ☐ Is wood cracked, peeling rotting? Does it appear wet when surroundings are dry?
- ☐ Are there signs of past flooding, or leaks from the floor above? Is the floor damp?
- ☐ Are walls even or buckling or cracked? Is the floor cracked or heaved?
- ☐ Are there signs of insect or rodent infestation?



Concealed spaces

- ☐ Is light visible through walls, to the outsider or to another space?
- ☐ Are the ventilators for windowless spaces clear and functional?
- ☐ Do pipes or exhausts that pass through concealed spaces leak?
- ☐ Are wooden elements soft, damp, cracked? Is metal material rusted, paint peeling or off altogether?
- ☐ Infestations - are there signs of birds, bats, insects, rodents, past or present?

8.7.2 MAINTENANCE PROGRAMME

INSPECTION CYCLE:

Daily

- Observations noted during cleaning (cracks; damp, dripping pipes; malfunctioning hardware; etc.) to be noted in log book or building file.

Semi-annually

- Semi-annual inspection and report with special focus on seasonal issues.
- Thorough cleaning of drainage system to cope with winter rains and summer storms
- Check condition of weather sealants (Fall).
- Clean the exterior using a soft bristle broom/brush.

Annually (Spring)

- Inspect concrete for cracks, deterioration.
- Inspect metal elements, especially in areas that may trap water.
- Inspect windows for paint and glazing compound failure, corrosion and wood decay and proper operation.
- Complete annual inspection and report.
- Clean out of all perimeter drains and rainwater systems.

- Touch up worn paint on the building's exterior.
- Check for plant, insect or animal infestation.
- Routine cleaning, as required.

Five-Year Cycle

- A full inspection report should be undertaken every five years comparing records from previous inspections and the original work, particularly monitoring structural movement and durability of utilities.
- Repaint windows every five to fifteen years.

Ten-Year Cycle

- Check condition of roof every ten years after last replacement.

Twenty-Year Cycle

- Confirm condition of roof and estimate effective lifespan. Replace when required.

Major Maintenance Work (as required)

- Thorough repainting, downspout and drain replacement; replacement of deteriorated building materials; etc.

APPENDIX A: RESEARCH SUMMARY

LEGAL DESCRIPTION: Lot A, Plan KAP 71341
CIVIC ADDRESS: 4629 Lakeshore Road
CONSTRUCTION DATE: House circa 1910, Barn circa 1927

SOURCES

- City of Kelowna website: <http://www.kelowna.ca/CM/page1219.aspx> (accessed January 2007)
- BC Archives, Vital Events
- British Columbia Archival Union List (BCAUL), St. Andrew's Church: <http://aabc.bc.ca/WWW.angbc.archbc/display.ANGKOOT-330> (accessed January 2007)
- Marjoribanks, R. J. ed. "Coutts and Archie: The Honourable Cowboys," in *The Marjoribanks Journal*. 5 (1998): 1-6. <http://members.fortunecity.com/jgreen/Mbanks/n5.html> (accessed January 2007)
- Okanagan Historical Society, Kelowna Branch. *Our History Our Heritage: One Hundred Stories Celebrating One Hundred Years*. Kelowna: Kelowna Branch Okanagan Historical Society, 2004.
- Surtees, Ursula. *History of Okanagan Mission House & Barn (1919/1920)*. (attached as Appendix B).
- Upton, Primrose. *The History of the Okanagan Mission*. Okanagan Mission: Okanagan Mission Centennial Committee: 1958.
- Zuehlke, Mark. *Scoundrels, Dreamers & Second Sons: British Remittance Men in the Canadian West*. Vancouver: Whitecap, 1994.

LAND TITLE SEARCH

- Original Legal Description: Fractional N ½ of Section 25, Twp. 28, ODYD
- Subdivided: Lot 9, Plan 477
- Subdivided: Lot 22, Plan 1575
- Lot 3, Plan 6731
- Subdivided: Lot A, Plan KAP 71341

OWNERSHIP

1905: Crown to Gifford Rutter Thompson (Fractional N ½ of Section 25)
1910: A.B. Carle (Fractional N ½ of Section 25)
1910: James H. Baillie (Lot 9)
1911: (Registered 1912): The South Kelowna Land Co. Ltd. (Lot 9)
1920: Soldier's Settlement Board
1942: Edward Coelen
1961: Glenn James Coe and Verna May Coe
1978: John Coutts Surtees and Ursula Margaret Surtees
1986: Ursula Margaret Surtees
1993: Douglas Mulholland
1993: 434003 B.C. Ltd.
2002: City of Kelowna



REPORT TO COUNCIL



Date: May 30, 2017

RIM No. 0930-50

To: City Manager

From: Community Planning Department (MS)

Application: LL17-0002

Owner: Aura Rose
Wouter Van der Hall

Address: 2270 Garner Road

Applicant: House of Rose Vineyards Ltd.

Subject: Liquor License Application – Special Events Area

Existing OCP Designation: Resource Protection Area

Existing Zone: A1 – Agriculture 1

1.0 Recommendation

THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor Control and Licensing Branch (LCLB):

In accordance with Section 10 of the Liquor Control and Licensing Regulation and Council Policy 359,
BE IT RESOLVED THAT:

1. Council recommends support of an application from the House of Rose Vineyards Ltd. for a special event area endorsements for Lot C Section 13 and 14 TWP 26 ODYD Plan 14119, located at 2270 Garner Road, Kelowna, BC for the following reasons:

- the use of the Special Event Area Endorsement will be used for no more than 10 music events per year, in addition to several harvest or seasonal events; and
- the conditions noted above will form a part of their annual business license issuance.

2. Council's comments on LCLB's prescribed considerations are as follows:

Criteria for a Special Event Area Endorsement :

- a. **The location of the establishment.** The location at 2270 Garner Road does not have a park, house of worship, school of worship or daycare within 500 metres.
- b. **The proximity of the establishment to other social or recreational facilities and public buildings:** Within 1 kilometre, are four parks including the Mountain Bike Skills Park, Mission Creek Regional Park, Scenic Canyon Regional Park and Bella Vista Park.

Within 2 kilometres are the Black Mountain Elementary School and Rutland Preschool, Treasure Box Daycare and Ridgeview Evangelical Church, Lil Wildings Daycare, Mountain Montessori Preschool, Gopher Creek Linear Park and Loseth Park.

Within 3 kilometres are the Montessori Elementary School, RCMP and Firehall Station #3, Camelot Winery, Double Cross Winery, Black Mountain Pub and Lund Park.

c. The person capacity and hours of liquor service of the establishment: 150 persons during the hours noted below:

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM
6:00 PM	6:00 PM	6:00 PM	9:30 PM	9:30 PM	9:30 PM	6:00 PM

d. Traffic, noise, parking and zoning:

The impact of traffic will be that of 150 people, with minors permitted when accompanied with adults, attending 13 events per year as proposed, in the early evening and leaving before 9:30 PM. Access to the property is provided along an easement through 2288 Garner Road, to the south of the property.

The noise on the community in the immediate vicinity will be due to amplified sound during the special events to the hours noted. The ALC has provided correspondence that special events, not including harvest and seasonal festivals, are limited to 10 events per year outside the lounge winery licensed area. The noise impact will be for this number of events to the times stated in the application, a maximum of 9:30 pm. The applicant has been holding these events for the past several years under the Picnic Area Endorsement, but seeks to change this endorsement in accordance with new LCLB regulations. The noise is not expected to be additional to what has been conducted over the last several years under the Picnic Area Endorsement. In addition, the City of Kelowna Noise and Disturbances Control Bylaw No. 6647 will apply.

Parking will be provided on site in grassed areas and along internal roadways. Permanent hard surfacing is not proposed.

Zoning of A1 – Agriculture permits wineries and cideries within the zone.

e. The impact on the community if the application is approved:

The impact to the community will be the amplified sound and traffic for up to 13 events per year. Parking is not expected to impact the community, as sufficient room for parking is available on site. The impacts will be similar to those experienced under the Picnic Area Endorsement over the last several years.

3. Council's comments on the views of residents are as contained within the minutes of the meeting at which the application was considered by Council. The applicant distributed an information package to properties within 300m of the subject parcel. A sign was posted on the property notifying neighbours 10 days in advance of the Council Meeting. The methods used to gather views of residents were as per Council Policy #359 "Liquor Licensing Policy and Procedures."

2.0 Purpose

To seek Council's support for a Special Events Area Endorsement to an existing Manufacturing and Tasting Liquor License in an A1 – Agriculture 1 zone with an occupant load of 150 persons maximum for no more than 10 music events per year, in addition to several harvest/ seasonal events per year.

3.0 Community Planning

Community Planning supports this application for a liquor primary license at this establishment because it meets the guidelines of Council Policy #359 "Liquor Licensing Policy and Procedures". In addition, the applicant has further agreed to establish the number and hours of events as conditions within their business license.

The request is to respond to changes made by the Liquor Control and Licensing Board (LCLB) in 2016, that prohibits amplified sound in picnic areas, but permits it in Special Events Endorsement Areas. The applicant wishes to continue to have 10 events per year, in addition to 2 harvest festivals and one seasonal Christmas festival, at their winery with amplified sound, no later than 9:30 pm. This is a continuation of their business as they have been doing it for several years, under the new liquor licensing requirements.

In addition, in 2016, the Ministry of Agriculture now allows for up to 10 events per year in the Agricultural Land Reserve. ALC staff have confirmed that through the ALC Regulation, a maximum of 10 gatherings per year are permitted outside of a winery lounge area¹. Harvest festivals are permitted in addition to these 10 events. The proposed conditions of the business license will conform to the ALC Regulation.

4.0 Proposal

4.1 Background

The request is to add a Special Events Area Endorsement to the House of Rose Winery. The winery currently has a Manufacturing License, a Tasting License and a Picnic Areas Endorsement.

For the last several years, the winery have been holding up to 10 events per year that include music with amplified sound in their Picnic Endorsement Area. In addition, they hold several harvest and seasonal events. These are early evening events that finish by 9:30 pm.

In the fall of 2016, the LCLB made changes to the *Liquor Control and Licensing Regulation*² that prohibits amplified sound in Picnic Areas, but permits them in Special Events Areas. In addition, it placed a limit on the capacity of Picnic Areas to 30.

4.2 Project Description

The applicant seeks support for the a Special Events Area Endorsement in order to hold up to 10 music events and several harvest/seasonal event per year to no later than 9:30 pm. This will allow amplified sound and an occupant load of 150 person maximum for the events.

¹ S. Runka, Dec. 14, 2016. Agricultural Land Commission, Policy Planner. Personal Communication.

² Queen's Printer. Dec. 7, 2016. Liquor Control and Licensing Regulation.

http://www.bclaws.ca/civix/document/id/complete/statreg/241_2016

4.3 Site Context

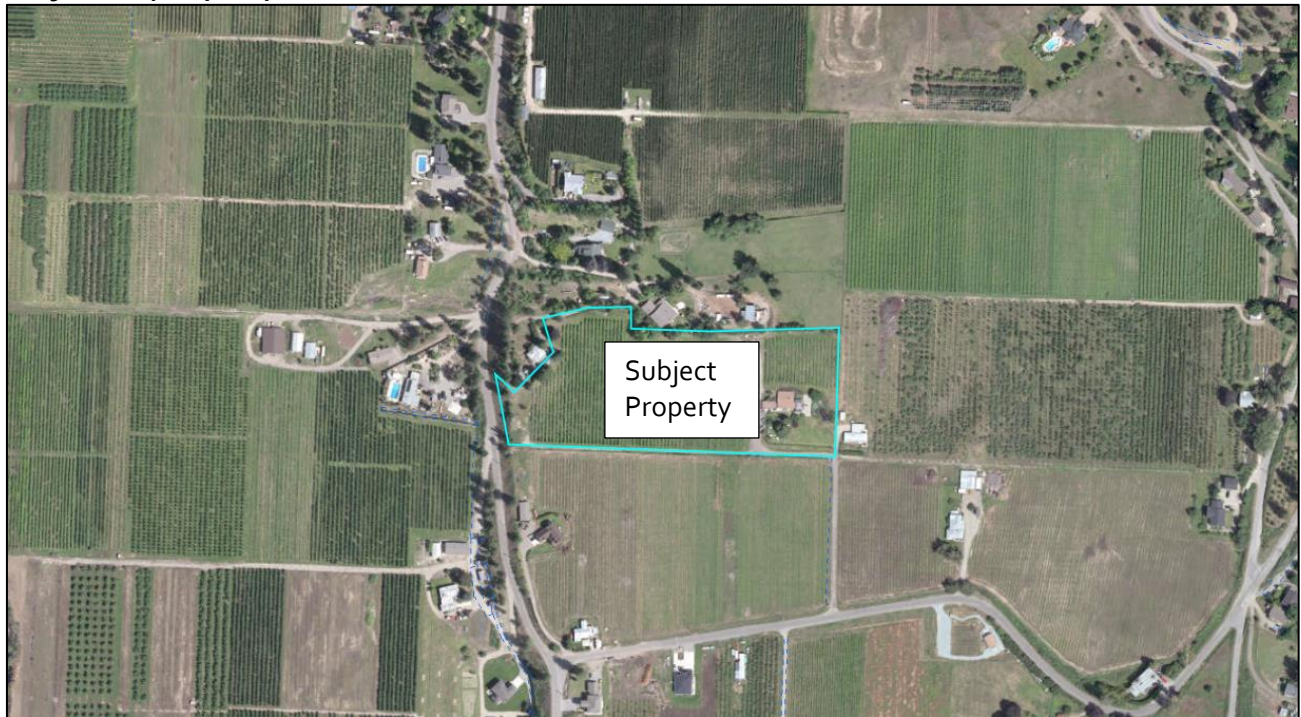
The House of Rose Winery is located at 2270 Garner Road. It is within the Belgo / Black Mountain Sector of the City. The property is zoned A1 – Agriculture 1 and is within the Resource Protection Area Future Land Use designation. The property is 2.78 hectares (6.87 acres).

Access is provided to the property through an easement via 2288 Garner Road. Staff have reviewed the easement document which states that 2288 Garner Road shall give unimpeded access without restriction to the subject property.

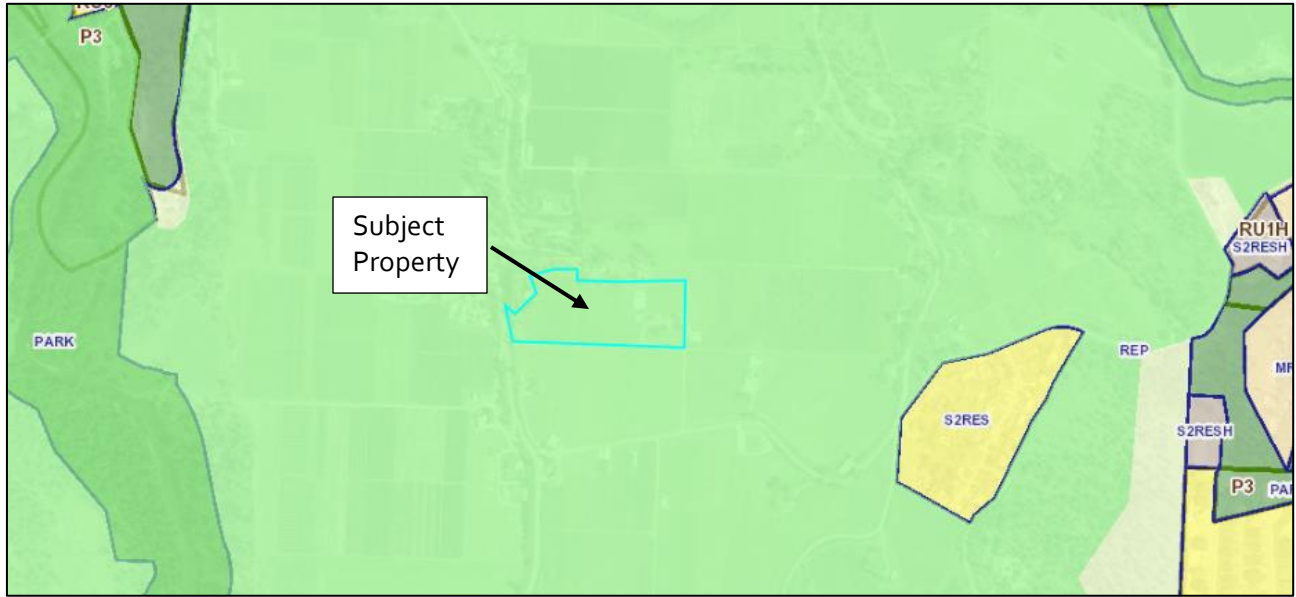
Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 - Agriculture 1 / ALR	Agriculture / Rural Residential
East	A1 - Agriculture 1 / ALR	Agriculture
South	A1 - Agriculture 1 / ALR	Agriculture
West	A1 - Agriculture 1 / ALR	Agriculture / Rural Residential

Subject Property Map: 2270 Garner Road



Future Land Use: 2270 Garner Road



Special Events Area: 2270 Garner Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Agri-tourism, Wineries, Cideries, Retail Sales.³ Support agritourism uses that can be proven to be in aid of and directly associated with established farm operations. Permit wineries, cideries and farm retail sales (inside and outside the ALR) only where consistent with existing ALC policies and regulations.

5.2 Council Policy #359 – Liquor Licensing Policy & Procedures

New patios associated with liquor establishments should be located and designed to limit potential impacts on surrounding property owners.

5.3 Noise and Disturbances Control Bylaw No. 6647 Section 3.3

No person shall play or operate any radio, stereophonic equipment or other instrument or any apparatus for the production or amplification of sound either in or on private premises or in any public place in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort, or convenience of the neighbourhood, or any person in the vicinity.

5.4 Agricultural Land Commission Regulation - Section 3(4)⁴

The following non-farm uses are permitted in an agricultural land reserve unless otherwise prohibited by a local government bylaw or, for lands located in an agricultural land reserve that are treaty settlement lands, by a law of the applicable treaty first nation government:

(k) gathering for an event, if all of the following conditions are met:

- (i) the farm must be located on land classified as a farm under the Assessment Act;
- (ii) permanent facilities must not be constructed or erected in connection with the event;
- (iii) parking for those attending the event must be available on the farm, but must not be permanent nor interfere with the farm's agricultural productivity;
- (iv) no more than 150 people, excluding residents and employees of the farm, may be gathered on the farm at one time for the purpose of attending the event;
- (v) the event must be of no more than 24 hours duration;
- (vi) no more than 10 gatherings for an event of any type may occur on the farm within a single calendar year.

6.0 Technical Comments

6.1 Development Engineering Department

The Development Engineering comments regarding this Special Event Areas Endorsement Liquor License Application for an outdoor open area as specified, are as follows:

On-site

1. Provide adequate off street parking for the proposed events.
2. Provide detail on the existing Shared Access Agreement for information to Council.

³ City of Kelowna Official Community Plan, Policy 5.33.5 (Development Process Chapter).

⁴ ALC, Jan. 23, 2017. ALR Use, Subdivision and Procedure Regulation - Section 3(4)(k) Gathering for an Event

6.2 Bylaw Services

As per your request, there are no outstanding Bylaw enforcement files pertaining to property address: 2270 Garner Rd., Kelowna, BC.

6.3 Fire Department

The Kelowna Fire Department has no issues with the liquor license. Should the area be fenced, it requires more than one way out - an emergency swing gate or alternative access/egress.

7.0 Application Chronology

Date of Application Received: March 2, 2017

Date Public Consultation Completed: April 11, 2017

Report prepared by:

Melanie Steppuhn, Land Use Planner

Reviewed by:

☐

Todd Cashin, Subdivision, Suburban and Rural Planning Manager

Reviewed by Approved for Inclusion:

☐

Ryan Smith, Community Planning Department Manager

Approved for Inclusion:

☐

Doug Gilchrist, Divisional Director, Community Planning & Real Estate

Attachments:

Applicant's Package

Letter of Intent
House of Rose Winery
2270 Garner Road, Kelowna
License #300143

Re: Special Event Area Endorsement Application

We are applying for a Special Event Area Endorsement in order to continue to hold the various community and tourist orientated events we have been holding for the past 5 years. With the changes to the number of people allowed in a winery's picnic area (limiting it to 30) and to the removal of the ability to have amplified sound in the picnic area, both coming into force on the 23rd January 2017, we need this endorsement to continue to hold our Summer Music Series, our Summer Customer Appreciation Party and our Grape Stomps held during Fall Wine Festival. All of these events are held in what is presently our picnic area and we are asking for this area (plus a bit larger) to be approved as a Special Event Area. As explained below, these are all events that have been going on for a number of years without any issues to date.

A copy of our 2016 events guide is attached for more information.

Our target market for all of these events is both locals and tourists. For all the events listed here "locals" means our neighbours, rural, suburban and urban locals. We see our regular patrons attending these events, bringing visiting friends and family. We have tourists coming especially for these events, or simply hearing about it while visiting our wine shop and coming back for the event. All our events are family friendly, and all are free; a big draw for everyone. As a community orientated winery, we use some of our events (our Grape Stomping parties and our Christmas Light Up) to raise funds for local charities. Past events included the Diva Days for the Kelowna Women's Shelter and the Okanagan Team Stomp for the Canadian Cancer Society.

Our neighbourhood is generally rural, ALR land. The one exception to that is the mountainside east of us (Kirschner Mountain) which is being developed into a subdivision with large houses on small housing lots. Please see the maps included with this application for a more detailed perspective.

Each of our present events which are affected either by the limitation to the number of people or the inability to have amplified sound (or both) are listed below.

Summer Music Series

We started our Summer Music series during our 20th anniversary celebrations in 2013 and bring it back each year by popular demand. On Thursday evenings in July and August we have live, local music (normally a three piece band) play



Summer Music Series, taken from behind the musicians looking at the crowd.

from either 7 to 9 pm (in July) or from 6:30 to 8:30 pm (in August). It is free and families are welcome. We encourage people to bring their own food. As you will see in the pictures included here, we have families, people bringing big spreads of food, and everyone simply enjoying the music in the beautiful rural setting.

We typically see 100 to 150 people each evening which includes both locals and tourists. It is completely weather dependent as it is outside and each summer we usually cancel one or two due to rain or incremental weather.



Summer Music Series, looking towards the musicians.

We receive a lot of positive feedback and in the 4 years of holding the Summer Music Series have received only one complaint (from a neighbour when the band went beyond 9 pm). That was three years ago and we have received no complaints since that time. The owners, Wouter and Aura, attend these events and circulate around to people during the event. The musicians love it too, and we now have more interested musicians than we have evenings - they love playing outside, like the behaviour of the crowd (listening, not yelling as in a bar) and enjoy having a venue to play at.

This event provides several benefits to the community:

- ✓ It provides locals and tourists with a free, family friendly event to attend;
- ✓ Locals who live in the urban area of Kelowna can spend an evening outside in the farming area of town;
- ✓ It promotes the whole concept of local – local wine; local appetizers are available for purchase and local music;
- ✓ It benefits local musicians, as many live music locations have closed in Kelowna over the last 5 years.

Impacts on the Community:

Noise – as mentioned above, we have received only one complaint in the last 4 years. The easy listening style music is not loud, and many of our neighbours join us for the evenings. Music ends no later than 9 pm; all patrons are gone by 9:30. In fact 95% are gone by 9:10. Patrons come to listen to the music and enjoy a 'picnic in the vineyard' with friends.

Customer Appreciation Party

We held our first Customer Application Party during our 20th anniversary celebrations in 2013 and brought it back as an annual activity in 2015. It is held on either a Saturday or Sunday in the summer, ending by 5 pm. It is free and families are welcome. Each year we have different entertainment, including music. This year The Blue City Trio played; we had a magician moving around doing tricks and a photo booth as well. We also had a couple of artists holding a kids corner where kids could paint and make



Monte doing caricatures at the Customer Appreciation Party

crafts. The year previous we had Monte, a local artist doing free caricatures.



Blue City Trio playing at the Customer Appreciation Party

During the course of the day, we can see up to 250 people. But they come and go, and at the most we will have 100 patrons in the area. Again, these are both locals and tourists. This event is also completely weather dependent; fortunately we have not had to cancel it yet!

This event provides several benefits to the community:

- ✓ It provides locals and tourists with a free, family friendly event to attend;
- ✓ It promotes the whole concept of local – local wine; local appetizers are available for purchase and local music;
- ✓ It benefits local musicians, other local entrepreneurs and local artists.

Impacts on the Community:

Noise –The music is not loud, and many of our neighbours join us at some point during the day. The music ends at 4:30 pm and most patrons are gone by 5:00 pm.

Grape Stomping Party



Kids in the Barrel at the Grape Stomp

We held our first Grape Stomp in 2010 during the fall Okanagan Wine Festival and have been holding two grape stomps during the Fall Festival each year since that time. It is held on the two Saturdays of Wine Fest, the first and second Saturdays in October from 1 to 4:30 pm. There is no music or amplified sound at this event, but on a beautiful day we could have more than 30 people in the picnic area. It is free and families are welcome. In fact, as you will see in the photos, we have had babies to people in their 90's get into the barrel. We had an 'I Love Lucy' type barrel made for us a couple of years ago.

It is a very popular event as it is fun, free, and family orientated; there are few events like this during wine festival. It is also a fundraiser for the food bank. Because it is free, we invite people to bring a donation for the food bank and usually collect over

1000 pounds of food over the two events. During the course of the day, we can see up to 300 people. But they come and go, as the stomps are held at 1, 2, 3 and 4 pm. Many people do the stomp

then leave; or hang out for a short period and then leave. As such, at the most we will have 75 people in the area. Again, these are both locals and tourists. In fact, we have had several tourists come out to Kelowna on one of those weekends specifically to attend our Grape Stomping Party. This event is also affected by the weather; if we do have rain, we cover the stomping barrel with a tent, and folks still do come but attendance is more limited. If it is a beautiful day people may hang out and watch others enjoying themselves in the stomping barrel (and this is when we could have more than 30 people in the area).

This event provides several benefits to the community:

- ✓ It provides locals and tourists with a free, family friendly event to attend;
- ✓ It promotes agri- tourism – bringing locals and tourists onto a farm to do a traditional activity in the history of wine making;
- ✓ It promotes the whole concept of local.



A family in the barrel at the Grape Stomp

Impacts on the Community:

The only impact to the community for this event is the traffic, as this is our largest event and we do see many people over the course of the day. We have two people helping with the traffic flow – one at the end of our driveway and one closer in to show them where the empty parking spots are (as people come and go so spots open up that they may not see).

Other Events

On the application we have set times for Friday and Saturday up until 9:30 pm. While we have no current plans for these evenings, the recommendation provided to us was to request times that might be used in the future as well.

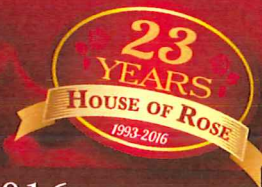
Being community orientated, we will never do an event that creates noise late into the evening. We want to, and strive to, be good neighbours. Hence our request for 9:30 pm Thursdays thru Saturdays.

Kind regards,

Aura Rose
Owner, House of Rose Winery

House of Rose

WINERY



EVENTS 2016

23 years of wonderful wine and fantastic events.
Check out www.houseofrose.ca for full event details

Add us to your calendar! Join us for one (or all!) of our wonderful, free events, set in our gorgeous picnic area. Bring your own food, or purchase a picnic basket in our wine shop. Wine available by the glass (\$6.00) or by the bottle (no outside alcohol allowed).
Note: All Summer Music Series Events are weather dependent.



June **Dads Day**

Sunday June 19 • 12 to 5 pm

Complimentary appetizers, something special for all Dads and tastings of a one-time only special wine of the day for Dad!

Summer Music Series

Thursday June 30 • 7 pm to 9 pm

Free, local, live music: le mo nay (Julie Masi & Steve Soucy)

July **Summer Music Series**

Thursday July 7 • 7 pm to 9 pm

Free, local, live music: MASK (Musical Actors and Singers Kelowna)

Summer Music Series

Thursday July 14 • 7 pm to 9 pm

Free, local, live music: Blue City Trio

- **Summer Music Series**

Thursday July 21 • 7 pm to 9 pm

Free, local, live music: Accidentally Coordinated

Customer Appreciation Party

- Sunday July 24 • 12 to 5 pm

Live music, great food, surprise entertainment, wine specials and super discounts. Lots of wonderful surprises to thank you - our customer! Come spend the afternoon with us!

Summer Music Series

Thursday July 28 • 7 pm to 9 pm

Free, local, live music: Whose Your Daddy with Niki Martinus



2270 Garner Road, Kelowna, B.C. TF 1 877 765 0802

GPS address: 49.85924, -119.376

www.houseofrose.ca

23 years of wonderful wine and fantastic events.
Check out www.houseofrose.ca for full event details

August Summer Music Series

Thursday August 4 • 6:30 pm to 8:30 pm
Free, live music: Darlene Ketchum Quartet

Summer Music Series

Thursday August 11 • 6:30 pm to 8:30 pm
Free, local, live music: The Kinga Heming Trio

Summer Music Series

Thursday August 18 • 6:30 pm to 8:30 pm
Free, local, live music: Whose Your Daddy with Niki Martinus

Sept. Okanagan Stomp | FUNdraiser for the Canadian Cancer Society

Saturday September 17 • 11 am to 3 pm
Come out and cheer on the teams - they need your support!
Sign up a team at <http://cancer.ca/okanaganstomp>.
Call 1 800 403 8222 for more info.
Proudly sponsored by BDO Kelowna.



October Grape Stomping Party

Saturday October 1 • Stomps at 1, 2, 3 & 4 pm
Get this off your bucket list. Everyone welcome,
from babies to eighties! No reservations required.
Please bring a donation for the Food Bank.

Grape Stomping Party

Saturday October 8 • Stomps at 1, 2, 3 & 4 pm
No reservations required.
Please bring a donation for the Food Bank.

Dec. Christmas Light Up

Dates to Be Announced
A Christmas wonderland. Bring the kids.
Hot chocolate and mulled wine available for purchase.

Christmas Sale

Saturday December 10 • 12 to 7 pm
Amazing specials, mulled wine, case specials,
stock up for Christmas and beyond!



23 YEARS
HOUSE OF ROSE
1993-2016

2270 Garner Road, Kelowna, B.C. TF 1 877 765 0802
GPS address: 49.85924, -119.376
www.houseofrose.ca

House of Rose Winery Aerial View



18.04

65.11

108.78

137.16

Parking
106.98

273.34

278.86

Parking

Parking

Parking

Proposed
Endorsement
Area

Parking

Map information

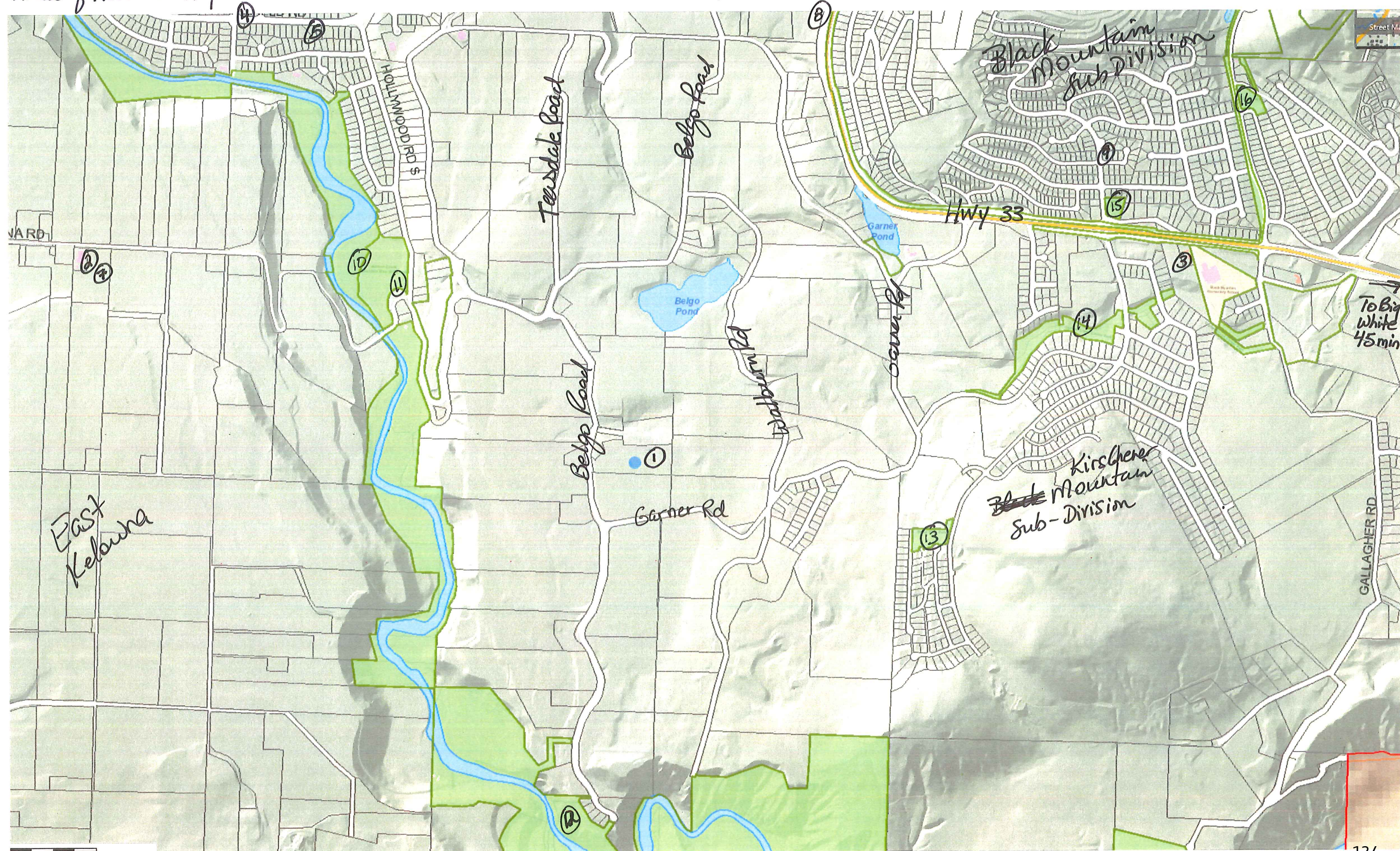
House of Rose Winery

Using: 3 km radius

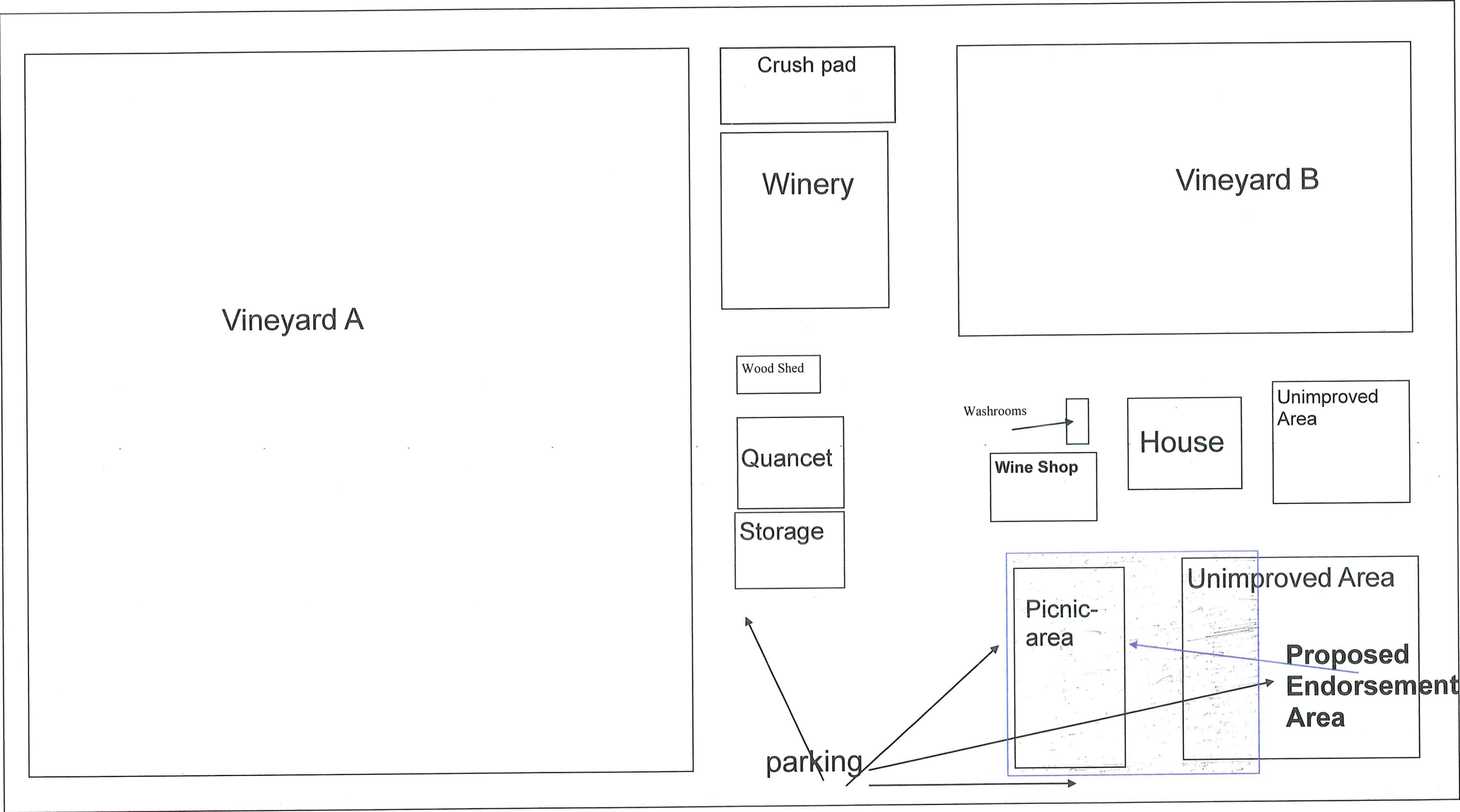
1. House of Rose Winery
2. Montessori Elementary School
3. Black Mountain Elementary School & Rutland Parent Participation Preschool
4. Treasure Box Daycare and After School Care and Ridgeview Evangelical Missionary Church
5. Lil Wildings Daycare
6. RCMP and Fire hall Station #3 (Rutland Rd and Hwy 33)
7. Camelot Winery
8. Double Cross Cidery
9. Mountainview Modified Montessori Preschool
10. Mission Creek Regional Park
11. Mountain Bik Skills Park
12. Scenic Canyon Regional Park
13. Bella Vista Park
14. Gopher Creek Linear Park
15. Loseth Park
16. Lund Park

House of Rose Winery 2 Km radius

1/2 (1/2 Km off map)



Site Plan House of Rose Winery



< 90 Feet >

Picnic Table
indicated by:



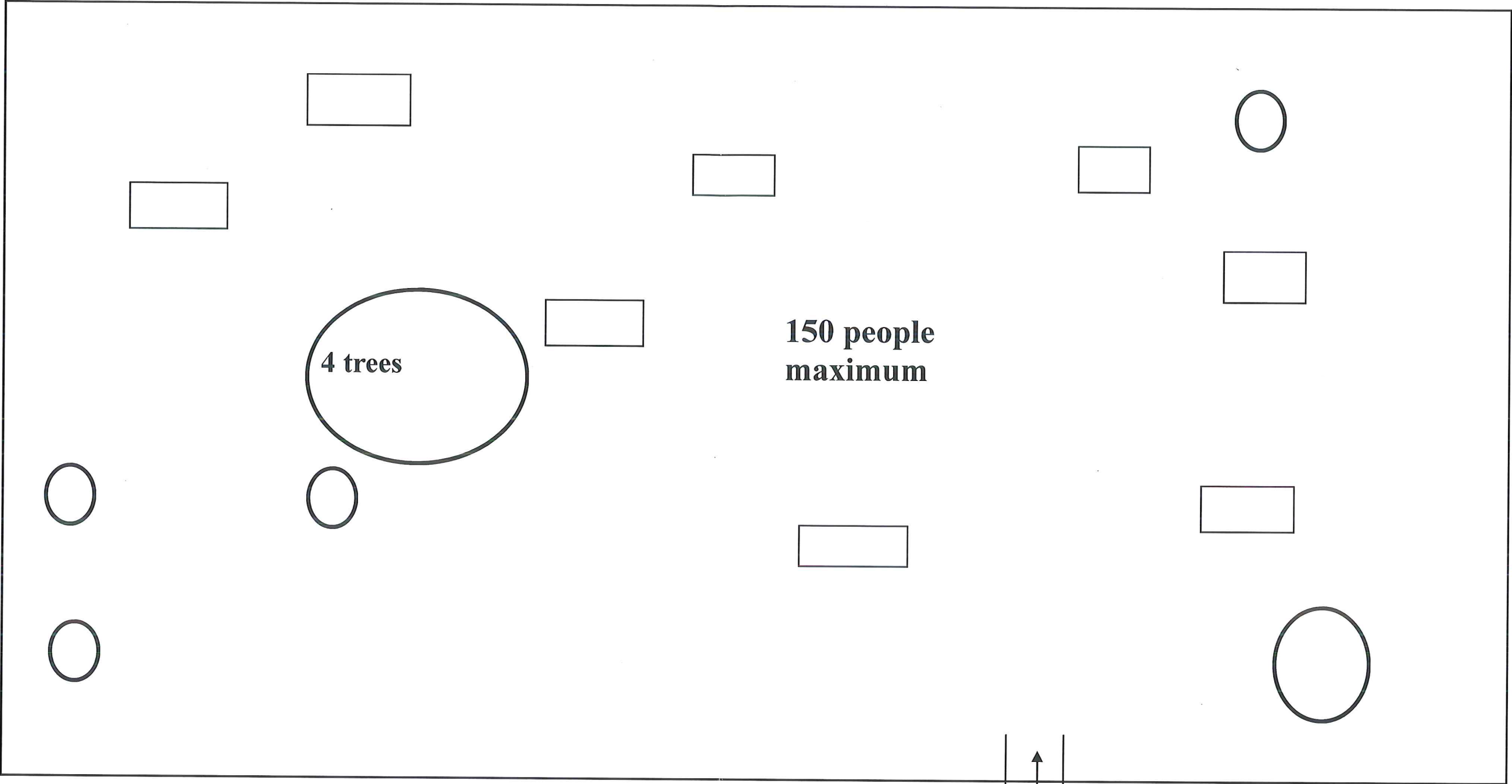
Trees
indicated by:



Chairs
indicated by:



65 Feet



4 trees

150 people
maximum

Entrance

Wine Shop

CITY OF KELOWNA

BYLAW NO. 11332

Z16-0056 – Robert & Lynn Anderson and Alexander & Margaret Kramar – 2273-2275 Aberdeen Street

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Strata Lot 1, District Lot 136, ODYD, Strata Plan KAS3174 Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V; and Strata Lot 2, District Lot 136, ODYD, Strata Plan KAS3174 Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V located on Aberdeen Street, Kelowna, B.C., from the RU6 – Two Dwelling Housing zone to the RM1 – Four Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 12th day of December, 2016.

Considered at a Public Hearing on the 24th day of January, 2017.

Read a second and third time by the Municipal Council this 24th day of January, 2017.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: May 30, 2017

RIM No. 0940-00

To: City Manager

From: Community Planning Department (TB)

Application: DP16-0215 & DVP16-0216

Owner: Robert Arnold Anderson
Lynn Marguerite Anderson
Alexander Richard Kramar
Margaret Susan Kramar

Address: 2273-2275 Aberdeen Street

Applicant: Robert Arnold Anderson
Alexander Richard Kramar

Subject: Development Permit and Development Variance Permit

Existing OCP Designation: MRL – Multiple Unit Residential

Existing Zone: RU6 – Two Dwelling Housing

Proposed Zone: RM1 – Four Dwelling Housing

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11332 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP15-0000 and Development Variance Permit DVP16-0216 for Strata Lot 1, District Lot 136, ODYD, Strata Plan KAS3174 Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V; and Strata Lot 2, District Lot 136, ODYD, Strata Plan KAS3174 Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V, located at 2273-2275 Aberdeen Street, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 13.7.6(F): RM1 – Four Dwelling Housing Development Regulations

To vary the required minimum rear yard from 6.0m required to 1.5m proposed.

Section 8.1.2: Off-Street Vehicle Parking, Table 8.1: Parking Schedule

To vary the required number of parking stalls from 6 required to 4 proposed.

AND FURTHER THAT the Development Permit and Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To consider the form and character of a multiple dwelling housing project, to vary the rear yard setback from 6.0m required to 1.5m proposed, and to vary the number of parking stalls from 6 required to 4 proposed.

3.0 Community Planning

The zoning process, together with the development permit and variance application will lead to legalizing the existing buildings and the four units on site. No exterior changes are proposed or required at this time. Community Planning Staff supports the development permit application and the associated variances. The form and character of the two buildings, constructed in 2006, are consistent with the Official Community Plan Urban Design Guidelines and the proposed variances do not represent an impact to the neighbourhood. The reduced level of parking has successfully been managed by the property owners since 2006 with the City not receiving any complaints. The close proximity of the subject property to transit, active transportation corridors, shopping and jobs, together with the relatively small size of the two laneway housing units may be contributing factors to tenants having a reduced reliance on private vehicles. To ensure the two laneway units are not stratified and/or sold individually and remain as rental units, a restrictive covenant has now been registered on title.

4.0 Proposal

4.1 Background

The subject property was developed in 2006 with 2 dwellings and a detached four-bay garage with two bonus rooms above. The garage was constructed such that one half of the garage belonged to each side of the duplex on the front of the property. Under different ownership, the two bonus rooms were converted to illegal dwelling units.

The current property owners have been working with Staff to rezone the property to legalize the two additional units and preserve rental units in the community.

4.2 Project Description

The existing duplex and detached accessory building were constructed with a form and character that meets the urban design guidelines in the current Official Community Plan for multiple dwelling housing. The duplex was designed so as to appear as one unit and is asymmetrical in form. The 2.5 storey height minimizes massing, and materials are high quality and durable. The detached accessory building was constructed in the same materials and style of the duplex to create a consistent character.



Figure 1: Front Elevation 2273-2275 Aberdeen



Figure 2: Rear Accessory Building 2273-2275

4.3 Variances

The applicants have applied for 2 variances pertaining to rear yard setback and parking. These variances were not required under the existing zoning of RU6 for a duplex, however the rezoning to RM1 and the legalization of the two rear dwellings changes the requirements. A rear yard setback variance from 6.0m required to 1.54m existing is requested. The laneway building meets the setbacks for an accessory structure, however under the new zone, it does not meet the setbacks for two dwelling housing.

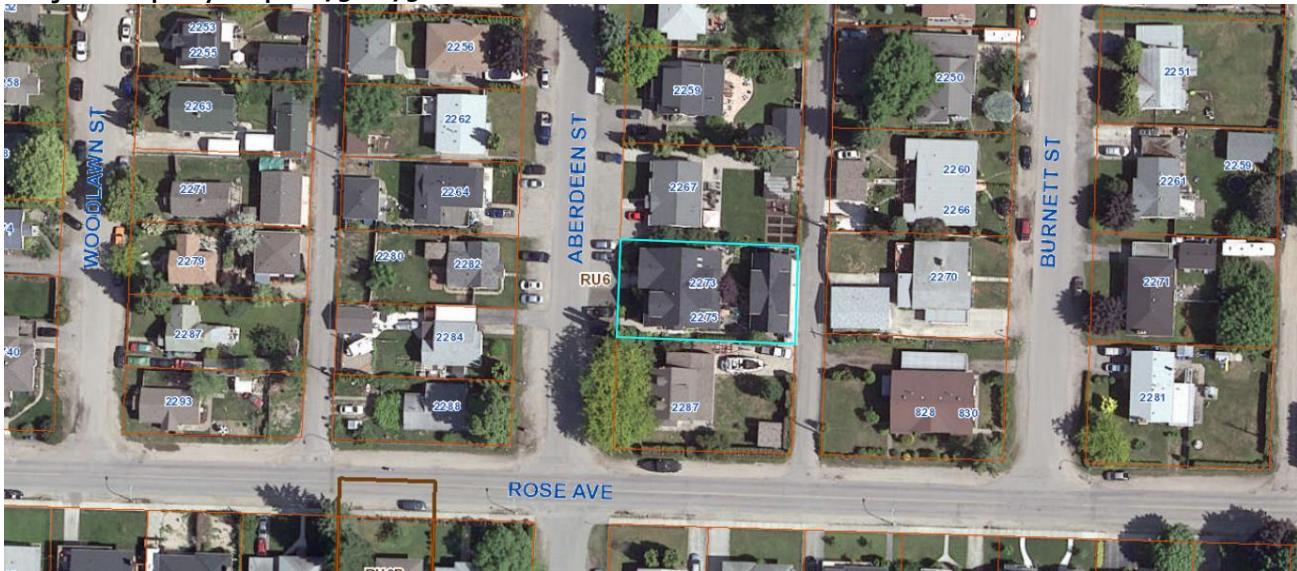
The applicants have also applied for a parking variance from 6 stalls required to 4 proposed. Due to the site layout there is no opportunity to provide the additional 2 stalls as required. The subject property is well situated in an urban area where access to transit, active transportation corridors, shopping, and jobs could reduce the reliance on a vehicle. Staff have also worked with the applicants to register a Restrictive Covenant on title so that the additional units may not be sold individually, eliminating the possibility of a unit being sold without access to an off-street parking stall. The relatively small units will most likely be used as rental units. Additionally, it is worth noting for land use consistency, that the new RU7 zone area that exists approximately 2 blocks away, only requires 4 parking stalls for 4 dwelling units.

4.4 Site Context

The property is located on the east side of Aberdeen Street, just north-east of Rose Avenue and Richter Street. It is several blocks north of the newly proposed RU7 zone area. The property is near an active transportation corridor on Ethel St, and is within walking distance to the Kelowna General Hospital and Cameron Park. The property has a walkscore of 51, meaning that it is somewhat walkable.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing	Residential
East	RU6 – Two Dwelling Housing	Residential
South	RU6 – Two Dwelling Housing	Residential
West	RU6 – Two Dwelling Housing	Residential

Subject Property Map: 2273-2275 Aberdeen St**4.5 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	RM ₂ ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	1000 m ²	701.6 m ²
Lot Width	30.0 m	19.6 m
Lot Depth	30.0 m	35.8 m
Development Regulations		
Height	9.5 m	4.3 m
Side Yard (south)	2.5 m	2.6 m
Side Yard (north)	2.5 m	2.5 m
Rear Yard	6.0 m	1.5 m ^①
Other Regulations		
Minimum Parking Requirements	6 stalls	4 stalls ^②
Private Open Space	25 m ² per dwelling	Meets requirement
^① Indicates a requested variance from 6.0 m required to 1.5 m existing ^② Indicates a requested variance from 6 parking stalls required to 4 parking stalls existing		

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

All technical comments were addressed under rezoning application Z16-0056.

7.0 Application Chronology

Date of Application Received:	August 22, 2016
Date Public Consultation Completed:	November 17, 2016
Date of Public Hearing for Zoning:	January 24, 2017

Report prepared by: Trisa Brandt, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Draft Development Permit and Development Variance Permit DP16-0215 & DVP16-0216
 Schedule "A": Site Plan and Floor Plans
 Schedule "B": Elevations

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).

DEVELOPMENT PERMIT & DEVELOPMENT VARIANCE PERMIT



**APPROVED ISSUANCE OF DEVELOPMENT PERMIT / DEVELOPMENT VARIANCE PERMIT NO. DP16-0215
& DVP16-0216**

Issued To:	Robert Arnold Anderson Lynn Marguerite Anderson Alexander Richard Kramar Margaret Susan Kramar
Site Address:	2273-2275 Aberdeen Street
Legal Description:	Strata Lot 1, District Lot 136, ODYD, Strata Plan KAS3174 Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V; and Strata Lot 2, District Lot 136, ODYD, Strata Plan KAS3174 Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V
Zoning Classification:	RM1 – Four Dwelling Housing
Development Permit Area:	Multi-Family Development Permit Area

SCOPE OF APPROVAL

This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.

The issuance of a Permit limits the Permit Holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

1. TERMS AND CONDITIONS

THAT Development Permit No. DP15-0000 and Development Variance Permit DVP16-0216 for Strata Lot 1, District Lot 136, ODYD, Strata Plan KAS3174 Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V; and Strata Lot 2, District Lot 136, ODYD, Strata Plan KAS3174 Together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V, located at 2273-2275 Aberdeen Street, Kelowna, BC be issued subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 13.7.6(F): RM1 – Four Dwelling Housing Development Regulations

To vary the required minimum rear yard from 6.0m required to 1.5m proposed.

Section 8.1.2: Off-Street Vehicle Parking, Table 8.1: Parking Schedule

To vary the required number of parking stalls from 6 required to 4 proposed.

AND FURTHER THAT this Development Permit and Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2. PERFORMANCE SECURITY

None required.

3. DEVELOPMENT

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit that shall form a part hereof.

If the Permit Holder does not apply for a building permit for the work permitted by this Permit within two years of the date of this Permit, this Permit shall lapse and bylaw enforcement of the two illegal dwellings shall continue.

This Permit IS NOT a Building Permit.

4. Indemnification

Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.
- b) All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

5. APPROVALS

Issued and approved by Council on the _____ day of _____, 2017.

_____	_____
Ryan Smith, Community Planning Department Manager	Date
Community Planning & Real Estate	

The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or his or her designates

This forms part of application

DP16-0215 DVP16-0216

Planner
Initials

TB

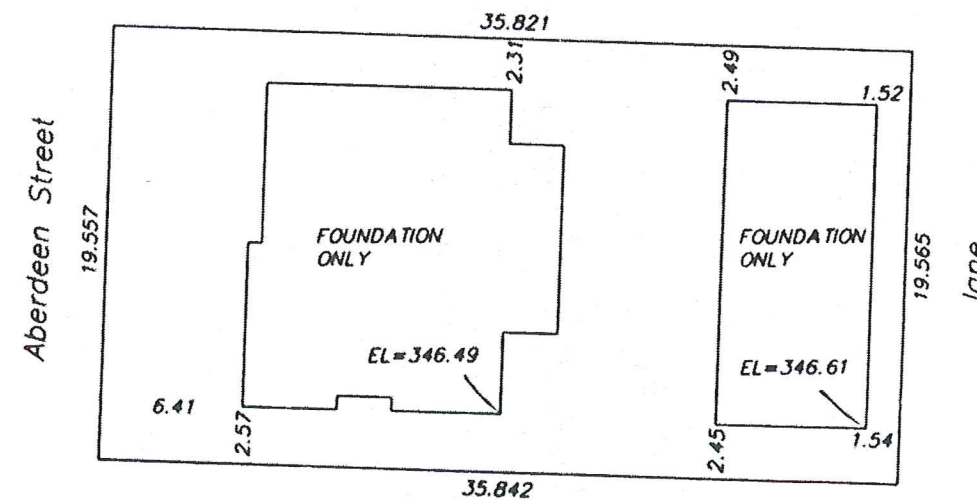
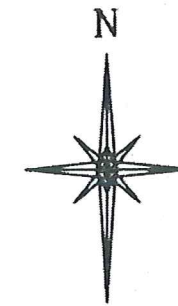


BP31946 2273 Aberdeen St HS

**B.C. LAND SURVEYOR'S CERTIFICATE OF
LOCATION OF BUILDING ON LOT A
PLAN KAP81322 DL 136 O.D.Y.D.**

SCALE 1:300
DISTANCES ARE IN METRES.

IR
AUG 04 2006
CITY OF KELOWNA
Inspection Services Dept



©

THIS DOCUMENT IS NOT VALID UNLESS
ORIGINALLY SIGNED AND SEALED.

CERTIFIED CORRECT
this 2nd day of August, 2006.

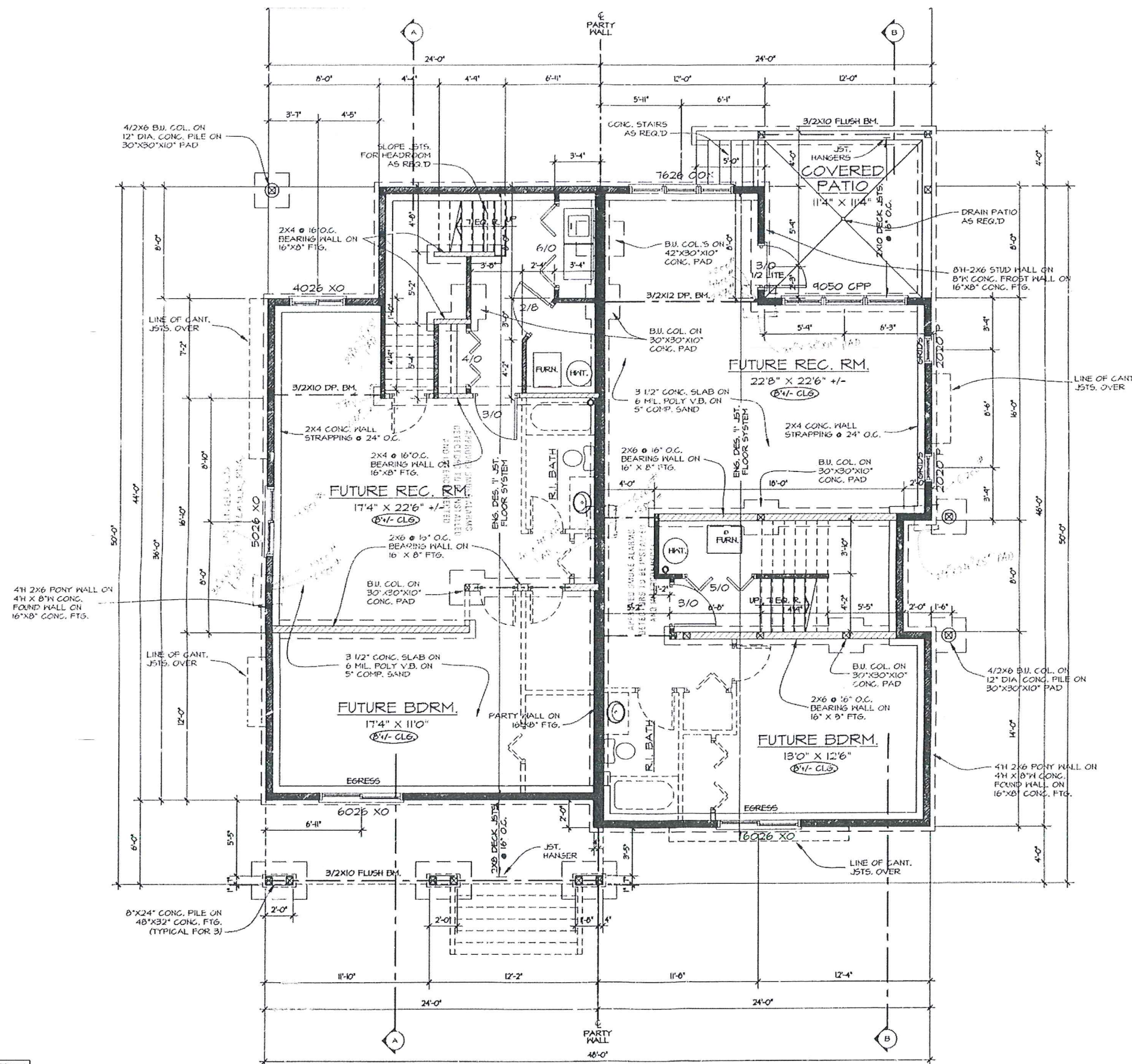
[Signature]
D.A. Goddard BCLS

**FILE 13728 FB 305
RE: D. PARKER**

THIS PLAN IS FOR MORTGAGE OR
MUNICIPAL PURPOSES ONLY AND IS
NOT TO BE USED TO DEFINE THE
BOUNDARIES OF THIS LOT.

D.A. Goddard Land Surveying Inc.
103-1358 ST. PAUL STREET KELOWNA

OCT 4/06 BP31946 = 2273-2275 Aberdeen St



OMISSIONS

R shall not be responsible for any variances and specifications, or adjustments required interred at the job site, and is the sole contractor.

R makes every effort to provide complete and However, we assume no liability for may official construction. It is the sub-trades to check and verify all commencing with their portion of the epancles be found on these plans can make the necessary corrections.

BAXTER DESIGN
Custom Building Design
17908 K.L.O. Road
KELOWNA, B.C.
V1W 3P3
ph: (250) 862-3662
email: baxterdesign@shaw.ca

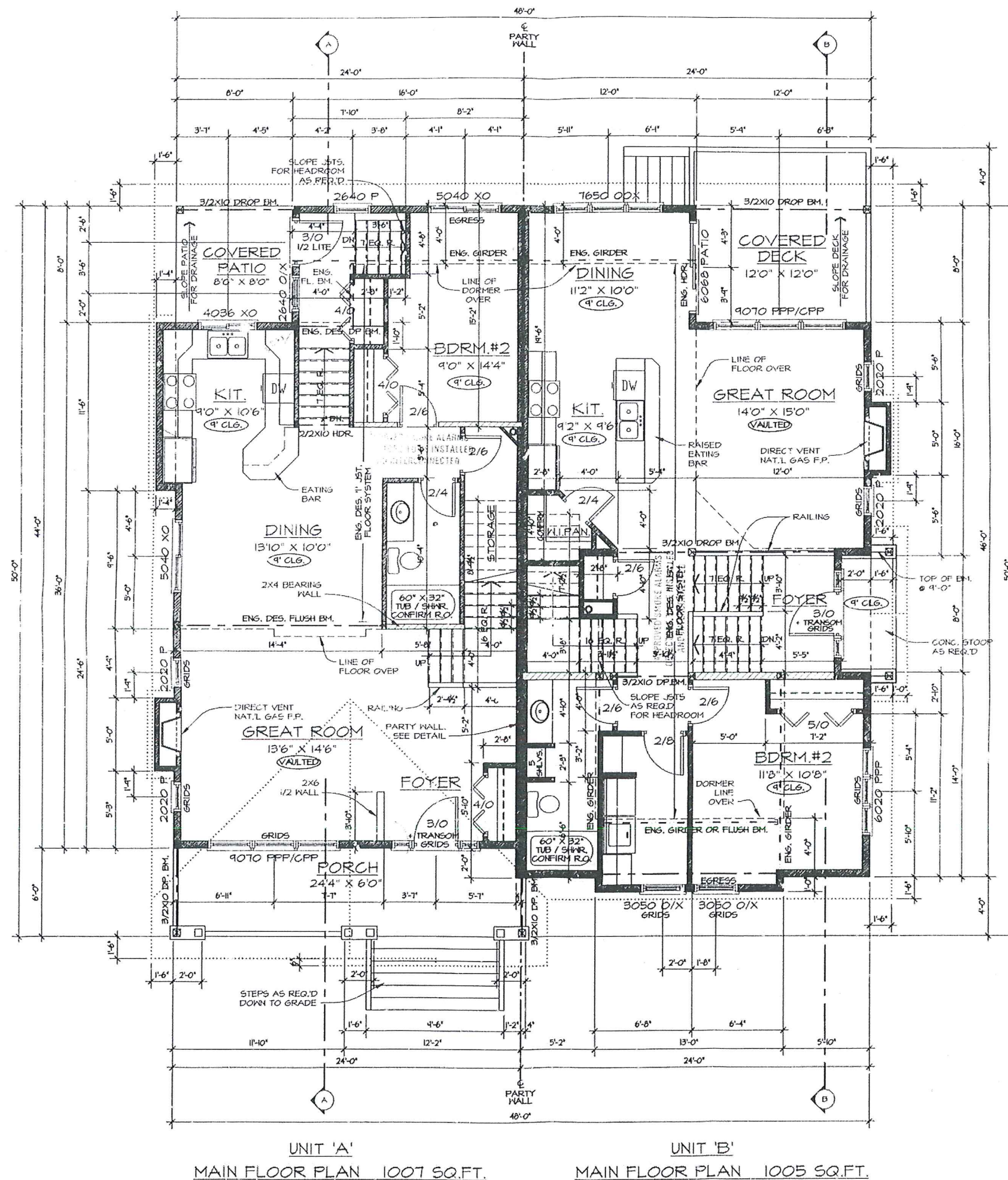
LOT A - ABERDEEN ST.
DUPLEX PLAN
KELOWNA, B.C.

DRAWING SCALE: 1/4" = 1'-0"

DATE: MAY 5 / 06

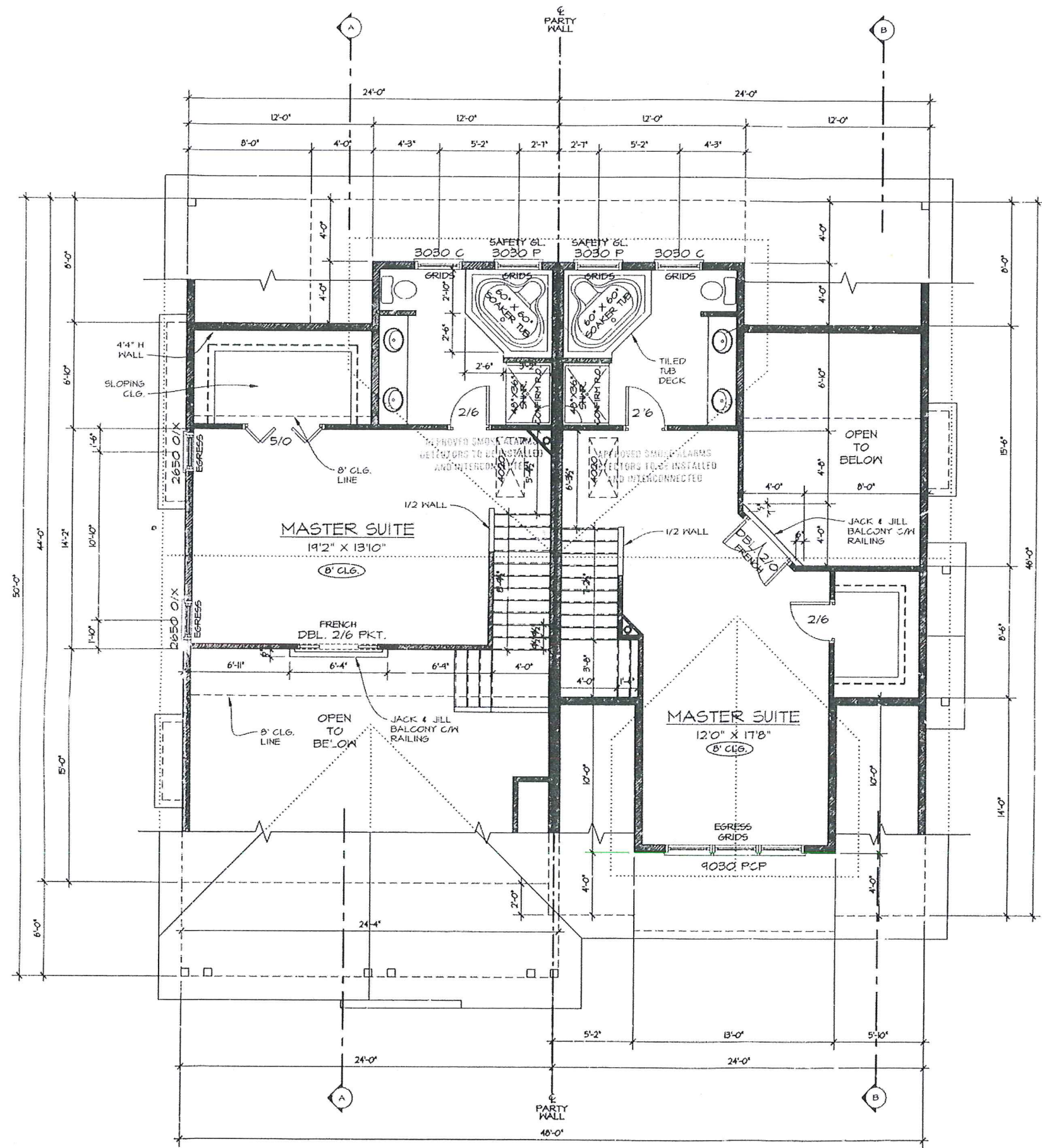
REV. DATE(S):

DRN. BY: S.H.B.

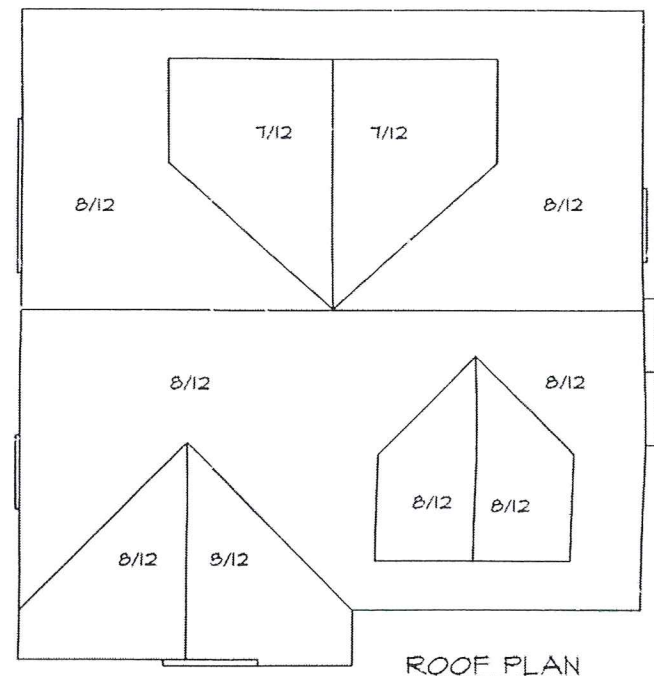


UNIT 'A'
MAIN FLOOR PLAN 1007 SQ.FT.

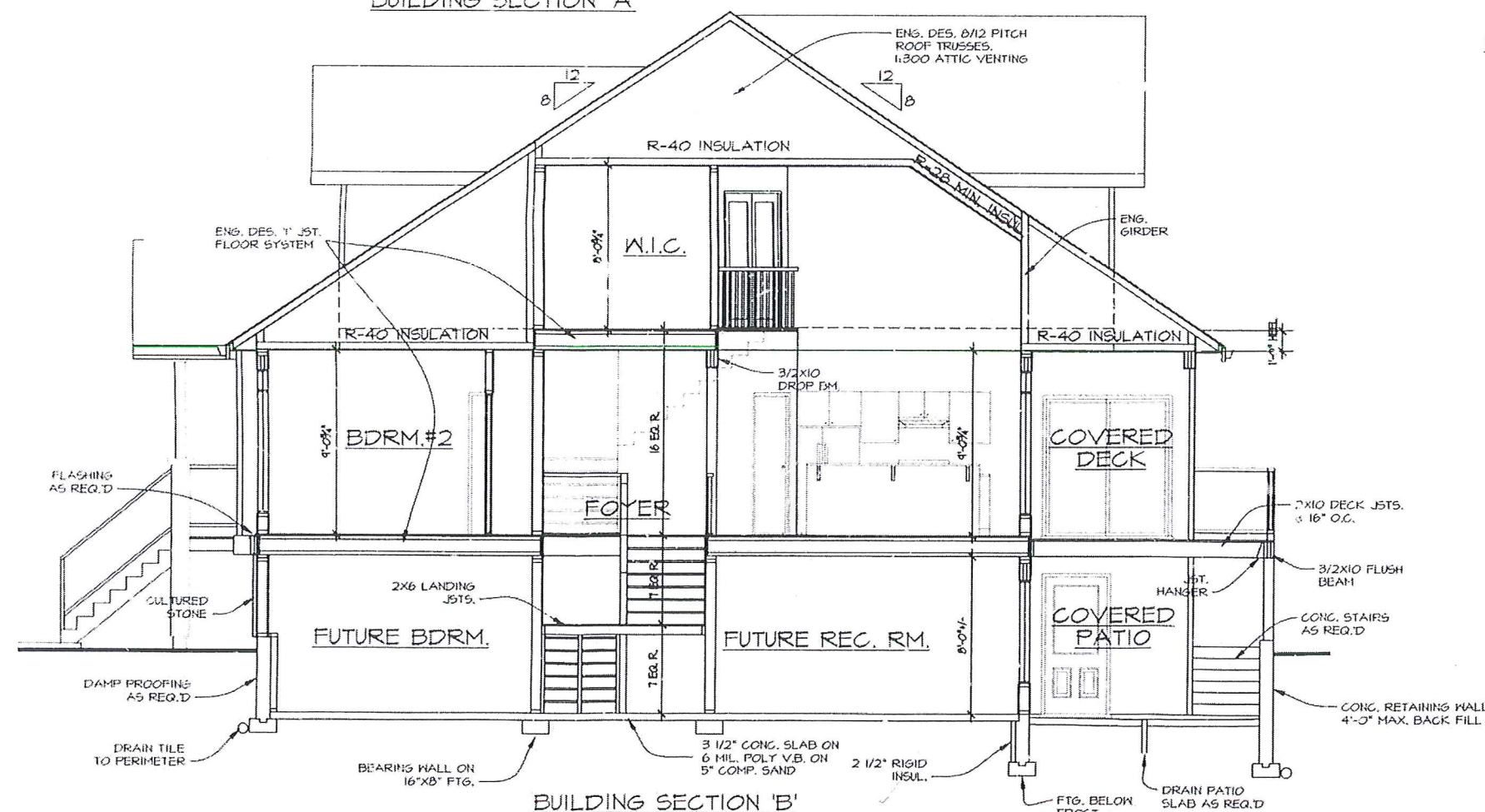
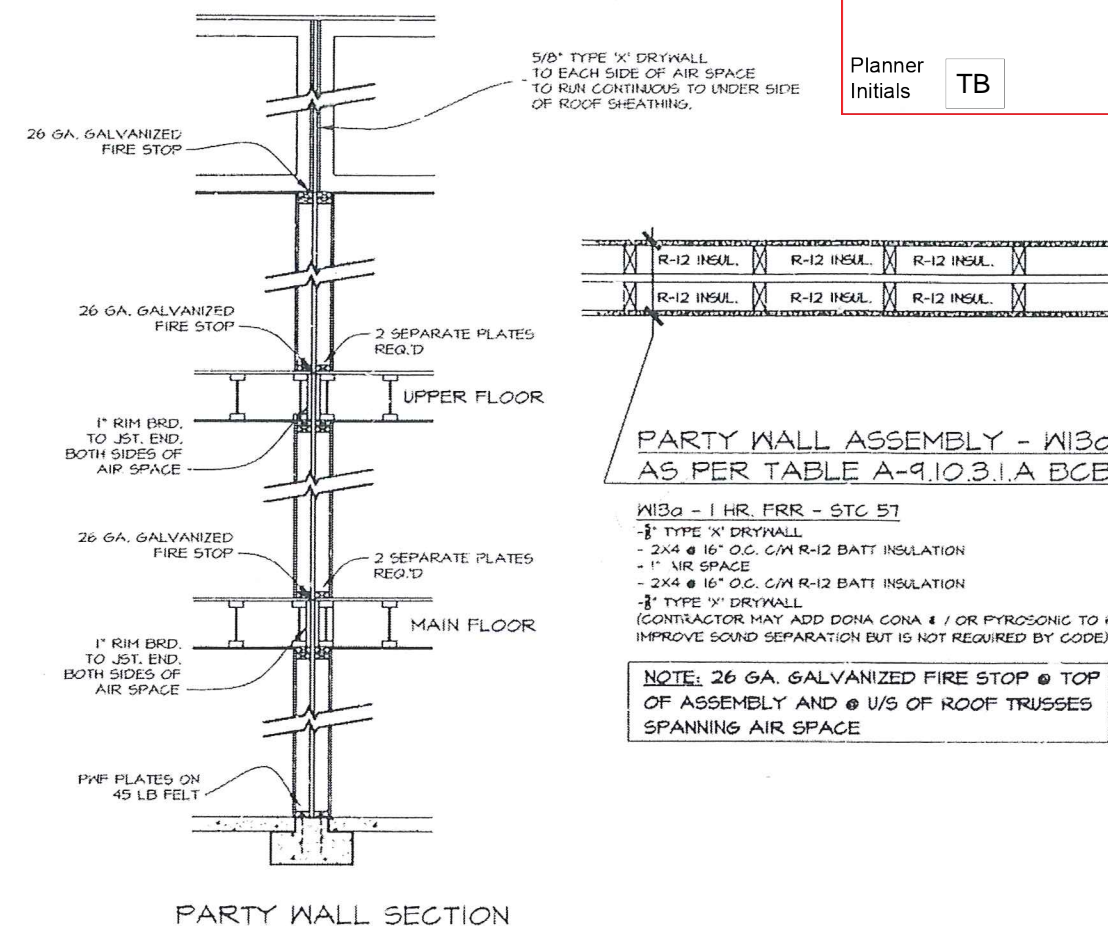
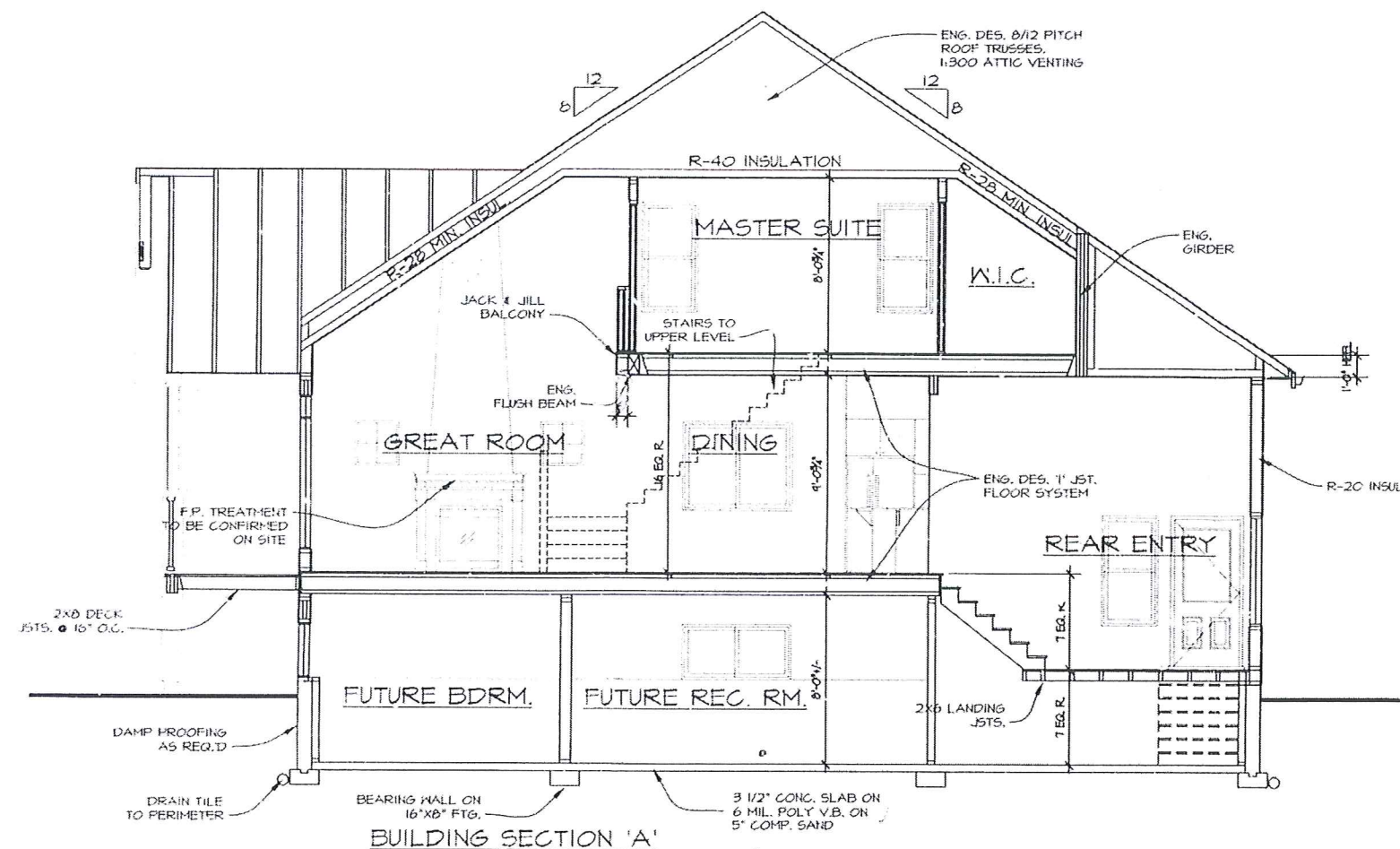
UNIT 'B'
MAIN FLOOR PLAN 1005 SQ.FT.



UNIT 'A' UPPER FLOOR PLAN 532 SQ.FT. UNIT 'B' UPPER FLOOR PLAN 524 SQ.FT.



ROOF PLAN



ROOF CONSTRUCTION

- ASPHALT SHINGLES
- 30# ROOFING FELT
- 7/16" O.S.B. ROOF SHEATHING
- C/M 'H' CLIPS
- ENGINEER DESIGNED ROOF TRUSS SYSTEM
- R-40 INSULATION
- 6 MIL. POLY VAPOUR BARRIER
- 1/2" GYPSUM BOARD

EXTERIOR WALL CONSTRUCTION

- HORIZONTAL VINYL SIDING
- PERMAX PAPER
- 3/8" O.S.B. WALL SHEATHING
- 2X6 SPRUCE STUDS @ 24" O.C.
- R-20 INSULATION
- 6 MIL. POLY VAPOUR BARRIER
- 1/2" GYPSUM BOARD

INTERIOR WALL CONSTRUCTION

- 1/2" GYPSUM BOARD TO BOTH SIDES OF 2X4 SPRUCE STUDS @ 16" O.C.

INTERIOR FLOOR CONSTRUCTION

- FINISHED FLOORING
- 1/4" UNDERLAY (STURDI-WOOD) @ LINO AREAS
- 5/8" T.G. SPRUCE PLYWOOD SUB-FLOOR
- ENGINEERED DESIGNED FLOOR SYSTEM
- 1/2" GYPSUM BOARD TO FINISHED AREAS

BASEMENT SLAB

- 3 1/2" CONC. SLAB @ 20 MPa
- 6 MIL. POLY. VAPOUR BARRIER
- 5" COMPACTED GRANULAR FILL

STAIR CONSTRUCTION

- EQUAL RISERS OF 5/8" PLYWOOD AS INDICATED
- 9 1/2" RUN
- 10 1/2" TREADS OF 1" O.S.B.
- 2X12 STRINGERS
- 2'-8" HANDRAIL HEIGHT

UNIT 'A'

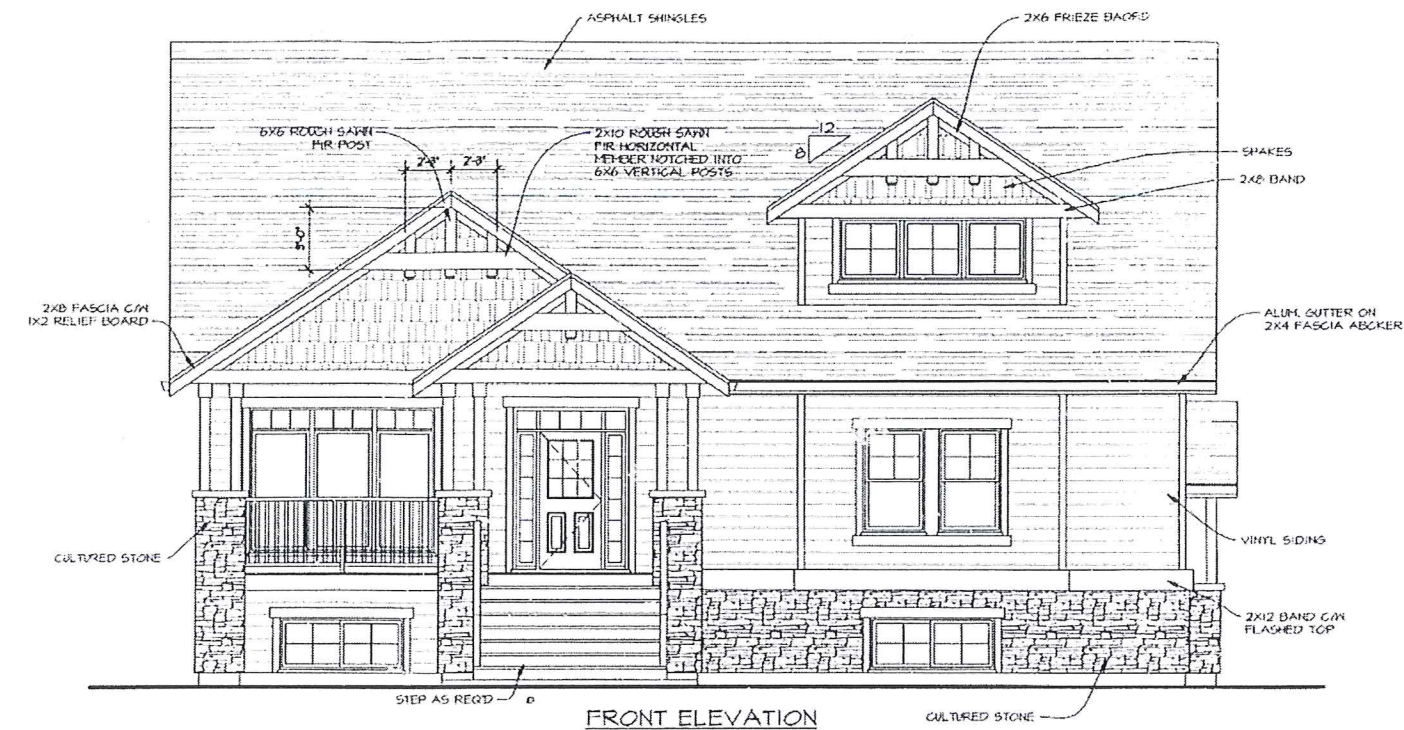
PORCH CONSTRUCTION

- 5/4"x6" SUNPINE SPACED DIMENSIONAL DECKING
- 2X8 SPRUCE DECK JOISTS @ 16" O.C.

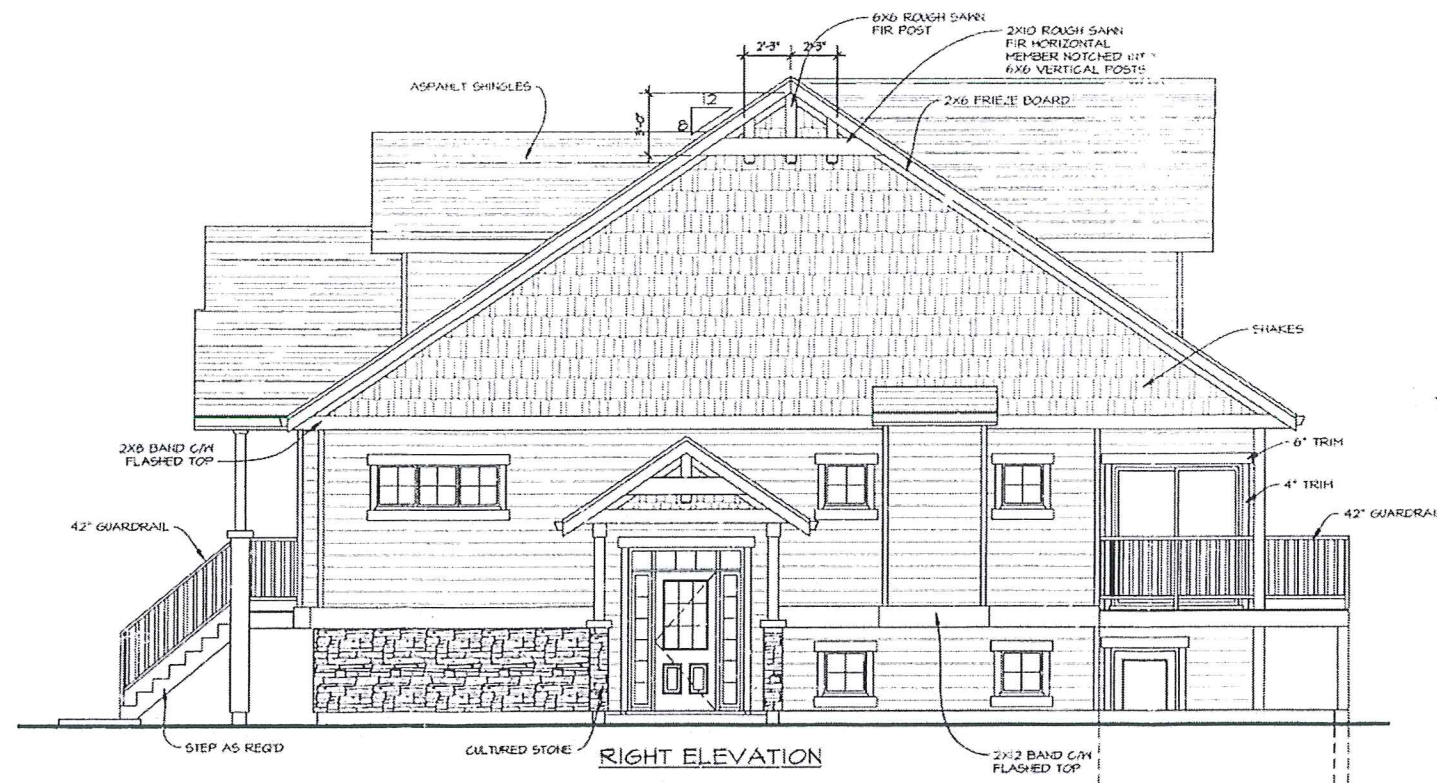
UNIT 'B'

DECK CONSTRUCTION

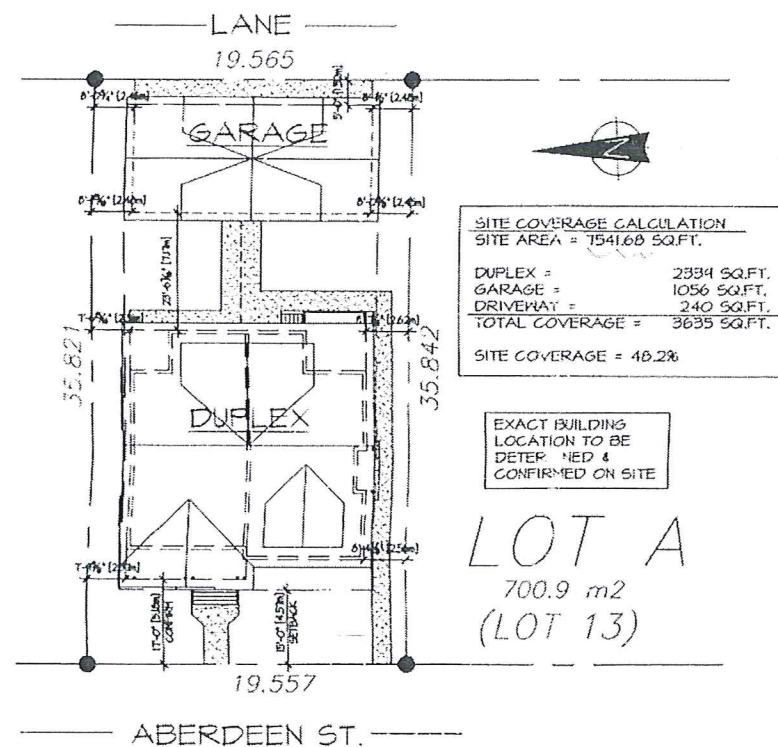
- WEATHER PROOF MEMBRANE
- 5/8" T.G. SPRUCE PLYWOOD DECKING
- 2X10 SPRUCE DECK JOISTS @ 16" O.C.



FRONT ELEVATION



RIGHT ELEVATION



PLOT PLAN
1:200

SITE COVERAGE CALCULATION
SITE AREA = 7541.60 SQ.FT.
DUPLEX = 2334 SQ.FT.
GARAGE = 1056 SQ.FT.
DRIVEWAY = 240 SQ.FT.
TOTAL COVERAGE = 3635 SQ.FT.
SITE COVERAGE = 48.2%

EXACT BUILDING
LOCATION TO BE
DETERMINED &
CONFIRMED ON SITE

LOT A
700.9 m²
(LOT 13)

31946
TAMER
JULY 07/06

ERRORS AND OMISSIONS

- BAXTER DESIGN & SHANE BAXTER shall not be responsible for any variances from the structural drawings and specifications, or adjustments required resulting from conditions encountered at the job site, and is the sole responsibility of the owner or contractor.
- BAXTER DESIGN & SHANE BAXTER makes every effort to provide complete and accurate construction drawings. However, we assume no liability for any errors or omissions which may affect construction. It is the responsibility of all trades and sub-trades to check and verify all dimensions and details before commencing with their portion of the construction. Should any discrepancies be found on these plans please advise our office so we can make the necessary corrections.

BAXTER DESIGN
Custom Building Design
1790B K.L.O. Road
KELOWNA, B.C.
V1W 3P3
ph: (250) 862-9662
email: baxterdesign@shaw.ca

LOT A - ABERDEEN ST.
DUPLEX PLAN
KELOWNA, B.C.

DRAWING SCALE: 1/4" = 1'-0"

DATE: MAY 5 / 06

REV. DATE(S):

DRN. BY: S.H.B.

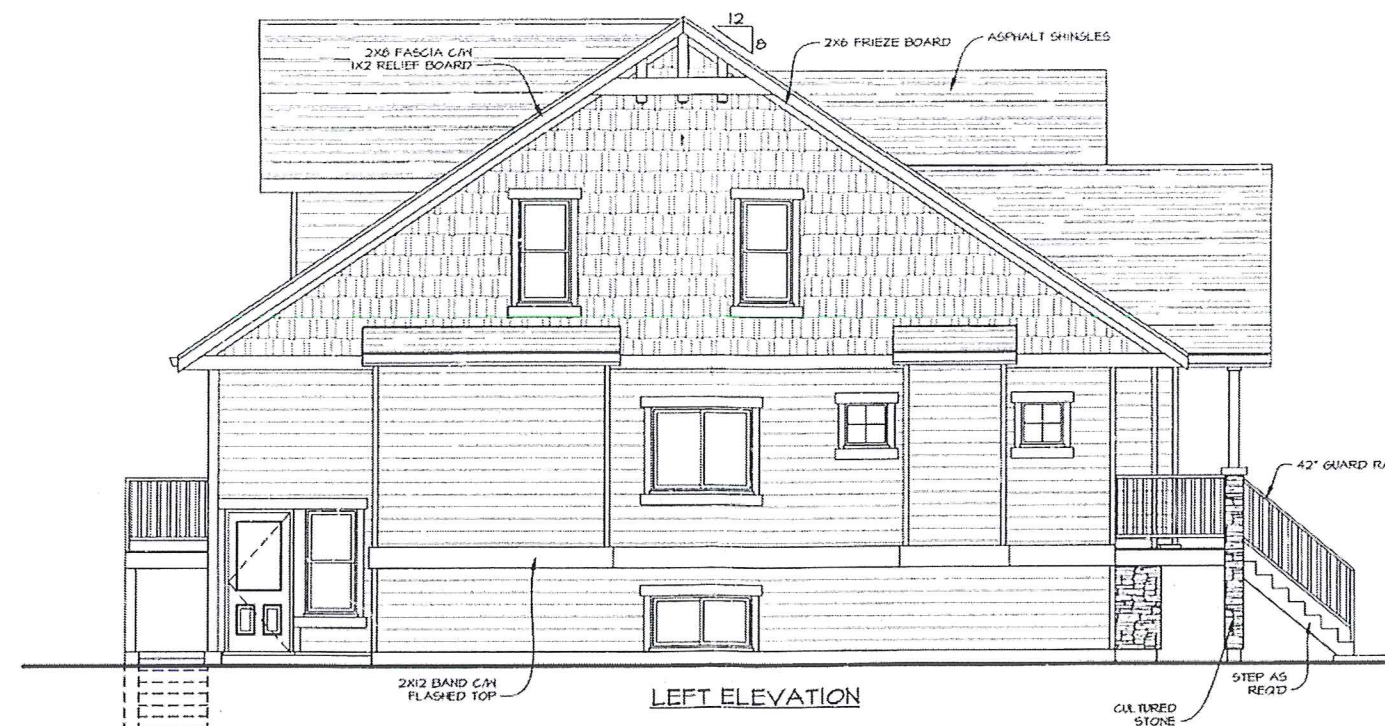
1/6



Planner
Initials TB



REAR ELEVATION



LEFT ELEVATION

ERRORS AND OMISSIONS

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**LOT A - ABERDEEN ST.
DUPLEX PLAN**
KELOWNA, B.C.

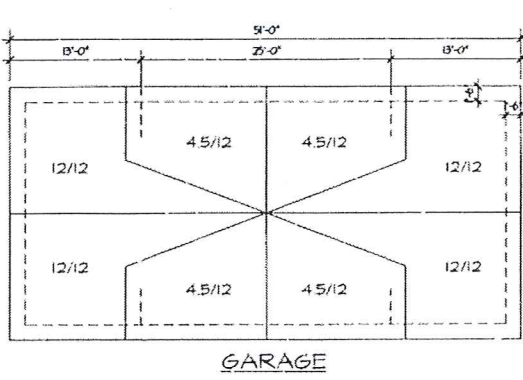
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DATE: MAY 5 / 06

REV. DATE(S):

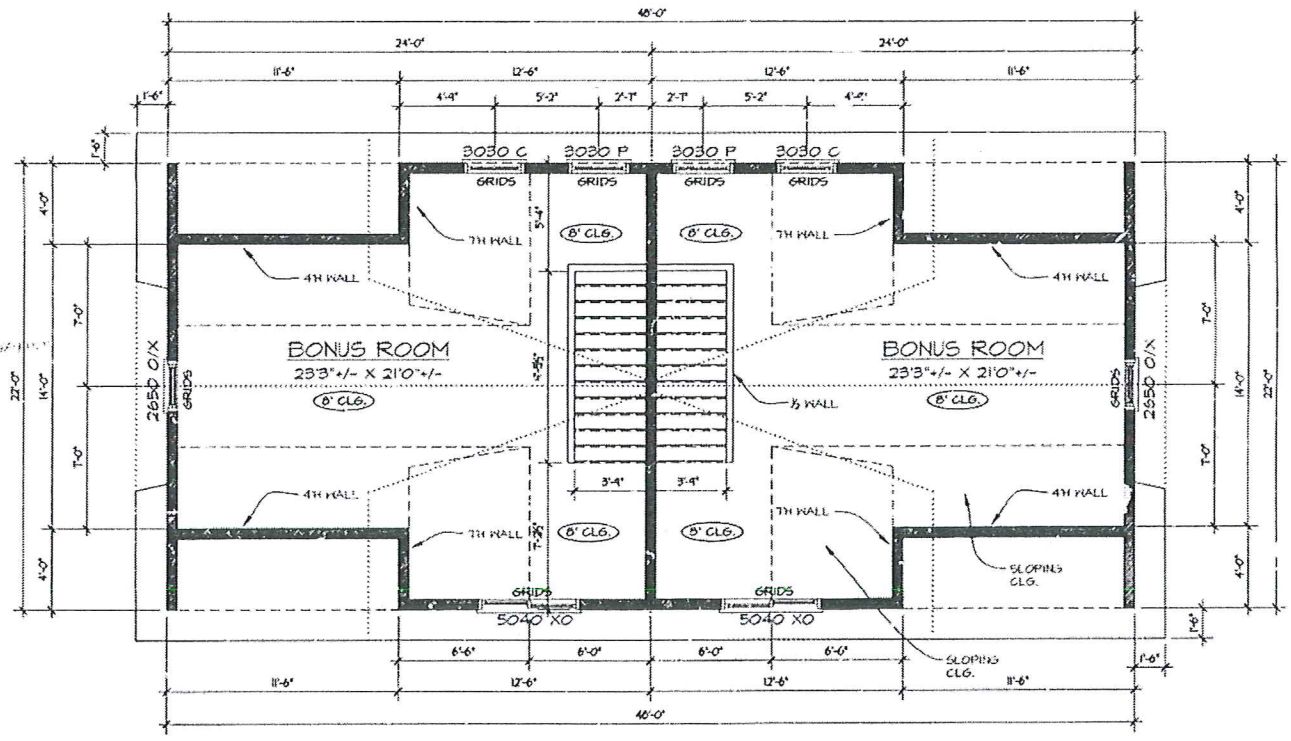
DRN. BY: S.H.B.

2/6



DORMER & PARTY WALL SECTION

- ### GARAGE SLAB
- 4" CONC. SLAB @ 25 MPa
 - 6 MIL. POLY. VAPOR BARRIER
 - 5" COMPACTED SAND
 - COMPACTED GRANULAR FILL
-
- ### STAIR CONSTRUCTION
- 14 EQUAL RISERS OF 5/8" PLYWOOD
 - 9 1/2" RUN
 - 10 1/2" TREADS OF 1" O.S.B.
 - 2X12 STRINGERS
 - 2'-6" HANDRAIL HEIGHT



UPPER FLOOR PLAN
BONUS ROOM 436 SQ.FT. / SIDE

DRN. BY: S.H.B. 2/2

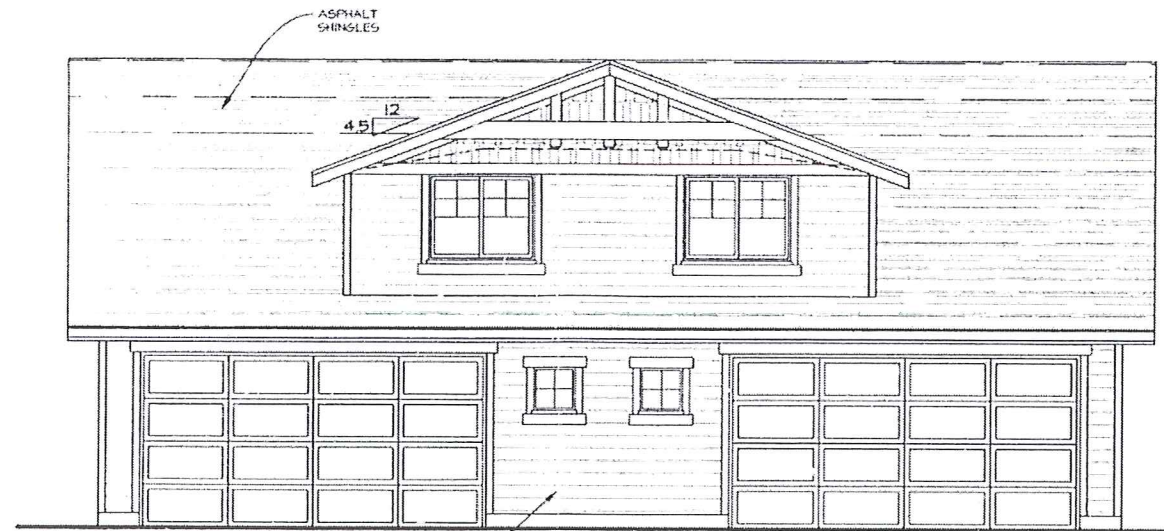
- INTERIOR SWING DOORS**
 Rough opening is always $82 \frac{1}{2}''$ high \times 2"
 greater than nominal door size.
 EXAMPLE: $2 \frac{7}{8}'' \times 6 \frac{7}{8}'' = 34'' \times 82 \frac{1}{2}''$
- INTERIOR BIFOLDS**
 Rough openings for 2 panel doors are
 1 1/2" greater than panel door width \times
 1 1/2" greater than door height.
 EXAMPLE: $5 \frac{1}{8}'' \times 6 \frac{7}{8}'' = 37 \frac{1}{4}'' \times 81 \frac{1}{2}''$
 Rough openings for 4 panel doors are 1"
 greater than nominal door width and 1 1/2"
 greater than height.
 EXAMPLE: $5 \frac{1}{8}'' \times 6 \frac{7}{8}'' = 61'' \times 81 \frac{1}{2}''$

LOT A - ABERDEEN ST.
4 CAR GARAGE
KELOWNA, B.C.
DRAWING SCALE: 1/4" = 1'-0"
DATE: MAY 5 / 06
REV. DATE(S):
DRN. BY: S.H.B.

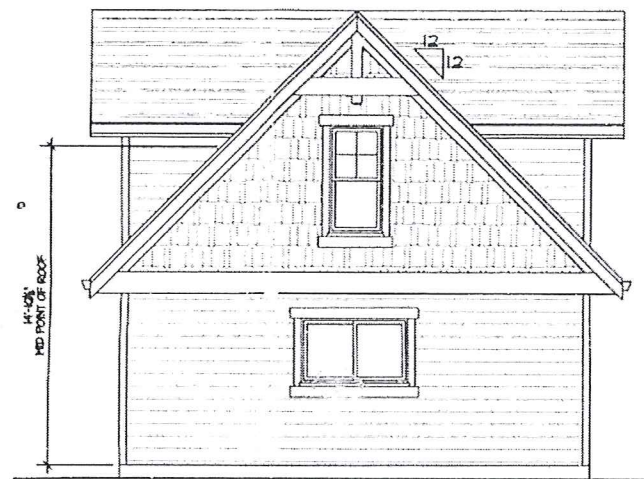


City of
Kelowna
COMMUNITY PLANNING

Planner
Initials **TB**



FRONT ELEVATION

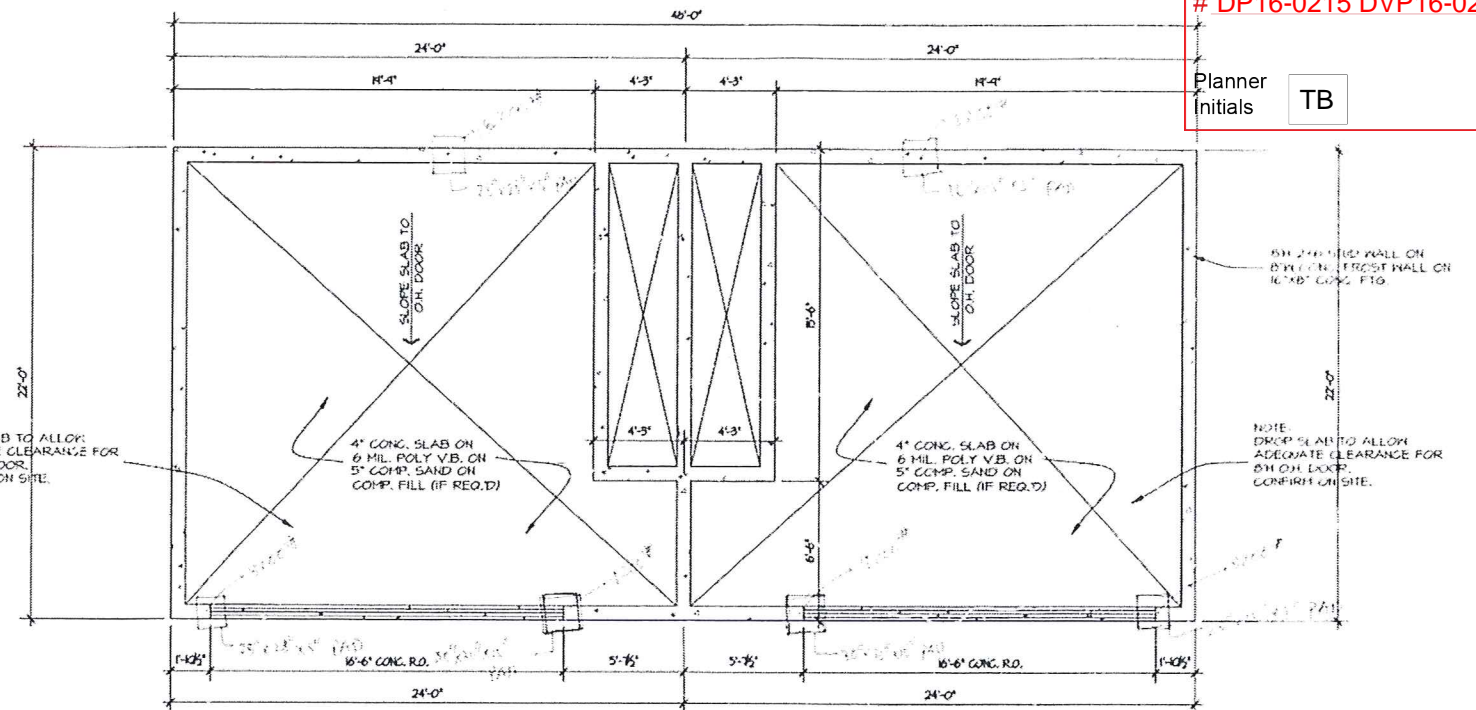


SIDE ELEVATION



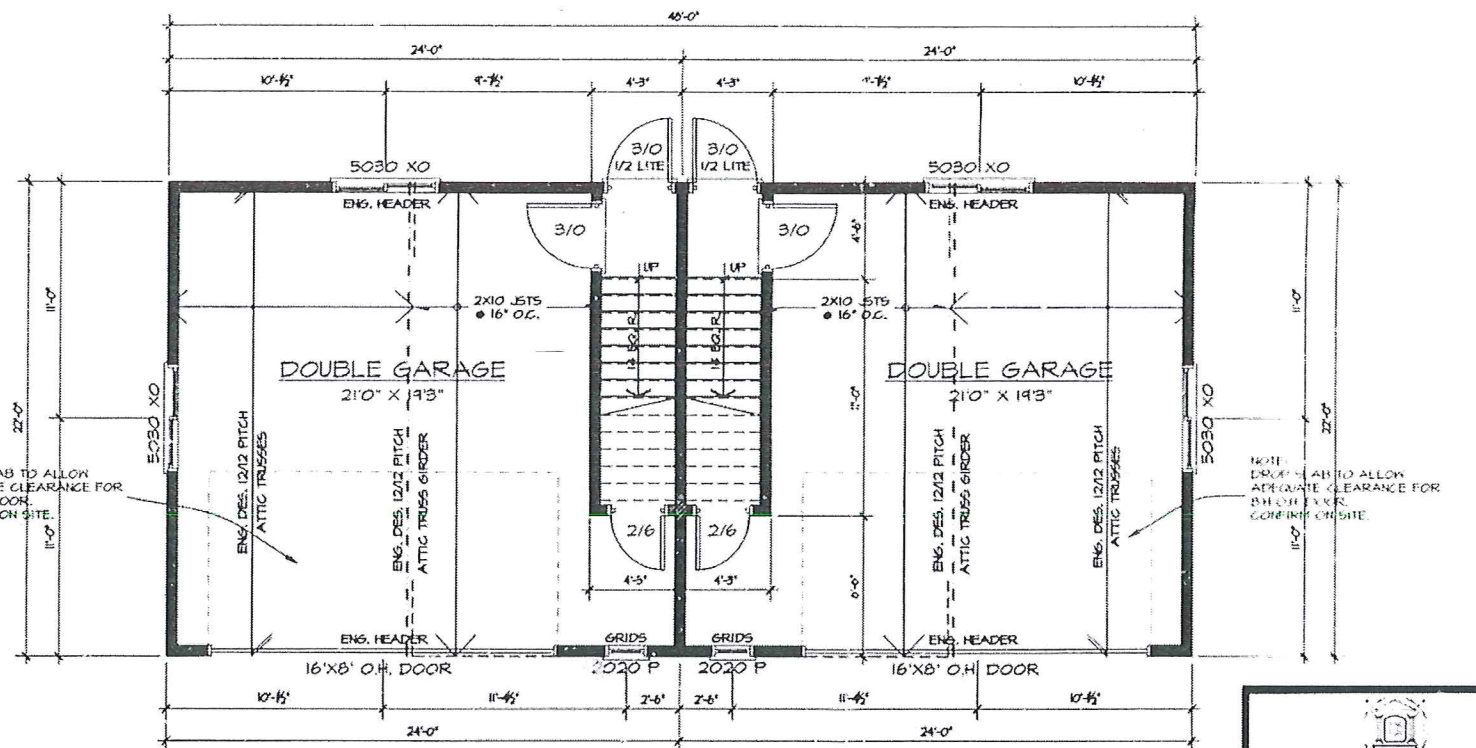
REAR ELEVATION

NOTE:
DROP SLAB TO ALLOW
ADEQUATE CLEARANCE FOR
8'11" O.H. DOOR.
CONFIRM ON SITE.



FOUNDATION PLAN

NOTE:
DROP SLAB TO ALLOW
ADEQUATE CLEARANCE FOR
8'11" O.H. DOOR.
CONFIRM ON SITE.



MAIN FLOOR PLAN

ERRORS AND OMISSIONS

- BAKTER DESIGN & SHANE BAKTER shall not be responsible for any variances from the structural drawings and specifications, or adjustments required resulting from conditions encountered at the job site, and is the sole responsibility of the owner or contractor.
- BAKTER DESIGN & SHANE BAKTER makes every effort to provide complete and accurate construction drawings. However, we assume no liability for any errors or omissions which may affect construction. It is the responsibility of all trades and sub-trades to check and verify all dimensions and details before commencing with their portion of the construction. Should any discrepancies be found on these plans please advise our office so we can make the necessary corrections.

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1790B K.L.O. Road
KELOWNA, B.C.
V1W 3P3
ph: (250) 862-9662
email: baxterdesign@show.co

LOT A - ABERDEEN ST.
4 CAR GARAGE
KELOWNA, B.C.

DRAWING SCALE: 1/4" = 1'-0"

DATE: MAY 5 / 06

REV. DATE(S):

DRN. BY: S.H.B.

1/2

REPORT TO COUNCIL



Date: May 30, 2017

RIM No. 0940-00

To: City Manager

From: Community Planning Department (EW)

Application: DVP17-0022

Owners: Justin Andrew Schneider &
Sandyl Lee Ackert

Address: 1610 McKenzie Rd

Applicant: Justin Schneider

Subject: Development Variance Permit Application

Existing OCP Designation: REP – Resource Protection Area

Existing Zone: A1 – Agriculture 1

1.0 Recommendation

THAT Council NOT authorize the issuance of Development Variance Permit No. DVP17-0022 for Lot A Section 36 Township 26 ODYD Plan KAP80055, located at 1610 McKenzie Rd, Kelowna, BC.

2.0 Purpose

To consider a Staff recommendation to NOT issue a Development Variance Permit to vary the maximum permitted projection into a front yard from 0.6 m to 2.18 m.

3.0 Community Planning

Community Planning Staff do not support the variance application. The approved front yard setback from the recently approved Farm Protection Development Permit and Building Permit drawings is 12.19 m and the approved front yard projection is 9.35 m. Under construction, the foundation shifted approximately 6.0 m from the approved plans, which is a significant change. The current front yard setback from the foundation to property line is 6.05 m and the proposed front yard projection is 3.78 m.

There is no hardship associated with the variance or benefit to agriculture. The applicant has the option of redesigning the front canopy of the house to comply with the City's projection regulations. The residential dwelling is new construction on a large home-site severance lot, where there was adequate room to accommodate a new residential dwelling without siting variances. By following the front yard maximum projection regulations on this property, it would help maintain the setback established by other similar houses along McKenzie Road. Complying would also respect the agricultural setting and ensure a sufficient setback from the rural road with gravel shoulder.

Should Council choose to support the variance, an alternative recommendation has been prepared which proposes additional agricultural landscape buffering from the approved Farm Protection Development Permit. Community Planning Staff recognize the area along McKenzie Road as an agricultural edge with noted conflicts between urban and agricultural uses; in particular spray complaints with nearby cherry orchards. The additional buffering recognizes the interface with the abutting agricultural properties and would provide additional spray and noise protection.

In fulfillment of Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form outlining that the neighbours with 300 m of the subject property were notified.

4.0 Proposal

4.1 Background

A Farm Protection Development Permit DP16-0271 for the construction a new single family dwelling was issued by the Community Planning Department on November 30, 2016. Plans submitted with the application that formed Schedules of the Development Permit indicated a front yard setback of 12.19 m to the building foundation and 9.35 m to the covered entrance projection in the front yard.



Figure 1. Rendering of front elevation from DP16-0271 application. The covered entrance is indicated by the yellow box.

The same plans were submitted with Building Permit BP54222. The difference between the front yard projection approved by the City and the requested variance is shown in Figure 2 below.

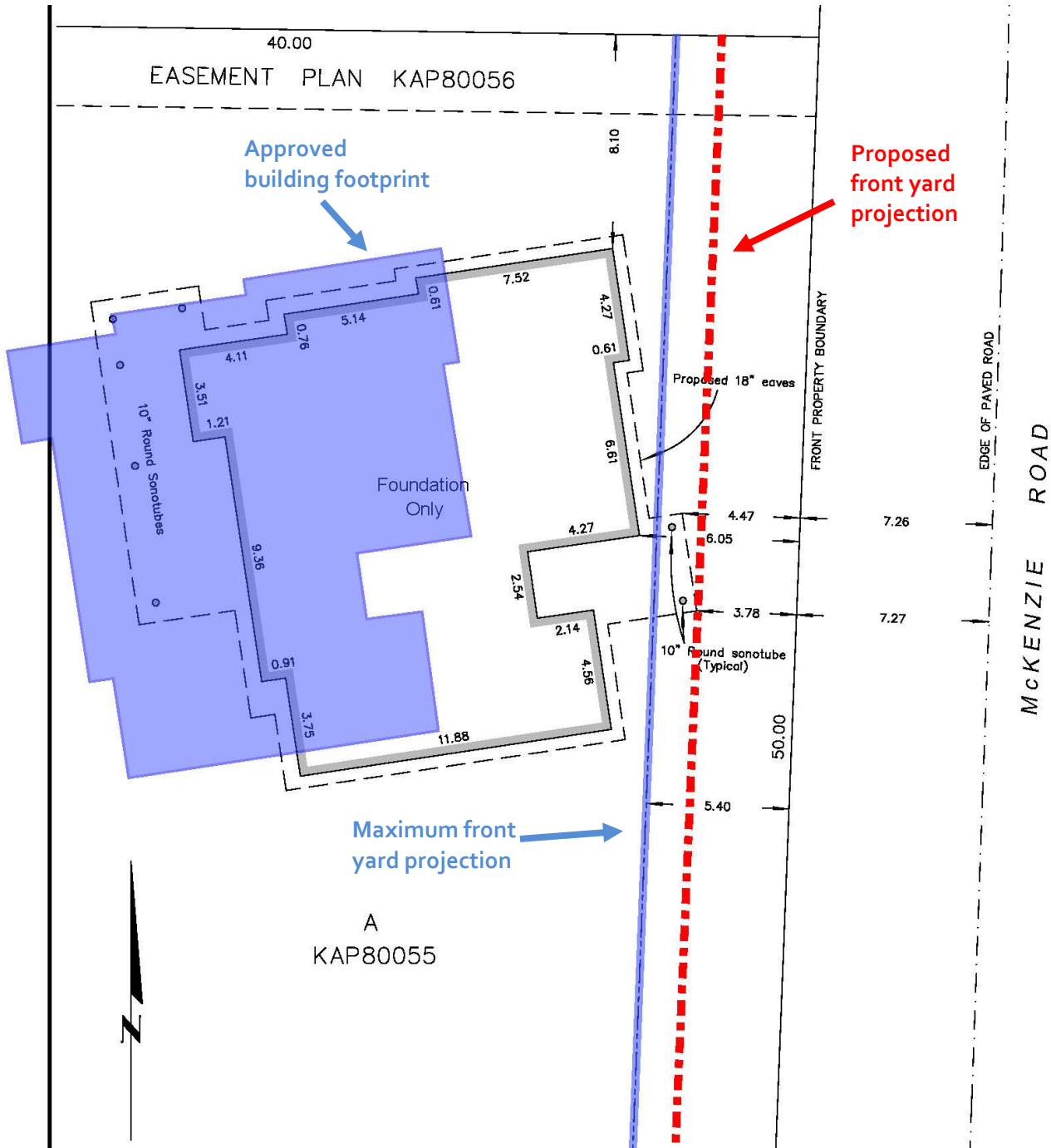


Figure 2. Site plan with the approved building footprint indicated by the blue shape. The maximum permitted projection into the front yard as required by the Zoning Bylaw is shown with the blue line and the variance request to the front yard projection is shown with the red dashed line.

During inspections it was noted that the building had shifted from the approved plans and was no longer in accordance with Zoning Bylaw No. 8000 and the front covered entrance exceeded the maximum permitted projection of 0.6 m. Prior to pouring the foundation, the applicant had asked the surveyors on site to shift the building as close to the road as possible. The house location was resurveyed and while the foundation complies with the Zoning Bylaw setbacks, the surveyors did not take into account the covered entrance on the house plans. After exploring alternative options including redesign, the applicant has chosen to apply for a variance. The requested variance is from 0.6 m to 2.18 m.

4.2 Project Description

The applicant is requesting the approval of a variance for the maximum permitted projection into a front yard from 0.6 m to 2.18 m to accommodate the proposed covered entrance.

4.3 Site Context

The subject property is 1,999 m² and is located in the Rutland City Sector, outside the Permanent Growth Boundary. The neighbourhood is primarily characterized by agricultural properties zoned A1, in the ALR. There is a residential subdivision across McKenzie Rd from the subject property.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 – Agriculture 1	Agriculture
East	A1 – Agriculture 1	Residential
South	A1 – Agriculture 1	Agriculture
West	A1 – Agriculture 1	Agriculture

Subject Property Map: 1610 McKenzie Rd



4.4 Zoning Analysis Table

While the property is zoned A1 – Agriculture 1 under Section 1.8.3 of Zoning Bylaw 8000, where a lot is created with ALC approval for severance of a home-site or a lot used in lieu, then the regulation of the RR2 zone will apply.

Zoning Analysis Table		
CRITERIA	RR2 ZONE REQUIREMENT (home-site severance)	PROPOSAL
Development Regulations		
Front Yard	6.0 m	6.05 m
Side Yard (north)	3.0 m	8.10 m
Side Yard (south)	3.0 m	21.77 m
Rear Yard	9.0 m	16.31 m
Maximum Projection into Front Yard	0.6 m	2.18 m ⓘ
Maximum Site Coverage	20%	13%
ⓘ Indicates a variance is required to increase the maximum projection into the front yard from 0.6 m to 2.18 m.		

5.0 Application Chronology

Date of Application Received: January 23, 2017

Date Public Consultation Completed: February 11, 2017

6.0 Alternate Recommendation

THAT Development Variance Permit No. DVP17-0022 for Lot A Section 36 Township 26 ODYD Plan KAP80055, located at 1610 McKenzie Rd, Kelowna, BC, to vary the following section of Zoning Bylaw No. 8000 be granted in accordance with Schedule "A":

Section 6.4.2.: Projections Into Yards

To vary the maximum projection into a required front yard from 0.6 m permitted to 2.18 m proposed.

AND THAT Development Variance Permit DVP17-0022 be granted subject to the following:

- Landscaping to be provided on the land in accordance with Schedule "B";
- The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;

AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

Report prepared by:

Emily Williamson, Planner I

Reviewed by:

Todd Cashin, Suburban and Rural Planning Manager

Approved for Inclusion:

Ryan Smith, Community Planning Manager

Attachments:

Draft DVP17-0022

Schedule "A" – Sketch Plan of Proposed Variance

Schedule "B" – Landscape Plan

DEVELOPMENT VARIANCE PERMIT



APPROVED ISSUANCE OF DEVELOPMENT VARIANCE PERMIT NO. DVP17-0022

Issued To: Justin Andrew Schneider & Sandyl Lee Ackert
Site Address: 1610 McKenzie Rd
Legal Description: Lot A Section 36 Township 26 ODYD Plan KAP80055
Zoning Classification: A1 – Agriculture 1

SCOPE OF APPROVAL

This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.

The issuance of a Permit limits the Permit Holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

1. TERMS AND CONDITIONS

THAT Development Variance Permit No. DVP17-0022 for Lot A Section 36 Township 26 ODYD Plan KAP80055, located at 1610 McKenzie Rd, Kelowna, BC, to vary the following section of Zoning Bylaw No. 8000 be granted in accordance with Schedule "A":

Section 6.4.2.: Projections Into Yards

To vary the maximum projection into a required front yard from 0.6 m permitted to 2.18 m proposed.

AND THAT Development Variance Permit DVP17-0022 be granted subject to the following:

- a) Landscaping to be provided on the land in accordance with Schedule "B";
- b) The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;

AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property own of the day. Should the Developer carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Developer or his or her designate. There is filed accordingly:

- a) A Certified Cheque in the amount of \$_____ OR
- b) An Irrevocable Letter of Credit in the amount of \$_____.

Before any bond or security required under this Permit is reduced or released, the Developer will provide the City with a statutory declaration certifying that all labour, material, workers' compensation and other taxes and costs have been paid.

3. DEVELOPMENT

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit that shall form a part hereof.

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit IS NOT a Building Permit.

4. Indemnification

Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.
- b) All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

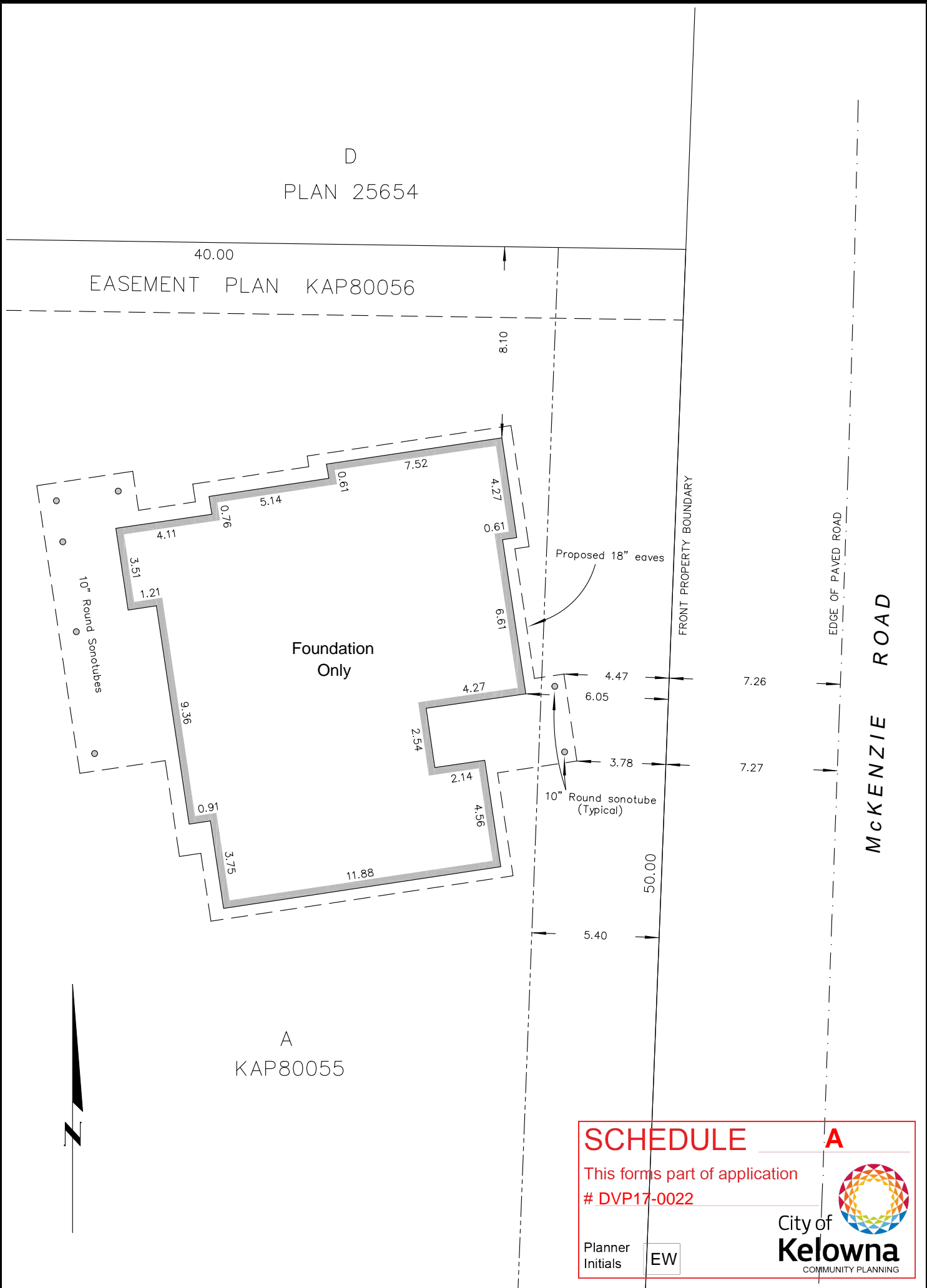
5. APPROVALS

Issued and approved by Council on the _____ day of _____, 2017.

 Ryan Smith, Community Planning Department Manager
 Community Planning & Real Estate

 Date

The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or his or her designates




SCHEDULE

A

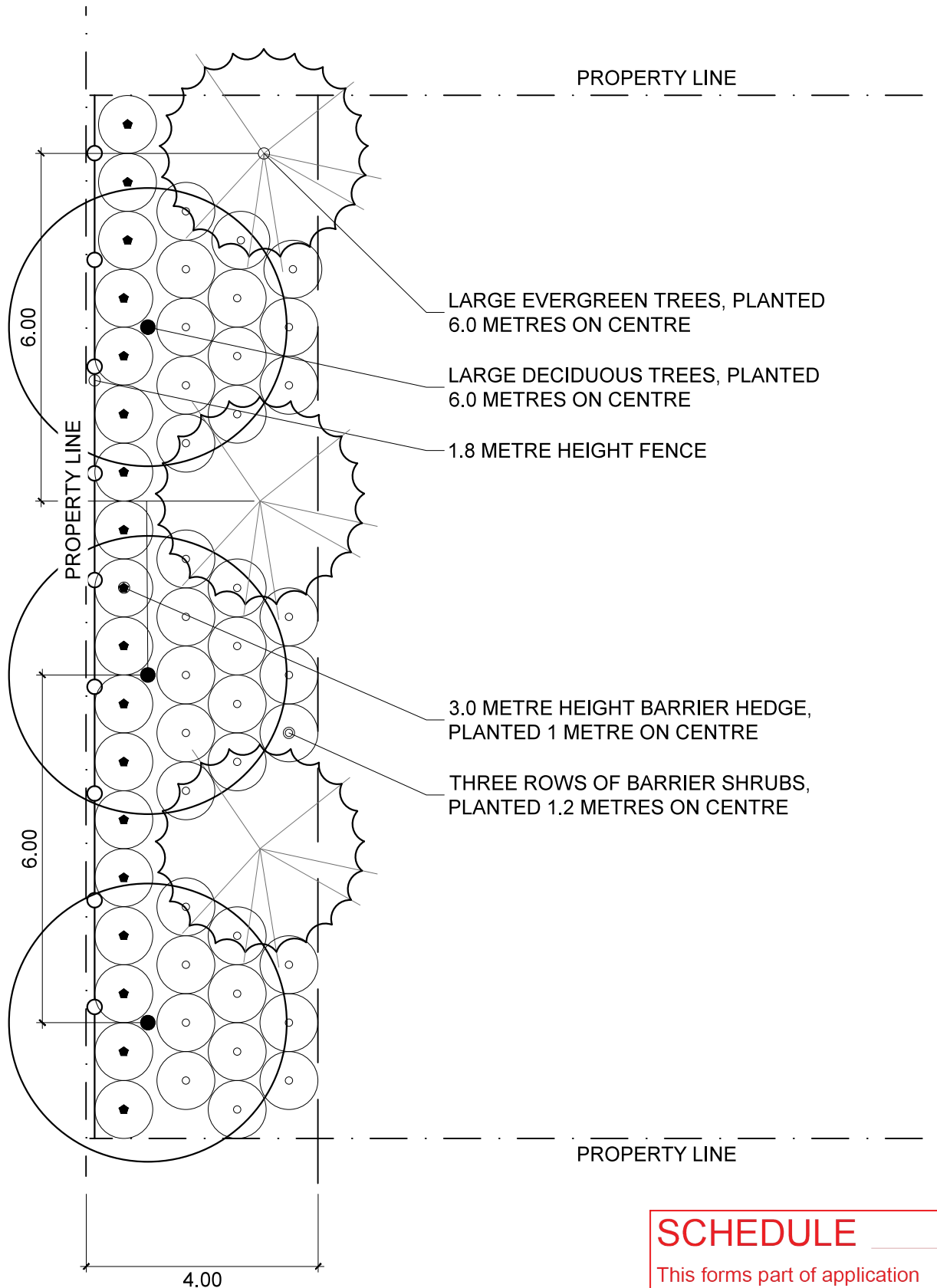
This forms part of application
DVP17-0022

Planner
Initials

EW


City of
Kelowna
COMMUNITY PLANNING

TITLE: SKETCH PLAN OF PROPOSED VARIANCE AREA ON LOT A, SEC. 36, TP. 26, O.D.Y.D., DISTRICT PLAN KAP80055			
DRAWN BY:	RUNNALLS DENBY <i>british columbia land surveyors</i> 259A Lawrence Avenue Phone: (250)763-7322 Kelowna, B.C. V1Y 6L2 Fax: (250)763-4413 Email: rob@runnallsdenby.com		SCALE: 1:100
			DATE: JANUARY 25, 2017
			DWG: 14702 LOT A VARIANCE
CLIENT:	WELLMAN HOMES	FILE No: 14702	REV. 0

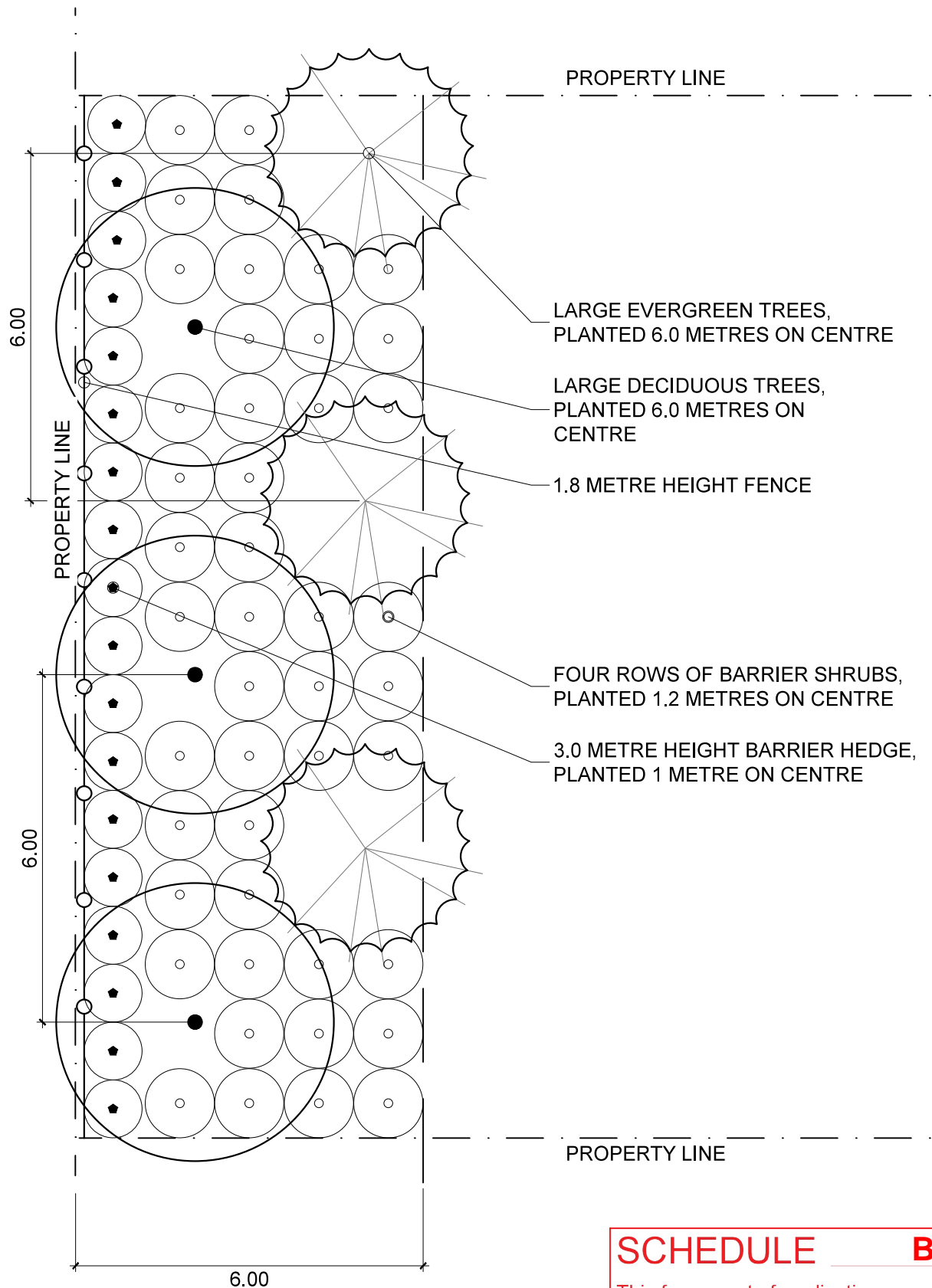


SCHEDULE B

This forms part of application
DVP17-0022

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City of Kelowna
COMMUNITY PLANNING



SCHEDULE

B

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