

Heritage Alteration Permit

HAP18-0008-01



This permit relates to land in the City of Kelowna municipally known as

2195 Abbott Street

and legally known as

Lot 4 District Lot 14 Osoyoos Division Yale District Plan 3393

and permits the land to be used for the following development:

Large Lot Housing with Carriage House

with variances to the following sections of Zoning Bylaw 8000 in accordance with Schedules "A" and "B":

Section 6.4.2: Projections Into Yards

To vary the required maximum projection of an eaves into a required side yard from 0.6 m (permitted) to 1.22 m (proposed).

Section 9.5b.1(g): RU1 – Carriage House Regulations

To vary the required maximum height from 4.8 m or the height of the principal dwelling (permitted) to 6.1 m (proposed).

The development has been approved subject to any attached terms and conditions, and to full compliance with the approved plans bearing the stamp of approval and the above described development permit number.

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

Date of Decision: March 12, 2019

Decision By: City Council

Issued Date: March 12, 2019

Development Permit Area: Abbott Marshall Heritage Conservation Area

This permit will not be valid if development has not commenced by March 12, 2021.

Existing Zone: RU1c Future Land Use Designation: S2RES

This is NOT a Building Permit.

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner: Gordon Richard Lovegrove & Karen Lorraine Lovegrove

Ryan Smith, Community Planning Department Manager
Community Planning & Strategic Investments

Date

1. SCOPE OF APPROVAL

This Development 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 Development 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 Development 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.

2. CONDITIONS OF APPROVAL

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";

This Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

3. PERFORMANCE SECURITY

None required.

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.

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.

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


HERITAGE ALTERATION PERMIT GUIDELINES

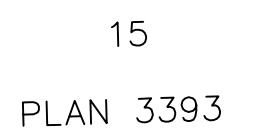
Heritage Conservation Area

Consideration has been given to the following guidelines as identified in Chapter 16 of the City of Kelowna Official Community Plan relating to Heritage Conservation Areas:

HERITAGE CONSERVATION AREA	YES	NO	N/A
Site Layout and Parking			
Are established front yard setbacks maintained within 10% of neighbouring building setbacks?			✓
Are parking spaces and garages located in the rear yard?	✓		
Are established building spacing patterns maintained?	✓		
Does the carriage house complement the character of the principal dwelling?	✓		
Are accessory buildings smaller than the principal building?		✓	
Building Massing			
Is the established streetscape massing maintained?	✓		
Is the massing of larger buildings reduced?			✓
Roof Forms, Dormers and Chimneys			
Is the roof pattern in keeping with neighbouring buildings?	✓		
Are skylights hidden from public view?			✓
Are high quality, low maintenance roofing materials being used?	✓		
Are the roofing materials similar to traditional materials?	✓		
Are the soffit, overhang and rain water drainage features in keeping with the building's architectural style?	✓		
Do secondary roof elements have a similar pitch as the principal roof?	✓		
Are chimneys in keeping with the building's architectural style?	✓		
Cladding Materials			
Are low maintenance building materials being used?	✓		
Are the building materials similar to traditional materials?	✓		
Are exterior colours in keeping with the traditional colours for the building's architectural style?	✓		
Doors and Windows			
Are established window placement, style and window-to-wall area ratios maintained?	✓		

HERITAGE CONSERVATION AREA	YES	NO	N/A
Are established door placement, style and door-to-wall area ratios maintained?	✓		
Is the main entrance a dominant feature visible from the street?		✓	
Is the main entrance in keeping with the building's architectural style?	✓		
Are the door and window design details consistent with the building's architectural style?	✓		
Landscaping, Walks and Fences			
Are existing healthy mature trees being retained?	✓		
Is the front yard landscaping consistent with neighbouring properties?			✓
Is street facing fencing or screening landscaping no more than 1 m in height?		✓	
Privacy and Shadowing Guidelines			
Are there clear sightlines from the street to the front yard and dwelling?			✓
Does the building location minimize shadowing on the private open space of adjacent properties?	✓		

<h1>SCHEDULE A</h1> <p>This forms part of application</p> <p># HAP18-0008-01</p>		 <p>City of Kelowna COMMUNITY PLANNING</p>
Planner Initials	KB	



PROPOSED CARRIAGE HOUSE FOR:
MR. & MRS. LOVEGROVE
2195 Abbott Street, Kelowna, B.C.

Drawing Scale: 1/4" = 1'-0"

Date: AUG. 24, 2018

Rev. Date: Nov. 1, 2018

Dwn. By: S.H.B.

Working Drawings

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Architectural drawing of the Left (South) Elevation of a building. The drawing shows a long, low structure with a brick chimney, a brick section, and a vertical siding section. Dimensions are provided in feet and inches, as well as meters. Annotations include 'EXISTING HOUSE', 'FASCIA TO MATCH EXISTING', 'SOLID PAINTED PLYWOOD SOFFIT TO MATCH EXISTING', 'HARDI PANEL OR SIMILAR TO MATCH EXISTING', 'BRICK TO MATCH EXISTING', and 'VERTICAL SIDING TO MATCH EXISTING'. A note at the bottom right states: 'Note: Underside of joists to be min. 343.66m'.

REAR (WEST) ELEVATION

SEE PAGE 1/1 FOR SPATIAL SEPARATION CALCULATION

Architectural drawing of the front (east) elevation of a building. The drawing shows a two-story structure with a brick chimney on the left, a central entrance with a door and stairs, and a roofline with a fascia. Dimensions are provided for various elements: 4'-0" for the main body width, 2'-0" for the upper section width, 1'-6" for the roof fascia height, and 20'-3 1/4" for the total height. Notes specify materials like "SOLID PAINTED PLYWOOD SOFFIT TO MATCH EXISTING" and "VERTICAL SIDING TO MATCH EXISTING". A note on the right states "HEIGHT TO ROOF STAIRWAY ENTRANCE NOT TO BE USED IN DETERMINING BUILDING HEIGHT, BYLAW 6.6.1". The drawing is labeled "FRONT (EAST) ELEVATION" at the bottom.

HEIGHT TO ROOF STAIRWAY ENTRANCE
20'-10"
WHICH IS NOT TO BE USED IN DETERMINING BUILDING HEIGHT
AS PER CITY OF KELLOWNA BYLAW 6.6.1

Architectural elevation drawing of a building facade. The drawing includes the following annotations and dimensions:

- ROOF STAIRWAY ENTRANCE**: NOT TO BE USED IN DETERMINING BUILDING HEIGHT. BYLAW 6.6.1
- FASCIA TO MATCH EXISTING**: Points to the horizontal fascia above the roofline.
- VERTICAL SIDING TO MATCH EXISTING**: Points to the vertical siding on the main wall.
- SOLID PAINTED PLYWOOD SOFFIT TO MATCH EXISTING**: Points to the soffit under the roofline.
- Dimensions**:
 - Roofline height: 1'-9"
 - Roofline width: 2'-0" and 4'-0"
 - Main wall height: 4'-0"
 - Main wall width: 4'-0"
 - Roofline depth: 1'-9"
- Window and Door Areas**:
 - Window area: 22.5 sq.ft.
 - Door area: 12 sq.ft.
 - Small window area: 6 sq.ft.

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April 24, 2018

City Hall Kelowna
Planning Department
1435 Water St
Kelowna, BC V1Y 1J4
Attention: Ms Kim Brunet, Planner
By e-mail: KBrunet@kelowna.ca

Dear Ms Brunet:

Re: 2195 Abbott Street – Rezoning and Heritage Alteration Permit - Design Rationale

This letter sets out why Karen and I would like to build our carriage house, and more specifically, our rationale for its design.

Background

Karen and I are the third family to own this beautiful home at 2195 Abbott Street. We understand from the previous owners that it was originally designed and built in 1956 by renowned Kelowna architect and author, John Newton Woodworth (who incidentally also designed the Kelowna Community Theatre!). We have enclosed photos of it at the end of this document for reference, showing its Frank Lloyd Wright (FLW) styling, with beautiful brick chimney, ‘big room’ fenestration, broadly overhanging flat roof, and simple vertical wooden wallboard treatments. We bought it in August 2010 and have enjoyed it so much that we can think of no better location to retire to and age in place, except for the fact that it is a four bedroom home and our children have all left home. For several years we’ve been discussing with family, neighbors, and other friends what to do - co-housing, move, stay, etc – and subsequently hit upon the idea of building a carriage house after noticing several springing up around us. Moreover, our initial queries at the City Hall Planning counter, along with our involvement in various City public initiatives and reviews (OCP, Imagine Kelowna, Healthy Home, Journey Home, to name a few), have informed us that densification of existing neighborhoods, infill housing (i.e. including carriage houses), increasing ground-based housing supply, and aging in place are principles generally supported by approved City principles, bylaws and/or policies. Hence, we have decided to invest our time, effort, and money to seek City approval construct our retirement home – our carriage house – on our own property, literally in our own backyard!

Of note in our application, and pertaining to your specific request for this design rationale, we point out that while the main residence was built in 1956 after FLW styling, its garage was built circa 1990 and can scarcely be deemed to even mimic FLW styling – its roof has a slope, its siding is vinyl, and its windows don’t match. So we are doubly motivated to not just age in place with our new carriage house, but also to ‘clean up’ what has been an eyesore for us for 10 years, by designing our carriage house to mimic our FLW main residence as closely as possible.

Design Rationale

To mimic the FLW architectural styling of our main residence as closely as possible, we have engaged Mr. Shane Baxter of Baxter Design, winning designer of the City of Kelowna Infill Challenge. As you will see from our submitted package, Mr Baxter has designed our carriage house with particular attention to all key features, as follows:

- It will replace the existing 1990 garage that does not meet the FLW style, and significantly improve the aesthetics, look, and feel of our site and its living spaces;
- Wrap around windows – location, proportions, tight to soffits, to promote the same ‘big room’ feel for our living/dining areas;
- Wall boards – wooden, flat panels with verticals, with finish and paint color to match our main residence;
- Brick fireplace – brick to match existing colors, courses, and sizes as closely as possible, with gas and high efficiency fan for heating the main living areas;
- Flat roof with large overhangs matching our existing residence fascia and overhang; we will be using ‘torch-on’ roofing in place of the original tar and gravel roof in accord with modern standards;
- On our carriage house roof Mr Baxter has also designed a sundeck using an ingenious fascia screening set-back technique; this will provide a semi-private additional outdoor space for Karen and I to enjoy given our resulting smaller shared yard;
- During inclement weather, on extremely hot days, and/or when stairs are no longer manageable, we’ll be able to enjoy our covered patio;
- The main living space will all be at one-level, at ground level, so we can enjoy a stair-free, wheelchair accessible entry and inside living area – effectively a rancher;
- Given its smaller 100 square meter footprint, we’re asking for a crawl space to be included, which would be used for storage only and accessed from the garage; and,
- We have included only one enclosed garage car parking stall (two other outside stalls are included in the design to meet city bylaws that require a total of three = 2 plus 1 for visitors); we are a one-car family and as we age expect to use our car less, with more emphasis on use of all our nearby walking, biking, and transit amenities.

Apart from its architectural stylings and basic design configuration, we are striving for a Net Zero design. To that end we are delighted to have contracted the award-winning Mr Darren Witt of Bercum Builders Inc. to work with Mr Baxter on incorporating the following energy efficient features on our carriage house:

- Solar roof panels with inverter to not only power our carriage house electrical systems, but to also generate power back into the City’s grid when excess is available, with our target being net zero year round energy use;
- Tankless hot water heating, with dual boiler for in-floor heating of master ensuite, master bedroom, den, and kitchen;
- Window blinds for additional shading/insulation, which also match our main residence;
- Deep sill walls, with R35 insulation to minimize heat loss and gain;
- Low-e windows, with opening panes for passive cooling/heating;
- Gas fireplace for main living area heating;
- Heat pump air exchange for cooling;
- Low-flow plumbing fixtures;

- LED lighting; and,
- Gas stove

We seek to install these Net-Zero design elements both to enhance our design to minimize our eco-footprint and support net-zero living, and, to set a good community design example springing from my professional engineering expertise, experience, and research as a Professor in UBCO's School of Engineering (<http://engineering.ok.ubc.ca/faculty/gordonlovegrove.html>).

On the pages following are photos of our existing main residence and garage for your reference.

We do hope you will agree with our design rationale and support our application. We are trying to maintain architectural stylings, while allowing us to age in place in our beautiful location, and in support of City policies regarding STEP code, infill densification, healthy housing, and housing supply. Please feel welcome to contact us if you have any questions, at gord.lovegrove@ubc.ca, or 250-808-9377. I should note that we are out of country from May 18th to June 30th, but we will have internet access and can be reached by e-mail and skype.

Yours truly,



Gord & Karen Lovegrove
Owners, 2195 Abbott Street

Enclosed: Pictures of 2195 Abbott Street (following pages)

Pictures of 2195 Abbott Street



Chimney at NW corner of main residence



Close up of bricks



Existing Garage vinyl siding





Existing Garage looking west from lane east of Abbott



Main residence looking NE from Abbott at Royal



Looking east toward 2195 Abbott main residence from Abbott Street



Close up of wall board treatment, soffit, and fenestration of existing main residence