

# REPORT TO COUNCIL



**Date:** June 18, 2019

**RIM No.** 0940-60

**To:** City Manager

**From:** Community Planning Department (BBC)

**Application:** HAP18-0014      **Owner:** Robert Bruce Wall and Hilda Agnes Wall

**Address:** 1983 Abbott Street      **Applicant:** Robert Wall

**Subject:** Heritage Alteration Permit - Major

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

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## 1.0 Recommendation

THAT Council authorizes the issuance of Heritage Alteration Permit No. HAP18-0014 for Lot 2, District Lot 14, Osoyoos Division, Yale District, Plan 3998, located at 1983 Abbott 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 section of Zoning Bylaw No. 8000 be granted as shown on Schedule A:

### **Section 6.5.3(g): General Development Regulations**

To vary the minimum distance between an accessory building and a principle dwelling in a residential zone from 3.0m permitted, to 2.65 m proposed

### **Section 13.1.6(a): RU1 - Urban Residential Zone, Development Regulations**

To vary the maximum site coverage of buildings from 40% permitted, to 42.6% proposed.

AND FURTHER THAT this Heritage Alteration 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 proposed single family project located within the Abbott Marshall Heritage Conservation Area and to consider variances to the maximum site coverage of buildings and to vary the minimum distance between an accessory building to the principle dwelling.

## 3.0 Community Planning

Community Planning Staff recommend support for the proposed Heritage Alteration Permit. The proposal is consistent with the Heritage Alteration Permit Guidelines (Attachment A). The applicant retained the services of a Registered Heritage Consultant to review and comment on the proposed design (Attachment B). In her report, the Consultant identified that the proposed new build met a number of objectives of the City's Heritage Conservation Areas as outlined in the Official Community Plan (OCP), including:

- *Maintain the residential and historical character of the Marshall Street and the Abbott Street Heritage Conservation Areas;*
- *Encourage new development, additions and renovations to existing development which are compatible with the form and character of the existing context;*
- *Ensure that change to buildings and streetscapes will be undertaken in ways which offer continuity of the 'sense-of-place' for neighbours, the broader community; and*
- *Provide historical interest for visitors through context sensitive development.*

There are a several mature trees located on the subject property, as well as a public boulevard tree located in front of the lot on Abbott Street. The applicant is dedicated to retain and protect the existing mature trees on the property during construction of the new dwelling, and has been working with a registered Arborist to prepare a tree protection plan for the on-site and the boulevard trees, including a temporary protection fencing during the construction phase (Attachment B).

## Variances

The applicant is requesting consideration for two variances: the maximum site coverage of buildings located on the property, and the minimum distance between the accessory building to the principle dwelling. The site coverage variance is considered minimal being 2.4% over bylaw requirements. Staff gave consideration to both the relatively small lot size and the fact that the proposed new principle dwelling will utilize the existing building footprint on-site.

The second variance for the minimum distance between the accessory building and the principle dwelling is only for a small section, not the entire length of the distance separating the two structures. With the exception of this small section, the distance between the accessory building and the principle dwelling exceeds the minimum Zoning Bylaw requirement.

To fulfil Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form to staff on January 19, 2019, outlining that the neighbours within 50 m of the subject property were notified.

## 4.0 Proposal

### 4.1 Background

The subject property is located in the Abbott Street Heritage Conservation area, but is not included in the Heritage register. The Abbott Street Conservation Guidelines identify the dominant style for the subject property and the adjacent buildings as 'Late Vernacular Cottage'. The existing dwelling does not have

heritage protection but an approved Heritage Alteration Permit is required before a Demolition Permit can be issued.

As detailed in the Heritage Consultant's report, *"the subject house is one of a row of four identical single-storey cottages built in, or just before 1914"*. Over time all four cottages underwent alterations, and the three most altered buildings adjacent to the subject property (1979, 1985, and 1989 Abbott Street) *"no longer present as Vernacular Cottages but as Craftsman-inspired bungalows typical to the 1920's and 1930's"*. Furthermore, *"recent alterations have significantly altered the character of the original streetscape to a character that is not related to the original development"*. The building on the subject property is the only one that has retained the original 1914 form and massing, however the Consultant noted that *"given the alterations on either side, now looks out of context and historically unrelated to its neighbours"*.

That applicant also retained the services of a structural engineer to conduct structural assessment of the existing building on the property (Attachment B). The structural assessment report recommended that *"due to significant deterioration of the structure, a new build is the best approach"*. Furthermore, due to the many alterations over the years, the Heritage Consultant was unable to *"visually identify the original finishes, as such their condition, if they survived on the building, was impossible to assess"*.

#### 4.2 Project Description

The applicant is proposing to demolish the existing 117m<sup>2</sup> (1,257ft<sup>2</sup>) single detached dwelling with an attached single car garage, and construct a new 104m<sup>2</sup> (1119ft<sup>2</sup>) single detached house and a 49m<sup>2</sup> (531ft<sup>2</sup>) detached two-car garage. The 1.5 storey new build is proposed to be located approximately on the same footprint as the existing structure and will maintain access from a rear lane.

In keeping with the Abbott Street Conservation Area Guidelines, the new build design recommendations made by the Heritage Consultant consisted of *"retaining the appearance of a grouping of four cottages that share the same lineage and design"*. As such the design approach for a new build at the subject property was recommended to *"adapt the street-facing roofline to a front-gabled form and enlarge the building to the general 1.5 storey height of its neighbours"*.

In addition to the design cues that were included from adjacent and neighbouring houses such as the 1.5 storey height, front gabled façade roofline and partially enclosed veranda, the applicant's designer incorporated a number of recommended design, finish and architectural elements traditional to Vernacular Cottages of 1914, including (as illustrated in Figure 1):

- *a separate hipped veranda roof which extends the entire width of the façade;*
- *vertical window openings with projecting sills - upper and lower sashes of equal dimensions;*
- *slim, square veranda posts roughly 5" wide but not wider than 6";*
- *smooth finish horizontal lap siding;*
- *smooth finish window and door casings;*
- *smooth finish trim corner 5.5" boards;*
- *historic (low) veranda railing height of 20"- 24";*
- *authentic Edwardian-era colour scheme and placement;*
- *solid wood traditional front door, partially glazed; and,*
- *Historic Edwardian colour scheme - a contrasting colour scheme, consisting of a dark or mid-tone body, light trim and dark windows.*

**Figure 1:** East (Abbott Street) facing elevation of the proposed new building at 1983 Abbott Street.



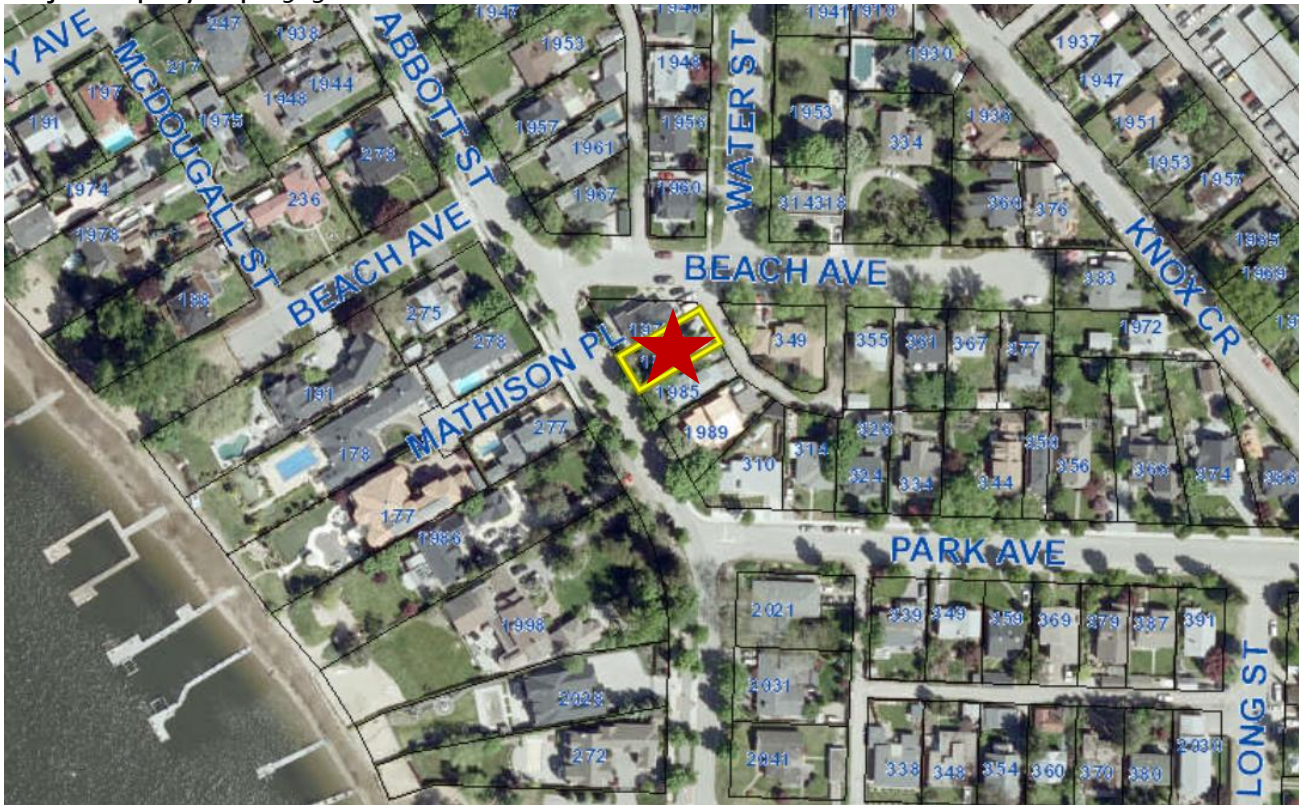
4.3 Site Context

The 360.2 m<sup>2</sup> subject property is located near the corner of Abbott Street and Beach Avenue. It is in close proximity to the Kelowna General Hospital, several waterfront parks, and downtown Kelowna. It is located on the Abbott Street Recreation Corridor and is within the Permanent Growth Boundary.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU <sub>1</sub> – Large Lot Housing	Residential
East	RU <sub>1</sub> – Large Lot Housing	Residential
South	RU <sub>1</sub> – Large Lot Housing RU <sub>1C</sub> – Large Lot Housing with Carriage House	Residential
West	RU <sub>1</sub> – Large Lot Housing	Residential

Subject Property Map: 1983 Abbott Street



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU <sub>1</sub> ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Site Coverage of Buildings	40%	<b>42.6% ①</b>
Site Coverage of Buildings, Driveways, and Parking	50%	45.7%
Height	2.5 storey or 9.5m	1.5 storey or 6.03m
Front Yard	4.5m	4.5m
Side Yard (south)	2.0m	2.0m
Side Yard (north)	2.0m	2.0m
Rear Yard (to an accessory building from lane access)	1.5m	1.5m
Other Regulations		
Minimum Parking Requirements	2	2
Minimum distance between an accessory building and a principle dwelling	3.0m	<b>2.65m ②</b>

① Indicates a requested variance to vary the maximum site coverage of buildings from 40% permitted, to 42.6% proposed  
 ② Indicates a requested variance to vary the minimum distance between an accessory building and a principle dwelling in a residential zone from 3.0m permitted, to 2.65 m proposed.

## 5.0 Application Chronology

Date of Application Received:	October 26, 2018
Date Public Consultation Completed:	January 9, 2019
Date of Registered Heritage Consultant Report Received:	February 8, 2019
Date of Revised Plans Received:	February 10, 2019
Date Tree Protection Plan Received:	April 1, 2019

**Report prepared by:** Barbara B. Crawford, Planner II

**Reviewed and Approved by:** Terry Barton, Development Planning Department Manager

### Attachments:

Draft Heritage Alteration Permit No. HAP18-0014

Attachment A - Heritage Alteration Permit Guidelines

Attachment B:

- Ance Building Services - Registered Heritage Consultant Report
- KO Structural Engineering – Structural Assessment
- Cody's - Tree Protection Plan

Attachment C - Applicant's Rationale Letter

Schedule A - Site Plan and Elevations