

REPORT TO COUNCIL



Date: October 7, 2019

To: Council

From: City Manager

Department: Development Planning - Urban

Application: HRA18-0001 **Owner:** Davara Holdings Ltd., Inc. No. BC0797640

Address: 1781 Abbott Street **Applicant:** Davara Holdings Ltd., Inc. No. BC0797640

Subject: Heritage Revitalization Agreement

Heritage Register: Included

1.0 Recommendation

THAT Council consider designation of the building located at Lot 2, District Lot 14, ODYD, Plan 2614, located at 1781 Abbott Street, Kelowna, BC, commonly known as the "Murchison House" as Designated Heritage Buildings to Section 611 of the Local Government Act;

AND THAT Council consider a Bylaw which would authorize the City of Kelowna to enter into a Heritage Revitalization Agreement for Lot 2, District Lot 14, ODYD, Plan 2614, located at 1781 Abbott Street, Kelowna, BC, in the form attached as Schedule A to the Report from the Development Planning Department dated October 7, 2019;

AND THAT the Heritage Designation Bylaw No. 11946 be forwarded to a Public Hearing for further consideration;

AND THAT the Heritage Revitalization Agreement Authorization Bylaw No. 11923 be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Heritage Revitalization Agreement Authorization Bylaw No. 11923 be considered subsequent to the Heritage Designation Bylaw No. 11946 being adopted for the Murchison House;

AND FURTHER THAT the Heritage Revitalization Agreement conditions outlined in Attachment D to the Report from the Development Planning Department dated November 14, 2018 be completed prior to adoption of the Heritage Revitalization Agreement Authorization Bylaw No. 11923.

2.0 Purpose

To consider a Heritage Designation Bylaw to formally protect the Murchison House, and to consider a Heritage Revitalization Agreement to rehabilitate and reconfigure the heritage asset into office commercial space, and to allow two dwelling housing in a proposed new semi-detached house on the subject property.

3.0 Development Planning

Staff support the Heritage Designation (HD) and the Heritage Revitalization Agreement (HRA) for the subject property. The applicant has applied to have the existing heritage building, known as the Murchison House designated with an HD Bylaw. This will ensure long-term protection of the heritage asset through municipal bylaw, a power afforded to municipalities by the Local Government Act. Once the property is designated by bylaw, the owner must obtain a Heritage Alteration Permit to make any exterior alterations in the future. This is an acknowledgment that some changes to the protected heritage property will be inevitable over time as heritage buildings must be useful and safe like any other.

The Official Community Plan (OCP) encourages the formal protection of heritage buildings and the consideration of adaptive reuse as a strategy to facilitate it. In exchange for restoring and protecting the heritage building, the property owner is proposing an HRA, which is a formal, written agreement with the City regarding the subject property's land use regulations. An HRA is a powerful and flexible tool under the Local Government Act to suit unique properties and situations. The terms of the agreement will supersede the Zoning Bylaw and propose specific use, density and siting regulations (e.g. landscaping and parking) for mutual benefit between the property owner and City.

The land use and development regulations for the HRA were developed by Staff in collaboration with the applicant. The proposed rehabilitation and adaptive reuse of the heritage building to an office commercial space will be carried out consistent with national heritage standards outlined in the Standards and Guidelines for the Conservation of Historic Places in Canada with the process monitored by a third-party Registered Heritage Consultant.

Given the application timing, the City's Heritage Advisory Committee (HAC) was not in operations, and so in lieu of that typical review, the applicant was required to retain the services of a Registered Heritage Consultant to review and comment on the proposed design (Attachment B). The Heritage Consultant identified that the proposal meets several key Heritage Conservation Area Guidelines and is generally in keeping with the Standards and Guidelines for the Conservation of Historic Places in Canada. Additionally, the proposal is consistent with the City of Kelowna's Adaptive Reuse Guidelines for Residential Heritage Buildings, with its residential component and scale of use.

The residential and modest commercial mixed-use concept is supported by Staff given the subject property's corner location and general proximity to the Downtown, which is in keeping with the OCP's sustainability and urban infill objectives. It is expected to attract residents who want to live close to their place of work, and a small office that is compatible with the neighbourhood setting.

In summary, Staff agree with the Heritage Consultant's professional opinion, that the proposal represents a "*thoughtful and creative development proposal that is a good model of conservation and evolution for a historic neighbourhood*"¹.

4.0 Proposal

¹ Ance Building Services Co. Inc. – The Heritage Consultant Report, March 29, 2019

4.1 Background

The subject property is located in the Abbott Street Heritage Conservation Area (HCA) and is included on the City of Kelowna's Heritage Register. As detailed in the Heritage Consultant's report, the subject heritage house is a "unique heritage asset on Kelowna's Heritage Register. It represents the interwar development period in Kelowna when undeveloped residential lots near Kelowna's downtown were being infilled with houses, introducing new architectural styles to the city including Revival styles"¹.

Built in 1939 for prominent businessman Earle E. Murchison, the Abbott Street and Marshall Street Heritage Conservation Area Guidelines identify the Murchison House as a "Mediterranean Revival" style house. The Murchison House was built at a time when the "Abbott Street neighbourhood was mostly filled in with earlier residences, and so its non-conforming Moderne design contributes to the eclectic character of the area"². Furthermore, the heritage value of the subject property and the heritage house "lies in the building's unique design, its association with Murchison and his business Orchard City Motors, as a long-term home for Murchison (1939 until his death in 1972), and for its unaltered exterior"¹.



Figures 1 (left): Current eastern (Abbott Street) facing façade. Figure 2 (right): Current northern (Riverside Avenue) facing façade of Murchison House located at 1781 Abbotts Street.

4.2 Project Description

The applicant provided a letter of rational and proposed work plan outlining how the character defining elements of the rehabilitation and restoration measures will be met (Attachment A). The applicant's proposed adaptive reuse for the Murchison Property consist of the following key objectives:

1. rehabilitate and reconfigure the existing Murchison House to accommodate for commercial office use, and;
2. construct a new two-dwelling infill housing on the subject property.

Murchison House:

A primary design goal of the overall project is to keep the heritage building as the primary feature on the subject property and continue to contribute to the Abbott Street HCA. To achieve this goal, the elevation of Murchison House that is currently facing Riverside Avenue will be reoriented to face Abbott Street by repositioning the house onto a new foundation. The proposed new siting will bring the house closer to both

² Murchison House Statement of Significance, City of Kelowna Heritage Register.

Riverside Avenue and Abbott Streets. The relocation plan (Figure 3) shows the current footprint outlined in a dashed black line and the proposed new siting and orientation in grey.

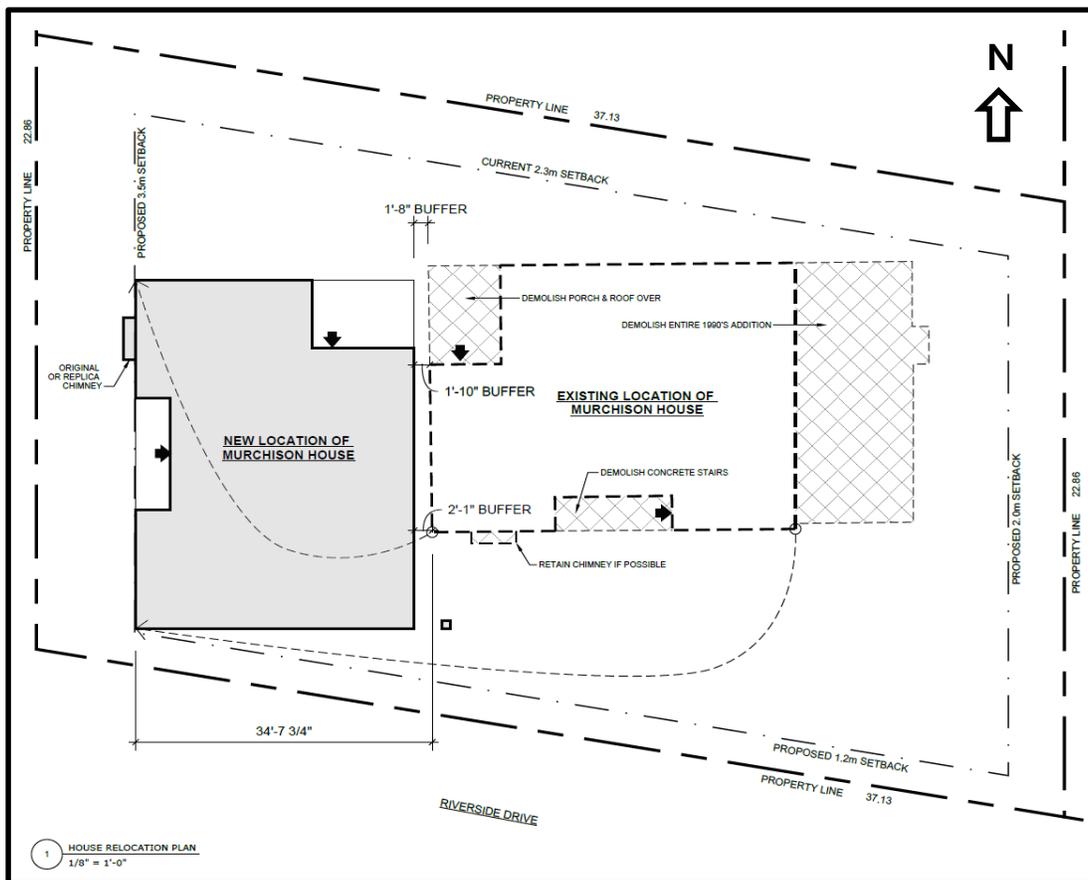


Figure 3: Proposed relocation and orientation of the Murchison House on the subject property.

The size and height of the heritage building will not change, with the exception of an addition to the house that was made in 1994, which will be removed. As the subject property is located within the Mill Creek Flood Plain, the existing basement will be converted to a crawlspace, as a result decreasing the overall floor area of the building. The commercial floor area will be 118 m², which is within the recommended maximum for adaptive reuse along local roads.

The exterior heritage rehabilitation and restoration of the Murchison House will be consistent with the Statement of Significance as set out in the City of Kelowna Heritage Register and according to best practices established in the Standards and Guidelines. As part of the HRA, the applicant has agreed to follow the heritage rehabilitation and restoration recommendations as outlined in the Heritage Consultant's report. Any deviations or changes from the outlined recommendations will first be reviewed and approved by the Heritage Consultant prior to proceeding.

Finally, the Murchison House will have a Heritage Designation as a function of this application, providing a benefit to the City and ensure long term preservation. The designation would allow the applicant to apply for tax incentives through the Heritage Building Tax Incentive Program, which is proposed to be submitted in conjunction with a building permit at a later date.

Infill Housing:

The relocation and reorientation of the Murchison House will create ample space along the eastern portion of the lot to allow for the construction of a duplex house. All vehicular access will be from Riverside Avenue.

Private outdoor living spaces between the units and Riverside Avenue are designed to act as a buffer in addition to setting back one of the units, as a result breaking up the building's street elevation and perceived mass (Figure 4).

Overall Site:

The applicant has worked with Staff to improve both the on-site and boulevard landscape design. Landscaping on the property reflects elements of the Abbott Street Recreational Corridor streetscaping. A row of small deciduous trees will be planted along the eastern property boundary to create privacy with other trees on the site creating attractive outdoor spaces for both the neighbouring property to the east and the proposed new infill housing. Additionally, a medium deciduous feature tree will be located at the northwestern corner of the property creating an inviting outdoor sitting area. Similar level of attention is given to the boulevard landscaping improvements along Riverside Avenue. Taking inspiration from the Abbott Street multi-recreational corridor design, the sidewalk to be constructed along Riverside Avenue will be inset with boulevard trees planted adjacent to the road, thus buffering pedestrians from the road and adding shade to the sidewalk.



Figure 4: Rendering illustrating the proposed location of the Murchison House and the new dwelling on the subject property

Site Context

Located at the northern corner of Abbot Street and Riverside Avenue, the subject property is zoned RU1 – Large Lot Housing, is within the Permanent Growth Boundary, and located immediately south of the City Centre Urban Centre. The subject property is a short walk to the Okanagan Lake and several waterfront parks, downtown, and is on major recreational and transit corridors. The neighbourhood to the east, west and south is generally characterized by single detached residential dwellings, some with carriage houses. To the north of the property is Highway 97 and the City Centre. A number of surrounding properties are on the Heritage Register.

Subject Property Map: 1781 Abbott Street. Blue colour denotes properties that are on the Heritage Register.



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 1: Introduction

Goals for a Sustainable Future:

- 1.0 *Contain Urban Growth* – Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.
- 2.0 *Address Housing Needs of All Residents* – Address housing needs of all residents by working towards an adequate supply of a variety of housing.

Chapter 5: Development Process

Objective 5.3: Focus Development to Designated Growth Areas.

Policy .2 Compact Urban Form. 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.

Objective 5.7: Identify and Conserve Heritage Resource.

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

Policy .3 Heritage Revitalization Agreements. Consider the adaptive reuse of heritage buildings appropriate within any future land use designation, provided that a Heritage Revitalization Agreement is negotiated with the City and provided that the project meets the criteria established for sensitive neighbourhood integration.

Policy .4 Heritage Conservation Areas. Continue to recognize the established heritage conservation areas of Abbott Street and Marshal Street.

Objective 5.22: Ensure Context Sensitive Housing Development

Policy .6 Sensitive Infill. Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting

Chapter 9 - Heritage Policies

Objective 9.2: Identify and conserve heritage resources.

6.0 Technical Comments

6.1 Development Engineering Department

Please refer to attached Development Engineering Department Memorandum, dated November 14, 2018.

7.0 Application Chronology

Date of Application Received:	November 5, 2018
Date Public Consultation Completed:	March 26, 2019
Date of Registered Heritage Consultant Report Received:	May 14, 2019
Date of Revised Plans Received:	June 20, 2019

Report prepared by:	Barbara B. Crawford, Planner II
Reviewed by:	Laura Bentley, Urban Planning & Development Policy Manager
Approved for Inclusion:	Terry Barton, Development Planning Department Manager

Attachments:

Schedule A: Heritage Revitalization Agreement

Schedule B: Site Plan

Schedule C: Elevations, floor plans and colour board

Schedule D: Landscape Plan and estimate

Attachment A: Applicant's Rationale and Renderings

Attachment B: Ance Building Services Co. Inc. Heritage Consultant's Report

Attachment C: Statement of Significance City of Kelowna

Attachment D: Development Engineering Memo, dated November 14, 2019