

REPORT TO COUNCIL



Date: September 21, 2021
To: Council
From: City Manager
Department: Development Planning
Application: HAP21-0001
Owner: Diane Duckett
Address: 1815 Abbott St
Applicant: Diane Duckett
Subject: Heritage Alteration Permit Application - Major
Existing OCP Designation: S2RES – Single / Two Unit Residential
Existing Zone: RU1 -Large Lot Housing

1.0 Recommendation

THAT Council authorizes the issuance of Heritage Alteration Permit No. HAP21-0001 for Lot 10, Block B, District Lot 14, ODYD, Plan 2220, located at 1815 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 in accordance with Schedule "A":

Section 13.1.6(e): RU1 – Large Lot Housing, Development Regulations

To vary the minimum rear yard setback from 7.5 m required to 5.5 m proposed.

AND THAT a certified arborist be retained during construction to ensure a rootzone barrier is established and maintained during construction as well as to follow the other Arborist's recommendations attached to this report in order to protect the silver maple tree located on the north side of the property.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Heritage Alteration Permit Application in order for the permits to be issued;

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 an addition to the existing home in the Heritage Conservation Area and to vary the minimum rear yard setback for the proposed garage.

3.0 Development Planning

Staff supports the proposed Heritage Alteration Permit (HAP) on the subject property. The proposal is consistent with the Heritage Alteration Permit Guidelines (Attachment A). The applicant retained the services of a Registered Heritage Professional (Consultant) to review and comment on the proposed design (Attachment A) in relation to Chapters 14 and 16 of the OCP Heritage Conservation Area Guidelines and to the "*Standards and Guidelines for the Conservation of Historic Places in Canada*" (Canadian Standards and Guidelines). In the report, the Consultant identified that the proposal met several key OCP Heritage Conservation Area Guidelines and is generally in keeping with the Canadian Standards and Guidelines. Key conclusions from the heritage analysis and report were:

"The addition has been designed in a style that is respectful of the heritage values of the existing house and of the Conservation Area, specifically through its overall massing, gable roof and a contemporary interpretation of traditional materials. The overall proposal is compatible with the neighbourhood and is a context-sensitive project.

Of great importance to the principles of heritage conservation is that the new addition must not mimic the historic house on the property, nor the other historic houses around it. It must not pretend to be old. The proposed design and positioning of the addition will successfully integrate it on the property and offer a continuity of the 'sense-of-place' in the neighbourhood. It will be a context sensitive development. In conclusion, the proposal meets and exceeds the above guidelines."

Figure 1: Rendered image of proposed addition at 1815 Abbott Street.



Staff requested a tree analysis performed by a certified arborist to evaluate whether the mature vegetation could be maintained safely during construction of the addition or whether the tree needed to be removed. The conclusion of the report was the tree could be saved and the overall health impact on the tree should be minimal only if certain construction techniques are followed, such as: no excavation within the dripline, establishment of a rootzone barrier, and other recommendations outlined within the Arborist Tree Report. Staff are recommending a condition be added to the permit that states a certified arborist shall be retained during construction to ensure these techniques are followed. The report can be viewed in Attachment 'C'.

To fulfil Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form to staff on February 8, 2021, outlining that the neighbours within 50 m of the subject property were notified.

Variances

The applicant is requesting one variance to the minimum rear yard setback for the proposed garage from 7.5 metres to 5.5 metres.

Staff are recommending support for this variance as it only applies to the garage and the proposed living areas of the home have the appropriate setbacks. Further, the resulting 5.5 metre distance to the edge of the lane is large enough to have a standard car to be parked in the driveway without overhanging the property and intruding into the lane. The standard parking length for regular parking stalls is 6.0 metres and the standard parking length for small parking stalls is 4.8 metres.

4.0 Proposal

4.1 Background

The property is in the City's Heritage Conservation Area; and therefore, any change to the property, including the addition of new buildings, requires an HAP. Under the Terms of Reference for the City's Heritage Advisory Committee (HAC), a new build that is visible from a street, as the proposal is, would be subject to the Committee's review. Due to health measures related to the COVID-19 Pandemic, the HAC was not in operation. In lieu of a Committee review, the applicant retained the services of a Registered Heritage Professional to review and comment on the proposed development, and to help Staff and Council determine whether the proposal is consistent with the City's Heritage Conservation Area Guidelines.

4.2 Project Description

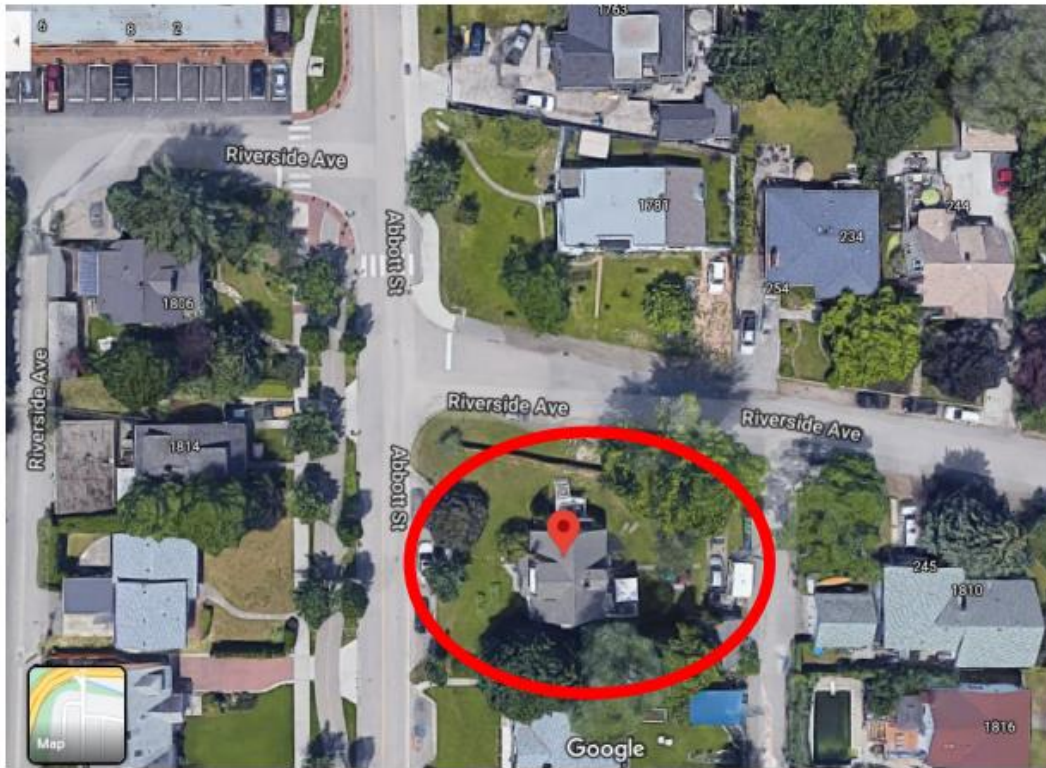
The proposal is to add a double garage, 2 new bedrooms and a bonus/transition area that will flow five steps down into the kitchen (existing). The original house has 2.5 storeys with a basement. The new addition will have 2 storeys, observing the Flood Construction Level rules. The main floor of the old part of the house contains living/dining areas, the kitchen, a bathroom and one bedroom that will become an office and transition to the second floor. The owner's goal is to create one larger home, relocating the secondary suite to grade level and making it partially handicap accessible. The improved home will comfortably accommodate family and guests, and, ultimately, a live-in caregiver and/or housekeeper if necessary. The existing upper floor suite will simply merge with the rest of the house and its small kitchen will be turned into a laundry/storage room.

4.3 Site Context

The subject property, outlined in red below, is located at 1815 Abbott Street. The property is within the Abbott Street Heritage Conservation Area. The house is not identified by the City of Kelowna as having heritage value and is not listed on the Heritage Register. The property is a corner lot at Abbott Street and Riverside Avenue, on the southeast corner of the intersection. To the rear of and across the street from the subject properties are single-family homes on relatively similar sized and shaped properties. Across from the

subject property, to the north at 1781 Abbott Street, is a Heritage Revitalization Agreement re-development project.

Subject Property Map: 1815 Abbott Street



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU ₁ ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Max. Site Coverage (buildings)	40%	26%
Max. Site Coverage (buildings, parking, driveways)	50%	33%
Max. Height	9.5m or 2.5 storeys	6.6 m or 2 storeys
Min. Front Yard	4.5 m	8.6 m
Min. Flanking Side (north – Riverside Ave)	4.5 m	7.85 m
Min. Side Yard (south)	2.3 m	2.3 m
Min. Rear Yard	7.5 m	7.5 m to house 5.5 m to garage ●
Other Regulations		
Min. Parking Requirements	3	4
● Indicates a requested variance to the rear yard for the portion of the garage from 7.5 metres to 5.5 metres.		

5.0 **Current Development Policies**

5.1 Kelowna Official Community Plan (OCP)

Chapter 16: Heritage Conservation Area Guidelines

Objectives: Encourage new development, additions and renovations to existing development which are compatible with the form and character of the existing context.

The purpose of the Heritage Conservation Area is to sustain the historical legacy of the neighbourhoods shown on Map 9.1. The special qualities of these neighbourhoods will be preserved by ensuring changes complement the established streetscape and maintain the integrity of traditional architectural forms.

6.o **Application Chronology**

Date of Application Received: January 15, 2021
Date Public Consultation Completed: February 8, 2021
Date of Revised Plans Received: August 17, 2021

Heritage Advisory Committee:

The application was not reviewed by the Heritage Advisory Committee for reasons given above in Section 4.1: Background.

Report prepared by: Adam Cseke, Planner Specialist
Reviewed by: Jocelyn Black, Urban Planning Manager
Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Draft Development Permit HAP21-0001 & Rationale Letter

Schedule A: Site Plan

Schedule B: Elevations, Materials and Colour Board

Attachment B: Heritage Report & Heritage Design Guidelines Checklist

Attachment C: Arborist Tree Report