

REPORT TO COUNCIL



Date: September 20, 2022
To: Council
From: City Manager
Department: Development Planning
Application: HAP22-0008
Address: 1986 Abbott St
Subject: Heritage Alteration Permit
Owner: Christopher Peter Simair
Applicant: Skill-Tech Builders Inc.
Existing OCP Designation: C-NHD – Core Area Neighbourhood, NAT – Natural Areas
Existing Zone: RU1 – Large Lot Housing

1.0 Recommendation

THAT Council authorizes the issuance of Heritage Alteration Permit No. HAP22-0008, for LOT 1 DL 14 ODYD PLAN KAP70173, located at 1986 Abbott St, Kelowna, BC subject to the following:

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

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted:

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

To vary the required minimum side yard from 2.3 m permitted for a 2 or a 2 ½ storey portion of a building to 1.15 m 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.

Purpose

To issue a Heritage Alteration Permit for an addition of fire exit stairs to an existing single family dwelling with a variance to the north side yard setback from 2.3 m permitted for a 2 or a 2 ½ storey portion of a building to 1.15 m proposed.

2.0 Development Planning

Staff recommend support for the Heritage Alteration Permit for the addition of fire exit stairs to an existing single family dwelling within the required side yard setback. The required side yard setback is 2.3 m for a 2 or 2 ½ storey building, and the applicant has proposed to construct the stairs to 1.15 m. The fire exit stairs are required by BC Building Code for secondary access to a solar energy panel system on the roof of the existing house. There is limited impact to the adjacent neighbour as the stairs are not a primary means of access, and they will be constructed of non-combustible materials as per BC Building Code.

Neighbourhood Consultation per Council Policy 367 was completed by mailing out notification to all neighbours within 50 m on August 22, 2022.

3.0 Proposal

3.1 Background

The subject property has an open building permit and an issued Heritage Alteration Permit (HAP) for an addition and renovation of an existing single family dwelling. The original HAP was issued in 2019, and earlier in 2022 Staff issued a staff level amendment to the Heritage Alteration Permit to allow the addition of solar energy panels on the roof of the house that are not visible from the front street.

3.2 Project Description

The applicant has proposed fire exit stairs on the external of the building to meet fire exiting requirements from the roof. The rooftop is being used for solar energy collection with the only access currently from an elevator. Due to the siting of the existing building, the proposed stairs encroach on the required side yard setback from 2.3 m to 1.15 m.

The impact on the adjacent property will be minimal as the proposed stairs will only be used in case of emergency and are required to be constructed of non-combustible material. Other locations for the proposed exiting stairs would require re-design of the rooftop solar panel area, which is already under construction.

3.3 Site Context

The subject property is lake front along Abbott St between Beach Ave and Burne Ave. It is in the Heritage Conservation Area; however, this home is not on the Kelowna Heritage Register or designated by any other heritage bylaw. Most of the neighbourhood is single family dwellings, and some properties have a carriage house or secondary suite.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Dwelling Residential
East	RU1 – Large Lot Housing	Single Dwelling Residential
South	RU1 – Large Lot Housing	Single Dwelling Residential
West		Okanagan Lake

Subject Property Map: 1986 Abbott St



3.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU ₁ ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Max. Site Coverage (buildings)	40%	18.5%
Max. Site Coverage (buildings, parking, driveways)	50%	32.9%
Min. Front Yard	6.0 m	>6.0 m
Min. Side Yard (south)	2.3 m	>2.3 m
Min. Side Yard (north)	2.3 m	1.15 m ❶
Other Regulations		
❶ Indicates a requested variance to the required side yard setback for a 2 or 2 ½ storey building from 2.3 m to 1.15 m.		

4.0 Technical Comments

4.1 Building & Permitting

4.1.1 Ensure stairs comply to BC building code.

5.0 Application Chronology

Date of Application Received: July 5, 2022
 Date Public Consultation Completed: August 22, 2022

Report prepared by: Trisa Atwood, Planner II
Reviewed by: Lydia Korolchuk, Urban Planning Manager
Reviewed by: Terry Barton, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

- Attachment A: Draft Heritage Alteration Permit
- Schedule A: Site Plan and Floor Plans
- Schedule B: Elevations and Rendering