

# REPORT TO COUNCIL

## HERITAGE ALTERATION PERMIT



**Date:** October 8, 2024  
**To:** Council  
**From:** City Manager  
**Address:** 2124 Pandosy St  
**File No.:** HAP23-0015  
**Zone:** MF4 – Transit Oriented Areas Zone

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### 1.0 Recommendation

THAT final adoption of Rezoning and Repeal Bylaw No. 12699 be considered by Council;

AND THAT Council authorizes the issuance of Heritage Alteration Permit No. HAP23-0015 for Lot 1 District Lot 14 ODYD PLAN EPP129773, located at 2124 Pandosy St, 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";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the amount of 125% of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect

AND THAT variances to the following sections of Zoning Bylaw No. 12375 be granted:

**Table 8.2.7.b.: Ratio of Parking Space Sizes, Footnote 3:**

To vary that all parking spaces that are configured in tandem must be regular sized vehicle parking spaces to permit five small sized vehicle parking spaces proposed;

**Section 13.5: Infill Housing Development Regulations, MF1:**

To vary the maximum gross floor area of a third storey relative to the second storey from 70% required to 87% proposed;

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 permit 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 issue a Heritage Alteration Permit for the form and character of 16 townhouses with two variances to the size of tandem parking stalls and the maximum floor area of the third storey relative to the second storey.

**3.0 Development Planning**

Staff recommend support for the issuance of the Heritage Alteration Permit for the form and character of 16 rental-only townhouses with two variances to the size of tandem parking stalls and the maximum floor area of the third storey relative to the second story. The proposal would retain the existing heritage asset known as Cadder House, and preserve the majority of the mature landscaping. This project aligns with several key Official Community Plan (OCP) policies and objectives, and was designed in collaboration with a Professional Heritage Consultant to meet the [Standards and Guidelines for the Conservation of Historic Places in Canada](#).

This is the second of two Council reports to consider this project. The first Council report included an application to repeal the existing Heritage Revitalization Agreement Bylaw and an application to rezone the property to add the “r” rental only subzone to the existing MF4 – Transit Oriented Areas Zone, outlined in the chart below. This Heritage Alteration Permit application does not propose any changes to the existing Heritage Designation Bylaw No. 9198 which offers long term protection of Cadder House and requires a Council considered Heritage Alteration Permit for changes to the site plan.

Bylaw or Application	Purpose of Bylaw or Application	Action	Reason	Date of Council Consideration
Heritage Revitalization Agreement Bylaw No. 11124 (2015) Repeal	Permit short-term rentals, offices, and wellness studio	Repeal	No longer required	September 9, 2024
“r” Rental Only Subzone Z24-0027 Rezoning	To ensure long-term rental uses only	Rezone	To reflect current and proposed uses on the property	September 9, 2024
Heritage Alteration Permit HAP23-0015	Form and character evaluation	Consider	To consider 16 new rental townhouses on northern portion of site	October 8, 2024
Heritage Designation Bylaw No. 9198 (2004)	Protect heritage asset known as Cadder House	No Action	To maintain long term heritage protection of Cadder House	Maintain bylaw, no consideration required

The applicant proposes the addition of 16 new ground-oriented stacked townhouses that are predominantly three storeys in height on the under-utilized portion of the property along the north property line. The building reduces to two storeys in height along Pandosy St to provide pedestrian scaled massing, and features a main entrance on Pandosy St to establish a “single dwelling” form facing the public realm. Ample common outdoor amenity space will remain on the site, and the majority of mature trees will be retained and protected during construction. This includes the large Norway Maple tree at the northeast corner of the property, as determined by the Arborist Pre-Development Tree Inventory. The landscape plan proposes the addition of 14 trees on-site, as well as the removal of the existing cedar hedge which currently obstructs the pedestrian view of Cadder House.



Two variances are required to facilitate this development which are a result of recent Zoning Bylaw Amendments to establish the MF<sub>4</sub> – Transit Oriented Areas Zone as mandated by the Province. The MF<sub>4</sub> zone allows for buildings up to 6 storeys on the subject property and has no minimum residential parking requirements. Although no parking is required, the applicant proposes to provide 19 parking stalls on the subject property including 13 regular sized stalls with additional 0.5 m length, five small stalls in tandem, and one required accessible stall. A variance is required to permit the five small stalls to be located in tandem with regular sized stalls. The small stalls will help reduce the amount of impermeable surfaces on site and will ensure an adequate setback from the parking area to the Cadder House.

The second variance is to permit the third storey floor area to be 87% of the second storey floor area, where maximum 70% is required. This variance is due to an unforeseen consequence of the implementation of the MF<sub>4</sub> zone, which states that three storey MF<sub>4</sub> projects shall follow MF<sub>1</sub> – Infill Housing zone regulations. The intent behind this regulation is to apply to standard single lot projects up to six units, and was not intended for larger townhouse projects on larger lots. Staff will be bringing forward an amendment for Council consideration to change this regulation such that it does not apply to townhouse projects greater than six units.

This proposal meets key Official Community Plan policies and objectives (Attachment B) including:

- Increased residential density along Transit Supportive Corridors to support increased transit ridership by permitting new townhouse units;
- Providing diverse housing tenures and unit types in close proximity to jobs, recreation, and services in a rental only townhouse form;
- Long term heritage protection of Cadder House and mature trees on east side of property by retaining the Heritage Designation Bylaw;
- Incorporating an equity lens into planning decisions by supporting rental only townhouses in a neighbourhood that has been predominantly exclusive to single dwelling housing ownership.

The form and character of the proposed townhouses is supported by a Professional Heritage Consultant (Attachment C) and aligns with the [Standards and Guidelines for the Conservation of Historic Places in Canada](#) by meeting the following standards:

- Distinguishability: The proposed townhouses are simple and contemporary to distinguish them from Cadder House;
- Compatibility: The proposed townhouses are compatible with Cadder House by matching the gable roofs and roof pitch;
- Subordinate: The intentional lower height of the townhouse closest to Pandosy as well as the simple colour scheme and simple window composition make this infill project subordinate to Cadder House.

The Cadder House property currently has a total of seven units, six are within Cadder House and one is in a small accessory building. As a function of this development, the accessory building unit would be removed. Should Council support this Heritage Alteration Permit the property would feature a total of 22 long term rental residential units with no commercial uses remaining on the property.

#### 4.0 Subject Property & Background

##### 4.1 Subject Property Map



The subject property is within the new Hospital Transit Oriented Area, mandated by Provincial Bill 47, which permits heights up to six storeys with no minimum parking requirements. There are two multi-family buildings in close proximity along Royal Ave, one of which is under construction with 38 purpose-built rental units.

The subject property is located on the Pandosy St Transit Supportive Corridor, with a transit stop immediately out front, which will be improved as a function of this project. It is within a five minute walk to the Kelowna General Hospital and the nearest beach access, and a 15 minute walk to both Downtown and Pandosy Urban Centres. A.S. Matheson Elementary School is a 15 minute walk or four minute bicycle ride, and the nearest corner store is within a three minute bicycle ride.

4.2 Background

The Cadder House was built in 1908, and was reportedly the largest residence in Kelowna when it was built. The original property extended from Pandosy St in the east to Abbot St in the west, covering all city blocks between Cadder Ave and Glenwood Ave. Over time the property was incrementally subdivided into approximately 30 residential lots, leaving the 2,420 m<sup>2</sup> remainder lot where Cadder House is today.

As early as the 1920’s the property shifted from residential to multi-dwelling and institutional uses for various medical support facilities, and building permit records indicate it operated as a boarding house in 2000. Heritage Designation Bylaw No. 9198 was adopted in 2004 to ensure the long term preservation of the building. In 2015, Heritage Revitalization Agreement Bylaw No. 11124 was adopted permitting short-term rentals in seven residential units, as well as offices and a wellness studio.

In 2022 – 2023, the property fell into foreclosure, indicating that the current uses and business model was not sustainable. The new owner began discussions with Staff in 2022 about the potential to construct additional residential rental units on the site. In July 2023, the owner dissolved the existing strata, ceased operations of short-term rentals, and began renting the existing units out long-term.

In December, 2023, Provincial Bill 47 – Transit Oriented Areas came into effect, and in March 2024 the property was rezoned to MF4 – Transit Oriented Areas Zone.

5.0 **Zoning Bylaw Regulations Summary**

<b>AREA &amp; UNIT STATISTICS</b>	
Gross Lot Area	2,420 m <sup>2</sup>
Road Dedication	21 m <sup>2</sup>
<b>Total Number of Units</b>	<b>22</b>
New 1-bed	9
New 2-bed	7
Existing units to remain in Cadder House	6

DEVELOPMENT REGULATIONS		
CRITERIA	MF <sub>4</sub> ZONE	PROPOSAL
<b>Maximum Floor Area Ratio</b>	<b>2.5</b>	<b>.48</b>
Max. Site Coverage (buildings)	55%	30%
Max. Site Coverage (buildings, parking, driveways)	75%	45%
<b>Max. Height</b>	<b>22.0 m</b>	<b>10.6 m</b>
<b>Setbacks</b>		
Min. Front Yard (Pandosa St)	3.0 m	5.0 m
Min. Side Yard (north)	1.8 m	2.0 m
Min. Side Yard (south)	1.8 m	30.0 m
Min. Rear Yard (lane)	0.9 m	7.0 m
<b>MF<sub>1</sub> Regulation – Applicable to MF<sub>4</sub> Projects 3 Storeys or Less</b>		
Max. 3 <sup>rd</sup> storey floor area relative to 2 <sup>nd</sup> storey floor area	70%	87% <sup>①</sup>
<b>Amenity Space</b>		
<b>Total Required Amenity Space</b>	<b>310.0 m<sup>2</sup></b>	<b>803.0 m<sup>2</sup></b>
Common	64.0 m <sup>2</sup>	460.0 m <sup>2</sup>
<b>Landscaping</b>		
Min. Number of Trees	8 trees	20 trees
Min. Large Trees	4 trees	8 trees
<sup>①</sup> Indicates a requested variance to the maximum 3 <sup>rd</sup> storey floor area relative to the 2 <sup>nd</sup> storey floor area from 70% required to 87% proposed.		

PARKING REGULATIONS		
CRITERIA	MF <sub>4</sub> ZONE REQUIREMENTS	PROPOSAL
<b>Total Required Vehicle Parking</b>	<b>1 accessible stall</b>	<b>19 stalls (including 1 accessible stall)</b>
Tandem Stalls	Must all be regular sized	5 Regular 5 Small <sup>②</sup>
Bicycle Stalls Short-Term	4 stalls	8 stalls
Bicycle Stalls Long-Term	17 stalls	22 stalls
<sup>②</sup> Indicates a requested variance to permit 5 tandem stalls to be small sized when regular sized are required.		

**6.o Application Chronology**

Application Accepted: October 11, 2023  
 1<sup>st</sup> Neighbour Notification Received: October 24, 2023  
 2<sup>nd</sup> Neighbour Notification Received: July 16, 2024

Report prepared by: Trisa Atwood, Planner Specialist  
Reviewed by: Jocelyn Black, Urban Planning Manager  
Reviewed by: Nola Kilmartin, Development Planning Department Manager  
Approved for Inclusion: Ryan Smith, Divisional Director, Planning, Climate Action and Development Services

**Attachments:**

Attachment A: Draft Heritage Alteration Permit HAP23-0015  
Attachment B: OCP Policies and Objectives  
Attachment C: Heritage Consultant Report  
Attachment D: Summary of Neighbour Notification  
Schedule A: Site Plan & Floor Plans  
Schedule B: Elevations & Sections  
Schedule C: Landscape Plan

For additional information, please visit our Current Developments online at [www.kelowna.ca/currentdevelopments](http://www.kelowna.ca/currentdevelopments).