

REPORT TO COUNCIL



Date: November 21, 2016

RIM No. 1240-30

To: City Manager

From: Community Planning Department (TB)

Application: HRA16-0002

Owner: Colin Gifford Magnus Thomson

Address: 4193 Gordon Drive

Applicant: Colin Gifford Magnus Thomson

Subject: Heritage Revitalization Agreement

Existing OCP Designation: REP - Resource Protection Area

Existing Zone: A1 - Agriculture

1.0 Recommendation

THAT Council consider designation of the building located at 4193 Gordon Drive, Lot 3, Section 6, Township 26, ODYD, Plan KAP46027, commonly known as the "Thomson Farm House"; and the building located at 4125 Gordon Drive, Lot 3, Section 6, Township 26, ODYD, Plan KAP80134, commonly known as the "Tobacco Barn on G. Thomson Farm" as Designated Heritage Buildings to Section 611 of the Local Government Act, as shown in Attachment "A" - Map "A";

AND THAT Council consider a Bylaw which would authorize the City of Kelowna to enter into a Heritage Revitalization Agreement for certain real property on which is situated two buildings of heritage value which property is located at 4193 and 4125 Gordon Drive and legally known as Lot 3, Section 6, Township 26, ODYD, Plan KAP46027 and Lot 3, Section 6, Township 26, ODYD, Plan KAP80134, Kelowna, BC, in the form attached as Schedule "A" to the Report from the Community Planning Department dated November 7, 2016;

AND THAT the Heritage Designation Bylaw and Heritage Revitalization Agreement Authorization Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Heritage Revitalization Agreement Authorization Bylaw be considered subsequent to the issuance of a Heritage Alteration Permit for the form and character of the proposed accessory building;

AND FURTHER THAT final adoption of the Heritage Revitalization Agreement Authorization Bylaw be considered subsequent to a Heritage Designation Bylaw being adopted for the Thomson Farm House and Tobacco Barn on G. Thomson Farm.

2.0 Purpose

To consider a Heritage Designation Bylaw to designate the Thomson Farm House and Tobacco Barn on G. Thomson Farm; and to consider a Heritage Revitalization Agreement to allow a tourist accommodation in a proposed accessory building.

3.0 Community Planning

The applicant has applied for a Heritage Revitalization Agreement that would allow for the construction of tourist accommodation in an accessory building on their agricultural heritage property. The property features two buildings on the Heritage Register (Thomson Farm House and Tobacco Barn on G. Thomson Farm) and is actively farmed. The proposed accessory building would follow the general carriage house development guidelines and would be used for short term rental accommodation.

The applicant has applied to have both heritage buildings designated with a Heritage Designation Bylaw. This ensures long term protection of the heritage buildings through the use of a Heritage Alteration Permit for any major external alterations. In addition; it allows the applicant increased access to Heritage Grants as administered by the Central Okanagan Heritage Society (COHS).

This proposal has been presented to both the Heritage Advisory Committee and the Agricultural Advisory Committee. Both committees are recommending that Council support the proposal.

4.0 Proposal

4.1 Background

The subject property is zoned A1-Agriculture and is located in the Agricultural Land Reserve. The Thomson farm is of historical interest because of its long association (1898) with the original family which settled in the area during the earliest phase of European Settlement. It was once part of a 250-acre block that extended to the shoreline of Okanagan Lake. Over the last 100 years both urban and park development have reduced the size of the farm. The farm has historically been used as a tobacco farm, dairy farm, lettuce and celery, and nursery stock. There are two historical buildings on the property, the Thomson Farm House and the Tobacco Barn on G. Thomson Farm.

The Farm House (see left photo below) was constructed in 1922 and has been well maintained. It has a 3-bay front elevation, gabled dormers, and a large verandah. It represents a straightforward design with no pretence to historical styles. It has been noted on the Heritage Registry as being attractive and well maintained, with minimal alterations.

The Tobacco Barn (see right photo below) is associated with the second phase of the tobacco industry and was constructed in 1926. It is a well preserved, rare agricultural structure, and is considered a utilitarian agricultural building. The design features a gable-roofed central bay, shed-roofed side bays, cupola vents, and is constructed using post and beam. The walls featured

hinged slats that could be opened or closed for air circulation. Other buildings of historical interest on the property include a barn/horse stable, and a milk house.

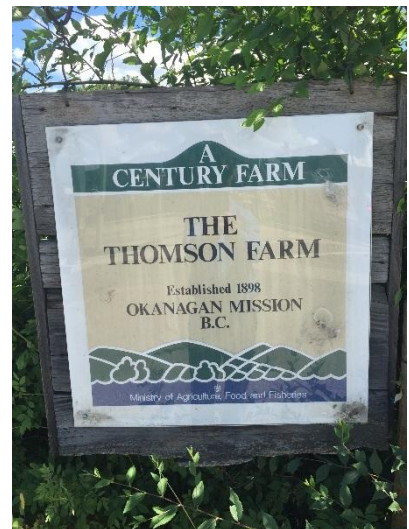


The farm has been a beef and hay operation since 1980. Currently the applicant supports a cow/calf operation of 60 cows and 4 bulls. The subject property is also related closely with another Thomson Family property to the south which is farmed with intensive organic vegetables and hay.

In 1998, the Thomson Farm was the proud recipient of the Century Farm Award. The award recognizes the Thomson family's contribution to BC's agriculture industry and the provincial economy over the previous 100 years.

4.2 Project Description

The applicant is proposing to construct a small single storey accessory building on the south-east corner of the property to be used for tourist accommodation. The specific siting, form and character is a condition of the Heritage Revitalization Agreement and will be assessed through the issuance of a Heritage Alteration Permit prior to 4th reading. The applicant's rationale is to provide rentals that would be associated with tourism of the subject property in terms of heritage tours and farm tours. The siting of the proposed accessory building will be on a Farm Building Footprint with minimal impact on existing farm operations.



It is anticipated that the impact on the neighbourhood will be minimal due to the mix of agricultural and multi-family properties in the near vicinity. Parking will be provided on site, and the property currently has landscaping that screens the view from Gordon Drive. No changes are proposed to the existing heritage buildings at this time. The design of the accessory building will be of a similar style to the existing Thomson Farm House and a similar size to a carriage house.

It is of note that this application is similar to an A1t (Agri-tourist Accommodation) or A1c (Agriculture with Carriage House) rezoning, however utilizing the Heritage Revitalization Agreement allows the application to be tied to the existing heritage value on the property. In addition, the two heritage buildings will be Heritage Designated by Bylaw as a function of this

application, providing a benefit to the City and ensuring long term preservation. This designation also allows the applicant increased access to Heritage Grants in the amount of \$10,000.00 (per 3 years) on approved construction work.

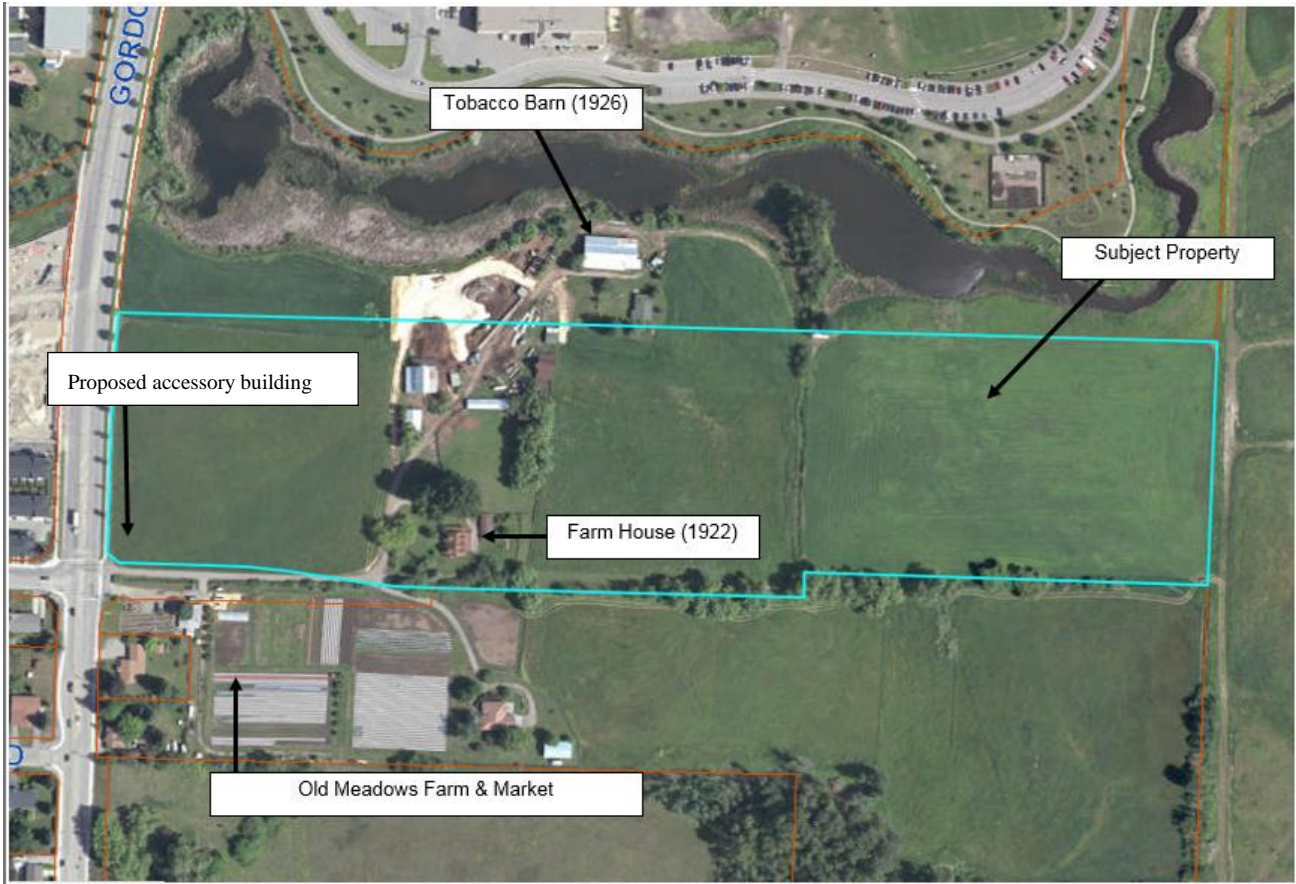
4.3 Site Context

The property is located on the east side of Gordon Drive, and south of the H20 and Capital News Centre. It is a short walk to Okanagan Lake and on a major transit corridor. The lands immediately to the south of the property are used for an intensive organic vegetable garden operation.

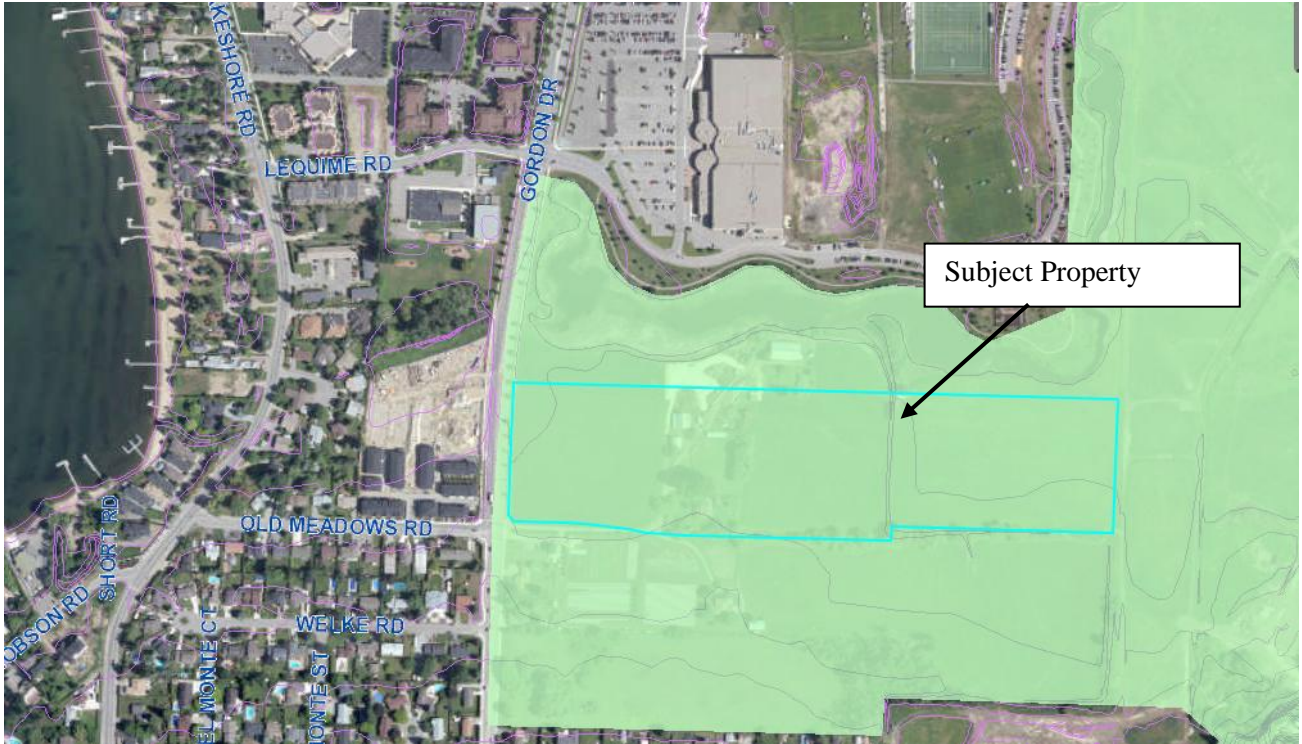
Specifically, adjacent land uses are as follows:

Direction	Zoning	ALR	Land Use
North	A1 - Agriculture	Yes	Agriculture
South	A1 - Agriculture	Yes	Agriculture
East	A1 - Agriculture	Yes	Agriculture
West	RM4 - Transitional Low Density Housing	No	Multi-Family

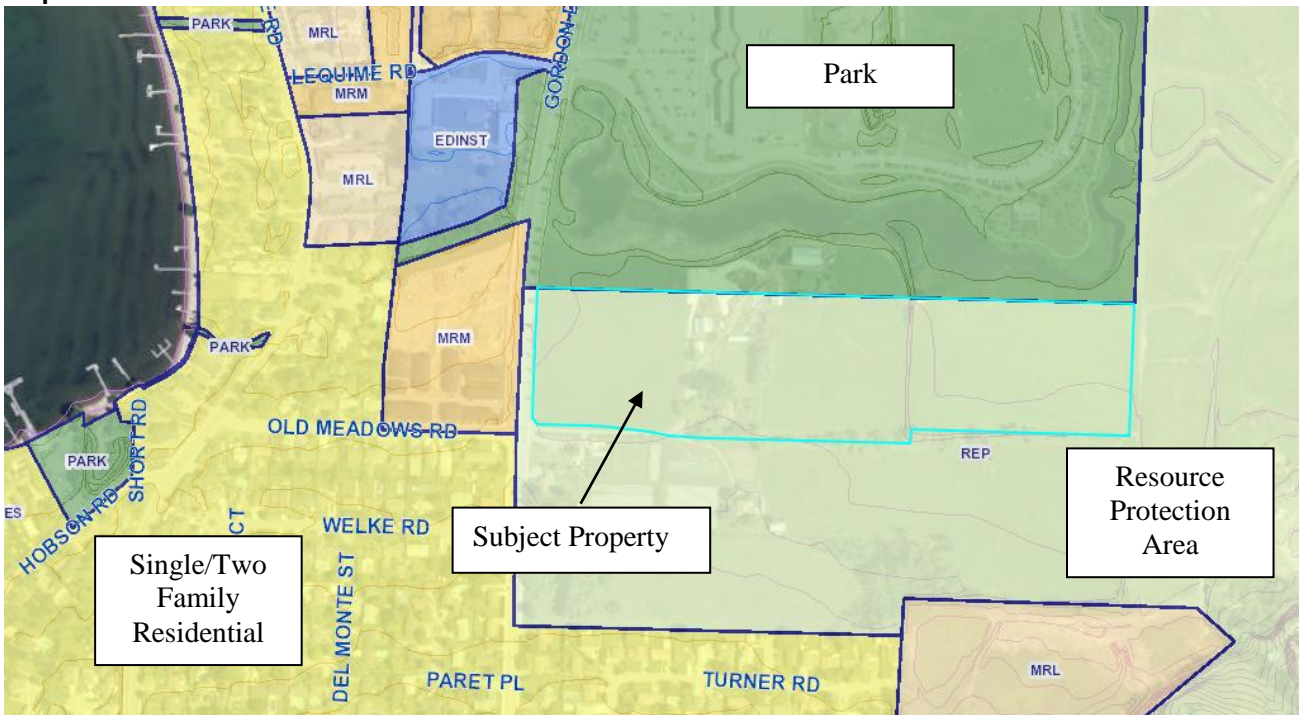
Map 1: Subject Property Map



Map 2: Agricultural Land Reserve



Map 3: Future Land Use



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5 - Development Process

Objective 5.33 Protect and enhance local agriculture. ¹

Policy 5 Agri-tourism, Wineries, Cideries, Retail Sales. Support agri-tourism uses that can be proven to be in aid of and directly associated with established farm operations. Permit wineries, cideries and farm retail sales (inside and outside the ALR) only where consistent with existing ALC policies and regulations.

Objective 5.7: Identify and conserve heritage resources. ²

Policy 1 Heritage Register: Use the Kelowna Heritage Register for fully informed decision-making regarding land use of heritage properties.

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.

6.0 Technical Comments

6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

- Please see attached Memorandum dated August 23, 2016

6.3 Fire Department

- No issues with request
- A separate address or unit number will be required for this cottage.

6.4 FortisBC Electric

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Gordon Drive and within the road reserve bordering the south side of the subject property. Due to the location of existing services and the proposed cottage, extension work may be required to service the structure, the cost of which may be significant. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

¹ City of Kelowna, Official Community Plan Chapter 5, Objective 5.33

² City of Kelowna, Official Community Plan Chapter 5, Objective 5.7

6.5 Policy and Planning

Several structures are located on the property, including two buildings listed on the Heritage Register: the farmhouse built in 1922 and the rare surviving tobacco barn built in 1926. The Statements of Significance provide additional details on the heritage buildings (see attached Attachment "B" and Attachment "C").

The application includes a conceptual design for the guest cottage at the front of the property, though more detail is needed for inclusion in the HRA. The form & character should reflect that of the existing house on the property. The Carriage House / Two Dwelling Housing and Heritage Conservation Area design guidelines offer direction for revisions to the cottage design.

The HRA should consider and, where appropriate, specify details about several matters. These include, but are not limited to: permitted uses, building siting, form & character, hours / seasons of operation, signage, parking & access, landscaping, servicing, phasing, restoration work on the existing heritage buildings, and approvals & permitting requirements for future works. Although not directly applicable, the Adaptive Re-Use Guidelines for Heritage Buildings can be referenced when determining appropriate parameters for some of these items.

Staff conduct site visits every two years to properties with HRAs to confirm compliance with the conditions of the HRA and report back to Council. The HRA should be written in such a way that compliance can be reasonably monitored and confirmed.

Given the family's history of farming and contributions to agriculture in the Okanagan as well as the rare examples of heritage buildings on the site, it is requested the property owners also apply for a Heritage Designation for the two heritage buildings to ensure their long-term protection. This is supported by OCP Policy 5.7.2 and provides long-term benefit to the community.

The property is within the ALR and the ALC approval process should be confirmed prior to presenting the HRA to the HAC or Council.

7.0 Application Chronology

Date of Application Received:	July 26, 2016
Date Public Consultation Completed:	October 2016
Date of Agricultural Advisory Committee:	September 8, 2016
Date of Heritage Advisory Committee:	September 15, 2016

8.0 Agricultural Advisory Committee

The above noted application was reviewed by the Agricultural Advisory Committee at the meeting held on September 8, 2016 and the following recommendations were passed:

THAT the Agricultural Advisory Committee recommends that Council support the Heritage Revitalization Agreement Application No. HRA16-0002 for the property located at 4193 Gordon Drive, Kelowna, BC to allow for a carriage house to be used for rentals on the Heritage Registered property.

ANECTDOTAL COMMENT:

The Agricultural Advisory Committee supports the application for a carriage house to be used for rentals as there is minimal impacts to agriculture and the buffering proposed is

acceptable. The Agricultural Advisory Committee commented that they would like to see an improvement of some sort regarding the maintenance of the heritage property and suggested that Council may wish to seek to register a covenant on the title to ensure short-term rentals. The Agricultural Advisory Committee also noted that at this time, the proposed buffering is acceptable; however, in the future, more enhanced buffering may be necessary and should be considered.

9.0 Heritage Advisory Committee - September 15, 2016

The above noted application was reviewed by the Heritage Advisory Committee at the meeting held on September 15, 2016 and the following recommendations were passed:

THAT the Heritage Advisory Committee recommends that Council support the Heritage Revitalization Agreement No. HRA16-0002 on the subject property at 4193 Gordon Drive for a proposed Carriage House on a Heritage Registered property.

ANECTODAL COMMENT:

The Heritage Advisory Committee supported this application and suggested Heritage Designation be a requirement of the HRA. Members requested that this application come back to the Heritage Advisory Committee regarding form and character. The Committee recommends the Thomson Farm House and Tobacco Barn be designated through a Heritage Designation bylaw due to the history and agricultural uniqueness.

Report prepared by:

Trisa Brandt, Planner I

Reviewed by: Todd Cashin, Suburban and Rural Planning Manager

Reviewed by: Ryan Smith, Community Planning Department Manager

Approved for Inclusion: Doug Gilchrist, Divisional Director, Community Planning & Real Estate

Attachments:

Attachment "A": Map A - Subject Property

Attachment "B": Statement of Significance for Thomson Farm House

Attachment "C": Statement of Significance for Tobacco Barn on G. Thomson Farm

Schedule "A": Heritage Revitalization Agreement

Schedule "AA": Images of Heritage Designation Buildings

Schedule "BB": Farm Building Footprint