

REPORT TO CHC



Date: January 3, 2013

RIM No. 0940-60

To: Community Heritage Committee

From: Urban Planning Department, Community Planning & Real Estate (AR)

Application: HAP13-0020 **Owners:** Edward Wiltshire
Marilyn Wiltshire

Address: 1979 Abbott Street **Applicant:** dba Fine Home Designs

Subject: Heritage Alteration Permit

Existing Zone: RU1 - Large Lot Housing

Heritage Register: Not Included

1.0 Purpose

The applicant is seeking a Heritage Alteration Permit (HAP) to permit additions to the main floor of existing house, and to raise the existing main floor elevation by 0.5 m to facilitate reconstruction of the existing crawl space. The application also includes variances to legalize the existing non-conforming north side yard and provision of one onsite parking space.

2.0 Urban Planning Department

The subject property is located in the Abbott Street Heritage Conservation Area; however, it is not presently included on the City's Heritage Register. The subject dwelling is one of four modest, early (c. 1933-1945) one-storey cottages that line the east side of Abbott Street south of Beach Avenue (see attached photos). The dominant style for the block, including the subject dwelling, is identified in the Abbott Street Heritage Conservation Area Guidelines as "Late Vernacular Cottage". Among other things, this style is characterized by a less fanciful feel to the architecture, asymmetrical façade design, gable roof forms, stucco or horizontal wood siding, clustered vertical window sashes, and minor decorative detailing.

Staff is generally supportive of the proposed additions and alterations to the subject property, and feel that the overall proposal is a thoughtful approach to the challenge of improving the livability of the dwelling, while respecting its modest proportions and responding to the irregular lot configuration. The proposed addition to the front elevation of the existing dwelling affords additional living space and functionality, while being generally in keeping with the scale and character of the original, one-storey cottage structure.

The main floor elevation of the existing dwelling is proposed to be modestly raised to accommodate the redevelopment of the existing crawl space to address the Mill Creek flood plain

and to ensure its long-term structural integrity. The 0.5 m height by which the dwelling will be raised, while somewhat higher than the adjacent cottages, will be moderated by a graduated increase of existing grades around the perimeter of the dwelling and the front porch addition.

The siting of the existing dwelling on the subject property is non-conforming under current zoning regulations along the north side property line. Additionally, the site only accommodates one onsite parking space. The proposed alterations to the existing dwelling necessitate that these non-conformities be legalized. Staff is supportive of the two variances being sought to legalize the non-conformities as they are original to the existing pre-WWII structure. Further, while there are discrete portions of the existing dwelling that encroach almost fully into the minimum required 4.5 m side yard along Beach Avenue, there is minimal impact as these portions are of a modest one-storey height and there is a generous City boulevard of approximately 4.6 m which separates the existing dwelling from the street. Finally, all proposed new construction will conform to current zoning requirements.

3.0 Proposal

3.1 Background

In February 2013, an earlier Heritage Alteration Permit (HAP) was submitted under HAP13-0001 for the subject property to undertake the following works:

- raise the existing single family dwelling on the subject site by 2 m;
- construct a basement on the existing footings; and
- legalize the existing non-conforming north side yard.

In March 2013, the Community Heritage Committee (CHC) recommended non-support for the proposed alterations, noting the resultant building would not be in keeping with the form and character of the Heritage Conservation Area. In May 2013, Council moved to not authorize HAP13-0001.

In June 2013, a Building Permit (BP) was issued under BP46519 to permit the crawl space of the existing dwelling to be lowered further into the ground, while maintaining the existing main floor elevation. In September 2013, a Stop Work Order was issued as the dwelling had subsequently been raised higher than the permitted existing main floor elevation, and pending submission and issuance of a new HAP application.

3.2 Project Description

The subject HAP application was submitted in December 2013 under HAP13-0020 to address and remedy the non-permitted work previously undertaken onsite, which has raised the main floor elevation of the existing dwelling. The application also proposes floor area efficiencies and additions to the existing dwelling to enhance its livability over the long term.

Specifically, HAP13-0020 proposes the following substantive changes to the existing, one-storey single family dwelling onsite (see attached drawings):

- an addition to the front of the existing dwelling, to accommodate additional living space and an expanded front porch;
- the addition of two projections to the south side elevation of the existing dwelling;
- raising the main floor elevation 0.5 m above the existing elevation to facilitate the redevelopment of the existing crawl space; and

- raising the existing onsite grade around the perimeter of the dwelling by 0.46 m.

The proposed additions would add 28.2 m² of new floor area to the existing 90.2 m² dwelling, for a total floor area of 118.4 m². Other alterations include the removal and addition of windows, doors, and external stairs. The exterior stucco finish for the additions, as well as the new windows and doors, are proposed to match the existing dwelling.

The siting of the existing dwelling is non-conforming under current zoning regulations. The proposed alterations to the existing dwelling necessitate that the existing non-conformities be legalized. Consequently, the subject HAP application also seeks variances to legalize the following non-conformities for the existing dwelling:

- the north side yard setback of existing dwelling along Beach Avenue - portions of the existing dwelling are 0.5 m and 0.08 m from the north property line (see attached survey plan), where the existing zoning would otherwise require a minimum setback of 4.5 m; and
- the provision of one onsite parking space for the single family dwelling, where the existing zoning would otherwise require a minimum of two parking onsite parking spaces.

The proposed new additions and alterations to the existing dwelling conform to current zoning requirements, and no variances are being sought to accommodate the new construction. However, given the requested variances, the subject application will need to be considered by Council.

Discrete portions of the soffit and eaves of the existing dwelling encroach within City boulevard along Beach Avenue by 0.05 m and 0.44 m (see attached survey plan). Should Council approve the subject HAP application and requested variances, the City would address these minor encroachments into City boulevard.

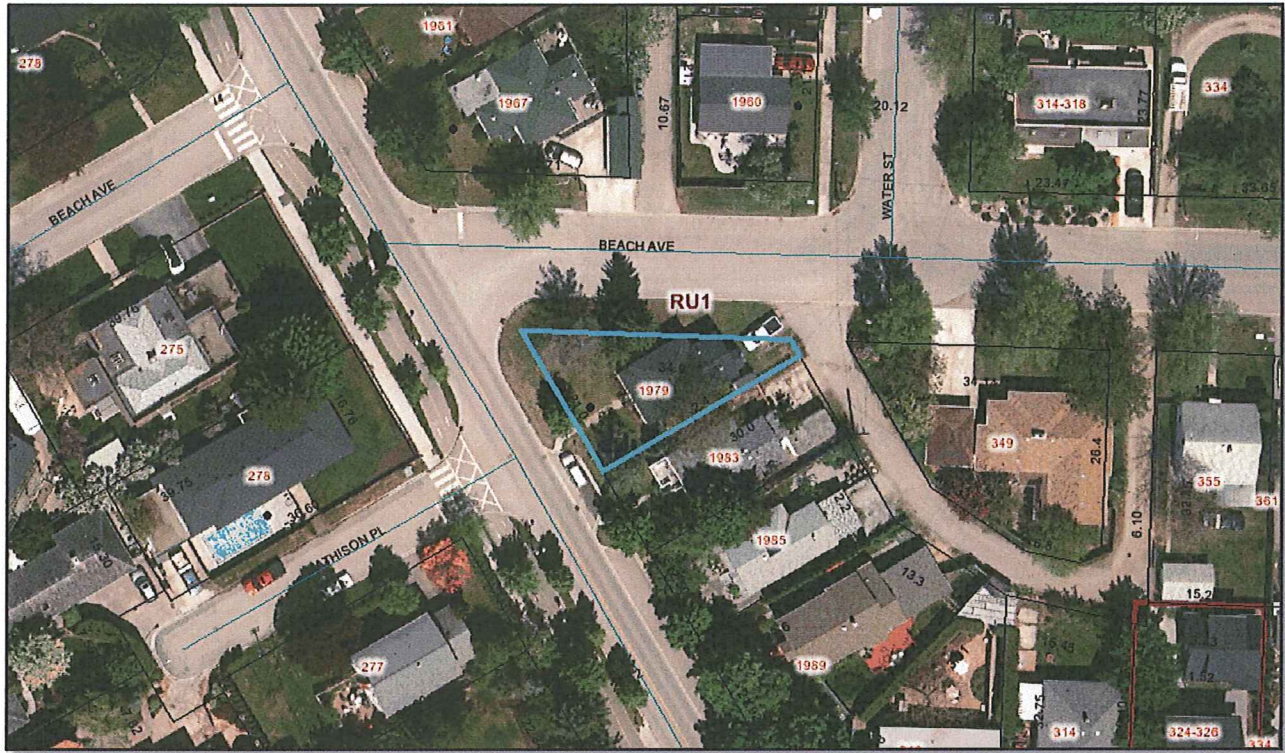
Site Context

The subject property fronts Abbott Street, at the southeast corner of Abbott Street and Beach Avenue, within the Abbott Street Heritage Conservation Area. The subject property is zoned RU1 - Large Lot Housing and designated as Single/Two Unit Residential in the Official Community Plan.

Specifically, the surrounding land uses are:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Single Family Dwellings
East	RU1 - Large Lot Housing	Single Family Dwellings
South	RU1 - Large Lot Housing	Single Family Dwellings
West	RU1 - Large Lot Housing	Single Family Dwellings

Subject Property Map: 1979 Abbott Street



3.3 Zoning Analysis Table

The proposed application meets the requirements of the RU1- Large Lot Housing zone as follows:

Zoning Analysis Table		
CRITERIA	RU1 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	550 m ²	348.9 m ²
Lot Width	16.5 m	Approx. 18 m
Lot Depth	30 m	Approx. 30 m
Site Coverage (Buildings)	40%	36 %
Site Coverage (Buildings & Parking)	50%	42 %
Single Family Dwelling		
Height	9.5 m / 2½ storeys	5.08 m (from existing grade) / 1 storey 4.57 m (from proposed grade) / 1 storey
Front Yard	4.5 m (6.0 m to a garage)	4.6 m
Side Yard (north)	2.0 m (1 - 1½ storeys)	4.57 m (to new addition) 0.08 m (to exiting dwelling) ①
Side Yard (south)	2.0 m (1 - 1½ storeys)	2.0 m
Rear Yard	7.5 m	9.63 m

Zoning Analysis Table (cont.)		
CRITERIA	RU1 ZONE REQUIREMENTS	PROPOSAL
Other Regulations		
Min. Parking Requirements	2 spaces	1 space ②
① To vary minimum required north side yard for the existing dwelling from 4.5m required to 0.08 m provided. ② To vary minimum required parking for the existing dwelling from 2 spaces required to 1 space provided.		

4.0 Current Development Policies

4.1 Kelowna Official Community Plan (OCP)

Chapter 9 - Heritage Policies

Objective 9.2 Identify and conserve heritage resources.

Policy 9.2.4 Conservation Areas. Development in the Abbott Street and Marshall Street Heritage Conservation Area outlined on Map 9.1 will be assessed using the Abbott Street and Marshall Street Heritage Conservation Area Guidelines in Chapter 16.

Chapter 16 - Heritage Conservation Area

Objectives:

- Maintain the residential and historical character of the Marshall Street and the Abbott Street Heritage Conservation Areas;
- Encourage new development, additions and renovations to existing development which are compatible with the form and character of the existing context;
- Ensure that change to buildings and streetscapes will be undertaken in ways which offer continuity of the ‘sense-of-place’ for neighbours, the broader community; and
- Provide historical interest for visitors through context sensitive development.

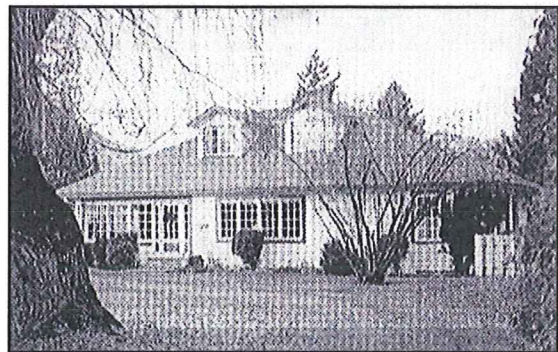
4.2 Heritage Conservation Area Development Guidelines

The subject property falls within the third civic phase which spans from the end of the Great Depression, about 1933, and continues through to the end of World War II, 1945. This period is noted for a declining interest in traditional styles in favour of smaller, less ornately detailed housing development. The dominate styles of this period are the Late Vernacular Cottage and the ‘forward looking’ Moderne architecture.

The dominant style for this block, including the subject site, is “Late Vernacular Cottage”, characterized by the following aspects.

Late Vernacular Cottage Characteristics

- Less fanciful feel to the architecture
- Flush gable verges
- Stucco or horizontal siding
- Up to 2 storey massing
- Clustered vertical window sashes
- Asymmetrical facade design
- Flush front entrance
- Minor decorative detailing



- Gable roof forms
- Wood or interlocking asphalt shingle
- Side or rear yard parking

Report prepared by:


Abigail Riley, Urban Planner

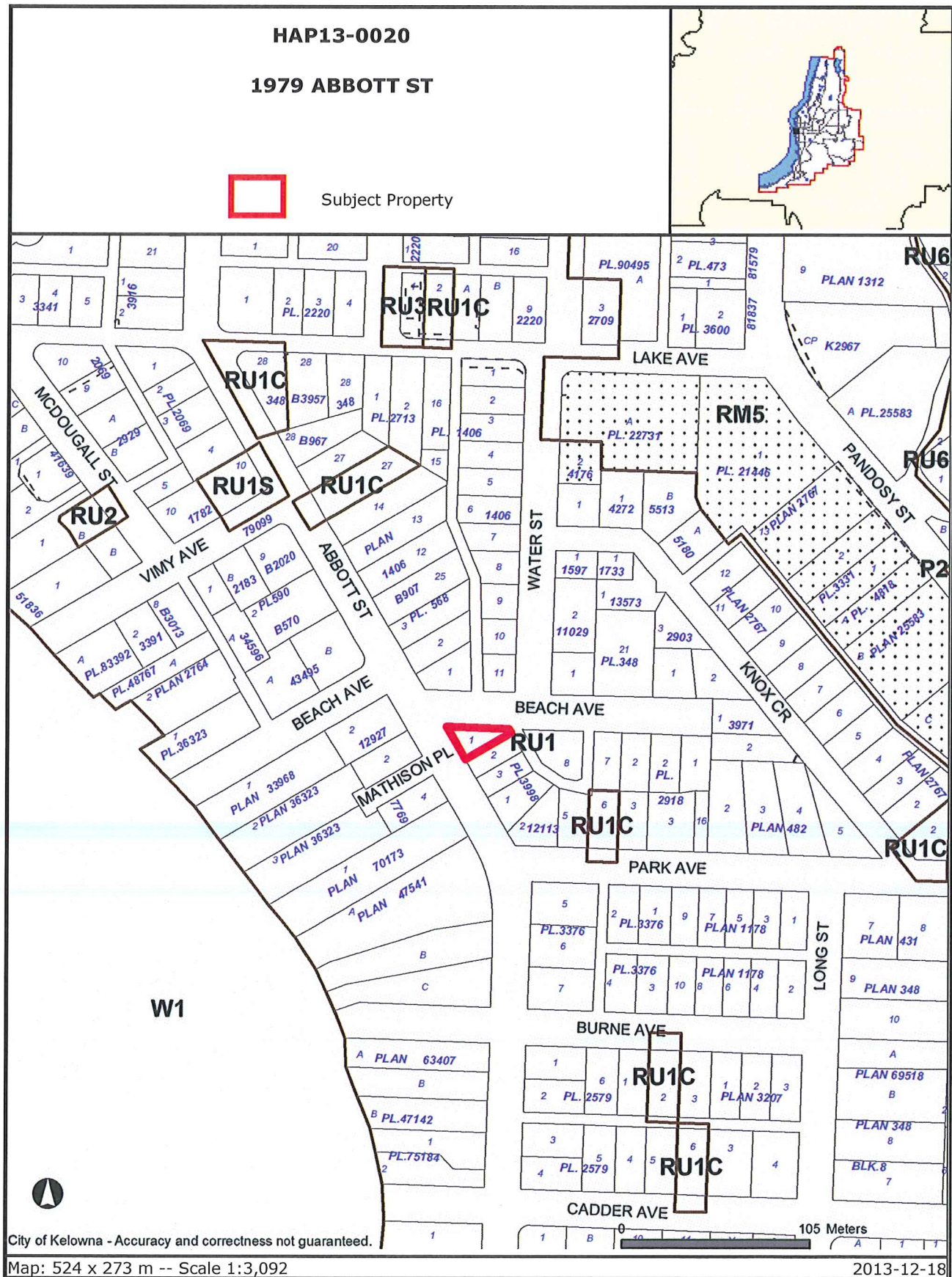
Reviewed by:



Ryan Smith, Urban Planning Manager

Attachments:

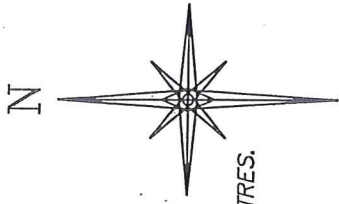
Subject Property Map
Survey Plan of Existing Dwelling
Site/Landscape Plan
Proposed Elevation Drawings
Proposed Floor Plans
Proposed Colour Board
Context Photos



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.
The City of Kelowna does not guarantee its accuracy. All information should be verified.

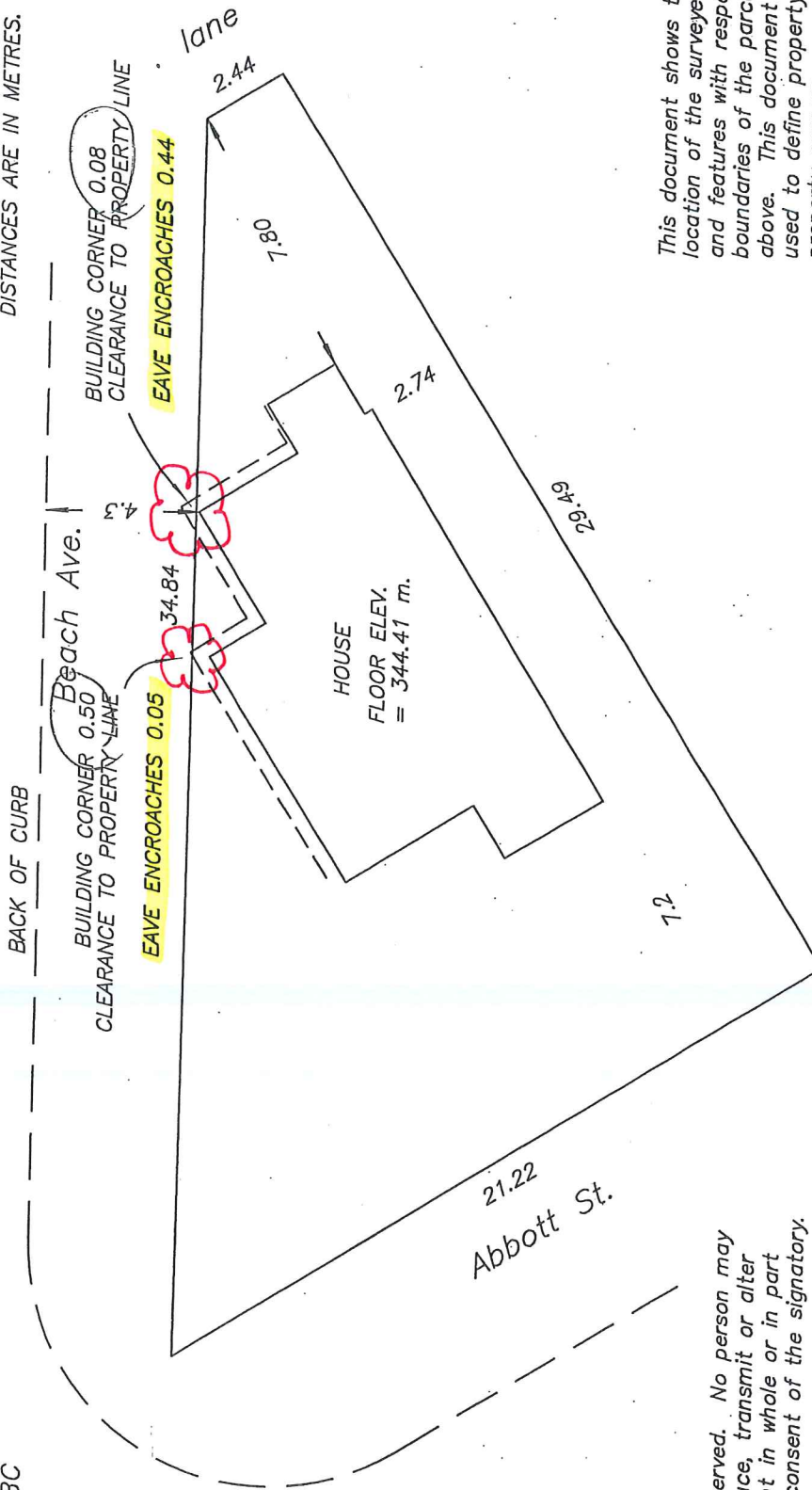
**B.C. LAND SURVEYOR'S CERTIFICATE OF
LOCATION OF BUILDING ON LOT 1
D.L. 14 O.D.Y.D. PLAN 3998**

Civic Address:
1979 Abbott Street
Kelowna, BC



SCALE 1:200

DISTANCES ARE IN METRES.



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© This document is not valid unless originally signed and sealed.

CERTIFIED CORRECT

this 27th day of November, 2012.

D.A. Goddard BCLS

This plan was prepared for municipal purposes and is for the exclusive use of our client.

FILE 16096 FB 364
Wiltshire

This document shows the relative location of the surveyed structures and features with respect to the boundaries of the parcel described above. This document shall not be used to define property lines or property corners.

The signatory accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decisions made, or actions taken based on this document.

D.A. Goddard Land Surveying Inc.
103-1358 St. Paul Street, Kelowna
Phone (250) 763-3733

Legal: Existing
 LOT 1, D.L., 14.,
 PLAN 399B, SEC 24
 TP 25 O.D.Y.D.

Zoning: RU-1c/w H.A.P. LARGE LOT HOUSINGS

USES - SINGLE DWELLING HOUSE (1)
 - SUB-DIV. REGS. (Existing) LOT DEPTH 29.49m (MIN. 30m), 1 m.?
 - DEV. FEES, SITE COV. BUDG. (118.4m²) 33.9% (MAX. 40%)
 " " + PAVING (19.37m²) 39.5% (" 50%)
 - HT. 4.57m 1-STOREY (MAX. 9.57m, 2 1/2 STOREY,
 - W/FRONT YARD 4.6m (MIN. 4.5m); EXT. SIDEYARD (N.) NEW: 4.57m,
 (MINI. 4.5m); NOTE: EXISTING 0.08m; EXT. SIDEYARD (N.) NEW: 4.57m,
 - INT. SIDEYARD (S.) 2.03m (MIN. 2.0m) CW Projection (Street) 0.48m.
 (MAX. 0.6m) FOR 3.0m. (MAX. 18% OF WALL (MAX. 30%)?
 - REARYARD (E.) EXIST. 7.8m. New 9.63m. (MIN. 7.5m).
 - OTHER REGS. SEC. 6-YARD PROJ.,
 EAVES ETC. (MAX 0.6m).
 PROVIDED: EXIST. 0.05m & 0.44m.
 H. ROOF ENCROACHMENTS AND NEW
 ROOF EAVES ARE < 0.6m. (SEE PLAN).
 SEC. 7 - MAX. FENCE HT. 2.0m. 6-7.
 SEC. 8 - PARKING ONE STALL
 (2 STALLS REQ'D.)

Note: New Conforming/Existing Non-Conforming.

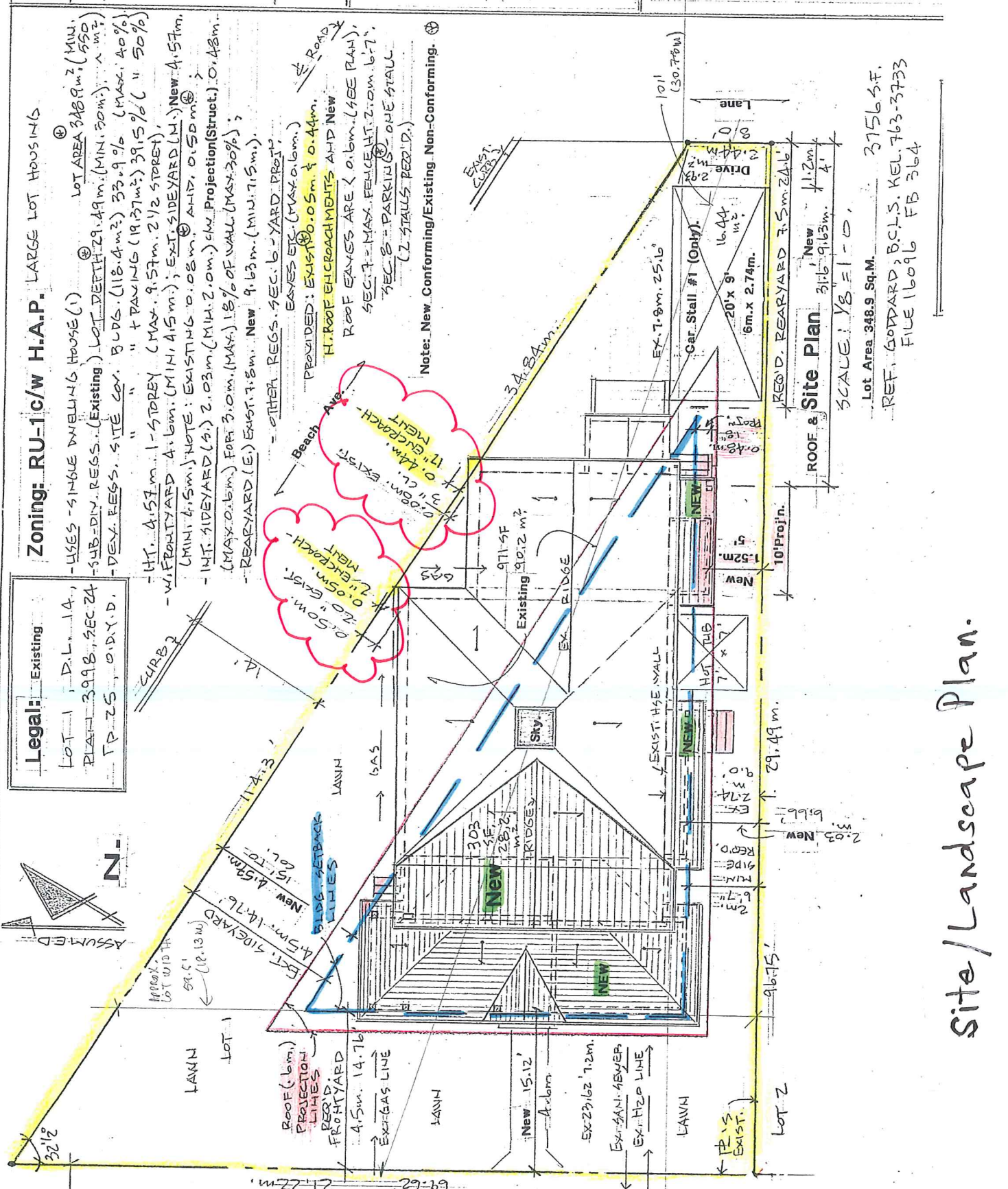
Lot Area 348.9 m² (550)
 LOT DEPTH 29.49m (MIN. 30m), 1 m.?
 BUDG. (118.4m²) 33.9% (MAX. 40%)
 + PAVING (19.37m²) 39.5% (" 50%)
 1-STOREY (MAX. 9.57m, 2 1/2 STOREY,
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Lot Area 348.9 Sq.M.
 REF. GODDARD, B.C.L.S. KEL. 763-3733
 FILE 16096 FB 364

197 Abbott Street
 69-62'
 21-22m
 32'2"

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 69-62'
 21-22m
 32'2"

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 69-62'
 21-22m
 32'2"



Site/Landscape Plan.

Legal: Existing
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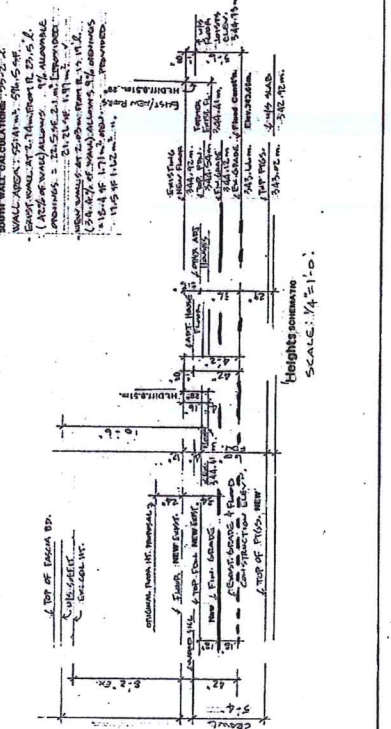
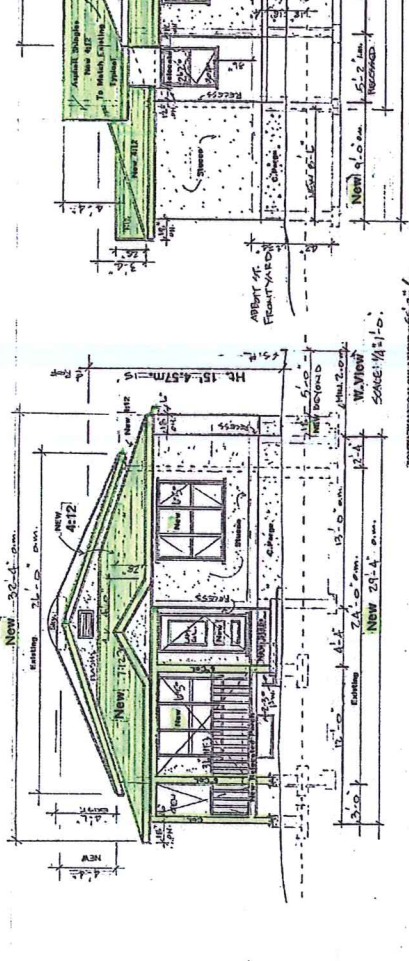
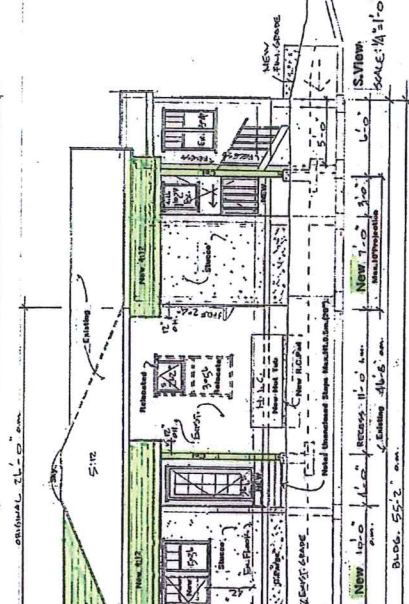
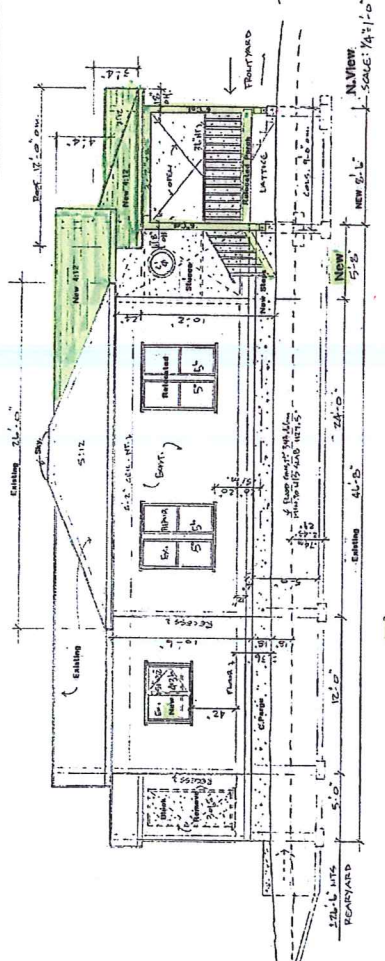
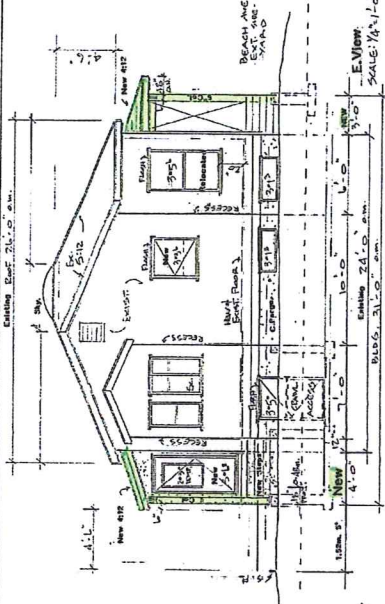
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Lot Area 348.9 Sq.M.
 REF. GODDARD, B.C.L.S. KEL. 763-3733
 FILE 16096 FB 364

197 Abbott Street
 69-62'
 21-22m
 32'2"

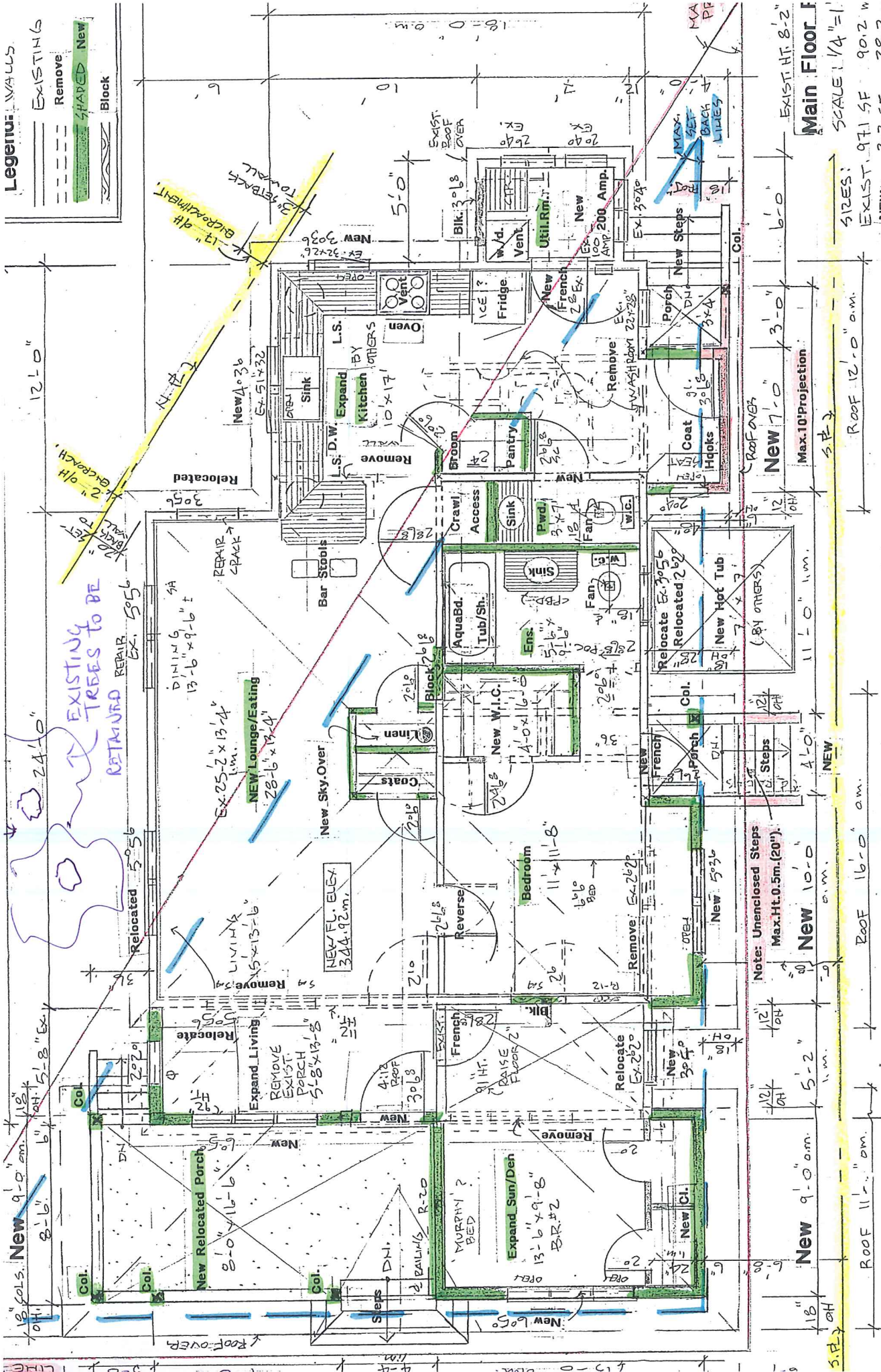
Site/Landscape Plan.



Proposed Elevations.

Legend: WALLS

- EXISTING
- Remove
- SHAPED New
- Block



Main Floor Plan
 SCALE: 1/4" = 1'-0"
 EXIST. HT. 8'-2"
 EXIST. 971 SF
 NEW 303 SF
 TOTAL 1274 SF
 CHW COV. POR

EXISTING 16'-8" o.m.
 Existing 16'-8" o.m.

EXIST. NEW 55'-2" o.m. WALLS

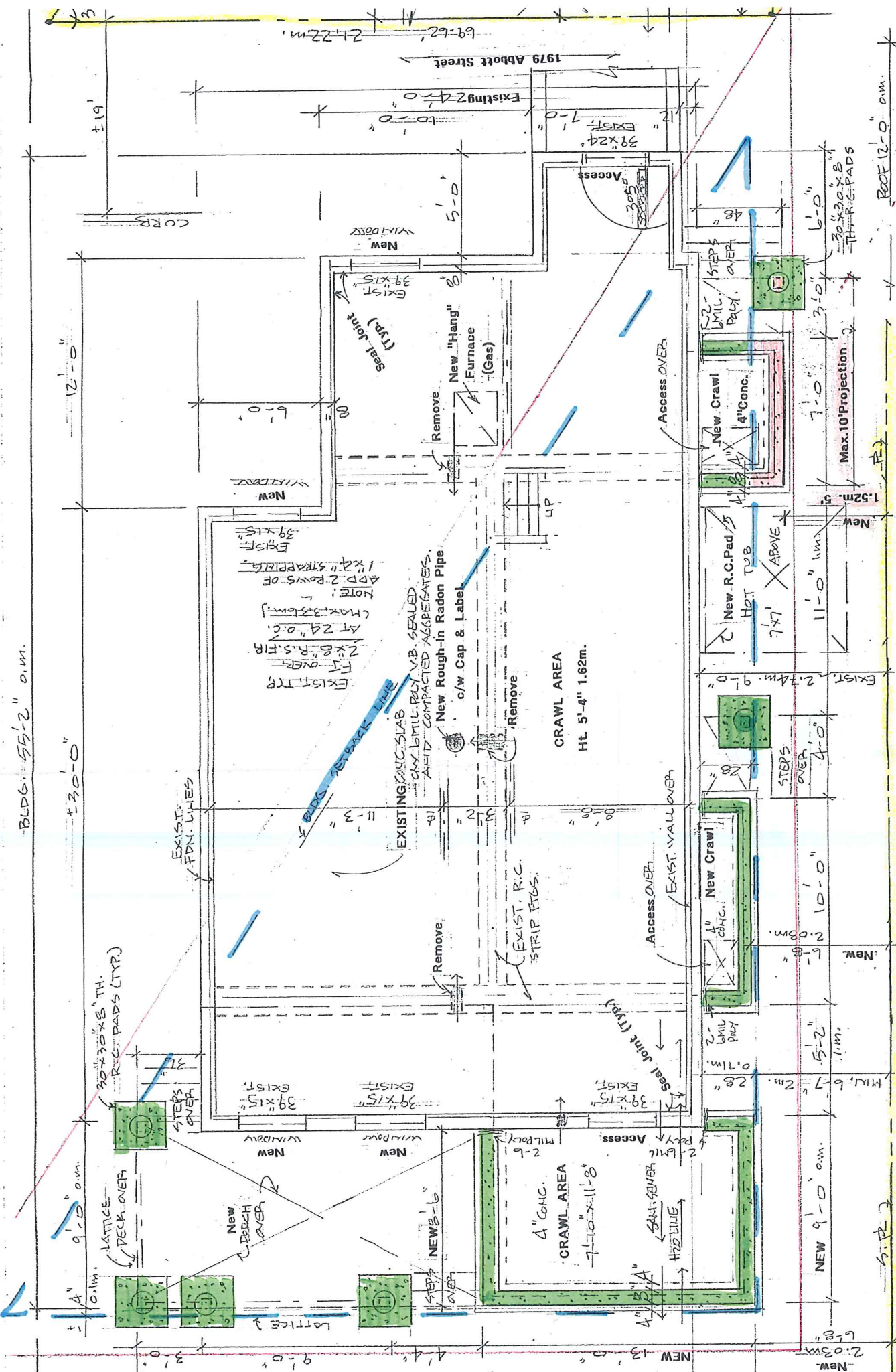
Main Floor Plan.

BDG. 55'-2" o.m.

±30'-0"

12'-0"

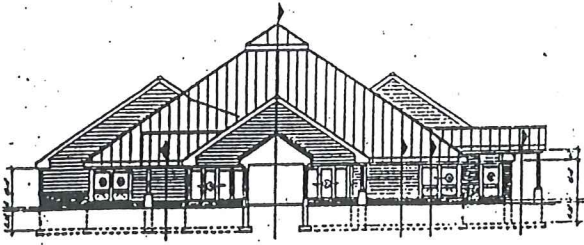
±19'



SCHEMATIC ONLY, Figs. & Fdn. Plan

SCALE: 1/4" = 1'-0"

Footings & Foundation Plan



Peter J. Chataway, B.Sc., B.Arch.

HOUSE PLANS AND DESIGN

368 Cadder Ave., Kelowna, B.C. V1Y 5N1

Office: (250) 763-1334

Home: 763-5367

E-mail: muncha@cnx.net

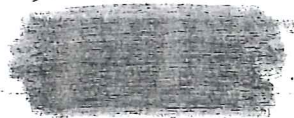
Colour Board

1979 Abbott Street

Roof :

ASPHALT SHINGLES - 1/2 TONE CHARCOAL

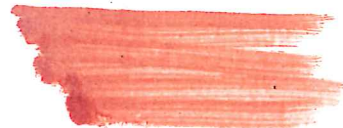
(To Match Existing)



Walls :

TROWELLED STUCCO - Mid-Tone Tan

(To Match Existing)



Trim :

Benj.Moore VC-35 Gloss Black



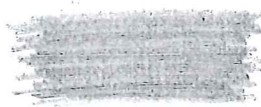
Sash :

Benj.Moore VC-4 Harris Cream



Other :

BASE: Cement Parging - Low Lustra Chacoal.





SOUTH.



W.

1979 ABBOTT ST. - EXISTING CONDITION WEST (FALL 2013)



E.

EAST.



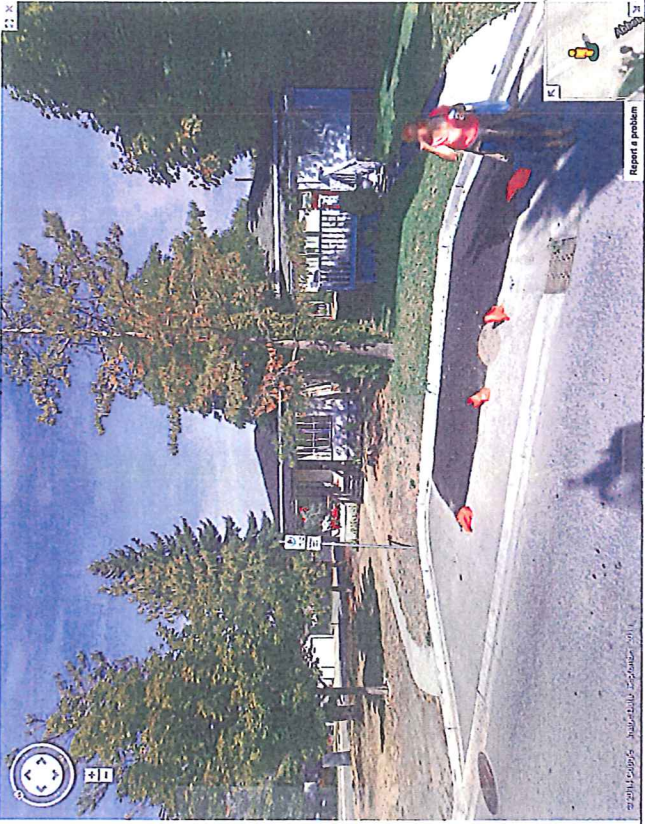
NORTH.



1979 Abbott St. - Front + North Side



1979 Abbott St - Rear



1979 + 1983 Abbott St.



1985 + 1989 Abbott St.

TITLE SEARCH PRINT

2014-01-07, 08:09:05

Requestor: PM76528

Folio/File Reference:

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN****

Land Title District
Land Title Office

KAMLOOPS
KAMLOOPS

Title Number
From Title Number

KW37109
KV67528

Application Received

2004-03-31

Application Entered

2004-04-06

Registered Owner in Fee Simple
Registered Owner/Mailing Address:

EDWARD STEVEN WILTSHIRE, POWER ENGINEER
MARILYN ANNE WILTSHIRE, BUSINESSWOMAN
BOX 1024
ROSSLAND, BC
V0G 1Y0
AS JOINT TENANTS

Taxation Authority

CITY OF KELOWNA

Description of Land

Parcel Identifier: 010-619-909
Legal Description:
LOT 1 DISTRICT LOT 14 OSOYOOS DIVISION YALE DISTRICT PLAN 3998

Legal Notations

NONE

Charges, Liens and Interests

Nature: MORTGAGE
Registration Number: CA172010
Registration Date and Time: 2006-02-03 14:34
Registered Owner: PROSPERA CREDIT UNION
INCORPORATION NO. FI147
Remarks: INTER ALIA
MODIFIED BY CA1196969

TITLE SEARCH PRINT

2014-01-07, 08:09:05

Requestor: PM76528

Folio/File Reference:

Nature: ASSIGNMENT OF RENTS
Registration Number: CA172011
Registration Date and Time: 2006-02-03 14:34
Registered Owner: PROSPERA CREDIT UNION
INCORPORATION NO. FI147
Remarks: INTER ALIA
MODIFIED BY LB333496

Nature: MODIFICATION
Registration Number: CA1196969
Registration Date and Time: 2009-07-23 11:14
Remarks: INTER ALIA
MODIFICATION OF CA172010

Nature: MODIFICATION
Registration Number: LB333496
Registration Date and Time: 2009-07-23 11:14
Remarks: INTER ALIA
MODIFICATION OF CA172011

Duplicate Infeasible Title NONE OUTSTANDING

Transfers NONE

Pending Applications NONE