

Memo



Date: May 28, 2010

To: City Manager

From: Community Sustainability Division

File No: HAP10-0004

Applicant: Lynda & Edward Mayers

At: 3420-3430 Benvoulin Road

Owner: Lynda Mayers

Purpose: To consider a Heritage Alteration Permit for form and character of the proposed accessory building.

To vary Zoning Bylaw No. 8000 in order to permit a 1.5m side yard setback where 3.0m is required for the proposed accessory building.

Existing Zone: A1 - Agriculture 1

Report Prepared by: Alec Warrender

1.0 RECOMMENDATION

THAT Council authorize the issuance of Heritage Alteration Permit No. HAP10-0004 for Lot 1, District Lot 132, ODYD, Plan 8996, Except Plan KAP66606, located at 3420-3430 Benvoulin Road, Kelowna, B.C., subject to the following:

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

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

Section 11.1.6 (d) Development Regulations - Side Yard
To vary the side yard setback from 3.0m required to 1.5m proposed.

2.0 SUMMARY

To consider a Heritage Alteration Permit for the proposed accessory building. The applicant has also requested a variance to Zoning Bylaw No. 8000 in order to permit a 1.5m side yard setback where 3.0m is required for the proposed accessory building.

3.0 COMMUNITY HERITAGE COMMISSION

The Community Heritage Commission (CHC) passed the following recommendations at their meeting of May 6, 2010:

THAT the Community Heritage Commission support HAP10-0004 for the form and character of the proposed accessory building and to vary Zoning Bylaw No. 8000 in order to permit a 1.5m side yard setback where 3.0m is required for the proposed accessory building.

Comment

No concerns. Heritage Building will not be impacted.

4.0 ADVISORY PLANNING COMMISSION

The Advisory Planning Commission (APC) passed the following recommendations at their meeting of May 25, 2010:

THAT the Advisory Planning Commission support HAP10-0004 for the form and character of the proposed accessory building and to vary Zoning Bylaw No. 8000 in order to permit a 1.5m side yard setback where 3.0m is required for the proposed accessory building.

Comment

The APC acknowledged that preserving the view corridor of the existing heritage building was justified and providing access to the accessory building for functional reasons was appropriate reason for a variance.

5.0 THE PROPOSAL

The subject property is located on the City of Kelowna's Heritage Register and is protected by a Heritage Conservation Covenant (2000). The development does not propose any changes to the heritage home. The applicant is proposing the addition of a carport/bbq pit on the west side and to the rear of the property.

The application meets the requirements of Zoning Bylaw No. 8000 as follows:

Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	A1 - Agriculture 1 Zone (Accessory Structure)
Height	3.5m	13m
Side Yard (N)	12.2m	3.0m
Side Yard (W)	1.5m ¹	3.0m
Front Yard	149m	3.0m
Rear Yard	12m	3.0m

¹ Vary side yard setback from 3.0m required to 1.5m proposed.

5.1 Site Context

Direction	Zoning Designation	Land Use
North	A1 - Agriculture 1	Agricultural
East	A1 - Agriculture 1	Agricultural
South	A1 - Agriculture 1	Agricultural
West	A1 - Agriculture 1	Agricultural

5.2 Subject Property Map

3420-3420 Benvoulin Road

6.0 CANADIAN REGISTER OF HISTORIC PLACES

The historic place is the 2.5-storey wood shingle-siding Brookdale (also known as the Renwick House), built at some time between 1904 and 1911 in the classic Foursquare style and relocated to 3430 Benvoulin Road in Kelowna's Benvoulin neighbourhood.

This large and attractive building has historic value for its association with the tobacco-growing and dairy industries, because its architecture embodies the confidence of the development boom in the era before the First World War, and also because it marks the site and preserves a few timbers of the Lequime family's pioneer store.

BNATCO moved this house from its original location on KLO Road to its current site. The site had been the location of the Lequime family's general store, which operated from the 1860s until 1906, when it closed and the stock of goods was moved to the Lequime store in downtown Kelowna (229-233 Bernard Avenue). The old building burned in 1912, and BNATCO moved the Renwick house to its site. A source reported that 'beams from Lequime's buildings, showing evidence of fire scorching, were used as supports for the present home.' Major alterations were done to the house at the time.

Character Defining Elements

- Foursquare style, characterized by nearly square plan, medium-pitched hipped roof, deep eaves and three bays on the elevation.
- Gabled dormer window

- Second floor projects slightly, with wall flairing at the division between floors
- Projecting front porch with gabled roof
- Wood windows, double-hung one-over-one sash
- Shingled walls
- Well-landscape large property

7.0 TECHNICAL COMMENTS

7.1 Inspections Services

Building Permit required.

7.2 Development Engineering

The requested variance to reduce the rear yard setback for the carport from the required 3.0m to 1.50m proposed, does not compromise our servicing requirements.

8.0 LAND USE MANAGEMENT DEPARTMENT

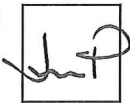
The property is located on the City's Heritage Register and is subject to a Conservation Covenant, and thus any development on the property is subject to heritage consideration. The applicant is proposing the addition of a carport/bbq pit on the west side, to the rear of the property. The Conservation Covenant protects the lands, including "any building, structure or improvement on or of the Land." However, the site is protected only in relation to how any alterations might impact the heritage character of the site. The heritage character of the site is detailed in the Statement of Significance for this heritage register property, and speaks primarily to the Chamberlain house, although does make reference to the "well-landscaped large property."

The addition of the carport/bbq pit is sufficiently away from the Chamberlain house, and hidden from view by a 2nd dwelling on the property and that the heritage character of the site will not be compromised. The applicant is seeking a variance of the setback to build the carport closer to the property line than allowed for in the zoning. This does not affect the heritage value of the site and three letters of support have been provided by the neighbouring properties.



Danielle Noble
Manager, Urban Land Use

Approved for inclusion:

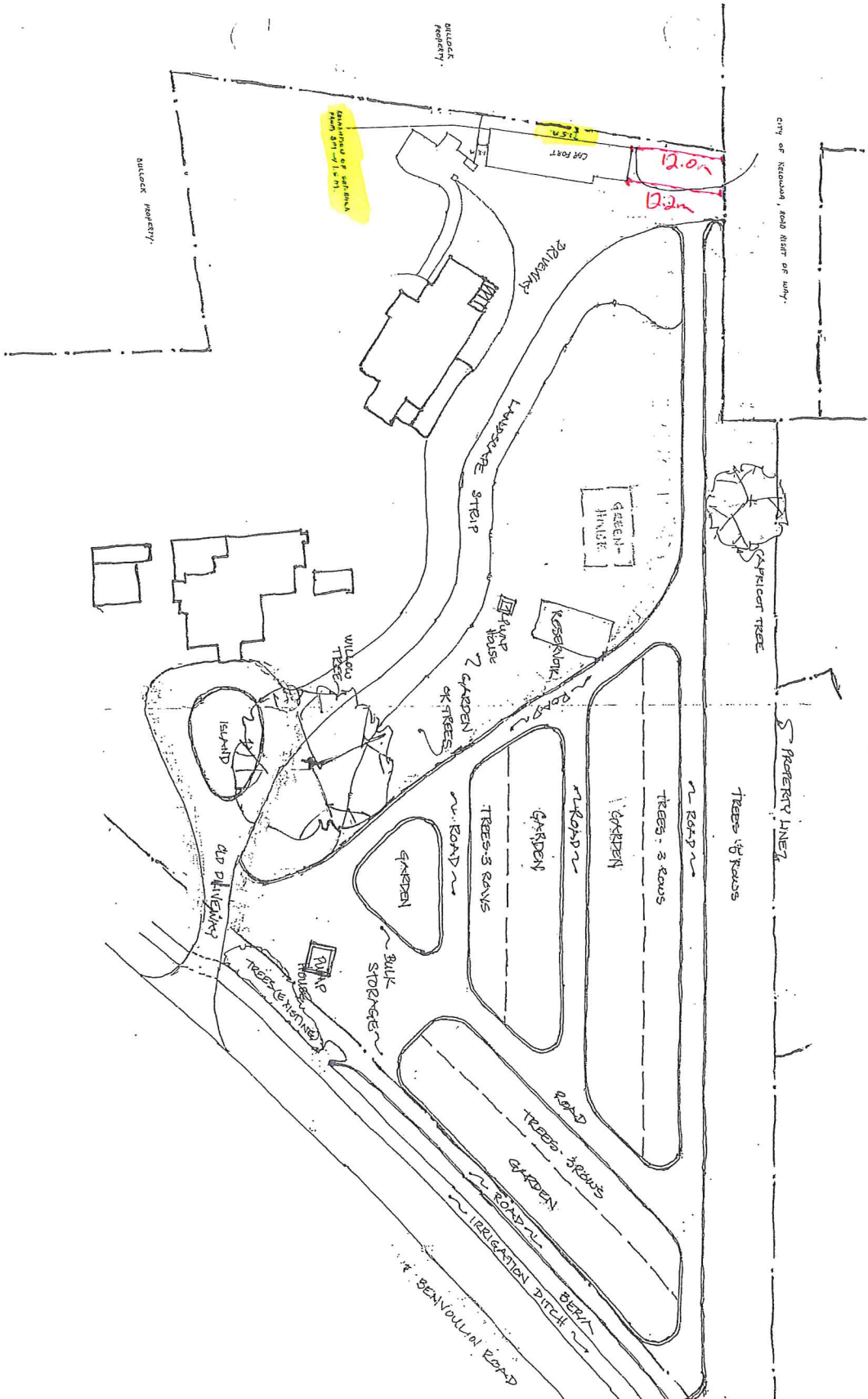


 Shelley Gambacort
Director, Land Use Management

ATTACHMENTS

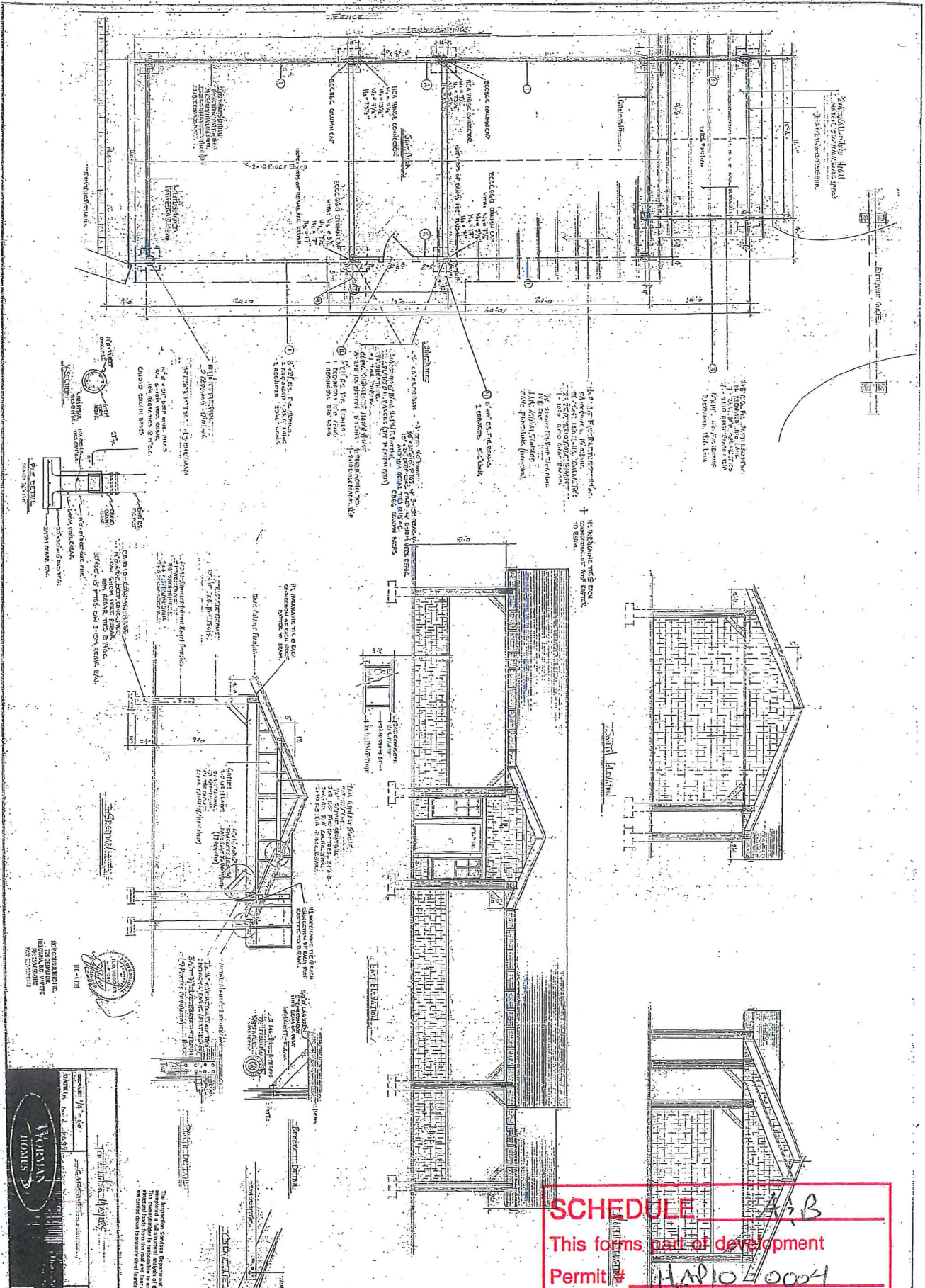
- Location Map
- Site Plan
- Elevations
- Heritage Register information
- Photograph
- Letter from applicant & neighbouring properties

Date Application Accepted: March 16th, 2010



LYVON & SIBANDA PROJECTS
 5150 BEANVALLA RD.
 MELB 3009, B.C. VIW 4 MIS
 LOT 1 PLAN 8196
 SCALE 1:300

SCHEDULE A
 This forms part of development
 Permit # HA10-0004



3rd FLOOR PLAN

SECTION

SECTION

SCHEDULE A/B
 This forms part of development
 Permit # **HAP10/0004**

MORIAN
ARCHITECTS
 10000 16th Avenue S.W.
 Suite 100
 Richmond, BC V6V 2G9
 Tel: 604-273-1111
 Fax: 604-273-1112
 www.morian.ca

PROFESSIONAL ENGINEER
 License No. 12345
 Date: 10/10/2024

PROJECT: 10000 16th Avenue S.W.
DATE: 10/10/2024

REVISIONS:

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	10/10/2024

The Issuing Engineer has not
 been involved in the design of
 the structure. It is the responsibility of the
 architect to ensure that the structure
 is designed in accordance with the
 applicable building code.

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Heritage Building

Heritage Building Information



Kid: [195343](#) **Plan:** 8996 **Lot:** 1 **Block:**
[Map](#)
Civic Address: 3420-3430 Benvoulin Rd
Neighbourhood: Benvoulin
Building Name: Brookdale/Renwick House
Conservation Area: no
Date Built: 1904
Status: Active

Historical Significance:

Pre-townsite house associated with Kelowna's tobacco and dairy industries. On site of Eli Lequime's first store (1860s, burned 1912).

History:

House, built in 1904 (evidently by Martin Renwick), was moved from KLO Road to this site in 1912 by the British North American Tobacco Company. Site associated with Eli Lequime, important early family. In 1916 Renwick repurchased the house, selling to W. Chamberlain in 1918. Chamberlains converted tobacco barns to dairy barns. Sold in 1952; several owners since. Reportedly at one point a girls' school.

Architectural Significance:

Very good Foursquare, said to have had the first flushing toilet in Kelowna. 'Beams from Lequime's buildings, showing evidence of fire scorching, were used as supports for the present house.'

Style / Character:

Classic hipped roof Foursquare, well proportioned, relatively unaltered from front and well-maintained. Form and proportions appear to be c. 1912, so presume original house lost or much altered.

Design Features:

Three bays wide, hipped roof with gabled dormer in front slope. Second storey projects slightly with wall flaring at the division between the floors. Deep eaves with fascia. Brick chimney, projecting enclosed front porch with gable roof.

Architect:

unknown

Builder:

unknown

Building Construction:

wood frame

Foundation Construction:

concrete

Stories:

2.5

Roof Type:

hipped

Window types:

DH 1/1 wood sash

Exterior Wall Material:

wood shingles

Original Wall Material:

presumed same

Exterior Wall Color:

grey w. white & blue trim

Landscape Features:

Large property well landscaped, swimming pool, pond, willow trees, with circular driveway.

Associated Buildings:

some sheds

Alterations Documented:

1979 addition at rear; 1983 detached carport; 1984 addition (family room, dinette, & upstairs) [STREET FILES]

Alterations Observed:

Additions at side/rear. Shutters may be recent, front porch may be added. Only front elevation retains original composition. Former verandah presumed removed.

Site Context:

Situated in a rural agricultural area.

Heritage Building



March 4th, 2010

City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4

Re: Development variance application for Lynda and Edward Mayers
3430 Benvoulin Road, Kelowna, BC V1W 4M5
Ph: (250) 860-6769 Cell: (250) 864-1689
Email: ted@west-wind.ca

To whom it may concern,

The subject property is surrounded on the West and South sides by farm land owned by Richard Bullock. The land to the North is operated as a fruit stand, D Vine Farm Market, owned by Sassan Filsoof. There is a City of Kelowna road right of way adjoining the property in the North West corner and to the East side of the property is Benvoulin Road.

Please find attached letter from Bullock and Sasson stating that they have no objection and support the relaxation of the easement from 3 meters to 1.5 meters.

Regards,


Lynda & Edward Mayers

March 4th, 2010

City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4

Re: Development variance application for Lynda and Edward Mayers
3430 Benvoulin Road, Kelowna, BC V1W 4M5

To whom it may concern,

My name is Richard Bullock and I live at 1394 Ladner Road, Kelowna, BC. I can be reached at (250) 861-4232.

My land surrounds the Mayers property along the West and Sough boundaries of the Mayers property at 3430 Benvoulin Road. I fully support and have no objection to the Mayers application for the relaxation of the set back requirement from 3 meters to 1.5 meters to accommodate their carport.

Regards,



Richard Bullock

March 4th, 2010

City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4

Re: Development variance application for Lynda and Edward Mayers
3430 Benvoulin Road, Kelowna, BC V1W 4M5

To whom it may concern,

My name is Sassan Filsoof. I am the owners' representative for the D Vine Farm Market. The property, which is located at 1629 K.L.O Road, stretches along the Northern boundary of the Mayers property at 3430 Benvoulin Road.

I fully support and have no objection to the Mayers application for the relaxation of the set back requirement from 3 meters to 1.5 meters to accommodate their carport.

Regards,



Sassan Filsoof
Ph: (250) 712-9321
Cell: (250) 878-7656
Email: dvinefarmmarket@gmail.com