



Section 16.1.5 (e) Development Regulations

To vary the required side yards from 4.5m required to 1.56m for the western side yard and 1.52m for the eastern side yard.

**2.0 Purpose**

To consider a Heritage Alteration Permit for the form and character of the proposed renovation.

**3.0 Land Use Management**

As the subject property is located in the Abbott Street Heritage Conservation Area, a Heritage Alteration Permit is required for the project. The proposed renovations for a doctor's office generally conform to the P1 zone and will provide supplementary patient care near Kelowna General Hospital. Maintaining the original home will help keep some of the original residential character of an area that has undergone significant change. While the applicant does propose changes to the existing home they are considered minor in nature and will help to preserve the structure. The proposed variances are to deal with the existing non-conforming side yard setbacks and a parking setback to the residentially zoned (City owned) property to the west, the variances will not have a significant impact on the neighbouring properties.

**4.0 Proposal**

**4.1 Project Description**

The applicant is proposing to renovate the existing residence to accommodate a medical office. The vernacular cottage style residence will be maintained in the exterior character while the interior will be converted into 6 examining rooms, an office and a small reception area, to be used by three full time physicians. The front entrance will be removed and the main entrance will be located off the rear parking lot where a ramp will be constructed. The site will be modified to provide asphalt parking at the rear of the property which necessitates the removal of landscaping from the rear. However, the mature landscaping fronting Strathcona Avenue will be retained. The application compares with the requirements of Zoning Bylaw No. 8000 as follows:

<b>Zoning Bylaw No. 8000 - Development Regulations</b>		
<b>Criteria</b>	<b>Development Proposal</b>	<b>P1 Zone Requirements</b>
FAR	0.23	2.0
Site Coverage (buildings)	20%	50%
Height	5.5m / 1 storey	22m / 6 storeys
Front yard	9.97m	6.0m
Side yard (E)	1.52m*	4.5m
Side Yard (W)	1.56m*	4.5m
Rear yard	16.87m	7.5m

<b>Other Regulations</b>		
Vehicle Parking	10 stalls	9 stalls

\*Variance required to address non-conforming setbacks



The subject property is located along Strathcona Avenue directly adjacent to the Cancer Lodge and across from the Kelowna General Hospital. The property is also located within the Abbott Street Heritage Conservation Area. The adjacent land uses are as follows:

<i>Direction</i>	<i>Zoning Designation</i>	<i>Land Use</i>
North	RU6 - Two Dwelling Housing	Vacant
East	P1 - Major Institutional	Cancer Lodge
South	HD1 - Kelowna General Hospital	Hospital
West	RU6 - Two Dwelling Housing	Vacant

#### 4.2 Site Context



### 5.0 Current Development Policies

#### 5.1 Kelowna Official Community Plan (OCP)

##### 5.1.1 Land Use Designations - Educational / Major Institutional (Chapter 4)

Schools, university, colleges, correctional facilities, hospital, fire halls, cemeteries, major government, cultural or recreational facilities, religious assembly and seniors' facilities. Religious assembly uses may include a multiple unit residential component only where the surrounding land uses are designated for similar densities/land uses. Major government, cultural, and recreational facilities may include associated commercial uses.



5.1.2 Urban Design Guidelines (Chapter 14) - Revitalization Development Permit Area

**Revitalization Design Guidelines**

- Use appropriate architectural features and detailing of buildings and landscapes to define area character;
- Convey a strong sense of authenticity through high quality urban design that is distinctive of Kelowna;
- Provide for a scale and massing of buildings that promotes an enjoyable living, pedestrian, working, shopping and service experience;
- Design and facilitate beautiful public open spaces that encourage year-round enjoyment;
- Create open, architecturally-pleasing and accessible building facades to the street;

**6.0 Technical Comments**

6.1 Building & Permitting Department

Full Plan check for Building Code related issues will be done at time of Building Permit.

6.2 Development Engineering Department

See Attached.

6.3 Fire Department

No concerns.

**7.0 Application Chronology**

Date Application Received: December 13, 2011

**Report prepared by:**

  
Alec Warrender, Land Use Planner

**Reviewed by:**



Danielle Noble, Manager of Urban Land Use

**Approved for Inclusion:**



Shelley Gambacort, Director of Land Use Management

**Attachments:**

Site Plan  
Floor Plan  
Photographs  
Interior Health Letter  
Development Engineering Requirements

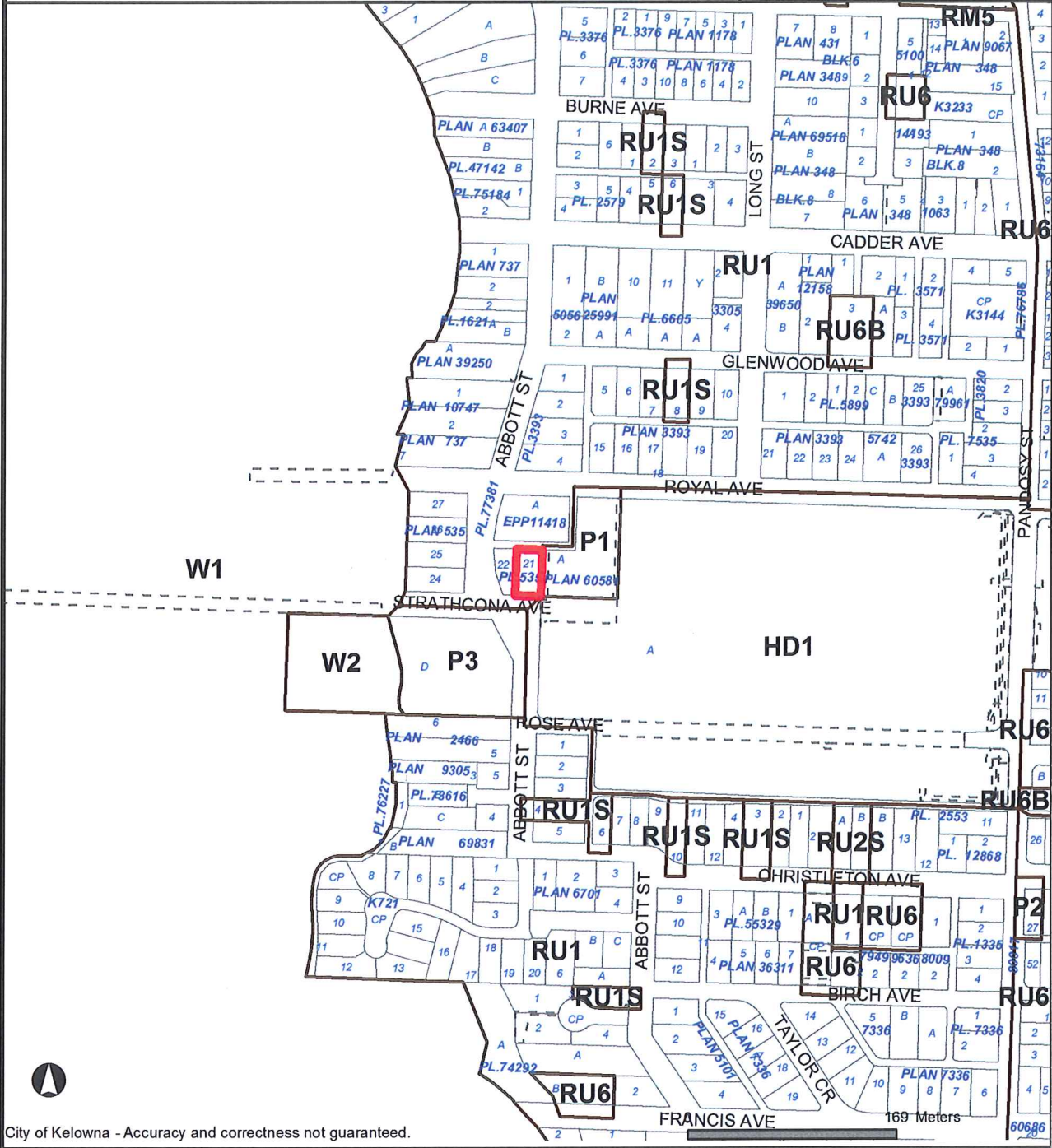
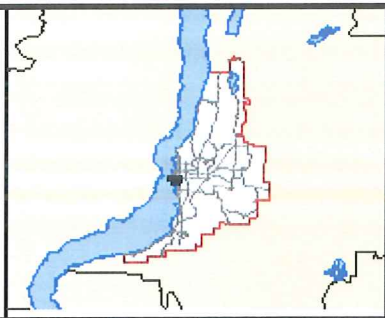
### Application

Z11-0089

HAP11-0012



Subject Property



City of Kelowna - Accuracy and correctness not guaranteed.

Map: 847 x 913 m -- Scale 1:5,000

2011-12-12

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.

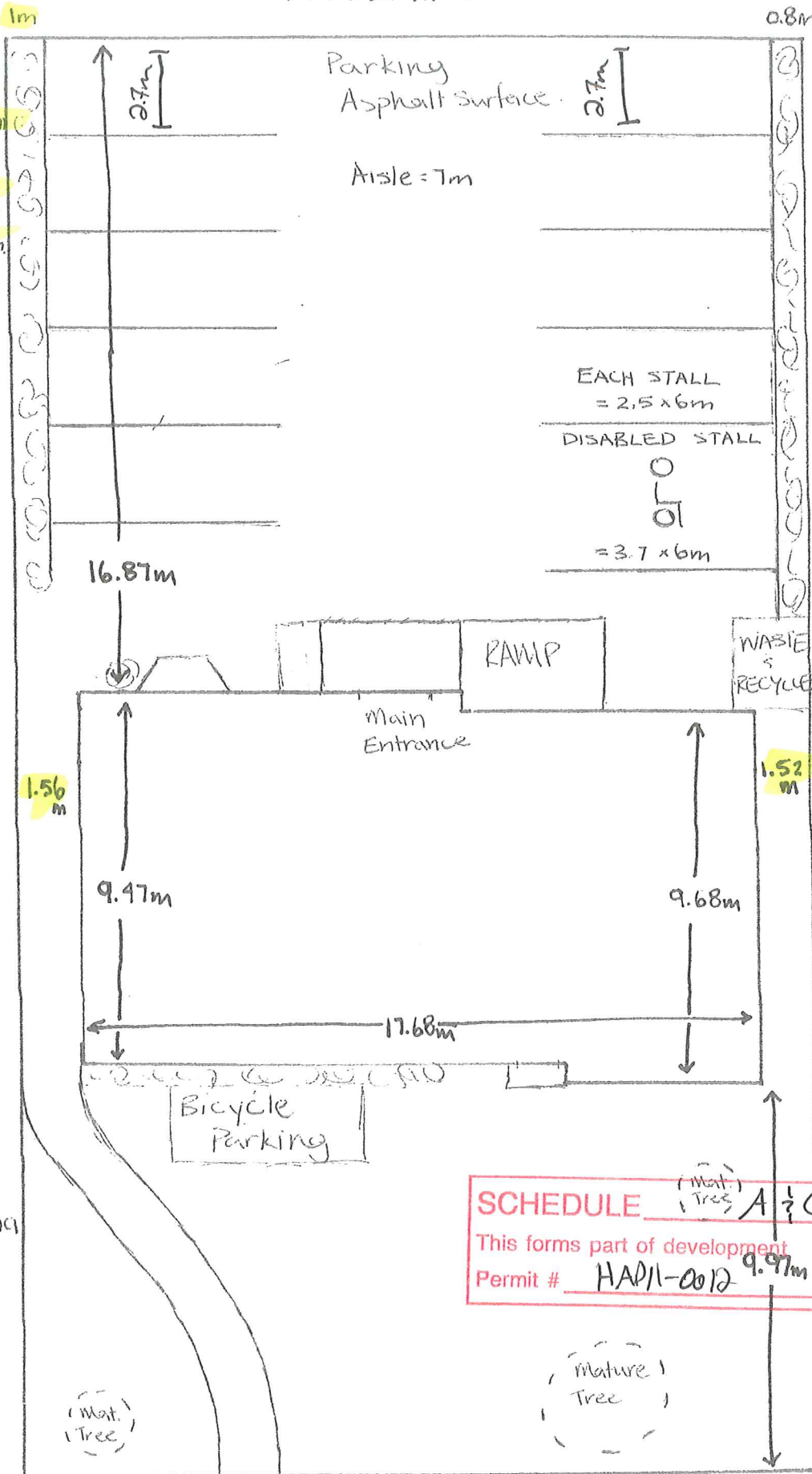
1 box = 1/4" = 1m

LOT WIDTH = 20.76m

LOT DEPTH = 37.10m

Seeking variance on parking set-back as is less than the required 1.5m

soft landscaping consisting of transplanting of existing plants.



**SCHEDULE** (Mat. Tree) A 1/2 C  
 This forms part of development  
 Permit # HAD11-0012 9.97m



320 Strathcona



320 Strathcona Ave

PROPOSED LAYOUT

RAMP

MAIN ENTRANCE

RECEPTION  
(WAITING AREA  
~ 20' x 14'

STAFF ROOM

EXAM ROOM  
11' x 9'

EXAM ROOM  
11' x 10'

EXAM ROOM  
11.5' x 9'

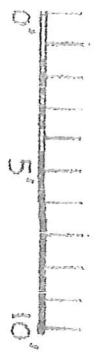
EXAM ROOM  
10' x 9'

EXAM ROOM  
11.5' x 10'

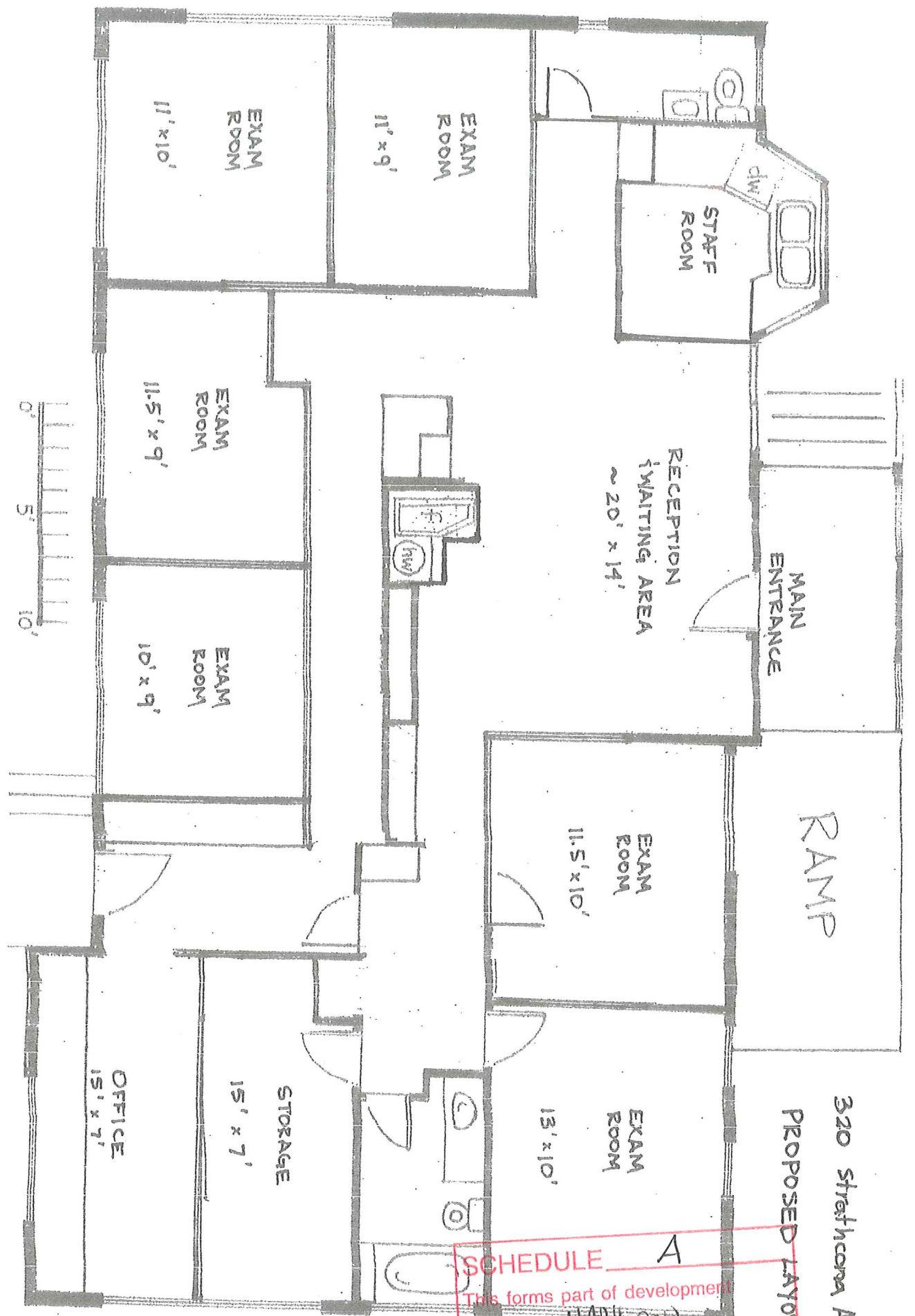
EXAM ROOM  
13' x 10'

STORAGE  
15' x 7'

OFFICE  
15' x 7'



SCHEDULE A  
This forms part of development  
Permit # HA0110017





Front of house. Concrete walk to current front door will be removed with appropriate landscaping to guide pedestrians approaching from the front around to the back main entrance. There will be no structural changes to the building. The building will be revitalized with fresh paint and appropriate trim-work.



Front yard looking East, Cancer Lodge in the background. Mature trees and shrubs will be maintained. Front hedge will be removed. Vegetation will be added to the front yard to create appealing landscaping which naturally defines the rear as the main entrance.

SCHEDULE B  
This forms part of development  
Permit # HAP11-0012





Looking Southwest across rear laneway. Garage, hedge, and fence will be removed. A paved parking lot accommodating 10 vehicles will be in the rear yard accessed from the laneway.



Rear of building. Yard will be paved parking for 10 vehicles. Current vegetation will be transplanted as much as possible to sides of yard along perimeter of paved parking. Rear porch will be removed and replaced with a platform at entrance height (approx 25" from grade). A universally accessible ramp will be built to the East of the platform. Access by steps will be provided to the West of the platform.

SCHEDULE B  
 forms part of development  
 Permit # HAPI-0012

# CITY OF KELOWNA

## APPROVED ISSUANCE OF A:

Heritage Alteration Permit No.: HAP11-0012

EXISTING ZONING DESIGNATION:	P1 – Major Institutional
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ISSUED TO:	Heather Martin
LOCATION OF SUBJECT SITE:	320 Strathcona Avenue

	LOT	BLOCK	D.L.	TOWNSHIP	DISTRICT	PLAN
LEGAL DESCRIPTION:	21		14		ODYD	535

### SCOPE OF APPROVAL

- This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.
- This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.
- Applicants for a Heritage Alteration Permit should be aware that the issuance of a Permit limits the applicant to be in strict compliance with regulations of the Zoning Bylaw or Subdivision Control Bylaw unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations which are inconsistent with bylaw provisions and which may not have been identified as required Variances by the applicant or City staff.

### 1. TERMS AND CONDITIONS:

- 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";
- 3) Landscaping to be provided be in general accordance with Schedule "C";
- 4) That continuous opaque fencing be provided on the side and rear yards of the subject property.

THAT variances to the following sections of Zoning Bylaw No. 8000, P1 – Major Institutional be granted:

#### Section 8.1.10 (d) Parking Regulations

To vary the required setback for parking from a property line abutting a residential zone from 1.5m required to 1.0m proposed.



Section 16.1.5 (e) Development Regulations

To vary the required side yards from 4.5m required to 1.56m for the western side yard and 1.52m for the eastern side yard.

2. The development shall commence by and in accordance with an approved Building Permit within ONE YEAR of the date of the Municipal Council authorization resolution.

3. DEVELOPMENT:

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.

If the Permittee does not commence the development Permitted by this Permit within one year of the date of this Permit, this Permit shall lapse.

This Permit is not transferrable unless specifically Permitted by the Municipality. The authorization to transfer the Permit shall, if deemed acceptable, be granted by Council resolution.

**THIS Permit IS NOT A BUILDING Permit.**

4. APPLICANT'S AGREEMENT:

I hereby declare that all the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree to save harmless and effectually indemnify the Municipality against:

- (a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality granting to me the said Permit.
- (b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

I further covenant and agree that should I be granted a Development Permit or Development Variance Permit, the Municipality may withhold the granting of any occupancy Permit for the occupancy and/or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Director of Planning & Development Services.

Should there be any change in ownership or legal description of the property, I undertake to notify the Land Use Management Department immediately to avoid any unnecessary delay in processing the application.

**I HEREBY UNDERSTAND AND AGREE TO ALL THE TERMS AND CONDITIONS SPECIFIED IN THIS PERMIT.**

\_\_\_\_\_  
Signature of Owner/Authorized Agent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name in Bold Letters

\_\_\_\_\_  
Telephone No.

5. APPROVALS:

ISSUED BY THE LAND USE MANGEMENT DEPARTMENT OF THE CITY OF KELOWNA THE \_\_\_\_\_ DAY OF MAY, 2012 BY THE DIRECTOR OF LAND USE MANAGEMENT.

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Shelley Gambacort  
Director of Land Use Management