

# City of Kelowna

## Regular Council Meeting

### AGENDA



Monday, July 27, 2015

1:30 pm

Council Chamber

City Hall, 1435 Water Street

Pages

#### 1. Call to Order

This meeting is open to the public and all representations to Council form part of the public record. A live audio feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

#### 2. Confirmation of Minutes

4 - 11

Regular PM Meeting - July 27, 2015

#### 3. Development Application Reports & Related Bylaws

##### 3.1 TA15-0006, Proposed Text Amendment to Zoning Bylaw No. 8000 - City of Kelowna

12 - 15

To consider Zoning Bylaw amendments to create C3rls - Community Commercial (Retail Liquor Sales) and C3lp - Community Commercial (Liquor Primary) as designations within the C3-Community Commercial zone.

##### 3.2 BL11114 (TA15-0006) - New C3rls - Community Commercial (Retail Liquor Sales) and C3lp - Community Commercial (Liquor Primary)

16 - 16

To give Bylaw No. 11114 first reading in order to amend City of Kelowna Zoning Bylaw No. 8000 to create new designations within the C3 - Community Commercial zone.

##### 3.3 140 Mugford Road, 405 & 425 Rutland Road, Z15-0010 - RA Quality Homes Ltd.

17 - 28

To rezone the subject properties to allow for the development of townhouses.

##### 3.4 140 Mugford Road, 405 & 425 Rutland Road, BL11123 - RA Quality Homes Ltd.

29 - 29

To give Bylaw No. 11123 first reading in order to rezone the subject properties to allow for the development of townhouses.

**3.5    561 McKay Avenue, OCP15-0009 & Z15-0026 - City of Kelowna** 30 - 44

To amend the future land use designation of the subject property from MRM - Multiple Unit Residential (Medium Density) to MXR - Mixed Use (Residential/Commercial), and to rezone the subject property from RU6 - Two Dwelling Housing to C4 - Urban Centre Commercial in order to accommodate the development of non-accessory parking.

**3.6    561 McKay Avenue, BL11120 (OCP15-0009) - City of Kelowna** 45 - 45

**Requires a majority of all Members of Council (5).**

To give Bylaw No. 11120 first reading in order to change the future land use designation of the subject proeprty in order to accommodate the development of non-accessory parking.

**3.7    561 McKay Avenue, BL11121 (Z15-0026) - City of Kelowna** 46 - 46

To give Bylaw No. 11121 first reading in order to accomodate the development of non-accessory parking.

**3.8    2124 Pandosy Street, HRA15-0001 - F. DeVilliers Medical Prof. Corp. et al** 47 - 125

To consider a Heritage Revitalization Agreement Amendment application to permit additional uses and two new strata units on the subject property.

**3.9    2124 Pandosy Street, BL11124 (HRA15-0001) - F. Devillier Medical Prof. Corp. et al** 126 - 146

To give Bylaw No. 11124 first reading in order to authorize the City to enter into a Heritage Revitalization Agreement for the subject property.

**3.10    787 Kuipers Crescent, DP15-0135 - Emil Anderson Construction Co. Ltd. et al** 147 - 172

To consider the form and character of a sixteen unit semi-detached dwelling development.

**3.11    310 Mugford Road, BL11122 (Z15-0017) - Harjinder, Jaswinder & Swaran Mahli** 173 - 173

To give Bylaw No. 11122 first reading in order to rezone the subject properties to allow a subdivision into two (2) lots.

**4.    Non-Development Reports & Related Bylaws**

**4.1    Road Name Change Bylaw - Quail Ridge Boulevard** 174 - 176

To consider a bylaw to rename a portion of Quail Ridge Boulevard to Pier Mac Way and a portion of new roadway to Quail Ridge Boulevard.



- |            |   |                  |
|------------|---|------------------|
| <b>4.2</b> | <b>BL11115 - Name Change Bylaw, Renaming a Portion of Quail Ridge Boulevard to Pier Mac Way</b>   | <b>177 - 178</b> |
|            | To give Bylaw No. 11115 first, second and third readings.   |                  |
| <b>4.3</b> | <b>Transit 2015/2016 Annual Operating Agreement</b>   | <b>179 - 181</b> |
|            | To receive Council approval for the transit 2015/2016 Annual Operating Agreement  |                  |
| <b>4.4</b> | <b>Water Main Replacement - Dilworth Drive, From Omineca Place to Glacier Court</b>   | <b>182 - 184</b> |
|            | To provide funds necessary to replace a high risk water main that has had a series of recent pipe breaks.                               |                  |
| <b>4.5</b> | <b>Naming of the New Police Services Building</b>   | <b>185 - 188</b> |
|            | To seek Council endorsement to formalize the name of the new police services building to be constructed at Clement and Richter streets. |                  |
| <b>4.6</b> | <b>Brent's Grist Mill Stabilization Project</b>   | <b>189 - 238</b> |
|            | To provide Council with an update regarding the Brent's Grist Mill Stabilization Project.   |                  |
| <b>5.</b>  | <b>Bylaws for Adoption (Non-Development Related)</b>  |                  |
| <b>5.1</b> | <b>Quail Ridge Boulevard (Portion of Road adjacent to South of), BL11081 - Road Closure Bylaw</b>                                       | <b>239 - 240</b> |
|            | <b>Mayor to invite anyone in the public gallery who deems themselves affected by the proposed road closure to come forward.</b>         |                  |
|            | To adopt Bylaw No. 11081 in order to authorize the City to permanently close and remove the highway dedication of a portion of highway. |                  |
| <b>5.2</b> | <b>Curtis Road (Portion of Road Adjacent to GEID Flume), BL11097 - Road Closure Bylaw</b>   | <b>241 - 242</b> |
|            | <b>Mayor to invite anyone in the public gallery who deems affected by the proposed road closure to come forward.</b>                    |                  |
|            | To adopt Bylaw No. 11097 in order to authorize the City to permanently close and remove the highway dedication of a portion of highway. |                  |
| <b>6.</b>  | <b>Mayor and Councillor Items</b>   |                  |
| <b>7.</b>  | <b>Termination</b>  |                  |



## City of Kelowna Regular Council Meeting Minutes

Date: Monday, July 13, 2015  
Location: Council Chamber  
City Hall, 1435 Water Street

Council Members Present: Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben, Mohini Singh, and Luke Stack

Staff Present: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Divisional Director, Active Living & Culture, Jim Gabriel\*; Community Planning Department Manager, Ryan Smith\*; Suburban & Rural Planning Manager; Todd Cashin\*; Urban Planning Supervisor, Lyndsey Ganczar\*; Planner II, Ryan Roycroft\*; Financial Planning Manager, George King\*; and Acting Council Recording Secretary, Tania Tishenko

(\* denotes partial attendance)

### 1. Call to Order

Mayor Basran called the meeting to order at 1:30 p.m.

Mayor Basran advised that the meeting is open to the public and all representations to Council form part of the public record. A live audio feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

### 2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Singh

R522/15/07/13 THAT the Minutes of the Regular Meeting of June 29, 2015 be confirmed as circulated.

Carried

### 3. Public in Attendance

#### 3.1 YMCA of Okanagan, re: H2O Adventure & Fitness Centre

Divisional Director Active Living & Culture, Jim Gabriel

- Introduced General Manager Cory Krist.

Cory Krist, General Manager, YMCA of Okanagan

- Presented the annual report and responded to questions from Council.

### 4. Development Application Reports & Related Bylaws

#### 4.1 310 Mugford Road, Z15-0017 - Harjinder, Jaswinder & Swaran Malhi

Staff:

- Provided a PowerPoint Presentation summarizing the application and responded to questions from Council.

Mayor Basran invited the Applicant to come forward.

Swaran Malhi, Applicant:

- Made comment as to reasons Council should support the application proceeding to public hearing and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Singh

**R523/15/07/13** THAT Rezoning application No. Z15-0017 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B Section 26 Township 26 ODYD Plan 27494 located at 310 Mugford Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing zone be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the requirements of the Development Engineering Department being completed to their satisfaction;

AND THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit for the subject property;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

Carried  
Councillor Stack - Opposed.

#### 4.2 5267 Chute Lake Road, Z15-0021 - David Rolleston

Staff:

- Provided a PowerPoint Presentation summarizing the application and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor DeHart

**R524/15/07/13** THAT Rezoning Application No. Z15-0021 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Section 24, Township 28, SDYD, Plan KAP79725, located on 5267 Chute Lake Road, Kelowna, BC from the RR3 - Rural Residential 3 zone to the RU1 - Large Lot Housing zone be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

Carried

**4.3 5267 Chute Lake Road, BL11110 (Z15-0021) - David Rolleston**

Moved By Councillor Given/Seconded By Councillor Donn

**R525/15/07/13** THAT Bylaw No. 11110 be read a first time.

Carried

**4.4 3699 Highway 97 North, Z15-0028 - University Business Park Ltd.**

Staff:

- Provided a PowerPoint Presentation summarizing the application and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Hodge

**R526/15/07/13** THAT Rezoning Application No. Z15-0028 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3, Sections 35, Township 26, O.D.Y.D., Plan KAP57139, located at 3699 Highway 97 N., Kelowna, BC from the C3 - Community Commercial zone to the C3lp/rls - Community Commercial (liquor primary/retail liquor sales) zone be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

Carried

**4.5 3699 Highway 97 North, BL11111 (Z15-0028) - University Business Park Ltd.**

Moved By Councillor Donn/Seconded By Councillor Hodge

**R527/15/07/13** THAT Bylaw No. 11111 be read a first time.

Carried

**4.6 225 Clifton Road and (W of) Union Road, OCP15-0012 & Z15-0016 - Glenwest Properties Ltd.**

Staff:

- Provided a PowerPoint Presentation summarizing the application and responded to questions from Council.

**Moved By Councillor Sieben/Seconded By Councillor Given**

**R528/15/07/13** THAT Official Community Plan Bylaw Amendment No. OCP15-0012 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of portions of Lot D Section 8 Township 23 Osoyoos Division Yale District Plan KAP75116 Except Plans EPP24895 And EPP24897, located at 225 Clifton Rd N from S2RES - Single/Two Unit Residential to S2RESH - Single/Two Unit Residential Hillside as shown Map "A" attached to the report of Community Planning dated July 13, 2015 be considered by Council;

AND THAT Official Community Plan Bylaw Amendment No. OCP15-0012 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of portions of the North East ¼ of Section 5 Township 23 Osoyoos Division Yale District Except Plans 896, B645, KAP69724, EPP24895 AND EPP24897, located (W OF) Union Rd from S2RES- Single/Two Unit Residential to S2RESH - Single/Two Unit Residential Hillside, from the PARK - Major Park & Open Space to S2RESH - Single/Two Unit Residential Hillside, from S2RESH - Single/Two Unit Residential Hillside to PARK - Major Park & Open Space Area, and from S2RES - Single / Two Unit Residential to PARK - Major Park & Open Space Area as shown Map "A" attached to the report of Community Planning dated July 13, 2015 be considered by Council;

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the purpose of Section 879 of the Local Government Act, as outlined in the Report of the Community Planning dated July 13, 2015 be considered by Council;

AND THAT Rezoning Application No. Z15-0016 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot D Section 8 Township 23 Osoyoos Division Yale District Plan KAP75116 Except Plans EPP24895 And EPP24897, located at 225 Clifton Rd N from the RM3 - Low Density Multiple Housing to RU2H - Medium Lot Housing Hillside and from the RM3 - Low Density Multiple Housing to the RU4 - Low Density Cluster Housing as shown Map "B" attached to the report of Community Planning dated July 13, 2015 be considered by Council;

AND THAT Rezoning Application No. Z15-0016 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of the North East ¼ of Section 5 Township 23 Osoyoos Division Yale District Except Plans 896, B645, KAP69724, EPP24895 AND EPP24897, located (W OF) Union Rd from RU1H - Large Lot Housing Hillside to RU2H - Medium Lot Housing Hillside, from RU4 - Low Density Cluster Housing to RU2H - Medium Lot Housing Hillside, from P3 -Parks and Open Spaces to RU2H - Medium Lot Housing Hillside, from RU2H - Medium Lot Housing Hillside to RU4 - Low Density Cluster Housing, from RU1H - Large Lot Housing Hillside to P3 -Parks and Open Spaces, and from RU2H - Medium Lot Housing Hillside to P3 - Parks and Open Spaces shown Map "B" attached to the report of Community Planning dated July 13, 2015 be considered by Council;

AND THAT the Official Community Plan Bylaw Amendment and the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction.

**Carried**



- 4.7 225 Clifton Road and (W of) Union Road, BL11112 (OCP15-0012) - Glenwest Properties Ltd.

Moved By Councillor Hodge/Seconded By Councillor Gray

R529/15/07/13 THAT Bylaw No. 11112 be read a first time;

AND THAT the Bylaw has been considered in conjunction with the City's Financial Plan and Waste Management Plan.

Carried

- 4.8 225 Clifton Road and (W of) Union Road, BL11113 (Z15-0016) - Glenwest Properties Ltd.

Moved By Councillor Gray/Seconded By Councillor Hodge

R530/15/07/13 THAT Bylaw No. 11113 be read a first time.

Carried

- 4.9 1027 Clement Avenue, BL11059 (OCP14-0025) - Okanagan Valley Construction Ltd.

Moved By Councillor Singh/Seconded By Councillor DeHart

R531/15/07/13 THAT Bylaw No. 11059 be adopted.

Carried

- 4.10 1027 Clement Avenue, BL11060 (Z14-0038) - Okanagan Valley Construction Ltd.

Moved By Councillor DeHart/Seconded By Councillor Singh

R532/15/07/13 THAT Bylaw No. 11060 be adopted.

Carried

- 4.11 1027 Clement Avenue, DP14-0177 - Okanagan Valley Construction Ltd.

Staff:

- Provided a PowerPoint Presentation summarizing the application and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Gray

R533/15/07/13 THAT Council authorizes the issuance of Development Permit No. DP14-0177 for Lot 5, District Lot 138, Section 30, Township 26 ODYD Plan 3763, located at 1027 Clement Avenue, Kelowna, BC subject to the following:

1. The dimensions and siting of the building and parking 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. The landscaping to be constructed on the land be in general accordance with Schedule "C";
4. The applicant be required to enter into a Landscape Agreement with the City and post a Landscape Performance Security deposit in the amount of 125% of the estimated value of the landscaping, as noted on Schedule "C";

AND THAT Council's consideration of this Development Permit be considered subsequent to the requirements of the Development Engineering branch completed to their satisfaction.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permit to be issued;

AND FURTHER THAT this Development Permit be valid for two (2) years from the date of Council Approval with no opportunity to extend.

Carried

#### **4.12 497 Carnoustie Drive, DP15-0105 - Melcor Developments Ltd.**

Staff:

- Provided a PowerPoint Presentation summarizing the application and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor DeHart

**R534/15/07/13** THAT Council hear from the applicant, Andrew Bruce, Regional Manager Melcor Developments.

Carried

Andrew Bruce, Melcor Development, Applicant

- Responded to questions from Council regarding landscaping and yard maintenance.
- Confirmed there is a statutory building scheme registered on title.
- Considering a good neighbor agreement to be part of each sale.
- Responded to questions regarding size of garages and driveways for different units and visitor parking areas.

Moved By Councillor Hodge/Seconded By Councillor Donn

**R535/15/07/13** THAT Council authorizes the issuance of Development Permit No. DP15-0105 for Lot 5 Section 19 Township 27 ODYD Plan EPP20624 located at 497 Carnoustie Drive, Kelowna, BC 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';
3. Landscaping to be provided on the land be in general accordance with Schedule 'C';
4. Prior to the issuance of the Building Permit, the requirements of the Development Engineering Branch must be satisfied as described in the attached Memorandum dated May 27, 2015;

5. That the applicant be required to post with the city, a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscape architect;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permit to be issued;

AND FURTHER THAT this Development Permit be valid for two (2) years from the date of Council approval, with no opportunity to extend.

Carried

#### **4.13 555 Buckland Avenue, DP15-0094 - Davara Holdings Ltd.**

Staff:

- Provided a PowerPoint Presentation summarizing the application and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Sieben

**R536/15/07/13** THAT Council authorizes the issuance of Development Permit No. DP15-0094 for Lot A, Plan EPP37995 located on 555 Buckland Ave, Kelowna, BC 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";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";
4. The applicant be required to post with the City, a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permit to be issued;

AND FURTHER THAT this Development Permit be valid for two (2) years from the date of Council Approval with no opportunity to extend.

Carried

#### **5. Non-Development Reports & Related Bylaws**

##### **5.1 2015 Strategic Community Investment Funds**

Moved By Councillor Gray/Seconded By Councillor DeHart

**R537/15/07/13** THAT Council receive the Strategic Community Investment Funds report from the Financial Planning Manager dated July 13, 2015 for information.

Carried



## 5.2 1760 Quail Ridge Blvd. (Adjacent to) - Road Closure Bylaw Amendment

Moved By Councillor Sieben/Seconded By Councillor Singh

**R538/15/07/13** THAT Council receives for information the report from the Manager, Real Estate Services dated July 8, 2015, with respect to amendments to the Road Closure Bylaw for 1760 Quail Ridge Boulevard;

AND THAT Bylaw No. 11081 be forwarded for amendment consideration.

Carried

## 5.3 1760 Quail Ridge Blvd. (Adjacent to), BL11081 - Road Closure Bylaw

Moved By Councillor Stack/Seconded By Councillor DeHart

**R539/15/07/13** THAT Bylaw No. 11081 be amended at third reading by deleting "186.4m<sup>2</sup>" and replacing it with 196.4m<sup>2</sup>.

Carried

## 6. Mayor and Councillor Items

Councillor Donn:

- Made comment on being downtown with visiting relatives and how dynamic and beautiful downtown is.

Councillor Hodge:

- Made comment on his attendance, on behalf of the Mayor, at a Citizenship Ceremony and the John Howard Society One Cup at a Time graduation ceremony.

Councillor Sieben:

- Spoke on his attendance at the recent Federal Financing announcement for Rutland Centennial Park.

Councillor Stack:

- Made comment on his recent attendance at an URBA after hours event in Rutland.

Mayor Basran:

- Spoke on his attendance at the recent Pickle ball Championships where there were over 300 participants from Western Canada and the United States;
- Reminded Councillors of the Lady of The Lake Pageant being held on Friday evening.

## 7. Termination

This meeting was declared terminated at 3:02 p.m.

\_\_\_\_\_  
Mayor

/tt/scf/slh

\_\_\_\_\_  
City Clerk

# REPORT TO COUNCIL



**Date:** July 27, 2015

**RIM No.** 1250-04

**To:** City Manager

**From:** Urban Planning, Community Planning & Real Estate (TY)

**Application:** TA15-0006

**Applicant:** City of Kelowna

**Subject:** Proposed Text Amendment to Zoning Bylaw 8000 to create C3rls - Community Commercial (Retail Liquor Sales) and C3lp - Community Commercial (Liquor Primary) to be stand alone designations within the C3 - Community Commercial zone.

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## 1.0 Recommendation

THAT Zoning Bylaw Text Amendment No. TA15-0006 to amend City of Kelowna Zoning Bylaw No. 8000 by amending designations to the C3 - Community Commercial zone, by adding C3rls - Community Commercial (Retail Liquor Sales) and C3lp - Community Commercial (Liquor Primary) as outlined in Schedule "A" of the report from the Urban Planning Department dated June 26, 2015, be considered by Council.

AND THAT the Text Amendment Bylaw be forwarded to a Public Hearing for further consideration.

## 2.0 Purpose

To consider Zoning Bylaw amendments to create C3rls - Community Commercial (Retail Liquor Sales) and C3lp - Community Commercial (Liquor Primary) as designations within the C3-Community Commercial zone.

## 3.0 Urban Planning

The proposed bylaw amendments are intended to create specific designations for Retail Liquor Sales and Liquor Primary uses within the C3 zone. The amendments will create a zone designation for the Retail Liquor Sales (C3rls) and Liquor Primary (C3lp) in order for a zone amendment to permit one or the other.

Currently the C3 zone has the potential to allow a use that is not up for consideration during a rezoning application. The only designation to the C3 - Community Commercial zone is C3lp/rls - Community Commercial (Liquor Primary/Liquor Retail Sales). This means the only option to allow retail liquor sales automatically permits liquor primary and vice versa. The intent of the proposed amendment is to eliminate permitting a use that is not intended for a subject property.

#### 4.0 Proposal

The proposed amendments speak to uses that are currently permitted in the C3 zone as Liquor Primary establishment, major and Retail Liquor Sales are permitted principal uses in the C3 zone. When a zone amending application is brought forward to allow either use, the only option for a zone amendment is the C3lp/rls designation. The proposed amendment would align the C3 zone with existing zones such as C4, and C7 (see attached Schedule "A").

The amendment would create two additional designations to the C3 - Community Commercial zone;

- C3rls - Community Commercial (Retail Liquor Sales)
- C3lp - Community Commercial (Liquor Primary)

With the proposed amendment City Staff and Council would have the opportunity to approve a zone amendment that only permits on use, excluding the other if necessary.

#### 5.0 Internal Circulation

The proposed text amendment was circulated to the following departments for comment, no concerns were noted:

Building & Permitting  
 Bylaw Services  
 Development Engineering Branch  
 Policy & Planning  
 RCMP  
 Real Estate & Building Services Manager  
 Information Services

#### 6.0 Existing Policy

The C3 zone currently permits principal uses of Liquor Primary and Retail Liquor Sales. An amendment to allow either use automatically permits the other.

#### 7.0 Considerations not applicable to this report

Financial/Budgetary Considerations  
 Personnel Implications  
 Alternate Recommendation  
 Communications  
 Legal/Statutory Authority:  
 Legal/Statutory Procedural Requirements  
 External Agency/Public Comments

Submitted by:

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Tracey Yuzik, Planner

Approved for inclusion:



Ryan Smith,  
 Community Planning Department Manager

**SCHEDULE “A”**  
**SUMMARY OF PROPOSED TEXT AMENDMENT**  
June 26, 2015

Zoning Bylaw No. 8000		
Section	Existing Text	Proposed Text
Commercial Zones Section 14.3	C3 - Community Commercial C3lp/rls - Community Commercial (Liquor Primary/Retail Liquor Sales)	C3 - Community Commercial <b>C3rls - Community Commercial (Retail Liquor Sales)</b> <b>C3lp - Community Commercial (Liquor Primary)</b> C3lp/rls - Community Commercial (Liquor Primary/Retail Liquor Sales)
Commercial Zones Section 14.3.2 (q)	liquor primary establishment, major (C3lp/rls only)	liquor primary establishment, major ( <b>C3 lp</b> and C3lp/rls only)
Commercial Zones Section 14.3.2(aa)	retail liquor sales establishment (C3lp/rls only)	retail liquor sales establishment ( <b>C3rls</b> and C3lp/rls only)
<i>Information provided below for context</i>		
Commercial Zones Section 14.4	C4 - Urban Centre Commercial C4rls - Urban Centre Commercial (Retail Liquor Sales) C4lp - Urban Centre Commercial (Liquor Primary) C4lp/rls - Urban Centre Commercial (Liquor Primary/Retail Liquor Sales)	
Commercial Zones Section 14.7	C7 - Central Business Commercial C7rls - Central Business Commercial (Retail Liquor Sales) C7lp - Central Business Commercial (Liquor Primary) C7lp/rls - Central Business Commercial (Liquor Primary/Retail Liquor Sales)	

**SCHEDULE "A"**  
**SUMMARY OF PROPOSED TEXT AMENDMENT**  
June 26, 2015

<b>Zoning Bylaw No. 8000</b>		
<b>Section</b>	<b>Existing Text</b>	<b>Proposed Text</b>
Commercial Zones Section 14.3	C3 - Community Commercial C3lp/rls - Community Commercial (Liquor Primary/Retail Liquor Sales)	C3 - Community Commercial <b>C3rls - Community Commercial (Retail Liquor Sales)</b> <b>C3lp - Community Commercial (Liquor Primary)</b> C3lp/rls - Community Commercial (Liquor Primary/Retail Liquor Sales)
Commercial Zones Section 14.3.2 (q)	liquor primary establishment, major (C3lp/rls only)	liquor primary establishment, major ( <b>C3 lp</b> and C3lp/rls only)
Commercial Zones Section 14.3.2(aa)	retail liquor sales establishment (C3lp/rls only)	retail liquor sales establishment ( <b>C3rls</b> and C3lp/rls only)
<i>Information provided below for context</i>		
Commercial Zones Section 14.4	C4 - Urban Centre Commercial C4rls - Urban Centre Commercial (Retail Liquor Sales) C4lp - Urban Centre Commercial (Liquor Primary) C4lp/rls - Urban Centre Commercial (Liquor Primary/Retail Liquor Sales)	
Commercial Zones Section 14.7	C7 - Central Business Commercial C7rls - Central Business Commercial (Retail Liquor Sales) C7lp - Central Business Commercial (Liquor Primary) C7lp/rls - Central Business Commercial (Liquor Primary/Retail Liquor Sales)	

**CITY OF KELOWNA**  
**BYLAW NO. 11114**  
**TA15-0006 - City of Kelowna**  
**New C3rls - Community Commercial (Retail Liquor Sales) and**  
**C3lp - Community Commercial (Liquor Primary)**

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A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000, **Section 1 - General Administration**, under **Section 14 - Commercial Zones** be amended by adding "C3rls" under Column 1 and "Community Commercial (Retail Liquor Sales)" under Column 2 in its appropriate location;
2. AND THAT **Section 14 - Commercial Zones**, be amended by adding to the title in its appropriate location the following:  
**"C3rls - Community Commercial (Retail Liquor Sales)**  
**C3lp - Community Commercial (Liquor Primary)"**
3. AND THAT **14.3.2 Principal Uses** be amended by:
  - a) Deleting "(C3lp/rls only)" from (q) liquor primary establishment, major(C3lp/rls only) and replacing it with "(C3lp and C3lp/rls only)";
  - b) Deleting "(C3lp/rls only)" from (aa) retail liquor sales establishment (C3lp/rls only) and replacing it with "(C3rls and C3lp/rls only)";
4. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act

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(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

# REPORT TO COUNCIL



**Date:** July 27, 2015

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning, Community Planning & Real Estate (LK)

**Application:** Z15-0010 **Owner:** RA Quality Homes Ltd.

140 Mugford Rd

**Address:** 405 Rutland Rd

**Applicant:** Tony Kuhnkuhn

425 Rutland Rd

**Subject:** Rezoning Application

**Existing OCP Designation:** MRL - Multiple Unit Residential (Low Density)

**Existing Zone:** RU1 - Large Lot Housing

**Proposed Zone:** RM2 - Low Density Row Housing  
RM3 - Low Density Multiple Housing

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## 1.0 Recommendation

THAT Rezoning Application No. Z15-0010 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 26 Township 26 ODYD Plan 4378, located at 140 Mugford Rd, Kelowna, BC from RU1 - Large Lot Housing zone to RM2 - Low Density Row Housing zone and by changing the zoning classification of Lot 3 Section 26 Township 26 ODYD Plan 3513, located at 405 Rutland Rd, Kelowna, BC and Lot 4 Section 26 Township 26 ODYD Plan 3513, located at 425 Rutland Rd, Kelowna, BC from RU1 - Large Lot Housing zone to RM3 - Low Density Multiple Housing zone be considered by Council,

AND THAT the Rezoning Bylaws be forwarded to a Public Hearing for further consideration,

AND THAT final adoption of the Rezoning Bylaws be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit for the subject property,

AND THAT final adoption of the Rezoning Bylaws be considered subsequent to the requirements of the Development Engineering Department being completed to their satisfaction,

AND FURTHER THAT final adoption of the Rezoning Bylaws be considered subsequent to approval of the Ministry of Transportation and Infrastructure.

## 2.0 Purpose

To rezone the subject properties to allow for the development of townhouses.

## 3.0 Community Planning

Urban Planning Staff supports the proposal to rezone the subject parcels in order to allow for a 12-unit townhouse development. The Future Land Use of the parcels is MRL - Multiple Unit Residential (Low Density), therefore the application to rezone the parcels is in compliance with the Official Community Plan. The project meets many objectives of the Revitalization Development Permit Area. The architectural design of the buildings fit within the neighbourhood context and will improve the Rutland Road streetscape.

## 4.0 Proposal

### 4.1 Background

The applicant is proposing a 12-unit townhouse development on the three subject properties. The two parcels along Rutland Road have been vacant for an extended period of time. The parcel fronting on Mugford Road has an existing single family dwelling which will remain as part of the development.

The proposed development will require the use of the rear lane, which is accessed from Mugford Road and connects to Rutland Road. To date, the lane has been dedicated, but has not been constructed. Currently there is an accessory building within the laneway at the rear of 375 Rutland Road. In 1963, the Department of Highways issued a License of Occupation to the original owner which allowed the accessory building to remain until such time that the use of the lane was deemed necessary. On August 10, 2010, The City of Kelowna Real Estate & Building Services Department issued a letter to the current owners which included a Building Location Certificate. The letter indicates the laneway encroachment (accessory building) may remain until it is deemed necessary to remove it.

The proposed development will require the use of the rear lane for primary access to on-site parking and for emergency vehicle access. Community Planning and Real Estate Services staff have been working with both the applicant and the property owner of 375 Rutland Road to come to an amicable resolution for the removal of the encroaching structure.

### 4.2 Project Description

The east parcel, 140 Mugford Road, contains an existing single family dwelling which will remain. Located to the north of the existing house will be two semi-detached dwellings with single car garages accessed from the lane. Driveways provide an additional parking space required for each unit. Two visitor parking stalls are located north of the existing dwelling.

The two parcels, 405 and 425 Rutland Road, will contain two 4-unit rowhouses. Site access will be from the laneway to a shared private road which the rowhouses face onto. All buildings are two storey, ground oriented with attached single car garages. Eight additional parking stalls are





provided on the west side of the lane to meet the Zoning Bylaw requirement for parking. The initial development design does not require any Zoning Bylaw variances.

The development contains numerous trees for both shade and privacy. Each unit provides green space in both the front and rear yards. Pedestrian access is provided between units with a primary access provided at Rutland Road. The siting of the building includes ground oriented housing units, site access from the lane and a pedestrian friendly streetscape with pedestrian linkages.

The development will be unique because parcels which are separated by a lane are required to have separate stratas. Utilities cannot cross a public lane. The Mugord Road property will be a five unit strata and the Rutland Road parcels will be an 8-unit strata.

#### 4.3 Site Context

The subject properties are located in the Rutland Urban Centre. The parcels have a Future Land Use designation of MRL - Multiple Residential (Low Density) in the Official Community Plan and the properties are located within the Permanent Growth Boundary.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM3 - Low Density Multiple Housing	Multiple Dwelling Housing
East	RU1 - Large Lot housing	Single Detached Dwelling
South	RU1 - Large Lot housing P2 - Education and Minor Institutional	Single Detached Dwelling Religious Assembly (vacant & unused)
West	RU1 - Large Lot housing	Single Detached Dwelling

#### Subject Property Map:



## 4.4 Zoning Analysis Tables

Zoning Analysis Table		
CRITERIA	RM2 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	1000m <sup>2</sup>	1634m <sup>2</sup>
Min. Lot Width	30m	18.28m*
Min. Lot Depth	30m	89.40m
Development Regulations		
Floor Area Ratio	0.80 (with bonusing)	.53
Max. Site Coverage (Buildings only)	50%	33%
Max. Site Coverage (Buildings, Driveways & Parking)	55%	51%
Height	Lessor of 9.5m or 2 ½ storeys	8.0m / 2 storeys
Min. Front Yard (south)	4.5m	7.5m
Min. Side Yard (east)	4.0m	4.5m
Min. Side Yard (west)	4.0m to dwelling 6.0m to garage	4.5m 7.5m
Min. Rear Yard (north)	6.0m	7.5m
Other Regulations		
Min. Parking Requirements**	10 stalls	12 stalls (2 visitor stalls)
Min. Private Open Space	25m <sup>2</sup> / dwelling	50m <sup>2</sup>
Min. Distance Between Buildings	3m	7.5m
* Existing non-conforming parcel width		
**Includes parking stalls required for the existing single detached dwelling		

Zoning Analysis Table		
CRITERIA	RM3 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	900m <sup>2</sup>	1672m <sup>2</sup>
Min. Lot Width	30m	45.72m
Min. Lot Depth	30m	36.58m
Development Regulations		
Floor Area Ratio	0.85 (with bonusing)	.59
Max. Site Coverage (Buildings only)	40%	34%
Max. Site Coverage (Buildings, Driveways & Parking)	60%	55%
Height	Lessor of 10m or 3 storeys	8.0m / 2 storeys
Min. Front Yard (west)	4.5m	4.5m
Min. Side Yard (north)	1.2m	4.5m
Min. Side Yard (south)	4.0m	4.5m
Min. Rear Yard (east)	3.0m	7.7m
Other Regulations		
Min. Parking Requirements	16 stalls	16 stalls
Min. Private Open Space	25m <sup>2</sup> / dwelling	26m <sup>2</sup>

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Compact Urban Form.**<sup>1</sup> Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

**Sensitive Infill.**<sup>2</sup> Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height, and siting.

#### Relevant Development Permit Guidelines

**Ch14 / S1.6** - Provide generous outdoor spaces, including rooftops, balconies, patios and courtyards, to allow residents to benefit from the favourable Okanagan weather;

**Ch.14 / S2.3** - Design new multi-storey buildings to transition in height where the OCP land use designation provides for smaller structures on adjoining lots;

**Ch.14 / S.3.2** - Develop visual and physical connections between the public street and private buildings (e.g. patios and spill-out activity, views to and from active interior spaces, awnings and canopies);

**Ch.14 / S.4.2** - Ensure developments are sensitive to and compatible with the massing of the established and/or future streetscape;

**Ch.14 / S.5.1** - Design for human scale and visual interest in all building elevations. This can be achieved principally by giving emphasis to doors and windows and other signs of human habitation relative to walls and building structure;

**Ch.14 / S.6.4** - Use materials in combination to create contrast, enhance human scale, and reduce the apparent bulk of the building;

**Ch.14 / S.8.8** - Locate parking areas to the rear of buildings, internal to the building, or below grade;

**Ch.14 / S.8.12** - Avoid vehicle access from arterial and collector roads and from those roads with a prominent streetscape;

**Ch.14 / S.8.12** - Incorporate decks, balconies and common outdoor amenity spaces into developments;

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- 1) Demolition permits are required for any existing structures
- 2) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s)
- 3) A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- 4) Full Plan check for Building Code related issues will be done at time of Building Permit applications.
- 5) Please indicate how the requirements of Radon mitigation and NAFS are being applied to this structure

### 6.2 Development Engineering Department

Refer to attached Memorandum dated May 25, 2015

## 7.0 Application Chronology

Date of Application Received:	March 11, 2015
Date Amended Plans Received	June 16, 2015
Date Public Consultation Completed:	June 22, 2015

Report prepared by:

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Lydia Korolchuk, Planner

Reviewed by:



Lindsey Ganczar, Planning Supervisor

Reviewed by:

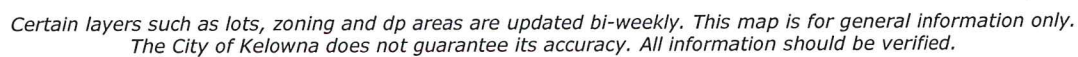


Ryan Smith, Community Planning Department Manager

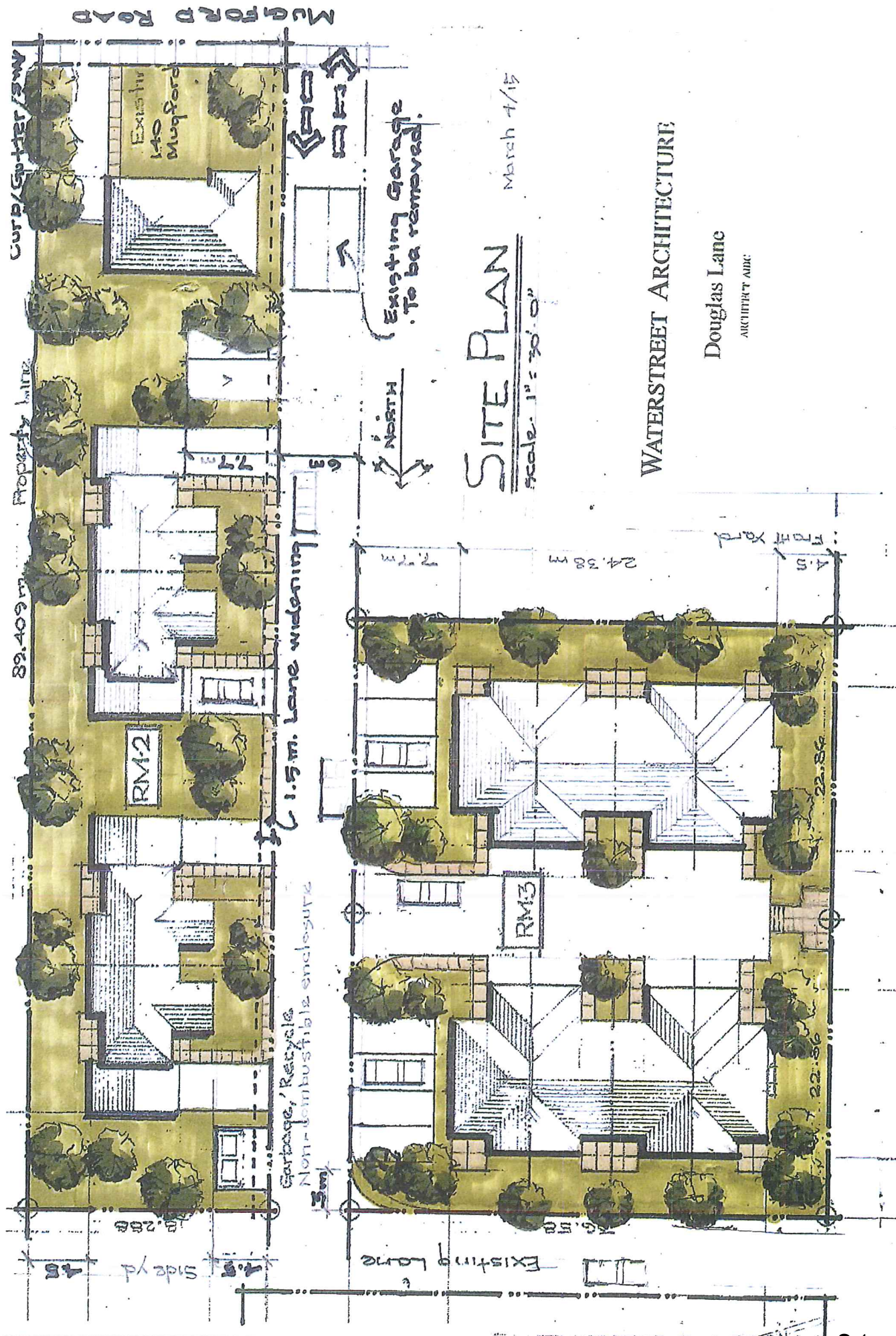
### Attachments:

Subject Property Map  
Site Plan/ Landscape Plan  
Conceptual Elevations  
Development Engineering Memorandum









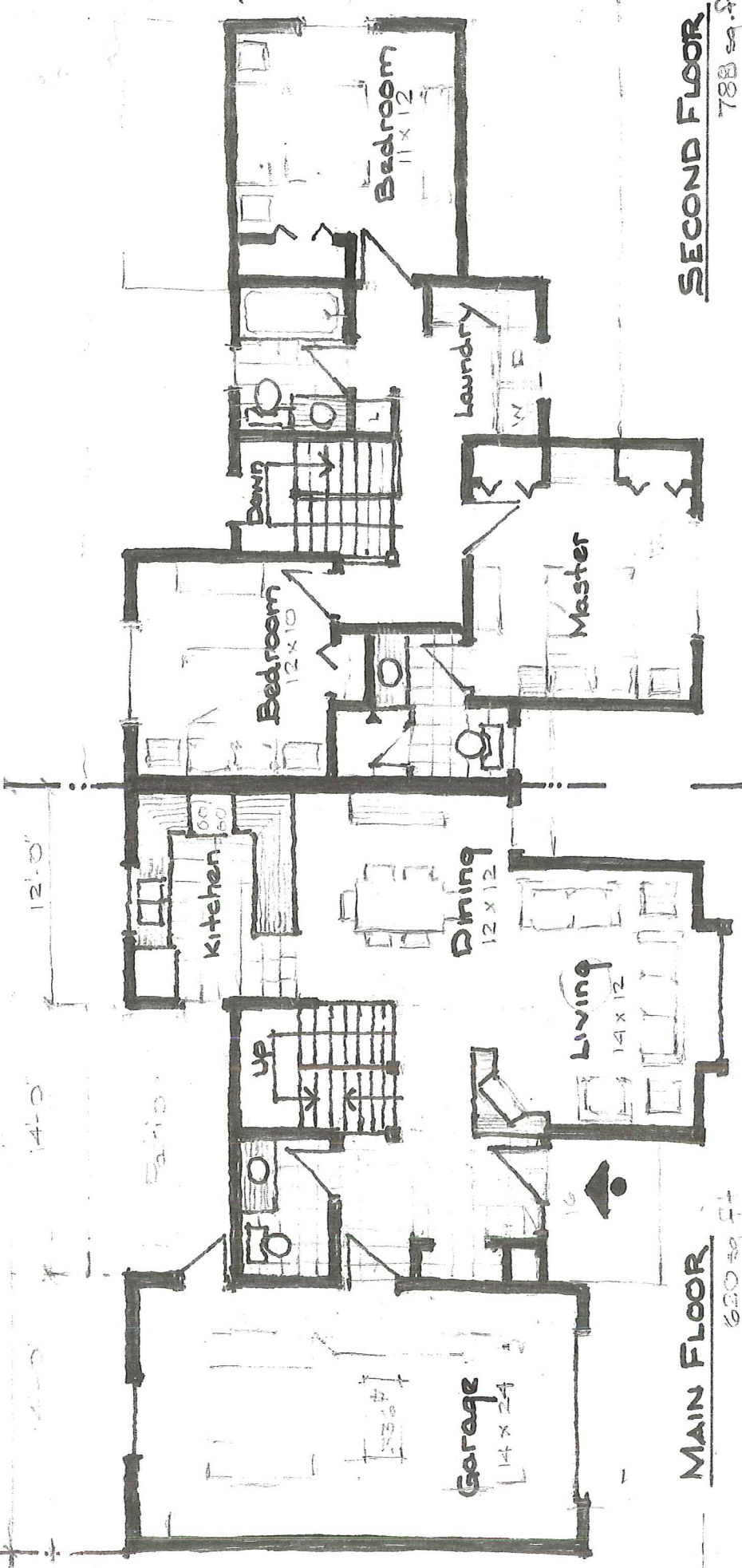
# **SITE PLAN** scale: 1" = 30' 0"

March 4/15

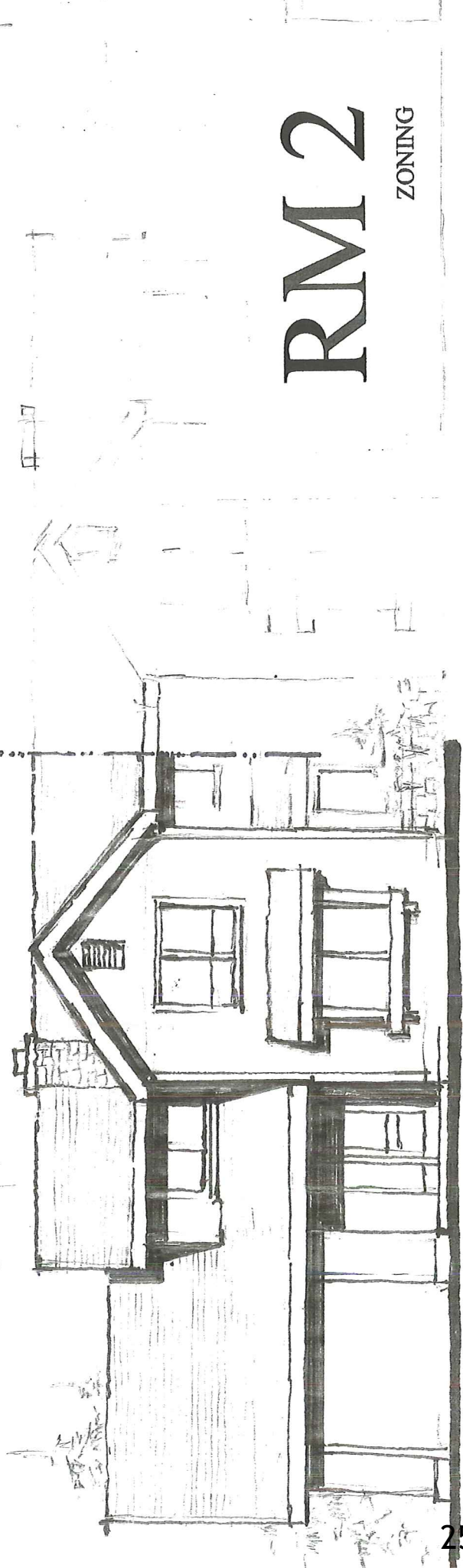
**WATERSTREET ARCHITECTURE**

Douglas Lane  
 ARCHITECT AIBC



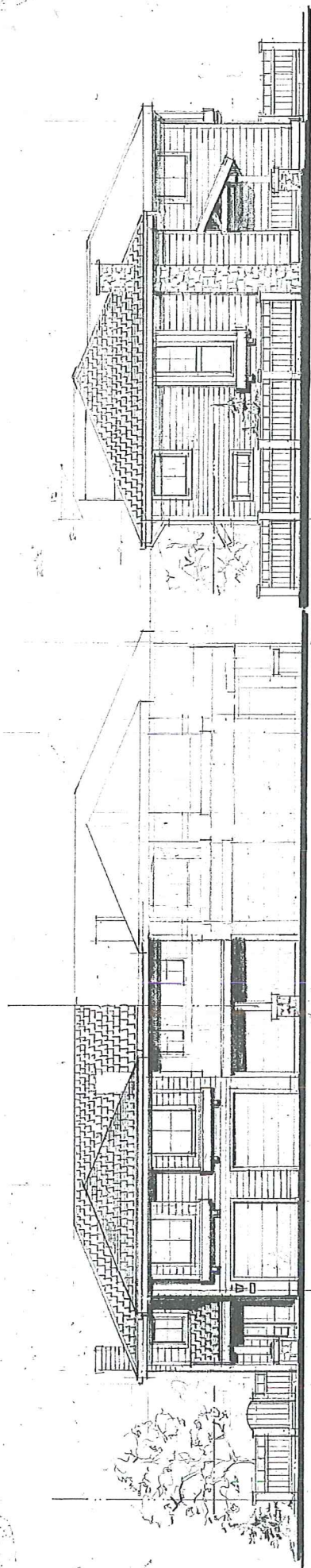


**SECOND FLOOR**  
788 sq. ft.

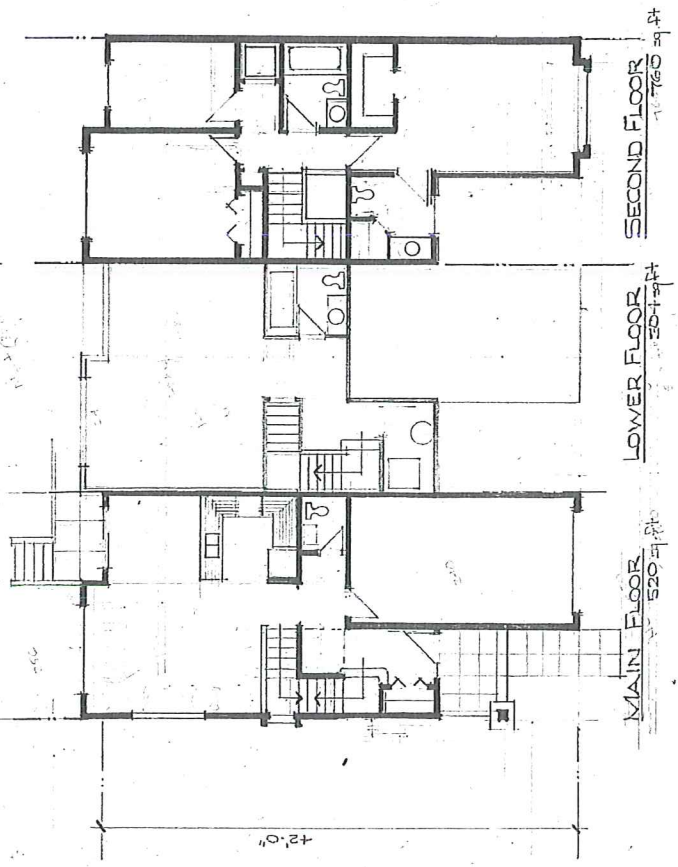
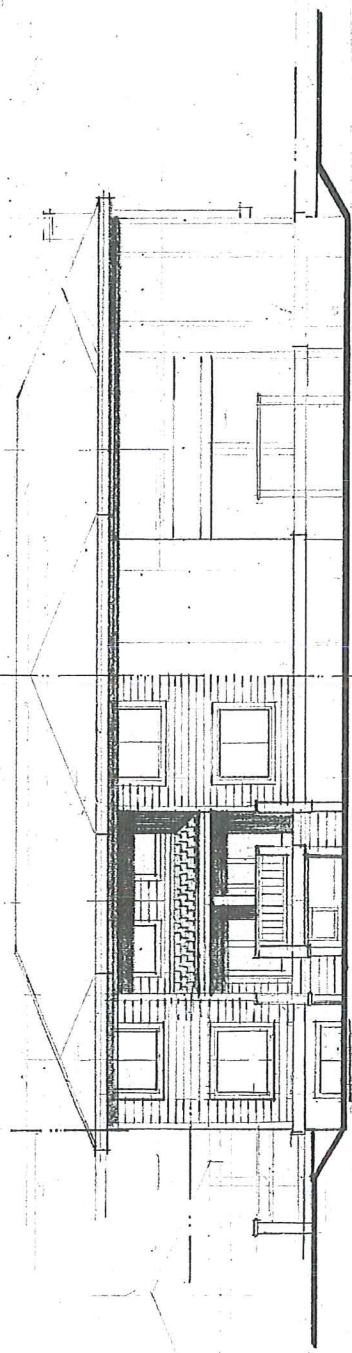


# RM 2

ZONING



WEST ELEVATION  
scale - 1/8" = 1'-0"



1384 sq ft	Net Total
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# RM 3

ZONING



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## CITY OF KELOWNA

# MEMORANDUM

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**Date:** May 25, 2015 (2105 Specified Area charges)  
**File No.:** Z15-0010  
**To:** Urban Planning (LK)  
**From:** Development Engineering Manager (SM)  
**Subject:** 140 Mugford Road - Lot A, Plan KAP4378 , Sec. 26, Twp. 26, ODYD  
405 Rutland Road - Lot 3, Plan KAP3513, Sec. 26, Twp. 26, ODYD  
425 Rutland Road - Lot 4, Plan KAP3513, Sec. 26, Twp. 26, ODYD

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The Works & utilities Department comments and requirements regarding this application to rezone the subject property from RU-1 to RM2 and RM3 are as follows:

1. General.
  - a) Dedicate 1.5 m. along the lane to provide a total 7.5m. wide lane.
  - b) Dedicate approx. 2.0 m. along the Mugford road frontage on Lot A, Plan KAP4378, for a total 20.0 m. road Right of Way.
  - c) Consolidate lot 3 and 4 plan KAP3513
  - d) Provide 3.0m. inside corner rounding at the lane change of direction.
  - e) Provide easements as may be required.
  - f) Consolidate lot 3 and lot 4 plan KAP3513.
2. Geotechnical Study.
  - a) Provide a comprehensive geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.**
    - (i) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
    - (ii) Suitability of on-site disposal of storm water, including effects upon adjoining lands.
    - ii) Any items required in other sections of this document.
    - iii) Recommendations for roof drains and perimeter drains.

.../2

- c) Remove both existing access from Rutland Road and replace with barrier curb and gutter with new sidewalk panels. The estimated cost for both driveway removal is estimated at \$8,400.00 inclusive of a bonding contingency.
- d) The applicant is responsible to upgrade the Mugford Road frontage of A, Plan KAP4378 and through the lane to a full urban collector standard (SS-R5) complete with curb, gutter, sidewalk, asphalt fillet paving, storm drainage, street lighting landscaped boulevard complete with underground irrigation, removal and/or relocation of utilities as may be required. The estimated cost of this work, for bonding purpose, would be \$15,700.00 inclusive of a bonding contingency.

7. Power and Telecommunication Services.

The services to this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

8. Street lights.

Street lights must be installed on all fronting roads as determined by the Manager of Electrical Utilities.

9. Engineering.

Design, construction, supervision and inspection of all off-site civil works and site servicing must be performed by a consulting civil Engineer and all such work is subject to the approval of the city engineer.

10. Design and Construction.

- a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

# **CITY OF KELOWNA**

## **BYLAW NO. 11123**

### **Z15-0010 - R A Quality Homes Ltd., Inc. No. BC0647947 140 Mugford Road, 405 Rutland Road and 425 Rutland Road**

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A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, Section 26, Township 26, ODYD, Plan 4378 located on Mugford Road, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the RM2 - Low Density Row Housing zone;
2. AND THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lots 3 and 4, Section 26, Township 26, ODYD, Plan 3513, located on Rutland Road, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the RM3 - Low Density Multiple Housing zone.
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act

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(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

# REPORT TO COUNCIL



**Date:** July 27, 2015

**RIM No.** 1250-20

**To:** City Manager

**From:** Community Planning & Real Estate (TY)

**Application:** OCP15-0009 & Z15-0026 **Owner:** City of Kelowna

**Address:** 561 McKay Avenue **Applicant:** City of Kelowna

**Subject:** Official Community Plan Amendment & Rezoning Application

**Existing OCP Designation:** MRM - Multiple Unit Residential (Medium Density)  
MXR - Mixed Use (Residential / Commercial)

**Proposed OCP Designation:** MXR - Mixed Use (Residential / Commercial)

**Existing Zone:** RU6 - Two Dwelling Housing  
C4 - Urban Centre Commercial

**Proposed Zone:** C4 - Urban Centre Commercial

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## 1.0 Recommendation

THAT Official Community Plan Bylaw Amendment No. OCP15-0009 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500, by changing the Future Land Use designation of Lot 1 District Lot 14 ODYD Plan EPP45951, located at 561 McKay Avenue, Kelowna, BC from the MRM - Multiple Unit Residential (Medium Density) designation to the MXR - Mixed Use (Residential / Commercial) as shown on Map "A" attached dated July 2, 2015, be considered by Council;

AND THAT Rezoning Application No. Z15-0026 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 District Lot 14 ODYD Plan EPP45951, located at 561 McKay Avenue, Kelowna, BC from the RU6 - Two Dwelling Housing zone to the C4 - Urban Centre Commercial zone as shown on Map "B" attached dated July 2, 2015, be approved by Council;

AND THAT the Official Community Plan Amending Bylaw and the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Official Community Plan Amending Bylaw and the Rezoning Bylaw be considered subsequent to the requirements of the Development Engineering Branch completed to their satisfaction.

## 2.0 Purpose

To amend the future land use designation of the subject property from MRM - Multiple Unit Residential (Medium Density) to MXR - Mixed Use (Residential/Commercial), and to rezone the

subject property from RU6 - Two Dwelling Housing to C4 - Urban Centre Commercial in order to accommodate the development of non-accessory parking.

### 3.0 Community Planning

Community Planning Staff supports the Official Community Plan (OCP) amendment and rezoning of the subject property as this application to expand an existing non-accessory parking lot meets the guiding principles of the South Pandosy Parking Plan approved June 23, 2014 (part of the larger Parking Management Strategy). These principles include providing additional long-term (longer than 2 hour maximum) off-street parking for employees in the Pandosy Urban Centre, and increasing pedestrian connectivity to parking areas. The proposed development will provide a total of 79 off-street parking spaces. Pedestrian connectivity is currently being enhanced with the construction of a new lane complete with sidewalks on both sides that connects McKay Ave to Osprey Avenue. A sidewalk will also be constructed along the road frontage of Osprey Avenue as part of this proposed development.

The proposed design put forth by Kelowna Parking protects an existing mature Maple tree on the north end of the property. Internal City departments worked together to design a site plan that maintains the integrity of the root system of the valuable tree while maximizing parking needs. The result is a substantial landscape buffer to the north, with narrower landscape buffers to the south and west side property lines.

A non-accessory parking lot on this subject property is seen to be a temporary development as the City is working towards a balance of alternative transit options that will reduce the reliance on vehicles. In the future the City would like to see development of multiple family residential with increased transit options in the Pandosy Urban Centre. In the meantime, this temporary parking area will help encourage use of Osprey Park & local businesses. As Kelowna moves forward with increased residential density and alternative transportation infrastructure (such as increased bus routes/stops), pedestrian connectivity and bicycle paths the need for employee parking in the area will decrease.

A long range goal of creating 1,200 medium density residential units by 2030 has proven to be an unachievable target as this density has developed at a current rate of 34 units per five year period. These units are directly related to parking because the units would decrease the need for transit as individuals could live in the area they work, encouraging a live/work/play ideal. As this urban centre evolves, this subject parking lot may be developed as per the C4 zone which the City sees as an achievable zone to further increase mixed-use in the area. Within the C4 zone, incentives exist to encourage residential units to further the City's goals for gaining residential density in this urban centre.

Though this parking lot is temporary in nature, amending the OCP and Zoning Bylaw No. 8000 is necessary as it has been determined that the non-accessory parking lot will be in place longer than six years, ruling out the possibility of a Temporary Use Permit application.

Overall the proposed parking lot allows for beautification of the property and use by the neighbourhood and employees of the urban centre, as well as act as a revenue generator until such time that future development happens on site.



## 4.0 Proposal

### 4.1 Background

Currently a non-accessory parking lot exists adjacent to Osprey Avenue and Osprey Park with a total of 43 stalls. The asphalt surface of the parking lot extends to the back of curb along Osprey Avenue creating a hard surface feel along the frontage. There is no sidewalk along the north side of Osprey Avenue on this subject block.



The City of Kelowna purchased 561 McKay Avenue, the parcel immediately to the north in November 2014. The purpose of this sale was two-fold: to connect McKay Avenue to Osprey Avenue with the construction of a lane, and to increase off-street parking stalls as part of the South Pandosy Parking Plan. Two single family homes built in the 1940's have been removed, and two trees remain on-site.

The asphalt surface for the current parking lot extends off of the subject property into Osprey Park to the east by approximately 5.0 m. The proposed design of the new parking lot layout extends the encroachment north. This OCP amendment and rezoning application applies only to the subject property as shown on Map "A". Any future development on the subject property will respect the current property lines.

## 4.2 Project Description

The proposed development will dedicate 1.6 m of frontage along Osprey Avenue to accommodate a 1.5 m wide sidewalk. A single vehicle access off of the new lane leads to 79 parking stalls. The layout of the hard surface parking lot retains an existing Maple tree, one of the two mature trees currently on site. It was through preliminary layout that internal Staff determined that the coniferous tree could not be retained if a goal to increase parking stalls was to be met. Designed around the mature Maple tree, the parking lot is situated on the south end the subject property to allow a larger buffer to the north where the Maple tree exists. Properties along the north side of this subject block require a 1.6 m dedication for a future City sidewalk. This dedication further restricts the buildable space on the property.

Kelowna's OCP guidelines regulate that 19 shade trees should be utilized on a site with 79 parking stalls (1 per 4 stalls). 15 new trees with the retention of one valuable mature tree is being proposed. This ratio is seen as an acceptable compromise to retain the mature Maple tree on site. A 1.6 m wide landscape island provides space for shade trees and plant material in the centre of the property.

The South Pandosy Parking Plan and OCP look to reduce car ownership and reduce vehicle trips. Kelowna Parking has a lease agreement with OGO Car Share Co-op Kelowna for one parking space and will continue with the agreement. Currently OGO Car Share has 160 members in Kelowna that utilize six vehicles parked throughout the City.

It should be noted that the water and sewer are not being upgraded at this time as the development of a parking lot does not trigger such upgrades. Future development that may meet the C4 zone would potentially trigger water and sewer upgrades.

In keeping with the desire to increase transit in all forms in this urban centre, sidewalks are being installed along Osprey Avenue and the new lane, increasing open views down the new lane on this block.

A non-accessory parking use in the Pandosy Urban Centre requires a 3.0 m, Level II landscape buffer. The City of Kelowna is seeking a variance to the front and side yard setbacks from the minimum 3.0 m width landscape buffer to the following; a front yard setback of 0.7 m, a side yard setback (west) of 0.9m and side yard setback (east) of 0.0m. The proposed front yard buffer of 0.7 m between the back of City sidewalk and back of curb on site will be planted with dense perennials and shrubs. As this is a narrow space for plant material to thrive, curb stops will be placed along the adjacent parking spaces to ensure vehicle overhang does not impede vegetation. The side yard setback to the west proposed at 0.9 m will be treated with a crushed aggregate.

## 4.3 Site Context

The subject property is located on the north side of Osprey Avenue between Pandosy Street and Richter Street and extends north to McKay Avenue in the South Pandosy sector of Kelowna. The property is currently zoned RU6 - Two Dwelling Housing, identified in Kelowna's OCP as MRM, and is within the Permanent Growth Boundary.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C4 - Urban Centre Commercial	Commercial Office Building
East	P3 - Parks and Open Space	Osprey Park
South	C4 - Urban Centre Commercial	Commercial Office Building
West	RU6 - Two Dwelling Housing C4 - Urban Centre Commercial	Vacant Lot Commercial Retail Building

## Subject Property Map: 561 McKay Ave



## 4.4 Zoning Analysis Table

This table identifies variances that will be applied for during the Development Permit application stage of this development should this OCP and Rezoning application receive approval.

Zoning Analysis Table		
CRITERIA	C4 ZONE REQUIREMENTS	PROPOSAL
Existing Lot / Subdivision Regulations		
Minimum Lot Area	460 m <sup>2</sup>	2,161.9 m <sup>2</sup>
Minimum Lot Width	13.0 m	33.9 m
Minimum Lot Depth	30.0 m	63.3 m
Development Regulations		
Maximum Height	m	n/a
Minimum Front Yard	Level 2 Buffer (min 3.0 m width)	0.7 m ❶
Minimum Side Yard (west)	Level 2 Buffer (min 3.0 m width)	0.9 m ❷
Minimum Side Yard (east)	Level 2 Buffer (min 3.0 m width)	existing -0.0 m (extends into neighbouring park) ❸
Minimum Rear Yard	Level 2 Buffer (min 3.0 m width)	3.1 m
Maximum Site Coverage	75%	n/a
Other Regulations		
Minimum Parking Requirements	n/a	79
Minimum Bicycle Parking	n/a	0
Required Shade Trees	1 per 4 parking stalls 79 stalls = 19 shade trees	15 shade trees + retention of 1 high value existing mature Maple tree
❶ Indicates a requested variance to Front Yard Landscape Buffer ❷ Indicates a requested variance to Side Yard Setback (west) ❸ Indicates a requested variance to Side Yard Setback (east)		



## 5.0 Current Development Policies

### 5.1 South Pandosy Parking Plan

#### Improve Pedestrian Access to and From New Parking Lots.<sup>1</sup>

There will be a need to improve pedestrian routes to ensure safe, efficient, and attractive pedestrian connections from the parking lots to Pandosy Street.

#### Guiding Principals<sup>2</sup>

Focus on excellent short-term parking management to support higher turnover while maintaining a governing role in long-term parking solutions.

The parking system will continue to pay for itself (will operate under a user-pay cost recovery model) The South Pandosy Neighbourhood Strategy shall locate pay parking stations and set parking rates for on-street parking in the core commercial and employment areas, as well as in public off-street lots; as to support the costs of operations and maintenance.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- Building Permit required for the paved parking lot and irrigation system

### 6.2 Development Engineering Department

- See attached Memorandum dated June 29, 2015

### 6.3 FortisBC Inc Electric

- There are primary distribution facilities along McKay and Osprey Avenues, and within the lane to the west of the subject property. 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.

### 6.4 IPLAN-Parks & Public Places

- Proposed parking lot includes one row of 20 parking stalls on parkland east of the subject property. These stalls are considered to be temporary in nature and the parkland on which they are proposed must not be considered as part of this re-zoning and OCP amendment application.

## 7.0 Application Chronology

Date of Application Received:	May 25, 2015
Date Public Consultation Completed:	July 14, 2015

<sup>1</sup> City of Kelowna South Pandosy Neighbourhood Parking Strategy, 3.1 (Reducing Demand).

<sup>2</sup> City of Kelowna South Pandosy Neighbourhood Parking Strategy, 3.3 (Guiding Principle).

**Report prepared by:**

---

Tracey Yuzik, Planner

**Reviewed by:**



Lindsey Ganczar, Planning Supervisor

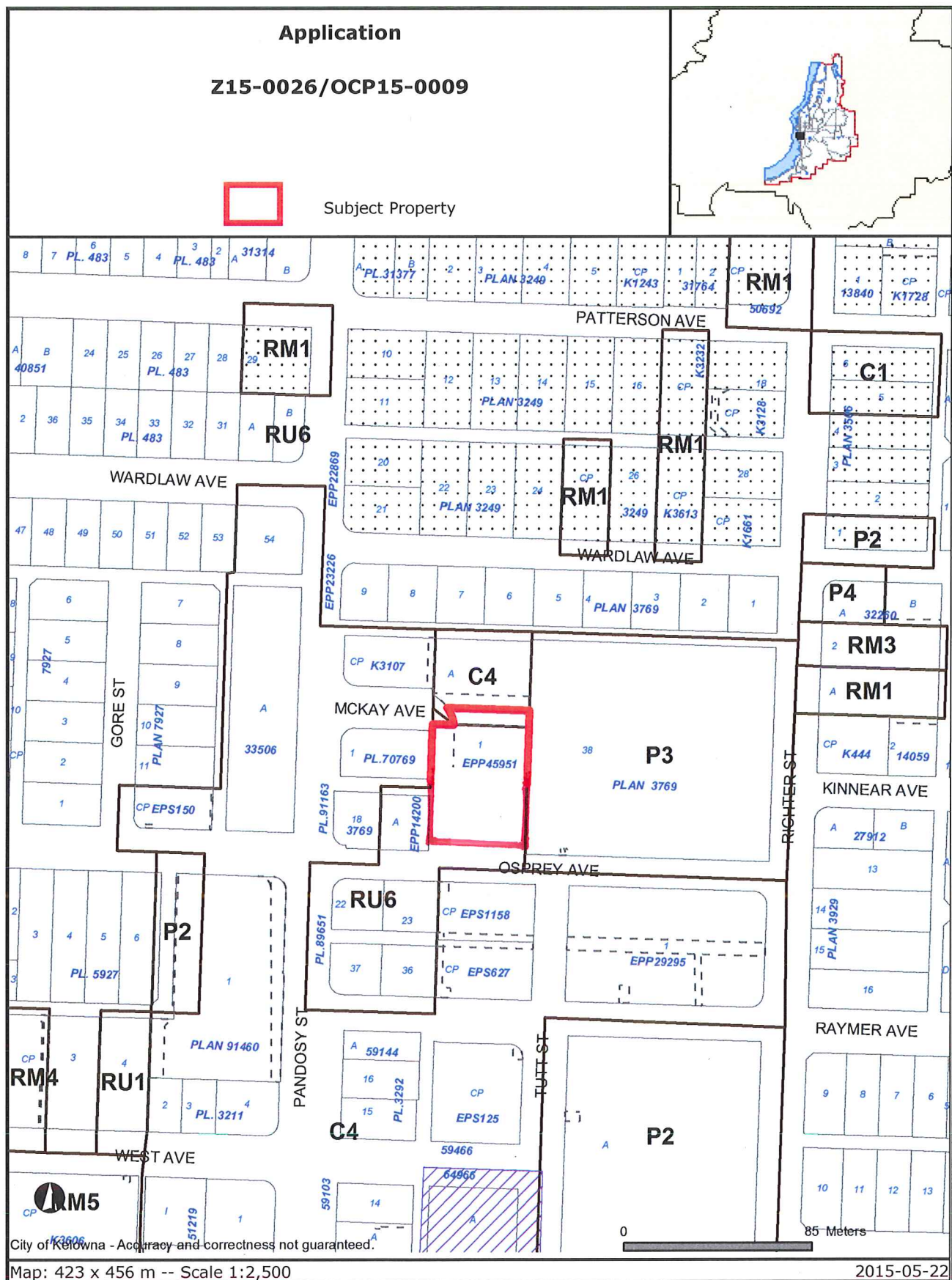
**Approved for Inclusion:**



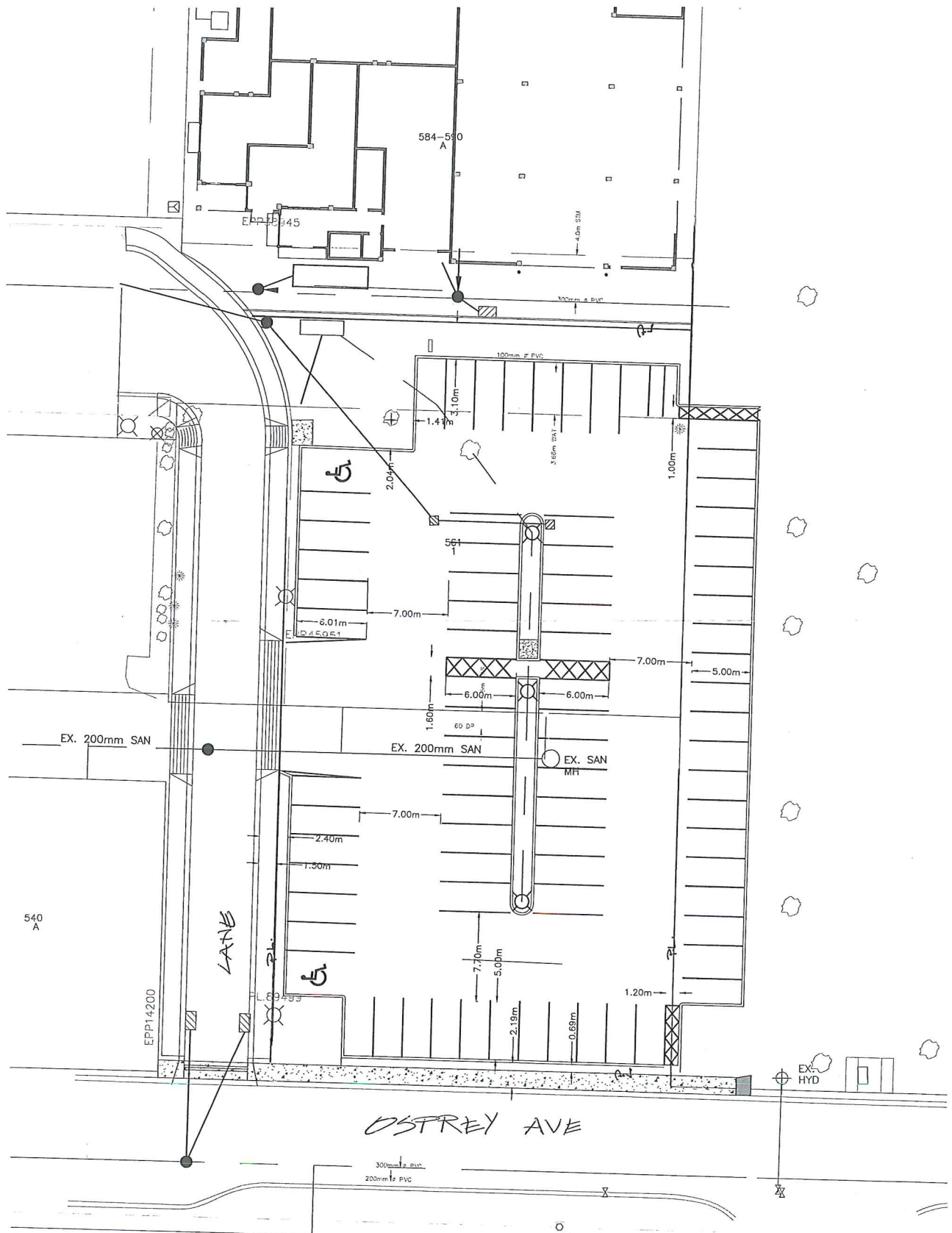
Ryan Smith, Community Planning Department Manager

**Attachments:**

Subject Property Map  
OCP Amending Map "A"  
Zone Amending Map "B"  
Proposed Site Plan  
Proposed Landscape Plan  
Development Engineering Memorandum



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.



- NOTES:
1. ALL SOFT LANDSCAPE WILL BE IRRIGATED WITH A FULLY AUTOMATIC Drip Irrigation SYSTEM.
  2. CONTROLLER AND WATER SUPPLY WILL COME FROM EXISTING SYSTEM IN OSPREY PARK.
  3. ALL SPRINKLER BEDS TO BE DRESSED WITH A MINIMUM 100MM DGP-GRAV.

ROAD

SIDEWALK

ENTR/EXIT

PARKING LOT

OSPREY AVE.

RAIN GARDEN

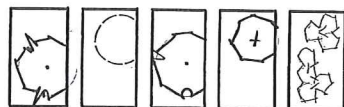
PARKING LOT

EX-TREES TO REMAIN

BASEBALL DIAMOND

OSPREY PARK

LEGEND

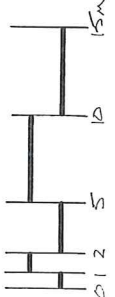


OFFICE BUILDING

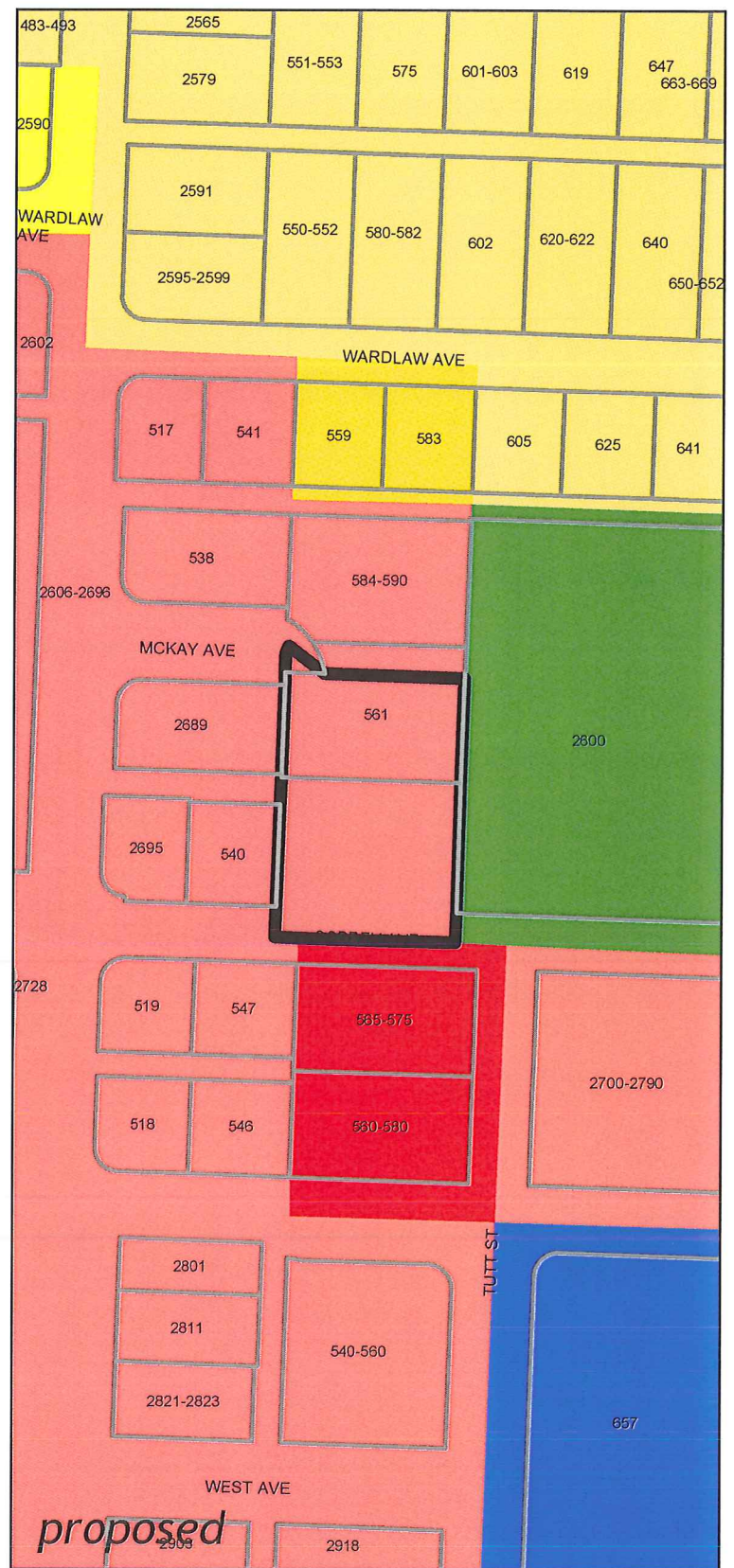
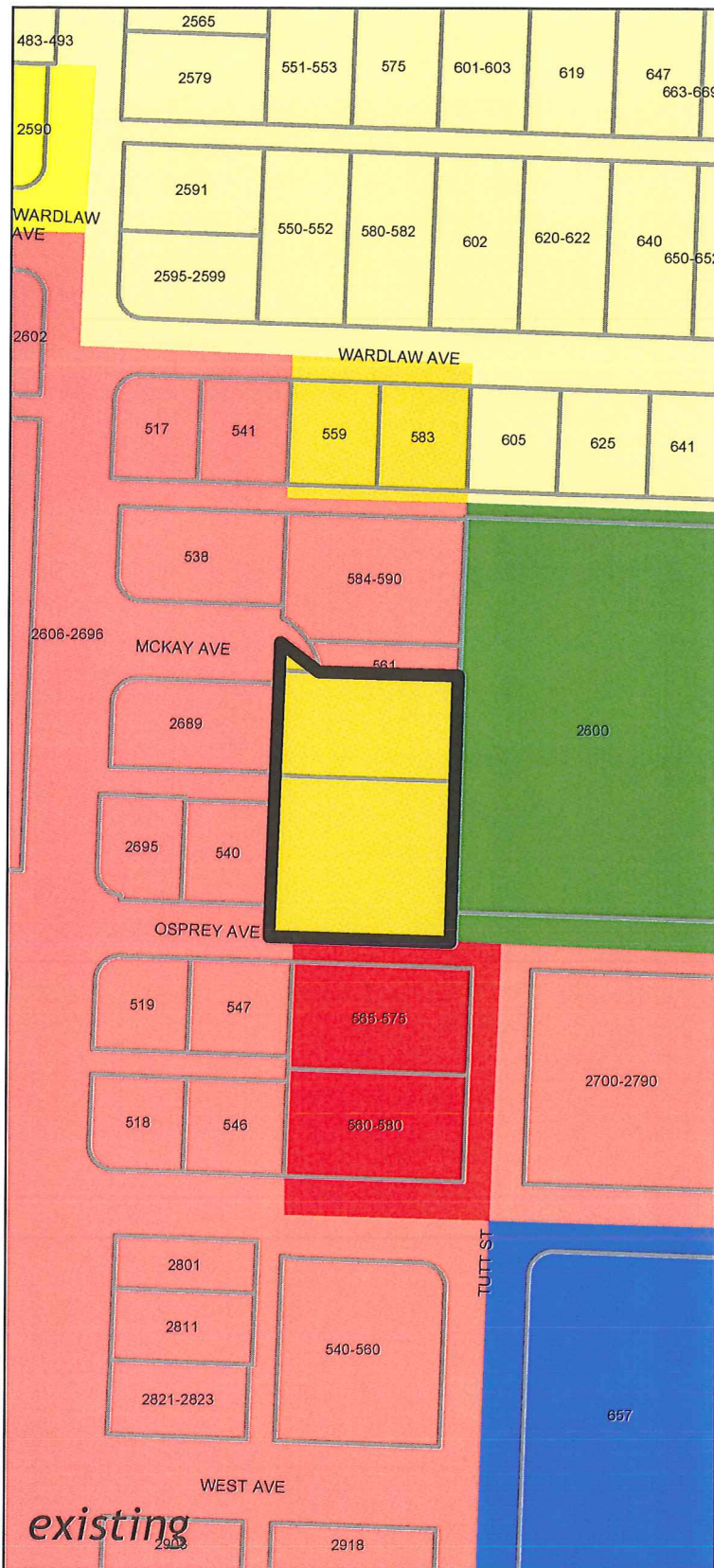
PLANT LIST

KEY	ANT.	BOTANICAL	COMMON	SIZE
A	5	PIRUS NIGRA	AMERICAN PINE	20' H
B	1	PRUNUS AMERICANA	AMERICAN PINE	20' H
C	1	ALNUS ROBURA	RED BARK MAPLE	20' H
D	3	QUERCUS ALATA	WHITE OAK	20' H
E	3	QUERCUS ALATA	WHITE OAK	20' H
F	3	QUERCUS ALATA	WHITE OAK	20' H
G	3	QUERCUS ALATA	WHITE OAK	20' H
H	3	QUERCUS ALATA	WHITE OAK	20' H
I	3	QUERCUS ALATA	WHITE OAK	20' H
J	3	QUERCUS ALATA	WHITE OAK	20' H
K	3	QUERCUS ALATA	WHITE OAK	20' H
L	3	QUERCUS ALATA	WHITE OAK	20' H
M	3	QUERCUS ALATA	WHITE OAK	20' H
N	3	QUERCUS ALATA	WHITE OAK	20' H
O	3	QUERCUS ALATA	WHITE OAK	20' H
P	3	QUERCUS ALATA	WHITE OAK	20' H
Q	3	QUERCUS ALATA	WHITE OAK	20' H
R	3	QUERCUS ALATA	WHITE OAK	20' H
S	3	QUERCUS ALATA	WHITE OAK	20' H
T	3	QUERCUS ALATA	WHITE OAK	20' H
U	3	QUERCUS ALATA	WHITE OAK	20' H
V	3	QUERCUS ALATA	WHITE OAK	20' H
W	3	QUERCUS ALATA	WHITE OAK	20' H
X	3	QUERCUS ALATA	WHITE OAK	20' H
Y	3	QUERCUS ALATA	WHITE OAK	20' H
Z	3	QUERCUS ALATA	WHITE OAK	20' H

PARKING LOT - OSPREY AVENUE  
LANDSCAPE PLAN  
1:125







## MAP "A" OCP AMENDMENT OCP15-0009

### OCP Amendment

#### Change

MRM to MXR

#### Future Land Use

#### Land Use Code

Mixed Use Residential (Medium Density)

Commercial

Mixed Use Residential (Low Density)

Education / Institutional

Mixed Use (Residential / Commercial)

Major Park and Open Space

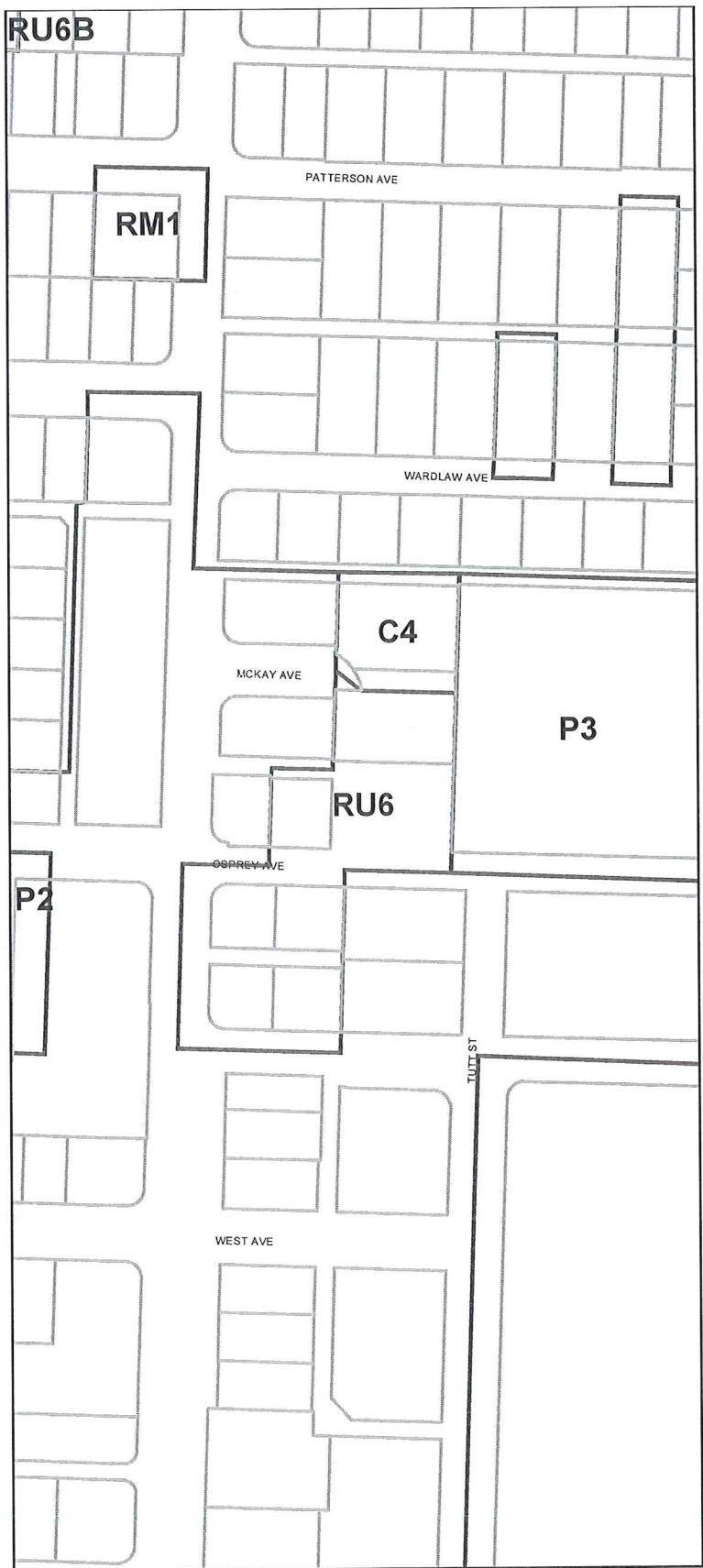
Single / Two Unit Residential

This map is for general information only.  
The City of Kelowna does not guarantee its  
accuracy. All information should be verified.

0 20 40 Metres

Rev. Wednesday, July 2, 2015





# MAP "B" ZONING BYLAW AMENDMENT Z15-0026

## Legend

## Change

 RU6 to C4

This map is for general information only.  
The City of Kelowna does not guarantee its  
accuracy. All information should be verified.

0 30 60 Metres

Rev. Wednesday, July 2, 2015



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## CITY OF KELOWNA

# MORANDUM

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**Date:** June 29, 2015  
**File No.:** Z15-0026

**To:** Urban Planning (TY)

**From:** Development Engineering Manager(SM)

**Subject:** 561 McKay Ave

C4

---

Development Engineering has the following requirements associated with this application. The road and utility upgrading requirements outlined in this report will be a requirement of this development.

The Development Engineering Technologist for this project is Sergio Sartori

.1) Domestic Water and Fire Protection

- a) The development site will be serviced with a 150mm water service. The developer's consulting mechanical engineer will determine the domestic, fire protection requirements of this proposed development and establish hydrant requirements and service needs. This service will be suitable for the temporary surface parking lot.

.2) Sanitary Sewer

- a) The development site will be serviced with a 200mm-diameter sanitary sewer service. This service will be suitable for the temporary surface parking lot.

.3) Storm Drainage

- a) The development site will be serviced with a 150mm diameter storm overflow service. This service will be suitable for the temporary surface parking lot.
- (b) The developer must engage a consulting civil engineer to provide a storm water management plan for these sites which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems.

.4) Road Improvements

- (a) Osprey Avenue fronting this development must be upgraded to an urban standard to include a concrete sidewalk, and relocation or adjustment of existing utility appurtenances if required to accommodate the upgrading construction. The estimated cost of the road improvements for bonding purposes is **\$4,900.00**




.5) Road Dedication and Subdivision Requirements

By registered plan to provide the following:

- a) Dedicate 1.5m width along the full frontage of Osprey Ave. This has been completed as part of S15-0028.
- b) Grant statutory rights-of-way if required for utility services.

.6) Electric Power and Telecommunication Services

The electrical and telecommunication services to this site as well as the local distribution wiring must be installed in an underground duct system, and the building must be connected by underground ducting. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services which would be at the applicant's cost.

A handwritten signature in black ink, appearing to read 'Steve Muenz', is written over a horizontal line.

Steve Muenz, P. Eng.  
Development Engineering Manager  
SS

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CITY OF KELOWNA

MEMORANDUM

---


**Date:** June 29, 2015  
**File No.:** OCP15-0009  
**To:** Urban Planning (TY)  
**From:** Development Engineer Manager (SM)  
**Subject:** 561 McKay Ave

---

The Development Engineering comments and requirements regarding this OCP amendment application are as follows:

1. **General.**

- a) All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z15-0026.

---

Steve Muenz, P. Eng.  
Development Engineering Manager

SS

# CITY OF KELOWNA

## BYLAW NO. 11120

### Official Community Plan Amendment No. OCP15-0009 - City of Kelowna 561 McKay Avenue

---

A bylaw to amend the "*Kelowna 2030* - Official Community Plan Bylaw No. 10500".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* - Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of Lot 1, District Lot 14, ODYD, Plan EPP45951, located on McKay Avenue, Kelowna, B.C., from the MRM - Multiple Unit Residential (Medium Density) designation to the MXR - Mixed Use (Residential/Commercial) designation;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk

**CITY OF KELOWNA**  
**BYLAW NO. 11121**  
**Z15-0026 - City of Kelowna**  
**561 McKay Avenue**

---

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1, District Lot 14, ODYD, Plan EPP45951 located on McKay Avenue, Kelowna, B.C., from the RU6 - Two Dwelling Housing zone to the C4 - Urban Centre Commercial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

# REPORT TO COUNCIL



**Date:** July 27, 2015

**RIM No.** 1240-30

**To:** City Manager

**From:** Community Planning, Community Planning & Real Estate (LB)

**Application:** HRA15-0001

**Owner:** F. DeVilliers Medical Prof. Corp.  
F. De Villiers Medical Prof. Corp., Inc. No. 101092982  
Grant Wayne Good  
Janette Armstrong  
Marie Hillevi McAlpine

**Address:** 2124 Pandosy Street

**Applicant:** Christy & Associates Planning Consultants Ltd.

**Subject:** Heritage Revitalization Agreement Application

**Existing OCP Designation:** S2RES - Single / Two Unit Residential

**Existing Zone:** RU1 - Large Lot Housing

---

## 1.0 Recommendation

THAT Council consider a bylaw which would authorize the City of Kelowna to enter into a Heritage Revitalization Agreement for the properties legally known as Strata Lots 1, 2, 3, 4 and 5, District Lot 14, ODYD, Strata Plan KAS3144, located at 2124 Pandosy Street, Kelowna, BC in the form attached as Schedule "A" to the Report from the Community Planning Department dated July 13, 2015;

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

AND THAT the Heritage Revitalization Agreement be signed by the Owners prior to Public Hearing;

AND THAT final adoption of the Heritage Revitalization Agreement Authorization Bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction;

AND FURTHER THAT, upon adoption of the Heritage Revitalization Agreement Authorization Bylaw, Heritage Revitalization Agreement Authorization Bylaw No. 9184 - HRA03-0003 - 2124 Pandosy Street, and all amendments thereto, be repealed.



## 2.0 Purpose

To consider a Heritage Revitalization Agreement application to permit additional uses and two new units on the subject property.

## 3.0 Community Planning

Community Planning Staff supports the proposed Heritage Revitalization Agreement (HRA) to permit additional uses and create two new units on the subject property, known as Cadder House. This is a prominent property within the Abbott Street Heritage Conservation Area and is currently the subject of an HRA that allows a total of five residential dwelling units within the main house and a carriage house. Staff supports some flexibility in the permitted uses for Cadder House provided its residential character is maintained and the ongoing protection of this heritage property is ensured. The proposed HRA can be found in Attachment B: Draft HRA15-0001.

Staff worked with the applicant to refine the proposed list of uses to those that allow some commercial use of the property while maintaining its residential character and minimizing potential impacts on the surrounding residential neighbourhood. Several proposed uses were eliminated or modified through the application process, including health services, artisan live / work studios and a heritage restaurant. The HRA includes a specific definition for each use, based on the definitions in Zoning Bylaw No. 8000 and modified, where appropriate, for the site context.

The proposed principal uses are:

- Apartment, Short Term Rental
- Apartment Housing
- Congregate Housing
- Group Home, Minor
- Supportive Housing

The proposed secondary uses are:

- Agriculture, Urban
- Carriage House
- Child Care, Minor
- Home Based Business, Major
- Home Based Business, Minor
- Offices
- Wellness Studio

The original application proposed new commercial and residential uses to be permitted within the five existing strata units. The intent is for Cadder House to remain predominantly residential in use to preserve its character and reduce the potential impacts of commercial uses in a residential neighbourhood. With the request to increase the number of units partway through the application process, the applicant proposed increasing the number of units available for commercial uses from two to three. Staff's recommendation is to limit the number of units used for commercial purposes, or secondary uses, to two of the total seven units. The applicant's objective to address the financial demands of maintaining a heritage property is met through the creation of two new units and the provision for some commercial uses on the subject property.

Rentals in residential zones require a minimum one month tenancy as per Zoning Bylaw No. 8000, and rentals with a shorter tenancy are considered a commercial use. The HRA proposes a site-specific definition that would see short-term rentals with no minimum tenancy as a residential

use for Cadder House. Given the site context and additional control through the strata, Staff is confident that the strata can address any potential concerns that may accompany short-term rentals in this residential area.

A total of 14 on-site parking spaces are provided for both the residential and commercial uses on the property based on the regulations established in Zoning Bylaw No. 8000. If all seven units are used for residential purposes, 10 parking spaces are required, including one visitor parking space. If five units are used for residential purposes and two for commercial, 12 parking spaces are required. This assumes a maximum commercial space of 197 m<sup>2</sup> and required parking of 2.5 spaces per 100 m<sup>2</sup> of gross floor area, consistent with the Zoning Bylaw requirement for offices.

### *Neighbourhood Consultation*

As part of the application process, the strata owners conducted extensive neighbourhood consultation. A survey was distributed to properties in the surrounding area requesting feedback regarding the proposed list of uses for Cadder House and some of the strata owners also met face to face with area residents. The survey feedback is summarized in Attachment C: Neighbourhood Consultation. The feedback generally shows support for additional residential and commercial uses, with some concerns about the more intensive commercial uses. Staff and the applicant used this input to inform some of the revisions to the proposed uses for Cadder House.

The strata owners and the applicant also met with representatives from both the Friends and Residents of the Abbott Heritage Conservation Area Society (FRAHCAS) and the Kelowna South Central Association of Neighbourhoods (KSAN) to discuss the proposed HRA. Following these meetings, both organizations submitted written letters outlining their positions. Both groups support the ongoing heritage preservation of Cadder House without the addition of commercial uses, citing concerns about the impacts on the residential units and the character of the property itself.

## **4.0 Proposal**

### **4.1 Background**

#### *Heritage Revitalization Agreements*

An HRA is a mechanism permitted through Section 966 of the *Local Government Act* wherein the owner of a property with heritage value may enter into an agreement with the local municipality for the long-term protection of the heritage property. Within an HRA, provisions for uses, siting and other regulations may be varied or supplemented from what is permitted in the Zoning Bylaw and other permits. The HRA may also stipulate conditions and timing for other works to be completed.

Owners of property with heritage value who are interested in entering into or amending an HRA must submit an application to the City's Community Planning Department. There are currently 14 properties with active HRAs in the City of Kelowna. Staff conducts site visits every two years to ensure these properties are operating in accordance with the terms and conditions established in the HRA.

#### *Cadder House Heritage Details*



Cadder House was built in 1908 for Thomas Willing Stirling, a business investor and leader in the local tree-fruit industry. Cadder House was used as a nurses' residence for a few years in the 1920s before being used as a family residence again for several decades until 1964 when it became a seniors' care facility under the name "Oak Lodge". It later operated as a psychiatric care facility.

When built, Cadder House was reportedly the largest home in Kelowna and still stands as a prominent building in the area. Its Victorian Revival style incorporates some distinctive design elements such as the use of local rusticated concrete block for the foundation and ground floor, a symmetrical front façade, a cross-gabled design and gabled pedimented dormers.

Additional details are available in Attachment D: Statement of Significance.

#### *Existing Heritage Revitalization Agreement*

The original HRA for Cadder House was adopted in 2004 and permitted five residential units on the subject property, with four in the principal building and one in a carriage house (see Attachment E: HRA03-0003). The HRA outlined several works to be undertaken by the property owners, including building restoration, landscaping, servicing and utility upgrades, and structural upgrades. Through this application, Cadder House was also designated as a Heritage Property, which affords long-term heritage protection for the property. The units were subsequently stratified and there are now four owners of the five strata units.

## 4.2 Project Description

The Cadder House strata owners are seeking changes to the existing HRA to allow some flexibility in the permitted uses on the property and to create two new units in the existing basement. This request is primarily driven by the desire to create revenue sources to meet the financial needs and high costs associated with operating and maintaining a large heritage property. The strata owners also see this as an opportunity to provide for some accommodation and local commercial needs within the broader area of Kelowna General Hospital while maintaining the property's residential form and character. Additional details are provided in the applicant's original submission, Attachment F: Proposal for Adaptive Re-Use.

During the application process the owner of Strata Lot 1, which consists of the carriage house and the basement of the principal building, applied for a Building Permit for structural work in the basement. The work consisted of replacing existing posts and beams to increase headroom and address concerns that were preventing this area from being used for dwelling space. The work was completed on April 9, 2015 and satisfies the Building Code requirements. At this time, the request to create two new units in this space was added to the application.

## 4.3 Site Context

The subject property is located on the west side of Pandosy Street between Cadder Avenue and Glenwood Avenue in the Central City Sector. It is also within the Abbott Street Heritage Conservation Area. The Future Land Use designation for the property is S2RES - Single / Two Unit Residential and it is within the Permanent Growth Boundary.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Single dwelling housing
East	RU6 - Two Dwelling Housing	Single dwelling housing
South	RU1 - Large Lot Housing	Single dwelling housing
West	RU1 - Large Lot Housing	Single dwelling housing

### Subject Property Map: 2124 Pandosy Street



## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Heritage Revitalization Agreements.**<sup>1</sup> Consider the adaptive re-use 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

- Building Permit for basement works completed April 9, 2015.

### 6.2 Development Engineering Department

- See attached memorandum, dated February 12, 2015.

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.7.3 (Development Process Chapter).

## 7.0 Application Chronology

Date of Application Received: January 15, 2015  
Date Public Consultation Completed: March 18, 2015

Report prepared by:

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Laura Bentley, Planner

Reviewed by: ☐ Lindsey Ganczar, Planning Supervisor

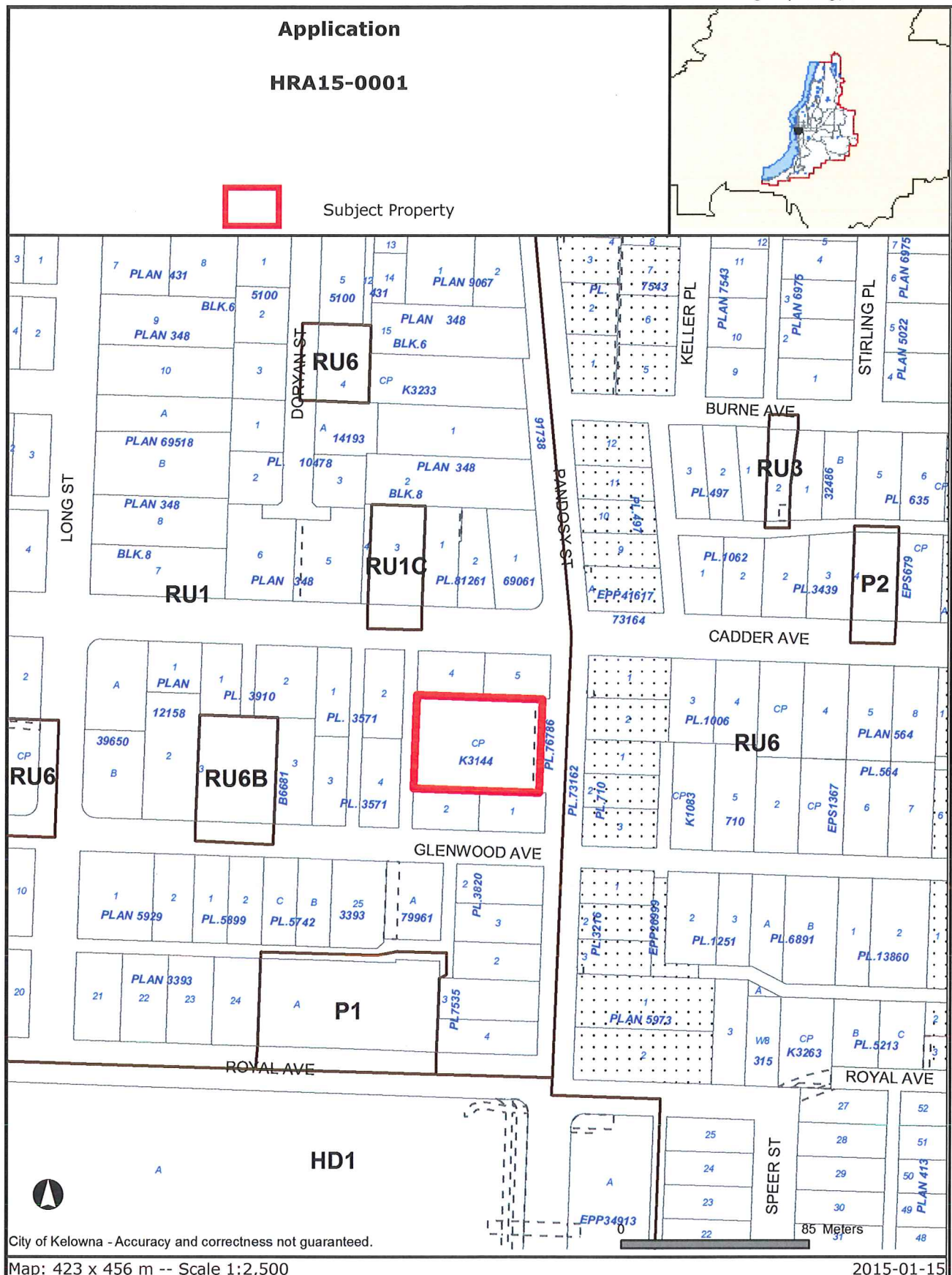
Approved for Inclusion: ☐ Ryan Smith, Community Planning Department Manager

### Attachments:

Attachment A: Subject Property Map  
Attachment B: Draft HRA15-0001  
Attachment C: Neighbourhood Consultation  
Attachment D: Kelowna Heritage Register Statement of Significance  
Attachment E: HRA03-0003  
Attachment F: Proposal for Adaptive Re-Use  
Attachment G: Development Engineering Memorandum



Attachment A



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.

# **SCHEDULE “A”** **HERITAGE REVITALIZATION AGREEMENT**

DOCUMENT APPROVAL			
Document No. HRA15-0001			
Cir	Department	Date	Init.
	Planning		
	Development Engineering		
	Building & Permitting		
	City Clerk		

THIS AGREEMENT dated as of the      day of      , 201   .

BETWEEN:

CITY OF KELOWNA, a Municipal Corporation having offices at  
1435 Water Street, Kelowna, British Columbia V1Y 1J4

(herein called the "CITY")

AND:

THE OWNERS OF STRATA LOTS 1, 2, 3, 4 AND 5, KAS3144  
2124 PANDOSY STREET  
KELOWNA, BC  
V1Y 1S6

(herein called the "OWNERS")

WHEREAS a local government may, by bylaw, enter into a Heritage Revitalization Agreement with the Owner of property identified as having heritage value, pursuant to Section 966 of the *Local Government Act*,

AND WHEREAS the Owners own certain real property on which is situated a building of heritage value, pursuant to the City's Heritage Register, which property and building are located at 2124 Pandosy Street, Kelowna, British Columbia and legally described as:

Strata Lot 1, KAS 3144	PID: 026-923-181
Strata Lot 2, KAS 3144	PID: 026-923-190
Strata Lot 3, KAS 3144	PID: 026-923-203
Strata Lot 4, KAS 3144	PID: 026-923-211
Strata Lot 5, KAS 3144	PID: 026-923-220
And any lots created thereof	

(herein called the "Heritage Lands")

AND WHEREAS the units are located within two (2) buildings on the Heritage Lands, herein called the "Heritage Buildings";

AND WHEREAS the Owners have presented to the City a proposal for the use, development and preservation of the Heritage Lands and has voluntarily and without any requirement by the City, entered into this agreement pursuant to Section 966 of the *Local Government Act*;

AND WHEREAS a local government must hold a Public Hearing on the matter before entering into, or amending, a Heritage Revitalization Agreement if the agreement or amendment would permit a change to the use or density of use that is not otherwise authorized by the applicable zoning of the Heritage Lands and for these purposes Section 890 through 894 of the *Local Government Act* apply;

AND WHEREAS within thirty days after entering into, or amending, a Heritage Revitalization Agreement the local government must file a notice in the Land Title Office in accordance with Section 976 of the *Local Government Act* and give notice to the Minister responsible for the *Heritage Conservation Act* in accordance with Section 977 of the *Local Government Act*;

NOW THEREFORE in consideration of the mutual promises contained in this agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

**1.0 Heritage Revitalization**

- 1.1 The parties agree that the Heritage Lands has heritage value, deserving of protection and conservation and the Owner specifically agrees to restore, maintain, preserve and protect the heritage character of the buildings located on the Heritage Lands in accordance with attached Schedules "AA", "BB", and "CC".
- 1.2 The parties agree that the Heritage Lands may, notwithstanding the current zoning on the Heritage Lands, be used for the following permitted uses:
  - (a) A maximum of seven units as shown in Schedule "AA" provided that:
    - i. The units will be limited to the following sizes:
      - Strata Lot 1: 51.6 m<sup>2</sup>
      - Strata Lot 2: 86.2 m<sup>2</sup>
      - Strata Lot 3: 111 m<sup>2</sup>
      - Strata Lot 4: 75 m<sup>2</sup>
      - Strata Lot 5: 71 m<sup>2</sup>
      - Proposed Strata Lot 1A: 65 m<sup>2</sup>
      - Proposed Strata Lot 1B: 40 m<sup>2</sup>
    - ii. The use of the Heritage Lands shall be predominantly residential. A maximum of two units may be used for commercial purposes at any given time;

## SCHEDULE "A" - Page 3.

- iii. The principal uses permitted on the Heritage Lands are:
    - Apartment, Short Term Rental
    - Apartment Housing
    - Congregate Housing
    - Group Home, Minor
    - Supportive Housing
  - iv. The secondary uses permitted on the Heritage Lands are:
    - Agriculture, Urban
    - Carriage House
    - Child Care, Minor
    - Home Based Business, Major
    - Home Based Business, Minor
    - Offices
    - Wellness Studio
  - v. The hours of operation for all commercial enterprises located on the subject property shall be between 8:00 am and 7:00 pm, Monday through Friday; and
  - vi. Fourteen (14) on-site parking stalls shall be provided, as shown on Schedule "AA".
- (b) No additional units shall be developed without an application to amend this agreement.
  - (c) The owner agrees to maintain the designation of the property under Section 967 of the *Local Government Act* as a Heritage Property.
- 1.3 The parties agree that, except as varied or supplemented by the provisions of this Agreement, all bylaws and regulations of the City and all laws of any authority having jurisdiction shall apply to the Heritage Lands.
- 1.4 Where a Heritage Alteration Permit is required, the discretion to approve, refuse or revise such permit is delegated by Council to the Community Planning Department Manager.

## **2.0 Definitions**

The following words, terms, and phrases, wherever they occur in this Agreement, shall have the meaning assigned to them as below. For all other definitions and regulations, refer to Zoning Bylaw No. 8000, as amended.

**AGRICULTURE, URBAN** means the cultivation of a portion of a parcel for the production of food including fruits, vegetables, nuts and herbs for human consumption only. This use is limited to production activities which are not deemed to be noxious or offensive to adjacent properties or the general public. Activities that produce or emit hazards, odour, dust, smoke, noise, effluent, light pollution, glare, or other emission are prohibited. This use is limited to a maximum of 25 m<sup>2</sup> in area on this property.

**APARTMENT, SHORT TERM RENTAL** means apartment housing having a principal common entrance and cooking facilities and furnishings within each dwelling. There is no minimum tenancy period for this use on this property.

SCHEDULE "A" - Page 4.

**APARTMENT HOUSING** means any physical arrangement of attached residential units, intended to be occupied by separate households. The minimum tenancy period is one (1) month.

**CARRIAGE HOUSE** means a dwelling unit located within a building that is subordinate to the principal building on the property.

**CHILD CARE, MINOR** means an establishment licensed as required under the *Community Care and Assisted Living Act* intended to provide care, educational services, and supervision to no more than eight (8) children.

**COMMERCIAL USE** means the use of a unit on the Heritage Lands as a Child Care, Minor; Home Based Business, Major; Offices; or Wellness Studio.

**CONGREGATE HOUSING** means housing in the form of multiple sleeping units where residents are provided with common living facilities, meal preparation, laundry services and room cleaning. Congregate housing may also include other services such as transportation for routine medical appointments and counselling.

**GROUP HOME, MINOR** means the use of one or more units as a care facility licensed as required under the *Community Care and Assisted Living Act* to provide room and board for not more than a total of six (6) residents with physical, mental, social, or behavioural problems that require professional care, guidance and supervision. A group home, minor may include, to a maximum of four (4), any combination of staff and residents not requiring care. The character of the use is that the occupants live together as a single housekeeping group and use a common kitchen.

**HOME BASED BUSINESS, MAJOR** means development consisting of the use of a dwelling unit for a business by a resident who resides for more than 240 days of a year at that unit. The business must be secondary to the residential use of the unit and shall not change the residential character of the principal building.

**HOME BASED BUSINESS, MINOR** means development consisting of the use of a dwelling unit for a business by a resident who resides for more than 240 days of a year at that unit. The business must be secondary to the residential use of the unit and shall not change the residential character of the principal building.

**OFFICES** means development primarily for the provision of professional, management, administrative, consulting, medical or financial services in an office setting. Office uses are limited to those that operate by appointment only.

**PRINCIPAL USE** means the main or primary use of the Heritage Lands that is provided for in the list of permitted uses in this Heritage Revitalization Agreement.

**SECONDARY USE** means the use of the Heritage Lands that must be in conjunction with a principal use and is provided for in the list of permitted uses in this Heritage Revitalization Agreement.



**SUPPORTIVE HOUSING** means housing consisting of dwellings with support services on-site that may or may not include collective dining facilities, laundry facilities, counselling, educational services, homemaking and transportation.

**WELLNESS STUDIO** means development for wellness counselling on a one-to-one basis or in a group setting to a maximum of ten (10) individuals. This use may include, but is not limited to, a physical fitness, yoga, pilates or weight loss studio and may include standard ancillary facilities.

### **3.0 Proposed Development**

- 3.1 The Owners agree not to alter the exterior of the Heritage Buildings except pursuant to a Heritage Alteration Permit issued by the City and in accordance with this Agreement.
- 3.2 The Owners agree to maintain the exterior of the Heritage Buildings on the Heritage Lands in general accordance with the design attached hereto as Schedule "BB" and forming part of this Agreement.
- 3.3 The Owners agree to undertake and maintain landscaping on the subject property in general accordance with the landscape plans attached hereto as Schedule "CC" and forming part of this agreement.
- 3.4 The Owners agree to provide and pay for all servicing required by the proposed development of the Heritage Lands and to provide required bonding for same, including, but not limited to: domestic water and fire protection, sanitary sewer, storm drainage, road improvements, road dedications and statutory rights-of-way for utility servicing, power and telecommunication services and street lighting.

### **4.0 Development Engineering Requirements**

- 4.1 The Owners agree that any development on the Heritage Lands must meet the requirements of Subdivision, Development and Servicing Bylaw No. 7900, as amended.

### **5.0 Building & Permitting Requirements**

- 5.1 The Owners agree that any development on the Heritage Lands must meet the requirements of the British Columbia Building Code of the day.

### **6.0 Damage or Destruction**

- 6.1 In the event that the Heritage Building is damaged, the parties agree as follows:

- (a) The Owners may repair the Heritage Building in which event the Owners shall forthwith commence the repair work and complete same within one year of the date of damage;

OR, in the event that the Heritage Building is destroyed,

- (b) The City will, by bylaw and after conducting a Public Hearing in the manner prescribed by Sections 890 through 894 of the *Local Government Act*, cancel this agreement whereupon all use and occupation of the Heritage Lands shall thenceforth be in accordance with the zoning bylaws of the City and in accordance with all other bylaws or regulations of the City or any other laws of authority having jurisdiction.

**7.0 Breach**

- 7.1 In the event that the Owners is in breach of any term of this Agreement, the City may give the Owners notice in writing of the breach and the Owners shall remedy the breach within 30 days of receipt of the notice. In the event that the Owners fails to remedy the breach within the time allotted by the notice, the City may by bylaw and after conducting a Public Hearing in the manner prescribed by Sections 890 through 894 of the *Local Government Act* cancel this Agreement whereupon all use and occupation of the Heritage Lands shall thenceforth be in accordance with the zoning bylaws of the City and in accordance with all other bylaws or regulations of the City or any other laws of authority having jurisdiction.

**8.0 Amendment**

- 8.1 The parties acknowledge and agree that this Agreement may only be amended by one of the following means:
- (a) By bylaw with the consent of the parties provided that a Public Hearing shall be held if an amendment would permit a change to use or density of use on site or;
  - (b) By Heritage Alteration Permit (HAP), issued pursuant to Section 972 of the *Local Government Act*.

**9.0 Representations**

- 9.1 It is mutually understood and agreed upon between the parties that the City has made no representations, covenants, warranties, promises or agreements expressed or implied, other than those expressly contained in this Agreement.

**10.0 Statutory Functions**

- 10.1 Except as expressly varied or supplemented herein, this Agreement shall not prejudice or affect the rights and powers of the City in the exercise of its statutory functions and responsibilities including, but not limited to, the *Local Government Act* and its rights and powers under any enactments, bylaws, order or regulations, all of which, except as expressly varied or supplemented herein, are applicable to the Heritage Lands.

**11.0 Enurement**

- 11.1 This Agreement enures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

**12.0 Other Documents**

- 12.1 The Owners agree at the request of the City, to execute and deliver or cause to be executed and delivered all such further agreements, documents and instruments and to do and perform or cause to be done and performed all such acts and things as may be required in the opinion of the City to give full effect to the intent of this Agreement.

**13.0 Notices**

13.1 Any notice required to be given pursuant to this Agreement shall be in writing and shall either be delivered mailed by registered mail as follows:

(a) To the City:

City of Kelowna  
1435 Water Street  
Kelowna, B.C. V1Y 1J4

ATTENTION: City Clerk

(b) To the Owners:

THE OWNERS OF STRATA LOTS 1, 2, 3, 4 AND 5, KAS3144  
2124 PANDOSY STREET  
KELOWNA, BC  
V1Y 1S6

Or, to such other address to which a party hereto may from time to time advise in writing.

**14.0 No Partnership or Agency**

14.1 The parties agree that nothing contained herein creates a relationship between the parties of partnership, joint venture or agency.

IN WITNESS WHEREOF this Agreement has been executed by the parties hereto on the day and year first above written.

CITY OF KELOWNA  
by its authorized signatories

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(City Clerk)

SCHEDULE "A" - Page 8.

THE OWNERS OF STRATA LOTS 1, 2, 3, 4 AND 5, KAS3144

In the presence of:

\_\_\_\_\_  
Witness (print name)

\_\_\_\_\_  
Grant Wayne Good (The Owner of  
Strata Lot 1)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Occupation

In the presence of:

\_\_\_\_\_  
Witness (print name)

\_\_\_\_\_  
Marie Hillevi McAlpine (The Owner of  
Strata Lot 2)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Occupation

In the presence of:

\_\_\_\_\_  
Witness (print name)

\_\_\_\_\_  
F. DeVilliers Medical Prof. Corp. (The  
Owner of Strata Lot 3)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Occupation

SCHEDULE "A" - Page 9.

In the presence of:

\_\_\_\_\_  
Witness (print name)

\_\_\_\_\_  
Janette Armstrong (The Owner of Strata  
Lot 4)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Occupation

In the presence of:

\_\_\_\_\_  
Witness (print name)

\_\_\_\_\_  
F. De Villiers Medical Prof. Corp.,  
Inc.No. 101092982 (The Owner of  
Strata Lot 5)

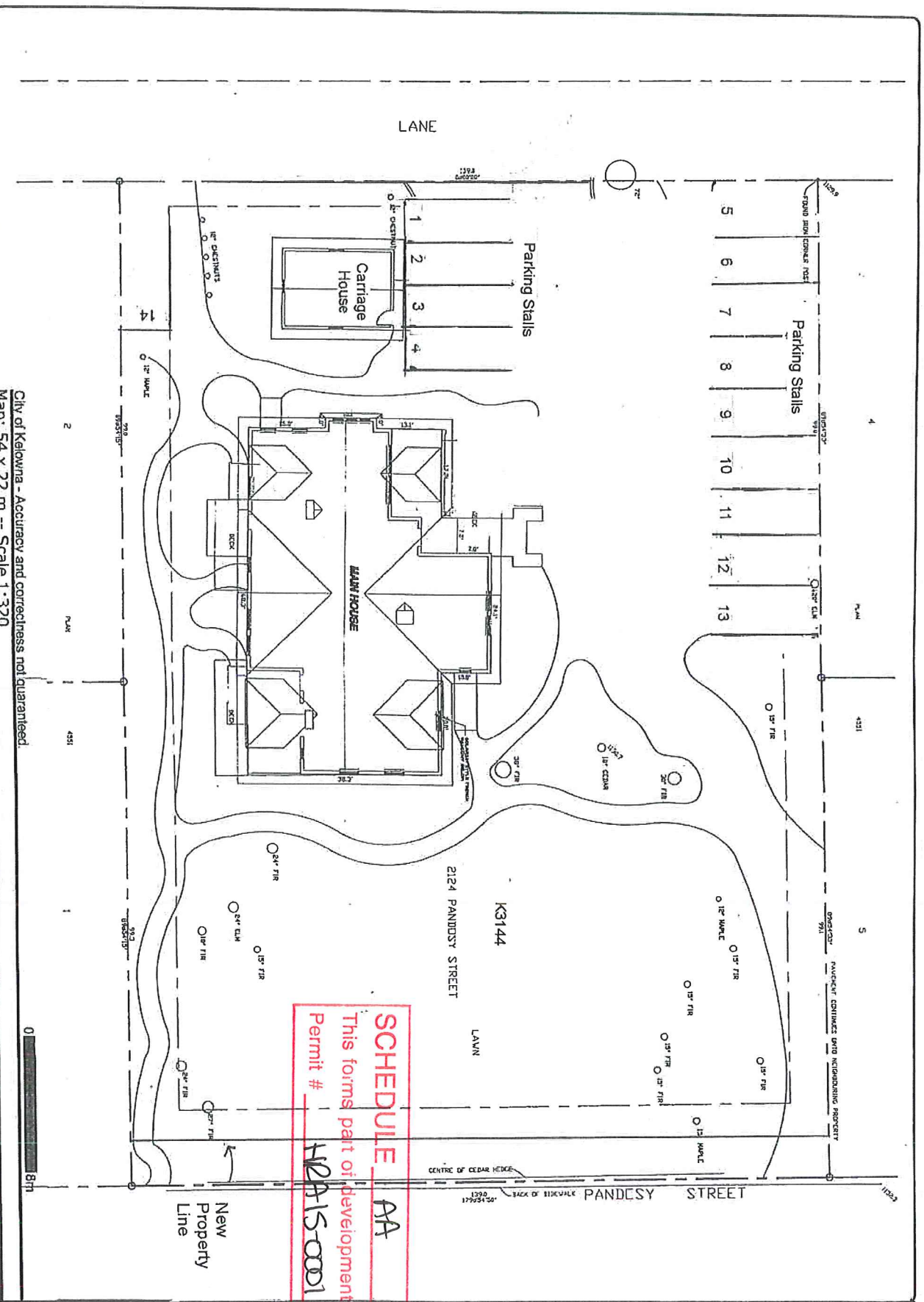
\_\_\_\_\_  
Address

\_\_\_\_\_  
Occupation



# Parking Plan

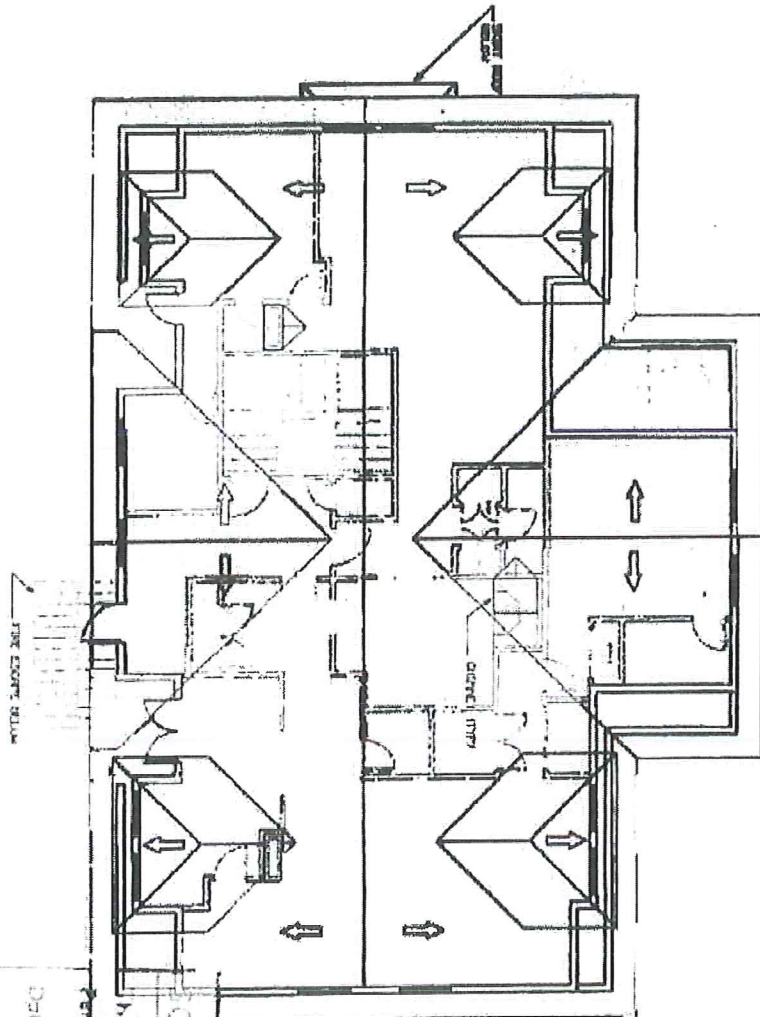
Cadder House  
HAP15-0001 2124 Pandosy Street



**SCHEDULE AA**  
This forms part of development  
Permit # HAP15-0001

City of Kelowna - Accuracy and correctness not guaranteed.  
Map: 54 x 22 m -- Scale 1:320

# REVISED PLANS



SCHEDULE AA

has turned Dept of development  
Permit # HPA150001

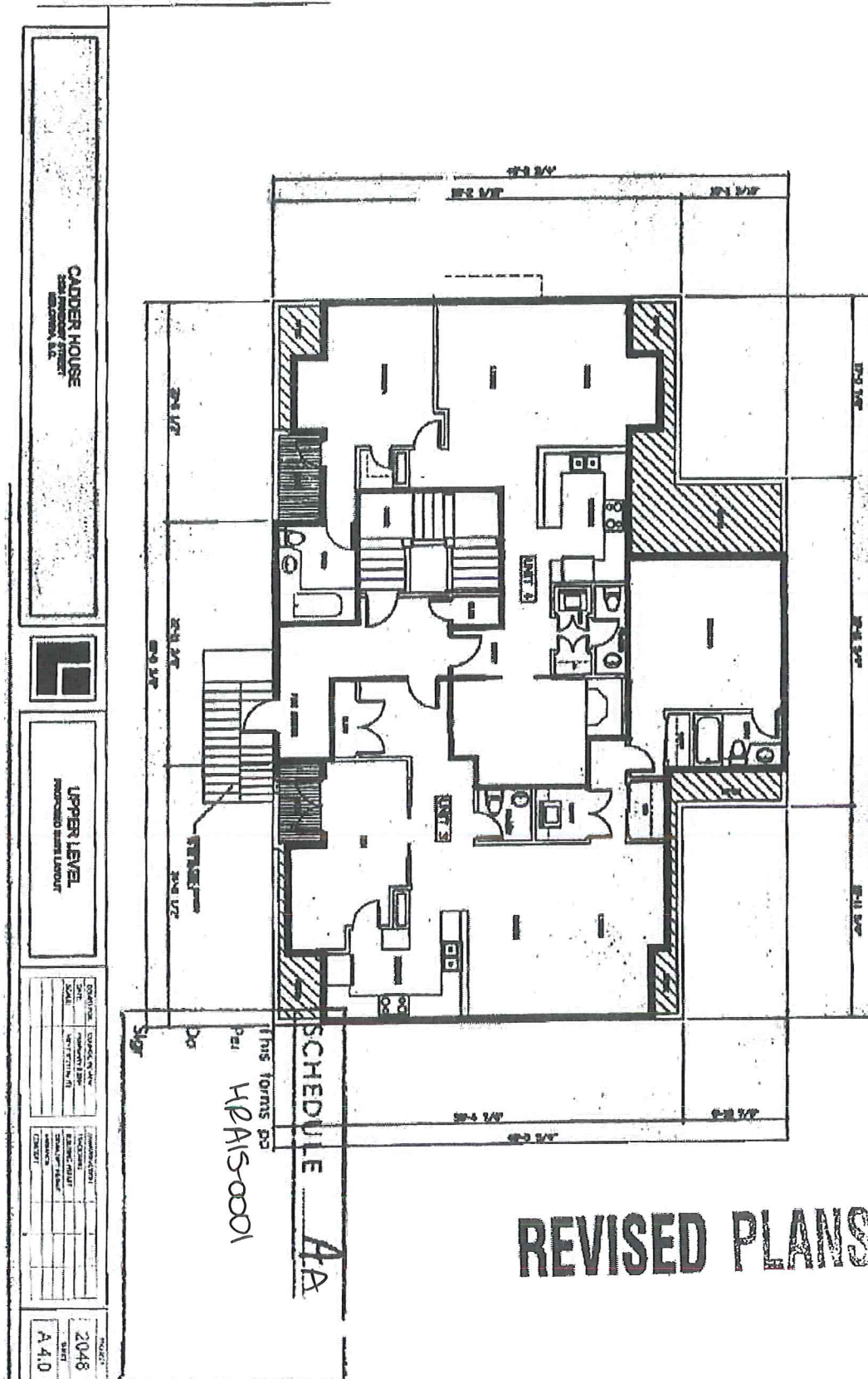
Date

Signature

CADHER HOUSE  
2048 W. 10TH STREET  
MINNEAPOLIS, MN

ROOF  
EXISTING & PROPOSED

DATE	REVISION	BY	CHKD
2048			
A 5.0			



**REVISED PLANS**



**CADDER HOUSE**  
1000 10th St.  
San Francisco, CA

**MAIN LEVEL**  
FIRST-SECOND FLOOR LAYOUT

2048  
4-10

DATE: 12/1/78

BY: [Signature]

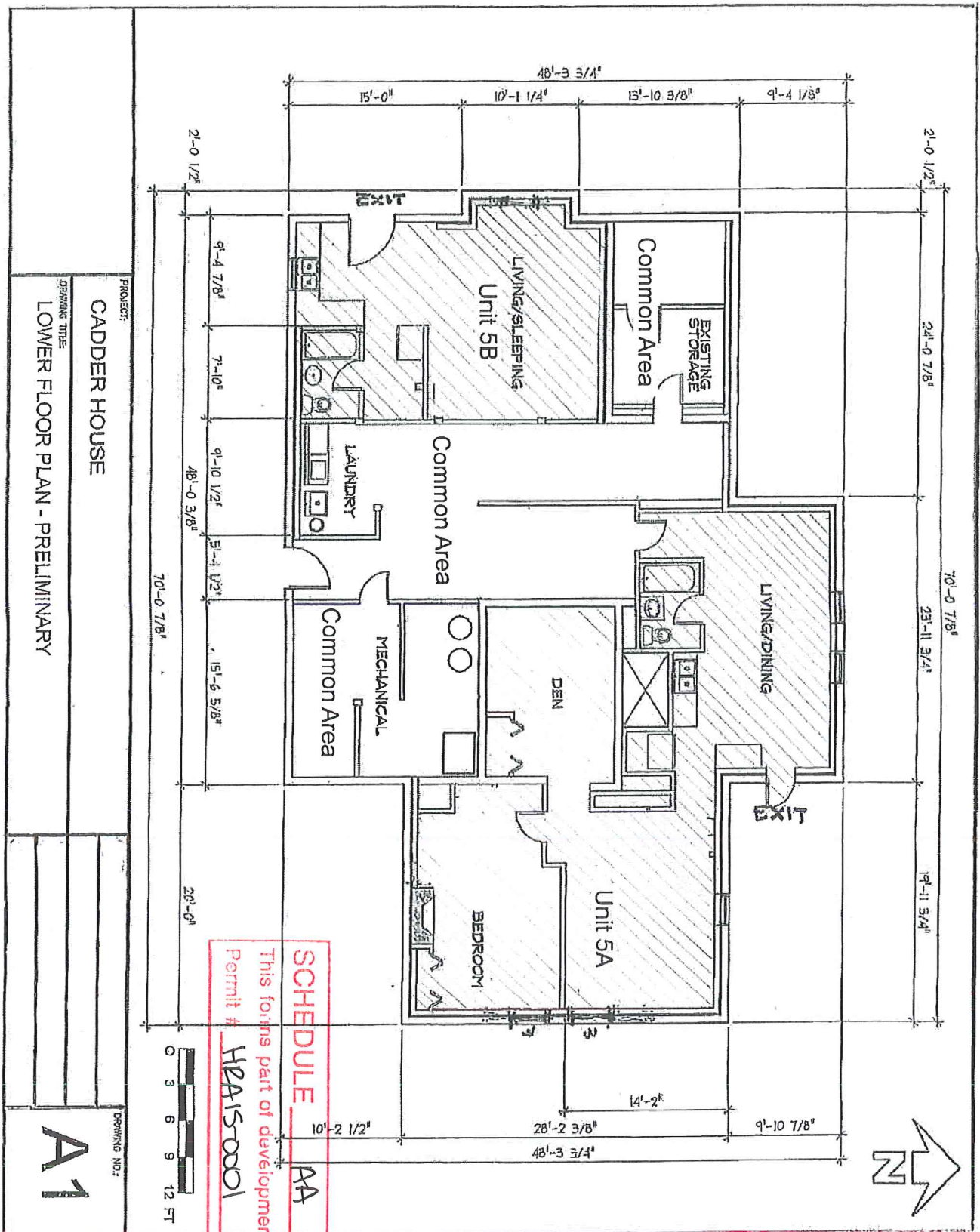
1/2" = 1'-0"

This forms part of development  
 Permit # **WPAIS-0001**

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

REVISED PLANS



**SCHEDULE A4**  
 This forms part of development  
 Permit # H2A15-0001

**A1**



CADDER HOUSE

2121 PINECROFT STREET

MEMPHIS, TN 38111

SOUTH

DATE: 11/11/04

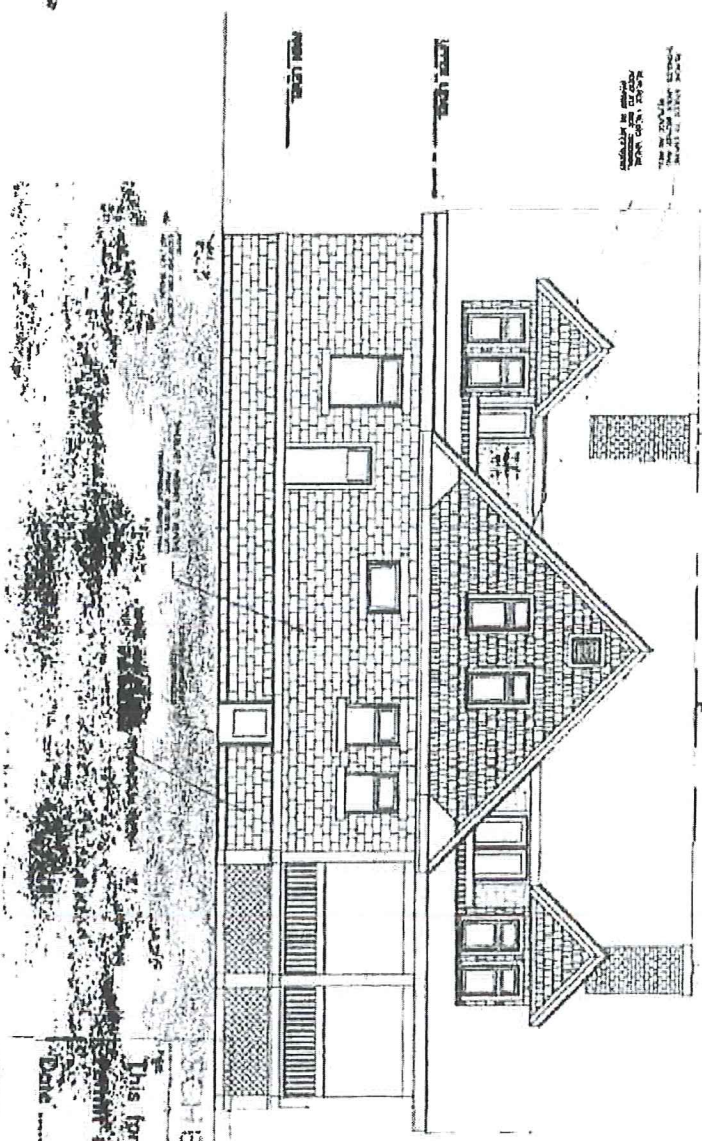
BY: [Signature]

DATE: 11/11/04

BY: [Signature]

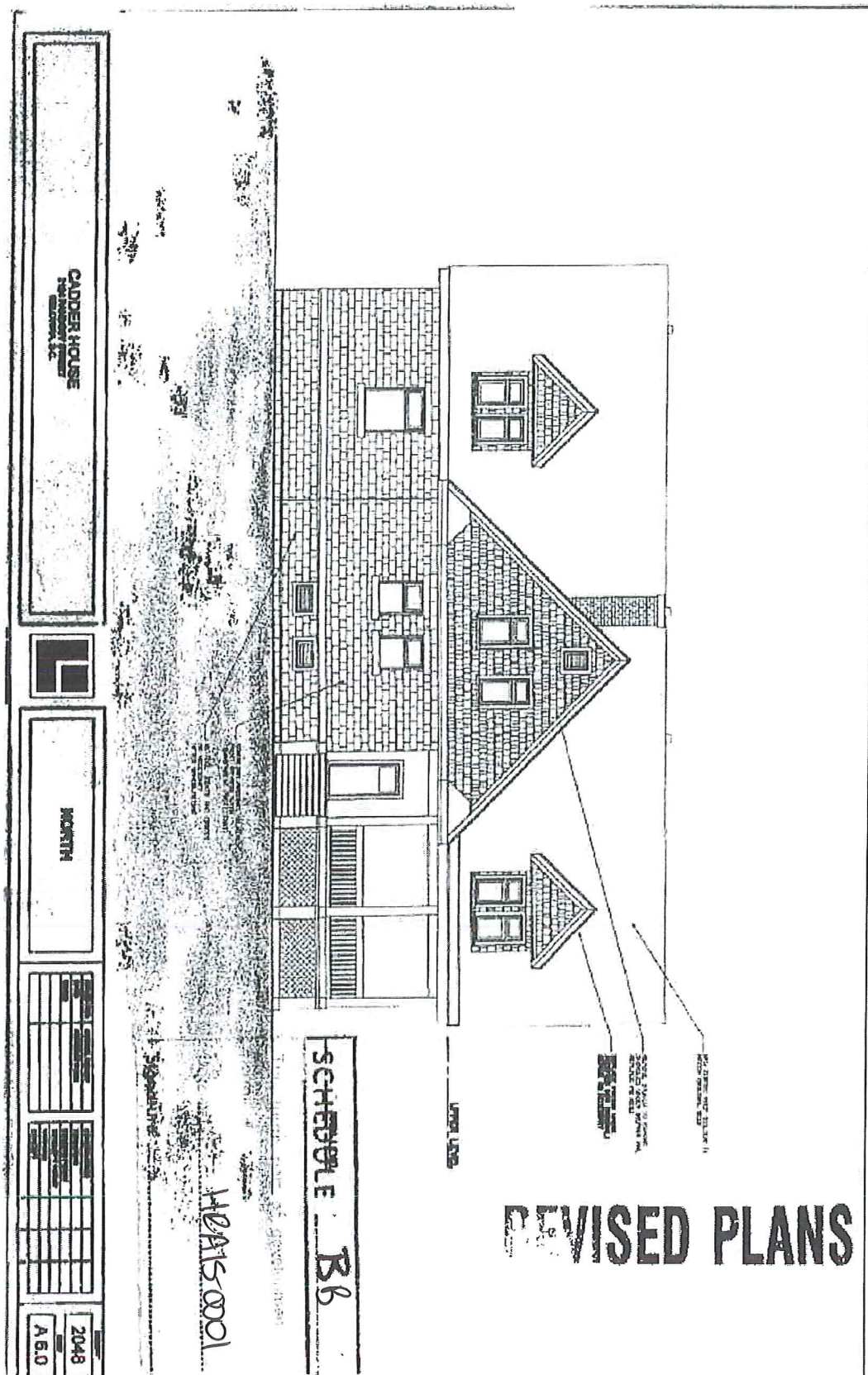
2048

A70



REVISED PLANS

SCHEDULE B  
 This form is for development  
 of a project.  
 Date: 11/11/04  
 Signature: [Signature]  
 11/11/04







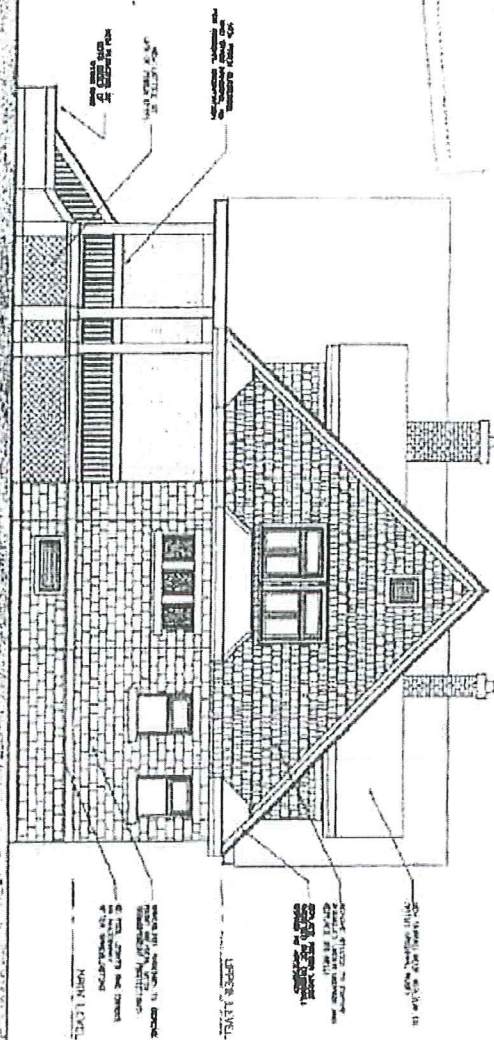
99

HPA15001

HPA15-0001

128

Subtotal: 147.00



# REVISED PLANS

CADDER HOUSE

2724 WOODSTREET, PALMVIEW, N.J.



DATE SENT	2/28/00	TO: DIRECTOR, FBI
FROM	SA [redacted]	RE: [redacted]
SUBJECT	[redacted]	[redacted]
CLASSIFICATION	[redacted]	[redacted]
REMARKS	[redacted]	

2048  
A 9.0







# Neighbour Consultation Form (Council Policy No.367)



A summary of neighborhood consultation efforts, feedback and response must be provided to City staff, identifying how the efforts meet the objectives of this Policy. This form must be filled out and submitted to the File Manager a minimum of 20 days prior to initial consideration by Council.

I, Hazel Christy, the applicant for Application No. HAP 15-0001  
for CADDER HOUSE HEA AMENDMENT  
(brief description of proposal)

at 2124 PANDOSY ST. have conducted the required neighbour  
(address)  
consultation in accordance with Council Policy No. 367.

- ☐ My parcel is located **outside** of the Permanent Growth Boundary and I have consulted all owners & occupants within a 300m radius
- ☒ My parcel is located **inside** of the Permanent Growth Boundary and I have consulted all owners & occupants within a 50m radius

YOLANDA DEVILLIERS, OWNER

have consulted property owners and occupants by doing the following: SPEAKING TO



OWNERS OF ADJACENT PROPERTIES AS SHOWN ON  
THE ATTACHED MAP, OR LEAVING A PRUE. AT THE DOOR.

Please initial the following to confirm it has been included as part of the neighbour consultation:

- dc Location of the proposal;
- dc Detailed description of the proposal, including the specific changes proposed;
- dc Visual rendering and/or site plan of the proposal;
- dc Contact information for the applicant or authorized agent OR OWNERS
- dc Contact information for the appropriate City department;
- dc Identification of available methods for feedback.

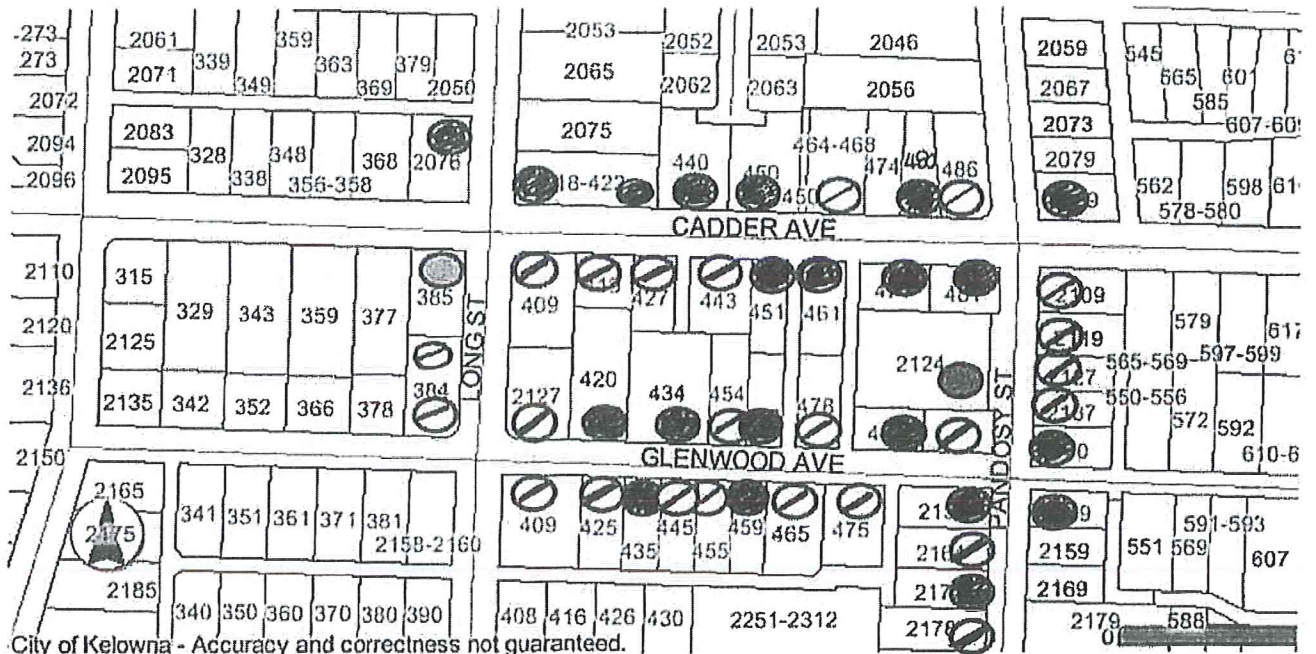
Please return this form, along with any feedback, comments, or signatures to the File Manager 20 days prior to the anticipated initial consideration by Council date. On the back of this form please list those addresses that were consulted.

City of Kelowna  
1435 Water Street  
Kelowna, BC V1Y 1J4  
TEL 250 469-8600  
FAX 250 862-3330  
kelowna.ca

 = Spoke to owner/occupant  
 = left package at door

## Cadder House Neighbourhood Input

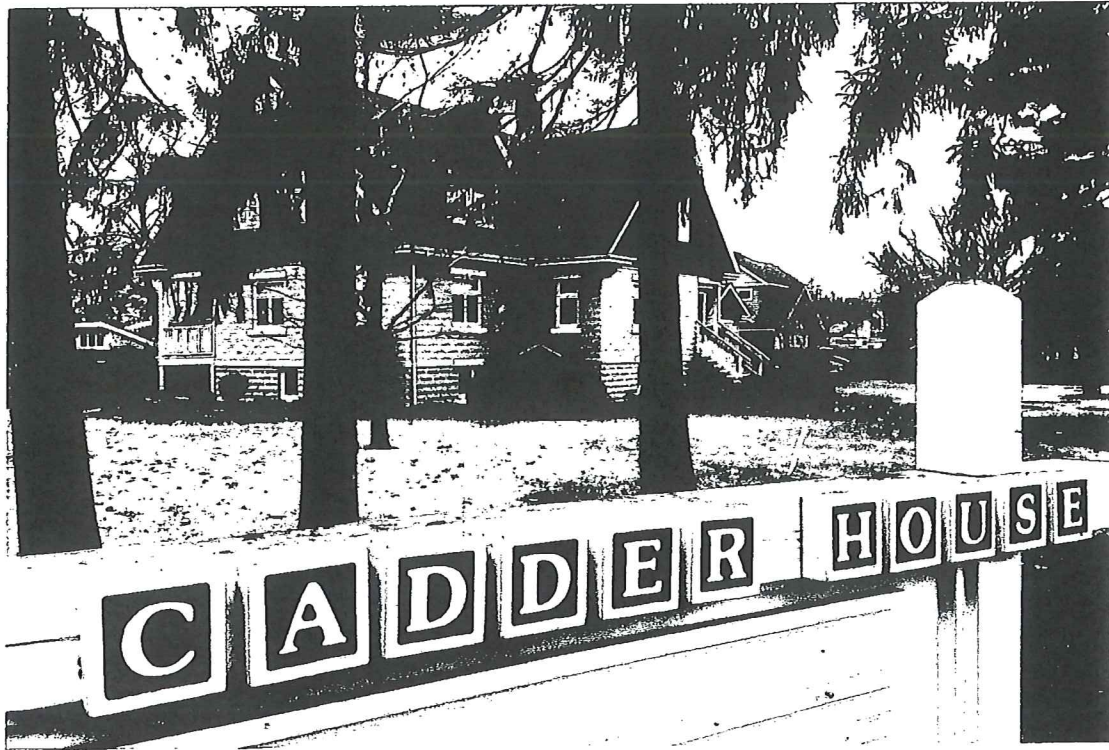
(as of March x, 2015)





Address	Spoke with Owner & Occupant	Left Package with Owner & Occupant	Date
409 Glenwood Ave.		✓	17 March 2015
425 Glenwood Ave.		✓	17 March
435 Glenwood Ave.	✓		17 March
445 Glenwood Ave.		✓	17 March
455 Glenwood Ave.		✓	17 March
459 Glenwood Ave.	✓		17 March
465 Glenwood Ave.		✓	17 March 2015
475 Glenwood Ave.		✓	17 March 2015
2127 (Corner of Long & Glenwood)		✓	17 March 2015
420 Glenwood Ave.	✓		17 March 2015
424 Glenwood Ave.	✓		17 March 2015
451 Glenwood Ave.		✓	17 March 2015
466 Glenwood Ave.	✓		17 March 2015
478 Glenwood Ave.		✓	18/3/15
482 Glenwood Ave.	✓		18/3/15
Corner of Glenwood & Pandosy		✓	18/3/15
384 Corner of Glenwood & Long St		✓	17/3/15
2126 Long St		✓	17/3/15
2076 Corner of Cadder & Long	✓		18/3/15
418 Cadder Ave.	✓		18/3/15
422 Cadder Ave.	✓		18/3/15
440 Cadder Ave.	✓		18/3/15
450 Cadder Ave.	✓		18/3/15
450 <sup>114</sup> Cadder Ave.		✓	18/3/15
480 Cadder Ave.	✓		18/3/15
1186 Corner of Cadder & Pandosy		✓	18/3/15
409 Cadder Ave.		✓	17/3/15
415 Cadder Ave.		✓	17/3/15
427 Cadder Ave.		✓	17/3/15
443 Cadder Ave.		✓	17/3/15
451 Cadder Ave.	✓		17/3/15
461 Cadder Ave.	✓		17/3/15
471 Cadder Ave.	✓		18/3/15
481 Corner of Cadder & Pandosy	✓		18/3/15
2089 Pandosy str		✓	18/3/15
2119 Pandosy str		✓	18/3/15
2127 Pandosy str		✓	18/3/15
2187 Pandosy str		✓	18/3/15
540 Corner of Glenwood & Cadder	✓		18/3/15
2149 Pandosy str.	✓		18/3/15
2178 Pandosy str		✓	18/3/15
2170 Pandosy str	✓		18/3/15
2164 Pandosy str		✓	18/3/15
2154 Pandosy str	✓		18/3/15
2109 Pandosy str		✓	18/3/15
2126 Long street		✓	17/3/15





Hi neighbour,

I'm one of the original owners since 2007 of the 4 strata owners at the Heritage Cadder House at 2124 Pandosy St.

The mansion was built in 1908 and was the largest residence in Kelowna. The builder, T W Stirling owned the land west to the lake as well as south to the hospital. He donated the land to present day KGH and in the early 1960's our home was the nurse's residence. Our special home is the crown jewel of the Heritage Society, and we owners are also very proud of living here.

The present HERITAGE REVITALIZATION AGREEMENT, in place since 2004, restricts us to 5 residential units only and does not allow us to use the property as the current zoning permits. The City of Kelowna zoning of your residence is even more liberal. We are currently applying to the City to amend the agreement so we can keep maintaining this beautiful but large structure, as it is, and its expansive grounds. Our intention is to create income to pay for the ongoing maintenance costs.

Although the renovation was done in 2004, there are many things, such as the huge driveway, perimeter fencing and lighting that were not completed. We also have to consider future costs and 2 examples would be: the roof and the 2 storey wood fire escape. Exterior painting is ongoing annually with such an exposure to the heat of the south and west sun.

We wanted to give you a courtesy heads up today as our neighbours so that when a City of Kelowna sign is placed on the Cadder House property, then you are already aware. We want your support to help us keep the majestic Cadder House ongoing. We are not asking for a donation, we simply want your support of the ideas we are presenting to amend the heritage agreement.

It is becoming increasingly difficult financially to continue maintaining the property & heritage building as it stands now without amending the HERITAGE REVITALIZATION AGREEMENT.

We have created a survey with the ideas of the proposed uses we are considering. You can fill it in and drop it off in the lobby of the Cadder house and we will be glad to show you in the entrance so you can enjoy what we see everyday. Or you can email us your support on the survey at [cadder.house.2015@gmail.com](mailto:cadder.house.2015@gmail.com)

Thank-you for your support!!

Marie McAlpine  
(one of) The Owners of Cadder House



## Cadder House 2015

Drop off to Cadder House foyer 2124 Pandosy St  
Email to [cadder.house.2015@gmail.com](mailto:cadder.house.2015@gmail.com)

Please complete the following survey to help support the preservation of the majestic **Cadder House** and grounds in its application to the City of Kelowna for a new Heritage Revitalization Agreement. Listed below are our Proposed Uses. Comments are welcome. Use the back if necessary. Thank you for your support.

**Agriculture, Urban** – cultivating a portion of the property to grow fruit, vegetables, herbs, nuts  
(Currently allowed as secondary use for neighbouring RU1 Properties)

Yes\_\_\_\_ No\_\_\_\_ Comments:

**Apartment Housing** – separate households (as it is now) allowing residential tenancy of less than one month focusing on hospital related stays (e.g. Family and cancer patients receiving treatment)

Yes\_\_\_\_ No\_\_\_\_ Comments:

**Artisan live/work studios** – residential/commercial e.g. Painter, potter, sculpture, photographer living and working in unit (Similar to a Home based business)

Yes\_\_\_\_ No\_\_\_\_ Comments:

**Bed & Breakfast** – for this property, owner occupancy is not required (Currently allowed as secondary use for neighbouring RU1 Properties)

Yes\_\_\_\_ No\_\_\_\_ Comments:

**Child Care, in Home** – daily child care to max of 5 children exclusive of the operators' children.  
(Responds to needs of hospital employees and area residents - similar to a Home based business)

Yes\_\_\_\_ No\_\_\_\_ Comments:

**Community Care Facility** – operation of Community Care Facility by a licensee under the Community Care and Assisted Living Act of BC to provide residential care to 6 or fewer persons. (This use was allowed previously on this property when it was Oak Lodge)

Yes\_\_\_\_ No\_\_\_\_ Comments:

**Fitness Studio** – one to one or group sessions of physical fitness including health centres e.g. Yoga, Pilates, dance, and self defence. (Consistent with other uses on the property and principles expressed through the planning for Health District 3)

Yes\_\_\_\_ No\_\_\_\_ Comments:

## Cadder House 2015

Drop off to Cadder House foyer 2124 Pandosy St  
Email to [cadder.house.2015@gmail.com](mailto:cadder.house.2015@gmail.com)

**Health Services** – provision of physical or mental health services on an out-patient bases. E.g. medical and dental office, chiropractors, massage therapists, acupuncture clinics, counselling services  
(Consistent with other uses on the property and principles expressed through the planning for Health District 3)

Yes\_\_\_\_ No\_\_\_\_ Comments:

**Heritage Restaurant** – small heritage café with max capacity of 20 patrons. (Reflects unique heritage nature of the property and responds to need for local small scale food services by residents and employees in the area)

Yes\_\_\_\_ No\_\_\_\_ Comments:

**Home Based Business, Major** – use of a dwelling unit for a secondary business by a resident residing more than 240 days of a year at that dwelling unit. No change to residential character of the dwelling.  
(Currently allowed as secondary use for neighbouring RU1 Properties)

Yes\_\_\_\_ No\_\_\_\_ Comments:

**Home Based Business, Minor** – use of a dwelling unit for a secondary business by a resident residing more than 240 days of a year at that dwelling unit. No change to residential character of the dwelling.  
(Currently allowed as secondary use for neighbouring RU1 Properties)

Yes\_\_\_\_ No\_\_\_\_ Comments:

**Offices** – for the provision of professional, management, administrative, consulting or financial service in an office setting. (Consistent with other uses on the property and principles expressed through the planning for Health District 3)

Yes\_\_\_\_ No\_\_\_\_ Comments:

**Supportive or Assisted Housing** – using residential units to accommodate seniors or others needing assisted living and may include separate common areas for dining, socializing and the provision of meals, housekeeping and personal care. (This use was allowed previously on this property when it was Oak Lodge)

Yes\_\_\_\_ No\_\_\_\_ Comments:

Name\_\_\_\_\_

Address\_\_\_\_\_

Phone\_\_\_\_\_

Email\_\_\_\_\_

## Cadder House Neighbourhood Survey

(as of January 27, 2015)

Uses Proposed in HRA	Yes	No	No Comment	Total	Comment
Agriculture, Urban	 		I	20	Best suited to roof tops in urban
Apartment Housing	 	I		20	One unit should be owner occupied
Artisan Live Work Studios	 			20	
Bed and Breakfast	 I			20	
Child Care, in Home	 	II		20	We are always in need of more childcare
Community Care Facility		I	II	20	
Fitness Studio	 	I	I	20	Not health district use; no night time classes
Health Services		II		20	
Heritage Restaurant		II		20	Traffic, garbage concerns; a great idea, could be lovely; this would be a lovely concept for the area; love this one; I really like this one with the restaurant; we encourage small business in the community but discourage chain restaurants; yes, but parking?
Home Based Business, Major	 II	I	II	20	Unclear what this is
Home Based Business, Minor	 I	I		20	Unclear what this is
Offices	 I		I	20	Yes as per health district; yes but no night work
Supportive or Assisted Housing			I	20	For close proximity to KGH; large lots should be used as support services to KGH

### Other Comments:

We support the current/future occupants of Cadder House in trying to preserve a heritage property intact. Allowing them the flexibility similar to adjacent zones makes sense. Current economic conditions require everyone to be more creative when trying to make ends meet. KGH was allowed to demolish a property on the heritage registry. What is the point of any other restrictions?

Dr JP Etheridge

Okanagan Interventional Pain Clinic  
#303 - 570 Raymer Street  
Kelowna  
V1Y 4Z5

January 1, 2015

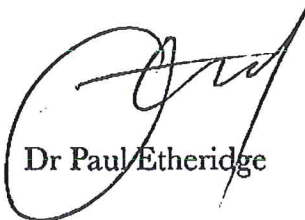
Kelowna City Council  
1435 Water street  
Kelowna, BC  
V1Y 1J4

***RE: Letter of support for Cadder House Heritage Agreement  
Amendment.***

As the director of the Okanagan Pain and Interventional Pain Clinic, my colleagues and I treat patients suffering with chronic pain from all over British Columbia. Appropriate, short term accommodation close to our clinic on Raymer street as well as Kelowna General Hospital where certain pain procedures are done would be of great benefit for patients. Cadder House is well located to offer close access both to the local hospital as well as our clinic. It offers private accommodation for patients as well as family members accompanying them. Based on the close proximity to the hospital, this property would also be potentially suitable as a medical practice for a physician.

I support the application for the amendment of the above mentioned property.

Sincerely,



Dr Paul Etheridge



FROM THE DESK OF

DR JANINE DAVIES

654 Dougherty Ave, Kelowna BC V1W 5B1

250-862-0922

January 1, 2015

City Council  
1435 Water Street  
Kelowna, BC  
V1Y 1J4

RE: Support of Heritage Agreement Amendment regarding 2124 Pandosy Street

I am writing this letter of support in my capacity as a Medical Oncologist formerly working at the BC Cancer Agency- Centre for the Southern Interior until December 2014.

In my profession working with cancer patients from across the interior of British Columbia, I can see the value in offering housing in such close proximity to the Kelowna General Hospital and Cancer Clinic.

Patients often come for treatment for a week at a time or less and can certainly benefit from a location where they have a home environment, can cook their own healthy meals, have family stay with them for support and walk to the hospital for treatment. Having family support during these times is important to the well-being of a patient. The units at Cadder House offer all of this and I would support their application for short term rentals of less than 30 days.

Sincerely yours,



Dr Janine Davies MD BN MSc  
Medical Oncologist  
BC Cancer Agency



January 2, 2015  
Sheri Adams  
303-1770 West  
12 Avenue  
Vancouver,  
B.C.  
V6J 2E6

Kelowna City Hall  
1435 Water Street  
Kelowna, B.C.  
V1Y 1J4

Dear Mayor Colin Basran and Honorable Council Members,

I am writing this letter of support for Cadder House, which is located at 2124 Pandosy Street in Kelowna, B.C., so that the owners may legally place advertising in front of their beautiful heritage site for short term rentals (less than 30 days).

In June of 2014, I found a link to Cadder House online, simply by chance, at a time when I needed it the most. My 46 year old brother was dying from ALS and it was crucial that I spend his last moments with him. I required a space that was quiet, safe and close to Cottonwoods Care Facility where my brother was residing. Not only did Cadder House fill these requirements, the Stirling Suite was beyond my expectations in that it afforded me a space that was my 'home away from home' where I could cook my own meals as well as provided the privacy I so desperately needed. Most importantly, it was so convenient in that I was within walking distance to both my brother and the hospital when necessary. Even though the circumstances of my coming to Kelowna were incredibly painful, I did manage to notice the beauty of this heritage site. It was not hard to see that the owners, Yolanda de Villiers and her husband, took a lot of pride in maintaining the heritage value and character of this amazing building and suites therein. Not only was this heritage building of undeniable benefit to me and my brother, I believe this benefit extended to the existing neighbourhood and Kelowna in general.

Please take this letter to heart and allow these owners to serve others like me, as well as their community.

Sincerely,

Sheri Adams

5 January 2015

Dear members of Kelowna Town Council,

We are writing this letter in support for Cadder House Accommodation. We are a couple, and are both physicians from Vancouver who had the pleasure of working at Kelowna General Hospital, and the BC Cancer Agency in Kelowna in August 2014. Our stay would not have been so successful without the accommodations offered by the Cadder House. The accommodations allowed us convenient access to work, a comfortable and private living space, and a location which also allowed us to enjoy the surrounding area and Kelowna downtown. We were very thankful that the Cadder house was able to offer these living arrangements for short-term stays in a beautiful historic building.

We also support these accommodations for the patients and their families at Kelowna General Hospital and the BC Cancer Agency. Many of our patients travelled a great distance and required accommodations while receiving and recovering from medical treatments. Likewise their family members often required accommodations during these times. Accommodations such as Cadder House are a critical resource to the excellent health-care offered in Kelowna, and we support them for this reason as well.

Thank you for the opportunity to voice our support.

Sincerely,

Dr. Simon D. Baxter, MD

Dr. Stefanie C. Leung, MD

e-mail: [simon.baxter@bccancer.bc.ca](mailto:simon.baxter@bccancer.bc.ca)  
phone: 778-229-4638

## HealthWise Family Practice

778 484 5560

#2-1499 Gordon drive, Kelowna, BC, V1Y 9R2

January 5, 2015

City Council  
1435 Water street  
Kelowna, BC  
V1Y 1J4

**RE: 2124 Pandosy street Heritage Amendment**

We are both practising physicians in Kelowna and provide patient care to Kelowna residents as well as to patients living in neighbouring towns.

We support the amendment application for the above mentioned property to include a combination of residential short term rentals and professional offices with the emphasis on businesses connected to the hospital. Our reasons for this are stipulated below:

- 1) This property is very close to the hospital and offers private accommodation for patients and family of patients. The close proximity to the hospital makes this an ideal location.
- 2) Due to the close proximity to the hospital, size of the property and ample parking, it would make an ideal office space for a specialist physician or physiotherapist that would prefer close proximity to the hospital to visit in-patients as well as consult patients at the office in Cadder.

We feel strongly though, that this heritage building be preserved.

Sincerely,

Dr Ben Wiese



Dr Lize Wiese

Janet Dueck  
1815 7 Avenue South  
Lethbridge, AB T1J 1M1

January 6, 2015

Kelowna City Council  
Kelowna, B.C.

To Whom It May Concern:

I am writing in support of the Cadder House rezoning.

During this past year I have had the opportunity to stay at the Cadder House a few times. It was a convenient location for me to reside because I was in Kelowna visiting my parents at Mountainview Care Home just a short drive away. Normally I would stay about a week and spend the days at the care home. Then it was relaxing to be able to come to the Cadder House in evenings. The accommodation is quiet, spacious and inviting. If you choose you are able to cook in the well equipped kitchen or there are nearby restaurants to go to. Also, one Sunday afternoon I brought my parents to the Cadder House and we enjoyed visiting on the comfortable deck overlooking the beautiful garden.

I personally love historic homes so all the wood moldings, hardwood floors, and the clawfoot tub are especially lovely to me. The home has been tastefully renovated while still keeping the character in place. What a wonderful piece of Kelowna's history!

I will be coming to be with my parents again this year and hope I will be able to stay at the Cadder House. This is a wonderful place to call home when you need accommodation for a short time in Kelowna.

Sincerely,

Janet Dueck



January 11, 2015

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

Dear Mayor and Council,

We are writing this letter in support of Cadder House to legally place rental advertisements in front of their building for short term rentals. As graduate students from the University of British Columbia Vancouver Campus needing to complete practicum placements in Kelowna, we were attracted to Cadder House's historic background and its convenient location in respect to our two placements: Kelowna General Hospital and Starbright Children's Development Centre.

When we were notified by our school that we had been assigned to Kelowna General Hospital for a mandatory clinical practicum, our major and most urgent concern was finding accommodation. Not having any connections in Kelowna, we had to rely on online postings and phone inquiries to look for our temporary home in a city we did not know much about. In addition, given that the duration of the practicum was 5 weeks, we needed to find a short-term rental that was in a safe and convenient location, that offered the flexibility to allow us to rent the premise for 1 month and a week. The Cadder House offered all of these. It is a beautiful historic building located just minutes from the hospital. There is also a bus stop located across the street that takes passengers to Queensway exchange within a few minutes for easy transfer to other parts of the city, such as to our other practicum placement. Moreover, located only a few blocks away from the lake, public parks, and the core of downtown, the convenient location allowed us to have a full Kelowna experience after work and on the weekends.

The suit itself was beautifully decorated and was fully equipped with all the necessary appliances (e.g., washer and dryer, dishwasher, stove, TVs) and services (e.g., cable, wireless internet connection). All the guests need to bring is their personal necessities. Yolanda de Villiers, the owner of Cadder House, made us feel very welcome and she and her husband kept in touch with us regularly to make sure we had everything that we needed.

We would strongly recommend the Cadder House to students, hospital staff, and patients who are looking for a temporary home in Kelowna. We hope Kelowna City Council will accept Cadder House's application to legally advertise in front of their building.

Regards,



Chelsea Leigh

UBC Graduate Student  
M.Sc. Candidate



Colleen Leung

UBC Graduate Student  
M.Sc. Candidate



Hello Yolanda,

I share with you my gratitude for being able to stay at Cadder House during my weeks of treatment at the hospital. First and foremost, the location is ideal. A five-minute walk to the hospital means there is no hospital parking to pay. The location is easily accessible to downtown and close to a number of interesting shops and coffee houses.

Your friendly and personal service helps make Cadder House a restful “home away from home,” which is invaluable to a person undergoing treatment. Having a full kitchen allowed me to schedule meals around my treatment times, and being able to have a family member stay with me allowed me to have the support whenever I needed it. The comfort and cleanliness of the suite in this beautiful historical house cannot be understated, and having ample free parking is an added plus.

I consider myself very fortunate to have found out about Cadder House and encourage others to take advantage of your affordable facility if they are faced with the challenges of treatments at the hospital.

Sincerely,

Karen W.  
Cranbrook, B.C.



Kelowna South Central Association of Neighbourhoods  
Knowles House – 865 Bernard Avenue, Kelowna, BC

May 25, 2015

Consultant Hazel Christy  
Representing owners of Cadder House:  
Jan Armstrong (resident owner)  
Marie McAlpine (resident owner)  
Richard & Yolanda de Villiers (investor owners)  
Grant Good (investor owner)  
2124 Pandosy Street, Kelowna, BC

Submitted via email to: [hchristy@shaw.ca](mailto:hchristy@shaw.ca)

**RE: Proposed HRA Amendment – 2124 Pandosy Street (Cadder House)**

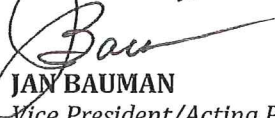
Hello Hazel:

We thank you, and the resident and investor owners of Cadder House for your revised presentation to James Avery (FRAHCAS) and I (KSAN) in April – a follow-up to the initial presentation made by owners in February.

Please be advised that the Kelowna South Central Association of Neighbourhoods (KSAN) Board of Directors fully supports the position of the Friends and Residents of the Abbott Heritage Conservation Area Society (FRAHCAS) that Cadder House remains strictly residential (as per April 27<sup>th</sup> letter attached).

Therefore, we do not support the proposed amendment to the Heritage Revitalization Agreement (HRA) to allow commercial use of any of the residential strata units in this historical property that exists within the Abbott Street Residential Heritage Area.

Yours Sincerely,



**JAN BAUMAN**

Vice President/Acting President  
Kelowna South Central Association of Neighbourhoods

CC:

City of Kelowna – Mayor & Council, Ron Mattiussi, Laura Bentley  
MLA & Minister of Heritage – Steve Thomson  
Central Okanagan Heritage Society & BC Heritage Society – Janice Henry  
FRACHAS Board of Directors – James Avery

April 27, 2015

To: **Hazel Christy**, Professional Planner

As consultant to the following current owners of Cadder House:

**Jan Armstrong** (resident owner)

**Richard and Yolanda de Villiers** (investor owners)

**Grant Good** (investor owner)

**Marie McAlpine** (resident owner)

cc: **Laura Bentley**, City Planner, City of Kelowna

**Mayor and Council**, City of Kelowna

**Ron Mattiussi**, City Manager

**Steve Thomson**, MLA, B.C. Minister of Heritage

**Janice Henry**- Executive Director COHS, Pres. B.C. Heritage Society

**Jan Bauman** - Acting President of KSAN

**FRAHCAS** - Board of Directors

Subject: **HRA Amendment / 2124 Pandosy St. (Cadder House)**

This letter will serve to document the position of FRAHCAS on the subject of a proposed amendment to the Heritage Revitalization Agreement for the registered historic Cadder House. The FRAHCAS Board of Directors first reviewed and discussed on Feb. 17, the initial proposal submitted by the four owners of the five strata units that currently comprise Cadder House. This was the earliest opportunity following a meeting hosted by the owners on Feb. 9, 2015. At that time the proposal presented was open ended in its consideration of multiple ventures designed to offset condo maintenance fees and assessments associated with the ongoing maintenance of Cadder House. The implications for each proposal severally or in combination were overwhelming to contemplate. We suspect that City of Kelowna officials were likely equally challenged in comprehending implications of such a diverse proposal.

The voting Board of FRAHCAS on that occasion took the unanimous position that this prime historic residential home within the residential heritage area should remain 100% residential in nature (i.e., no allowance for commercial operations beyond normal rental of suites for residential purposes only). This property was stratified some years ago with 5 residential units to facilitate preservation of this property. It is proffered that an integrated residential strata home such as Cadder House (main building), where all residential units are connected by a common stairwell / foyer without any significant physical separation or buffer, could not introduce and conduct commercial operations without impact to the residential nature of all of the units. Therefore no proportioned commercialization as proposed is supported (neither in whole nor in part).

We state this position with the foreknowledge that there exists an apparent willingness for financial reasons among the current four strata owners to do so. We must however consider implications beyond the present owners, realizing that in time, changes in



ownership are most likely. Moreover this position is standard policy for residential strata complexes in general and for similar reasons (i.e., that strata bylaws would commonly disallow outright any commercial activities within residential units for the sake of all other residential units).

If an amended HRA were to allow commercial enterprise within Cadder House it begs the question as to whether a future purchaser was acquiring a residence or a commercial enterprise. Moreover and again with a view to future owners, it could be deemed legally oppressive to allow one or any portion of the five units to carry on commercially without extending equal opportunity to all of the units.

Our Board of Directors met again on April 21 to review and discuss the revised draft proposal (dated March 16, 2015). This proposal for amending the HRA is again premised upon financial requirements (both immediate and pending). Discussion with the current owners indicate no efforts in recent operating budgets to address the mounting maintenance costs. Instead these costs now form the premise of the HRA amendment request. It is more than apparent that maintenance fees which include utilities were kept superficially below a level that reflects the true operating costs of this complex. Low maintenance fees have also diminished the amount that otherwise should have been allocated to the contingency reserve for non-budgeted maintenance and repairs.

In reality higher monthly maintenance fees were likely in order and an amount greater than the minimum of 10% of the operating budget required by the Condominium Act should likely have been allocated to the contingency reserve. It is understandable why single residential owners and investment owners alike would be motivated to avoid maintenance fee increases but the nature and amounts of the proposed costs put forward in the current proposal would not be deemed for the most part, unforeseen or in the case of pending repairs, unforeseeable.

It is also acknowledged that the speculative purchase of two illegal suites in the basement of the Cadder House as well as acquisition of the attic area with the hope of additional residential space has proven cost prohibitive and likely non rewarding financially in both cases. We defer to City of Kelowna officials to determine whether or not legitimate residential use can be made of these spaces. We defer to the speculative investor owner to take financial responsibility in the event this speculation proves unprofitable.

With the above in mind the voting members of the Board recently reaffirmed the position that this strata complex should remain fully residential.

Respectfully and on behalf of the Board of Directors,

James Avery  
Pres. FRAHCAS  
Friends and Residents of the Abbott Heritage Conservation Area Society



Attachment D

[HOME](#) [Search](#)

## Heritage Building

### Heritage Building Information



**Kid:** [672849](#) **Plan:** K3144 **Lot:** CP **Block:**  
[Map](#)  
**Civic Address:** 2124 Pandosy St  
**Neighbourhood:** South Central  
**Building Name:** Cadder House (Oak Lodge)  
**Conservation Area:** Abbott Street  
**Date Built:** 1908  
**Status:** Active

#### Historical Significance:

Built by T.W. Stirling, among the largest investors in early Kelowna. Formed Kel. Shippers Union. Involved in the KLO, Kel. Sawmill, Okan. Loan & Trust. Partner in Stirling and Pitcairn. Founded the Hospital and St Michael and All Angels Anglican Church.

#### History:

Thomas Willing Stirling (1866-1930) came to area in 1894 and established "Bankhead" Orchard, specialising in pears. When he built Cadder House in 1908, it was the largest private residence in Kelowna. Returned to Britain in WWI to serve in Navy, reaching rank of Commander and receiving OBE. Returned to Kelowna in 1919, but then returned to Scotland in 1921 after inheriting family property. House used as nurses' residence 1922-24. In 1964 set up as senior citizens' facility, "Oak Lodge Rest Home".

#### Architectural Significance:

The largest residence in Kelowna when built. Unusual and attractive cross-gabled design.

#### Style / Character:

Queen Anne (the roof and details) influences without the asymmetry. The use of the local rusticated block (Haug brand) for first storey of the house and then wood frame above is not very common.

#### Design Features:

Modelled on a historical country house it has a prominent central porch under the cross gable, and a simple, classically-inspired, symmetrical front elevation. A small square bay projects off of the RH side. The front porch has been closed in to form a sunroom.

#### Architect:

unknown

#### Builder:

unknown

#### Building Construction:

concrete block/wood frame

#### Foundation Construction:

Haug concrete block

#### Stories:

2

#### Roof Type:

gabled medium pitched main roof with several small gabled, pedimented dormers

#### Window types:

awning windows DH 1/1

#### Exterior Wall Material:

Haug concrete block and stucco

#### Original Wall Material:

same

#### Exterior Wall Color:

grey/blue w. white trim

#### Landscape Features:

large lot with numerous trees (oak, pine, fir), very private

#### Associated Buildings:

small detached garage in the rear

#### Alterations Documented:

**Alterations Observed:** Front verandah closed in for use as an office. The cross gable may not be original but an early addition.

**Site Context:** A much larger house and lot than those in the area.

**Source:** KHRI 1983, see David Dendy's thesis on the Kelowna Companies (Kelowna Museum); STREET FILES; KHRI; KHRI FORMS; JEFFRIES 1913; bio OHS 35:98-100.

**Additional Notes and Comments:** Oak Lodge (owner of the psychiatric care facility) received \$3,238 from the Kelowna Heritage Foundation. Cadder Ave. bordered on original, larger property.

**Updates:**

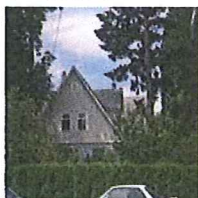
**History Recorder Name:** David Dendy **Date Recorded:** 1997-09-03

**Field Recorder Name:** Leigh-Ann Carter **Date Recorded:** 1997-07-04

**Photographer:** Leigh-Ann Carter **Date Photographed:** 1997-07-04

**Photo Reference:** CD4.22-24

**Main Photo File:**



**Additional Photos:**



**CRHP Inventory:** [Click Here](#)



[List](#) [Readme](#)

## Heritage Building - CRHP

### 2124 Pandosy St - Cadder House (Oak Lodge)

[Identification](#) [Formal Recognition](#) [Location](#) [Desc I](#) [Desc II](#) [Desc III](#) [Images](#) [Doc](#) [Admin](#) [Previous](#)

- E20 Place Description: The historic place is the large, two-storey, concrete-block Cadder House (also known as Oak Lodge), built in 1908, and situated at 2124 Pandosy Street in the Abbott Street Heritage Conservation Area in Kelowna's South Central neighbourhood.
- E21 Heritage Value: The building has heritage value for its association with the Kelowna's significant tree-fruit industry, through two former residents, and with health care services, through two institutional uses. It also has value for its architecture and its stature, reported to have been the largest private residence in Kelowna when it was built.

Cadder House was built for Thomas Willing (T.W.) Stirling, who was prominent in the tree-fruit industry and other lines of business. Although descended from Scottish landed gentry, Stirling was born in England. In 1879, at the age of 13, he entered the Royal Navy as a cadet. He rose to the rank of lieutenant and resigned his commission in 1893. A year later he came to Kelowna with his wife Mabel and children. He purchased a portion of the old Nicolson property, which he renamed 'Bankhead'. He built a large house and orchard there and maintained purebred livestock. In 1905 Stirling became president of the BC Fruit Growers' Association.

With ample capital and great energy, Stirling became involved in almost every agricultural enterprise in the area. He and James Crozier were the prime movers in the organization of the Okanagan's first agricultural cooperative marketing organization, the Kelowna Shippers' Union. When that failed, Stirling founded the independent shipping firm of Stirling and Pitcairn. He put up much of the capital for the Kelowna Land and Orchard Company, which purchased and subdivided the Lequime estate and started the large-scale orchard development of East Kelowna. (The house of W.R. Pooley, an original partner and promoter of the company, stands at 3690 Pooley Road.)

Stirling also invested in the Kelowna Sawmill Company and was the backer of the Okanagan Loan and Investment Trust Company (280 Bernard Avenue), which provided financing to fruit growers. He was also a generous donor to community projects, such as the Kelowna Hospital and St. Michael and All Angels Anglican Church.

When World War I broke out, Stirling returned to the Royal Navy. He worked on the movement of transports and convoys, and rose to the rank of Commander, becoming decorated with the Order of the British Empire. After the war he returned briefly to Kelowna, but in 1921 returned permanently to the family estate (Muiravonside) in Scotland, which he had inherited after the death of his older brother.

Stirling built 'Cadder House' (named after Cadder in Lanarkshire, the family's original seat) in 1908, moving here from Bankhead. It was reportedly the largest residence in Kelowna when built, and one of the few houses in the young city that might be termed a 'mansion'. The house is 1.5 storeys high, with a medium-pitch gable roof. The lower portion is rendered in rusticated concrete block. The front grounds extended to Cadder Avenue, and a greenhouse and hotbeds stood behind.

Cadder House was used as the Hospital's nurses' residence from 1922 to 1924. After T.W. Stirling's death in 1930, it was purchased by Byron McDonald. In 1913 McDonald had established B.C. Growers Ltd., an independent fruit-shipping house, and in 1923 he established another, B.C. Orchards Ltd. He acquired the orchard of the Kelowna Land and Orchard Company, which he incorporated under the name of Keloka Orchards Ltd. McDonald had other local business interests as well, opening a garage in 1925 on Bernard Avenue and investing in mines at Beaverdell. He became involved in civic politics, sitting on City Council from 1929 to 1932.

After McDonald's death in 1936, Cadder House passed through several hands. It eventually passed into institutional use. In 1964 it was set up as a senior citizens' facility under the name of 'Oak Lodge', later functioning as a psychiatric care facility. Cadder House (Oak Lodge) remains a large and prominent structure. A current proposal to be addressed in 2004 proposes a conversion to a number of dwelling units within the building.

E22 Character Defining  
Elements:

- The largest residence in Kelowna when built
- Foundation and ground floor rendered in locally manufactured (Haug) rusticated concrete block
- Cross-gabled design
- Simple, classically-inspired symmetrical front elevation
- Prominent porch under cross gable
- Gabled, medium-pitched main roof with several small gabled pedimented dormers
- Small square bay projecting on right side
- Large lot with many trees, including oak, pine, and fir



## CITY OF KELOWNA

### BYLAW NO. 9184

#### **Heritage Revitalization Agreement Authorization Bylaw HRA03-0003 - 2124 Pandosy Street**

WHEREAS a local government may, by bylaw, enter into a heritage revitalization agreement with the Owner of property which Council deems to be of heritage value pursuant to section 966 of the *Local Government Act*;

AND WHEREAS the Municipal Council of the City of Kelowna is desirous of entering into a Heritage Revitalization Agreement with Oak Lodge Centre Ltd for the property located at 2124 Pandosy Street, Kelowna, B.C.;

THEREFORE the Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. The Municipal Council of the City of Kelowna hereby authorizes the City of Kelowna to enter into a Heritage Revitalization Agreement with Oak Lodge Centre Ltd for the property located at 2124 Pandosy Street, Kelowna, B.C., and legally described as:

Lot 3, District Lot 14, ODYD, Plan 4551

In the form of such Agreement attached to and forming part of this bylaw as Schedule "A".

2. The Mayor and City Clerk are hereby authorized to execute the attached agreement, as well as any conveyances, deeds, receipts and other documents in connection with the attached agreement, and to affix the corporate seal of the City of Kelowna to same.

Read a first time by the Municipal Council this 24<sup>th</sup> day of February, 2004.

Considered at a Public Hearing on the 9<sup>th</sup> day of March, 2004.

Amended at first reading by the Municipal Council this 1<sup>st</sup> day of March, 2004.

Read a second and third time by the Municipal Council this 9<sup>th</sup> day of March, 2004.

Adopted by the Municipal Council of the City of Kelowna this 22<sup>nd</sup> day of November, 2004.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**SCHEDULE "A"**  
**HERITAGE REVITALIZATION AGREEMENT**

DOCUMENT APPROVAL			
Document No. HRA03-0003			
Cir	Department	Date	Init.
	Planning		
	Wrks. & Util.		
	Insp. Serv.		
	City Clerks		

THIS AGREEMENT dated as of the      day of      , 200   .

BETWEEN:

CITY OF KELOWNA, a Municipal Corporation having offices at  
1435 Water Street, Kelowna, British Columbia V1Y 1J4

(herein called the "CITY")

AND:

Oak Lodge Centre Ltd  
2175 Abbott Street  
Kelowna, BC, V1Y 1C9

(herein called the "OWNER")

**WHEREAS** a local government may, by bylaw, enter into a Heritage Revitalization Agreement with the Owner of property identified as having heritage value, pursuant to Section 966 of the *Local Government Act*;

**AND WHEREAS** the Owner owns certain real property on which is situated a building of heritage value, pursuant to the City's Heritage Register, which property and building are located at 2124 Pandosy Street, Kelowna, British Columbia and legally described as:

Parcel Identifier: 010-529-063  
Lot 3, Section 24, Township 25, ODYD Plan 4551

(herein called the "Heritage Lands")

**AND WHEREAS** the Owner has presented to the City a proposal for the use, development and preservation of the Heritage Lands and has voluntarily and without any requirement by the City, entered into this agreement pursuant to Section 966 of the *Local Government Act*;

**AND WHEREAS** a local government must hold a Public Hearing on the matter before entering into, or amending, a Heritage Revitalization Agreement if the agreement or amendment would

SCHEDULE "A" - Page 2.

permit a change to the use or density of use that is not otherwise authorized by the applicable zoning of the Heritage Lands and for these purposes Section 890 through 894 of the *Local Government Act* apply;

AND WHEREAS within thirty days after entering into, or amending, a Heritage Revitalization Agreement the local government must file a notice in the Land Title Office in accordance with Section 976 of the *Local Government Act* and give notice to the Minister responsible for the *Heritage Conservation Act* in accordance with Section 977 of the *Local Government Act*;

NOW THEREFORE in consideration of the mutual promises contained in this agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

**1.0 Heritage Revitalization**

- 1.1 The parties agree that the Heritage Lands has heritage value, deserving of protection and conservation and the Owner specifically agrees to restore, maintain, preserve and protect the heritage character of the buildings located on the Heritage Lands in accordance with attached schedules "A", "B", and "C".
- 1.2 The parties agree that the Heritage Lands may, notwithstanding the RU1 – Large Lot Housing zoning on the Heritage Lands, be used for the following permitted uses within the Heritage Building on the identified Heritage Lands:
  - (a) Five residential units as shown in Schedule "A";
  - (b) The residential units will be limited to the following sizes:
    - Unit 1: 86.2m<sup>2</sup>
    - Unit 2: 71m<sup>2</sup>
    - Unit 3: 111m<sup>2</sup>
    - Unit 4: 75m<sup>2</sup>
    - Unit 5: 51.6m<sup>2</sup>
  - (c) No dwelling units shall be developed in the existing basement area without an application to amend this agreement.
  - (d) The owner agrees to the designation of the property under Section 967 of the Local Government Act has a Heritage Property
- 1.3 The parties agree that, except as varied or supplemented by the provisions of this agreement, all bylaws and regulations of the City and all laws of any authority having jurisdiction shall apply to the Heritage Lands.

**2.0 Proposed Development**

- 2.1 The Owner agrees to undertake and maintain landscaping on the subject property in general accordance with the landscape plans attached hereto as Schedules "C" and forming part of this agreement.

(herein after called the "Landscaping Works")
- 2.2 The Owner agrees to provide and pay for all servicing required by the proposed development of the Heritage Lands and to provide required bonding for same, including, but not limited to: domestic water and fire protection, sanitary sewer, storm drainage, road improvements, road dedications and statutory rights-of-way for utility servicing,



SCHEDULE "A" - Page 3.

power and telecommunication services and street lighting all as noted below - "Works and Utilities Requirements", and forming part of this agreement.

(herein after called the "Works and Utilities Requirements")

**3.0 Works & Utilities Requirements**

**3.1. Domestic Water and Fire Protection**

- (a) A new water service of sufficient size to supply the domestic and fire protection requirements of the proposed development must be installed at the owner's expense.
- (b) The disconnection and removal of the existing small diameter water service and the tie-in of the new service will be by City forces at the owner's expense.
- (c) A water meter must be installed inside the buildings on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The owner or its building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost. The developer must also purchase an irrigation sewer credit meter from the City and prepare a meter setter at his cost.

**3.2 Sanitary Sewer**

- (a) If a larger service is required it can be provided at the owner's cost.

**3.3 Road Improvements**

- (a) The rear lane fronting the heritage lands must be upgraded to a paved standard including a drainage system at the owner's expense. Owner is required to provide bonding in a form acceptable to the City of Kelowna in the amount of \$14,000.00.

**3.4 Road Dedication and Subdivision Requirements**

The owner must provide by registered plan the following:

- (a) A Road Reserve allowing for 3.20 meter widening of Pandosy Street fronting this property.
- (b) Statutory rights-of-way as required for utility services.

**3.5 Electric Power and Telecommunication Services**

The owner shall be responsible to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services at the owner's expense.

**3.6 Survey Monuments and Iron Pins**

If any legal survey monuments or property iron pins are removed or disturbed during construction, the owner will pay to the City a flat sum of \$1,200.00 per incident to cover the cost of replacement and legal registration.

**3.7 Site Related Issues**



SCHEDULE "A" - Page 4.

- (a) The heritage lands will be required to contain and dispose of site generated storm water on the site by installing a ground recharge system consisting of drywells and perforated pipe bedded in drain rock.
- (b) The owner will direct the carriage house roof drain splash pads away from the rear lane or into an on-site rock pit in order to help dissipate the roof drain water and prevent additional concentrated flow onto the lane.

**4.0 Inspection Services Requirements**

4.1 The Owner shall provide and pay for all structural upgrades required for the proposed adaptive re-use of the subject Heritage House to meet the British Columbia Building Code as outlined in this agreement including the following:

- a) Floors and walls shall be upgraded to 3/4 hr. fire resistant rating. Doors shall be solid core with a 20 min. fire resistant rating.
- b) Unit #1 shall have access from the deck to the ground.
- c) A solid core door shall be installed at the top of the stair on the second floor complete with a landing.
- d) The exterior exit stair from the second floor may be exposed to fire from unit #2. The owner shall resolve this issue to the satisfaction of the Inspection Services.
- e) A smoke alarm system shall be installed.

**5.0 Commencement and Completion**

5.1 The Owner agrees to commence the Restoration Works, Landscaping Works, and Works and Utilities requirements and Inspection Services requirements forthwith upon adoption of City of Kelowna Heritage Revitalization Agreement Authorization Bylaw No.\_\_\_\_ and to complete all such Works no later than December 31<sup>st</sup>, 2004.

**6.0 Damage or Destruction**

6.1 In the event that the Heritage Building is damaged, the parties agree as follows:

- (a) The Owner may repair the Heritage Building in which event the Owner shall forthwith commence the repair work and complete same within one year of the date of damage;

OR, in the event that the Heritage Building is destroyed,

- (b) The City will, by bylaw and after conducting a Public Hearing in the manner prescribed by Sections 890 through 894 of the *Local Government Act*, cancel this agreement whereupon all use and occupation of the Heritage Lands shall thenceforth be in accordance with the zoning bylaws of the City and in accordance with all other bylaws or regulations of the City or any other laws of authority having jurisdiction.

**7.0 Breach**

- 7.1** In the event that the Owner is in breach of any term of this Agreement, the City may give the Owner notice in writing of the breach and the Owner shall remedy the breach within 30 days of receipt of the notice. In the event that the Owner fails to remedy the breach within the time allotted by the notice, the City may by bylaw and after conducting a Public Hearing in the manner prescribed by Sections 890 through 894 of the *Local Government Act* cancel this Agreement whereupon all use and occupation of the Heritage Lands shall thenceforth be in accordance with the zoning bylaws of the City and in accordance with all other bylaws or regulations of the City or any other laws of authority having jurisdiction.

**8.0 Amendment**

- 8.1** The parties acknowledge and agree that this Agreement may only be amended by one of the following means:
- (a) By bylaw with the consent of the parties provided that a Public Hearing shall be held if an amendment would permit a change to use or density of use on site or;
  - (b) By Heritage Alteration Permit (HAP), issued pursuant to Section 972 of the *Local Government Act*.

**9.0 Representations**

- 9.1** It is mutually understood and agreed upon between the parties that the City has made no representations, covenants, warranties, promises or agreements expressed or implied, other than those expressly contained in this Agreement.

**10.0 Statutory Functions**

- 10.1** Except as expressly varied or supplemented herein, this Agreement shall not prejudice or affect the rights and powers of the City in the exercise of its statutory functions and responsibilities including, but not limited to, the *Local Government Act* and its rights and powers under any enactments, bylaws, order or regulations, all of which, except as expressly varied or supplemented herein, are applicable to the Heritage Lands.

**11.0 Enurement**

- 11.1** This Agreement enures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

**12.0 Other Documents**

- 12.1** The Owner agrees at the request of the City, to execute and deliver or cause to be executed and delivered all such further agreements, documents and instruments and to do and perform or cause to be done and performed all such acts and things as may be required in the opinion of the City to give full effect to the intent of this Agreement.

SCHEDULE "A" - Page 6.

**11.0 Notices**

11.1 Any notice required to be given pursuant to this Agreement shall be in writing and shall either be delivered mailed by registered mail as follows:

(a) To the City:

City of Kelowna  
1435 Water Street  
Kelowna, B.C. V1Y 1J4

ATTENTION: City Clerk

(b) To the Owner:

Oak Lodge Centre Ltd  
2175 Abbott Street  
Kelowna, BC, V1Y 1C9

Or, to such other address to which a party hereto may from time to time advise in writing.

SCHEDULE "A" - Page 7.

**12.0 No Partnership or Agency**

12.1 The parties agree that nothing contained herein creates a relationship between the parties of partnership, joint venture or agency.

IN WITNESS WHEREOF this Agreement has been executed by the parties hereto on the day and year first above written.

CITY OF KELOWNA  
by its authorized signatories

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(City Clerk)

Oak Lodge Centre Ltd. Inc. No.170825 (Myrna White)

In the presence of:

\_\_\_\_\_  
Witness (print name)

\_\_\_\_\_  
Oak Lodge Centre Ltd. Inc. No.170825 (Myrna White)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Occupation





**DELETE  
PANDOST  
ACCESS**

This forms part of development Permit # \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

**CADDER HOUSE**  
2729 PARKWAY STREET  
KELLOWNA, B.C.

**EXISTING & PROPOSED**

DATE	REVISION	BY	DATE	REVISION	BY

**2048**  
SHEET  
**A 5.0**

**SCHEDULE A**

**REVISED PLANS**

**ROOF**  
EXISTING & PROPOSED

DATE: \_\_\_\_\_  
Signature: \_\_\_\_\_

Permit # \_\_\_\_\_  
The forms part of development



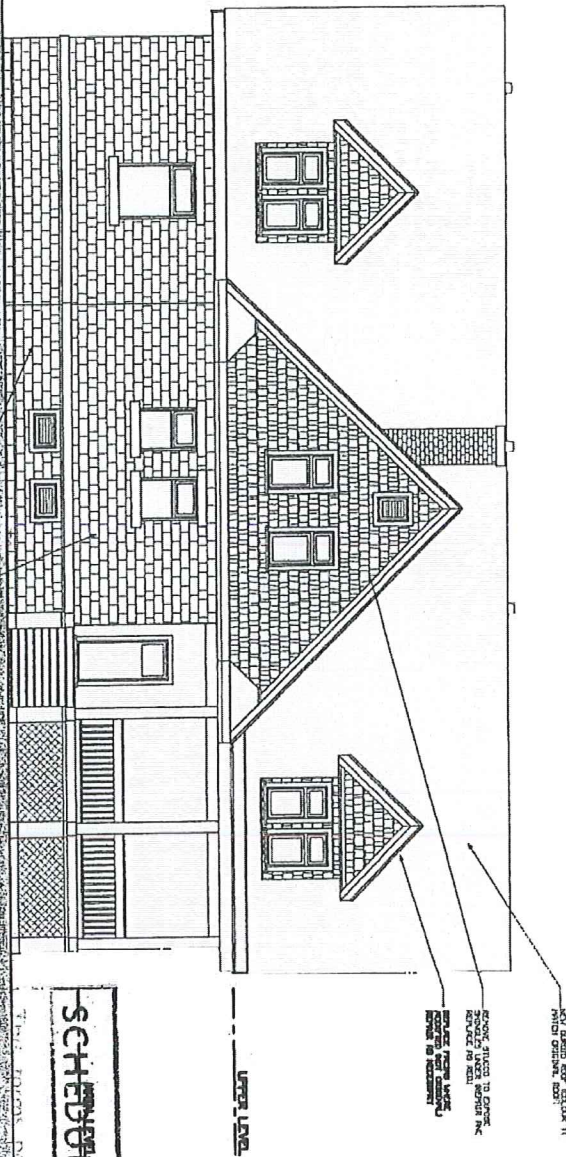








# REVISED PLANS



SCHEDULE B

THE HOUSE OF DEVELOPMENT

Signature

CADDER HOUSE  
2201 PARKWAY STREET  
REDONIA, B.C.



NORTH

DATE	REVISION	BY	DATE	REVISION	BY

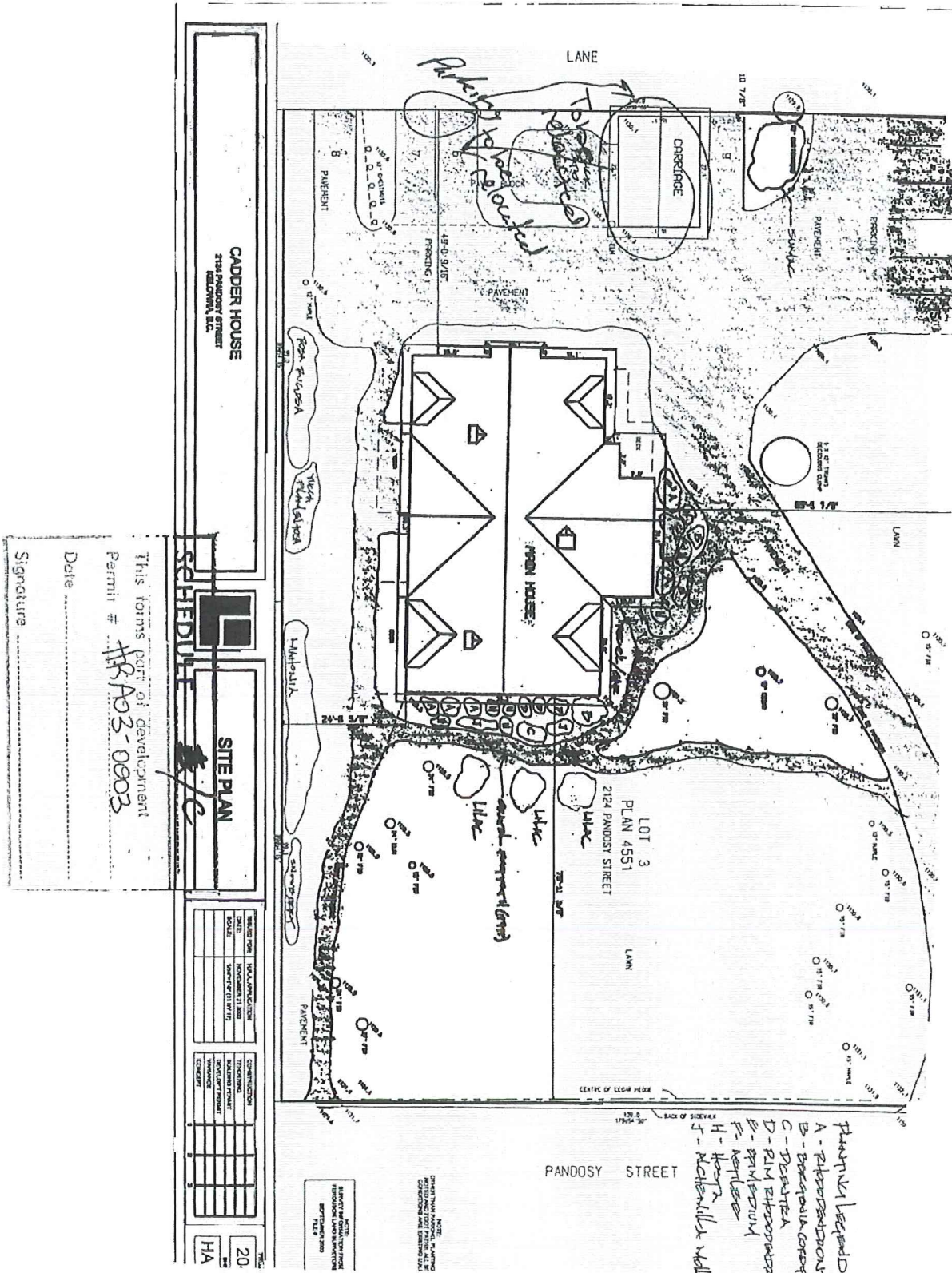
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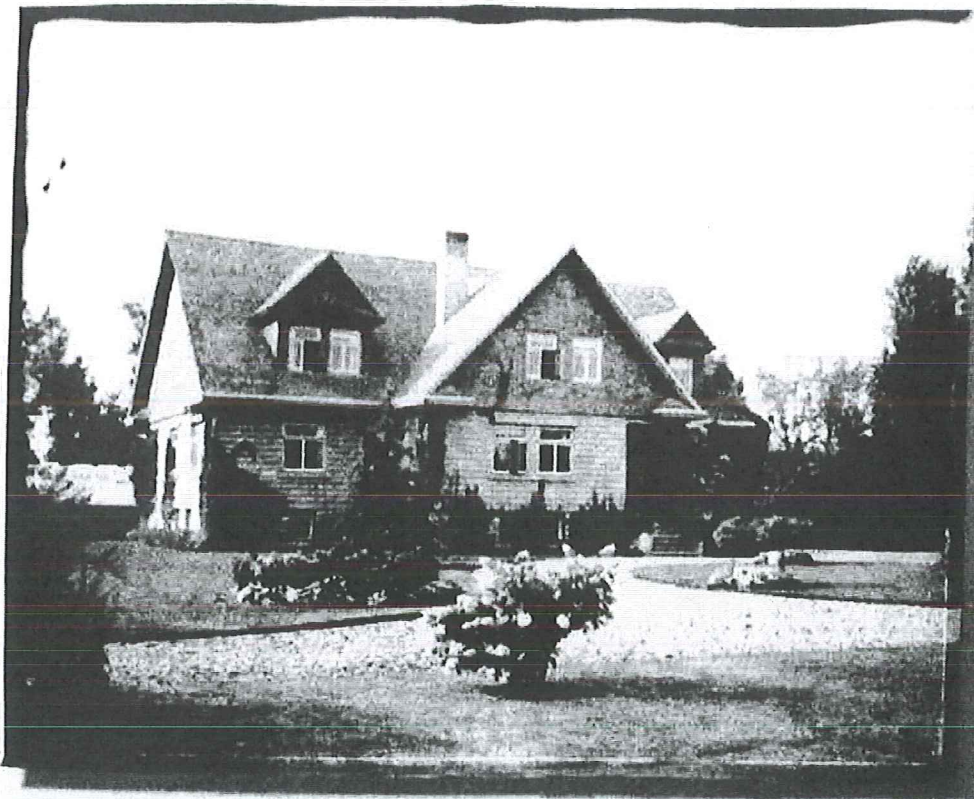


# Proposal for Adaptive Re-Use

## The Cadder House

2124 Pandosy Street

December 2014



*The Cadder House*



Christy and Associates  
Registered Professional Planners



## Re-visiting the Cadder House

### 1.0 The Heritage Property

The Cadder House is located at 2124 Pandosy Street on property legally described as KAS3144, D.L. 14, ODYD, a strata plan containing four residential apartments and a carriage house. The Cadder House is listed in the Kelowna Heritage Register and is a designated heritage building. Built in 1908 for Thomas William Stirling, the owner of “Bankhead Orchards”, it served as his residence until 1921, when he returned to Scotland. Since that time it has seen a number of incarnations, culminating in its present status as a heritage building. It was briefly used as a nurses residence from 1922-1924. In 1964, it became the site of the Oak Lodge Rest Home, a care facility for senior citizens, and later a care facility for the mentally handicapped, operating as a non-conforming use within the RU1 – Single Family Residential zone. Currently it is the subject of a Heritage Revitalization Agreement (HRA) adopted in November of 2004 that allows for residential apartment use (see Attachment A - Bylaw 9184 Heritage Revitalization Agreement Authorization Bylaw).

While the underlying zoning remains RU1, the HRA overrides the zoning by tightly controlling the uses and structures permitted on the property. The existing permitted uses total four- one-bedroom residential apartments in the main building, and a one-bedroom residential apartment located in a detached carriage house. Through the HRA process, extensive building upgrades and restoration work were completed to create the five residential units and restore many of the original features of the heritage property. For example, the interior of the property features extensive oak woodwork as shown on the attached photographs. The structure, exterior details and landscaping are as noted on the plans attached to the HRA.

### 2.0 Current Owners’ Financial and Management Challenges

The ownership of the property has changed and the current owners of the five residential strata units are working in cooperation to seek an expansion of permitted uses. Given the financial and management challenges that the strata owners are facing, this application is proposing the addition of select uses to the HRA, keeping in mind the importance of preserving the heritage features of the property within the neighbourhood context.

Managing the small Cadder House strata on the large heritage property lot, has been, and continues to be very challenging for the owners. The four owners are unable to afford a property manager, and it has been through their cooperation, time, and effort, that the strata has slowly begun to recover from the financial arrears resulting from the original developer abandoning the project and leaving two units in foreclosure. Despite these efforts, the strata’s contingency fund is stressed to finance the many significant capital improvement/replacement tasks, which are entering a new cycle since the renovations completed approximately 10 years ago. These capital improvement costs are significant additions to the ongoing operating costs.

The expansion of permitted uses will help to mitigate the financially demanding and rising costs associated with maintaining the Cadder House and its prominently landscaped yard. Examples of some of these costs are summarized below:

#### **Cadder House Capital Improvement/Replacement Costs**

- Repair to the old and deteriorating exterior wood on the south facing emergency fire exit door & stairs is required in 2015 at an estimated cost \$8000-\$10,000
- Commercial grade hot water tanks need replacing. Estimated Cost \$3,500-\$4,000
- Levelling, repairing and removing old tree roots from the driveway access and parking area. Estimated Cost up to \$50,000
- New steel roof has been estimated at \$95,000
- Touch up exterior painting to the building trim, stairs and rails cost \$2,900 in 2013.
- Heritage lamps, streetscape improvements, signs and historical plaques (??).

#### **Operating Costs**

- Landscaping: \$6,000-\$7,000 per year, not including dead hazard tree removals
- Building Insurance: \$4,500 per year
- Gas Utility Bill: \$4,500-\$6,500 per year, not including \$1,600 to replace an old pipe, which froze last winter.

Any proposed changes to the existing uses and/or structures permitted will require either an amendment to, or replacement of, the HRA (to deal with use) or a Heritage Alteration Permit (to deal with structure) or both. At this time, the discussion is confined to potential future uses to be included in a new HRA, as no physical changes are currently contemplated to the building.

### **3.0 The Evolving Neighbourhood**

The City of Kelowna, and in particular, the Kelowna General Hospital (KGH) neighbourhood continues to evolve. The last 10 years have seen tremendous expansion, both physical and functional, to the Kelowna General Hospital (KGH). Since 2002, \$439 million dollars have been spent or are committed to the Interior, including the establishment of the UBC's Southern Interior Medical Program, a \$367 million Interior Heart and Surgical Centre, a new trauma centre, a hybrid operating room, as well as improvements and expansion to the Cancer Centre, pediatrics and other units. KGH now plays a much larger role as a regional treatment centre than it did ten years ago and patients come from all over BC for specialized treatment.

With the opening of the new bridge, plus growth and re-development in South Pandosy and neighbourhoods further south, Pandosy Street as the main arterial road carries significantly higher volumes of traffic than it did 10 years ago. With policy changes supporting increased density through the construction of secondary suites, carriage homes and infilling, in keeping with City goals and objectives for sustainability and compact development, the neighbourhood is home to a greater population at a higher density than it was 10 years ago.



## 4.0 The Health District and the Transitional Zone

The City, KGH and the surrounding neighbourhoods have recently completed a collaborative and comprehensive planning exercise for the hospital and surrounding area, culminating in amendments to the Official Community Plan (OCP) and the Zoning Bylaw. The amendment to the OCP revises the definition of the Health District designation, extends the area around KGH designated for this use, and adds a new Revitalization Development Permit area to properties north and south of KGH. In addition, a new zone, the “Health Services Transitional (HD3) Zone”, has been added to the City’s Zoning Bylaw. After a public hearing held on July 29, 2014, the OCP and zoning amendments were adopted on September 15, 2014. Subsequent to the adoption of the OCP and zoning amendments, additional minor amendments have been proposed to the Hospital and Health Support Services (HD2) zone and the Health Services Transitional (HD3) zone for greater clarity and consistency. The Official Community Plan Health District designation and HD zones apply to properties on Royal and Christleton Avenues immediately north and south of KGH and one block south of the Cadder House.

The purpose of the new HD3 zone is to create a transitional area between KGH and the surrounding established residential neighbourhoods that would allow for low-impact, small scale health service uses to locate adjacent to existing residential uses. Development regulations in the zone are intended to ensure that heights, building setbacks, and lot coverage are compatible in scale with the surrounding residential neighbourhood. Landscaping and signage regulations are also designed to fit within the neighbourhood context.

As part of the planning process, a survey of residents was undertaken in February 2014, and a neighbourhood meeting was subsequently held in April. Input was received from residents and residents’ associations, including the Kelowna South Association of Neighbourhoods (KSAN), the Friends and Residents of the Abbott Street Heritage Conservation Area Society (FRAHCAS), and the KLO Central Neighbourhood Association (KLOCNA). Support for the limited expansion of healthcare uses and residential uses of various types, while maintaining a form and character consistent with the residential neighbourhood was expressed by a majority of those residents surveyed (Staff report to Council dated July 14, 2014).

## 5.0 Proposed Heritage Revitalization Agreement

### **Background and Analysis**

The goals of the Health District planning exercise are consistent with the Cadder House owners’ aspirations for the property and their desire to amend the permitted uses in the existing HRA agreement. The unique attributes of the property and its location would allow for additional uses to be permitted within the Cadder House that compare favourably, and are consistent with, the low-impact uses permitted by the Health Services Transition zone.

At present, the HRA for the Cadder House is more restrictive than the underlying and surrounding RU1 zone which permits: urban agriculture, bed and breakfast homes, minor care centres, minor group homes, and major and minor home based businesses in addition to the



Christy and Associates  
Registered Professional Planners

residential use. The Cadder House HRA is also more restrictive than many of the other approved HRA's in the nearby vicinity which allow for a mix of uses in addition to the residential component. Permitting carefully defined uses that do not require physical changes to the Cadder House itself, nor have a significant impact on the neighbourhood, will support and positively reinforce the adjacent Health District to the south. The intent is to enable the property to be self-sustaining financially, without altering the integrity of the heritage property and while recognizing its place within the neighbourhood.

The Cadder House sits on a large, well treed lot on Pandosy Street, a major city arterial roadway, at the edge of a neighbourhood. It is within walking distance of the hospital, the downtown, and a growing residential population. There is adequate room on the lot to allow for additional uses and associated traffic circulation and parking, while maintaining landscaping, and buffering to mitigate any impacts on adjacent properties.

### **Proposal for a New HRA**

It is proposed to replace the existing HRA with a new HRA rather than amend the existing HRA. Replacing rather than amending the existing HRA will be straightforward and more precise and it is with this intent that this submission has been prepared (Attachment B – Proposed Draft Heritage Revitalization Agreement Bylaw). The draft Bylaw and its Schedule A, Sections 1 and 2, and 5 through 13, are based on existing HRA Bylaw 9184. Sections 3 and 4 of Schedule A to the proposed HRA are new and specifically crafted for this Heritage Property. The rationale for the proposed changes is provided below, as well as through commentary inserted within the text of the draft bylaw.

### **Uses**

The proposed uses are specifically defined for this new HRA as opposed to referencing the uses defined by the existing City of Kelowna Zoning Bylaw for the following reasons: (1) The City of Kelowna Bylaw may be amended from time to time, allowing for less certainty for this property and for the surrounding neighbourhood, and (2) the Local Government Act allows for specific controls of uses on heritage properties beyond those permitted in a Zoning Bylaw, whose regulations apply to the many properties having the same zone. These specific controls can be used to advantage to tailor the proposal to the property and the neighbourhood.

The only existing permitted use is:

- Apartment Housing

The specific definition proposed allows for short term rentals.

Certain proposed uses as defined are consistent with adjacent RU1 zoning:

- Agriculture, Urban
- Bed and Breakfast Homes
- Child Care, In Home
- Community Care Facility



- Home Based Business, Major and Minor

The specific definitions in the proposed agreement either provide for limitations such as size within the definition itself or the actual use will be limited by the physical configuration of the Heritage Property.

Other uses defined are consistent with the HD 3 zone:

- Health Services
- Fitness Studio
- Supportive or Assisted Housing

These uses may be either limited by size in the definition or by the physical configuration of the property.

The last category of use is neighbourhood commercial in nature. The proposed uses are in harmony with the location and attributes of the heritage property, and the definition limits them in terms of size or operation:

- Artisan live/work studios
- Heritage Restaurant
- Offices

## 5.0 Summary

The Cadder House is a unique property, located on Pandosy Street at the edge of the Abbott Street Heritage Conservation Area, within blocks of the Kelowna General Hospital and the downtown. It is appropriate to consider these added uses as the hospital and the area around it evolves, grows and develops. The recent adoption of the Hospital District designation and associated Health Services zones demonstrates the local acceptance of a limited expansion of uses that are consistent in form and character with the existing residential neighbourhood. The owners are expressing their willingness to work with the City and have begun consultation with their neighbours in the surrounding neighbourhood to introduce an economically viable adaptive re-use program that will ensure compatibility and the preservation of this part of Kelowna's heritage.

While it is typically easier to reconstruct, the Cadder House in its present form has its own exclusive value as it approaches its 110 year anniversary. In the midst of change, the Cadder House represents to the City and to the neighbourhood, the Kelowna of another era. The addition of other uses will help the Cadder House to maintain and preserve its place in the neighbourhood it has been a part of for so long.



Attachment C – Photos of the Cadder House Heritage Property  
Exterior Photos



Exterior





Carriage House and Main House



Front Yard



Side Yard looking to Pandosy





Side Yard looking west



Basement Entrance (one of two)



## Interior Photos



Interior Staircase



Interior Wood detailing





Interior Wood detailing



Dining Room Sideboard





Interior Finishing



Window details

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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** February 12, 2015  
**File No.:** HRA15-0001  
**To:** Urban Planning (LB)  
**From:** Development Engineering Manager  
**Subject:** 2124 Pandosy Street

---

Development Engineering has the following comments and requirements associated with this Heritage Revitalization Agreement application.

1. Domestic Water and Fire Protection

Our records indicate this property is currently serviced with a 50mm-diameter water service. If a larger service is required, it can be provided by City forces at the developer's expense. The applicant will be required to sign a Third Party Work Order for the cost of the water service upgrade. For estimate inquiry's please contact Sergio Sartori by email [ssartori@kelowna.ca](mailto:ssartori@kelowna.ca) or phone 250-469-8589.

2. Sanitary Sewer

Our records indicate that this property is serviced with a 100mm-diameter sanitary sewer service complete with inspection chamber. If it is determined that larger service is required, it can be provided at the applicant's cost.

3. Road Improvements

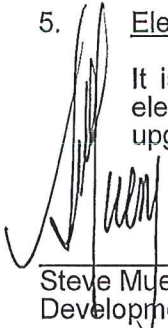
Pandosy Street is urbanized along the full frontage of this property, and no further upgrades are required.

4. Access, Manoeuvrability and Parking Requirements

Access to this property should be from the lane and is encouraged for safe access. The Parking Area should be designed so as to allow vehicles to turn-around on-site as well.

5. Electric Power and Telecommunication Services

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.



---

Steve Muenz, P. Eng.  
Development Engineering Manager

SS

# CITY OF KELOWNA

## BYLAW NO. 11124

Heritage Revitalization Agreement Authorization Bylaw HRA15 - 0001 -  
Grant Good, Marie McAlpine, F. Devillier Medical Prof. Corp. Janette Armstrong  
and F. De Villiers Medical Prof. Corp., Inc. No. 101092982  
2124 Pandosy Street

---

WHEREAS a local government may, by bylaw, enter into a heritage revitalization agreement with the Owner of property which Council deems to be of heritage value pursuant to section 966 of the *Local Government Act*;

AND WHEREAS the Municipal Council of the City of Kelowna is desirous of entering into a Heritage Revitalization Agreement with Grant Good, Marie McAlpine, F. Devillier Medical Prof. Corp., Janette Armstrong and F. De Villiers Medical Prof. Corp., Inc. No. 101092982 for the property located at 2124 Pandosy Street, Kelowna, B.C.;

THEREFORE the Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. The Municipal Council of the City of Kelowna hereby authorizes the City of Kelowna to enter into a Heritage Revitalization Agreement with Grant Good, Marie McAlpine, F. Devillier Medical Prof. Corp., Janette Armstrong and F. De Villiers Medical Prof. Corp., Inc. No. 101092982 for the property known as the "Cadder House" located at 2124 Pandosy Street, Kelowna, B.C., and legally described as:

Strata Lot 1, 2, 3, 4 and 5, District Lot 14, ODYD, Strata Plan KAS3144 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V;

In the form of such Agreement attached to and forming part of this bylaw as Schedule "A".

2. The Mayor and City Clerk are hereby authorized to execute the attached agreement, as well as any conveyances, deeds, receipts and other documents in connection with the attached agreement, and to affix the corporate seal of the City of Kelowna to same.
3. This bylaw shall come into full force and effect as of and from the date of adoption.
4. Heritage Revitalization Agreement Authorization Bylaw No. 9184 – HRA03-0003 – 2124 Pandosy Street and all amendments thereto, are hereby repealed.

Read a first time by the Municipal Council this

Considered at a Public Hearing this

Read a second and third time by the Municipal Council this



Approved under the Transportation Act this

---

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk

# **SCHEDULE “A”** **HERITAGE REVITALIZATION AGREEMENT**

DOCUMENT APPROVAL			
Document No. HRA15-0001			
Cir	Department	Date	Init.
	Planning		
	Development Engineering		
	Building & Permitting		
	City Clerk		

THIS AGREEMENT dated as of the      day of      , 201   .

BETWEEN:

CITY OF KELOWNA, a Municipal Corporation having offices at  
1435 Water Street, Kelowna, British Columbia V1Y 1J4

(herein called the "CITY")

AND:

THE OWNERS OF STRATA LOTS 1, 2, 3, 4 AND 5, KAS3144  
2124 PANDOSY STREET  
KELOWNA, BC  
V1Y 1S6

(herein called the "OWNERS")

WHEREAS a local government may, by bylaw, enter into a Heritage Revitalization Agreement with the Owner of property identified as having heritage value, pursuant to Section 966 of the *Local Government Act*,

AND WHEREAS the Owners own certain real property on which is situated a building of heritage value, pursuant to the City's Heritage Register, which property and building are located at 2124 Pandosy Street, Kelowna, British Columbia and legally described as:

Strata Lot 1, KAS 3144	PID: 026-923-181
Strata Lot 2, KAS 3144	PID: 026-923-190
Strata Lot 3, KAS 3144	PID: 026-923-203
Strata Lot 4, KAS 3144	PID: 026-923-211
Strata Lot 5, KAS 3144	PID: 026-923-220
And any lots created thereof	

(herein called the "Heritage Lands")

AND WHEREAS the units are located within two (2) buildings on the Heritage Lands, herein called the "Heritage Buildings";

AND WHEREAS the Owners have presented to the City a proposal for the use, development and preservation of the Heritage Lands and has voluntarily and without any requirement by the City, entered into this agreement pursuant to Section 966 of the *Local Government Act*;

AND WHEREAS a local government must hold a Public Hearing on the matter before entering into, or amending, a Heritage Revitalization Agreement if the agreement or amendment would permit a change to the use or density of use that is not otherwise authorized by the applicable zoning of the Heritage Lands and for these purposes Section 890 through 894 of the *Local Government Act* apply;

AND WHEREAS within thirty days after entering into, or amending, a Heritage Revitalization Agreement the local government must file a notice in the Land Title Office in accordance with Section 976 of the *Local Government Act* and give notice to the Minister responsible for the *Heritage Conservation Act* in accordance with Section 977 of the *Local Government Act*;

NOW THEREFORE in consideration of the mutual promises contained in this agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

**1.0 Heritage Revitalization**

- 1.1 The parties agree that the Heritage Lands has heritage value, deserving of protection and conservation and the Owner specifically agrees to restore, maintain, preserve and protect the heritage character of the buildings located on the Heritage Lands in accordance with attached Schedules "AA", "BB", and "CC".
- 1.2 The parties agree that the Heritage Lands may, notwithstanding the current zoning on the Heritage Lands, be used for the following permitted uses:
  - (a) A maximum of seven units as shown in Schedule "AA" provided that:
    - i. The units will be limited to the following sizes:
      - Strata Lot 1: 51.6 m<sup>2</sup>
      - Strata Lot 2: 86.2 m<sup>2</sup>
      - Strata Lot 3: 111 m<sup>2</sup>
      - Strata Lot 4: 75 m<sup>2</sup>
      - Strata Lot 5: 71 m<sup>2</sup>
      - Proposed Strata Lot 1A: 65 m<sup>2</sup>
      - Proposed Strata Lot 1B: 40 m<sup>2</sup>
    - ii. The use of the Heritage Lands shall be predominantly residential. A maximum of two units may be used for commercial purposes at any given time;



### SCHEDULE "A" - Page 3.

- iii. The principal uses permitted on the Heritage Lands are:
    - Apartment, Short Term Rental
    - Apartment Housing
    - Congregate Housing
    - Group Home, Minor
    - Supportive Housing
  - iv. The secondary uses permitted on the Heritage Lands are:
    - Agriculture, Urban
    - Carriage House
    - Child Care, Minor
    - Home Based Business, Major
    - Home Based Business, Minor
    - Offices
    - Wellness Studio
  - v. The hours of operation for all commercial enterprises located on the subject property shall be between 8:00 am and 7:00 pm, Monday through Friday; and
  - vi. Fourteen (14) on-site parking stalls shall be provided, as shown on Schedule "AA".
- (b) No additional units shall be developed without an application to amend this agreement.
  - (c) The owner agrees to maintain the designation of the property under Section 967 of the *Local Government Act* as a Heritage Property.
- 1.3 The parties agree that, except as varied or supplemented by the provisions of this Agreement, all bylaws and regulations of the City and all laws of any authority having jurisdiction shall apply to the Heritage Lands.
- 1.4 Where a Heritage Alteration Permit is required, the discretion to approve, refuse or revise such permit is delegated by Council to the Community Planning Department Manager.

## **2.0 Definitions**

The following words, terms, and phrases, wherever they occur in this Agreement, shall have the meaning assigned to them as below. For all other definitions and regulations, refer to Zoning Bylaw No. 8000, as amended.

**AGRICULTURE, URBAN** means the cultivation of a portion of a parcel for the production of food including fruits, vegetables, nuts and herbs for human consumption only. This use is limited to production activities which are not deemed to be noxious or offensive to adjacent properties or the general public. Activities that produce or emit hazards, odour, dust, smoke, noise, effluent, light pollution, glare, or other emission are prohibited. This use is limited to a maximum of 25 m<sup>2</sup> in area on this property.

**APARTMENT, SHORT TERM RENTAL** means apartment housing having a principal common entrance and cooking facilities and furnishings within each dwelling. There is no minimum tenancy period for this use on this property.

**APARTMENT HOUSING** means any physical arrangement of attached residential units, intended to be occupied by separate households. The minimum tenancy period is one (1) month.

**CARRIAGE HOUSE** means a dwelling unit located within a building that is subordinate to the principal building on the property.

**CHILD CARE, MINOR** means an establishment licensed as required under the *Community Care and Assisted Living Act* intended to provide care, educational services, and supervision to no more than eight (8) children.

**COMMERCIAL USE** means the use of a unit on the Heritage Lands as a Child Care, Minor; Home Based Business, Major; Offices; or Wellness Studio.

**CONGREGATE HOUSING** means housing in the form of multiple sleeping units where residents are provided with common living facilities, meal preparation, laundry services and room cleaning. Congregate housing may also include other services such as transportation for routine medical appointments and counselling.

**GROUP HOME, MINOR** means the use of one or more units as a care facility licensed as required under the *Community Care and Assisted Living Act* to provide room and board for not more than a total of six (6) residents with physical, mental, social, or behavioural problems that require professional care, guidance and supervision. A group home, minor may include, to a maximum of four (4), any combination of staff and residents not requiring care. The character of the use is that the occupants live together as a single housekeeping group and use a common kitchen.

**HOME BASED BUSINESS, MAJOR** means development consisting of the use of a dwelling unit for a business by a resident who resides for more than 240 days of a year at that unit. The business must be secondary to the residential use of the unit and shall not change the residential character of the principal building.

**HOME BASED BUSINESS, MINOR** means development consisting of the use of a dwelling unit for a business by a resident who resides for more than 240 days of a year at that unit. The business must be secondary to the residential use of the unit and shall not change the residential character of the principal building.

**OFFICES** means development primarily for the provision of professional, management, administrative, consulting, medical or financial services in an office setting. Office uses are limited to those that operate by appointment only.

**PRINCIPAL USE** means the main or primary use of the Heritage Lands that is provided for in the list of permitted uses in this Heritage Revitalization Agreement.

**SECONDARY USE** means the use of the Heritage Lands that must be in conjunction with a principal use and is provided for in the list of permitted uses in this Heritage Revitalization Agreement.

**SUPPORTIVE HOUSING** means housing consisting of dwellings with support services on-site that may or may not include collective dining facilities, laundry facilities, counselling, educational services, homemaking and transportation.

**WELLNESS STUDIO** means development for wellness counselling on a one-to-one basis or in a group setting to a maximum of ten (10) individuals. This use may include, but is not limited to, a physical fitness, yoga, pilates or weight loss studio and may include standard ancillary facilities.

### **3.0 Proposed Development**

- 3.1 The Owners agree not to alter the exterior of the Heritage Buildings except pursuant to a Heritage Alteration Permit issued by the City and in accordance with this Agreement.
- 3.2 The Owners agree to maintain the exterior of the Heritage Buildings on the Heritage Lands in general accordance with the design attached hereto as Schedule "BB" and forming part of this Agreement.
- 3.3 The Owners agree to undertake and maintain landscaping on the subject property in general accordance with the landscape plans attached hereto as Schedule "CC" and forming part of this agreement.
- 3.4 The Owners agree to provide and pay for all servicing required by the proposed development of the Heritage Lands and to provide required bonding for same, including, but not limited to: domestic water and fire protection, sanitary sewer, storm drainage, road improvements, road dedications and statutory rights-of-way for utility servicing, power and telecommunication services and street lighting.

### **4.0 Development Engineering Requirements**

- 4.1 The Owners agree that any development on the Heritage Lands must meet the requirements of Subdivision, Development and Servicing Bylaw No. 7900, as amended.

### **5.0 Building & Permitting Requirements**

- 5.1 The Owners agree that any development on the Heritage Lands must meet the requirements of the British Columbia Building Code of the day.

### **6.0 Damage or Destruction**

- 6.1 In the event that the Heritage Building is damaged, the parties agree as follows:

- (a) The Owners may repair the Heritage Building in which event the Owners shall forthwith commence the repair work and complete same within one year of the date of damage;

OR, in the event that the Heritage Building is destroyed,

- (b) The City will, by bylaw and after conducting a Public Hearing in the manner prescribed by Sections 890 through 894 of the *Local Government Act*, cancel this agreement whereupon all use and occupation of the Heritage Lands shall thenceforth be in accordance with the zoning bylaws of the City and in accordance with all other bylaws or regulations of the City or any other laws of authority having jurisdiction.

**7.0 Breach**

- 7.1 In the event that the Owners is in breach of any term of this Agreement, the City may give the Owners notice in writing of the breach and the Owners shall remedy the breach within 30 days of receipt of the notice. In the event that the Owners fails to remedy the breach within the time allotted by the notice, the City may by bylaw and after conducting a Public Hearing in the manner prescribed by Sections 890 through 894 of the *Local Government Act* cancel this Agreement whereupon all use and occupation of the Heritage Lands shall thenceforth be in accordance with the zoning bylaws of the City and in accordance with all other bylaws or regulations of the City or any other laws of authority having jurisdiction.

**8.0 Amendment**

- 8.1 The parties acknowledge and agree that this Agreement may only be amended by one of the following means:
- (a) By bylaw with the consent of the parties provided that a Public Hearing shall be held if an amendment would permit a change to use or density of use on site or;
  - (b) By Heritage Alteration Permit (HAP), issued pursuant to Section 972 of the *Local Government Act*.

**9.0 Representations**

- 9.1 It is mutually understood and agreed upon between the parties that the City has made no representations, covenants, warranties, promises or agreements expressed or implied, other than those expressly contained in this Agreement.

**10.0 Statutory Functions**

- 10.1 Except as expressly varied or supplemented herein, this Agreement shall not prejudice or affect the rights and powers of the City in the exercise of its statutory functions and responsibilities including, but not limited to, the *Local Government Act* and its rights and powers under any enactments, bylaws, order or regulations, all of which, except as expressly varied or supplemented herein, are applicable to the Heritage Lands.

**11.0 Enurement**

- 11.1 This Agreement enures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

**12.0 Other Documents**

- 12.1 The Owners agree at the request of the City, to execute and deliver or cause to be executed and delivered all such further agreements, documents and instruments and to do and perform or cause to be done and performed all such acts and things as may be required in the opinion of the City to give full effect to the intent of this Agreement.



**13.0 Notices**

13.1 Any notice required to be given pursuant to this Agreement shall be in writing and shall either be delivered mailed by registered mail as follows:

(a) To the City:

City of Kelowna  
1435 Water Street  
Kelowna, B.C. V1Y 1J4

ATTENTION: City Clerk

(b) To the Owners:

THE OWNERS OF STRATA LOTS 1, 2, 3, 4 AND 5, KAS3144  
2124 PANDOSY STREET  
KELOWNA, BC  
V1Y 1S6

Or, to such other address to which a party hereto may from time to time advise in writing.

**14.0 No Partnership or Agency**

14.1 The parties agree that nothing contained herein creates a relationship between the parties of partnership, joint venture or agency.

IN WITNESS WHEREOF this Agreement has been executed by the parties hereto on the day and year first above written.

CITY OF KELOWNA  
by its authorized signatories

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(City Clerk)

SCHEDULE "A" - Page 8.

THE OWNERS OF STRATA LOTS 1, 2, 3, 4 AND 5, KAS3144

In the presence of:

\_\_\_\_\_  
Witness (print name)

\_\_\_\_\_  
Grant Wayne Good (The Owner of  
Strata Lot 1)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Occupation

In the presence of:

\_\_\_\_\_  
Witness (print name)

\_\_\_\_\_  
Marie Hillevi McAlpine (The Owner of  
Strata Lot 2)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Occupation

In the presence of:

\_\_\_\_\_  
Witness (print name)

\_\_\_\_\_  
F. DeVilliers Medical Prof. Corp. (The  
Owner of Strata Lot 3)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Occupation

SCHEDULE "A" - Page 9.

In the presence of:

\_\_\_\_\_  
Witness (print name)

\_\_\_\_\_  
Janette Armstrong (The Owner of Strata  
Lot 4)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Occupation

In the presence of:

\_\_\_\_\_  
Witness (print name)

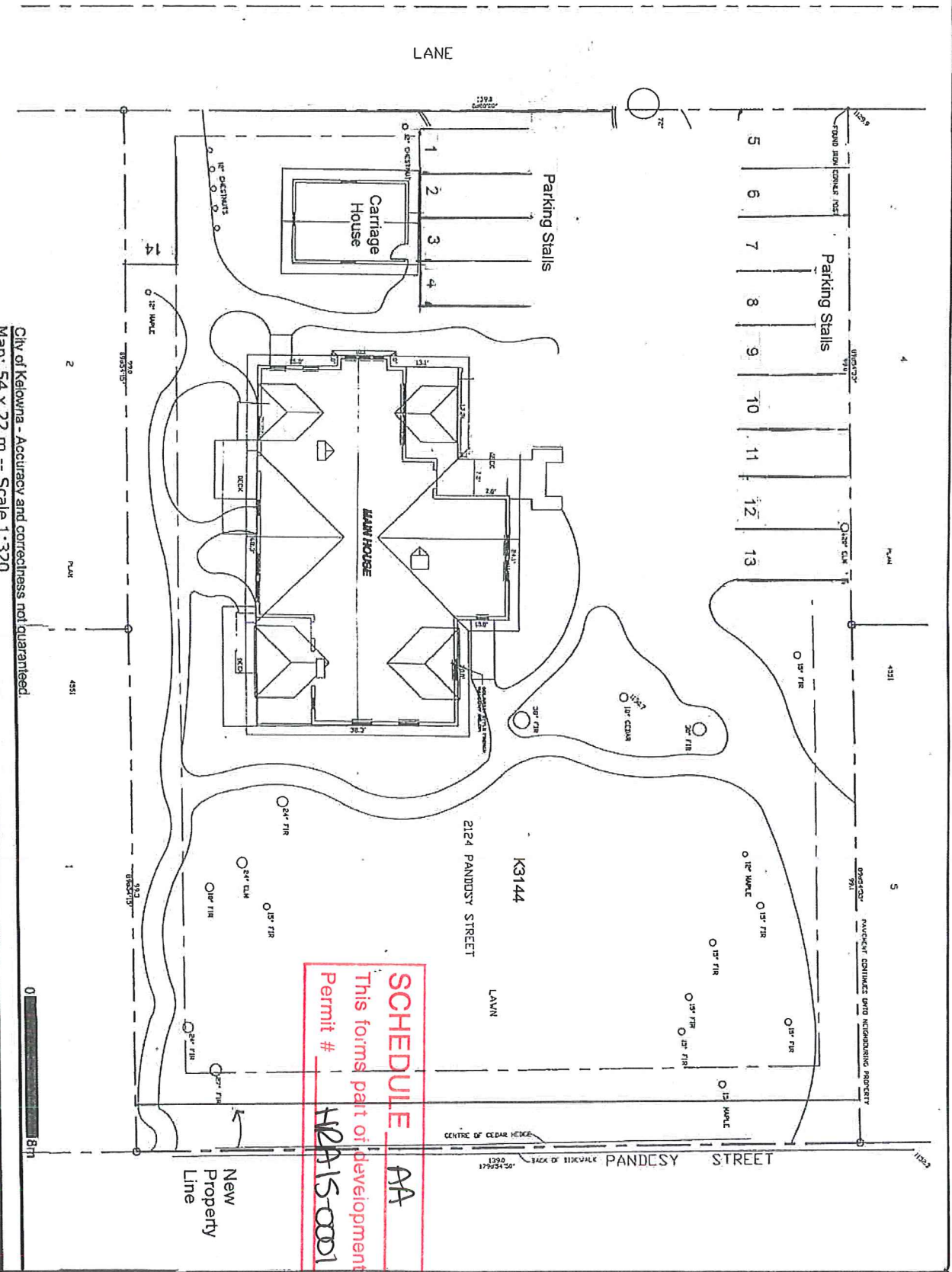
\_\_\_\_\_  
F. De Villiers Medical Prof. Corp.,  
Inc.No. 101092982 (The Owner of  
Strata Lot 5)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Occupation

# Parking Plan

Cadder House  
HAP15-0001 2124 Pandosy Street

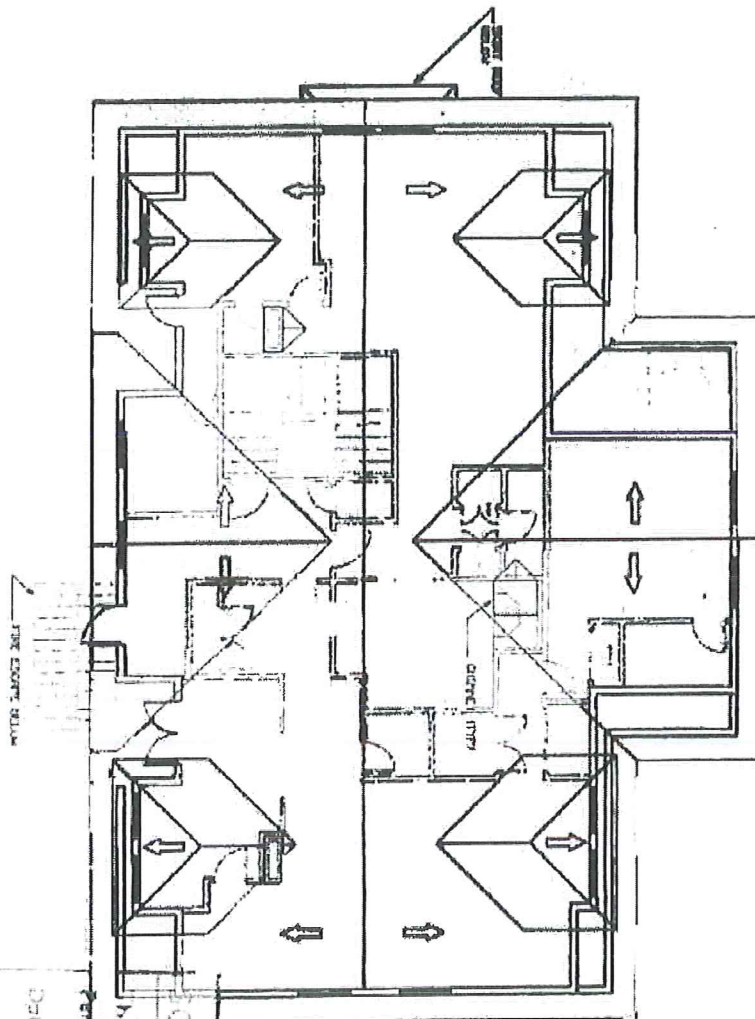


**SCHEDULE AA**  
This forms part of development  
Permit # HAP15-0001

City of Kelowna - Accuracy and correctness not guaranteed.  
Map: 54 x 22 m -- Scale 1:320



# REVISED PLANS



SCHEMATIC AA

He turns Dept of development  
Permit # HPA150001

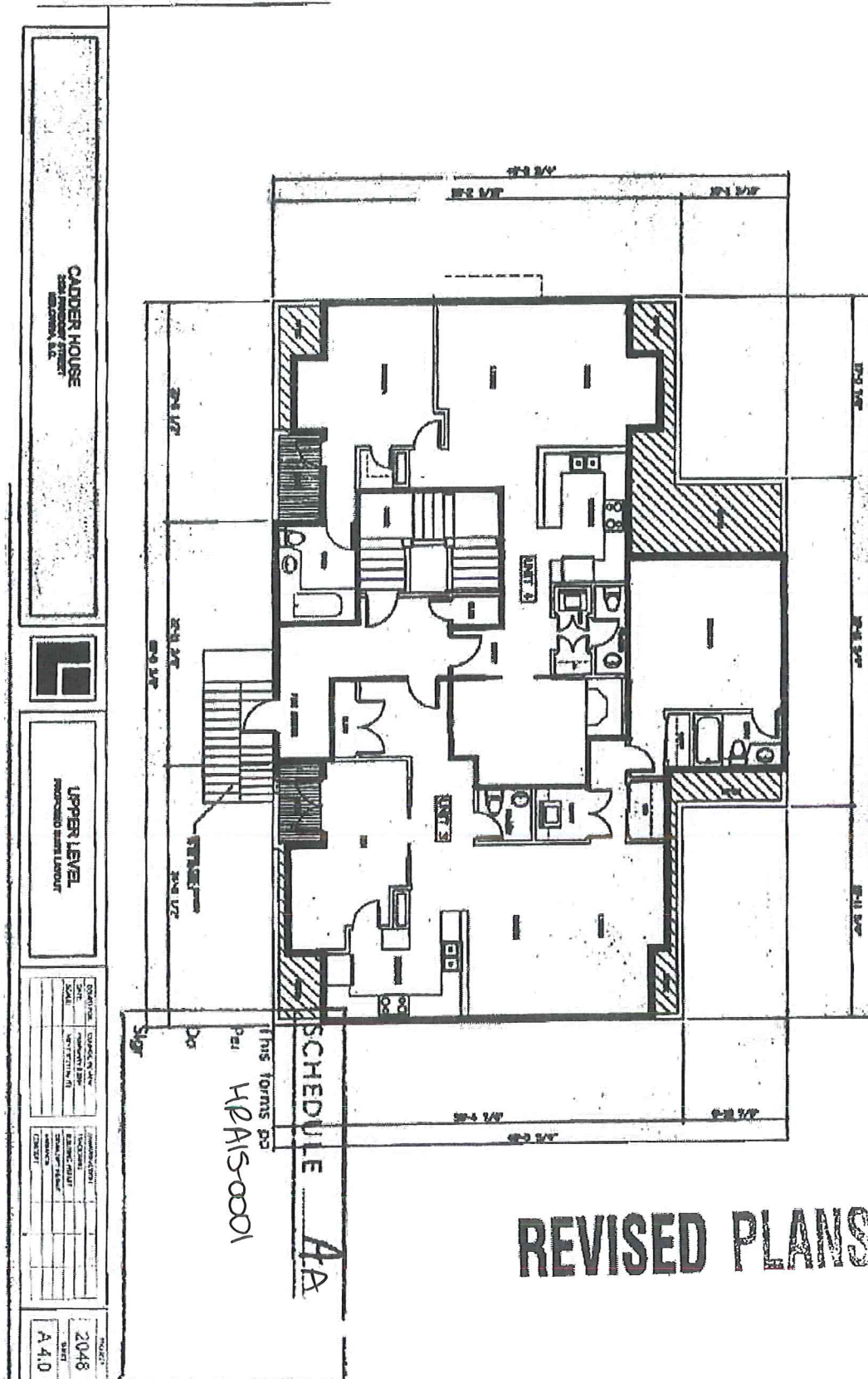
Date

Signature

CADDER HOUSE  
2048 W. 10TH ST  
MILWAUKEE, WIS.

ROOF  
EXISTING & PROPOSED

DATE	REVISION	BY	CHKD
2048			
A 5.0			



**REVISED PLANS**

**CADDER HOUSE**  
2045  
2048  
2049

**MAIN LEVEL**  
FIRST-SECOND-THIRD FLOOR

**SCHEDULE**

**2045**  
**2048**  
**2049**

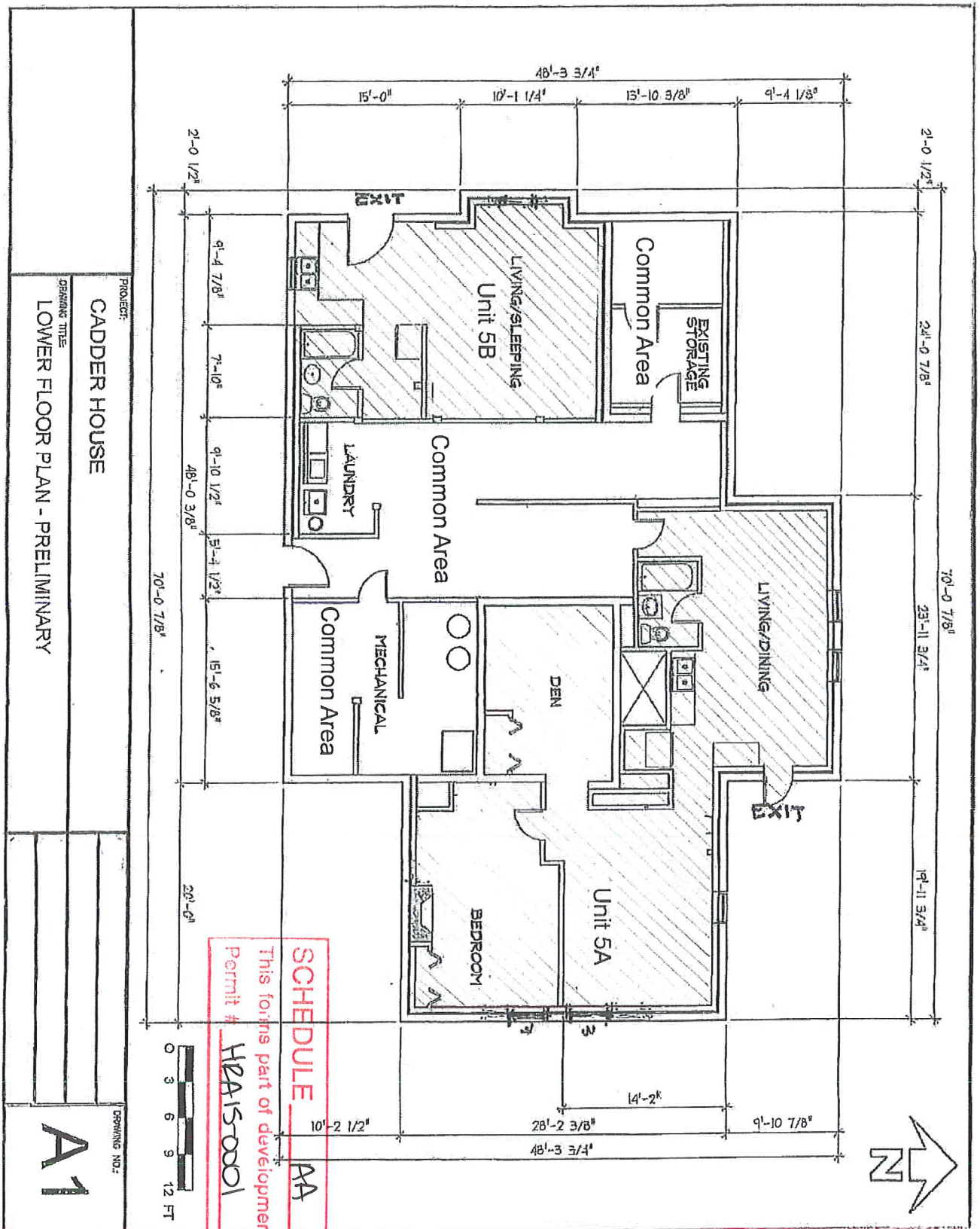
**REVISED PLANS**

This forms part of development  
 Permit # **WPAIS-0001**

Date \_\_\_\_\_

Signature \_\_\_\_\_





**SCHEDULE A4**

This forms part of development  
Permit # **HPA15-0001**

PROJECT: **CADDER HOUSE**

DRAWING NO.: **A1**

DRAWING TITLE: **LOWER FLOOR PLAN - PRELIMINARY**



CADDER HOUSE

2121 PINECROFT STREET

MEMPHIS, TN

SOUTH

DATE: 1/1/00

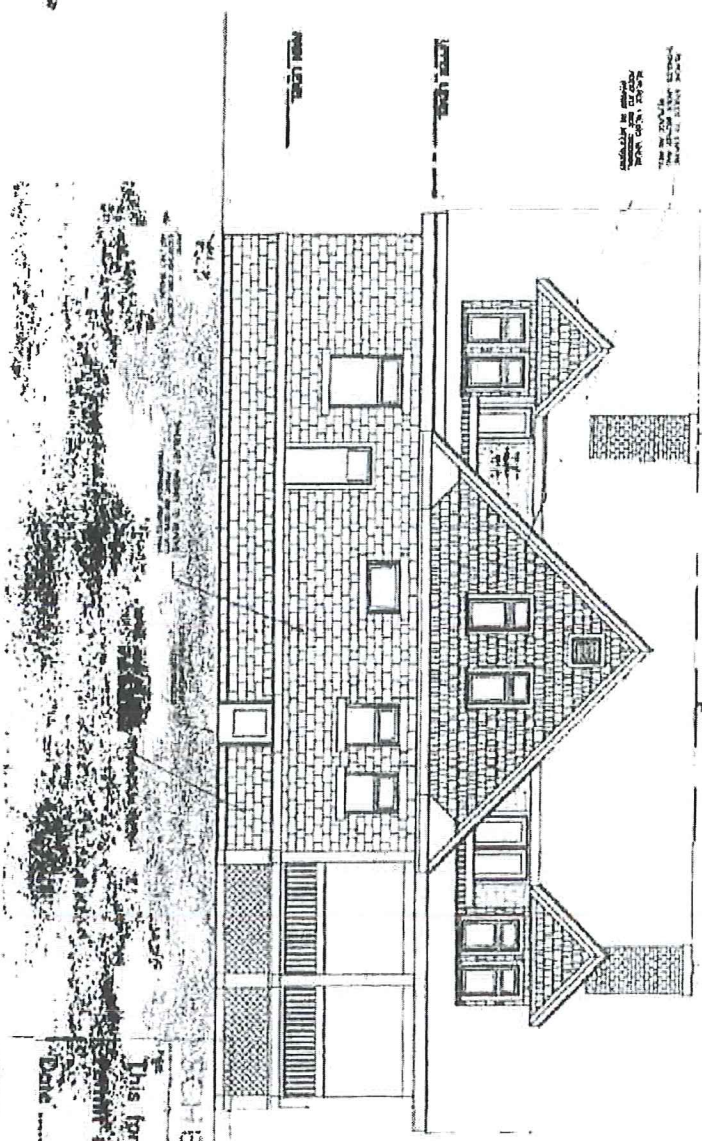
BY: [Signature]

DATE: 1/1/00

BY: [Signature]

2048

A70

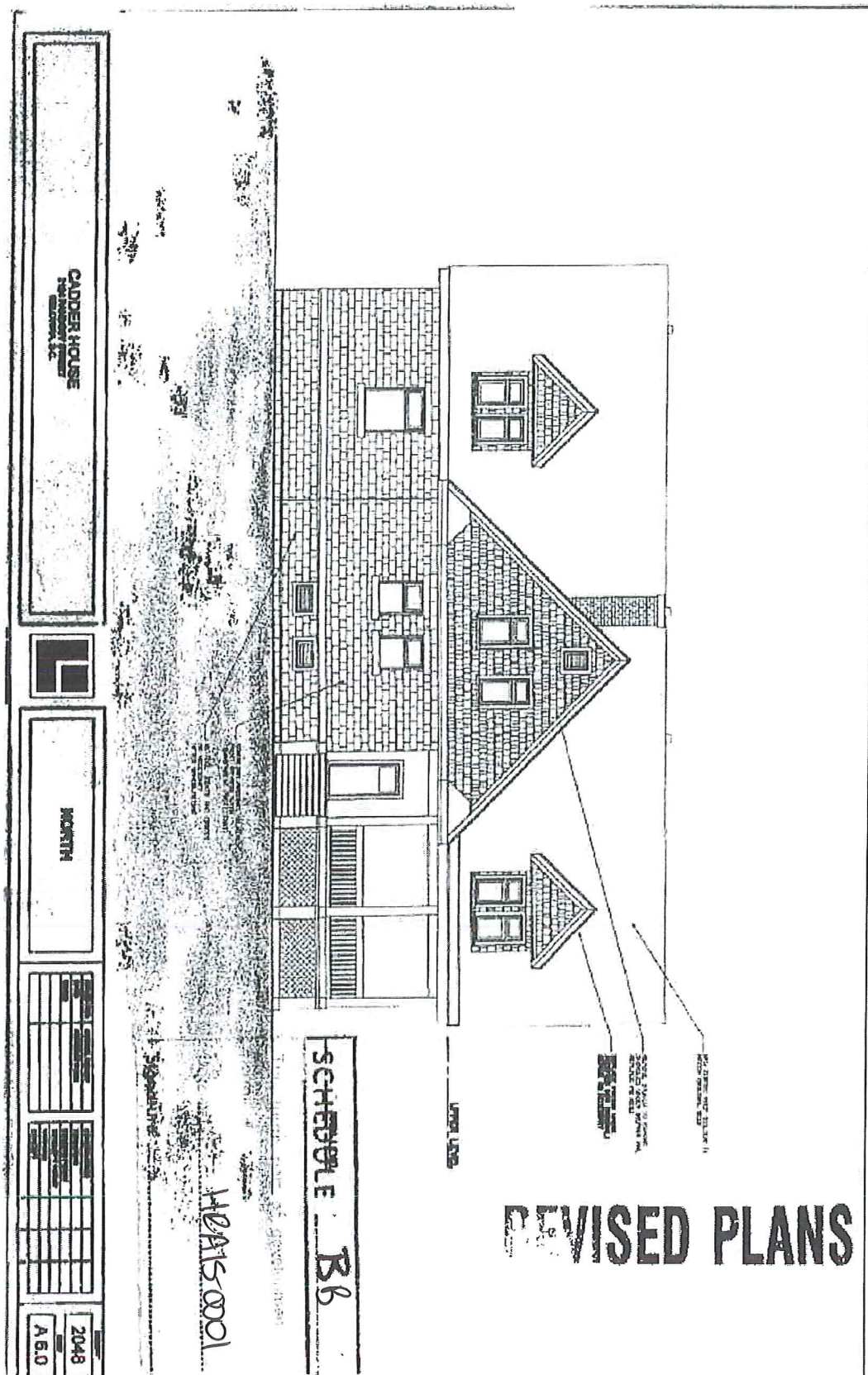


REV SE PLANS

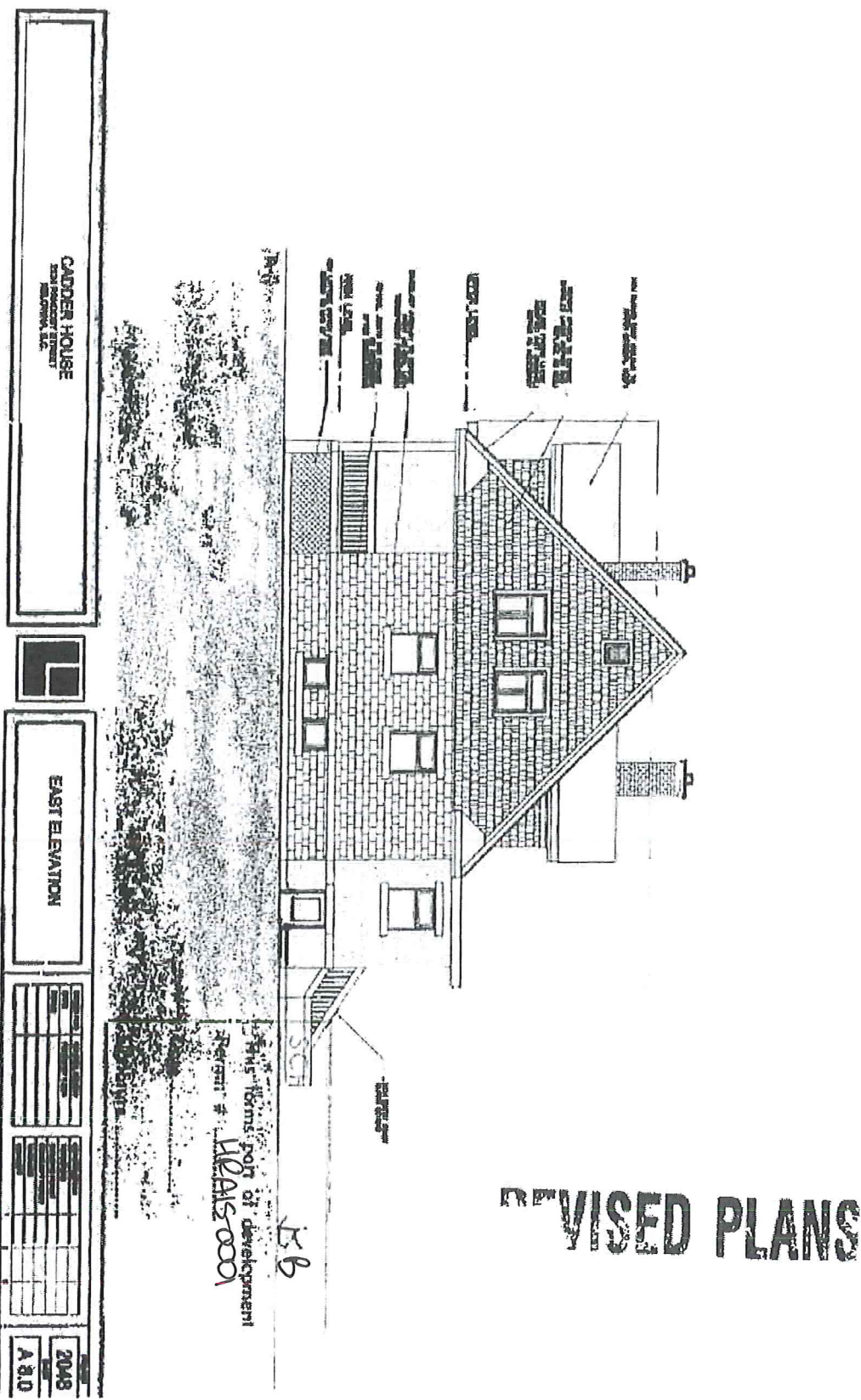
SCHEDULE  
 This form is for development  
 HPA15.001

Signature \_\_\_\_\_

Date \_\_\_\_\_







REVISED PLANS

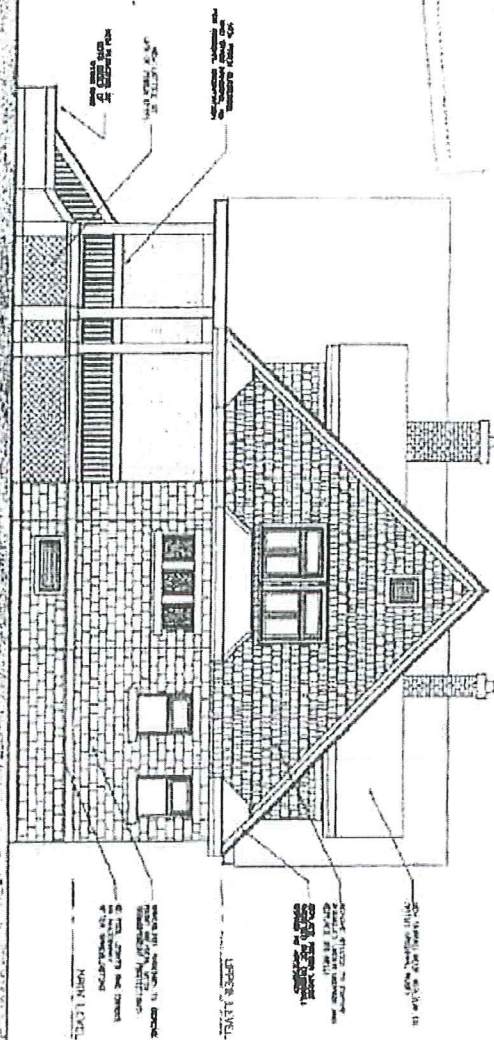
99

HPA15001

HPA15-0001

128

Subtotal: 147.00



# REVISED PLANS

CADDER HOUSE

2724 WOODSTREET, PALMVIEW, NJ



DATE SENT	2/28/00	TO: DIRECTOR, FBI
FROM	SA [redacted]	RE: [redacted]
SUBJECT	[redacted]	[redacted]
CLASSIFICATION	[redacted]	[redacted]
REMARKS	[redacted]	

2048  
A 9.0





# REPORT TO COUNCIL



**Date:** July 27, 2015

**RIM No.** 0940-40

**To:** City Manager

**From:** Community Planning, Community Planning & Real Estate (TY)

**Application:** DP15-0135

**Owner:** Emil Anderson Construction  
Co. Ltd. Inc. No. C172775,  
Gilmar Management Ltd. Inc.  
No. 143879,  
Gillen Investments Inc. Inc.  
No. 538682

**Address:** 787 Kuipers Crescent

**Applicant:** Emil Anderson Construction  
Co. Ltd.

**Subject:** Development Permit Application

**Existing OCP Designation:** MRL - Multiple Unit Residential (Low Density)

**Existing Zone:** RM2H - Low Density Row Housing (Hillside Area)

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## 1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP15-0135 for Lot 46 District Lot 1688S SDYD Plan KAP82069, located at 787 Kuipers Crescent, Kelowna, BC subject to the following:

1. The dimensions and sitting of the buildings to be constructed on the land be in general accordance with Schedule 'A';
2. The exterior design and finish of the buildings to be constructed on the land be in general accordance with Schedule 'B';
3. The landscaping to be constructed on the land be in general accordance with Schedule 'C';
4. The applicant be required to enter into a Landscape Agreement with the City and post a Landscape Performance Security Deposit in the amount of 125% of the estimated value of the landscaping, as noted on Schedule 'C';

AND THAT Council's consideration of this Development Permit be considered subsequent to the issuance of DP15-0025 Hazardous Condition Development Permit.

AND THAT Council's consideration of this Development Permit be considered subsequent to the requirements of the Development Engineering branch completed to their satisfaction.

AND FURTHER THAT this Development Permit be valid for two (2) years from the date of Council Approval with no opportunity to extend.

## 2.0 Purpose

To consider the form and character of a sixteen unit semi-detached dwelling development.

## 3.0 Community Planning

Community Planning supports the proposed sixteen unit development. The existing hillside conditions of the subject property are similar to surrounding residential properties. The proposed development meets the current Official Community Plan (OCP) Future Land Use designation of MRL - Multiple Unit Residential (Low Density) which is consistent with the existing RM2 - Low Density Row Housing zone. The proposed design includes eight semi-detached homes at varying elevations from one another depending on the contours of the subject property.

The subject property is surrounded by park space, which allows for units that back on to the park. Although neighbouring residential homes are single family dwellings, the proposed multiple family development will have the same rear yard setbacks as the existing residences. The proposed design meets the development regulations outlined in Zoning Bylaw No. 8000, and no variances are required.

## 4.0 Proposal

### 4.1 Background

The applicant is currently working with City Environmental Staff to complete preliminary grading. This occurs through a Hazardous Condition Development Permit (DP15-0025) that ensures work is completed in a safe manner for both the environment and surrounding neighbours. Neighbours have voiced concern about the rock removal on site; however the applicant has since engaged the neighbourhood to address their concerns.



Retention of existing grade and vegetation as per DP15-0025.

## 4.2 Project Description

Eight semi-detached dwellings are oriented on the subject property in such a way that maintains the natural grade as much as possible along the property frontage. Private open space is provided for in the form of patios and balconies for each unit. Dwellings are designed with the front of each dwelling a single storey, and a walkout basement in the rear. Views of parking areas are screened from neighbouring properties as the subject property with attached garages. The form and character of each dwelling is proposed with high quality materials and numerous architectural articulations along the front of each unit as shown in Schedule 'B'.



View of subject property along Kuipers Crescent.

The landscape plan is similar to other treatments in the neighbouring open spaces with natural grass hydroseed treatment management program to re-vegetate the proposed grade exposed rock with native grass species. A Level II buffer is proposed along the side and rear yard lot lines.

## 4.3 Site Context

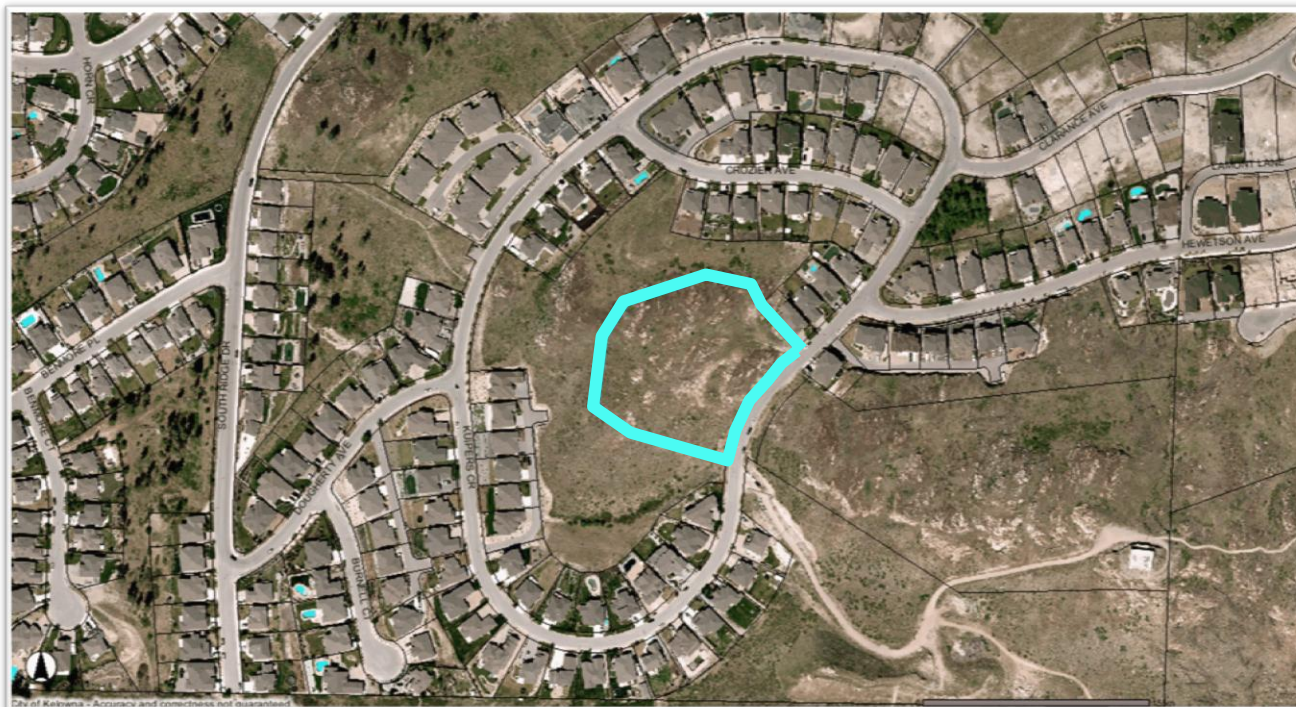
The subject property is located at the west side of Kuipers Crescent, between Dougherty Avenue and Heweston Avenue. 787 Kuipers is surrounded by open park space in the Southwest Mission area of Kelowna. It is designated RM2H in Kelowna's OCP and is within the Permanent Growth Boundary.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P3	Open Park Space
East	P3 RU1H	Open Park Space Single Family Dwelling
South	P3	Open Park Space
West	P3	Open Park Space



## Subject Property Map: 787 Kuipers Crescent



## 4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM2H ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	1000 m <sup>2</sup>	10,975 m <sup>2</sup>
Minimum Lot Width	30 m	94 m
Minimum Lot Depth	30 m	106 m
Development Regulations		
Maximum Floor Area Ratio	0.70	.52
Maximum Site Coverage (buildings)	50%	33%
Maximum Site Coverage (buildings, driveways and parking)	55%	47%
Maximum Height	Lesser of 6.5 m or 2 storeys	6.5 m 2 storeys
Minimum Front Yard	3.0 m	3.0 m
Minimum Side Yard (south)	4.0 m	4.0 m
Minimum Side Yard (northeast)	4.0 m	4.0 m
Minimum Rear Yard	7.5 m	7.5 m
Other Regulations		
Minimum Parking Requirements	2 per dwelling unit = 32 1 per 7 units for visitor = 2	32 5
Minimum Private Open Space	25 m <sup>2</sup>	40 m <sup>2</sup>

## Current Development Policies

### 4.5 Kelowna Official Community Plan (OCP)

#### Hillside Design Guidelines

**Context Considerations** <sup>1</sup> Orient buildings on the site to complement the natural topography (i.e. the greatest horizontal dimension is parallel with, not perpendicular to, the natural contour of the land); Set buildings into the hillside and step up or down the slope to mimic the natural topography;

**Landscaping and Retaining Walls** <sup>2</sup> Revegetate any unavoidable cut and fill along ridgelines with natural landscaping;

## 5.0 Technical Comments

### 5.1 Building & Permitting Department

No comment

### 5.2 Development Engineering Department

- See attached Memorandum dated June 19, 2015

### 5.3 Fire Department

- Requirements of section 9.10.19 Smoke Alarms of the BCBC 2012 are to be met.

### 5.4 Fortis BC Inc - Electric

- There are primary distribution facilities along Kuiper Crescent. 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.

### 5.5 Infrastructure, Parks & Public Places

- In order to delineate the private /public realm, black vinyl coated chain link fencing 1.2 m in height, to City of Kelowna standards, must be located 15 cm inside the private property line along the entire length of the park boundary. It is preferable to have this fencing installed prior to any construction work on the development site to ensure that no encroachment or grade changes into the natural area park occur.
- If any retaining walls are proposed on the development site along the park boundary, a plan and details indicating the locations, materials and heights of the proposed retaining walls must be submitted to Infrastructure Planning for review and approval prior to construction.

<sup>1</sup> City of Kelowna Official Community Plan, Policy 1.1, 1.3 (Urban Design Development Permit Areas Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 3.4 (Urban Design Development Permit Areas Chapter).

## 6.0 Application Chronology

Date of Application Received: June 9, 2015  
Date Public Consultation Completed: June 4, 2015

Report prepared by:

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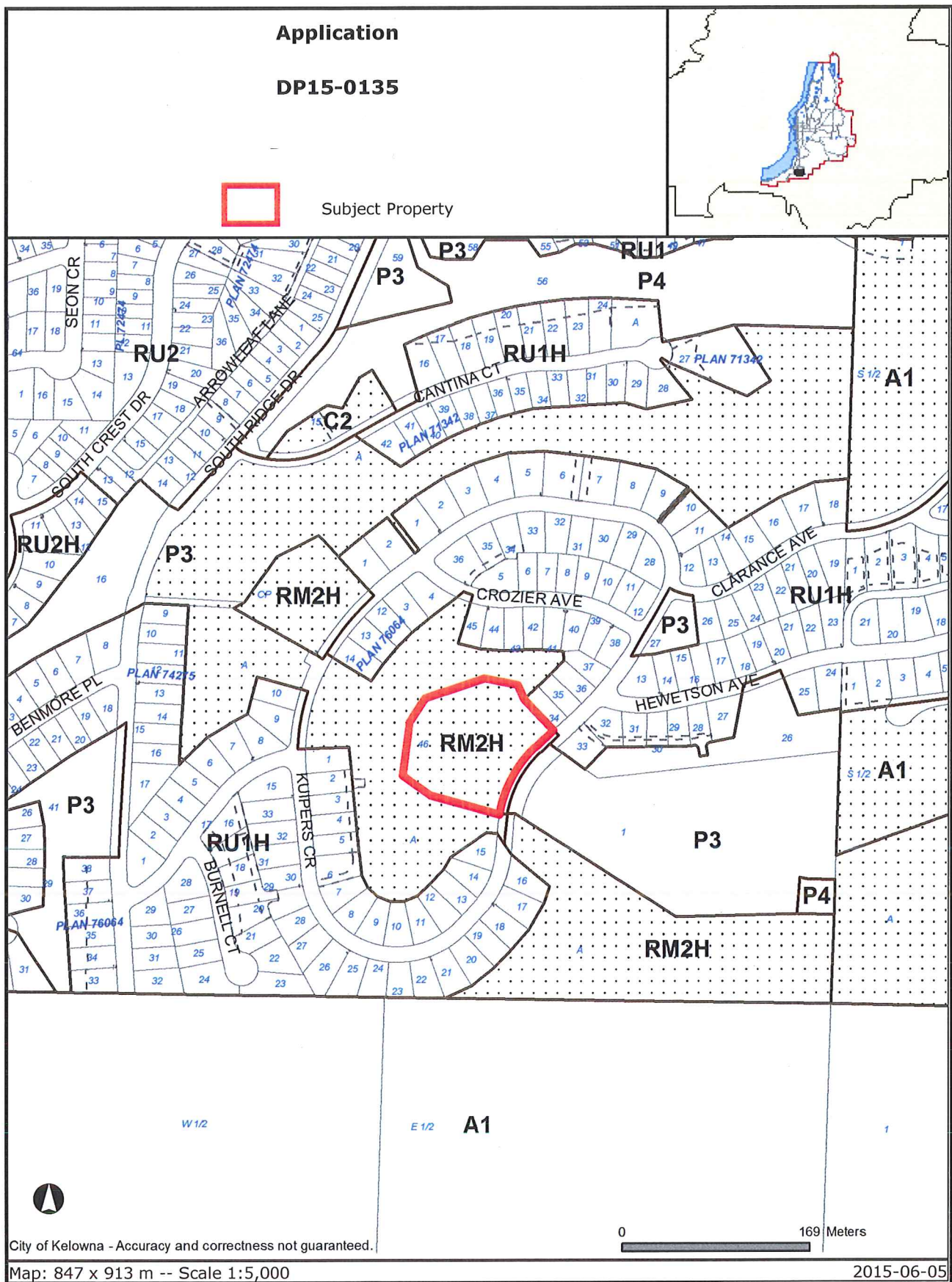
Tracey Yuzik, Planner

Reviewed by: ☐ Lindsey Ganczar, Planning Supervisor

Approved for Inclusion: ☐ Ryan Smith, Community Planning Department Manager

### Attachments:

Site Plan  
Schedule 'A' Site Plan  
Schedule 'B' Elevations  
Schedule 'C' Landscape Plan  
Development Engineering Memorandum



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.



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**CITY OF KELOWNA**  
**DRAFT MEMORANDUM**

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**Date:** June 19, 2015  
**File No.:** DP15-0135

**To:** Land Use Management Department (TY)

**From:** Development Engineering Manager

**Subject:** 787 Kuipers Crescent                      Lot 46 Plan 82069                      RM2H

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Development Engineering Services have the following requirements associated with this application to evaluate the form and character of the proposal to construct a 16 unit, phased strata.

The Development Engineering Technologist for this project is John Filipenko

**1. Domestic Water and Fire Protection**

- (a) The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish service needs.
- (b) This property is currently serviced with a 200mm water service.

**2. Sanitary Sewer**

- (a) The developer's consulting mechanical engineer will determine the development requirements of this development and establish the service needs.
- (b) Our records indicate that this property is serviced with a 200mm sanitary service.

**3. Storm Drainage**

- (a) Our records indicate that this property is serviced with a 250mm storm service.
- (b) The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the Subdivision, Development and Servicing Bylaw No. 7900. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of utilizing the existing storm service for the development and recommendations for onsite drainage containment and release into the city main.
- (a) The City has, in the past encountered drainage problems in this area as a result of snow melt and storm water runoff. Due to the shallow soils and rock outcrops on site, the uses of ground recharge systems or rock pits shall not be used.

**4. Roads**

- a) Kuipers Crescent fronting this development site is urbanized with curb and gutter. Boulevard treatment and irrigation will be the responsibility of the developer.
- b) Provide a Landscaping Plan

**5. Geotechnical Report**

As a requirement of this application and building permit approval the applicant must provide a comprehensive geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

- (a) Area ground water characteristics, including water sources on the site.
- (b) Site suitability for development; i.e. unstable soils, foundation requirements etc.
- (c) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- (d) Additional geotechnical survey may be necessary for building foundations, etc.

**6. Power and Telecommunication Services and Street Lights**

- (a) Prior to issuance of Building Permit, the applicant must make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.

**7. Design and Construction**


- (a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- (b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- (c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- (d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- (e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

**8. Servicing Agreements for Works and Services**

- (a) A Servicing Agreement is required for all offsite works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- (b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

**9. Other Engineering Comments**

- (a) In order to delineate the private, public realm, black vinyl coated chain link fencing 1.2 m in height, to City of Kelowna standards, must be located 15 cm inside the private property line along the entire length of the park boundary. It is preferable to have this fencing installed prior to any construction work on the development site to ensure that no encroachment or grade changes into the natural area park occur.
- (b) If any retaining walls are proposed on the development site along the park boundary, a plan and details indicating the locations, materials and heights of the proposed retaining walls must be submitted to Infrastructure Planning for review and approval prior to construction.
- (c) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.



---

Steve Muenz, P. Eng.  
Development Engineering Manager

JF



# CITY OF KELOWNA

## APPROVED ISSUANCE OF A:

☐ Development Permit No.

DP15-0135

EXISTING ZONING DESIGNATION:	RM2H Low Density Row Housing Hillside Area
WITHIN DEVELOPMENT PERMIT AREA:	Intensive Residential – Two Dwelling House
DEVELOPMENT PERMIT PURPOSE:	To consider the form and character of a sixteen unit semi-detached dwelling development
PERMIT PREPARED BY:	Tracey Yuzik

ISSUED TO:	Emil Anderson Construction Co. Ltd.
LOCATION OF SUBJECT SITE:	787 Kuipers Crescent

	LOT	D.L.	TOWNSHIP	DISTRICT	PLAN
LEGAL DESCRIPTION :	46	1688S		SDYD	KAP82069

### 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 Development Permit and/or Development Variance 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:

- a) THAT the dimensions and siting of the buildings to be constructed on the land be in general accordance with Schedule "A";
- b) AND THAT the exterior design and finish of the buildings to be constructed on the land in general accordance with Schedule "B";
- c) AND THAT the landscaping to be constructed on the land be in general accordance with Schedule "C";
- d) AND THAT the applicant be required to enter into a Landscape Agreement with the City and post a Landscape Performance Security Deposit in the amount of 125% of the estimated value of the landscaping, as noted on Schedule 'C';



- e) AND THAT this Development Permit be considered subsequent to the requirements of the Development Engineering Department being completed to their satisfaction.
- f) AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend;

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. PERFORMANCE SECURITY:

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Permittee, or should the Permittee carry out the development Permitted by this Permit within the time set out above, the security shall be returned to the Permittee. There is filed accordingly:

- (a) Cash in the amount of \$ N/A.
- (b) A Certified Cheque in the amount of N/A
- (c) An Irrevocable Letter of Credit in the amount of N/A

Before any bond or security required under this Permit is reduced or released, the Developer will provide the City with a statutory declaration certifying that all labour, material, workers' compensation and other taxes and costs have been paid.

5. 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 Manager of Community Planning.

Should there be any change in ownership or legal description of the property, I undertake to notify the Community Planning 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

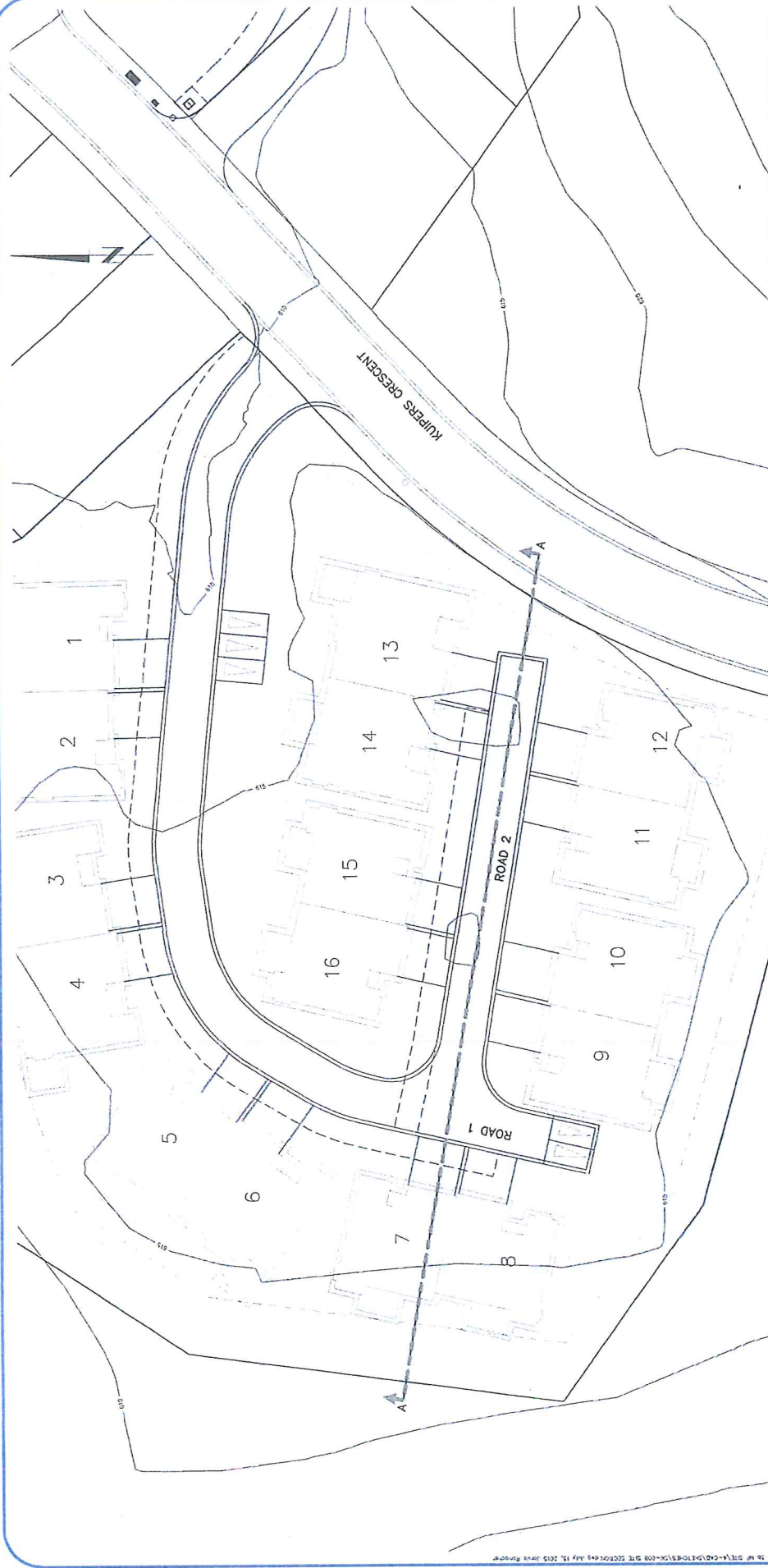
\_\_\_\_\_  
Telephone No.

6. APPROVALS:

DEVELOPMENT PERMIT AUTHORIZED BY THE COUNCIL ON THE  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

ISSUED BY THE COMMUNITY PLANNING DEPARTMENT OF THE CITY OF KELOWNA THE  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2015 BY THE COMMUNITY PLANNING DEPARTMENT MANAGER.

\_\_\_\_\_  
Ryan Smith,  
Community Planning Department Manager



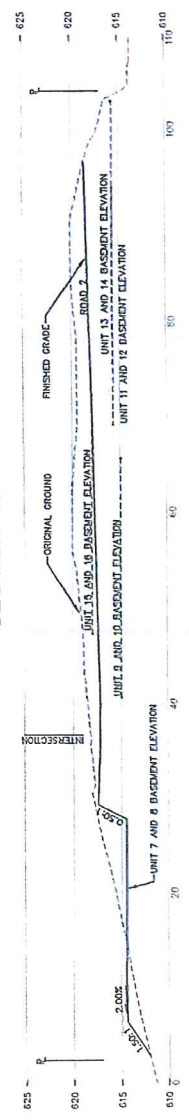
**SCHEDULE A**  
 This forms part of development  
 Permit # **SP15-0135**

SOUTH RIDGE MULTI-TI FAMILY  
 SITE SECTION  
 PROJECT NO: 09086  
 DRAWING NO: SK-007  
 SCALE: 1:500  
 July 15, 2015

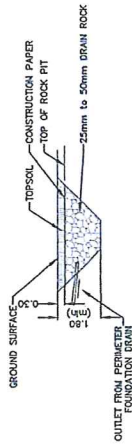


**CTQ**

SECTION A







ROCK PIT DETAIL  
SCALE 1:5000

# NOTES:

1. DURING CONSTRUCTION OF HOUSES ALL LOTS ARE TO BE GRADED TO ENSURE RELIEF FROM STORMWATER INFLOWS;
2. ORIGINAL GROUND CONTOURS SHOWN AT 1.0m INTERVALS BASED ON CITY OF KELOWNA GIS INFORMATION AND FIELD SURVEY BY DIANAGAN SURVEY AND DESIGN DATED 2008 TO 2009;
3. TYPICAL CUT SLOPE TO BE 1.5:1  
CUT (ROCK) SLOPE TO BE 0.5:1  
FILL SLOPE TO BE 1.5:1
4. REFER TO GEOTECHNICAL REPORT BY GOLDER AND ASSOCIATES LTD. DATED MAY 20, 2003;
5. RAIN WATER DOWNSPOUTS TO DISCHARGE ONTO SPLASH GUARDS;
6. PERIMETER DRAINS TO DISCHARGE INTO ROCK PITS. LOCATIONS TO BE DETERMINED BY GEOTECHNICAL ENGINEER;
7. ROCK WALLS TO BE CERTIFIED BY GEOTECHNICAL ENGINEER;
8. WALLS HIGHER THAN 1.2m TO BE DESIGNED AND CERTIFIED BY A PROFESSIONAL ENGINEER;
9. ALL WORKS TO MEET MAJOR (NATURAL ERRORS) ENVIRONMENTAL PROTECTION SECTION 03 OF PERMITS, BEST MANAGEMENT PRACTICES FOR EROSION AND SEDIMENT CONTROL-UPLAND WORKS BY CITY OF KELOWNA, AND LAND DEVELOPMENT GUIDELINES FOR THE PROTECTION OF AQUATIC HABITAT - DFO + BCRC.

**SCHEDULE A**  
This forms part of development  
Permit # **DR15-0135**

CITY FILE # DP 15-0025 0506  
**THE CITY OF KELOWNA**  
MUNICIPAL ENGINEER

**SOUTH RIDGE MULTI-FAMILY SITE**  
PHASE 5B  
SITE GRADING PLAN

Drawn by: J.R.  
Checked by: J.R.  
Reviewed by: J.R.  
Date: JULY 2015  
Scale: 1:12500

No.	Revised	By	Checked	Date	Reason
1	15.03.08	J.R.	J.R.	15.07.15	FOR DEVELOPMENT PERMIT

EXISTING ELEVATIONS	DESIGN ELEVATIONS	ME - MINIMUM FINISHED ELEVATION (REQUIRED)
TOP OF WALL	TOP OF WALL	TOP OF WALL
AREA WITH > 0.5m FILL	AREA WITH > 0.5m FILL	AREA WITH > 0.5m FILL
GRADE RELIEFS	GRADE RELIEFS	GRADE RELIEFS
POCK PIT	POCK PIT	POCK PIT



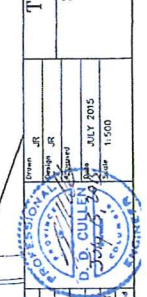
CURRENT ZONING:  
RM2H

RM2H SETBACKS:  
SITE FRONT YARD - 3.0m  
SITE SIDE YARD - 4.0m  
SITE REAR YARD - 7.5m



**SCHEDULE A**  
This forms part of development  
Permit # **15-0135**

CITY FILE # DP 15-0025 0506  
**THE CITY OF KELOWNA**  
ENGINEERING DEPARTMENT  
SOUTH RIDGE MULTI-FAMILY SITE  
PHASE 5B  
LOT LAYOUT



No.	Yr	MM	DD	By	Issued	ST	1	15.07.15	JR	ADJUSTED BUILDINGS AND ROADS	Revised	Chg	No.	Yr	MM	DD	By	Issued
1	15.05.08	JR				ST	1	15.07.15	JR	ADJUSTED BUILDINGS AND ROADS								





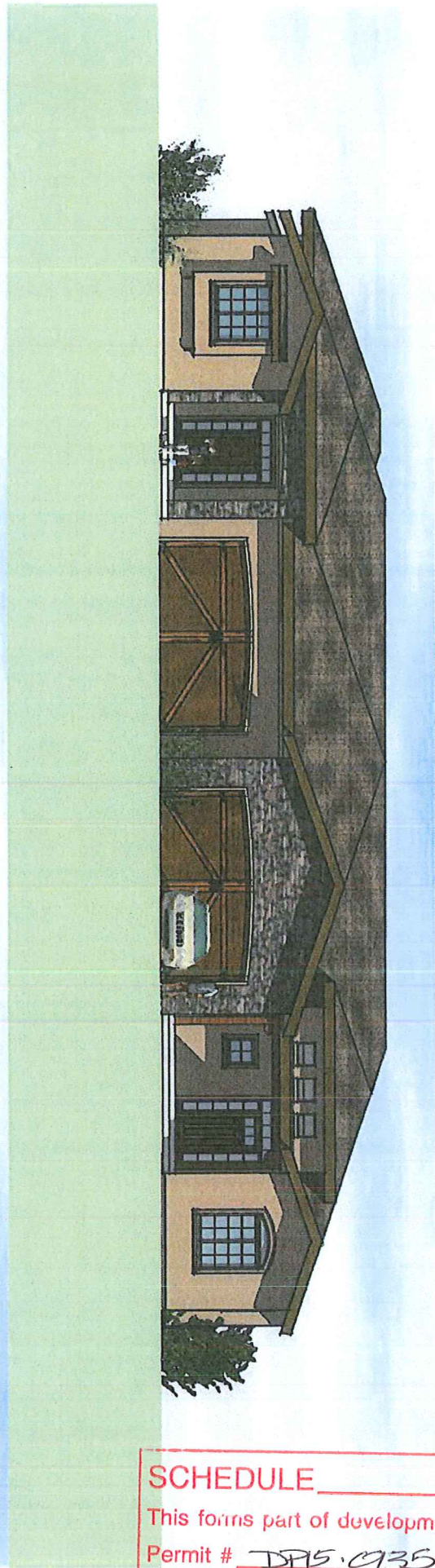
SCHEDULE	B
This forms part of development	
Permit #	DP15-0135





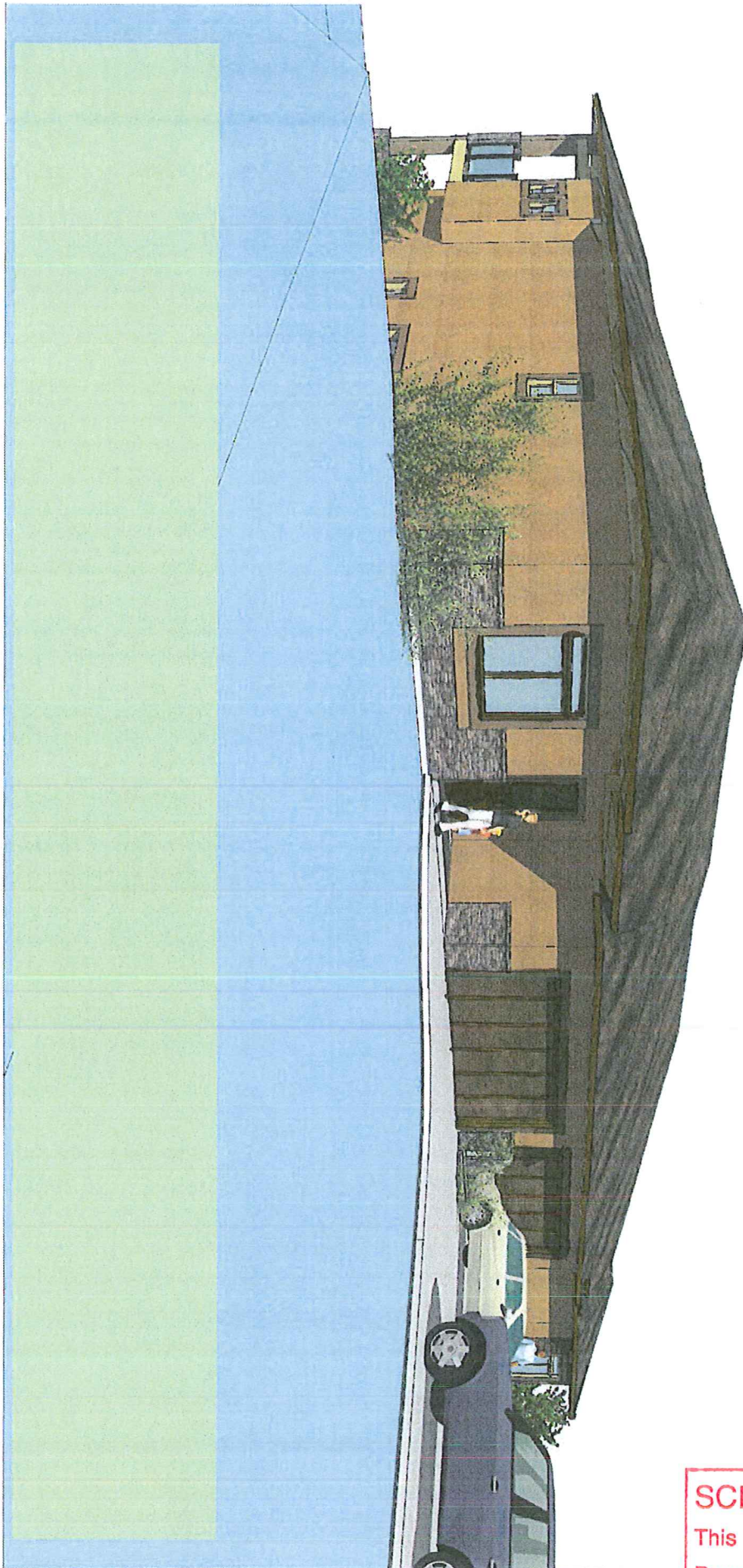
SCHEDULE	<u>B</u>
This forms part of development	
Permit #	<u>DP15-0135</u>





SCHEDULE \_\_\_\_\_ D  
This forms part of development  
Permit # DP15-0935





SCHEDULE B  
This forms part of development  
Permit # DP15-0135





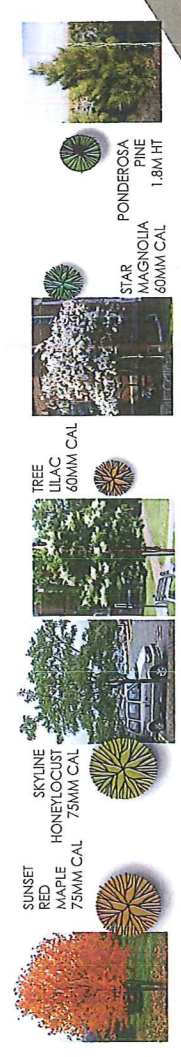
SCHEDULE B  
This forms part of development  
Permit # DP15-0135





SCHEDULE	<u>3</u>
This forms part of development	
Permit #	<u>DP15-0135</u>

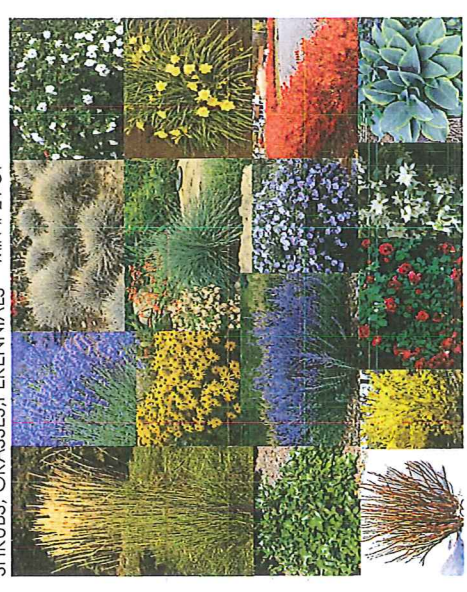




**Preliminary Plant List**

Botanical Name	Common Name	Size
Acer rubrum 'Red Sunset'	Red Sunset Maple	75mm cal
Gladiolus triacanthos 'Inermis "Skyline"'	Skyline Honeylocust	75mm cal
Magnolia stellata	Star Magnolia	Tree form - 60mm cal
Syringa alba	Ivory silk tree lilac	60 mm cal
Pinus ponderosa	Ponderosa pine	1.8m ht
Cornus sericea	Red Twig Dogwood	#2
Eucornus alata compacta	Dwarf Burning Bush	#2
Forsythia 'Mindor'	Show Off Forsythia	#2
Hibiscus syriacus 'Blue Bird'	Blue Bird of Sharon	#2
Mahonia nervosa	Dwarf Oregon Grape	#2
Parosela stipulicollis	Russian Sage	#2
Philadelphus lewisii 'Blizzard'	Blizzard Mockorange	#2
Pinus mugo pumilo	Dwarf Mugo Pine	#2
Rosa 'Ramblin Red'	Ramblin Red Rose	#2
Calamagrostis 'Karl Foerster'	Karl Foerster Reed grass	#2
Festuca ovina 'Elijah Blue'	Elijah Blue Fescue	#2
Helictotrichon sempervirens	Blue Oat Grass	#2
Hemerocallis 'Stella d'Oro' (yellow)	Stella D'Oro Daylily	#2
Hosta 'Royal Splendor'	Royal Splendor Hosta	#2
Lavandula angustifolia 'Munstead'	Munstead Lavender	#2
Rubickia hirta 'Goldsum'	Goldsum Gloriosa Daisy	#2

SHRUBS, GRASSES, PERENNIALS MIN # 2 POT

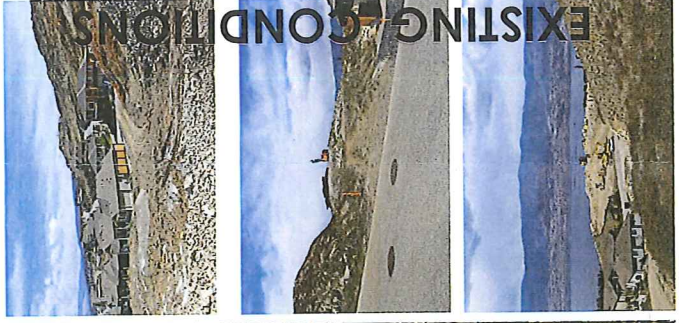
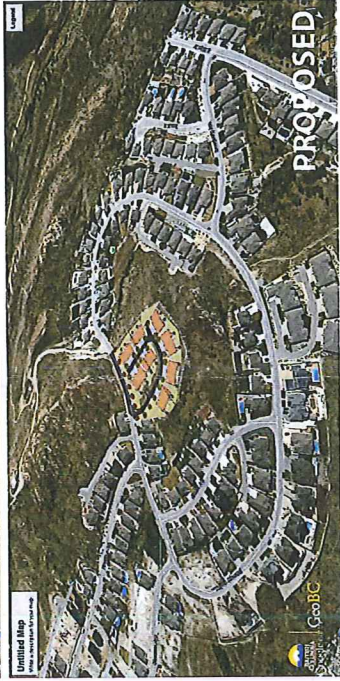
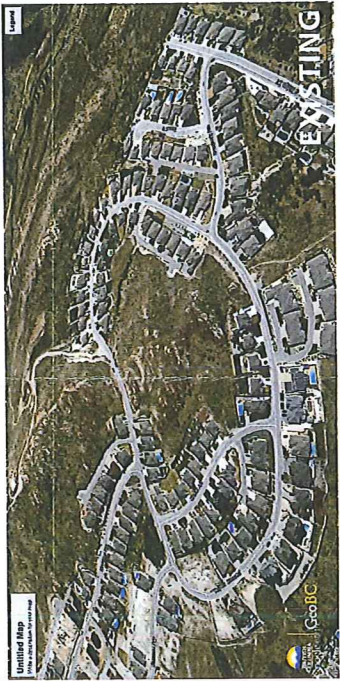


**Hydroseeding Treatment**  
 All disturbed areas will be hydroseeded with the following seed mix. (Approved by City of Kelowna)  
 Dryland Grass Mix Seed Blend (% by weight)  
 Application Rate 1500g/ha  
 Crested Wheat Grass 20  
 Perennial Ryegrass 15  
 Slender Wheat Grass 10  
 Tall Wheat Grass 10  
 Hard Fescue 10  
 Cuscuting Red Fescue 10  
 Annual Ryegrass 10  
 Fall Ryegrass 15  
 Seed mix to be certified #1 Grade.

**SCHEDULE C**  
 This forms part of development  
 Permit # **CTO 225.035**  
**CTO**  
 ENGINEERING PLANNING URBAN DESIGN

# SOUTHRIDGE MULTI-FAMILY Conceptual Landscape Plan





## Notes

- All plants, material and planting practices to conform to the BCNA "BC Landscape Standard" - Current Edition
- Contractor to provide a warranty and maintenance period of 1 year on all plants and materials. Plants and materials that fail before end of the warranty period shall be replaced by the contractor.
- The illustrated landscape plan is conceptual only, not for construction.
- All planting areas to receive 450mm of topsoil.
- Prior to delivery to site, a representative sample and test results of topsoil should be made available to the consultant for approval.
- No plant species substitution will be accepted without the written consent of the consultant.
- All planting beds to receive 50 mm depth of Ogo-Grow mulch.
- Plant material selections are conceptual only. Final planting selections may vary depending on availability.
- Recommended hydroseeding time of March/April in the Spring or late September to November in the Fall.
- All planting beds and lawn areas to be irrigated.

Hydroseeded areas to receive an annual broadcast fertilizer treatment for the first 3 years.

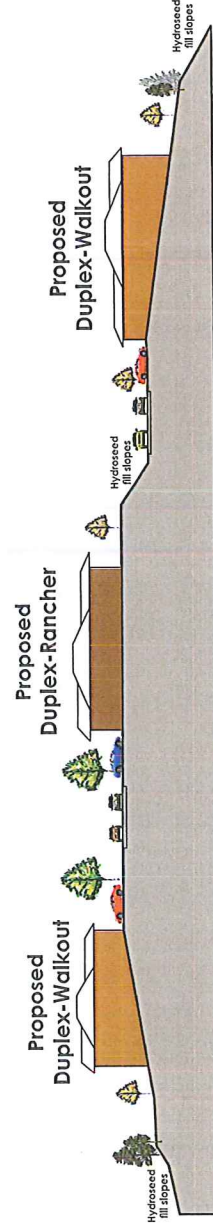
Year one - 400kg/ha (18-18-18)

Years two and three 300kg/ha (20-10-10)  
Weeding as required to ensure weed control within the hydroseeded areas.  
The proposed landscape prescription is based on no irrigation for the hydroseeded areas.

**SCHEDULE C**

This forms part of development

Permit # **DP15.0135**

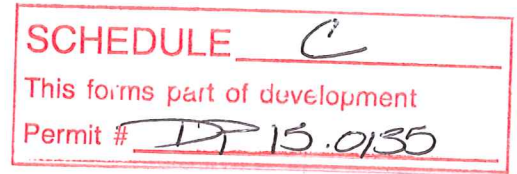


SCHEMATIC  
SECTION 1

# SOUTHRIDGE MULTI-FAMILY

## Conceptual Landscape Plan





Project No.: 05063

File No.:

July 17, 2015

Attention: Mr. Greg Asling  
General Manager-Land Development and Homes  
Emil Anderson Construction Co Ltd / Dilworth Quality Homes Inc.

Dear Sir:

**Re: Southridge Multi-Family Development-Kuipers Cres.  
Landscape Plan**

Please find below, our preliminary landscape cost estimate for **Southridge Multi-Family Development-Kuipers Cres**, based on the Conceptual Landscape Plans, prepared by CTQ Consultants Ltd.

Item	Description	Qty	Unit Price	Total Price
Deciduous Trees	Sunset Red Maple (7cm cal)	7	\$500.00	3,500.00
	Skyline Honey Locust(7cm cal)	14	\$500.00	7,000.00
	Lilac Tree ( 6cm cal)	12	\$350.00	4,200.00
	Star Magnolia (6cm cal)	8	\$350.00	2,800.00
Coniferous Trees	Ponderosa Pine(1.8m ht)	16	\$350.00	5,600.00
Shrubs, Grasses	Red Twig Dogwood	48	\$30.00	1,440.00
Perennials	Dwarf Burning Brush	48	\$30.00	1,440.00
No. 2 pot	Show off Forsythia	48	\$30.00	1,440.00
	Blue Rose of Sharon	32	\$30.00	960.00
	Dwarf Oregon Grape	64	\$30.00	1,920.00
	Russian Sage	48	\$30.00	1,440.00
	Blizzard Mockorange	48	\$30.00	1,440.00
	Dwarf Mugo Pine	64	\$30.00	1,920.00
	Ramblin Red Rose	32	\$30.00	960.00





Ornamental Grasses	Karl Forester Reed Grass	96	\$25.00	2,400.00
	Elijah Blue Fescue	96	\$25.00	2,400.00
	Blue Oat Grass	96	\$25.00	2,400.00
Perennials	Stella De Oro Daylilly	96	\$20.00	1,920.00
	Regal Splendor Hosta	96	\$20.00	1,920.00
	Munstaed Lavendar	96	\$20.00	1,920.00
	Goldstrum Gloriosa Daisy	96	\$20.00	1,920.00

Site Works	Topsoil Placement	LS	\$24,000.00	24,000.00	
	Landscape Rock	LS	\$15,800.00	15,800.00	
	Crusher Chip	LS	\$1,200.00	1,200.00	
	Irrigation	LS	\$21,000.00	21,000.00	
	Edging	LS	\$1,600.00	1,600.00	
	Landscape Fabric	LS	\$3,200.00	3,200.00	
Hydroseeding	2333	SM	\$2.00	4,666.00	
Bluegrass Sod	1000	SM	\$8.00	8,000.00	
<del>Retaining</del>	<del>under 4'</del>	<del>300</del>	<del>SF</del>	<del>\$35.00</del>	<del>10,500.00</del>

**Total**

**\$ 140,906.00**

Should you have any questions regarding the foregoing, or require additional information, please contact the undersigned.

CTQ CONSULTANTS LTD.

Frank Pohland, BES  
Designer

**Total \$130,906.00**  
**125% \$163,632.50**  
**retaining wall costs removed**  
**as per TY July 17, 2015**

**CITY OF KELOWNA**  
**BYLAW NO. 11122**  
**Z15-0017 - Harjinder Kaur Mahli, Jaswinder Singh Mahli and**  
**Swaran Singh Mahli**  
**310 Mugford Road**

---

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot B, Section 26, Township 26, ODYD, Plan 27494 located on Mugford Road, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act

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(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

---

City Clerk

# Report to Council



**Date:** July 27, 2015  
**File:** 0950-20  
**To:** City Manager  
**From:** Ryan Roycroft, Planner  
**Subject:** RN15 - 0001 Road Name Change Bylaw - Quail Ridge Boulevard

---

## **Recommendation:**

THAT Council receives, for information, the Report from the Urban Planning dated July 27, 2015 recommending the renaming of a section of Quail Ridge Boulevard as shown on Map "A" as attached to and forming part of the Report from the Urban Planning dated July 13, 2015;

AND THAT Council gives reading consideration to Bylaw No. 11115 being "Renaming of a portion of Quail Ridge Boulevard Road Name Change Bylaw".

## **Purpose:**

To consider a bylaw to rename a portion of Quail Ridge Boulevard to Pier Mac Way and a portion of new roadway to Quail Ridge Boulevard.

## **Background:**

As part of ongoing works in the area, a new access road is being driven north from Innovation Drive to the Quail Ridge Boulevard turnoff. With the extension of this roadway, staff are recommending that Council rename the current Quail Ridge Boulevard to Innovation Drive, and name the new road an extension of Quail Ridge Boulevard.

This is the most natural flow of road names with the new road. Innovation Drive becomes a continuously named road, while Quail Ridge Boulevard continues to be the road between Airport Way and Quail Ridge.

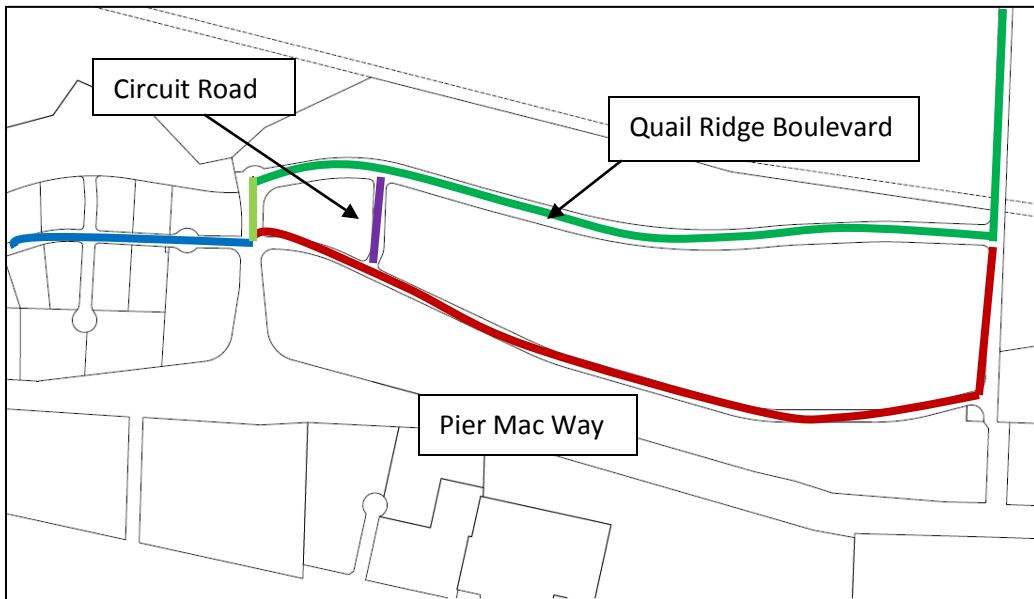
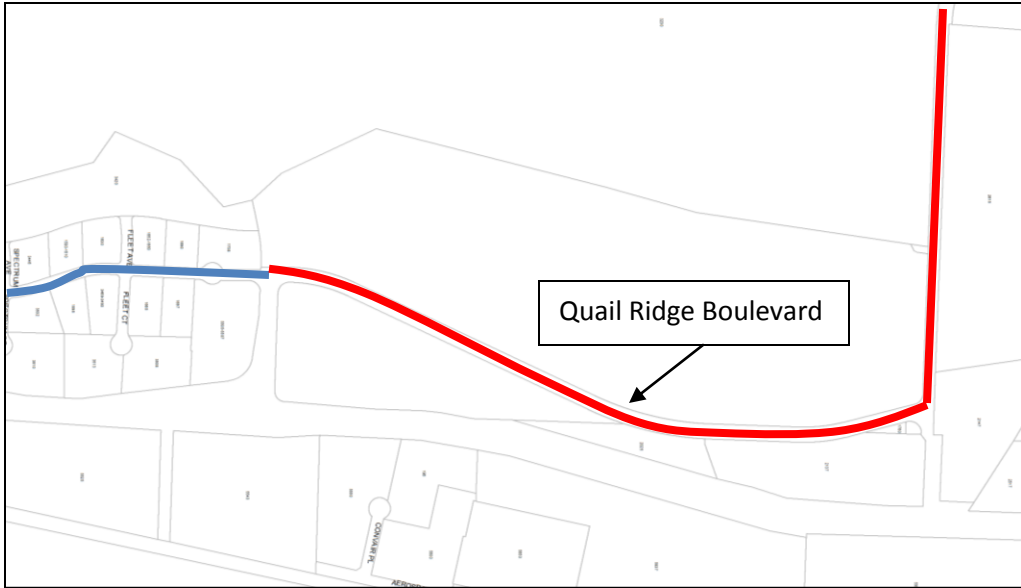
## **Internal Circulation:**

Fire Department, Information Services, Development Engineering

## **Legal/Statutory Authority:**

Bylaw No.7071 - A bylaw to assign numbers to buildings and structures within the City of Kelowna, Local Government Act, Section 728.1 – House Numbering.





**Existing Policy:**

Council Policy #346 deals with compensation for re-addressing properties whose addresses are changed as the result of roads being renamed. No homes are being impacted as a result of this road name change.

**Considerations not applicable to this report:**

**Financial/Budgetary Considerations:**

**Personnel Implications:**

**External Agency/Public Comments:**

**Communications Comments:**

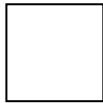
**Alternate Recommendation:**

**Legal/Statutory Procedural Requirements:**

Submitted by:

Ryan Roycroft, Planner

Approved for inclusion:



Ryan Smith, Department Manager, Community Planning

# CITY OF KELOWNA

## BYLAW NO. 11115

### A Bylaw to Rename a Portion of Quail Ridge Boulevard

---

WHEREAS the Municipal Council of the City of Kelowna deems it desirable for a portion of Quail Ridge Boulevard to be renamed Pier Mac Way in the City of Kelowna;

NOW THEREFORE the Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT the name of a portion of Quail Ridge Boulevard be changed to Pier Mac Way as outlined in Map "A" attached to and forming part of this bylaw;
2. This bylaw may be cited for all purposes as the "Renaming a Portion of Quail Ridge Boulevard to Pier Mac Way Name Change Bylaw No. 11115".

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

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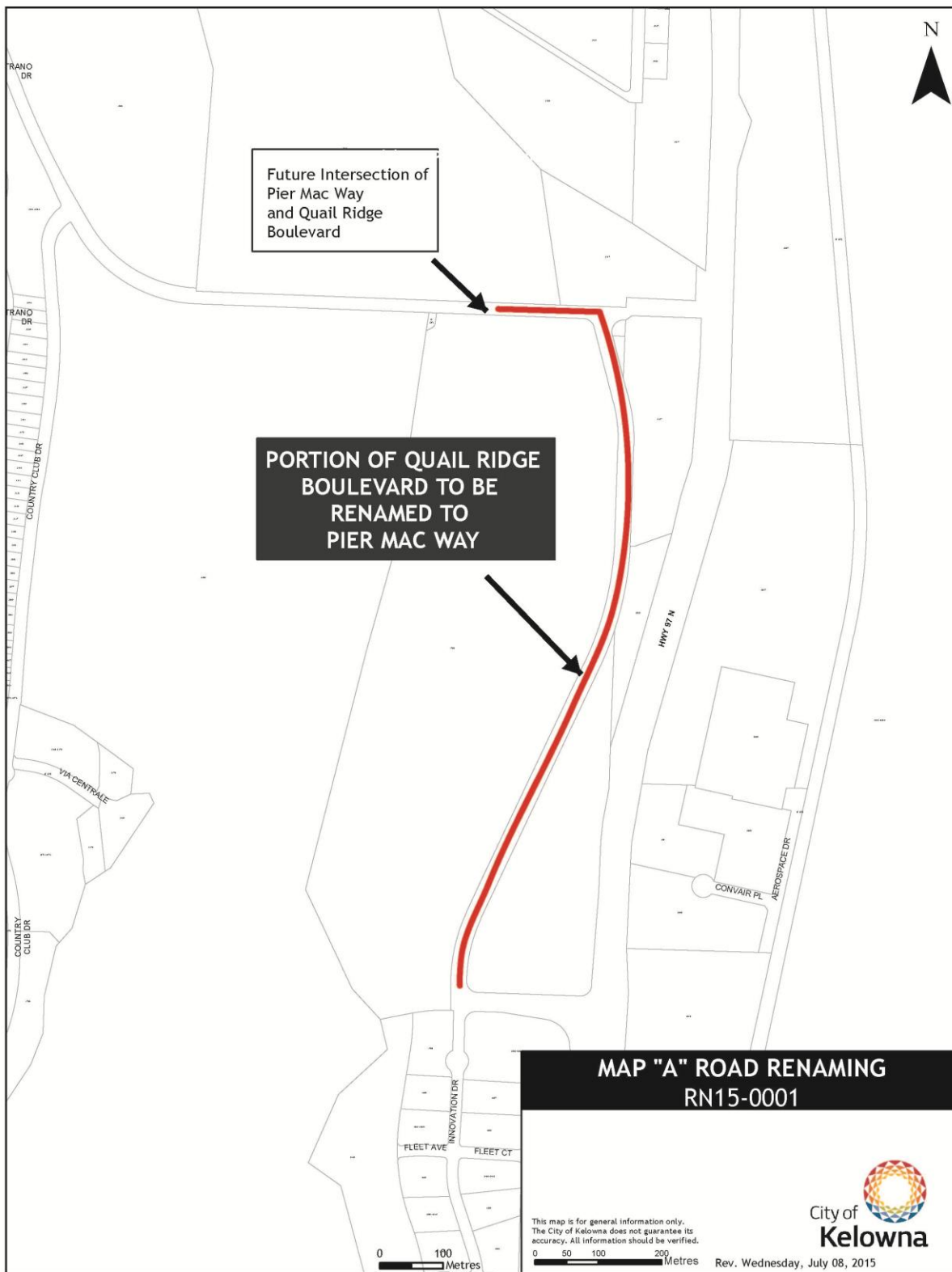
Mayor

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City Clerk



Map "A"



# Report to Council



**Date:** July 27, 2015  
**File:** 1405-01  
**To:** City Manager  
**From:** Financial Services Director  
**Subject:** Transit 2015/2016 Annual Operating Agreement

---

## **Recommendation:**

THAT Council approve the 2015/2016 Annual Operating Agreement between BC Transit and City of Kelowna for Conventional, Community, and Custom transit

## **Purpose:**

To receive Council approval for the transit 2015/2016 Annual Operating Agreement

## **Background:**

The Annual Operating Agreement (AOA) is submitted by BC Transit to the City of Kelowna in March, and is effective for the period of April 1st to March 31st of the following year. The AOA is a summary of budgeted revenues and costs within the Kelowna Regional Transit System for BC Transit's fiscal year (March 31st yearend).

Each Local Government Partner within the Kelowna Regional Transit System submits the AOA to their Councils for approval. The impacts of the 2015/2016 AOA were included in the City of Kelowna's 2015 Provisional Budget that Council approved in January.

The main areas of increased costs are:

- the operating company's fixed costs
- increased scheduled service hours
- fleet maintenance
- new infrastructure and support for traffic signal priority and automatic vehicle locator systems

## Conventional Transit

The 2015/16 AOA includes a \$1,456,741 increase in costs for Conventional transit: \$1,224,470 is related to operating costs; \$232,271 is related to increased lease fees. This represents a 7.70% increase from the amended 2014/15 AOA presented to Council in March 2015. The City

of Kelowna's portion of the Local Government share of the increased cost of \$734,338 and increased revenue of \$39,059 equals a net cost increase of \$695,279.

#### Community Transit

Costs increased \$78,421 within the 2015/16 AOA: \$46,739 is related to operating costs; \$31,682 is related to increased lease fees. This represents a 3.28% increase from the 2014/15 amended AOA presented to Council in March 2015. \$21,298 is the City of Kelowna's portion of the Local Government share of the increase.

#### Custom Transit

The 2015/16 AOA also includes a \$83,297 increase in costs for Custom transit: operating costs increased \$118,763; lease fees decreased by \$35,466. This represents a 2.81% increase from the 2014/15 AOA presented Council in May 2014 (there was no amendment to the original Custom Transit portion of the 2014/15 AOA). \$3,017 is the City of Kelowna's portion of the Local Government share of the increase.

#### **Internal Circulation:**

Director, Regional Services  
Regional Programs Manager  
Revenue Manager  
Divisional Director, Infrastructure

#### **Legal/Statutory Authority:**

Annual Operating Agreement is required to authorize funding for payment of transit contractor.

#### **Financial/Budgetary Considerations:**

Existing budget provides for these Annual Operating requirements.

#### **Considerations not applicable to this report:**

#### **Legal/Statutory Procedural Requirements:**

##### **Existing Policy:**

##### **Personnel Implications:**

##### **External Agency/Public Comments:**

##### **Communications Comments:**

##### **Alternate Recommendation:**

Submitted by:

G. Davidson, Financial Services Director

Approved for inclusion:



Rob Mayne, *Div. Director, Corporate and Protective Services*



## Appendix 1

<u>CONVENTIONAL TRANSIT</u>	2014/2015	2015/2016	Total Difference	Percentage Change	Local Gov't Portion	City of Kelowna Portion
REVENUE	\$5,648,181	\$5,696,194	\$48,013	0.85%	\$48,013	\$39,059
Expenditures						
Total Operating Costs	\$16,754,258	\$17,978,728	\$1,224,470		\$652,765	\$545,385
Total Lease Fees - Local Share	\$2,161,477	\$2,393,748	\$232,271		\$232,271	\$188,952
TOTAL COSTS	\$18,915,735	\$20,372,476	\$1,456,741	7.70%	\$885,036	\$734,338
TOTAL NET COSTS						\$695,279

<u>COMMUNITY TRANSIT</u>	2014/2015	2015/2016	Total Difference	Percentage Change	Local Gov't Portion	City of Kelowna Portion
Expenditures						
Total Operating Costs	\$2,336,261	\$2,383,000	\$46,739		\$24,917	\$9,376
Total Lease Fees - Local Share	\$53,398	\$85,080	\$31,682		\$31,682	\$11,922
TOTAL COSTS	\$2,389,659	\$2,468,080	\$78,421	3.28%	\$56,599	\$21,298

<u>CUSTOM TRANSIT</u>	2014/2015	2015/2016	Total Difference	Percentage Change	Local Gov't Portion	City of Kelowna Portion
Expenditures						
Total Operating Costs	\$2,808,842	\$2,927,605	\$118,763		\$39,560	\$29,156
Total Lease Fees - Local Share	\$160,452	\$124,986	-\$35,466		-\$35,466	-\$26,138
TOTAL COSTS	\$2,969,294	\$3,052,591	\$83,297	2.81%	\$4,094	\$3,017

# Report to Council



**Date:** July 17, 2015

**File:** 1890-90

**To:** City Manager

**From:** Utilities Planning Manager, Infrastructure Planning

**Subject:** Water Main Replacement - Dilworth Drive, From Omineca Place to Glacier Court

---

## **Recommendation:**

THAT Council receives, for information, the report from the Utilities Planning Manager dated July 17, 2015 regarding the Water Main Replacement - Dilworth Drive, From Omineca Place to Glacier Court;

AND THAT Council authorizes the expenditure of up to \$1,300,000 from the water utility for the purposes of replacing a failing water main on Dilworth Drive from Omineca to Glacier Court;

AND THAT the 2015 Financial Plan be amended accordingly.

## **Purpose:**

To provide funds necessary to replace a high risk water main that has had a series of recent pipe breaks.

## **Background:**

The segment of the Dilworth water main between Omineca Pl. and Glacier Ct. is a 300mm diameter Ductile Iron pipe built in 1979. This pipe is the only distribution main that supplies water to the Summit Reservoir, and is a critical link in ensuring continuous water supply and fire protection to the neighbouring community. Also, the water main is located in an area where there are known slope stability issues. The concern being that the addition of this water to these slopes could trigger slope failure.

This segment of water main has had a number of pipe breaks in recent years occurring along its length at an ever increasing frequency. The water main itself is not that old and should have a useful life of 80years or more under benign soil conditions. Unfortunately, the soils in this area are highly corrosive and have corroded this metal pipe to the point where breaks are now occurring. The 2015 capital budget has \$300,000 for the replacement of a length of the pipe on Dilworth from Summit to Glacier. The intent was to replace the known corroded sections of the water main and determine if any of the pipe could be salvaged. Should the corrosion along this water main have been limited in its extent, the City would have looked at placing corrosion protection using a new technique currently being used at the City of Calgary.

We have recently had a substantial water main break that is immediately south of the section that was scheduled to be replaced this year. Unfortunately, the level of corrosion that was observed on the existing water main was extensive. Further, the exposure of the recent pipe break indicates that it may have been present for some time before it was observed at the surface. Algae growth was observed around the areas of the break. This may be due to clay that was used in the backfill of the pipe trench. Staff are concerned that this situation could be present in other sections of the pipe.

Staff believe that we will be able to complete the aforementioned project within the 2015 calendar year should Council approve funds for this project.

**Discussion:**

Any new Ductile Iron water main installations must follow the "Subdivision Development and Servicing- Approved Products List", Council Policy 266 (2002). The requirements for any Ductile Iron water main installation are that it must be wrapped in Poly Ethylene plastic and concrete lined as per industry standard. Thus, the potential for corrosion with newer Ductile Iron water main installations is minimized.

The City's Water Asset Management Plan is currently being revised to reflect the replacement of this water main and other infrastructure replacements and will be presented to Council this fall.

**Internal Circulation:**

Infrastructure Divisional Director  
Director, Financial Services

**Financial/Budgetary Considerations:**

\$1,000,000 from the water utility will be required to complete this project in addition to the \$300,000 already budgeted in 2015.

**Considerations not applicable to this report:**

Alternate Recommendation:

Communications Comments:

Existing Policy:

External Agency/Public Comments:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Personnel Implications:

Submitted by:

A. Reeder, Utilities Planning Manager

Approved for inclusion:



A. Newcombe, Divisional Director Infrastructure

cc: Corporate & Protective Services Divisional Director  
Director, Financial Services



Infrastructure Divisional Director

# Report to Council



**Date:** July 21, 2015  
**File:** 1810-40  
**To:** City Manager  
**From:** Andrew Gibbs, Senior Project Manager  
**Subject:** Naming of the New Police Services Building

---

## **Recommendation:**

THAT Council endorses "City of Kelowna Police Services" as the formal name for the new civic facility being constructed at 1190 Richter Street to house the local RCMP detachment.

## **Purpose:**

To seek Council endorsement to formalize the name of the new police services building to be constructed at Clement and Richter streets.

## **Background:**

In order to provide our contractor the information necessary to design the signage for the building, it is required that the official name of the facility be established now.

It is noted that, while Council Policy No 343, the Civic Community Facility Naming Policy, outlines the naming criteria for City-owned facilities, it does not specifically apply to a facility like a protective services building. Regardless, some of the guidelines and principles identified in that policy provide constructive guidance in the naming of the new police building, which have been taken into account.

The new building is being constructed with municipal funding and will be owned and operated by the City of Kelowna. Naming and signing the building as "City of Kelowna Police Services" as recommended acknowledges the civic role that this important building plays in the community.

The building name will be mounted on a feature wall of the building close to the entrance of the building and would follow the City's guidelines for facility branding and identification (see Figure 1, attached). The City logo would appear on the front door (see Figure 2, attached).

When the RCMP has moved into the new building the building will become the RCMP's principal facility in Kelowna and the top of mind destination for the public when having business with the RCMP. To address this and ensure successful public way-finding and identification of the building, the project will also include a standard bilingual RCMP detachment sign at the front of the building, close to the intersection of Clement and Richter (see Figure 1, attached). Additionally, the RCMP logo and branding would appear on the front door (see Figure 2, attached).

**External Agency/Public Comments:**

The Kelowna RCMP detachment superintendent has been consulted and concurs with the recommendation of this report.

**Communications Comments:** n/a

**Internal Circulation:** n/a

**Legal/Statutory Authority:** n/a

**Legal/Statutory Procedural Requirements:** n/a

**Existing Policy:** n/a

**Financial/Budgetary Considerations:** n/a

**Personnel Implications:** n/a

**Alternate Recommendation:** n/a

**Considerations not applicable to this report:**

Submitted by:

A. Gibbs, Senior Project Manager

Approved for inclusion:



cc: Nick Romanchuk, RCMP  
Kelly Kay, Communications



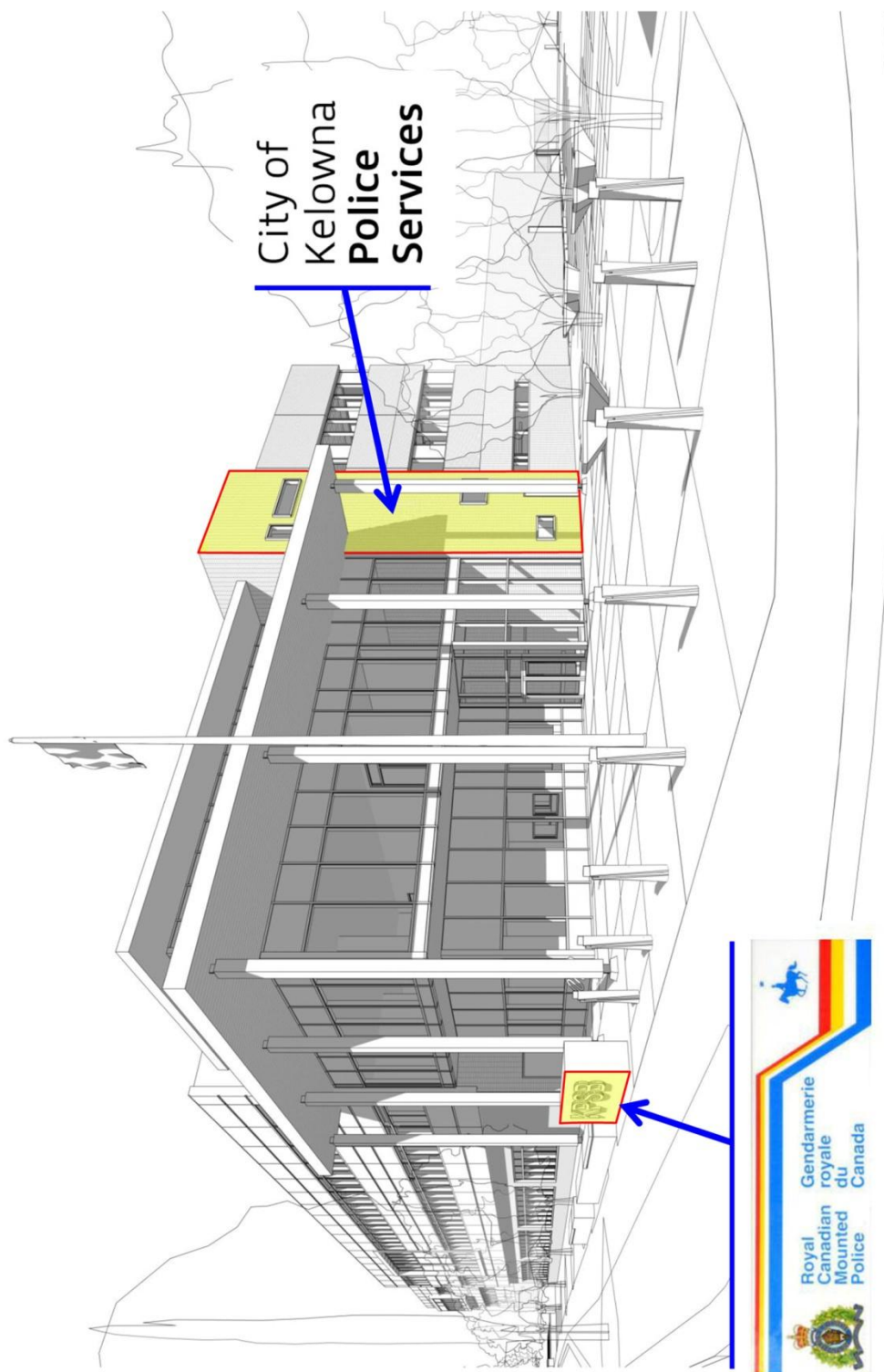


Figure 1: Facility identification signage (viewed from corner of Clement & Richter)

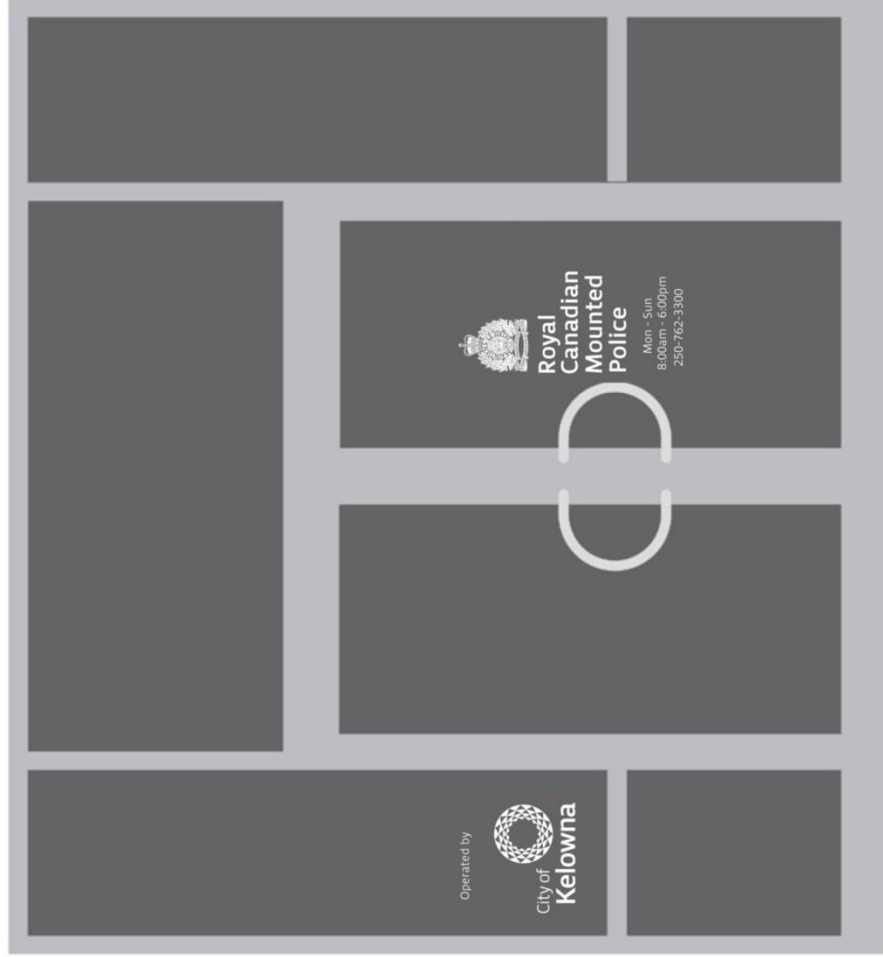


Figure 2: Front door signage

# Report to Council



**Date:** July 15, 2015  
**File:** [RIM Classification Number]  
**To:** City Manager  
**From:** P. McCormick, Planner Specialist  
**Subject:** Brent's Grist Mill Stabilization Project

---

## **Recommendation:**

THAT Council receives, for information, the Report of the Planner Specialist Urban Design, dated July 15, 2015;

AND THAT Council directs staff to undertake the stabilization of Brent's Grist Mill as set out in the report of the Planner Specialist Urban Design, dated July 15, 2015;

AND FURTHTER THAT Council approves a 2015 budget amendment in the amount of \$210,000 funded from the Reserves where funds have been held for the Brent's Grist Mill project.

## **Purpose:**

To provide Council with an update regarding the Brent's Grist Mill Stabilization Project.

## **Background:**

### Heritage Significance

There are three buildings located at the Brent's Mill Heritage Park: Brent's Grist Mill, the Fleming House, and the Dairy Shed. All of the buildings are on the City of Kelowna Heritage Register and protected by Municipal Bylaw #9185. The buildings are also listed on the National Heritage Register. The Grist Mill is historically significant because it is an excellent and rare surviving representation of the building practices of pioneer times. Additionally, the Grist Mill (1871) was the key structure serving one of the first industrial enterprises in the Okanagan Valley and is the oldest surviving purpose-built grist mill building in Western Canada.

Historical background and details including the character-defining elements can be found on the City of Kelowna Heritage Register at:

[http://apps.kelowna.ca/iHeritage/hc002.cfm?heritage\\_id=418](http://apps.kelowna.ca/iHeritage/hc002.cfm?heritage_id=418)



### Priority

At the request of the City, the Community Heritage Commission (CHC) struck a subcommittee in the summer of 2009 to assist the City in establishing mutually agreeable principles and criteria for the management of the City's heritage assets. The committee membership included the chair of the CHC, the Kelowna Museums Society (sub-committee chair), the Okanagan Historical Society, the Central Okanagan Heritage Society, and interested members from the general public. The City's Cultural Services Manager, Director of Infrastructure and Planning, Director of Real Estate and Building Services and the Heritage Planner also sat on the sub-committee.

The evaluation criteria include:

- Is the building **rare and at risk** relative to all assets on the municipal heritage registry?
- Once conservation work is complete, how **accessible** to the public will the building be?
- How likely is the building to provide a **community service** (or achieve a municipal policy objective)?
- How likely is the building to have a **revenue stream** that offsets its operational and maintenance costs?
- Is the building a **landmark** anchoring the character and identity of a City, town centre or village centre or the City generally?
- Is the building related to **economic, social or cultural activity or environmental adaptation**, community leadership, history of an immigrant population, or history of First Nations populations which are significant to Kelowna's history?

Based upon the criteria, all of the City heritage assets were ranked with the Brent's Grist Mill as a top priority for funding and re-investment.

### Scope of Work

In the spring of 2015, a consultant completed a conservation report of the Grist Mill building (Attachment A). The report was an assessment of the building's current condition and sets out the scope of work required to save the building from further deterioration. The assessment, pending Council's direction, would be the basis for repairs which would be undertaken in fall 2015. These repairs would stabilize the building until such time that a decision can be made regarding its long-term adaptive re-use.

The conservation work would include repairs to the roof structure and shingles, wood siding, doors and windows, and floor and foundations beams. Essentially the building would be enclosed to protect it from the elements and secured to preclude indiscriminate access by animals and humans.

It is urgent that in the near-term, the building be stabilized from further deterioration. The original use of the building was largely utilitarian and so the rehabilitation works are not aimed at human occupancy, but rather to protect a historic landmark. The proposed work is therefore well-understood and modest in scope. The scope of work also includes environmental clean-up of the site and refurbishment of the commemorative stone cairn.

A Request for Proposal (RFP) would be posted in late summer 2015 to engage a contractor with the required expertise in the repair and rehabilitation of heritage-designated buildings. It is expected the conservation work would be completed by late fall 2015.

### Future Use

The proposed stabilization works will afford time for the City to continue discussions with the community and interested stakeholders on the ultimate use of the buildings and the overall site. The CN Rail Corridor project may provide an opportunity to generate increased traffic along the multi-use recreation pathway that would help bring additional attention to the site.

### **Financial/Budgetary Considerations:**

Funding has been approved by previous Councils for this project and has remained in Reserves. The funding of \$210,000 is requested to be brought from Reserve into the 2015 Capital Budget to initiate the conservation work.

### **Internal Circulation:**

Divisional Director, Infrastructure  
Financial Services Director  
Infrastructure Delivery Dept Manager  
Infrastructure Planning Dept Manager  
Building Services Manager  
Cultural Services Manager  
Planner II

### **Existing Policy:**

#### Heritage Asset Management Strategy

Heritage is a key component in maintaining a community's sense of place by connecting its citizens to the people and events that have shaped who we are today. Heritage buildings are the physical manifestation of our history; the tangible links to the stories and memories of the past. These buildings contribute most powerfully when they evolve to be part of the daily life of the community by housing viable uses.

The City of Kelowna has played a key role in the stewardship of heritage assets. It owns nineteen assets on the Heritage Register and has made a significant commitment to, and investment in maintaining those assets. As the assets have significant meaning to the citizens of Kelowna, the City wishes to maintain them consistent with its stewardship role and commitment to the community's heritage.

A Council Workshop on the Heritage Asset Management Strategy was hosted on March 2, 2015. For reference, the report can be found on the City's website under Council Agenda:

[http://apps.kelowna.ca/CityPage/Docs/PDFs/Council/Meetings/Council%20Meetings%202015/2015-03-02/Regular%20AM/Agenda%20Package%20-%20Regular%20AM%20Council%20Meeting\\_Mar02\\_2015.pdf?t=105446](http://apps.kelowna.ca/CityPage/Docs/PDFs/Council/Meetings/Council%20Meetings%202015/2015-03-02/Regular%20AM/Agenda%20Package%20-%20Regular%20AM%20Council%20Meeting_Mar02_2015.pdf?t=105446)

### **External Agency/Public Comments:**

A letter of support from the Central Okanagan Heritage Society is included as Attachment B.

### **Considerations not applicable to this report:**

Legal/Statutory Authority  
Legal/Statutory Procedural Requirements  
Personnel Implications  
Communications Comments  
Alternate Recommendation

Submitted by: P. McCormick, Planner Specialist

Approved for inclusion:



Alan Newcombe, Divisional Director, Infrastructure

Attachment A: Brent's Mill Homestead and Grist Mill Park

Attachment B: Letter from Central Okanagan Heritage Society

cc: Active Living and Culture, Divisional Director  
Civic Operations, Divisional Director  
Communications & Information Services, Divisional Director  
Divisional Director, Infrastructure  
Financial Services Director  
Infrastructure, Divisional Director  
Building Services Manager  
Cultural Services Manager  
Infrastructure Delivery Dept Manager  
Infrastructure Planning Dept Manager



**HERITAGE CONSERVATION PLAN**  
**for the Stabilization of the**  
**Brent's Grist Mill Building,**  
**Brent's Homestead and Grist Mill Park**  
**1450 Dilworth Drive, Kelowna, BC**



**Brent's Grist Mill, D. Whitman, 1958**  
(Courtesy: KPA #5390)

**Prepared for: The City of Kelowna, December 2014**

**Prepared by: Lorri Dauncey, MA, BA, Dip**

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### **Appendices:**

- Appendix #1: Summary of Standards and Guidelines for the Conservation of Historic Places in Canada*
- Appendix #2: Brent's Grist Mill Site Survey Existing Conditions Map, Urban Systems, 2008*
- Appendix #3: CITY OF KELOWNA BYLAW NO. 9185: Brent's Mill Buildings Heritage Designation Bylaw*
- Appendix #4: Location of Original Site (existing pre 2002) and New Site*
- Appendix #5: Brent's Mill Site from Site Map by O.B. Padden, 1979*
- Appendix #6: Breast Shot Water Wheel*
- Appendix #7: City of Kelowna's Statement of Significance for Brent's Grist Mill, 1450 Dilworth Drive, 2014*
- Appendix #8: Brent's Grist Mill Building Condition Survey, 2014*
- Appendix #9: Brent's Grist Mill Building Existing Condition Plans, 2014, Peter Chataway*

### **Sources**

## Introduction

The main objective of this report is to compile research and building documentation for the Brent's Grist Mill building located at 1450 Dilworth Drive in Kelowna BC. This report will become a record of the building in 2014. It should be used to guide future conservation work, including the immediate stabilization of the building, until an appropriate future use is determined. This report will provide guidance in conserving the heritage value of this City of Kelowna Heritage Designated building and will help to ensure that the physical life of the building is extended as much as possible.

The Grist Mill building is one of four structures (farmhouse, milk house and barn), that was relocated from its original site at 2590 Harvey Avenue to its current location in 2002 in the newly created Heritage Homestead and Grist Mill Park. Since the buildings were moved onto new concrete foundations, while retaining their original relationship to each other, there has been some conservation undertaken on the farmhouse and milk house but only minimal stabilization work has been done on the mill building. The Grist Mill, arguably the most significant building, is also the building currently most at risk. This report is aimed at ensuring that the building is stabilized AND its heritage value is retained while being preserved and interpreted for the community and future generations.

The original building materials and character-defining elements should be preserved, repaired and/or replaced, using the nationally, provincially and locally recognized heritage conservation standards and guidelines in any future conservation work.

*Intervention at a historic place must respect its heritage value and character-defining elements. It is always better to preserve than to repair and better to repair than replace... This "minimal intervention" approach is the foundation of good conservation practice. (Source: Standards and Guidelines for the Conservation of Historic Places in Canada, p. 3)*

## 1.0 Standards and Guidelines for the Conservation of Historic Places in Canada

The Canadian Conservation Standards and Guidelines must be followed as closely as possible to ensure the heritage value of the Brent's Grist Mill building is preserved in any future conservation work. The Government of Canada, in collaboration with the provinces and territories, has developed the **Historic Places Initiative** that will help to conserve Canada's historic places. This program has created the **Canadian Register of Historic Places** and the **Standards and Guidelines for the Conservation of Historic Places in Canada**. These standards and guidelines are based on universally recognized conservation principles and identify good practice versus bad practice. (Refer to Appendix #1: Summary of Standards and Guidelines for the Conservation of Historic Places in Canada)



*The primary objective of the project and its heritage value will determine the best treatment, ensure that its heritage value is protected and that its physical life is extended.*

*\***preservation** (protecting, maintaining and/or stabilizing the materials, form and integrity of a historic place);*

*\***rehabilitation** (repairing, alterations and/or additions to make possible a continuing or compatible use of a historic place);*

*\***restoration** (revealing, recovering or representing the state of a historic place at a particular period in its history).*

(Source: Standards and Guidelines for the Conservation of Significant Heritage Buildings, p.17)

The objective of this project is to stabilize the Brent's Grist Mill building as soon as possible. The use has not yet been determined therefore rehabilitation will not be the focus. Some restoration work may be required during the stabilization stage in order to replicate missing building elements and repair damage to the building from vandalism, animals/rodents/birds and the natural elements.

## **2.0 Understanding the Historic Place**

This section is important in order to understand the context of the building within its surroundings in order to effectively assess the value of the heritage resource and make value-based decisions for its conservation. An understanding of the planning context and the building's evolution (within the original site and current site), over time are important in the stabilization and future rehabilitation of the building within the site. This understanding is also important background material in the evaluation of the current statement of significance (SOS) for the Brent's Grist Mill, which is essential in the effective management of the cultural resource.

### **2.1 Description of the Brent's Grist Mill building, located in the 'Brent's Homestead and Grist Mill Park**

#### *Legal description*

Street Address: 1450 Dilworth Drive (formerly 2135 Leckie Road), Kelowna BC

Original Address: 2590 Harvey Avenue (Highway 97N), Kelowna BC (moved in 2002)

Legal Description: District Lot 531, Except Plan B1589, 25187, 30395 & M14878, Except Part Red on PL attached to DD19525 & Part Lying to the North of the Railway shown on PL attached to DD1952D

Site Area: 10.53 Acres

#### *Site boundaries*

The site is bounded by the CNR Right of Way (railway track), the Fortis Gas Line Right-of-Way and Dilworth Mountain to the north, Dilworth Drive to the east, Leckie Road to the south and industrial land to the west. Industrial and commercial land surrounds the property to the east, south and west. Mill

Creek flows through the site, east to west to Okanagan Lake (including a flood-plain area), while a bicycle/pedestrian trail now goes around the site on three sides (east, south and west).

#### *Site Description*

The Brent's Grist Mill building is located on the site known as ***Brent's Homestead and Grist Mill Park*** (Named in the 2003 sod turning event for the newly formed park), along with the farmhouse, the milk house and stone cairn. The three buildings and cairn were moved from their original site upstream on Mill Creek in 2002, placed on new concrete foundations. They have maintained their original orientation and proximity to each other as well as a close relationship to Mill Creek. (Refer to Appendix #2: Brent's Grist Mill Site Survey Existing Conditions Map, Urban Systems, 2008)

The two storey gable mill building is built of hand hewn pine posts and beams, sawn joists and vertical plank exterior boards and battens. The shed roof addition is attached to the east side of the main structure. The mill and the addition are about 30' long x 35' wide. The 1871 farmhouse (also called Brent's House and the Fleming House) is located about 200 feet east of the mill. The building is a one-and-a-half storey rectangular log structure built of hand hewn squared pine logs with clapboard siding (1908) on the exterior. The house is about 27' long x 33 ½' wide. The c. 1912 milk house (also called dairy barn) is located close to the north-west corner of the farmhouse and has a new high concrete foundation that replaced its original rubble stone foundation (concrete foundation should someday be faced with stone similar to the original foundation). The main floor is built of milled timbers measuring about 18' wide x 22' long. The stone cairn is currently stored on the east side of the farmhouse. This is not the cairn's permanent location.

The buildings are now sited on the north side of Mill Creek, instead of the south side as at the original site. The creek meanders through the site, surrounded by riparian vegetation comprised largely of mature poplar trees and thick underbrush. There is an existing (and important) irrigation headgate between the buildings and the creek. The site (both sides of the creek) is fairly level and well treed, except for the open area where the buildings have been relocated. This area was cleared and leveled for the arrival of the buildings. Security fencing has been installed around the buildings and the cairn. The area in the fenced compound now has natural grasses, weeds and bushes growing, extending the grasslands/meadow from the north end of the site into this area. Access is off Dilworth Drive at the north east corner of the property. At this time the only other access is by foot onto the property.

There are a number of significant cultural landscape features that are part of the new site. In the future, once the site is finished, many new cultural features will emerge.

#### Natural systems and features:

- Location in Central Okanagan (dry Ponderosa Pine grassland biogeoclimatic zone)
- Mill Creek with riverine soils (slow, low water carrying capacity predominate)
- Riparian ecosystem of Mill Creek and its connection to Okanagan Lake

- Clay cliffs to the north of the site (Dilworth Mountain)

#### Spatial Organization:

- Relationship of Grist Mill to Mill Creek
- Relationship between each of the buildings\* and cairn

*\*Note: the relationship of the buildings and the large open space between them, as on the original site, demonstrates an important aspect of the site's history, for when the mill was operating as many as a dozen families would be camped along the creek waiting their turn at the mill and often played games in the open area.*

- Location at base of Dilworth Mountain

#### Land use:

- In a future city heritage park
- Part of the Mill Creek Linear Park and bicycle/walking route

#### Topography:

-Flat valley bottom associated with Okanagan Lake and its water systems, rising up to the low round hills that line each side of the Valley.

#### Vegetation:

- Riparian vegetation associated with Mill Creek, consisting mainly of poplars and native understorey plants
- Native grassland vegetation

#### Buildings & structures:

- The 1871 grist mill building with shed roof addition
- The 1871 farmhouse with 1908 siding and later additions
- The c. 1912 milk house
- The 1958 stone cairn

#### Views and vistas:

- Internal views leading from one area of the site to another
- Grand vistas of the surrounding hills, including Dilworth Mountain clay cliffs

#### Water features:

- Mill Creek

*Note: The original site located further upstream on Mill Creek, near Highway 97 N, was cleared agricultural farmland with a number of mature trees, gardens, outbuildings, fencing, etc. The buildings and stone cairn were built on the south side of the creek, which meandered through the property, along the base of Dilworth Mountain.*

## 2.2 Planning Context

An understanding of the overall planning context of the Brent's Grist Mill building within its new site is necessary for the development of effective conservation policy. This is a key part of the understanding of the historic place.

### *Cultural context*

The Brent's Grist Mill buildings and site are important to the local community for its heritage values. This is evident: with the installation of the 1958 stone cairn that commemorated the history of the Brent's Grist Mill site as part of BC Centennial Celebrations; Rev. Fleming and other community members' and organizations' (i.e. Okanagan Historical Society (OHS), Rutland Residents Association and Heritage Committee, Central Okanagan Heritage Society (COHS), Kelowna Museum, etc.) attempts to preserve the buildings and site since the 1960s; the amount of interest in the site through OHS reports, newspaper stories, architectural and research reports; inclusion on the 1983 Kelowna Heritage Resource Inventory; and finally the support of Kelowna City Council and staff who worked with COHS and other stakeholders to move the buildings and cairn onto its new site in a newly created municipal heritage park in 2002. The interest and desire by the community is strong, however the financial costs to conserve the buildings and service the site and figuring out how to successfully rehabilitate the site is the project's biggest challenge.

### *Formal recognition status:*

The 10.53 acre (4.26 hectare) site and buildings are owned by the City of Kelowna. The Brent's Grist Mill, the farmhouse and the milk house are listed on Kelowna's Heritage Register. The *Kelowna Heritage Register* (Community Heritage Register) was established under Section 954 of the Local Government Act (BC). These buildings are also on the Provincial and National Heritage Registers.

### *Legal protection status:*

The 10.53 acre site and the Brent's Grist Mill, the farmhouse, the milk house and the cairn were formally designated by the City of Kelowna as a municipal heritage site. The Brent's Mill Buildings Heritage Designation Bylaw #9185 was passed by City Council in February 2004.

**(Refer to Appendix #3: Brent's Mill Buildings Heritage Designation Bylaw #9185)**

### *Zoning status and regulations:*

The Brent's Grist Mill site's current zoning is I3, Heavy Industry. Industrial zoning includes light and heavy industrial uses as well as Industrial/Business activities.

The principal uses in this zone include a variety of industrial type uses, such as animal clinics, breweries and distilleries, fuel depots, recycling depots, wrecking yards. The secondary uses in this zone include agriculture (urban) and residential security/operator unit. The current zoning of the site does not reflect the site's intended use as a heritage park.

### *Kelowna's Official Community Plan (OCP 2030):*

The Official Community Plan (OCP) provides a policy framework and clear vision of the City's intentions with regard to future land uses and servicing across the community. Each property in Kelowna has a future land use designation as specified in the Official Community Plan. The OCP designates the future land use of the Brent's Mill Grist Mill site as AB - Agri-Business future land use. Agri-Business



designation is meant to meet local and tourist demand for agricultural products, services and experiences.

*Agri-Business: Rural land preserved for agriculture and agriculture-related businesses that support local farming and farmers. An example of an agriculture-related business is a farmers' market to promote local food production. Agriculture related commercial uses (retail and office) necessary to support a farmers' market and public market may be considered within this designation. Limited residential uses may be supported within this designation and include a single caretaker's unit and accessory live/work accommodation which support the agriculture-related business function. Despite the potential for "non-farm use" activities, lands within this designation will not be supported for exclusion from the ALR and only non-farm uses approved by the Agricultural Land Commission will be permitted. An example of appropriate zoning within this designation is Comprehensive Development (CD) zone CD23." (Source: OCP 2030, 4.2 Land Use Designation Definitions)*

The surrounding properties' future land use is designated as a mix of Major Park/Open Space, Industrial and Commercial. Use of this site and the buildings as a heritage park would be compatible with its Agri-Business designation in the OCP. The connection of the heritage park with the Mill Creek Linear Park and the proposed public trail within the rail corridor are compatible.

The OCP includes policies that are intended to promote the conservation of heritage buildings listed in the Kelowna Heritage Register. It states *that the City will demonstrate a commitment to heritage conservation by ensuring that City-owned heritage properties be maintained in an appropriate condition.*

## 2.3 Evolution of Place

### Context

The history and significance of the Brent's Grist Mill and the families associated with the site has been well established and well documented. The mill, **the first industrial enterprise in the Okanagan Valley**, is an important part of Kelowna's pioneer history. The Brent's Mill is the oldest surviving purpose-built grist mill structure in British Columbia. The Grist Mill at Keremeos is the only other pioneer mill west of Ontario with its original mill equipment and in its original location intact. Brent's Mill was built in 1871, five or six years earlier than the Keremeos Mill.

In order to better understand the Brent's Grist Mill building, the history of the area and site will be looked at. The chronology of the Brent's Grist Mill building uses and changes over time will follow in table form. Historic photographs and archival materials were used to determine the chronology of the mill building. Historic photographs are included on the CD (submitted with this Conservation Plan) along with the 2014 photographic documentation of the mill and cairn and the 2014 mill building's existing condition plans by Peter Chataway.

The first contact with the First Nations people was by explorers (Stuart 1811) and the early fur traders who were searching for a transportation route between the northern posts and the mouth of the Columbia River. In 1824 the Fur Brigade Trail on the west side of Okanagan Lake became the traders' main route.

In 1859, Father Pandosy and Father Richard, Oblate Priests, accompanied by Cyprian Laurence, his native wife, Teresa and brother Theodor, led by William Pion (Peon), acting as the escort and scout of this small party arrived in the Okanagan on October 9. Father Pandosy and Father Richard came to set up a new mission site in the Okanagan. They camped that winter at Duck Lake, next to the Parsons Brothers pre-emption. After a brutal winter, in the spring of 1860, they moved further down the Valley and settled on Mission Creek where they established a permanent mission. This area had better cultivable land and was introduced to them by the local First Nations people.

More settlers came into the Valley between 1861-1863, including John McDougall and his native wife, Eli Lequime and his wife and sons, August Calmels and his wife and partner Chapee, Joseph Christien, Isadore Boucherie, August Gillard, Jules Blondeaux and Francois Ortholan. After a couple of difficult years, the settlers and Mission began to benefit from their hard toil. There was now a need for a good flour mill. The stage was set for the arrival and entrepreneurship of Frederick Brent – land that produced abundantly, an agreeable climate and most importantly, settlers in need of a flour mill for the grain that was, by 1863, growing well in the Okanagan Valley.

Fredrick Brent (born Frederick Whendt in Germany on December 1, 1827), immigrated to the US, where his name was changed to Brent by a customs official. He enlisted in the US Army in 1854 and served for a number of years. In 1858, Brent travelled into the Okanagan Valley as an Army scout. In 1859, he took his discharge from the Army at Fort Colville, Washington and married Mary Ann Topakeget Ukatemish (daughter of Chief N'Kwala). After farming in the Colville area for three years, the family (with their infant son Joseph) entered the Okanagan Valley in 1863. In the spring of 1864, Frederick travelled back over the border and went into a partnership with Hiram F. Smith (known as Okanagan Smith) planting fruit trees that they brought up from Oregon. Brent's son, William recounts that his father found the summer's too hot so they moved back up to the Okanagan Mission Valley in 1865 and bought the Parson Brothers 1857 pre-emption at the south end of Duck Lake (near the present day Kelowna airport) for six hundred dollars.

In 1865 Brent erected his first flour mill, a small iron grinding mill that he had packed in on horseback from Fort Hope. He utilized water power from the headwaters of Pion (Peon) Creek (now Mill Creek). This small mill ground wheat into flour, which was then sifted through a fine sieve ingeniously crafted by weaving long horse tail hairs into a fabricated bottom of a wooden bowl. The bowl was shaken, separating the flour from the bran.

Brent sold the Duck Lake property and mill to George W. Simpson in 1870. Simpson continued to operate the small mill for two years then moved the mill further south along Pion (Mill) Creek to new property he purchased from Brent in 1872. Simpson later sold the land to the Postill Brothers, who established one of the first sawmills in the area, using Brent's water power system to run their lumber mill. (Source: Ogopogo's Vigil, p.42)

Brent purchased the 160 acre farm from August Calmels and his partner Chapee who had pre-empted the land on Pion (Mill) Creek on July 7, 1861. He bought this property, one of the first farms developed in the area, so that his children could attend Father Pandosy's school. Brent took possession of that land on May 1<sup>st</sup>, 1870.

Brent proceeded to build for his growing family a one-and-a-half storey hand hewn log house and two storey grist mill in 1871, near Peon Creek (later renamed Mill Creek after Brent's milling operation and other small local mills in area) at the base of today's Dilworth Mountain in Kelowna. Brent's new grist mill was the first stone grinding flour mill to be operated between the Columbia River at Fort Colville in Washington State and the Thompson River at Cache Creek .

Brent imported the best mill stones of the day, quarried in the Marne Valley, near Chalons in the north of France. He bought the millstones, iron frame and hopper, and the rest of the equipment required to set up a grist mill from San Francisco. The trip was long and challenging with the mill equipment and supplies arriving in Victoria by sailing ship, then transported to Yale, then on freight wagon over the Cariboo Trail to Savona's Ferry, then by steamboat up the Thompson River through Shuswap Lake to Fortune's Landing on the Spallumcheen River. Brent and his son Joseph met the millstones and equipment in Fortune's Landing (now Enderby) for the final leg of the journey. Brent loaded the machinery onto a homemade wagon and travelled south through Round Prairie, Salmon River and Round Lake to O'Keefe's Ranch at the head of Okanagan Lake, where it was then placed into a row boat. Once Brent arrived in Okanagan Mission, a horse-drawn sledge traveled the last four miles overland to his property. Brent installed the milling equipment in the newly constructed mill building, and had to build an addition off the east end of the mill in order to house the millstones. Brent constructed the wooden breast shot Water Wheel on site and created the flume system from the creek that turned the wheel. Brent is credited with the installation of one of the first irrigation systems in the Valley. The Brent's Grist Mill was an immediate success.

Settlers and local first nation people from up and down the Okanagan Valley, and from as far away as the Similkameen, brought their grain to be ground into flour. "A pack train loaded with grain, and often accompanied by an entire family, would wend its way from distant parts, over mountain, uphill and down, to Brent's Mill at N'Lakwaston (N'hakwhaston). In the Indian language N'Lakwaston meant 'Valley of the Mills', a name the natives had given to this district." (Source: Ogopogo's Vigil, p.44) Many camps were often set up along Pion Creek in the field nearby, with customers waiting their turn at the mill. Often the men and boys would hold pony races and a miniature stampede in the nearby fields to keep themselves amused. It could take twenty-four hours to grind a ton of wheat. Brent's fee was one-third, however the local natives often paid in horses, buckskin and furs instead of giving up a portion of their flour. (Source: Ogopogo's Vigil, p.44)

The mill operated from spring until early winter each year. After each season's run, the millstones were dressed for the next season and the picks were sent to San Francisco for sharpening. A blacksmith shop opened up in 1885 in Vernon, after which the picks were then sent to Vernon for sharpening. Brent also operated the first fanning mill in the community, which he loaned to neighbours. A fanning mill removed straw, chaff, stones, dirt and dust, weed seeds, and light immature seeds from wheat, oats, rye, barley, and other grains. It was important to remove contaminants for better preservation during storage, to have mold and grit free flour, and for securing viable seed free of weed seeds that would compete with a growing cereal crop. In 1885 Brent won a diploma at the World's Fair in Antwerp,

Belgium for the spring variety of wheat he had grown and ground at his mill. Brent sold his flour under the brand “Brent Mills Family Flour XXX FB OK”, the three “XXX”s representing excellence, “FB” for Frederick Brent and “OK” for Okanagan. (Source: Brent’s Mill, Young Canada Works Project, p 6) Brent named his product “Brent Mills Family Flour”, as his wife and six children were involved in the production of the flour. With the success of his grist mill, Brent began to acquire more land. By 1890 Brent had expanded his holdings to over 2,000 acres of land. It should be noted that Brent farmed his land, as well as ran the grist mill. Brent was appointed Justice of the Peace and his daughter acted as his clerk. A small jailhouse was built on his land, which was later moved to Bernard Avenue. The Brent’s were also well known for their annual Bachelor’s Ball that was hosted at the Brent homestead.

The Keremeos Grist Mill in the Similkameen was built by 1877 by Barrington Price and operated until 1896. The British Columbia Directory of 1882 stated that there were four flour mills in the Mission Valley, listing Frederick Brent as a farmer and mill owner. It is believed that the other mills included George Simpson, who may have still been operating Brent’s original small iron mill, he purchased through the Hudson’s Bay Company in 1863 and the Lequime Brothers who were grinding flour in their stone grist mill, located across from the Lequime store on Bernard Avenue.

With cheaper flour available from the steam mills in New Westminster and better transportation available, the small local grist mills ceased production in the 1890s to early 1900. It is not known exactly when Brent stopped operating his mill however in July 1891 he began to advertise his land for sale “in quantities to suit purchasers. 2,100 acres of the best land in the far-famed Mission Valley will be divided up into large or small lots, as desired. This land is unexcelled for Fruit, and there is no better location for a Sheep Ranch in British Columbia. Water privilege goes with the Land.” (Source: The Vernon News, 1891) In 1892, the Vernon News included Brent’s land for sale as “Grist Mill, in good order, on the land.” (Source: The Vernon News, 1892) On October 13, 1892 the Vernon News reported “Property has been changing hands at the Mission. Mr. F. Brent, J.P., has sold his ranch to Mr. J. T. Davis (Davies), of Spallumcheen.” (Source: The Vernon News, 1892) In November Fredrick Brent and his second wife Elsie left the Okanagan to settle in Victoria for two years. They then moved to San Jose, California in 1895. Elsie died in 1907 and Frederick Brent lived on for 12 more years and died at “Altenheim”, Oakland, California June 14, 1919. The date of Mary Ann’s (Brent’s first wife) death is not known, but it is assumed that she died sometime between 1875 and 1890.

With the decline of the local grist mill, the Brent’s mill needed a new use. Brent sold his land (2,100 acres) with the Grist Mill and equipment intact to Mr. J. T. Davis of Spallumcheen. It is not known if the Mill operated at this time, but if so it was likely only for his own use and not run as a business. In 1900 Davis sold the land with the buildings to John Dilworth, who proceeded to divide up the Brent’s land. In 1908 William Fleming bought 87 acres of property, including the mill and homestead from Dilworth. This land was part of the Brent’s original 160 acres. In 1912 Fleming removed the milling machinery (still intact, except that the water wheel no longer turned due to the silt) and converted the Mill into an animal barn with a second storey hayloft. The Gervers Family bought the 87 acre farm in 1926 from Fleming. John Gervers farmed the land for a number of years, but retired due to his health. On August 10<sup>th</sup> 1958 a stone cairn was installed near the south west corner of the mill. The cairn, donated by the Rutland Centennial Committee, commemorated the history of the Brent’s Mill site. A number of local sites were recognized at this time, as part of BC Centennial Celebrations of the one hundredth anniversary of the establishment of the mainland colony of British Columbia. Gervers began to sell off the land until there were only 7 ¼ acres left which he sold to William Fleming’s son, Reverend Everett



Fleming and his wife in 1960. This was Reverend Fleming's boyhood home. In 1963, Reverend Fleming and his wife retired on the last piece of the original Brent's Grist Mill site. By this time the Mill needed a new roof along with some repair work. With help from the community, Fleming led a work party that installed a new roof on the mill and cleaned up the building. Reverend Fleming wrote articles, gave interviews, raised awareness and looked for ways to preserve the mill and homestead that he loved and wanted saved for future generations.

By 1979 the buildings and land were in a state of neglect and disrepair. Fleming still owned the land and buildings, but no longer lived on the property. The land was now zoned for commercial development, spelling out the demise of this important part of Kelowna's history. Reverend Fleming died in 1988, after which the land was sold to a developer who rented out the house until it was ready to be redeveloped.

A number of projects were undertaken, with Fleming's support including: Young Canada Works Project on the Brent's Mill, 1979; Report on Site Inspection by O.B. Padden, Architect Consulting Services, February 8, 1979. Fleming expressed a desire that the farm on about two acres with buildings be maintained as a historic site. This was rejected by Kelowna City Council, but OHS and Kelowna Heritage Advisory Committee continued to advocate conservation of the site. Various community interest groups (i.e. OHS, Kelowna Heritage Advisory Committee, Kelowna Museum, COHS ) and individuals over the years have attempted to carry on Fleming's desire to save and restore these buildings.

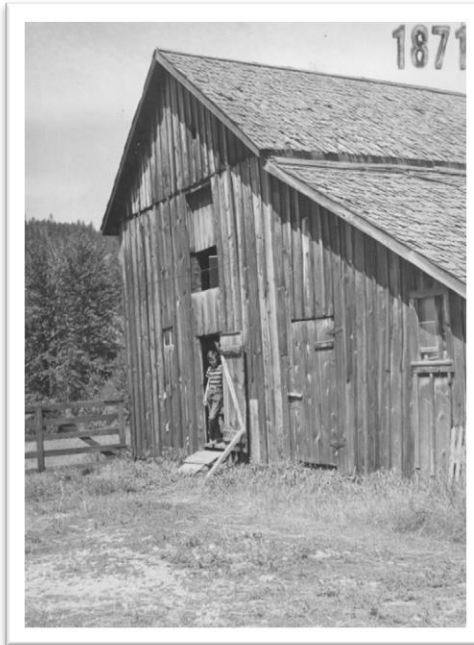
Finally a partnership with the City of Kelowna, COHS and other interest groups was created and the three buildings and stone cairn were moved downstream in 2002 to a new location along Mill Creek, below Dilworth Drive. **(Refer to Appendix #4: Location of Original Site (existing pre 2002) and New Site)** This 10 ¾ acre property was slated to become a new heritage park that would be part of the Mill Creek Linear Park. Before the buildings were moved, an archeological dig (with OUC students and professor Richard Garvin, Cuyler Page and COHS volunteers) was undertaken to determine what type of water wheel was used on the mill and where the flume came from, as well as any evidence from the days when the land next to the mill was used as a campsite by families waiting their turn to mill their wheat. The buildings were photographed before and during the move to the new site. In 2004, the buildings and site was designated a municipal heritage site. Since the buildings and cairn were moved onto their new site, there has been little progress in the conservation of the buildings or in the development of the site. There has been some stabilization work undertaken on the mill with additional bracing added in the addition, the house had some repairs done as well as a new cedar shingle roof installed and the milk house had some stabilization work done in the interior of the building. The Rutland Residents Association donated \$3,500 towards the restoration of the cairn and a replica of the original plaque that was stolen shortly before the cairn was moved. The Kelowna Museum is storing the Brent's millstones, in the hope that one day the original millstones will be returned to the Mill for interpretation.

### Chronology of the historic place:



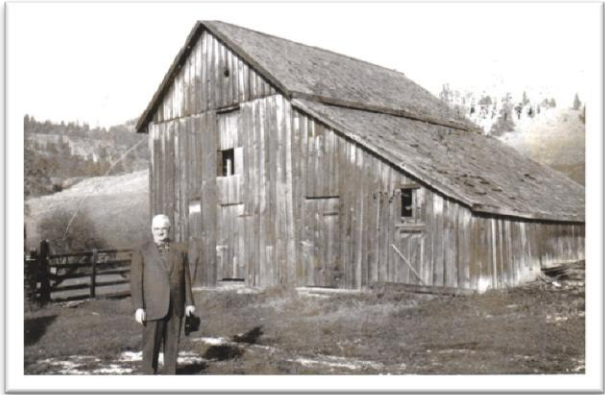
The Brent's Grist Mill, built in 1871, was the earliest purpose-built grist mill in the Okanagan Mission Valley.



YEAR	EVENT	IMPACTS AND CHANGES
1861	August Calmels and Chapee, two French Canadian settlers' pre-empted 160 acres.	A log stable was built on the property during this time. <b>(Note 1)</b>
1870	Carmel and Chapee sold their land to Fredrick Brent, who took possession on May 1 <sup>st</sup> , 1870	
1870-71	Brent built his two storey hand hewn log house and his two storey hand hewn log grist mill	<p><u>Mill Construction Exterior:</u> two storey (26' at peak); 20' x 30' hand hewn Ponderosa Pine log structure <b>(Note 2)</b> on a stone foundation; hand-split cedar shake roof; sawn board and batten siding using a circular saw <b>(Note 3)</b>; doors- one door on north side, double doors on west side, one door on south side of bldg., unknown if door on east side; windows- two small ground floor windows and one larger upper floor window on north side, one ground floor window and one transom window above the double doors on west side, one small ground floor window, unknown if window on east side</p> <p><u>Mill Construction Interior:</u> plank flooring (running north-south) on ground and on upper floor; staircase leading to upper floor (south west corner); wood ladder built into north wall (near where water wheel would have been attached) leading up to upper floor through opening in ceiling</p>
c. 1871	<p>Brent sent to San Francisco for the millstones (imported from the Marne Valley in France), equipment and supplies he needed to set up a grist mill. Brent and his son, Joseph, met the millstones and equipment at Fortune's Landing and made the difficult trip back to their farm. <b>(Note 4)</b></p> <p>Once back home, Brent began to set up the new grist mill in order to begin the flour making process, including the water wheel and the flume system.</p>	<p>Brent set up the mill equipment in the two storey mill bldg. A <i>complex system of belts and pulleys, which among other things, operated a conveyor belt which carried ground meal to the second floor.</i> (Source: Young Canada Works, 1979, p. 3) This likely accounts for the various holes cut into the upper level floor near the north wall of the mill.</p> <p><u>Water Wheel:</u> Brent built a wooden water wheel to create power to run the mill equipment. The breast shot water wheel (possibly 5-6 feet in diameter) was partially below ground level. <b>(Note 5)</b> There is a small hole in the north wall of the mill building that is identified as where the shaft of the water wheel was connected to the inside machinery.</p> <div data-bbox="1203 1247 1572 1745" data-label="Image"> </div> <p style="text-align: right;"><b>Sketch of mill by J. Gervers</b> Courtesy: COHS Archives</p>

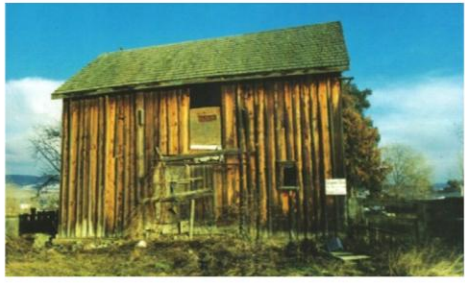
YEAR	EVENT	IMPACTS AND CHANGES
c. 1871 Cont.		<u>Flume System</u> : A ground level wood flume (head race) carried water (with the use of gravity) from Peon (Mill) Creek to the Grist Mill's water wheel. It is likely that there was a pond/dam created in order to raise the water level and to create a reservoir of water. After the water flowed through the water wheel, it was returned to the creek below the mill (tail race) through the use of flumes. <b>(Note 6)</b> <b>(Refer to Appendix #5: Original Brent's Mill Site Map, 1979)</b>
1871-72	In order for Brent to set up the millstones he needed more room than was available in the mill building. Brent built a shed roof addition attached to the east wall of the mill. This structure was built to house the (portable) millstones. (Source: Young Canada Works, p. 4)	<u>Shed Roof Addition Construction Exterior</u> : one storey (15 ½' at roof line); 15' x 30' hand hewn log structure likely on a stone foundation; hand-split cedar shake roof with lodge pole rafters; sawn board and batten siding using a circular saw (the battens were made using the board edges- one edge is cut and the other edge is the uncut/natural section); it is unknown if there were any doors or windows built as part of the addition (it is likely that the south door and window and the north window were added at a later time, after the bldg. was no longer used as a mill.
1871-72 Cont.		<u>Shed Roof Addition Construction Interior</u> : plank flooring which was likely level with the mill flooring; an opening through the mill bldg. into the addition would have been created near the north end in order to use the newly built space for the milling operation. The millstones were set up in the new shed roof addition. <b>(Note 7)</b>
1892	In November 1892, Brent who now owned more than 2,000 acres, decided to sell the mill, his homestead and all of the land to Mr. J. T. Davis (Davies) of Spallumcheen.	It is thought that production at the grist mill ceased at this time, as the small local mills were being replaced with the large steam driven mills at New Westminster. These large mills produced cheaper flour and with the development of improved transportation systems, the small local grist mills could no longer compete.  Davis likely continued to farm the land, as his name was given to an irrigation system that ran down from the Hollywood Road area. The mill bldg. may have been used for storage and/or possibly to house animals. It should be noted that the mill equipment was still in the building and was not removed until c.1912. It is unlikely that Davis made any significant changes to the mill bldg.
1900	Davis sold the 2,000+ acre property to John Dilworth, who subdivided the Brent's property over the next number of years.	The Dilworth family moved into the house and over the years subdivided and sold off the land. The mill was likely left as is.
1908	William Fleming bought the northern 87 acres, part of Brent's original land purchase, from Dilworth. This property included the house, the mill and the original log stable	Fleming raised horses and Holstein cows, as well as grew crops. He used the buildings that were there, including the early log stable and mill bldg.

YEAR	EVENT	IMPACTS AND CHANGES
c.1912	Fleming needed more stable space for his horses and Holstein cows. Around 1912 he decided to convert the mill to an animal barn/stable, likely for his horses.	The mill equipment (still intact until this time, according to Rev. Fleming, William Fleming's son) was removed from the mill. It is not known what happened to the equipment, except for the millstones that are at the Kelowna Museum. <b>(Note 8)</b> Rev. Fleming also mentioned that the water wheel was still attached to the mill building, but was not workable, due to the wheel being partially buried in silt from disuse for the past twenty years. (Source: E. Fleming Interview Transcription, May 1979)
c. 1912 cont.	<p>Converted the mill into an animal barn/stable</p>  <p><b>View of Hayloft Opening, c. 1950s</b> Courtesy: KPA #5383</p>	<p>The original plank floor was in poor condition, partly due to the running of the mill equipment and more recently being torn up by the heavy shoes of the horses. A new thicker (2") plank floor (north-south) was installed on top of the original/early two layers (1" each) of plank flooring (ground floor of the mill and in the addition). The south west corner of the mill was left as is (original flooring only under the staircase). A raised platform (about 5" - 6" high) built of plank flooring on top of timbers was installed along the north wall (about 2 feet in from north wall to the edge of the double doors) of the mill and addition. This area was where three new animal stalls were built. A second area also had a raised platform, which started just under the staircase and extended to the east wall of the mill bldg.</p> <p>The upper floor was converted into a hayloft. It looks like there were two layer of early/original (1" thick) plank flooring, with a third layer installed on top. The third layer of flooring covered up the openings in the floor near the north wall (after the mill equipment was removed). It is not known if this third layer extends over the whole upper level floor or only where the holes in the floor are.</p> <p>At this time, a second floor opening (with sliding vertical door) on the south wall was created for the new hayloft. The round hole above the new hayloft opening would likely have been cut at this time. The hole would have been used to raise the bales of hay into the loft area. (Source: E. Fleming Interview Transcription, May 1979)</p>
1926-1930s	John and Ruby Gervers bought the 87 acre farm from W. Fleming in 1926.	The Gerver family farmed the land for a short time period and made a few changes to the farmhouse and to the mill bldg. A large silo (possibly for grain or water) was built on the north side of the mill. The silo can be seen in a couple of historic photos (likely from the late 1920s-1930s). It is unlikely that the silo would have been built during the Fleming's tenure, as Rev. Fleming would have mentioned it in one of his interviews or articles. The silo likely had a concrete base and was a similar height to the peak of the roof. A couple of historic photos are the only proof that there was a large silo next to the mill's north wall.



YEAR	EVENT	IMPACTS AND CHANGES
1926-1930s Cont.	 <p><b>View of Silo on North Side of Mill, late 1920s-1930s</b> Courtesy: COHS Archives</p>	<p>The water wheel may have been removed at the time that the silo was built (if it had not already removed) as Rev. Fleming mentioned that John Gerver converted the old mill wheel into a lawn table. (Source: Young Canada Works Project, 1979, p.7)</p>  <p><b>Water Wheel Converted into Table</b> Courtesy: KPA: 5394</p> <p>The Gervers farmed the land for a while, but due to John Gervers poor health, ended up selling most of the land (except for the 7 ¾ acres around the mill and homestead) and went into semi-retirement.</p>
1958	<p>The Rutland Centennial Committee unveiled a stone cairn commemorating the history of the Brent's Mill site on August 10<sup>th</sup>, 1958. A number of local sites were recognized at this time, as part of BC Centennial Celebrations of the one hundredth anniversary of the establishment of the mainland colony of British Columbia.</p>	<p>The stone cairn was located near the south west corner of the mill. The four sided cairn was made of river rocks and concrete. An inscribed plaque was attached to the north east side, facing towards the mill building. The Brent's Grist Mill stamp was embossed into the concrete on both the north west and the south east sides. <b>(Note 9)</b></p>
1960-1963	<p>Reverend Everett Fleming and his wife Florence bought Fleming's boyhood home from the Gervers. There were only 7 ¾ acres left of the original Brent's Mill property.</p>	<p>By the time that Rev. Fleming bought the last piece of the original Brent's Mill property, the farm was in general disrepair and suffering from neglect. In 1963 the Fleming's moved to the property and retired. Fleming began to look for ways to repair and preserve the mill building.</p>  <p><b>Rev. Fleming in front of Mill, early 1960s</b> Courtesy: KPA #5388</p>

YEAR	EVENT	IMPACTS AND CHANGES
1967	<p>New hand-split cedar shake roof installed.</p>  <p><b>Mill after New Roof Installed, 1967</b> Courtesy: KPA #5389</p>	<p>Reverend Fleming, with community help, installed the new hand-split cedar shake roof (24" shake, 10" exposed; with a ridge cap). (Note 10)</p>
1979	<p>The property was now zoned for commercial development and was up for sale. Fleming expressed the desire that a small piece of the land with the buildings be maintained as a historic site. Proposed acquisition of land was rejected by Kelowna City Council, but OHS, Kelowna Heritage Advisory Committee and other interest groups continued to advocate conservation of the site and buildings.</p>	<p>“Brent’s Mill Site Inspection on January 16, 1979 Report” by O. B. Padden, Architect Consulting Services. The report included an evaluation of the site and buildings. (Refer to Appendix #5: <b>Original Brent’s Mill Site Map, 1979</b>) Rev. Fleming, Ursula Surtees (Heritage Advisory Committee &amp; the Museum), Bill Huot (BC Heritage Conservation Branch) with the architect Brian Padden were present at the site inspection.</p> <p>Young Canada Works Project on the Brent’s Mill was undertaken. Work included: summary of the history, building description and simple drawings, interview with Rev. Fleming</p>
1983	<p>Brent’s Mill and Brent’s Mill House were included in the Kelowna Heritage Resource Inventory</p>	<p>The Brent’s Mill and House were evaluated as Class A buildings in the inventory. City of Kelowna recognized the importance of the site and buildings.</p>
1988	<p>Rev. Fleming died and the property was sold. As the property was zoned for commercial development, it was rented out until the time that redevelopment was possible.</p>	<p>Interest groups continued to look for ways to preserve the land and buildings before it was redeveloped and lost. There were a number of reports on saving the Brent Mill site and turning it into a heritage park for the community.</p>
1993-94	<p>COHS began to look at obtaining the Brent’s Mill Buildings and land for their next conservation project, after completing the Benvoulin Church and Guisachan House.</p>	<p>COHS hired Stuart Stark, restoration consultant in Victoria, to put together a report on the Brent’s Mill in 1994.</p> <p>COHS received media coverage for taking on the Brent’s Grist Mill as their next conservation project. “First flour mill next target for preservation, by Alistair Waters, Capital News, March 14, 1994</p>
1994	<p>“First flour mill next target for preservation, by Alistair Waters, Capital News, March 14, 1994 with photograph of south side of mill building.</p>  <p>Courtesy: COHS Archives</p>	<p>The newspaper article mentioned that the new use of the mill bldg. was as a chicken coup. In the newspaper article’s photograph, some changes are visible. These included: the hayloft opening has a new door with horizontal boards (replaced the earlier sliding door with vertical boards); the original board and batten door on the addition has been replaced with a newer door that is a frame with chicken wire in the middle covered by plastic (for the winter); the addition window also appears to have chicken wire covered with plastic instead of the original glass. (Source: Alistair Waters, Capital News, March 14 1994)</p>

YEAR	EVENT	IMPACTS AND CHANGES
Late 1990s-mid 2000s	Brent's Mill committee was formed by COHS to work with the City of Kelowna to find a way to save this significant heritage site. Committee members were made up of individuals from various community interest groups, such as the Rutland Residents Association.	Don Luxton was hired to create a Brent's Grist Mill Conservation & Feasibility Plan for the City of Kelowna in 2001 with relocation options for the buildings.  Public consultation was undertaken by the City of Kelowna on preserving the site, as part of this process.
2001-02	<p>The decision was made to move the mill, the farmhouse, the milk house and the stone cairn to a new city owned site further west, along Mill Creek.</p>  <p><b>View of West Façade, late 1990s</b> Courtesy: COHS Archives</p>	COHS with other interest groups photographed and documented the site and buildings before they were moved. An archeological dig by OUC professor Richard Garvin and his students, as well as Cuyler Page and COHS volunteers was undertaken. This was to determine and confirm where the flumes would have been and the type of water wheel the mill would have had, as well as any evidence in the field next to the mill of families camping out waiting to have their wheat milled.
2002	The three Brent's Mill bldgs. were moved from their original site on Highway 97 N to the new site on Leckie Avenue at the base of Dilworth Mountain. The decision was made to site the three buildings on the north side of Mill Creek, instead of the south side, as they were originally located.	<p>In order to move the mill building, portions of the siding were removed on the north and south sides. Two steel girders went through the two storey mill building from north to south, using the openings created from the removal of the siding and the existing doors. The siding that was removed has not been replaced. <i>Note: Where are these materials and do they still exist?</i> The shed roof addition's floor was in very poor condition. The decision was made to leave the floor of the addition. The east wall posts, like before it was moved, are now being supported by four concrete blocks with pieces of wood between the posts and concrete blocks. A small section of the east wall near the north end was removed (center beam has been cut) for the move and has not been repaired. There are also concrete blocks supporting posts inside the addition.</p> <p>The three buildings were placed on new concrete foundation pads. The mill's sill beams have been bolted to the concrete foundation using steel plates. Metal vents have been installed into the four corners of the two storey bldg., in order to provide ventilation under the floor.</p>
2003	Sod Turning Event for the newly formed <b>Brent's Homestead and Grist Mill Park</b> took place.	Kelowna's Mayor and City Council, City Planning Staff, COHS Board, along with other interested individuals attended the event to 'kick off' the conservation project. The house was to be the first building to undergo rehabilitation.

YEAR	EVENT	IMPACTS AND CHANGES
2004	The Brent's Mill buildings and site (the mill, the farmhouse and the dairy barn) are designated a municipal heritage site.	Formal recognition and protection of the heritage value of these buildings is acknowledged.
2002-present	<p>Attempts were made to stabilize and restore the buildings to create a new heritage park, but unsuccessful mainly due to financial constraints and inability to secure funding.</p> <p>A number of conservation &amp; business plans and building/site assessments have been undertaken over the past 12 years. These included:</p> <ul style="list-style-type: none"> <li>*Restoration &amp; Business Plan: Feasibility Study Brent's Homestead &amp; Grist Mill, prepared by Donald Luxton, October 2008 for COHS</li> <li>*Brent's Grist Mill Heritage Condition Assessment, prepared by AMTI, 2011 for the City of Kelowna.</li> </ul> <p>Request for Proposals (RFP) for three city owned heritage sites, including Brent's Mill buildings, process in 2012-2013.</p> <p>COHS Public Forum in June 2014 to regain interest in the conservation of these significant heritage buildings.</p>	<p>Once the mill was moved onto its new site, it continued to deteriorate, along with the farmhouse and milk house. As the mill building is not contained, it has been vandalized (i.e. graffiti, bldg. materials pulled off), overrun by rodents, animals and birds (feces cover the floors on both levels of the mill and in the addition) and falling apart due to exposure to the elements (the roof has failed on both the mill and the addition).</p> <p>COHS has undertaken some stabilization and conservation work on the buildings over the years. This work included:</p> <ul style="list-style-type: none"> <li>*temporary supports added to the mill addition</li> <li>* installation of a new cedar shake roof on the house in 2009</li> <li>*other conservation work on the house included: removal of the 1960s addition and restoration work on the front porch; repairs to the damaged siding; removal and repair of the sashes in the living room and dining room windows; replacement of the sills on the dormer windows</li> <li>*replaced the roof (including the sheathing boards) on the milk house, as well as some interior stabilization work</li> <li>*organized volunteer clean up days at the site over the years</li> </ul> <p>Rutland Residents Association donated \$3,500 (in a term deposit) to COHS for restoration work on the stone cairn. The plaque was stolen shortly before the cairn was moved. This money will be used to get a new plaque made, similar to the original one.</p> <p>Recently the RFP process and the COHS' public forum have once again raised interest and awareness of this significant heritage site.</p>

#### Notes:

*Note 1: The log stable, situated near the creek, south west of the mill, survived although in poor condition (including a fallen tree that destroyed the roof of the building) until it was dismantled in 2002. The logs were not moved to the new site and are assumed to be lost. This building was used to house animals by the families who farmed the land over the years.*



**View of Calmels & Chapee Log Stable, c. 1990s**  
Courtesy: COHS Archives



Note 2: Walls stood on stone foundations under the floor (with squared sill logs and a center grade beam supporting the building) and ran to the top plate (beam) of the upper floor. The connecting timbers (beams) were fitted by mortise and tenon into the posts and held in place by wooden pegs. These beams held up the heavy second floor joists and flooring. The corners were braced (bracing) with four by four inch sawn timbers that were notched to fit into the beams on one end and the top plate/beam on the other.

Note 3: There is a reference that Brent used **whip sawn lumber** from the Winfield flats from an abandoned property to build his first house. (Source: Buckland, p 41) This has been repeated in most of the descriptions of the 1871 Brent's Grist Mill bldg. This error has been included in the current SOS. The board and batten siding has been examined by a number of experts who agree that the siding was milled using a **circular saw**. In the 1979 interview, Rev. Fleming suggests that the 'sawn timber' was cut by Brent possibly using his own water driven power saw.

Note 4: It has been recorded in a number of stories that Brent travelled to San Francisco to pick up the millstones, the equipment and supplies needed to set up his new mill. This incorrect information has been included in the Brent's Grist Mill SOS as well. Early OHS stories written by Brent's son, Joseph Brent, described how his father ordered the millstones and equipment from San Francisco. Joseph describes his and his father's journey back to the farm after picking up the equipment and millstones in Fortune's Landing (now Enderby). (Source: The First Stone Grist Mill, OHS # 1, p. 19)

Note 5: Brent built the wood water wheel for the mill. Rev. Fleming identified the water wheel as an overshot water wheel (from his memory of the wheel and flume system as a boy in 1908-1912). An archeological dig on site was undertaken c. 2002 by OUC professor Richard Garvin, his students and Cuyler Page (expert on the Keremeous Grist Mill built just after Brent's Grist Mill). It was determined that it was likely a **Breast Shot Water Wheel**. Breast shot wheels are less efficient than overshot wheels and are more efficient than undershot wheels. The individual blades of a breast shot wheel are actually buckets, as are those of most overshot wheels, and not simple paddles like those of most undershot wheels. Rev. Fleming described how the water wheel had a belt, about eight or ten inches wide which ran from the hub, or mandrel, of the wheel to other pulleys and shafts which operated the various parts of the machinery in the mill. **(Refer to Appendix #6: Breast Shot Water Wheel)**

Note 6: In order to supply water to the water wheel, Brent had to find a way to bring the water from Peon Creek, several hundred feet from the building, to the wheel and back to the stream. Brent solved this problem by building "a small stone weir across the creek that ran in the northeast section of his property. Once the dam was completed, he dug a ditch, four feet wide and one to two feet deep. This brought down to within three hundred feet of the house, at which point he divided it in two, diverting one branch south to irrigate the fields and the other branch towards the mill. On this branch he built a flume. The flume ran to the top of an overshot water wheel, where the water filled the hand-made, trough shaped cups. The flume was about three feet wide and twelve inches deep and was supported by small round poles. As one cup filled and sank, the next one was raised. In this way, the five or six foot wide wheel turned and power was supplied to the mill." (Source: Young Canada Works, p. 5; based on Rev. Fleming, personal communication, May 1979) **(Refer to Appendix #5: Original Brent's Mill Site Map, 1979)**



**Original Brent's Millstones**

Courtesy: KPA

Note 7: The millstones were located in the new mill addition. The millstones were made out of freshwater quartz that was quarried in the Marne Valley in northern France, near the town of Chalons. This type of stone later became world famous because of the quality of flour that it produced. The millstones were a complete portable stone mill, which was easily set up in a remote area, as any type of power could be used (i.e. water, wind, animal or steam). Brent's set of millstones was known as an under-runner mill, in which the lower stone revolved and the upper stone was stationary. The stones had a working face of only fifteen inches in diameter (small) with a top speed of about 500 revolutions per minute requiring about four horse power. (Source: Young Canada Works, p. 4)

Note 8: The millstones are being held at the Kelowna Museum with the hopes of one day being returned to the Brent's Grist Mill for display purposes. It is not known what happened to the rest of the milling equipment.

*Note 9: The inscription on the cairn plaque read: “**Brent’s Flour Mill. First industry of the Okanagan. Built in 1871 by Frederick Brent. The mill stones were brought from San Francisco by steamer, stage and wagon. Pioneers from the entire valley brought their grain here to be ground. Erected by the Rutland Centennial Committee. Dedicated August 10, 1958.**” The plaque was presented by the Department of Recreation and Conservation of BC and was set in the stone cairn, which was designed by John Wilson and built by Carl Wenderhold. The group assembled for the unveiling and dedication of the cairn included: Caroline Renshaw (F. Brent’s 86 year old daughter) who removed the Centennial flag that had veiled the cairn, Father F. L. Flynn of St. Theresa’s Church in Rutland who performed the dedication, Rutland scouts, several members of the Brent family, as well as members of the OHS, presidents of Rutland and Kelowna Boards of Trade, John Gervers and other members of the community. (Source: Unveiling of Cairn At Brent’s Mill, OHS Report 1958, pp. 39-41)*



**East Façade Roof Condition, 1968**  
Courtesy: KPA #9406

*Note 10: Rev. Fleming referred to the shake roof that he replaced in 1967 as the original 94 year old roof (should actually be 96 years old in 1967). Most shake roofs would have been replaced by the time they reached 40 or 50 years old. As W. Fleming sold his farm/ranch about the time the building turned 50 years old and J. Gerver suffered from ill health, it may be possible that Rev. Fleming did replace the original shake roof in 1967. The before photographs of the roof show an extremely deteriorated shake roof, with many of the shakes gone and the strapping and rafters visible. (Source: Rev. Fleming Interview Transcription, May 1979; Brent’s Flour Mill, Rev. Fleming, OHS #36, p.99)*

### 3.0 Statement of Significance

Understanding the heritage values and significance of an historic place helps to guide the development of policies/strategies in the conservation report. The purpose of conservation is to retain the heritage values of an historic place while appropriate change happens.

The Brent’s Grist Mill, the house (Brent’s residence/Fleming house) and milk house (dairy barn) had a Statement of Significance (SOS) prepared for the three buildings in 2005 by Commonwealth Consultants for the City of Kelowna Heritage Register. This SOS provided the bases for the 2012 update that created a new SOS for each of the three buildings. **(Refer to Appendix #7: City of Kelowna’s Statement of Significance for Brent’s Grist Mill)** The 2012 update is very similar to the original SOS, including some errors and omissions of key character defining elements (CDE).

*Note: The 2005 SOS CDE for all three buildings included “location adjacent to Mill Creek in their original configuration”, “landscape features such as its mature riparian tree species” and “a stone cairn installed in 1958 to mark the historic significance of the site.” These three key elements were not included in the 2012 update, except for “oriented to maintain original close relationship with Fleming House and Dairy Barn”. These three points were re-incorporated into the 2014 SOS.*

The current SOS has been reviewed after researching and documenting the building. The following recommended update of the Brent’s Grist Mill Statement of Significance has been reviewed by a group of community members with knowledge of Kelowna’s history and heritage.

## **Heritage Building SOS- *Recommended Update 2014***

### **1450 Dilworth Drive - Brent's Grist Mill**

#### **Place Description:**

This 1871 vernacular two-level Grist Mill with a shed roof addition is closely associated with the Brent's farmhouse and dairy barn, all that is left of the original Brent's Mill site. In 2002, the three buildings and stone cairn were relocated downstream from the original site at 2590 Harvey Avenue to the newly created Heritage Park at 2128 Leckie Place (renamed 1450 Dilworth Drive). The Grist Mill was sited to retain its original orientation to the farmhouse and dairy barn, as well as its close proximity to Mill Creek.

#### **Heritage Value:**

**Brent's Grist Mill has heritage value as an excellent and rare surviving example of pioneering agricultural and production practices. It was one of the first industrial enterprises in the Okanagan Valley and is the oldest surviving purpose-built grist mill building in B.C. It is valued for its association with a number of families who owned and farmed the site. The grist mill is valued for its early vernacular architecture and timber frame construction. The community's interest and commitment is reflected in the relocation and preservation of the three buildings in the future heritage park.**

Brent's Grist Mill was built to meet the need for a flour mill to process the wheat being grown as a local food resource in the 1870s. Frederick Brent faced many challenges in establishing his milling operation. He bought the millstones and equipment from San Francisco, which was moved by sailing ship, train, freight wagon and lake and river steamers to Fortune's Landing, where Brent and his son picked it up and continued the journey by row boat along Okanagan Lake and for the last 6.5 kilometers by horse-drawn sledge. At the time this area was remote and transportation was difficult. The mill was an immediate success, and settlers and local natives from throughout the Valley brought their grain to be ground into flour, with up to a dozen camps at a time being set up on the creek waiting their turn at the mill. At the end of each season, the millstones had to be dressed with steel picks, which until 1885 had to be sent to San Francisco for sharpening.

The demise of the mill was a reflection of the rapidly-developing food supply networks being developed throughout the province. Brent sold the property in 1893, and milling operations ceased, a result of cheaper flour being available from the steam-driven mills at New Westminster. About 1912, the mill equipment was removed and the building adapted for use as an animal barn. Although the milling operation was dismantled, Brent's portable mill, with its imported millstones, survives and is being stored at the Kelowna Museum.

**Additionally, the Grist Mill site is of value for its association with Frederick Brent (1827-1919), one of the earliest European settlers in the Kelowna area. In 1870 Brent acquired 160 acres from Calmels and Chapee who originally pre-empted the land in 1861. Peon Creek, which ran through Brent's land, was renamed Mill Creek, after his milling operation, and other mills that were subsequently built along the creek.**

Brent was well-known as a man of great enterprise and generosity and was highly respected in his community. He was appointed as a Justice of the Peace in 1872, served as a Trustee for the Okanagan School, and hosted an annual Bachelor's Ball. Brent and his wife Mary Ann raised a family of six children; some of their descendants are still located throughout the Okanagan Valley. By 1890 Brent had acquired over 2,000 acres, which he sold to J. Davis in 1892. Since Brent sold his mill and land, there have been four subsequent owners who farmed the land including J. Davis, John Dilworth, William Fleming and John Gervers. In 1960 Reverend Everett Fleming and his wife Florence bought the remaining 7 ¼ acres, which was all that remained of his boyhood home (1908-1926). After Fleming's death, the property was sold to a developer in 1988.

The grist mill is a rare surviving structure from the 1870s, when there was a recession in the province and little construction occurred. As such, it is a valuable representation of the building practices of pioneer times. The grist mill was built of hand hewn pine logs for the posts and beams, joined with pegged mortise and tenon joints. The siding of circular sawn lumber is attached with square nails.

Reverend Fleming recognizing the historic significance of the Brent's Mill site, attempted to gain public support to preserve the buildings and the surrounding land as a heritage park. This was finally accomplished in-part in 2002, when community members led by the Central Okanagan Heritage Society worked with the City of Kelowna to move the Grist Mill, the Farmhouse, the Milk House and the 1958 Cairn to the newly created municipal heritage park. In 2004 the buildings and site were designated a municipal heritage site. **The preservation of the Grist Mill building reflects the community's commitment to conserving and interpreting their built heritage.**

#### **Character Defining Elements:**

- Form, scale and massing expressed by the vernacular two storey gable roof structure with attached shed roof addition
- Hand hewn pine log post and beam structure using pegged mortise and tenon joints
- Use of local materials, such as the lodge pole pine rafters on the shed roof addition
- Vertical circular sawn board and batten siding attached with original forged square nails
- Hole on north wall, likely where the mill's breast shot water wheel axle was attached to the mill building
- Doors, windows and openings, which reflect the changes in use
- Interior elements include: ladder on north wall leading to opening in floor to second floor, staircase on south wall, up to three layers of plank flooring and platform including the original flooring, the Brent's Flour Mill logo and Brent's own personal mark on interior east wall of mill building, remnants of 1900's knob and tube electrical system
- Oriented to maintain original close relationship with Farmhouse, Milk House and Stone Cairn
- 1958 Stone Cairn with Brent's Flour Mill Logo and plaque, to mark the historic significance of the mill
- Located in a wooded setting, close to Mill Creek with mature riparian tree species

## **4.0 Assessment of Impacts and Issues**

There are a number of factors that could have an impact on the values of an historic place. These go beyond simply considering the physical acts of preservation, rehabilitation or restoration of the physical fabric of the building.

### **4.1 Requirements for retaining significance**

The character defining elements (that have been identified in the SOS and the additional ones recommended and amended in this report) are important to conserve in order to retain the significance of the historic place.

#### Physical form of the building (form, scale and massing):

It is important that the form, scale and massing of the mill building remain as it is. No new additions and/or alterations to the physical form of the building are appropriate. Any changes of this sort will have a negative effect on the building and its heritage value.



#### Early timber construction methods and materials:

The mill with its early addition is a rare surviving structure from the 1870s in BC. It is important that the post and beam structure with its pegged mortise and tenon joints be conserved by repairing where necessary, using the same construction methods and the same type of local wood and hand hewn methods. Where materials are lost or too deteriorated, replicas of the original will be appropriate, based on research, historic photographs and building investigation (i.e. examining the materials that still exist in situ and lying on the ground). This includes replication of the circular saw marks on the board and batten siding.

#### Elements that reflect the building's use as a mill and changes of use:

It is important that elements of the building's use as a mill be retained. Elements include: the hole on the north wall where the water wheel axle was located; the mill equipment cut outs in the ceiling near the north wall; the wooden ladder rungs attached to the north wall; the stairs to the second floor; the windows and doors; the Brent's Flour Mill logo and Brent's personal mark on the wall near the south end of the east interior wall. Elements such the three layers of flooring and raised platform in both the mill and addition are important to retain and restore as they reflect the building's changes in use. The physical fabric and details must be retained through repair first and replacement (replication) where necessary with like materials.

#### Past Renovations/Alterations:

There have been alterations to the mill building and addition with the change in use. This shows the evolution of the building over time. It is not recommended that the mill be restored to a particular time period instead the alterations to the building should be retained and interpreted up to and including Reverend Fleming's (1960s) tenure on the property. It should be noted that even though the water wheel was removed early in its history, it has significant interpretive value to the mill. The recreation of the breast shot water wheel with some of the flume system to show how it worked would be an important part of the mill building's future rehabilitation, restoration and interpretation.

*It would be desirable to recreate some aspects of the mill workings in order to allow interpretation. There is sufficient documentary evidence to indicate the appearance of these elements. The extent to which they can realistically be recreated will be dependent on available budget. Also a decision will have to be made as to how much of the flume it is necessary to build, and how running water will be introduced.* (Source: Restoration & Business Plan: Feasibility Study, p. 9)

#### Orientation of the mill building to the farmhouse, the milk house and the cairn as well as close proximity to Mill Creek:

When the buildings were moved onto their new site, they retained their original orientation to each other. Close proximity to Mill Creek with its riparian area is also important as the creek provides context to the buildings and the site. The location at the base of Dilworth Mountain is also important to the

context of the site. The 1958 cairn has not yet been moved to its permanent site. It is important that it is located near the mill building, on the south side, as it was originally located.

#### **4.2 Current and Future Impacts**

##### Environmental factors:

- The mill building may be at risk from spring flooding of Mill Creek
- The mill building encroaches on the riparian area set back. The majority of the site falls within the 30 meter buffer zone

##### Factors related to future building uses:

The mill building is relatively fragile and constrained in potential for adaptive reuse. It will not support a public use. It is recommended that uses that have little or no public access to the interior be looked at. It MAY be possible to have limited public access on the main level of the mill building and the shed roof addition. The stairs and second level should not be accessed by the public due to building code requirements and safety concerns. Viewing of the interior from the outside through the west façade's Dutch door may be an option.

-Accessibility: public access will likely not be possible

-Code compliance: as the building is designated heritage some alternate solutions may be allowed. However as public safety cannot be compromised, this will limit public access to viewing from the exterior with the possibility of viewing areas of the interior.

-Fire detection, security alarms and suppression systems: fire and security alarms will need to be installed. Suppression system would be desired (as most heritage buildings are lost to fire) however the impact needs to be minimalized

-On-going maintenance program: once the building is stabilized and rehabilitated for any new use, regular maintenance will be required. Ongoing maintenance is the simplest, most effective (and least glamorous method) to ensure the lasting conservation of buildings.

-Power, heating and cooling system, water: it is likely that power and possibly water will be required. Power may be needed for security lighting and alarms. Heating and cooling system may be desired but as the mill never had a heating system it may cause damage to the mill's materials. It is highly recommended that any addition of power, heating/cooling, and/or water be evaluated for the potential impacts on the building and its 140+ year old materials.

#### External Factors:

-Zoning and the OCP: The zoning of the property is I3, Heavy Industry. The I3 zone allows the site to be used for light and heavy industrial uses as well as Industrial/Business activities. The zoning of the site does not reflect the site's intended use as a heritage park. However the OCP has designated the site's future land use as Agri-Business future land use. Agri-Business designation is meant to meet local and tourist demand for agricultural products, services and experiences. As this is a city owned site and it has been designated as future heritage park, the zoning should not have an impact of the site. The site is also part of the Mill Creek Linear Park.

-Balancing Conservation Principles and Sustainability Objectives: Both heritage conservation and sustainability aim to conserve. In the case of heritage buildings, this includes considering the inherent performance and durability of their character-defining assemblies, systems and materials, and the minimal interventions required to achieve the most effective sustainability improvements. For example, it may be possible to improve the energy efficiency of an historic building by insulating only the attic and basement rather than removing or concealing character-defining brick or plaster to insulate the walls. (Source: Standards and Guidelines for the Conservation of Historic Places in Canada second edition, 2010)

-BC Building Code: A new use and **IF** there is public access to the mill will determine what is required by the BC Building Code. Some alternate solutions (equivalencies) may be allowed, as the mill is designated heritage, as long as health and public safety is not compromised.

The Building Code states:

*It is generally recognized that the...Building Code was primarily written for new construction and provides for a performance level that is significantly higher than what exists for many older buildings. To apply present Building Code requirements to existing buildings is in many cases, impractical and with Heritage Buildings may compromise historic appearances or authenticity. Therefore, the Table of Alternate Compliance Methods was developed to provide alternate methods for complying with the performance level intended by the Building Code.*

#### **4.3 Physical Condition Survey**

It is important to document and evaluate the existing condition of any heritage building as part of a heritage conservation plan. The condition of the significant physical elements of the building have been recorded (through photographic documentation and notes) and assessed in the *Brent's Grist Mill Building Condition Survey*. (Refer to **Appendix #8: Brent's Grist Mill Building Condition Survey, 2014 & CD containing Photographic Documentation 2014**) Architectural drawings of the existing 2014 condition of the mill building are included in the documentation of the mill building. (Refer to **Appendix #9: Brent's Grist Mill Building Existing Condition Plans, 2014**) These drawings, by Peter Chataway, include: two floor plans, foundation plan, typical cross section and four elevation plans. As this report is meant to document the Brent's Grist Mill building and provide guidance in its stabilization, the existing condition survey will identify issues and appropriate interventions necessary based on Standards and Guidelines for the

Conservation of Historic Places in Canada. The *Brent's Grist Mill Building Existing Condition Plans* supplement the *Brent's Grist Mill Building Condition Survey* and include information on materials, construction and the condition (i.e. missing board and batten siding is marked on plans) of the mill building.

The assessment of the condition of the significant materials and the elements of the Brent's Grist Mill building will also help to determine the appropriate intervention necessary to ensure that the heritage value is preserved and protected. Minimal intervention should be emphasized in which repair of original materials and elements will be prioritised. Replacement of elements will only be recommended if the material is too deteriorated to repair. *Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.* (Source: Standards and Guidelines for the Conservation of Historic Places in Canada, p. 7)

#### **4.4 Summary of Work Needed to Stabilize the Brent's Mill Building**

This is a list of priorities that does not include all the work needed in order to stabilize the building and get it to a lock up stage. **Refer to the *Brent's Grist Mill Building Condition Survey* and the *Brent's Grist Mill Building Existing Condition Plans*** for additional details.

- Clean up animal and bird excrement as well as garbage in building and around perimeter
- Gather and sort materials (i.e. doors, windows, siding, sections of flooring) that have either fallen off or been pulled off the building since it was moved to its new location in 2002. These materials are located in and around the building. There are some boards that are being stored on site that were purchased from a local sawmill that are similar to the existing board and batten siding with the circular saw marks. Some of this material will be reused in the stabilization of the building. New material will only be used when appropriate and where it is not obvious (i.e. new structure under the mill addition floor). Square nails will be used (or reused) to conserve and stabilize the building where visible. The wood elements that are replicated will be of the same materials, method and design. Ponderosa pine is one of the main types of wood used.
- Installation of a new hand split cedar shake roof on both sections of the building that is similar to the existing roof. The current hand-split cedar shake roof was installed in 1967. The shakes are about 24.5 inches long with about a 10 inch exposure. Repair/replacement of fascia boards where needed.

*Mill Building-* The roof structure on this section (the rafters and the strapping) appears to be in good condition. The gable roof is butted together with no ridge beam as part of the original construction of the mill building and should not be added to. A ridge cap



should be added to the new roof. A ridge cap is visible in almost all of the historic photos. There is evidence that two cross beams have been removed on either side of the west second floor opening of the loft area. The ends are still attached and there are holes (from the nails) that are evident on the corresponding rafters on the east side of the roof. These two cross beams will only be replaced if they are needed for the structural integrity of the mill building. Otherwise it will be left as it is.

*Shed Roof Addition-* The shed roof is failing. The addition is pulling away from the mill building and has a sagging roof. \*The roof structure is under built and is in fair to poor condition. The rafters are made from long round poles (that have been roughly squared on two sides using lodge pole pines). Some of the lodge pole pines are a bit soft under the roof and each of these will need to be checked in order to determine if new ones are needed. Two of the rafter notched ends (set on the beam adjacent to the second floor of the mill building) are broken (4 and 5 from the north end of the addition) and will need to be repaired. This is the area where the sag in the roof is the most apparent.\*The span is too long and the width between the pole rafters is too wide. There have been some additional supports added in order to help stabilize this roof. An additional beam, supported by posts may be needed under the original rafters in order to stabilize the roof. Some of the strapping may need to be replaced.

- The addition is pulling away from the mill building. The addition structure will need to be stabilized to correct this.
- Repair the vertical wood siding (board and batten) on the exterior of the building. Reuse of the pieces of siding (boards and battens) on the ground and the material that is being stored on site will be the first priority. Some replacement will be required, using the same wood type and the same vernacular style (some variation of widths of boards) and traditional methods (use of a circular saw with a 4' diameter blade) to replicate the original as closely as possible.

*Note: Further research is needed to determine if it is appropriate to protect the exterior wood siding and exposed wood elements with a traditional product like linseed oil. It is not known if anything was ever used on the exterior of the building to protect the wood. Some of the historic photos show areas that look like they may have been oiled at one time.*

- Repair of the doors, windows and openings using same materials and replicating the missing elements using historic photos and existing elements as examples. Once the materials on the ground are sorted, parts of the doors and windows will likely be found and may be able to be repaired and reused. See *Brent's Grist Mill Building Condition Survey* for more details on the individual elements.

- The building is on a new (2002/03) concrete slab foundation.  
*Mill Building-* This section of the building has large original wood sill beams, on which the building has been constructed. These foundation beams will need repairs and may need some replacement of materials. The Mill building looks to be fairly level from the exterior (i.e. the roof line) however the floor is not sitting on the slab properly. Along the east interior wall of the mill building at the addition, the floor sits fairly flat on top of the sill beam, except in the middle. The floor is raised up and the floor rafter end does not fit into the sill beam. This will need to be repaired.  
*Note: check to see if logs are resting directly on the concrete pad.*  
  
*Shed Roof Addition-* There are no foundation/grade beams in this part of the building. These will need to be added, using the mill building as an example.
- Repair and reconstruction of the floor and substructure  
*Mill Building-* This section of the building's floor joists may need some repair, as well as the layers of plank flooring. The three layers of flooring on the main level will be retained as is and repaired as needed. Note: the two raised platform sections of flooring (1912) will be retained and repaired. The two to three layers of flooring on the upper level will be retained and repaired as needed.  
  
*Shed Roof Addition-* The floor, joists and sill beams have been removed. The addition's floor will be rebuilt, using the mill building as an example. This new floor should be the same height as the mill building's three layers of flooring, with the raised platform section continuing from the mill into the addition along the north wall, as built.
- Repair of the hand hewn posts and diagonal wall bracing  
*Mill Building-* The posts and bracing in the mill appear to be in good condition. Some repairs may be required.  
  
*Shed Roof Addition-* The posts in the addition are in fair condition, with part of the lower section missing and currently propped up with pieces of wood blocking on top of concrete blocks. Repair and some replacement will be required on every post in the addition. Additional bracing may also be needed in order to stabilize the walls and roof structure, i.e. horizontal stud repaired.
- Repair the stairs up to the upper level, as there are cracks in the stringers. The stairs may need to be reinforced. A hand-rail, compatible to the period, and meeting current BC Building Codes 2012, will likely be required. The railing should be simple, handmade, wood and unobtrusive.

- Interior of the mill and addition should be repaired. The upper level mill loft area requires repairs to the interior east wall board and batten siding, as some of the original siding has fallen off/been removed. The interior of the addition should be left open, with only the chicken wire removed. The three boards with Brent's Flour Mill logo and Brent's personal logo have been removed from the interior east wall of mill. These boards should be carefully cleaned and reattached next to the one still attached.

*Note: Two of the three boards are on the upper level, not sure where the third is.*

## 5.0 Conservation Policies

These policies are intended to direct the course of action leading to the stabilization and eventual rehabilitation (adaptive reuse) of the Brent's Grist Mill building based on the ***Standards and Guideline for the Conservation of Historic Places in Canada***.

- Any change/alteration to the mill building's exterior and interior will have minimal or no impact on the physical form, scale and/or massing of the building. No addition(s) to the structure are appropriate.
- Any new use of the mill building will have minimal impact on the structure.
- Any new use of the mill building will limit public access to the exterior only. The interior may be viewed through the Dutch door on the west side of the mill.
- Any new use will include a strong interpretive component. This will focus primarily on the exterior and its use as the oldest surviving purpose-built grist mill structure in British Columbia, as well as being the first industrial enterprise in the Okanagan Valley. This may include the recreation of the breast shot water wheel and part of the flume system as well as the mills connection with Mill Creek.
- An important part of the social value of the building and the site is its significance to the community. Any new use of the site must give a high priority to community access and involvement.
- A maintenance plan will be developed for the mill building (and site). On-going maintenance and repair will be carried out on an annual basis in order to protect the structure and its character defining elements.

## 6.0 Conclusion

The Brent's Grist Mill is a very significant historic building and rare surviving purpose-built flour mill from the 1870s. The site has heritage value to the community, which is reflected in the mill, the farmhouse, the milk house and the cairn being moved onto a city owned property along Mill Creek. The municipal designation of the buildings and site as heritage also reflects the value the community places in these buildings.

The stabilization of the mill building should be undertaken as soon as possible as it is at extreme risk. The mill is still standing largely due to the materials used, the traditional construction methods and the craftsmanship. It is hoped that one day, the Brent's Grist Mill, along with the farmhouse, milk house and the stone cairn will once again play an important role in the community.

The goal is to ensure that the Brent's Grist Mill building is preserved for future generations. The first step is to stabilize the building and its character-defining elements, using methods that do not affect the site's heritage value. Once this is achieved, a new compatible use for the building will need to be found. The next step would be to rehabilitate the mill in order to accommodate the new use, where some restoration work may be required. On-going maintenance will ensure that the Brent's Grist Mill is protected and looked after in the future.



## Appendix #1: Summary of Standards and Guidelines for the Conservation of Historic Places in Canada

The four major principles are:

**1. Understanding:** *A comprehensive understanding of a historic place is acquired through documentary and oral research as well as physical investigation. Such research and analysis will lead to the identification of the heritage value of the historic place and the character-defining elements that embody its heritage value.* (Source: Standards and Guidelines for the Conservation of Significant Heritage Buildings, 2004, p.2)

**2. Planning:** *A mechanism establishing the connection between a comprehensive understanding of a place and interventions that respect its heritage value...Planning must reflect all factors affecting the future of a historic place, including the owner's needs, resources and external constraints.* (Source: Standards and Guidelines for the Conservation of Significant Heritage Buildings, 2004, p.3)

**3. Using:** *Use (i.e. occupancy) may be part of its heritage value, in which case, it must be maintained. Otherwise, a new use compatible with the defined heritage value should be considered. Uses that are economically, socially or symbolically viable are the best guarantee of the long-term survival of a historic place.* (Source: Standards and Guidelines for the Conservation of Significant Heritage Buildings, 2004, p.3)

**4. Intervening:** *Intervention at a historic place must respect its heritage value and character-defining elements. It is always better to preserve than to repair and better to repair than replace. Any additions must respect the spirit and substance of the old. This "minimal intervention" approach is the foundation of good conservation practice.* (Source: Standards and Guidelines for the Conservation of Significant Heritage Buildings, 2004, p.3)

These conservation standards and guidelines consider three types of treatment:

- \***preservation** (protecting, maintaining and/or stabilizing the materials, form and integrity of a historic place);
- \***rehabilitation** (repairing, alterations and/or additions to make possible a continuing or compatible use of a historic place);
- \***restoration** (revealing, recovering or representing the state of a historic place at a particular period in its history ).

The primary objective of the project and its heritage value will determine the best treatment, ensure that its heritage value is protected and that its physical life is extended. (Source: Standards and Guidelines for the Conservation of Significant Heritage Buildings, 2004, p.5)

There are 14 standards and guidelines that are fundamental to the conservation of heritage resources in order to protect the value and extend the physical life of a historic place.

### *General Standards (for preservation, rehabilitation and restoration)*

1. *Conserve the heritage value of a historic place. Do not remove, replace, or substantially alter its intact or repairable character-defining elements. Do not move a part of a historic place if its current location is a character-defining element.*
2. *Conserve changes to a historic place which, over time, have become character-defining elements in their own right.*
3. *Conserve heritage value by adopting an approach calling for minimal intervention.*
4. *Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties or by combining features of the same property that never coexisted.*
5. *Find a use for a historic place that requires minimal or no change to its character-defining elements.*
6. *Protect and, if necessary, stabilize a historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbance of archaeological resources, take mitigation measures to limit damage and loss of information.*

7. *Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.*
8. *Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.*
9. *Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place, and identifiable upon close inspection. Document any intervention for future reference.*

#### *Additional Standards Relating to Rehabilitation*

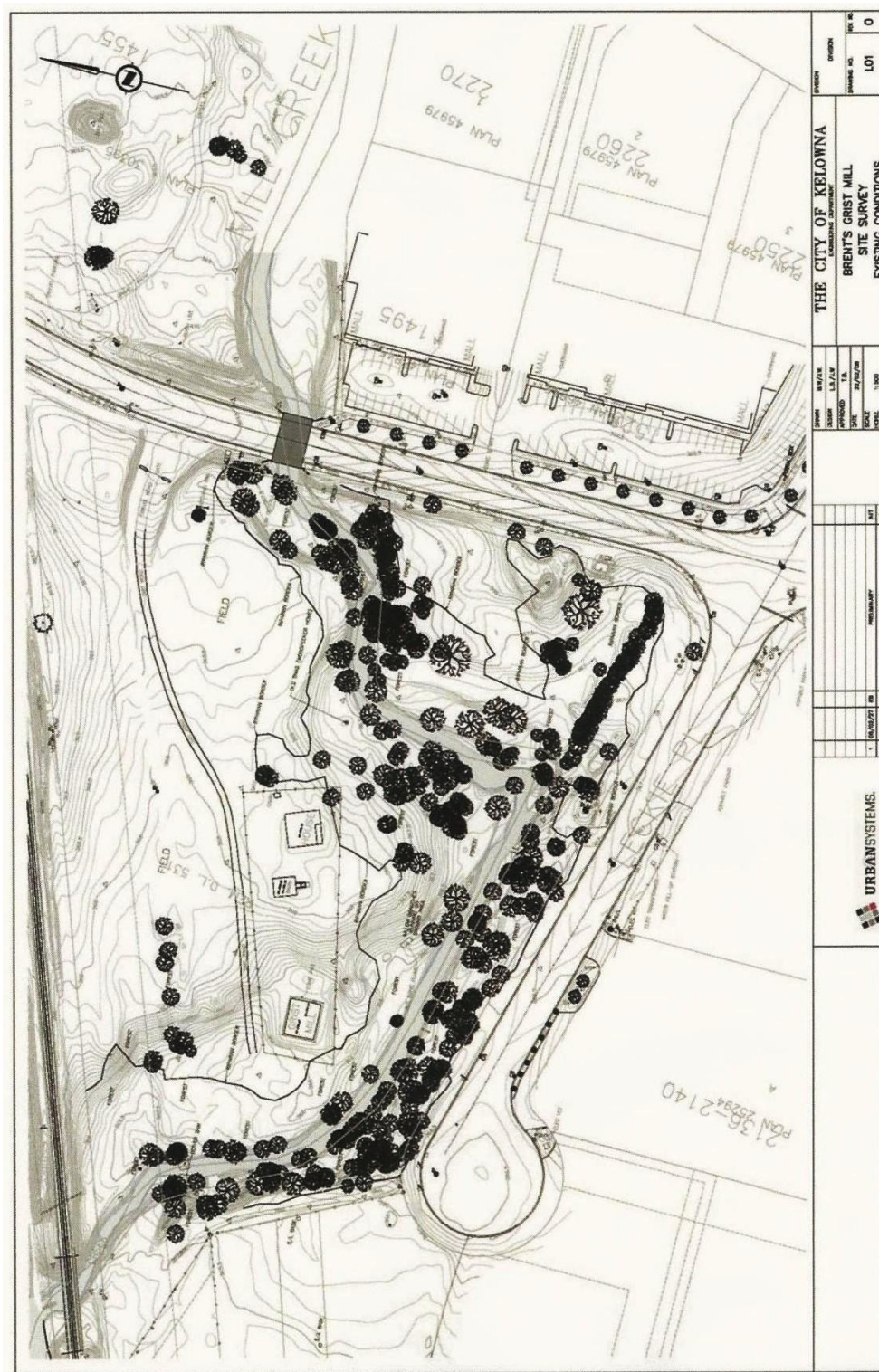
10. *Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.*
11. *Conserve the heritage value and character-defining elements when creating any new additions to a historic place or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.*
12. *Create any new additions or related new construction so that the essential form and integrity of a historic place will not be impaired if the new work is removed in the future.*

#### *Additional Standards Relating to Restoration*

13. *Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with the new elements that match the forms, materials and detailing of sound versions of the same elements.*
14. *Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.*

Source: Standards and Guidelines for the Conservation of Historic Places in Canada, 2010, pp.22-23.

## Appendix #2: Brent's Grist Mill Site Survey Existing Conditions, Urban Systems, 2008



Source: Restoration & Business Plan: Feasibility Study, Donald Luxton Associates, October 2008, p. 22.

**CITY OF KELOWNA**

**BYLAW NO. 9185**

**Brent's Mill Buildings Heritage Designation Bylaw**

---

WHEREAS the Municipal Council of the City of Kelowna considers the buildings known as the "Brent's Mill Buildings" located at 2135 Leckie Road, Kelowna, B.C. to be buildings with heritage value and that the designation of the buildings as a heritage site pursuant to Section 967 of the *Local Government Act* is desirable for the conservation of the buildings;

NOW THEREFORE, the Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. The lands and buildings known as the 'Brent's Mill Buildings' situated on lands legally described as DL 531 Except Plan B1589, 25187, 30395 & M14878, Except Part Red on PL attached to DD19525 & Part Lying to the North of the Railway shown on PL attached to DD1952D located at 2135 Leckie Road, Kelowna B.C. to be commonly known in the future as "Brent's Mill Heritage Park" is hereby designated a Municipal Heritage Site pursuant to Section 967 of the *Local Government Act*.
2. Except as authorized by this bylaw or as authorized by a Heritage Alteration Permit approved by Council, no person shall:
  - (a) alter the exterior of any building situated on the property designated by this bylaw;
  - (b) make a structural change to the exterior of any building situated on property designated by this bylaw;
  - (c) move any building situated on the property designated by this bylaw; or
  - (d) alter, excavate or build on land designated by this bylaw.
3. The following alterations to the designated property are hereby authorized without a Heritage Alteration Permit:
  - (a) Normal day to day maintenance and repairs.
4. This bylaw may be cited for all purposes as the 'Heritage Designation Bylaw No. 9185 (Brent's Mill Buildings)'.

Read a first time by the Municipal Council this 24<sup>th</sup> day of February, 2004.

Considered at a Public Hearing this       day of       , 2004.

Read a second and third time and adopted by the Municipal Council this       day of       , 2004.

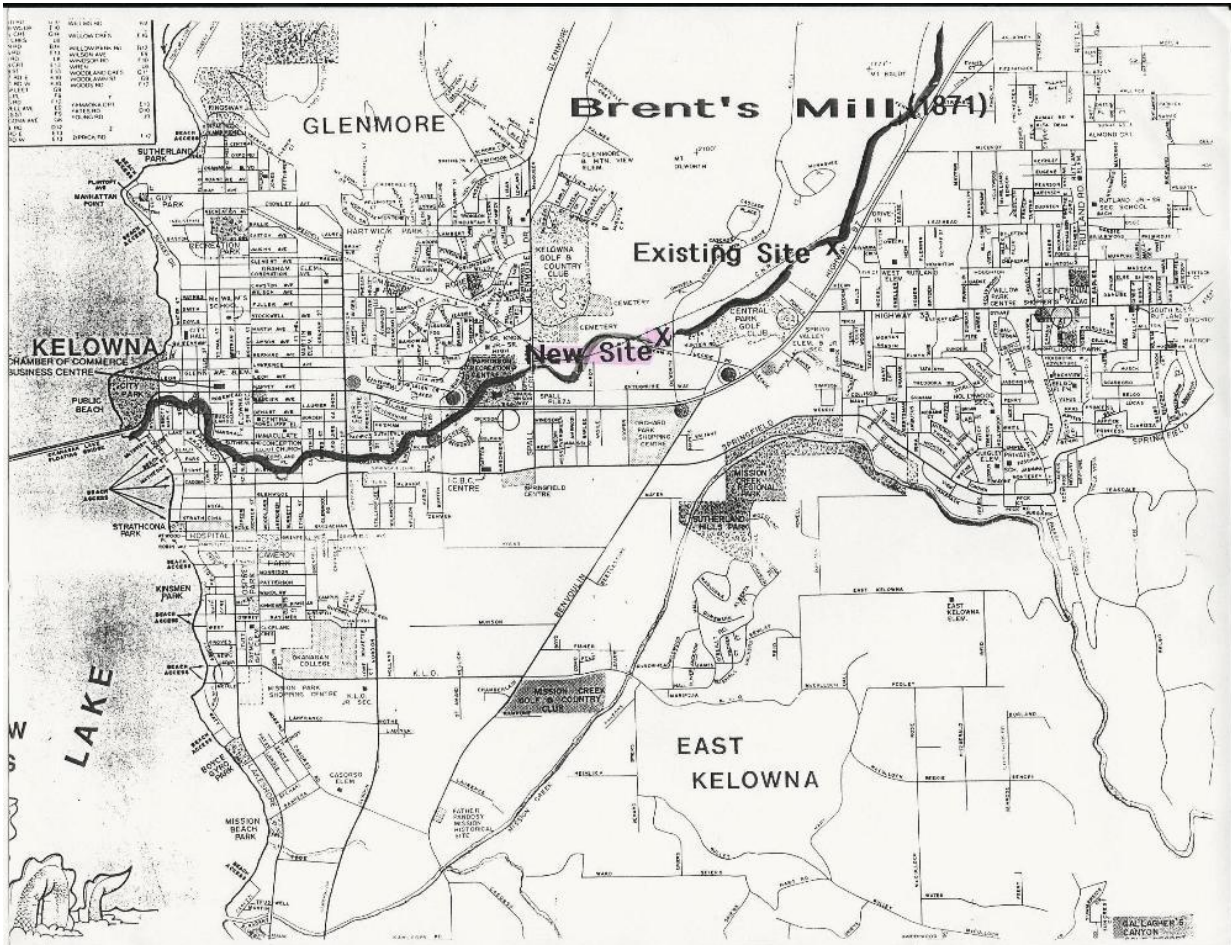
\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

Source: City of Kelowna website, 2004.

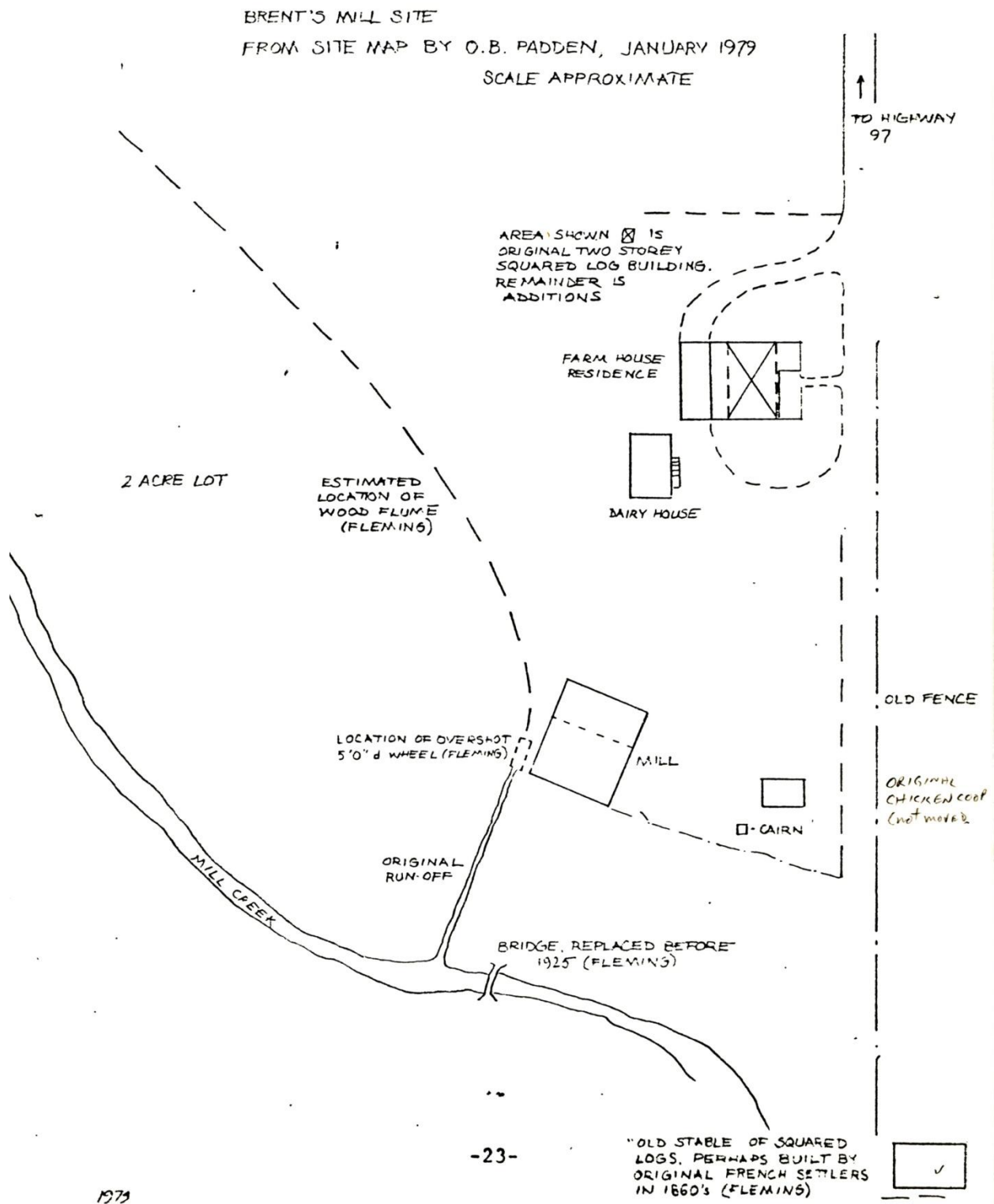


## Appendix #4: Location of Original Site (existing pre 2002)) and New Site



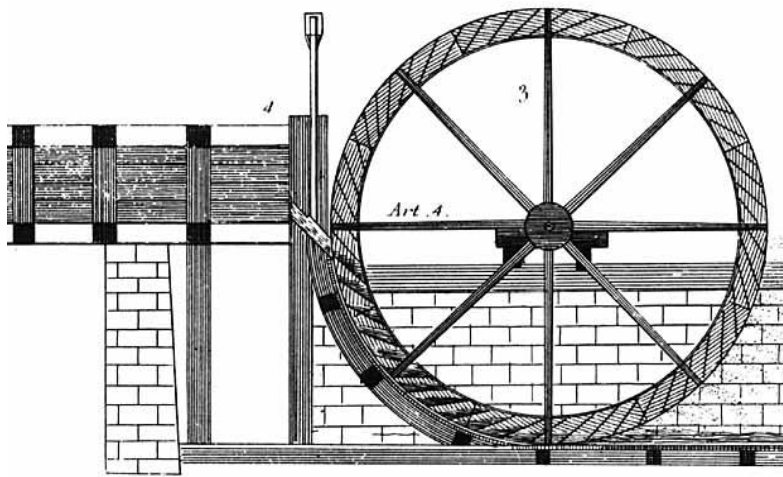
Source: COHS Archives, c. 2001.

## Appendix #5: Brent's Mill Site from Site Map by O.B. Padden, 1979



Source: *Brent's Mill*. Young Canada Works Project from O.B. Padden's Site Map, January 1979.

## Appendix #6: Breast Shot Water Wheel



In the early 1800's the most common water wheel used to power North American industry was the breast water wheel. It was not until the 1840s did millwrights discover which type of water wheel was the most efficient in different places according to the available head, not the available flow. Wooden water wheels had several drawbacks: they rotted out every ten to twenty years, and they could not be operated in cases of ice, imbalance and debris. From the 1820s to 1840s water wheels began to be constructed with cast iron shafts and hubs. In the 1870s all steel water wheels eliminated the problems with imbalance, rot, ice and debris.

The familiar "**VERTICAL MILL**" has its water wheel mounted on the side of the mill building perpendicular to the earth, with the axle mounted horizontally. The vertical mill wheel made it necessary to build a gear system to change the horizontal rotation of the main shaft into a vertical motion that could be used inside the mill to power the millstones. The smallest and the largest vertical mills have a gear system, incorporating wooden (squirrel cage) pinion gears (called "**TRUNDLES**") that were mounted at the bottom of the shafts that turned the runner millstone. The colonial millwright could plan a mill that would not only turn corners with motive power, but also make the millstones revolve at a rate faster than the slow but steady turning water wheel.

Source: Middle Breast Shot Water Wheel from "The Young Mill-Wright and Miller's Guide", Oliver Evans.

## Appendix #7: City of Kelowna's Statement of Significance for Brent's Grist Mill, 2014



### Heritage Building

#### 1450 Dilworth Dr - Brent's Grist Mill

**Place Description:** This historic 1871 vernacular gable roofed 2 level Grist Mill is closely associated with the Fleming Property which was divided from the original Brent's Mill estate. It was relocated from the original site at 2590 Harvey Ave. to the newly created Heritage Park at 2128 Leckie Pl. in 2002. It was installed on new concrete foundations which retain the orientation relationship with the Fleming House and the Dairy Barn.

**Heritage Value:** Brent's Grist Mill is of heritage value as an excellent and rare surviving example of pioneering agricultural and production practices in Kelowna. It was one of the first industrial enterprises in the Okanagan Valley and is the oldest surviving purpose-built grist mill building in B.C.. Frederick Brent faced many challenges in establishing his milling operation. He had to travel to San Francisco to buy his equipment, then move it by sailing ship, train, freight wagon, lake and river steamers, row boat along Okanagan Lake and for the last 6.5 kilometers by horse-drawn sledge, representing the challenges faced by early settlers at a time when this area was remote and transportation was difficult. At the end of each season, the millstones had to be dressed with steel picks, which until 1885 had to be sent to San Francisco for sharpening. The mill was an immediate success, and settlers and local natives from throughout the Valley brought their grain to be ground into flour, with up to a dozen camps at a time being set up on the creek waiting their turn at the mill.

The demise of the mill indicates the rapidly-developing food supply networks being developed throughout the province. Brent sold the property in 1893, and milling operations ceased, a result of cheaper flour being available from the steam-driven mills at New Westminster. The grist mill was later adapted for use as a dairy barn, and another dairy barn structure was added to the site circa 1912. Although the milling operation was dismantled, Brent's portable mill, with its imported millstones, survives and is displayed at the Kelowna Museum.

Additionally, the Grist Mill site is of value for its association with Frederick Brent (1827-1919), one of the earliest European settlers in the Kelowna area. He acquired his land, over 800 hectares, in 1870, and Peon Creek was renamed Mill Creek after his milling operation. Brent was well-known for his hospitality and for hosting the annual 'Bachelor Ball' at his house. He was appointed as a Justice of the Peace in 1872, and raised a family of six children; some of his descendants are still located throughout the Kelowna area.

The grist mill is a rare surviving structure from the 1870s, when there was a recession throughout the province and little construction occurred. As such, it is a valuable representation of the building practices of pioneer times. The grist mill was built of hand hewn pine logs for the posts and beams, joined with pegged mortise and tenon joints. The siding is whip-sawn lumber (circular saw), attached with forged square nails. The site was acquired by John Dilworth in 1900.



The preservation of the Grist Mill building reflects the community's commitment to conserving and interpreting their built heritage.

Character  
Defining  
Elements:

Key elements that define the heritage character of the Grist Mill include:

- Form, scale and massing expressed by the two story structure with attached shed roofed mill set on a concrete grade foundation
- 1871 Vernacular 2 storey gable and shed roofed barn with rural character
- Vertical whip-sawn planking with battens and attached with forged square nails
- Hand hewn pine log post and beam using pegged mortise and tenon joints
- Remnants of 1900's Knob and Tube electrical system
- Oriented to maintain original close relationship with Fleming House and Dairy Barn

Source: City of Kelowna website, Kelowna Heritage Register, 2014.

## Appendix #8: Brent's Grist Mill Building Condition Survey, 2014

## Appendix #9: Brent's Grist Mill Building Existing Condition Plans, 2014, Peter Chataway

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CENTRAL OKANAGAN HERITAGE SOCIETY

July 21, 2015

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

**Re: Brent's Grist Mill Stabilization Project**

This letter is sent in support of the report prepared by Pat McCormick, Planner Specialist with respect to the stabilization project planned for Brent's Grist Mill.

The Central Okanagan Heritage Society has long had a deep interest in the conservation of the mill, the Fleming house and the small dairy building. COHS's involvement includes; planning for the move of the buildings from the original location to their new location at Dillworth and Leckie; fund-raising and execution of \$55,000 worth of stabilization work on the Fleming House and Dairy building; active participation in the creation of the park plan working with Urban Systems and others; the creation of a Community Memories exhibit on Brent's Mill for the Virtual Museum of Canada, and continuing to keep Brent's Grist Mill on the community's radar. For September 26<sup>th</sup>, 2015 COHS is planning to host an event for Culture Days to help raise community awareness and interest in the mill.

We have read the Conservation Plan prepared by our colleague Lorri Dauncey and support its findings. We also fully endorse the hiring of a contractor with expertise in conservation of historic buildings, a key ingredient to the success of this stabilization project.

COHS looks forward to actively supporting the on-going work required to get Brent's Grist Mill Park up and operating in a way that enhances the fabric of our community.

Sincerely,

Janice Henry  
Executive Director  
Central Okanagan Heritage Society

Don Knox  
Board Chair  
Central Okanagan Heritage Society

# CITY OF KELOWNA

## BYLAW NO. 11081

### **Road Closure and Removal of Highway Dedication Bylaw** **(Portion of Road adjacent to South of Quail Ridge Blvd)**

**A bylaw pursuant to Section 40 of the Community Charter to authorize the City to permanently close and remove the highway dedication of a portion of highway adjacent to South of Quail Ridge Boulevard**

---

NOW THEREFORE, the Municipal Council of the City of Kelowna, in open meeting assembled, hereby enacts as follows:

1. That portion of highway attached as Schedule "A" comprising 196.4 m<sup>2</sup> shown in bold black as closed road on the Reference Plan EPP47884 prepared by DA Goddard Land Surveying Inc., is hereby stopped up and closed to traffic and the highway dedication removed.
2. The Mayor and City Clerk of the City of Kelowna are hereby authorized to execute such conveyances, titles, survey plans, forms and other documents on behalf of the said City as may be necessary for the purposes aforesaid.

Read a first, second and third time by the Municipal Council this 15<sup>th</sup> day of June, 2015.

Approved Pursuant to Section 41(3) of the Community Charter this 6<sup>th</sup> day of July, 2015.

Audrie Henry  
(Approving Officer-Ministry of Transportation)

Amended at third reading Council this 13<sup>th</sup> day of July, 2015.

Re-approved Pursuant to Section 41(3) of the Community Charter this 20<sup>th</sup> day of July, 2015.

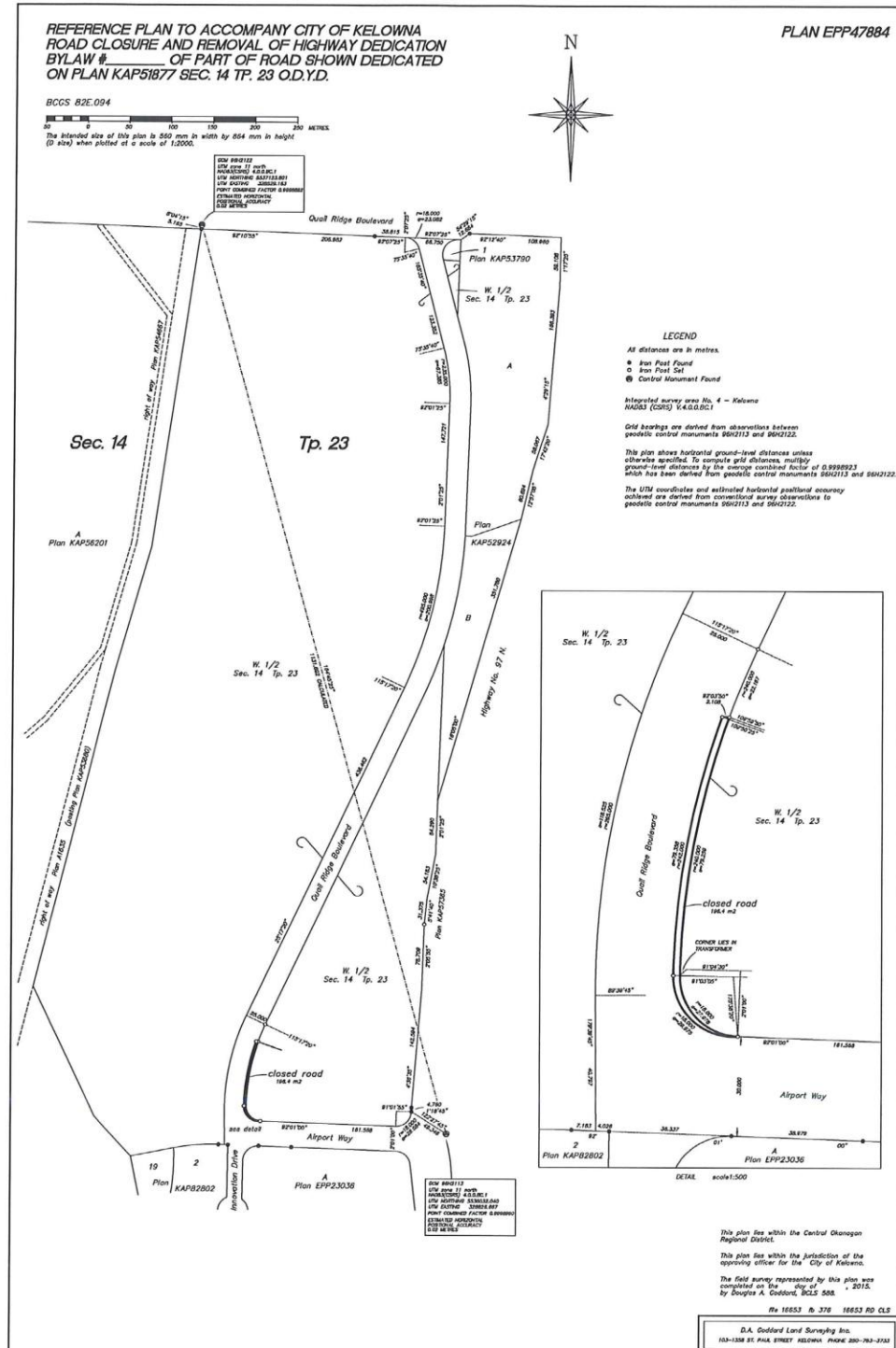
Audrie Henry  
(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

Schedule "A"





# CITY OF KELOWNA

## BYLAW NO. 11097

### **Road Closure and Removal of Highway Dedication Bylaw** **(Portion of Road adjacent to GEID Flume)**

**A bylaw pursuant to Section 40 of the Community Charter to authorize the City to permanently close and remove the highway dedication of a portion of highway on Road at end of 1079 Curtis Road (adjacent to GEID Flume)**

---

NOW THEREFORE, the Municipal Council of the City of Kelowna, in open meeting assembled, hereby enacts as follows:

1. That portion of highway attached as Schedule "A" comprising 157.6 m<sup>2</sup> shown in bold black as Road to be Closed on the Reference Plan prepared by Ferguson land Surveying & Geometrics Ltd., is hereby stopped up and closed to traffic and the highway dedication removed.
2. The Mayor and City Clerk of the City of Kelowna are hereby authorized to execute such conveyances, titles, survey plans, forms and other documents on behalf of the said City as may be necessary for the purposes aforesaid.

Read a first, second and third time by the Municipal Council this 25<sup>th</sup> day of May, 2015.

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

