

# Report to Council



**Date:** June 28, 2021  
**To:** Council  
**From:** City Manager  
**Subject:** Heritage Register Removal – 180 Highway 33 East  
**Department:** Policy & Planning

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## **Recommendation:**

THAT Council receives, for information, the report from the Policy & Planning Department dated June 28, 2021, with respect to the Kelowna Heritage Register;

AND THAT Council endorse the removal of 180 Highway 33 East from the Kelowna Heritage Register.

## **Purpose:**

To consider a request to remove the property at 180 Highway 33 East from the Kelowna Heritage Register.

## **Background:**

The Kelowna Heritage Register is an official listing of properties within the community that are identified as having heritage value. Over 200 buildings are currently listed on the Heritage Register and each listing includes a Statement of Significance describing the building's historical, architectural and contextual characteristics.

Inclusion of a property on the Heritage Register does not constitute Heritage Designation or any other form of long-term heritage protection. The existing development potential of a property is not restricted and the owner is entitled to develop the property in accordance with the permitted uses, density and other regulations of the property's existing zoning. Buildings can be altered and may even be demolished, though there are withholding provisions that enable Council and staff to explore other development options with the property owner.

The heritage value of 180 Highway 33 East, known as the Sproul House, was primarily due to it being a good example of buildings found in early rural Kelowna. Additionally, the house was associated with the Sproul and Mugford families. E. Mugford was superintendent of the Black Mountain Irrigation District for many years. The property was added to the Kelowna Heritage Register in 2001.

An application was made in 2018 to rezone 180 Hwy 33 E along with two adjacent properties to facilitate a mixed-use development. Initially, the Development Planning Department worked with the

applicant to develop a plan for the property that incorporated the heritage house. Unfortunately, in 2020, the house was heavily damaged in a fire and the structure was deemed unsafe by a structural engineer. The home was also assessed by a heritage professional who determined that, due to the fire as well as multiple break-ins and additional damage, there is now a reduced ability to conserve the house as part of the redevelopment.

The development team has requested that the property be removed from the Heritage Register, but intends to continue working with a heritage professional throughout the redevelopment process. Additionally, the development team intends to commemorate the Sproul house in the new development through a mural, interpretive panels, and design elements, as well as by incorporating a bay window from the original house into the façade of the new development.

The Heritage Advisory Committee (HAC) is not currently in-session, therefore this request was not reviewed by HAC.

1.1 Site Context

The subject property is located in the Rutland Urban Centre on the northwest side of the Highway 33 E / Saddler Rd intersection.



**Internal Circulation:**

City Clerk  
Divisional Director, Planning & Development Services  
Development Planning Department Manager

**Considerations applicable to this report:**

**Legal/Statutory Authority:**

Local Government Act, section 954

**Legal/Statutory Procedural Requirements:**

Heritage Procedures Bylaw, section 9.10 Kelowna Heritage Register

9.1 The registered owner of real property within the City of Kelowna, or an agent authorized in writing, may submit a written request to add a building(s) to or remove a building(s) from the Kelowna Heritage Register pursuant to Section 598 of the Local Government Act.

9.2 Written requests will be reviewed by the Policy & Planning Department on an annual basis, unless special circumstances require otherwise at the discretion of the Policy & Planning Department Manager.

9.3 The Policy & Planning Department will compile background information on the subject building(s) and the request and information will be forwarded to the Heritage Advisory Committee for review.

9.4 The Heritage Advisory Committee will evaluate the historical, architectural and contextual qualities of the subject building(s) and prepare a recommendation regarding the request.

9.5 The recommendation of the Heritage Advisory Committee will be forwarded to Council for consideration.

***Existing Policy:***

**Official Community Plan**

**Objective 9.2 Identify and conserve heritage resources.**

Policy 9.2.1 Heritage Register. Ensure that the Heritage Register is updated on an ongoing basis to reflect the value of built, natural and human landscapes.

**Heritage Strategy**

**Strategy 1 – Preserve and Protect Heritage Resources.** Continue to preserve and protect significant heritage resources through the use of protection tools and heritage planning initiatives.

**Strategy 5 – Update Heritage Register.** Continue to identify the City’s significant cultural/natural landscapes, archaeological and built heritage resources.

**Considerations not applicable to this report:**

*Financial/Budgetary Considerations*

*External Agency/Public Comments*

*Communications Comments*

Submitted by:

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**Approved for inclusion:**



J. Moore, Long Range Policy & Planning Manager

cc:

City Clerk

Divisional Director, Planning & Development Services

Development Planning Department Manager