
City of Kelowna

MEMORANDUM

DATE: March 17, 2005
FILE: HAP05-0003
TO: City Manager
FROM: Director of Planning and Corporate Services
SUBJECT: Heritage Alteration Permit Application No. HAP05-0003 – 474 Cadder Avenue

RECOMMENDATION:

THAT the Report of the Director of Planning and Corporate Services dated March 17, 2005 be received for information;

AND THAT Council not designate the property located at 474 Cadder Avenue as a Municipal Heritage Site pursuant to Section 967 of the Local Government Act.

BACKGROUND:

The following resolution was passed during the February 28, 2005 Regular Meeting of Council:

THAT staff be instructed not to issue a demolition permit at 474 Cadder Avenue until an independent evaluation of the property be brought before Council.

The following independent evaluations of the property are attached to this report:

1. An independent evaluation of the property which used the Kelowna Heritage Register evaluation criteria to assess the heritage value of the property. Evaluating properties for potential inclusion on the KHR requires an assessment of the properties historical, architectural and contextual values.
2. An independent evaluation of the property which provides an assessment of the condition of the building.

The owner is seeking approval to allow the demolition of the house located on the subject property and the construction of a new house. The subject property is located in the Abbott Street Heritage Conservation Area and as such, a Heritage Alteration Permit is required. The proposed development is subject to the Abbott Street and Marshall Street Heritage Conservation Areas Development Guidelines set out in the Official Community Plan. The intent of the Development Guidelines is to give consideration to the form, character and landscaping of all new development within the Heritage Conservation Areas.

The Planning and Corporate Services Department has reviewed the above noted independent evaluations and suggests that the existing condition and heritage value of the subject property does not merit involuntary Municipal Heritage Designation.

HERITAGE DESIGNATION BYLAW BACKGROUND INFORMATION

Pursuant to Section 968 of the Local Government Act, the following information would need to be made available to the public in advance of a Public Hearing for a Heritage Designation Bylaw.

Heritage Value of 474 Cadder Avenue

The independent heritage evaluation of 474 Cadder Avenue placed more value on the importance of the original occupants than the City staff evaluation. The independent heritage evaluation placed less value on the importance of the builder than the City staff evaluation. The remaining criteria relating to the buildings historical, architectural and contextual value were evaluated by the independent consultant and City staff in the same way. The independent evaluation produced a score of 59/100 while the staff evaluation produced a score of 46/100. A score of 55/100 is required to qualify for inclusion on the Kelowna Heritage Register.

The consultant that conducted the independent heritage evaluation suggests that further research may reveal information that could increase the heritage value of the property. The consultant was directed to conduct additional research if deemed necessary. The only additional 'research' done by the consultant was to review information (an obituary) provided by a local citizen.

Based on a review of the historical information related to other buildings listed on the Kelowna Heritage Register, the Planning and Corporate Services Department respectfully contends that additional research would not reveal information that would increase the heritage value of the property. Based on a review of the evaluations related to other buildings listed on the Kelowna Heritage Register, the Planning Department also respectfully contends that the staff evaluation relating to the importance of the original occupants is more consistent with evaluations of other buildings listed on the Register. Specifically, staff note that the Okanagan Loan and Investment Company has been identified in other evaluations as a company of primary importance to the development and identity of the community. The company operated in the community from around 1905 to the early 1960s. Previous evaluations recognize founders, long time managers or directors of such companies to be of primary importance to the community and employees as being of secondary importance. Mr. Royle worked for the insurance branch of the company for 17 years.

The consultant evaluation notes that Mrs. Royle was directly associated with the Kelowna Branch of the Okanagan Union Library, an organization of primary importance to the community. Staff agree that this organization is of primary importance to the community and that Mrs. Royle played an important role in its establishment. However, the majority of her lifetime involvement with this organization occurred after she moved from 474 Cadder Avenue.

Compatibility of Conservation with the Official Community Plan:

The OCP includes policies that are intended to promote the conservation of buildings listed in the Kelowna Heritage Register. Specifically, the OCP states that the City of Kelowna will encourage owners of properties listed in the Kelowna Heritage Register to voluntarily provide long-term heritage protection for their properties through the use of a Heritage Designation Bylaw, a Heritage Conservation Covenant or a Heritage Revitalization Agreement.

Designation of the property at 474 Cadder Avenue would be compatible with the Kelowna Official Community Plan if it was deemed to have enough heritage value to warrant inclusion on the Kelowna Heritage Register and if the owner voluntarily designated the building.

The Official Community Plan designates the future land use of this property as Single / Two Unit Residential. The OCP designates the future land use of the surrounding properties as the same. Continued single unit residential use of the subject property and building would be compatible with these land use designations.

Compatibility of Conservation with Lawful Uses of the Property and Adjoining Lands:

The subject property is zoned RU1 – Large Lot Housing. Single dwelling housing is the only principal use permitted within this zone. Conservation of the heritage building would not prevent the subject property and building from being used for this purpose.

Condition and Economic Viability of the Property:

The independent evaluation of the condition of the building shows that damage has been caused to the building foundation and attic area. The owner has decided that he wants to build a new building rather than incurring the costs associated with repairing the existing one.

Possible Need for Financial or Other Support to Enable Appropriate Conservation

As noted above, the independent evaluation of the condition of the building shows that damage has been caused to the building foundation and attic area. The owner has decided that he wants to build a new building rather than incurring the costs associated with repairing the existing one.

Section 969 of the Local Government Act states that if a designation by a heritage designation bylaw causes, or will at the time of designation, a reduction in the market value of the property, the local government must compensate the owner of the property in the amount agreed to by the owner and the local government or, failing an agreement, in an amount determined by binding arbitration. The owner of a designated property may apply to the local government for compensation for the reduction in the market value of the designated property.

SUMMARY:

Staff do not recommend that Council designate the property at 474 Cadder Avenue as a Municipal Heritage Site as the house has moderate heritage value, the property owner would be required to absorb the costs associated with repairing the house and designating the property could potentially cause a loss in the value of the property.

R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning and Corporate Services

Attach.