

Memo



Date: November 13/09

To: City Manager

From: Community Sustainability Division

File No: DP09-0134/DVP09-0135 Applicant: Worman Commercial

At: 130 Hartman Road Owner: M19 Holdings Ltd.
915A-B Rutland Road
925 Rutland Road
935 Rutland Road

Purpose: TO SEEK AUTHORIZATION FOR THE CITY OF KELOWNA TO ENTER INTO A HOUSING AGREEMENT WITH M19 HOLDINGS LTD. FOR 130 HARTMAN ROAD, 915A-915B, 925 AND 935 RUTLAND ROAD.

Existing Zone: RM3 - Low Density Multiple Housing

Report Prepared by: Luke Turri

1.0 RECOMMENDATION:

THAT Bylaw No. 9901 authorizing a Housing Agreement between the City of Kelowna and Stephen & Michelle Graham & 0790388 BC LTD be rescinded;

AND THAT Council forward Bylaw No. 10267 authorizing a Housing Agreement between the City of Kelowna and M19 Holdings Ltd., which requires the owners to designate *three (3) dwelling units for purpose-built rental housing* on Lot 1, Sec. 26, Twp. 26, ODYD, Plan KAP66718, located at 925 Rutland Road, Lot 13, Sec. 26, Twp. 26, ODYD, Plan KAP65904, located at 925 Rutland Road, Lot 3, Sec. 26, Twp. 26, ODYD Plan 15222, located at 915A-915B Rutland Road, Lot 2, Sec. 26, Twp. 26, ODYD, Plan 15222, located at 130 Hartman Road, Kelowna, B.C., for reading consideration.

2.0 SUMMARY:

This application seeks authorization for the City of Kelowna to enter into a Housing Agreement with M19 Holdings Ltd. For 130 Hartman Road, 915A-915B, 925 and 935 Rutland Road to replace the existing Housing Agreement associated with a previous Development Permit application for the subject properties.

3.0 BACKGROUND:

A previous application for the subject properties contemplated a 38-unit stacked row housing development. Through this process, OCP and zone amending bylaws were adopted by Council in conjunction with a Housing Agreement which became registered on the title of the properties for four affordable units to be included in the project (in exchange for density bonusing as per the OCP and the Zoning Bylaw). The Development Permit was approved for issuance by Council, however, the project was never initiated and eventually the subject properties were purchased by the current land owner.

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Given that the new Development Permit application contemplates a very different form of development, a new Housing Agreement is being sought which meets the spirit and intent of the original Housing Agreement while being more applicable to the new development proposed.

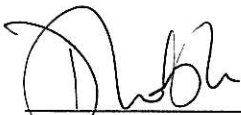
The original agreement offered four (4) Affordable Ownership Dwelling units from a total of 38 dwelling units. This scenario designated approximately 240m² (2,560ft²) of total floor area towards the Affordable Ownership units. The new Development Permit application reflects a new building form, where the majority of the units are ground-orientated, 2.5 storey townhomes. The new Housing Agreement would provide a greater amount of total floor area, 240m² (2,560ft²), through two 2-bedroom townhome units, and one bachelor dwelling, secured as purpose-built rental housing in perpetuity.

7.0 LAND USE MANAGEMENT DEPARTMENT:

Given the significant changes contemplated from the original Development Permit application for the subject property, the Land Use Management Department is satisfied that the new Housing Agreement proposed meets the intent of the original Housing Agreement, and be considered an improvement given the two townhome units being provided - adding much needed family-orientated units to the City's rental housing stock. While the new Housing Agreement contemplates a different property tenure, both Affordable Ownership units and Purpose-Built Rental units are considered to be of great need in the City, and should be deemed as equal.

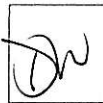
The Land Use Management Department recommends supporting the Housing Agreement as presented, allowing the proposed Development Permit and Development Variance Permit to be considered by Council within a short timeframe.

Submitted by:



Danielle Noble
Manager, Urban Land Use

Approved for inclusion:



 Shelley Gambacort
Director, Land Use Management

Attachments:

Subject Property Map
Purpose Built Rental Housing Agreement