Memo

Date:

July 14, 2010

To:

City Manager

From:

Community Sustainability Division

APPLICATION NO.

DP09-0035 (Z09-0023)

OWNER:

Bhupinder S. and Raj K.

Kelowr

Dhanwant

AT:

410 Hartman Road

APPLICANT:

Bob Dhanwant

PURPOSE:

TO CONSIDER A DEVELPLMENT PERMIT FOR THE FORM AND CHARACTER OF A

PROPOSED 2.5 STOREY, 6-UNIT HOUSING DEVELOPMENT.

EXISTING ZONE:

RR3 - Rural Residential 3 zone

PROPOSED ZONE:

RM3 - Low Density Multiple Housing

OCP Designation:

MRL - Multiple Unit Residential (Low Density)

REPORT PREPARED BY: Birte Decloux

1.0 RECOMMENDATION

THAT Final Adoption of Zone Amending Bylaw No. 10257 not be considered by Council;

AND THAT Council <u>not</u> authorize the issuance of the Development Permit No. DP09-0035 for Lot B, Section 26, Township 26, ODYD Plan KAP46388, located on Hartman Road, Kelowna, B.C..

2.0 SUMMARY

The applicant is seeking a Development Permit to approve the form and character of a six (6) unit housing development added to the rear of the subject property. A single family dwelling built in 2002 is located on the front of the site.

3.0 ADVISORY PLANNING COMMISSION

The above noted application was reviewed by the Advisory Planning Commission at the meeting of August 4, 2009 and the following recommendation was passed:

THAT the Advisory Planning Commission <u>NOT</u> support Development Permit Application No. DP09-0035, for 410 Hartman Road; Lot B, Plan KAP46388, Sec 26, Twp 26, ODYD; to consider a Development Permit for the form and character of a proposed 2.5 storey, 6-unit housing development.

APC comments are as follows:

APC supports the principle of providing infill housing, but believe the Development Permit application would be inconsistent with the neighbourhood. The architectural form and character needs to be considered as a comprehensive site development, and not just the addition of a six-plex.



APC commented that this application lacks a sense of master planning. The proposed development does not have the same level of character and finishes as the principal residence. This application seems like two separate building entities and a comprehensive plan should be created so that everything works together.

Staff met with the applicant on several occasions strongly suggesting that the project be redesigned, however, the applicant is unwilling to invest in a comprehensive site planning exercise.

4.0 BACKGROUND

The development proposal has been granted third reading (in December 2009) to rezone the subject property from the RR3 - Rural Residential 3 zone to the RM3 - Low Density Multiple Housing zone, consistent with the existing future land designation of low density multi-family.

A large single family dwelling exists on the generously-sized property. Currently, the rear portion of the lot (which at one time was the septic field) functions as a garden space and a basketball court. Although the applicant is seeking to redevelop the site, they are not willing to remove the single family dwelling as it signifies a substantial investment. Accordingly, the proposed multifamily development is a partial infill project, rather than a comprehensive plan for the entire site.

4.1 The Proposal

The applicant seeks to construct two row-house buildings for a total of six 2-bedroom units on the rear of the subject property. Each row-house building is a basic rectangular shell that contains three dwelling units. The proposed row-house buildings are considered 2 ½ storeys as per the definition of height in the bylaw due to a localized depression. However, functionally they are three storeys in height.

The layout for each three storey unit consists of a garage, laundry facilities and a recreation room on the ground floor, a living area with a kitchen on the second floor, and two bedrooms and bathrooms on the third floor. Windows on the second floor that face onto the centre drive aisle of the site provide some natural light. Decks (on the second and third floors) facing the outside perimeter of the lot allows for some outdoor space. Additional private open space provisions are provided with a small at-grade fenced garden area.

Adequate landscaping is provided with red horse chestnut trees creating a canopy buffer over the existing cedar hedge at the rear of the lot. Six foot high cedar panel fences are proposed to define the exterior yard space for each unit. Ornamental flowering trees camouflage the 1.2 m high allan block retaining wall on the west side of the property. A retaining wall not shown on the site plan is proposed for the east side of the property (compliance to bylaws will be verified at building permit stage).

The driveway for the single family dwelling currently has two accesses. In this proposal the western portion will be removed and access will be provided through a common 6 meter wide driveway on the eastern side of the property. In order to create a driveway access that meets the Fire Department's requirements for multi-family dwellings, the garage and deck of the existing single family dwelling must be removed. A new garage is proposed for the front of the existing single family residence. Additional required parking for both residents and visitors is proposed on the east side of the site.

The exterior building design takes visual queues from the existing large single family home which include:

- 1. a recessed entrance for each unit
- 2. articulation to the exterior building facade
- 3. wrapped roof detailing to the first floor
- 4. enhanced window treatment
- 5. brickwork, garage doors and deck railings are emulated from the existing structure.

The proposed finishes for the two three-plex units consist of a muted beige stucco with cultured rock trim at the bottom of the buildings. The window trim details are formed in stucco in a darker shade matching the existing home. The garage doors and front doors to the units are proposed to be white. Picket style aluminium railings in the same beige tones as the main portion of the building will enclose the decks.

The applicant intends to provide the project as rental units. The demographic profile targeted will be primarily families with children who can take advantage of the local amenities, as the floorplan is not conducive seniors.

The proposed application meets the requirements of the RM3 - Low Density Multiple Housing zone as follows:

Zoning Bylaw No. 8000						
CRITERIA	PROPOSAL	RM3 ZONE REQUIREMENTS				
	Subdivision Regulations					
Lot Area	2,189 m ²	900 m ²				
Lot Width	38.41 m	30 m				
Lot Depth	56.97 m	30 m				
	Development Regulations					
F.A.R.	0.565	0.5 plus 0.1 bonus for under building parking = 0.6				
Site Coverage (buildings)	24.1 % (1235.9 m ²)	40 %				
Site Coverage (buildings/parking)	44.8 %	50 %				
Height (existing residence)	2.5 storey / 9.25m	2.5 storeys / 9.5 m				
Height (proposed dwellings)	2.5 storey / 8.89 m	2.5 storeys / 9.5 m				
Front Yard	9.15 m	4.5 m or 6.0 m to a garage				
Side Yard (north)	5.41 m	4.5 m (2 - 2 ½ storey)				
Side Yard (south)	(south) 5.41 m 4.5 m (2 - 2 ½ storey)					
Rear Yard	7.5 m	7.5 m				
Separation Distance Between Buildings	3.0 m	3.0 m				

	Other Requirements					
Parking Stalls (#)	12 spaces	1.5 per 2-bedroom dwelling = 9 plus 2 per 3 bedroom or more = 2 1 visitor parking stall for every 7 units = 1				
		for a total of 12 required				
Private Open Space	48.4 m ² for each rear unit Plus 274 m ² front yard space for existing residence	25 m² for dwellings with more than 2 bedroom for a total of 175m²				
Landscape Buffering	Meets minimum requirements	3.0m vegetative buffer in front 3.0m to separate uses from adjacent properties for sides and rear				

4.2 Site Context

The subject property is located on the north side of Hartman Road, in Rutland. More specifically, the adjacent land uses are as follows:

North	RU1	Large Lot Housing
South	P1	Major Institutional
East	RM3	Low Density Multiple Housing
West	RM3	Low Density Multiple Housing

4.3 Subject Property: 410 Hartman Road



4.4 Current Development Policy

4.4.1 Kelowna 2020 - Official Community Plan

Section 8.1.37 - Apartments and Townhouses

Encourage development to contribute to the City's goal of, over the 2000 - 2020 timeframe, having 53% of new residential units be in the form of apartments, townhouses (and cluster housing), or other multiple unit buildings;

Section 8.1.38 Ground-Oriented Housing

Encourage the development of ground-oriented multiple unit housing as an affordable housing choice for the rental or ownership markets, including families with children, in those areas where Map 19.1 indicates necessary densities as being appropriate. Ground oriented housing is defined as housing where each dwelling unit has direct access to the unit and private open space at grade level;

Section 8.1.44 Integration

Encourage the sensitive integration of different housing forms in the various sectors of the City, in support of neighbourhood diversity and healthy communities;

Objectives for Multiple Unit Residential Development

- All development should be an appropriate response to its physical context, or anticipated future context where an area is designated for increased density or land use transition in the OCP.
- All development should contribute to a sense of community identity and sense of place (integration of development within larger community, belonging, community cohesiveness).
- All development should facilitate access by, and minimize conflicts among pedestrian, bicycle, and vehicular modes of transportation (access, mobility).
- All development should promote safety and security of persons and property within the urban environment (CPTED).

4.4.2 Rutland Sector Plan 1997 Housing Objectives

- To provide for a balanced range of housing options and lifestyle choices;
- To minimize intrusion into existing neighbourhoods.

5.0 TECHNICAL COMMENTS

Comments were received from various technical agencies and City departments through the rezoning process. Only the Development Engineering branch made the following additional comment specific to the Development Permit:

- a) Requirements identified in rezoning application under file Z09-0023 must be satisfied prior to the issuance of this Development Permit.
- b) The elevation labelled "south" actually the east side of the building and the ground profile represents the driveway. The driveway profile is lacking transitions between the different grades. This may be further reviewed under the building permit application review.

6.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

Council has favourably considered the rezoning of the site and has granted third reading (in December 2009) to rezone to the RM3 - Low Density Multiple Housing zone. The subject property is located in good proximity to urban amenities, schools, transit and recreational facilities, making it a strong candidate for rental housing accommodation. Both neighbouring properties are zoned RM3 and are developed with a range of multi-family housing forms.

Notably, the form and character of the development is problematic. Acknowledging that the current house on this site is a significant investment, the remainder of the property could be developed in a fashion that is much more sensitive to the established urban context of the neighbourhood and could utilize the rear of the property in a much more functional and aesthetically pleasing housing form.

Given the site configuration, the proposed development faces internally onto the drive aisle and thus has no street presence on Hartman Road. From the road, the required parking and the side elevation of one three-plex structure would be visible. Therefore, the only structure that would directly front onto the street is the existing single family dwelling.

As proposed, the development represents an intrusion into the neighbourhood. Staff concerns relate to the sensitivity of the infill design, lack of building articulation, bulk of the row-house buildings, domination of garages versus the entrance ways, modest landscaping to soften the driveway, building site coverage, and minimal private open space for the tenants. The privacy of the abutting neighbours is also a concern with the proposed building design.

Council noted concerns with the form and character of the project due to the lack of its sensitivity when they considered the rezoning application. Staff have met with the applicant to encourage a re-design of the proposed buildings, however the applicant is unwilling to alter the design. The original submissions have not been prepared by a professional designer or registered architect, and it was strongly encouraged that the buildings be redesigned by a qualified professional. As there are many concerns with the design and siting of the project, Land Use Management department is unable to support this development application.

However, should Council consider that this application has merit, an alternate recommendation is provided below.

7.0 ALTERNATE RECOMMENDATION

THAT Final Adoption of Zone Amending Bylaw No. 10257 be considered by Council;

THAT Council authorize the issuance of Development Permit No. DP09-0035 for Lot B, Section 26, Township 26, ODYD plan KAP46388, location on Hartman Road, Kelowna, B.C. 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 FURTHER THAT the applicant be required to complete the above-noted condition No. 5 within 180 days of Council approval of the development permit application in order for the permit to be issued;

Shelley Gambacort

Director, Land Use Management

Approved for inclusion:

Jim Paterson

General Manager, Community Sustainability

Attachments:

Subject Property Map Site Plan Elevation Drawings Current site photos Development Engineering Comments

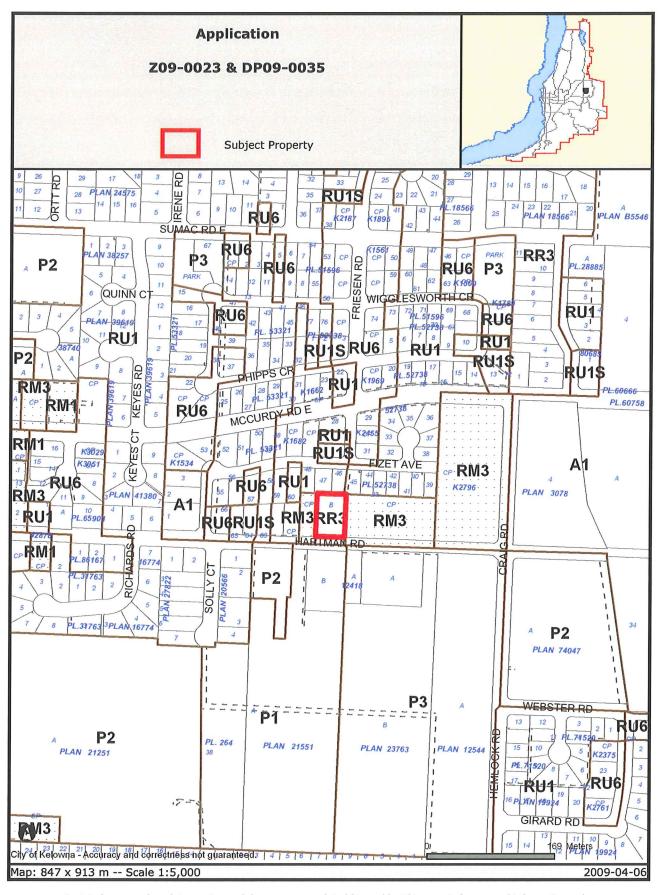
Application Chronology:

Accept: April 2009 APC: August 2009

Council 3rd reading: December 2009

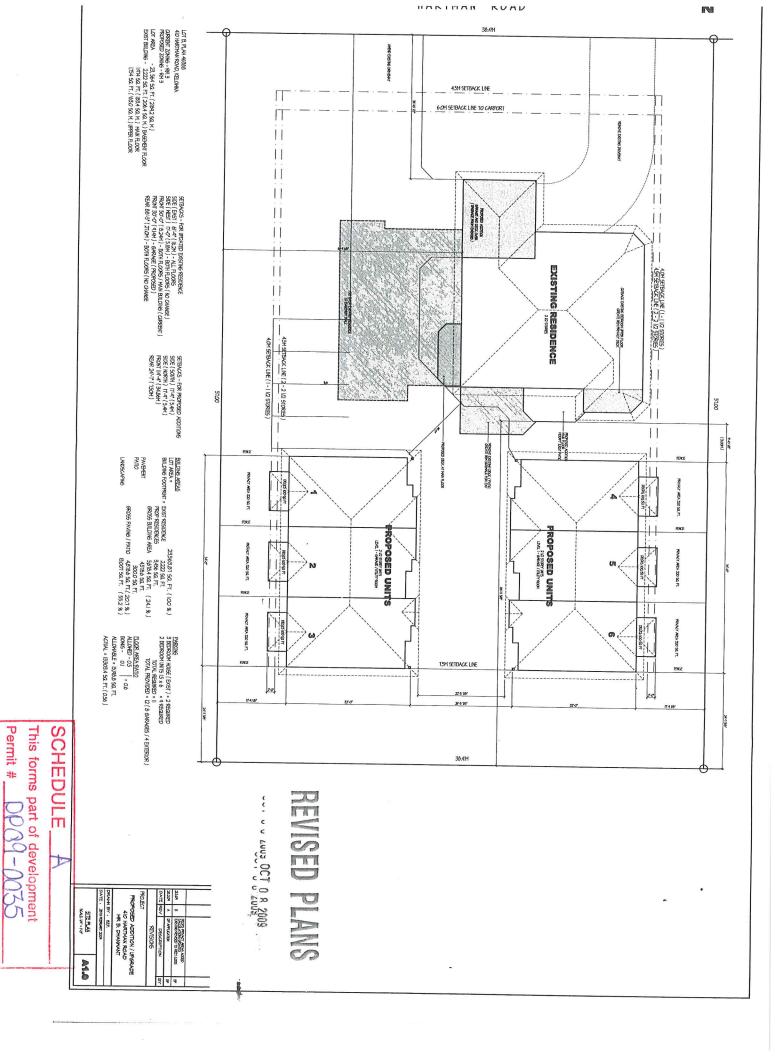
Zoning requirements completed: June 2010

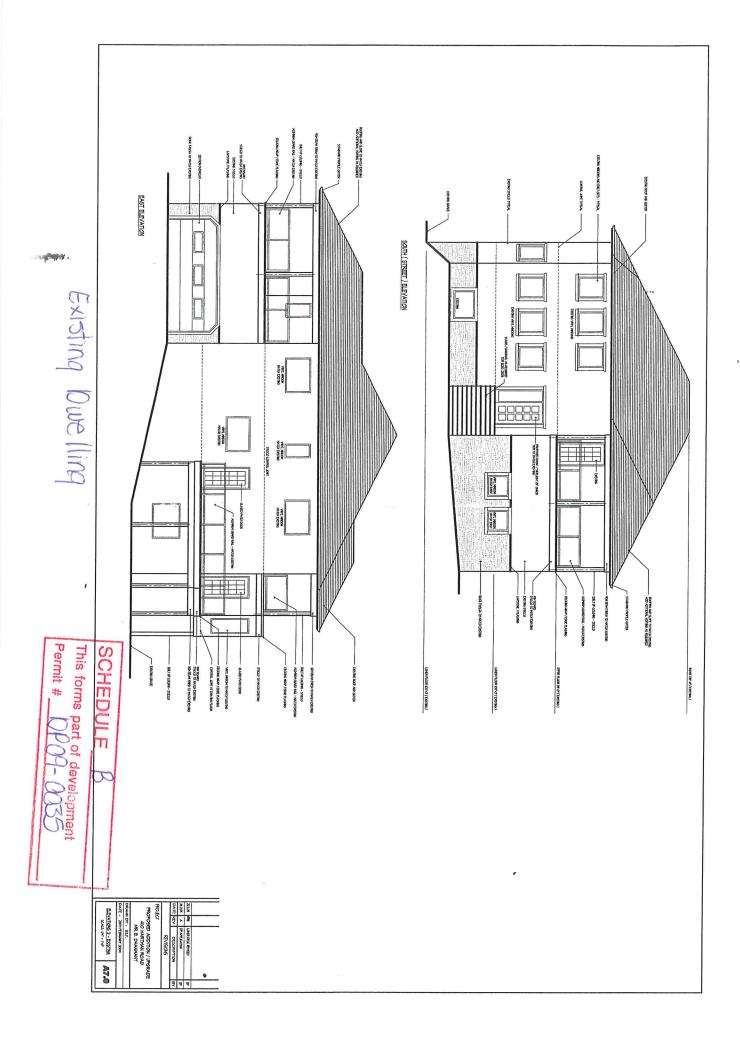
Map Output Page 1 of 1

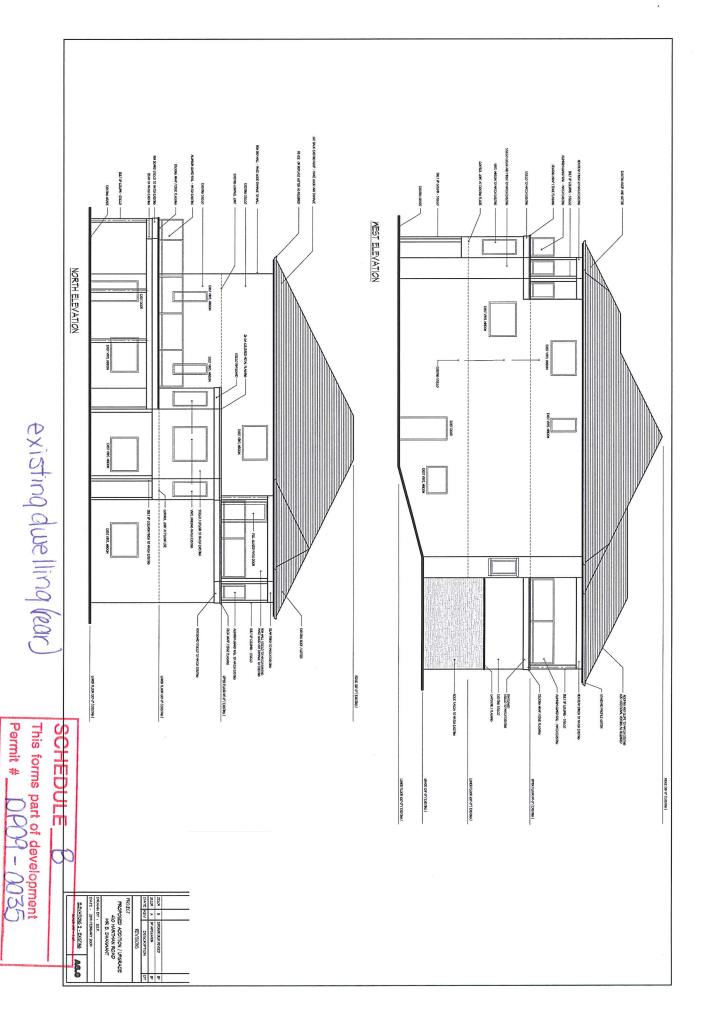


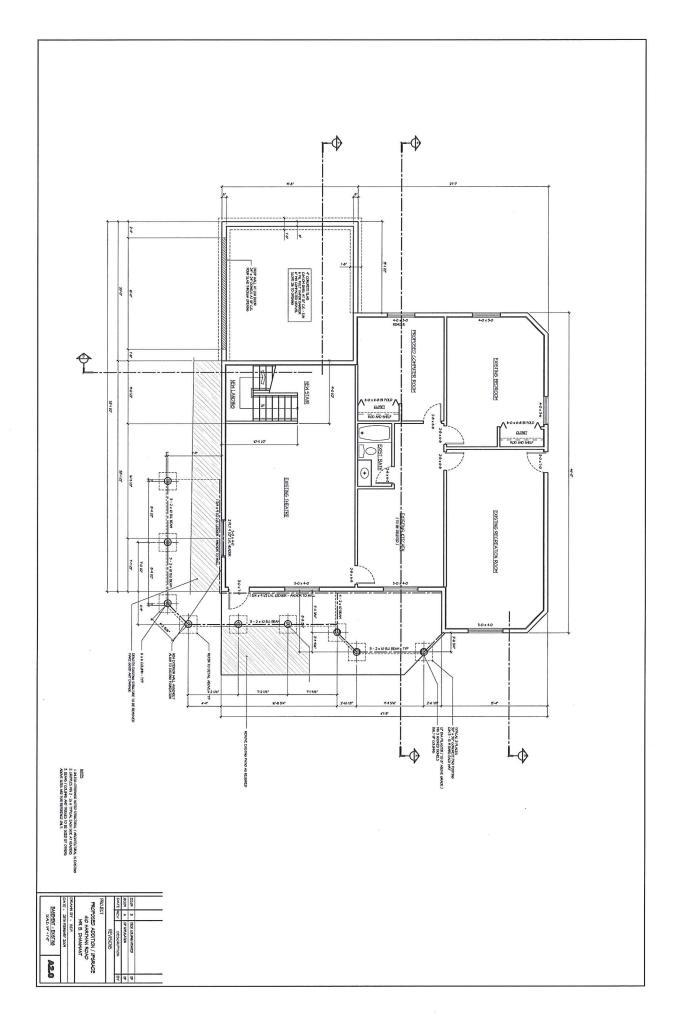
Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.

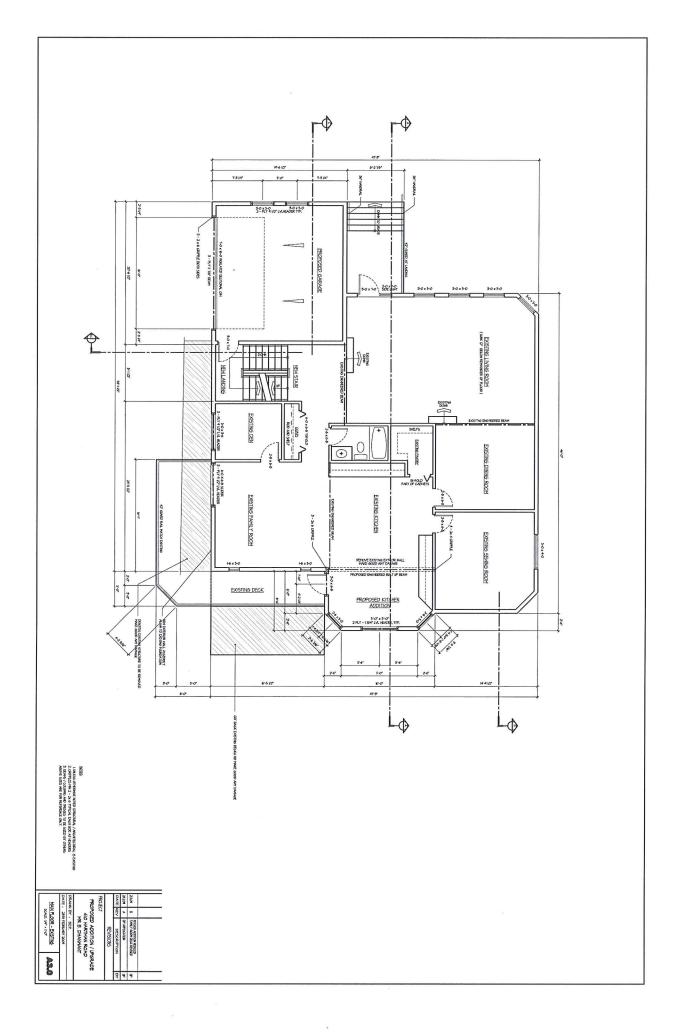
The City of Kelowna does not guarantee its accuracy. All information should be verified.

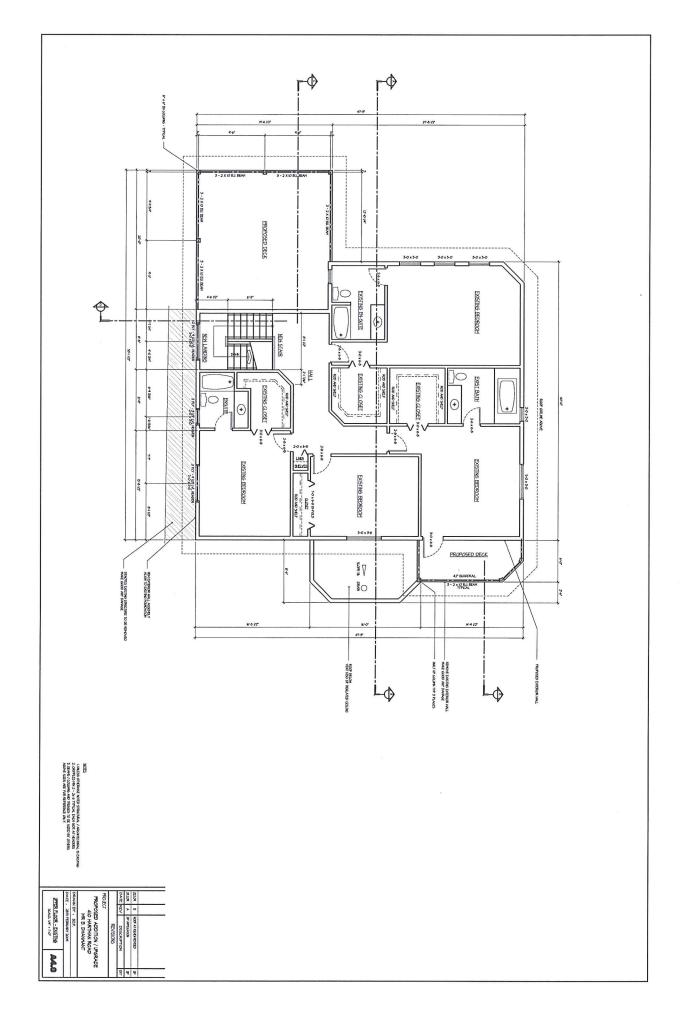


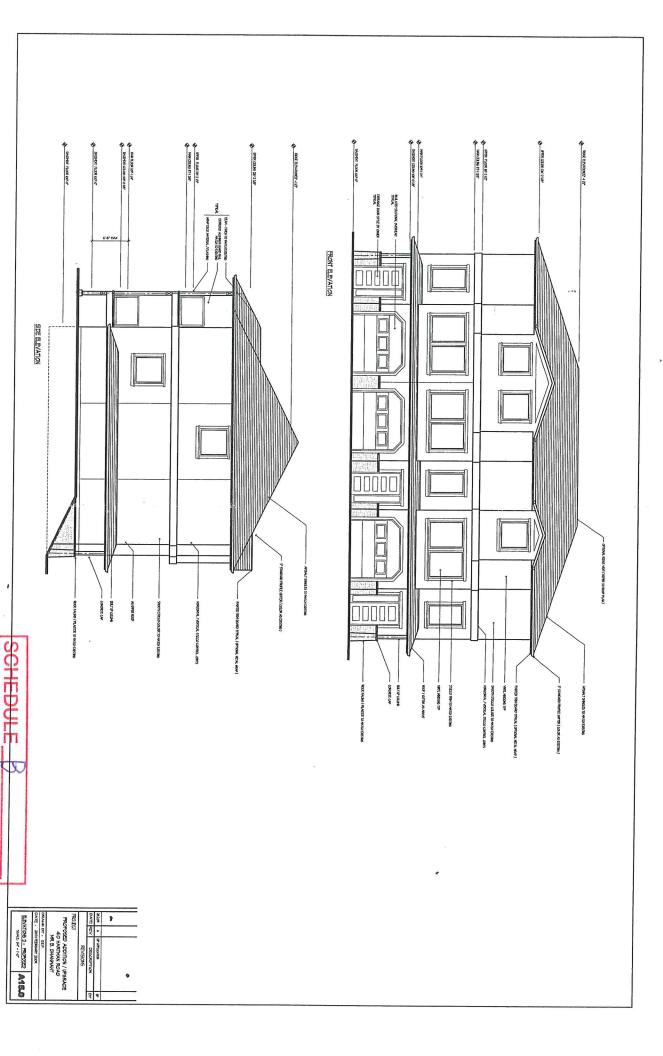








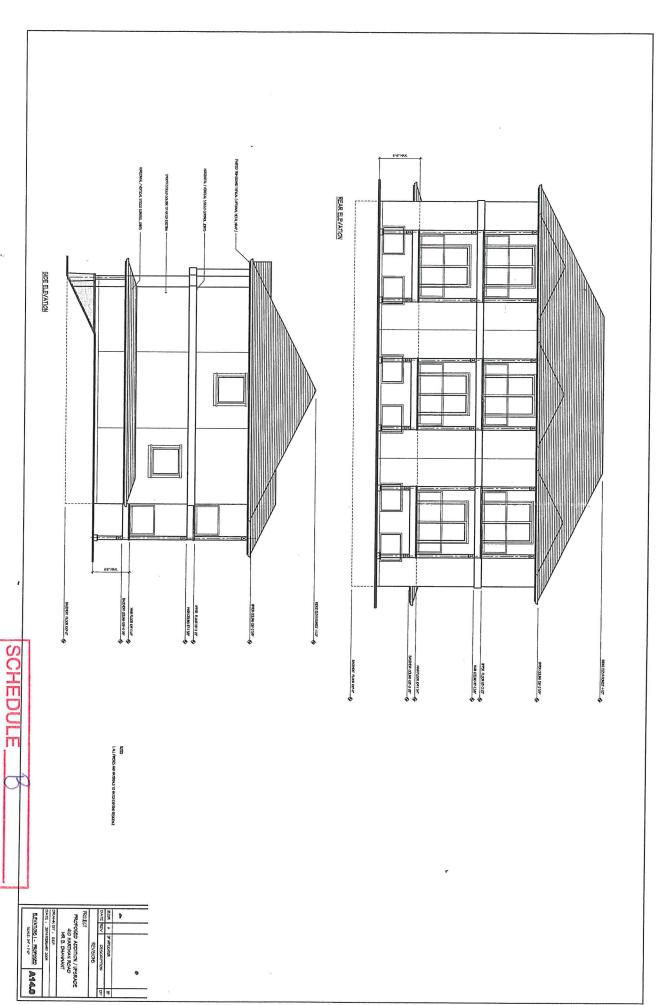




Permit #

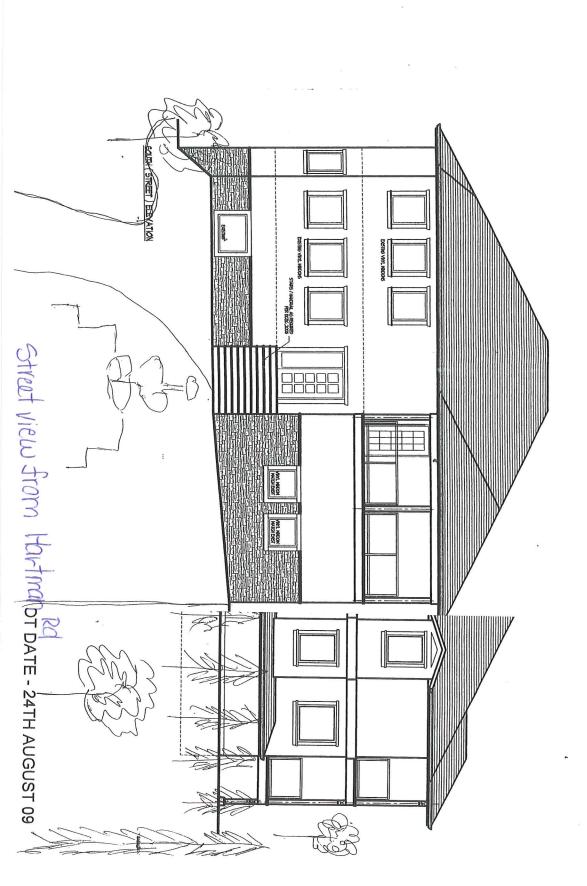
This forms part of development

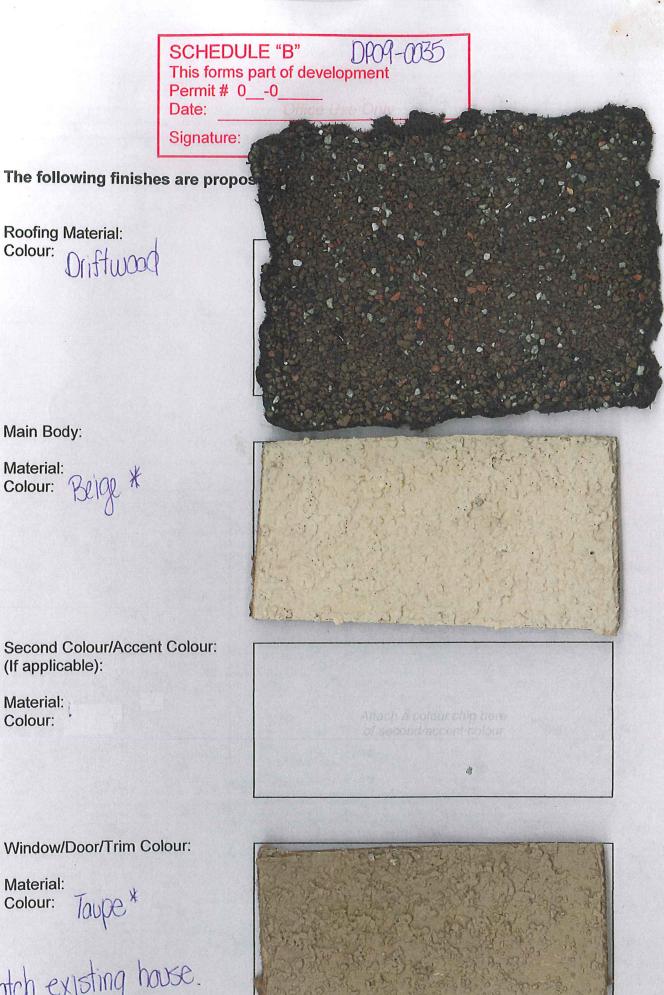
Permit # 0000-0055



September .

This forms part of development





colour: Taupe *

* to match existing house.

Roofing Material:

Colour:

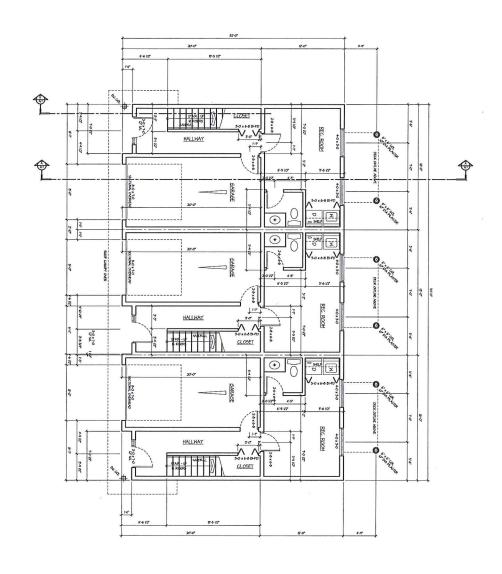
Main Body:

(If applicable):

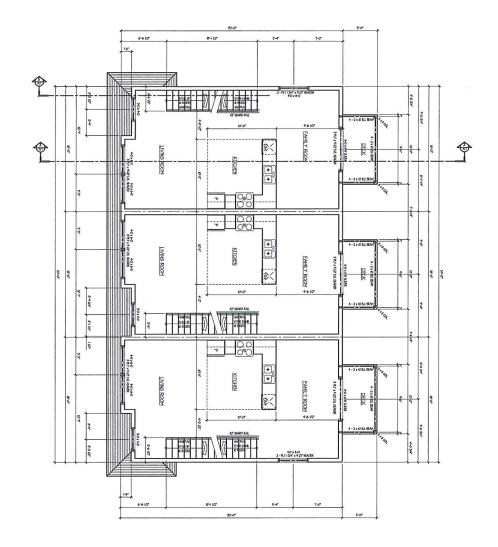
Material: Colour:

Material:

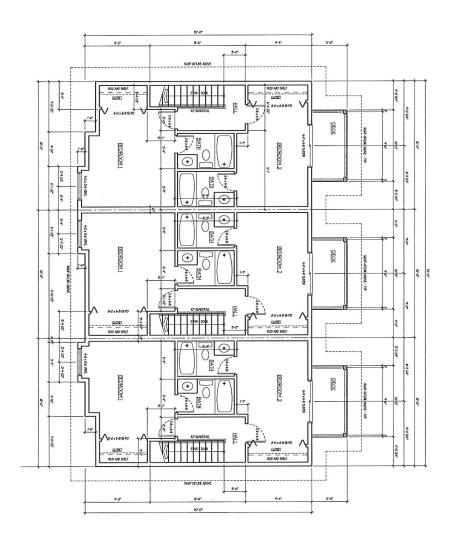
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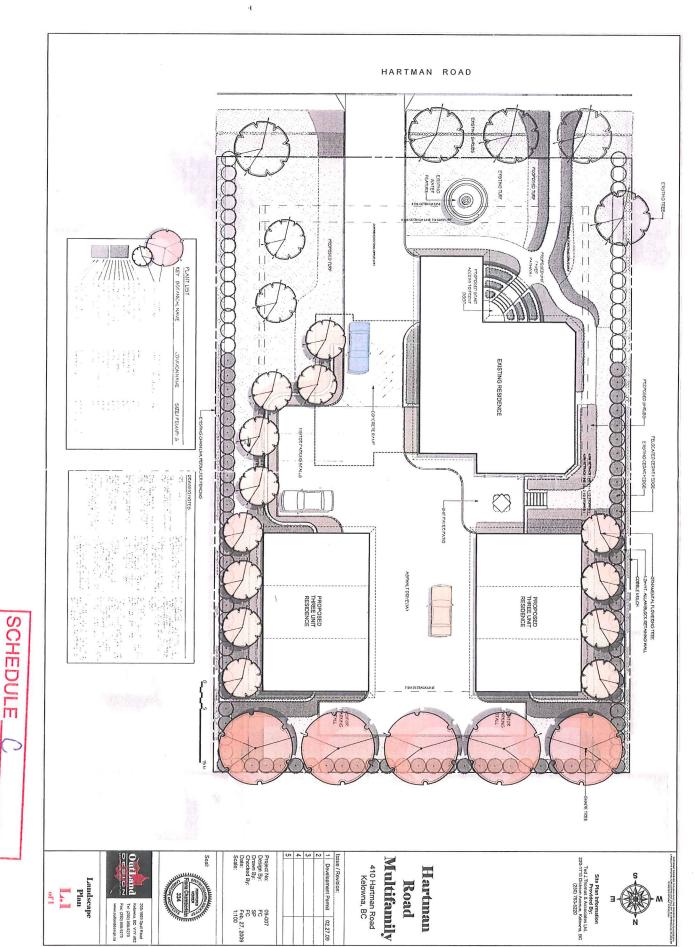
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A11.0	1		UPGRADE AD						
0	1					9	8	8	8



| 10.91 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.00



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ISSUED FOR DEVELOPMENT PERMIT 02.27.09

Permit #

This forms part of development







Subject property

Neighbouring developments