

Memo



Date: September 9, 2011
To: City Manager
From: Land Use Management, Community Sustainability (BD)
Application: DP09-0035 (Z09-0023) **Owner:** Bhupinder S. and Raj K. Dhanwant
Address: 410 Hartman Road **Applicant:** Bob Dhanwant
Subject: Supplemental Report
Existing OCP Designation: MRL - Multi Unit Residential (Low Density)
Existing Zone: RR3 - Rural Residential 3 zone
Proposed Zone: RM3 - Low Density Multiple Housing

1.0 Recommendation

THAT Council receives for information the Supplemental Report of the Community Sustainability Division dated September 9, 2011 with respect to the information requested from Staff for DP09-0035;

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

AND THAT Council 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. 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 conditions within 180 days of Council approval of the Development Permit Application, in order for the permit to be issued.

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2.0 Council Direction

At the July 26, 2010 regular meeting of Council, the following resolution was adopted:

That Council defer consideration of Development Permit Application No. DP09-0035 in order to allow the Applicant sufficient time to submit additional documentation /information as requested by Council.

Council requested the following:

- a) Obtain design input from a certified architect and/or urban design professional;
- b) Provide Council with the changes that have been made to the development proposal as a result of staff's concerns;
- c) Canvass the adjoining property owners/occupiers for their input; and
- d) Provide any additional information as requested by staff.

3.0 Land Use Management

Council considered the rezoning application and granted third reading to allow the RM3- Low Density Multiple Housing Zone for the subject property in December 2009. Subsequently in July 2010, Council considered the original Development Permit proposal which sought to construct 6 additional units in two buildings on the rear portion of the site behind the existing single family dwelling.

Staff did not support the original Development Permit application as the form and character of the development was considered insensitive infill and did not achieve the design guidelines as set out by the Official Community Plan. The property has the opportunity to be developed in a more sensitive form that is sympathetic to the established urban context of the neighbourhood and incorporate an aesthetically complimentary housing form.

In response to Council's direction, Staff have directed the applicant to rework the design. Accordingly the applicant responded with the following:

- a) A local residential designer reviewed the initial design and assisted in the layout of the units. However, the final site and building design was not been completed by a registered professional.
- b) A new reconfigured site plan was proposed which resulted in both a reduction in additional units being added and the siting location (details are provided below).
- c) Neighbourhood input with sought by the applicant by 3 open houses invitations back in August 2010 (see attachment A). No input was offered as no neighbours attended.

The revised plans more closely achieve the urban design objectives of the Official Community Plan (OCP). The OCP guidelines require that the massing and form of multi-family residential buildings be compatible with the rhythm of the established streetscape. Given that the applicant is unwilling to comprehensively redevelop the site and is retaining the existing single family dwelling, the proposed plan to site the additional units behind the single family dwelling does not affect the existing street rhythm. The revised plan also ensures that no blank walls are exposed to the streetscape, and that parking is contained within additional garages. Additionally, the outdoor open space provided has been reworked so that is programmed to be physically functional and to also accommodate outdoor planter gardens.

4.0 Revised Proposal

The scope of the project has been greatly revised from the original plan that Council considered previously. The total number of units has been reduced from 7 to 5 and the configuration of the buildings has been altered. The plan now proposes to construct an addition to the rear of the existing single family dwelling which will contain the additional four units. This addition will not be visible from the street, thereby not impacting the established streetscape of the neighbourhood. The proposal decreases the amount of land dedicated to drive isles and buildings and allows a greater portion of the site to be available to open space. Individual garden plots are being proposed giving the tenants to opportunity to cultivate their own gardens.

The revisions include the following proposed changes:

1. Reducing the number of units on the site from 7 to 5;
2. Reconfiguring the site plan to include an access point on the east side and retaining land on the west side for green space;
3. Enclosing the canopy of the single family dwelling to create a garage;
4. Relocating the entrance to the existing home and the current 2 car garage;
5. Revising the landscaping to include expanded garden space for the residents.

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

Zoning Bylaw No. 8000			
CRITERIA	ORIGINAL PROPOSAL	REVISED PROPOSAL	RM3 ZONE REQUIREMENTS
Subdivision Regulations			
Lot Area	2,189 m ²	2,189 m ²	900 m ²
Lot Width	38.41 m	38.41 m	30 m
Lot Depth	56.97 m	56.97 m	30 m
Development Regulations			
F.A.R.	0.565 (1236.8 m ²)	0.563 (1234.57 m ²)	0.5 plus 0.1 bonus for under building parking = 0.6
Site Coverage (buildings)	24.1 %	18.7% (410.4m ²)	40 %
Site Coverage (buildings/parking)	44.8 %	41.75%	50 %
Height (existing residence)	2.5 storeys / 9.25m	2.5 storeys / 9.25m	2.5 storeys / 9.5 m
Height (proposed dwellings)	2.5 storeys / 8.89 m	2.5 storeys / 8.89 m	2.5 storeys / 9.5 m
Front Yard	9.15 m	7.93 m	4.5 m or 6.0 m to a garage
Side Yard (east)	5.41 m	9.15 m	4.5 m (2 - 2 ½ storey)

	Development Regulations		
Side Yard (west)	5.41 m	5.18 m	4.5 m (2 - 2 ½ storey)
Rear Yard	7.5 m	7.5 m	7.5 m
Separation Distance Between Buildings	3.0 m	none	3.0 m
	Other Requirements		
Parking Stalls (#)	12 spaces	11 spaces	1.5 per 2-bedroom dwelling = 6 plus 2 per 3 bedroom or more = 2 1 visitor parking stall for every 7 units = 1 for a total of 9 required
Private Open Space	48.4 m ² for each rear unit Plus 274 m ² front yard space for existing residence	31.5m ² - 34.2m ² per unit plus 274 m ² front yard space for existing residence And greater than 580m ² rear common outdoor space	25 m ² for dwellings with more than 2 bedroom for a total of 125m ²
Landscape Buffering		Meets minimum requirements	3.0m vegetative buffer in front 3.0m to separate uses from adjacent properties for sides and rear


Notably, the delay in forwarding this supplemental report to Council was at the direction of the applicant who requested additional time to explore senior government grant options to assist with financial support, in addition to the applicant completing the Development Engineering Branch requirements.

6.0 Technical Comments (Updated for the Building Department review)

6.1 Building & Permitting Department

1. The shared wall between units must have a minimum 1hr fire resistance rating and a STC (Sound Transmission Class) of 50.
2. The horizontal distance from an opening in one wall to an opening in the other wall shall be not less than 1.2m, where the openings are in different fire compartments. The exterior wall of each fire compartment within the 1.2m distance shall have a fire resistance rating not less than that required for the interior vertical fire separation between the compartment and the remainder of the building.

Report prepared by:



Birte Decloux, Urban Land Use Planner

Reviewed by:



Danielle Noble Manager, Urban Land Use Management

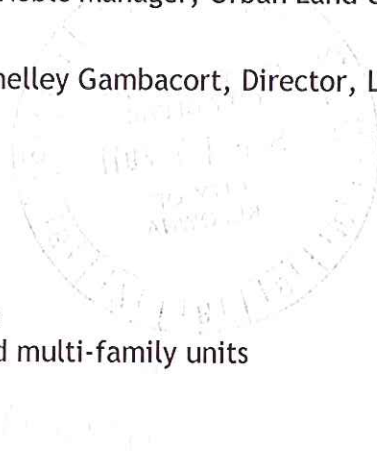
Approved for Inclusion:



Shelley Gambacort, Director, Land Use Management

Attachments:

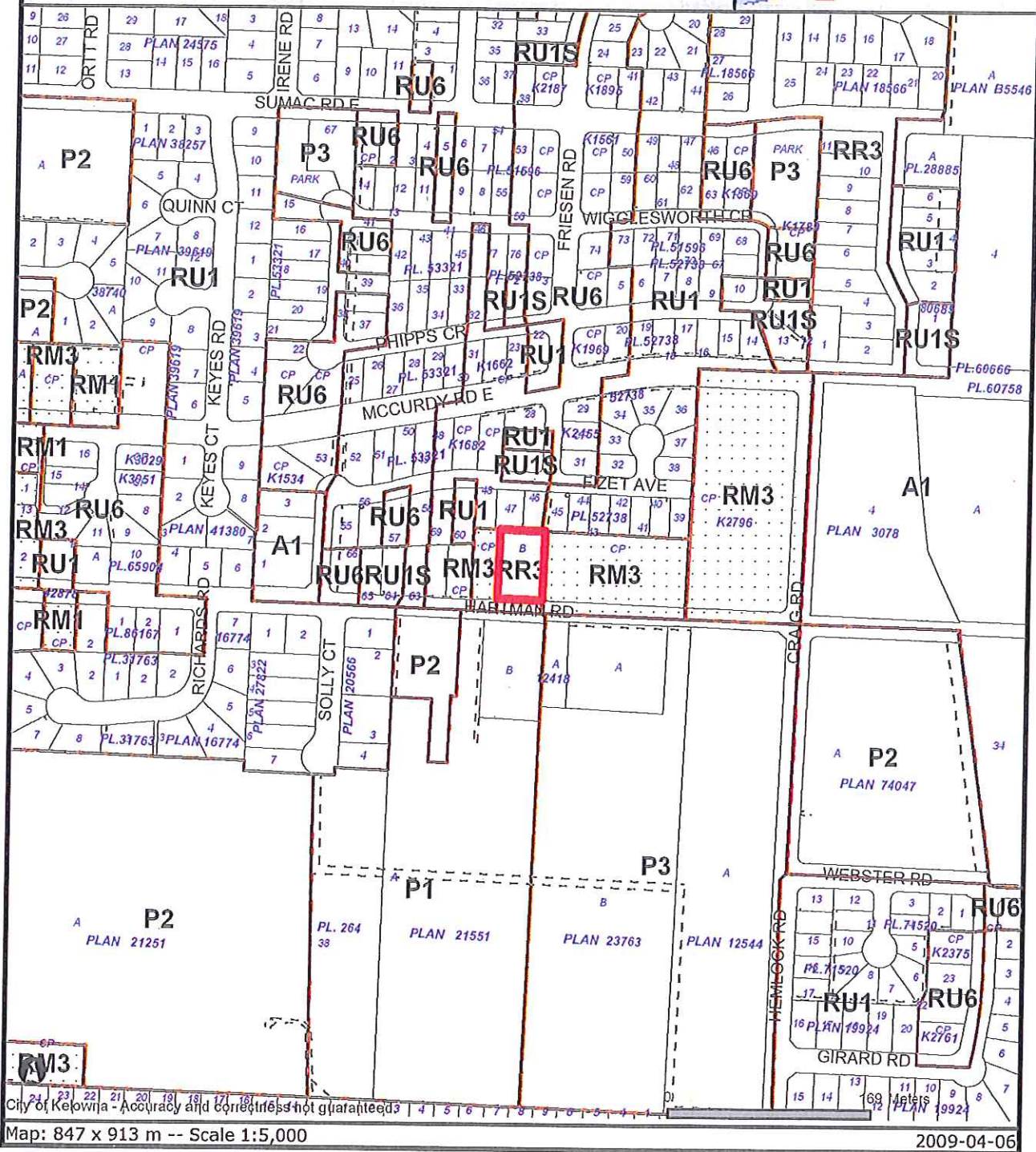
- Site Plan
- Attachment "A"
- Existing SFD elevations and floor plans
- Elevations and floor plans for proposed multi-family units
- Context/Site Photos



Application Z09-0023 & DP09-0035



Subject Property

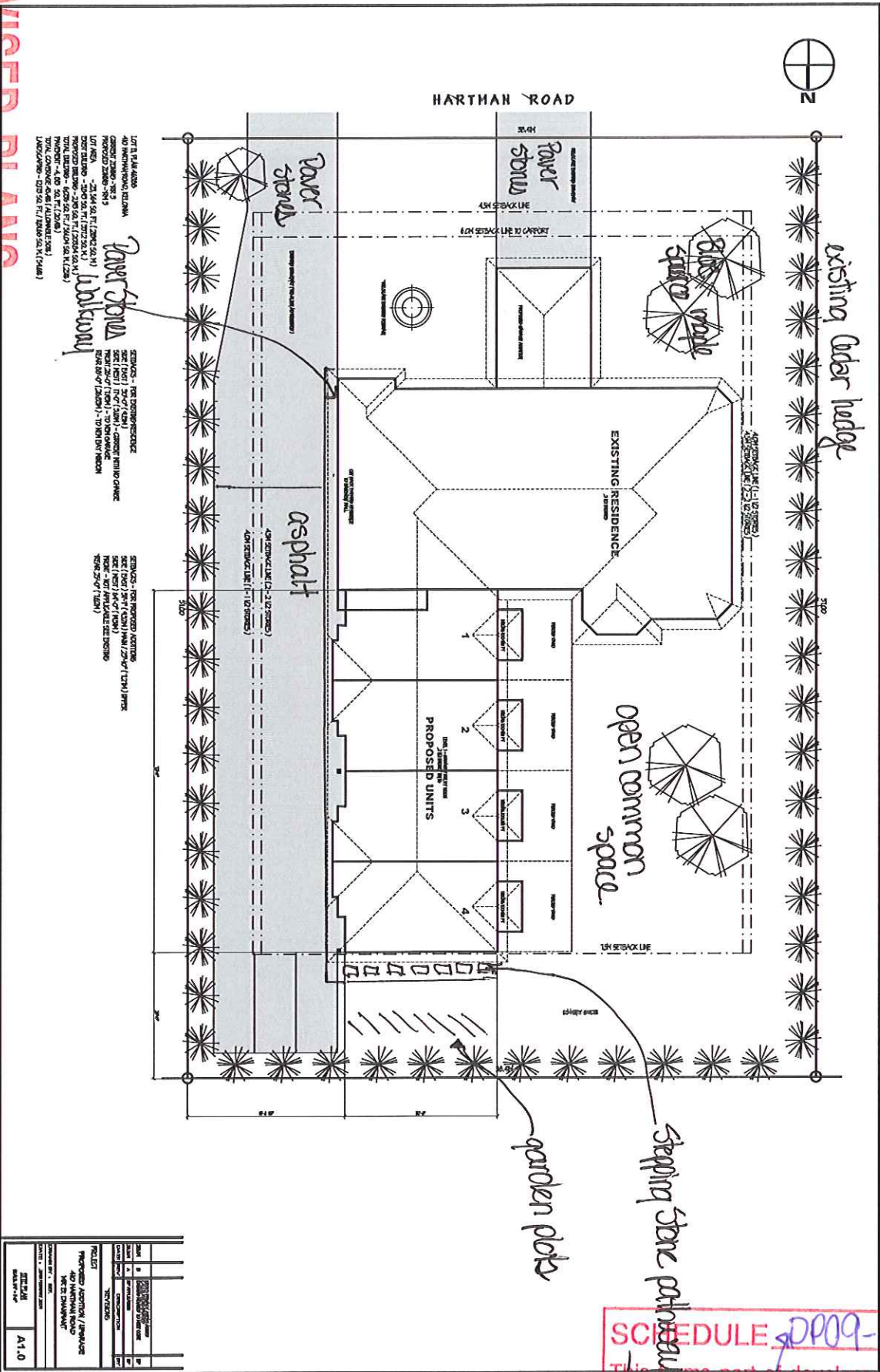


City of Kelowna - Accuracy and correctness not guaranteed

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.

NOV 17 2010

REVISED PLANS



LOT 161A, BLOCK 400
400 HORNBY ROAD, KELOWNA
PROPOSED ZONE - S-15
LOT AREA - 28,154 SQ. FT. (258'2" X 110'
DOCK BUILDING - 20'0" X 20'0" (7'10" X 7'10")
TRAILER - 4'0" X 20'0" (12'6" X 61'0")
TOTAL CONCRETE AREA (ALL UNITS) - 1,400 SQ. FT. (12,844)
LANDSCAPING - 200' X 20' (4,000 SQ. FT. (368.8))

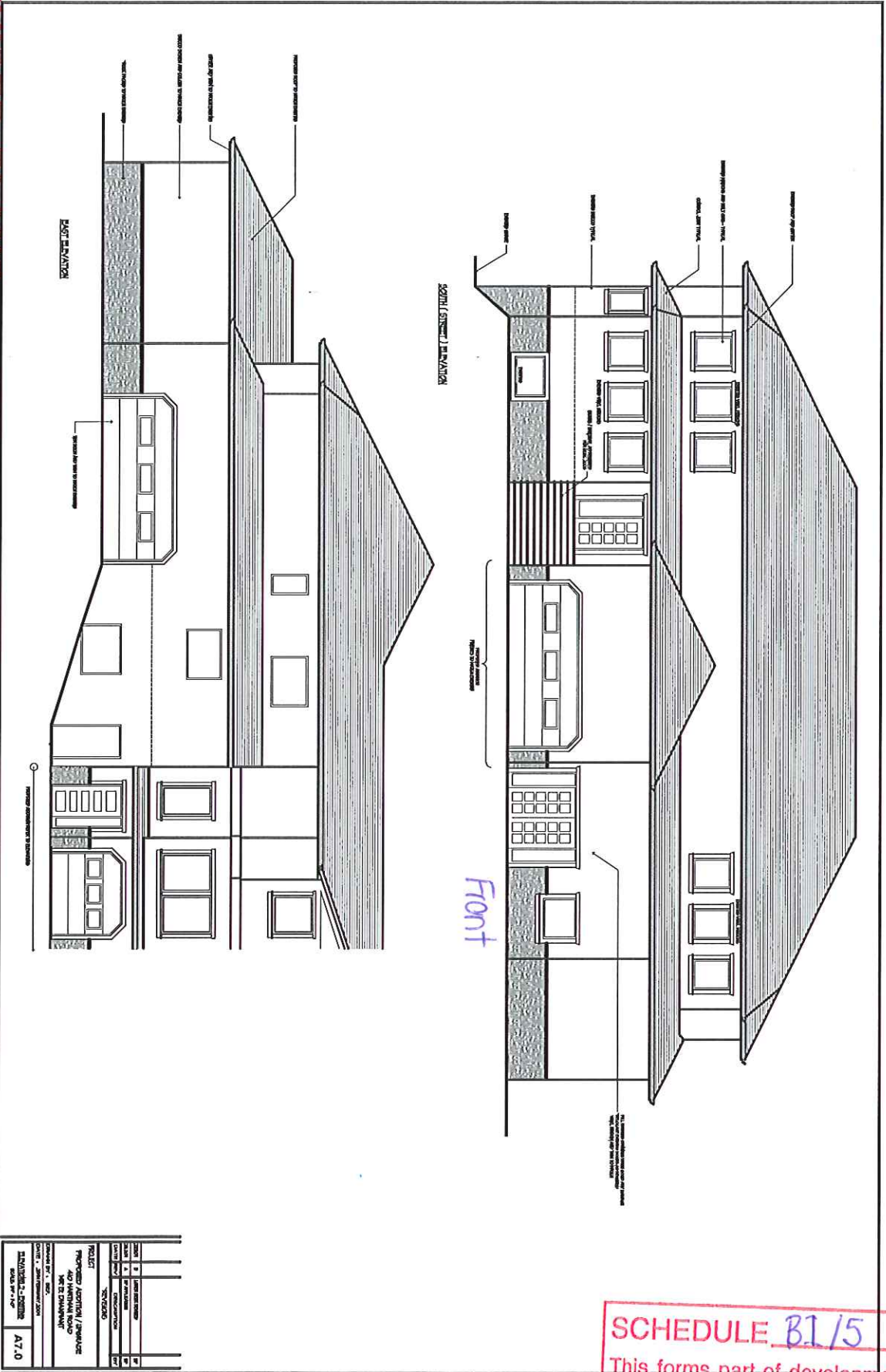
SETBACKS - PER DEVELOPER'S REQUEST
FRONT - 15.0 M (49.2 FT.)
SIDE - 1.5 M (4.9 FT.)
REAR - 1.5 M (4.9 FT.)
SIDE OF LOT (N) - 1.5 M (4.9 FT.)
SIDE OF LOT (S) - 1.5 M (4.9 FT.)

SETBACKS - PER DEVELOPER'S REQUEST
FRONT - 15.0 M (49.2 FT.)
SIDE - 1.5 M (4.9 FT.)
REAR - 1.5 M (4.9 FT.)
SIDE OF LOT (N) - 1.5 M (4.9 FT.)
SIDE OF LOT (S) - 1.5 M (4.9 FT.)

NO.	REVISION	DATE	BY
1	ISSUED FOR PERMITTING	NOV 17 2010	[Signature]
2	REVISED PLAN		
3			
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SCHEDULE DP09-0035
This forms part of development
Permit # A8C

Single Family Dwelling



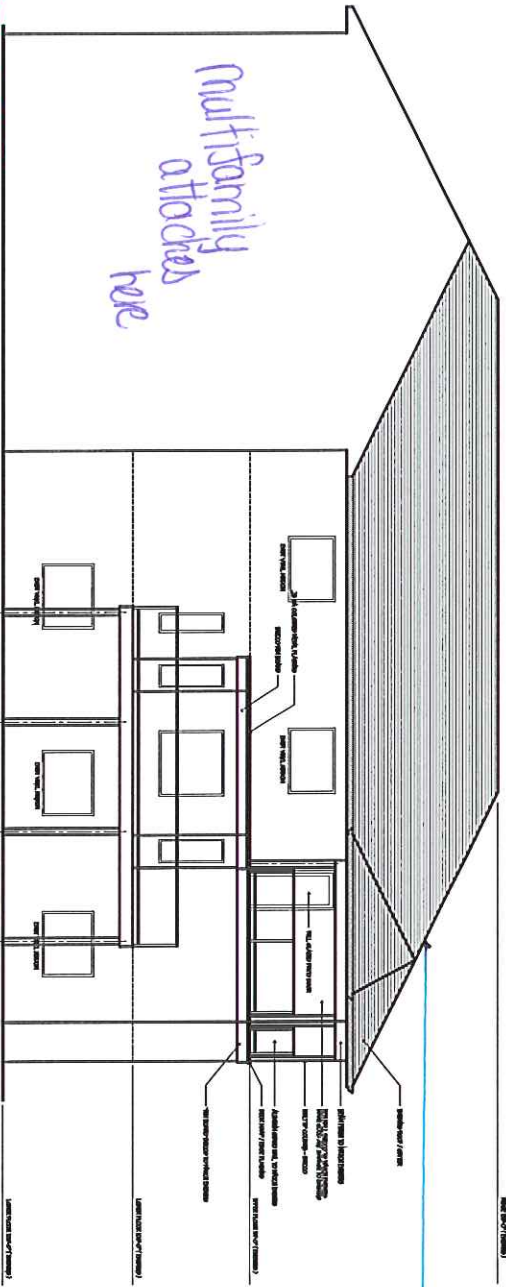
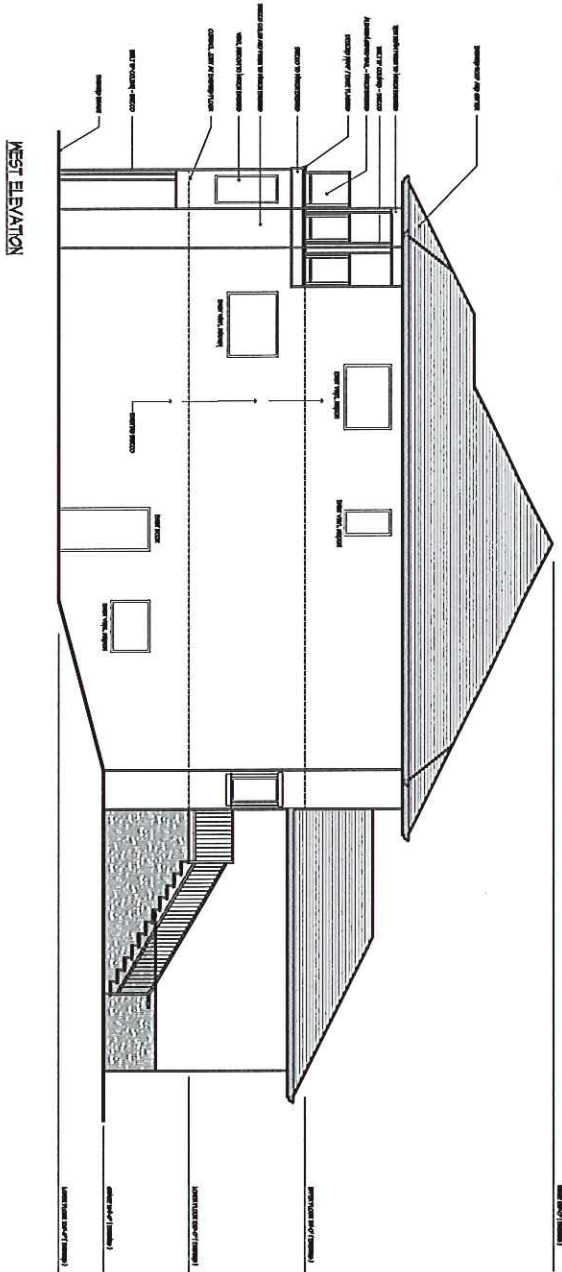
REVISED PLANS

NOV 17 2010

CITY OF KELOWNA
Land Use Management

SCHEDULE B1/5
This forms part of development
Permit # DP09-0035

Single Family Dwelling



Multifamily
attaches
here

Rear Elevation

9.25m

SCHEDULE B2/5
This forms part of development
Permit # DP09-0035

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	10/20/09
2	REVISION	11/17/10
3	REVISION	11/17/10
4	REVISION	11/17/10
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6	REVISION	11/17/10
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9	REVISION	11/17/10
10	REVISION	11/17/10

PROJECT: PROPOSED ADDITION / RENOVATION
440 HANCOCK ROAD
WILLOWDALE, ONTARIO
L4Y 4P4

EXAMINER'S SIGNATURE: [Signature]
DATE: 11/17/10

AG.0

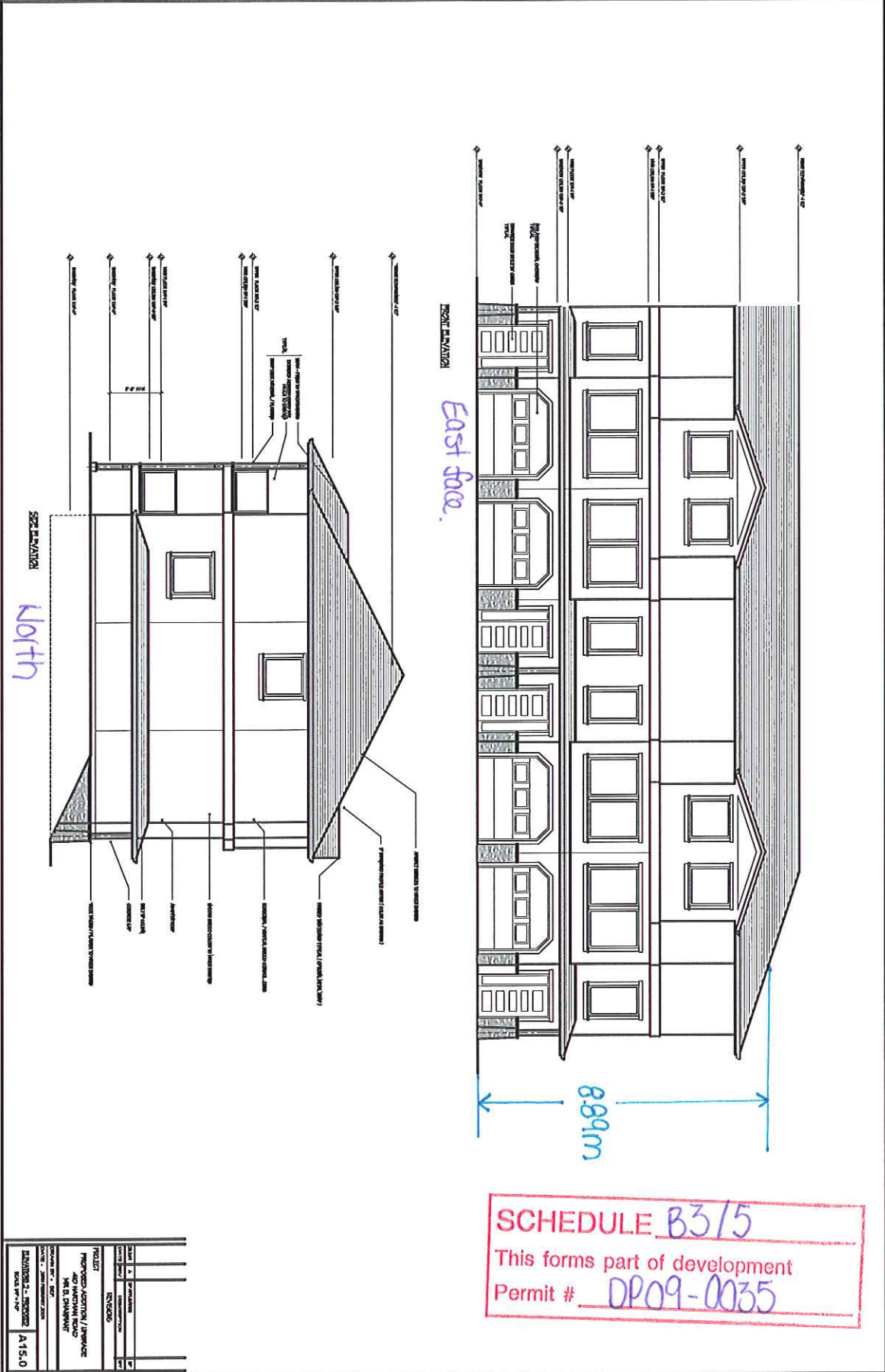
REVISED PLANS NORTH ELEVATION

NOV 17 2010

CITY OF KELOWNA
Land Use Management

NOV 17 2010

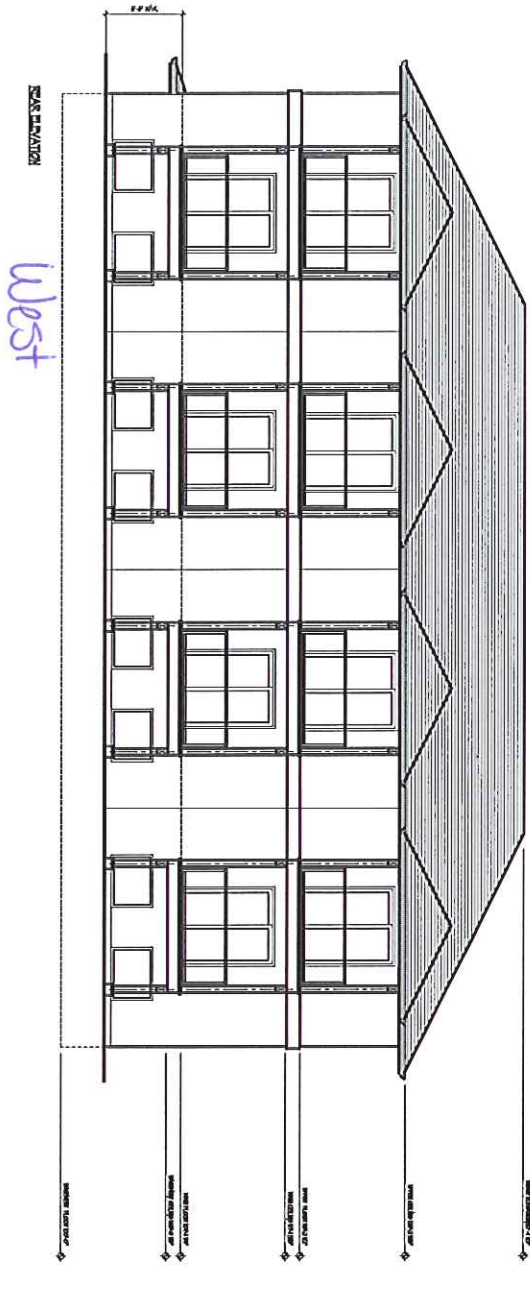
REVISED PLANS



REVISED PLANS

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CITY OF KELOWNA
Land Use Management



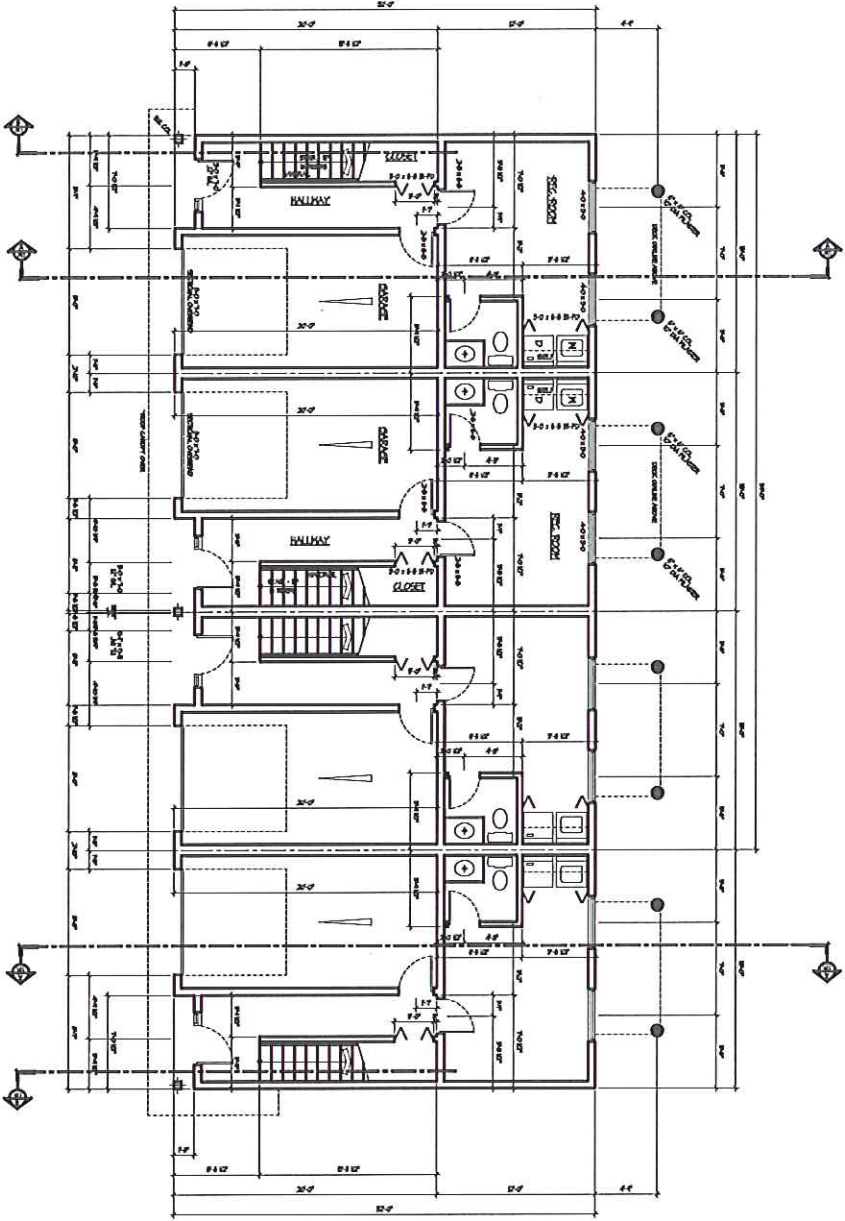
SCHEDULE B415
This forms part of development
Permit # 0P09-0035

NO. 1	PROPOSED	DATE	11/17/2010
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NO. 3	REVISION	DATE	
NO. 4	REVISION	DATE	
NO. 5	REVISION	DATE	
PROJECT: PROPOSED AIRPORT / AIRFIELD AND WINDMILL ROAD			
PROJECT NO.: 1101100000			
DRAWN BY: [UNRECOGNIZABLE]			
CHECKED BY: [UNRECOGNIZABLE]			
APPROVED BY: [UNRECOGNIZABLE]			
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SCALE: 1/8" = 1'-0"			

REVISED PLANS

NOV 17 2010

CITY OF KELOWNA
Land Use Management

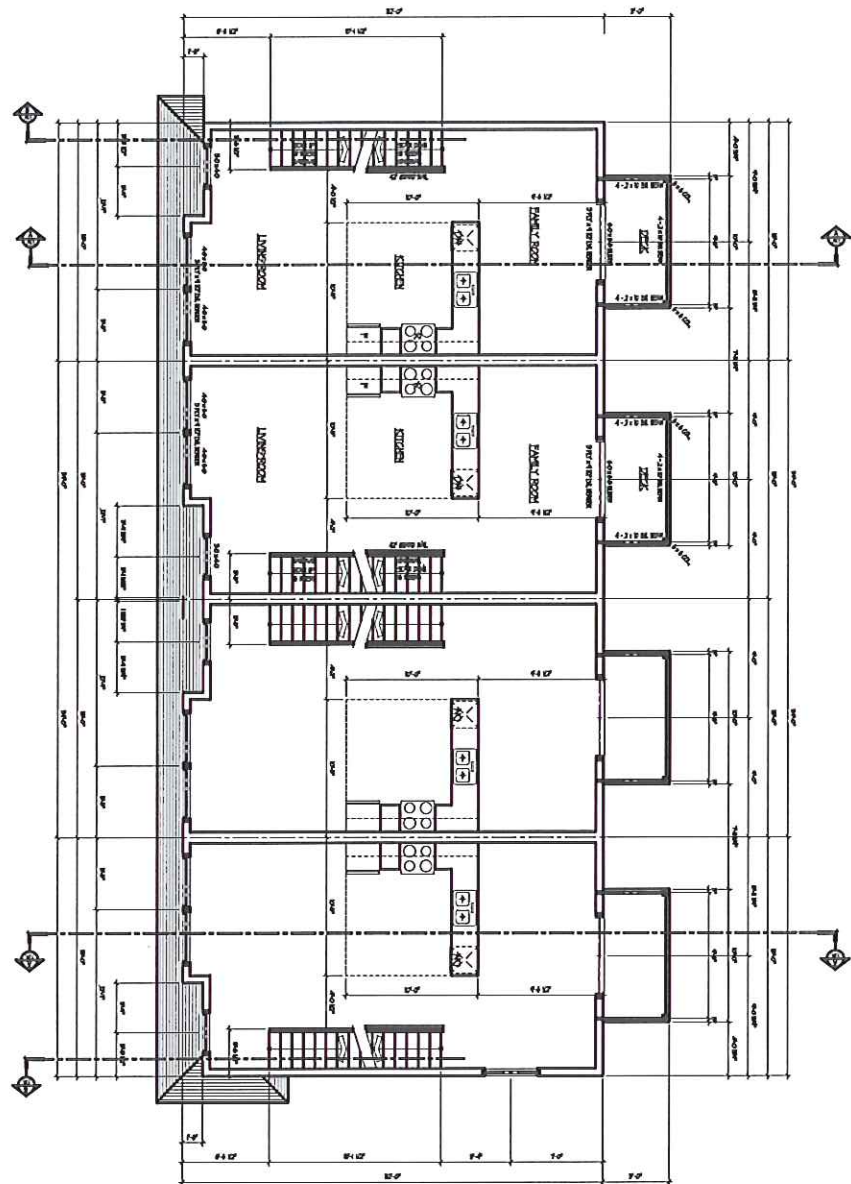


NO. 1	GENERAL NOTES	1
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NO. 5	ROOF PLAN	5
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NO. 100	SECTION QQ-QQ	100

PROJECT: PROPOSED APARTMENT / LIVING AND WALKWAY BUILDING FOR 12 UNITS
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 KELOWNA, BC V1Y 9A9
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 DATE: [Date]
 SHEET NO.: A11.0

NOV 17 2010

REVISED PLANS



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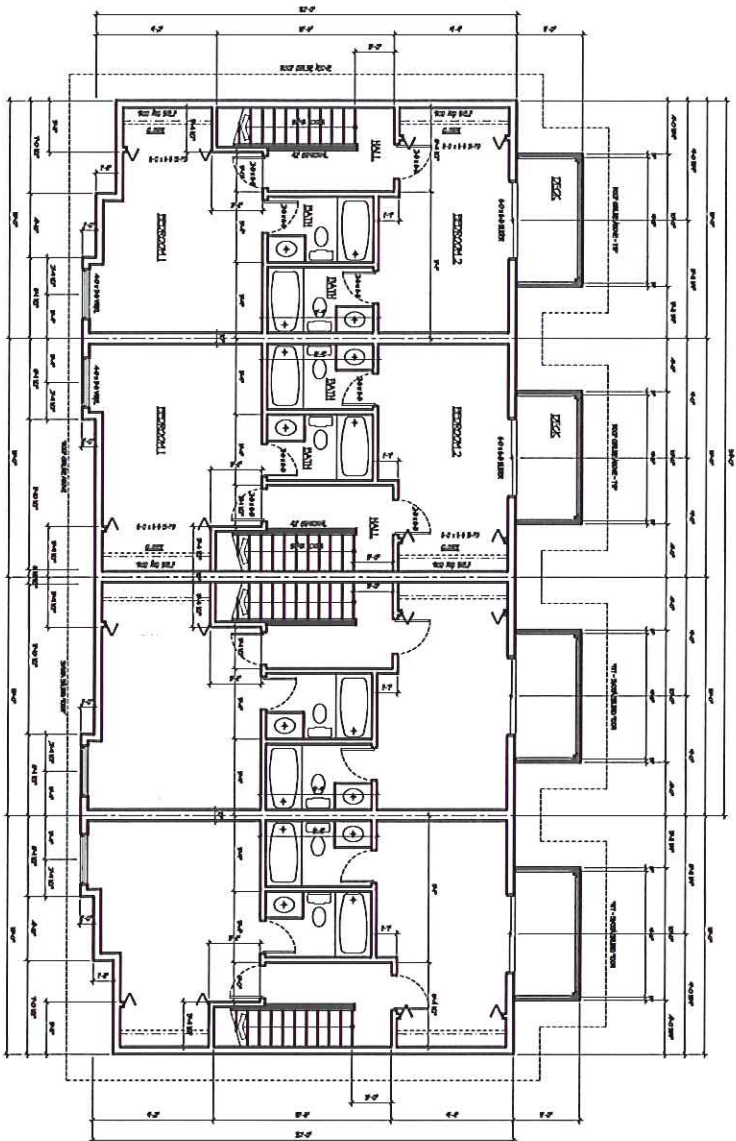
PROJECT: PROPOSED APARTS / DUPLEX
400 HANCOCK ROAD
N.W. SHANNON
N.W. SHANNON

DATE: 11/17/10
SCALE: 1/4" = 1'-0"

A12.0

NOV 17 2010

REVISED PLANS



NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	NOV 17 2010
2	REVISED PER PLAN NO. A13.0	
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PROJECT: PROPOSED APARTS / RESIDENCE
 402 MANOVIK ROAD
 N.E. DIVISION

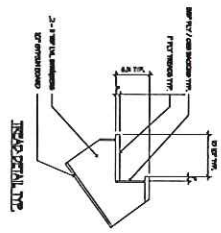
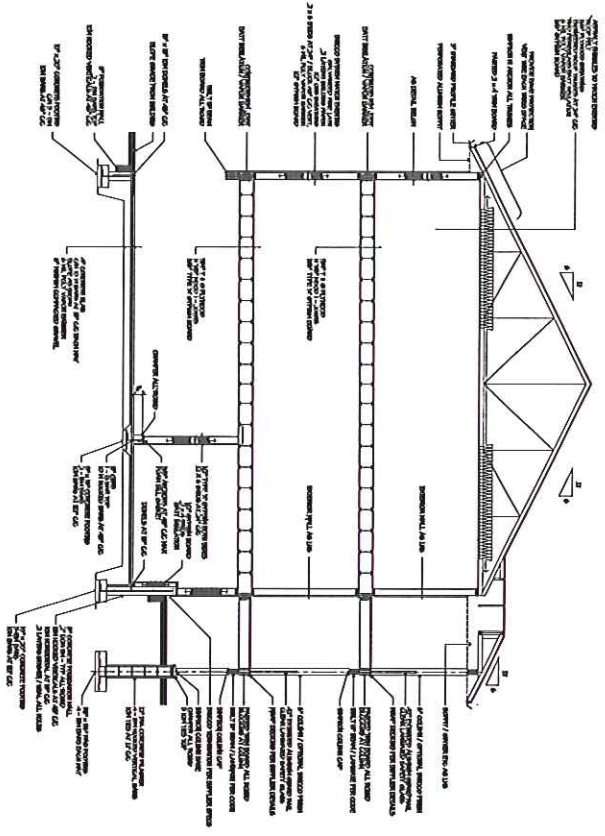
DRAWN BY: J. B. BROWN
 CHECKED BY: J. B. BROWN
 DATE: 11-17-10

CONSULTING ENGINEER: J. B. BROWN
 LICENSE NO.: A13.0

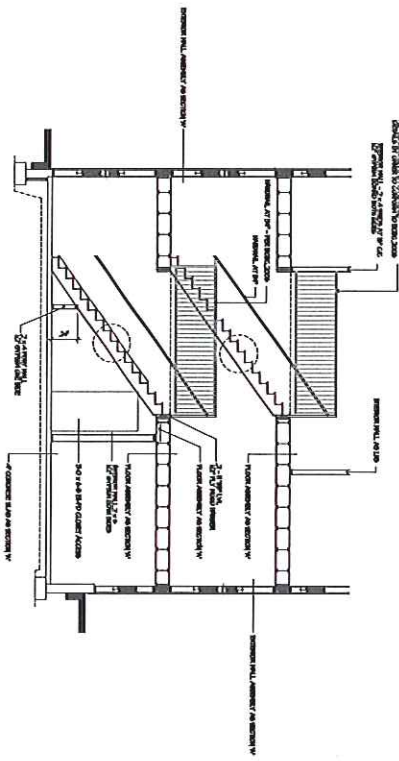
NOV 17 2010

REVISED PLANS

SECTION A - A



SECTION B - B



PROJECT	PROPOSED ADDITIONAL / IMPROVED 400' MARCHAL ROAD
CLIENT	MEL ENHART
DATE	NOV 17 2010
SCALE	A 1/4" = 1'-0"
PROJECT NO.	2010-001
DATE	NOV 17 2010
SCALE	A 1/4" = 1'-0"

SCHEDULE "B" 5/5 DP09-0035

This forms part of development

Permit # 0__-0__

Date: _____

Signature: _____

The following finishes are proposed

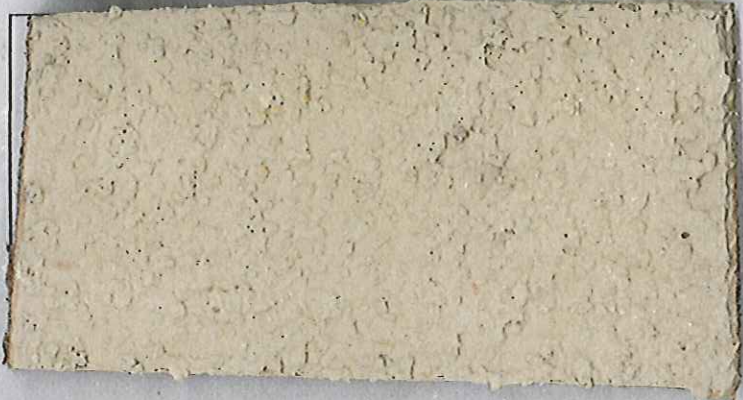
Roofing Material:

Colour: *Driftwood*



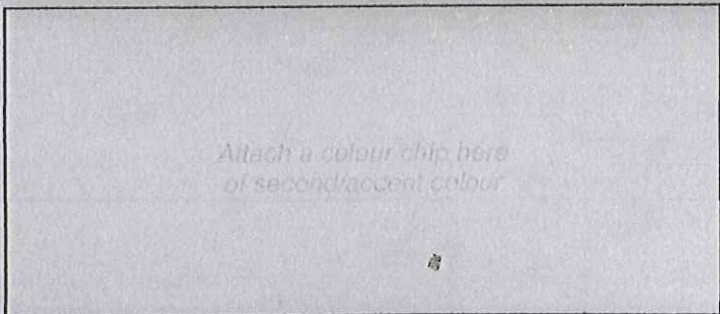
Main Body:

Material:
Colour: *Beige **



Second Colour/Accent Colour:
(If applicable):

Material:
Colour:

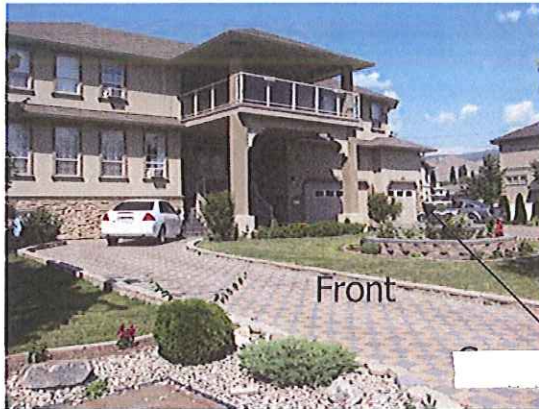


Window/Door/Trim Colour:

Material:
Colour: *Taupe **

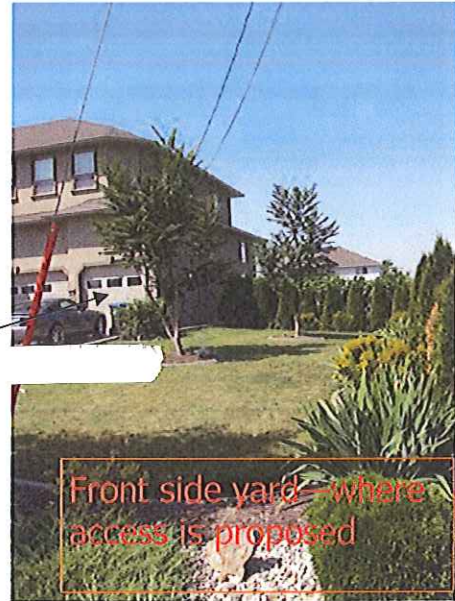


** to match existing house.*



Front

410 Hartman existing dwelling



Front side yard—where access is proposed

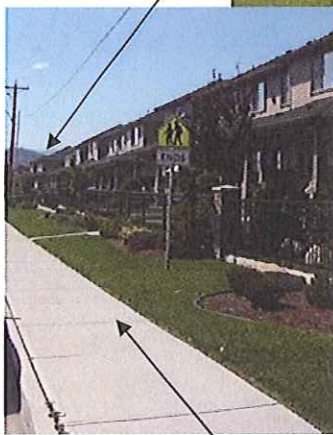


Back



East

Subject property



Neighbouring developments



Bhupinder S. (BOB) and Raj K. Dhanwant

**410 Hartman Road
Kelowna, British Columbia V1X 2N1**

ATTACHMENT A

250 718-4279

August 10, 2010

City of Kelowna
City Clerks Office
1435 Water Street
Kelowna, BC V1Y 1J4

RE: Development Permit Application No. DP09-0035 – Bhupinder S.(BOB) & Raj K. Dhanwant – 410 Hartman Road, Kelowna, British Columbia

This letter is to confirm our understanding that Council will defer consideration of the Development Permit Application described above, until we have sufficient time to submit the additional documentation and information as requested by Council at the Regular Council Meeting held on Monday July 26, 2010.

I just received the letter dated July 27, 2010 from Ms. Sandi Horning, Council Recording Secretary, detailing the 4 concerns of council would like addressed.

I am actively acquiring the information and documentation as listed being:

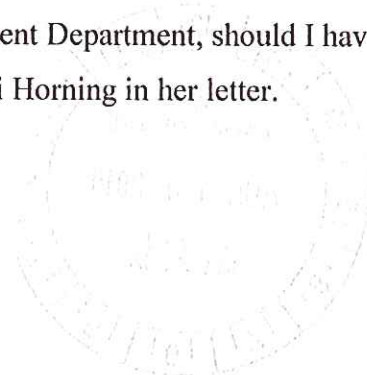
- a.) Obtain input from a certified architect and / or urban design professional;
- b.) Provide Council with the changes that have been made to the development proposal as a result of staff's concerns;
- c.) Canvass the adjoining property owners/occupants for their input; by August 22, 2010 and
- d.) Provide any additional information as requested by staff.

I will contact Ms. Birte Decloux of the Land Use Management Department, should I have any questions regarding the forgoing, as requested by Ms. Sandi Horning in her letter.

Respectfully Submitted,

Bhupinder K. (BOB) Dhanwant

Applicant 



Bhupinder S. (BOB) and Raj K. Dhanwant

**410 Hartman Road
Kelowna, British Columbia V1X 2N1**

250 718-4279

August 11, 2010

**To: Neighbours and Adjoining Property of 410 Hartman Road, Kelowna, and;
City of Kelowna Mayor and Council and Staff**

City Clerks Office
1435 Water Street
Kelowna, BC V1Y 1J4

**RE: Invitation to View and submit input regarding Development Permit Application No.
DP09-0035 – Bhupinder S.(BOB) & Raj K. Dhanwant – 410 Hartman Road,
Kelowna, British Columbia**

This letter is to confirm our understanding that Council will defer consideration of the Development Permit Application described above, until we have sufficient time to submit the additional documentation and information as requested by Council at the Regular Council Meeting held on Monday July 26, 2010.

City Council has requested that the said Applicant canvass the adjoining property owners / or occupiers for their input. A Public Hearing was held on December 01, 2009 at City Hall. **This is an Invitation to View the Proposed Development, Friday August 20, 2010; or Saturday August 21, 2010 and Sunday August 22, 2010 between the hours of 3:00 p.m. thru 7:00 p.m. at the location of the proposed development site - 410 Hartman Road, Kelowna, BC.**

Should you have any issues or concerns, please write them down and provide your name, address and phone number, if you cannot attend during the official viewing times, and return to the Applicant at 410 Hartman Road, Kelowna, BC, on or before August 22, 2010.

Thank you.

Bhupinder K. (BOB) Dhanwant
Applicant for Proposed Development