

# REPORT TO COUNCIL



**Date:** December 4, 2018

**RIM No.** 0940-00

**To:** City Manager

**From:** Community Planning Department (TA)

**Application:** DP18-0142 & DVP18-0143      **Owner:** Boynton Developments  
(Kelowna) Ltd.  
Inc. No. BC1118228

**Address:** 665 Boynton Place      **Applicant:** Brook Knowles Melchin

**Subject:** Development Permit & Development Variance Permit

Existing OCP Designation: MRM – Multiple Unit residential (Medium Density)

Existing Zone: RM4 – Transitional Low Density Housing

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## 1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP18-0142 and Development Variance Permit No. DVP18-0143 for Lot 5 Sections 31 and 32 Township 26 ODYD Plan KAP86216, located at 665 Boynton Place, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in 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 Registered Landscape Architect;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:

**Section 13.10.6(d): RM4 – Transitional Low Density Housing Development Regulations**

To vary the required minimum front yard from 6.0 m required to 1.5 m proposed;

**Section 13.10.6(e): RM4 – Transitional Low Density Housing Development Regulations**

To vary the required minimum flanking side yard from 4.5 m required to 1.5 m proposed;

**Section 13.10.6(f): RM4 – Transitional Low Density Housing Development Regulations]**

To vary the required minimum rear yards from 9.0 m required to 7.5 m and 1.3 m proposed;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permits to be issued;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

**2.0 Purpose**

To consider the form and character of a multi-family development with variances to the front yard (4.5 m required to 1.5 m proposed), flanking side yard (4.5 m required to 1.4 m proposed), and rear yards (9.0 m required to 1.3 m and 7.5 m).

**3.0 Community Planning**

Community Planning supports the proposed Development Permit and associated variances as it is in general accordance with the Official Community Plan (OCP) Comprehensive Design Guidelines (Attachment "A"), and the variances will have minimal impact on any adjacent neighbours.

The proposed ground-oriented design achieves the following form and character objectives:

- Convey a strong sense of authenticity through urban design that is distinctive for Kelowna;
- Promote a high urban design standard and quality of construction for future development that is coordinated with existing structures;
- Integrate new development with existing site conditions and preserve the character amenities of the surrounding area;
- Promote interesting, pedestrian friendly streetscape design and pedestrian linkages;
- Incorporate architectural features and detailing of buildings and landscapes that define an area's character;
- Promote alternative transportation with enhanced streetscapes and multimodal linkages;
- Moderate urban water demand in the City so that adequate water supply is reserved for agriculture and for natural ecosystem processes.

The primary consideration of the proposed development is the quality of architectural design on the street frontages along with the ground-oriented units to create a pedestrian friendly streetscape. In order to achieve entrances along the streetscape, several variances are requested and supported by Community Planning Staff.



*Figure 1: Conceptual rendering of site layout*

#### **4.0 Proposal**

##### **4.1 Background**

The subject property was rezoned in the early 2000's as part of a comprehensive development plan for the area. At that time, maximum densities were registered on title for all phases of the development as part of the Knox Mountain - Kathleen Lake acquisition. Subsequently, several of the neighbouring properties have developed over the years, while this subject property has remained undeveloped.

In pre-application meetings with Staff, the applicant was given direction to design ground-oriented units facing Boynton Place and Highpointe Drive, rather than have main entrances to the units on the interior strata roads. This is consistent with other multi-family rowhouse developments, and consistent with OCP Policy for ground-oriented housing.

##### **4.2 Project Description**

The proposed development is for 120 units in rowhouse and stacked rowhouse forms. This is consistent with the unit density that was established at the time of rezoning and registered on title in 2008. There are 23 one-bedroom units and 97 two-bedroom units with 190 parking stalls in garages, structured parking, and at surface level. All parking stalls are sized Medium or Full Size and 17 visitor stalls are dispersed throughout the site.

There are two accesses to the site from Boynton Place, and all cul-de-sacs have been designed to meet Kelowna Fire Department requirements for access and turning radius. The site also features community gardens, a tot lot, and a gazebo look out area for the residents. Due to the sloping site, there are several retaining walls identified at 1.2m or less. The landscape plan includes tree plantings along both street frontages and a mix of trees and shrubs on site. Landscaping will be used to screen Molok Garbage System containers which are semi-buried into the ground and do not require fencing.



*Figure 2: Conceptual rendering from Boynton Place*

The units have been designed with ground-oriented entrances facing both streets to provide a pedestrian scaled streetscape as is typical of a rowhouse design. The design is a mix of contemporary style with arts and crafts details. Efforts have been made to break up wall surfaces and rooflines with changes of materials and stepped building forms. The buildings are primarily two stories with 3<sup>rd</sup> story walk outs where appropriate with the site grading. The applicant has selected a colour palette with natural wood and stone, contrasted with white trim, charcoal panels, and stucco. Heavy timber is used to support roof forms and balconies.



*Figure 3: Conceptual rendering from Highpointe Drive*

#### 4.3 Variances

In pre-application meetings with Staff, the applicant was given direction to design ground-oriented units facing Boynton Place and Highpointe Drive, rather than have main entrances to the units on the interior strata roads. This is consistent with other multi-family rowhouse developments, and consistent with OCP Policy for ground-oriented housing. In order to achieve the desired streetscape, several setback variances are requested that are consistent with other rowhouse developments.

The buildings vary between two and three stories across the whole site, and therefore the variances requested apply to the three storey setback regulation as it is greater than the two and half storey setback regulation. The applicant has requested a front yard setback variance along Boynton Place from 6.0m required to 1.5m proposed. The building faces are setback 3.0m from the property line and the timber balconies project to 1.5m along this road frontage. A second variance is requested along Highpointe Drive from 4.5m required to 1.4m proposed. Similar to the front yard variance, the buildings are setback to 3.0m and the balconies project to the 1.4m. The third variance is to vary the rear yard setback (east) along the storm water retention pond from 9.0m required to 1.3m requested. Again, the buildings are setback to 3.0m with balconies projecting to 1.3m. All of these variances contribute to a positive streetscape by orienting the entrances and fronts of buildings to the public areas rather than to the internal strata road. The variances will have minimal impact as they do not impact adjacent neighbours.

The final variance is to the rear yard setback (east) along the neighbouring townhome development known as Winsome Hill. The regulations for a rear yard setback in the RM4 zone is a 7.5m setback for portions of a



building under two and a half storeys, and 9.0m for portions of a building 3 storeys or higher. Due to the sloping site, portions of the buildings are two storeys and portions of the buildings are three stories. The applicant has requested a setback variance to 7.5m along this property line to be consistent with the portions of the buildings that are two storeys. This variance will have minimal impact on the adjacent neighbours as it is primarily the sides of the buildings that face this property line with minimal windows and no balconies directed toward the property line.

#### 4.4 Site Context

The subject property is located in Glenmore-Clifton-Dilworth City Sector, on the west side of Clifton Road. It is located in a phased development at the base of Knox Mountain and is adjacent to a similar rowhouse development known as Winsome Hill.

#### Subject Property Map: 665 Boynton Place



#### 4.5 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM4 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Floor Area Ratio	0.85	0.82
Site Coverage (buildings)	50%	34.7%
Site Coverage (including buildings, driveways, and parking areas)	60%	60%
Height	13.0 m / 3 storeys	10.0 m – 12.0 m / 2 – 3 storeys
Front Yard – Boynton Pl (west)	6.0 m	1.5 m to balconies ❶

Flanking Side Yard – Highpointe Dr (south)	4.5 m	1.4 m to balconies <sup>②</sup>
Rear Yard – Retention Pond (east)	9.0 m	1.3 m to balconies <sup>③</sup>
Rear Yard – Adjacent Property (east)	9.0 m	7.5 m <sup>④</sup>
Side Yard – Adjacent Property (north)	2.3 m	2.3 m
<b>Other Regulations</b>		
Minimum Parking Requirements	1.5 / 2 bedroom = 137 stalls 1.25 / 1 bedroom = 36 stalls 1 / 7 unit visitor = 17 stalls <b>Total: 190 stalls</b>	190 stalls
Parking Stall Ratio	Medium Maximum: 50% Full Size Minimum: 50%	Medium: 5% (10 stalls) Full Size: 95% (180 stalls)
Private Open Space	15.0 m <sup>2</sup> per 1 bedroom 25.0 m <sup>2</sup> per 2 bedroom <b>Total: 2710 m<sup>2</sup></b>	5283 m <sup>2</sup> (including balconies, patios, and common areas)
<sup>①</sup> Indicates a requested variance to front yard setback from 6.0 m required to 1.5 m proposed. <sup>②</sup> Indicates a requested variance to flanking street setback from 4.5 m required to 1.4 m proposed. <sup>③</sup> Indicates a requested variance to rear yard setback from 9.0 m required to 1.3 m proposed. <sup>④</sup> Indicates a requested variance to rear yard setback from 9.0 m required to 7.5 m proposed.		

## 5.0 Application Chronology

Date of Application Received: June 19, 2018  
Date Public Consultation Completed: August 24, 2018  
Date of Revised Drawings Received: September 20, 2018

**Report prepared by:** Trisa Atwood, Planner II

**Reviewed by:** Terry Barton, Urban Planning Manager

**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

### Attachments:

Attachment "A": Comprehensive Development Permit Design Guidelines  
Attachment "B": Applicant's Letter of Rationale  
DRAFT Development Permit No. DP18-0142 & Development Variance Permit No. DVP18-0143  
Schedule "A": Siting and Dimensions  
Schedule "B": Elevations and Materials  
Schedule "B": Landscape Plan