

REPORT TO COUNCIL



Date: August 23, 2022

To: Council

From: City Manager

Department: Development Planning

Application: DP22-0054/DVP22-0056

Owner: 1288666 BC Ltd., Inc. No.
BC1288666

Address: 630 Boynton Place

Applicant: Meridian Development Inc.

Subject: Development Permit and Development Variance Permit Application

Existing OCP Designation: C-NHD – Core Area Neighbourhood

Existing Zone: RM₄ – Transitional Low Density Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP22-0054 for a portion of Lot A Section 31 Township 26 ODYD Plan EPP98227 located at 630 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 Council authorizes the issuance of Development Variance Permit No. DVP22-0056 for a portion of Lot A Section 31 Township 26 ODYD Plan EPP98227 located at 630 Boynton Place, Kelowna, BC;

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

Section 13.10.7(b): RM₄ – Transitional Low Density Housing, Other Regulations

To increase the maximum permitted length of building frontage from 40.0 m required to 90.0 m proposed.

Section 7.5.9: Landscaping and Screening, Fencing and Retaining Walls

To increase the maximum height of a retaining wall from 1.2 m required to 3.0 m proposed.

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

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

2.0 Purpose

To issue a Development Permit and Development Variance Permit for the form and character of a residential development with variances to maximum building frontage and retaining wall height.

3.0 Development Planning

The property is one of the last large parcels to be developed in the area between Clifton Road and Knox Mountain Park on the former Marshall orchard lands. The property was the subject of a large parkland acquisition in 2004 to expand Knox Mountain Park to include the lands around Kathleen Lake. Part of the compensation package to the land owner was increased residential density allocation on the remaining developable lands along Clifton Rd to allow townhouses and low-rise apartments. This was provided through rezoning of the property to the RM4 – Low Density Multi-Family Zone with the provision that public access to the park would be provided through future trail connections and that additional areas would be protected as natural open space as part of the development process. The applicant is coming forward with a proposal to build a 218-unit multi-family project consisting of 3 large apartment buildings, four storeys in height with underground parking.

Development Planning Staff are recommending support for the proposed Development Permit and associate variances as the form and character substantially meets the Urban Design Guidelines of the 2040 Official Community Plan (OCP) and the overall land use objectives of the property.

4.0 Proposal

4.1 Project Description

The proposed residential development is located on Boynton Place, which is accessed from Clifton Road and consists of three apartment buildings with a total of 218 residential units. The proposed buildings will be four storeys in height with underground parking. Access to the buildings will be from three points, two on Boynton Place and one from Highpointe Drive. The unit composition is a mix of studio, one and two bedroom units with a clubhouse and private amenity space in the south-west corner.

Form and Character

All three buildings are oriented north-south on the subject property and parallel to Boynton Place. The buildings will have significant presence along the street frontage. The three four-storey buildings are parallel with the street. The fourth storey is stepped back with open rooftop amenity area which aids to reduce the buildings overall visual impact. The building elevations provide a degree of horizontal and vertical architectural elements and uses projecting bays windows are recessed balconies. This serves to provide articulation and helps to reduce the perceived massing. The materials are a mix of cement panels, vertical lap siding, stonework, and decorative timber brackets. The colour pallet is predominately a mix of browns and greys which provides a natural colour scheme that blends well into the hillside backdrop.

Landscaping

The proposed landscaping provides perimeter shrub and tree plantings around the three buildings and patio spaces. The retaining walls along Boynton Place are tiered with shrub plantings to break up the overall height and minimize visual impact along the street frontage. There is a pathway connection between Buildings 2 and 3 to the upslope Knox Mountain Park.

Variance – Building Height, Building Frontage, Retaining Wall Height

To accommodate the proposal, the applicant is requesting two variances to increase the building frontage and height of the retaining walls. The subject property has topographic constraints including a gradual north to south grade change as well as steep slopes to the west. This results in less buildable area on the subject property and the applicant has responded with a large apartment building form to achieve the density target in the zone. To accommodate this approach, a retaining wall variance is required to accommodate the cross grades along the property.

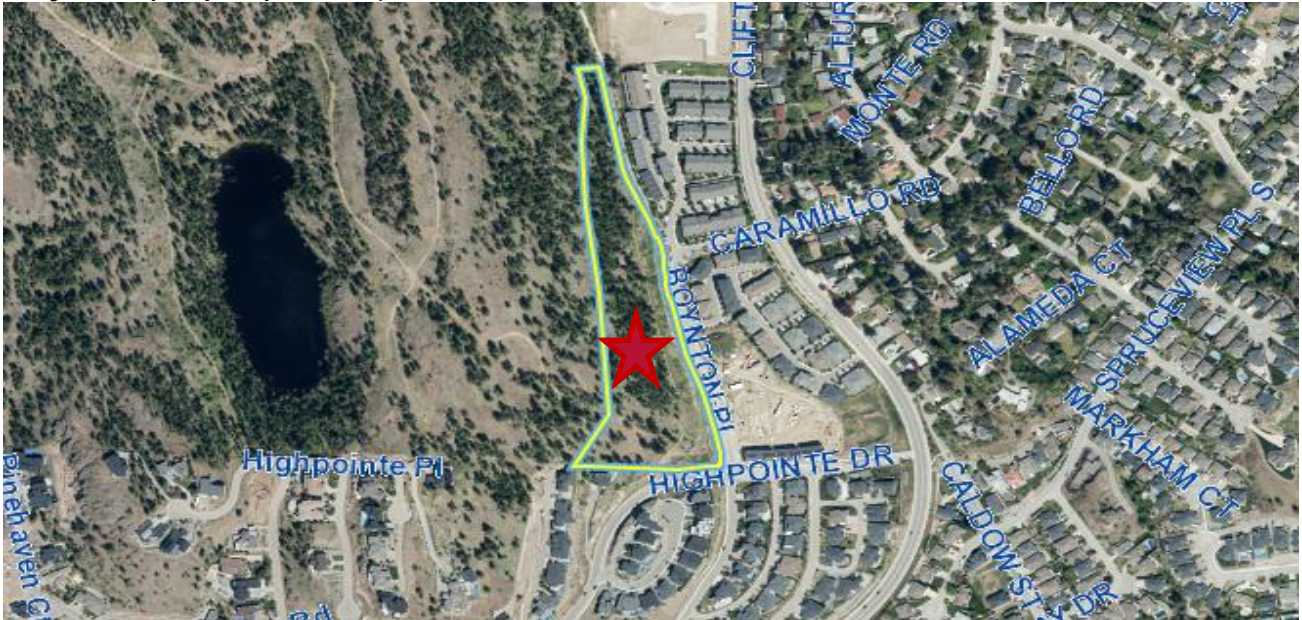
The applicant has attempted to further mitigate the height and massing of the buildings with well articulated form and character meeting many of the City’s OCP Urban Design Guideleines. The step back of the top floor of each building helps to break up the visual impact in addition to the backdrop of Knox Mountain Park to the west. The architecture features a number of horizontal and vertical breaks in the façades and given the overall context of the site staff are in support of the variances.

4.2 Site Context

The subject property is located within the Permanent Growth Boundary (PGB) and is fully serviced. It is located within the Glenmore-Clifton–Dilworth City Sector and is directly adjacent to Knox Mountain Park. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM4 – Transitional Low Density Housing	Multi-Family Residential
East	RM4 – Transitional Low Density Housing	Multi-Family Residential
South	Ru1 – Large Lot Housing	Single Family Residential
West	P3 – Parks and Open Space	Park

Subject Property Map: 630 Boynton Place



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM4 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	900 m ²	31,680 m ²
Min. Lot Width	30 m	473 m
Min. Lot Depth	30 m	148 m
Development Regulations		
Max. Floor Area Ratio	0.65	0.58
Max. Site Coverage (buildings)	50 %	27.28 %

Max. Site Coverage (buildings, parking, driveways)	50 %	29.1 %
Max. Height	13 m	13 m
Min. Front Yard	4.5 m	4.5 m
Min. Side Yard	4.5 m	4.5 m
Min. Side Yard	4.5 m	4.5 m
Min. Rear Yard	9.0 m	9.0 m
Other Regulations		
Min. Parking Requirements	326	335
Min. Bicycle Parking	347	347
Min. Private Open Space	1212.5 m ²	1429.96 m ²
Max. Building Frontage	40 m	90 m ^❶
Max. Retaining Wall Height	1.2 m	3.0 m ^❷
<p>❶ Indicates a requested variance to maximum building frontage</p> <p>❷ Indicates a requested variance to maximum retaining wall height</p>		

5.0 Current Development Policies

Objective 5.3. Design residential infill to be sensitive to neighbourhood context.	
Policy 5.3.3. Strategic Density	<p>Where a proposed development in Core Area Neighbourhoods is not adjacent to a Transit Supportive Corridor, consider support for stacked rowhousing and low rise apartment and mixed use buildings, under the following circumstances:</p> <ul style="list-style-type: none"> • The property, at the time a rezoning or development permit application is made, has an area of 1 hectare or greater; and • The project proposal illustrates that the larger buildings will be able to sensitively transition their height and massing towards adjacent Core Area Neighbourhoods, with the first priority being a transition to ground-oriented multi-unit housing within the project; and • The project proposal includes a public park component; and • The project proposal includes an affordable and/or rental housing component; and • The project does not exceed a FAR of approximately 1.2 over the entire site. <p><i>The proposal meets a number of the identified policy criteria, including a large parcel size, public park component and FAR under 1.2.</i></p>
Objective 5.3. Design residential infill to be sensitive to neighbourhood context.	
Policy 5.3.5. Existing Uses and Scales.	<p>Consider support for stacked row housing, low rise apartments and mixed use buildings in Core Area Neighbourhoods where the property was zoned to allow for such uses on the date that the Official Community Plan was adopted.</p>

	<i>The subject property was previously rezoned to RM4 and considered for transitional density in this area of the City.</i>
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6.0 Technical Comments

6.1 Development Engineering Department

6.1.1 See attached comments dated March 1, 2022

7.0 Application Chronology

Date of Application Received: December 10, 2021

Date Public Consultation Completed: May 21, 2022

Report prepared by: Wesley Miles, Planner Specialist
Reviewed by: Dean Strachan, Community Planning & Development Manager
Reviewed by: Terry Barton, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Draft Development and Development Variance Permit DP22-0054 & DVP22-0056

Attachment B: Development Engineering Memo

Attachment C: Form and Character – Development Permit Guidelines

Attachment D: Applicant Rationale and Renderings

Schedule A: Site Plan

Schedule B: Elevations

Schedule C: Landscape Plan