

REPORT TO COUNCIL DEVELOPMENT PERMIT



Date: February 10, 2025
To: Council
From: City Manager
Address: 765 Badke Rd
File No.: DP24-0039
Zone: UC4r – Rutland Urban Centre Rental Only

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP24-0039 for Lot E Section 27 Township 26 ODYD Plan 22268, located at 765 Badke Rd, 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 amount of 125% of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect;

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 issue a Development Permit for the form and character of a rental apartment housing development.

3.0 Development Planning

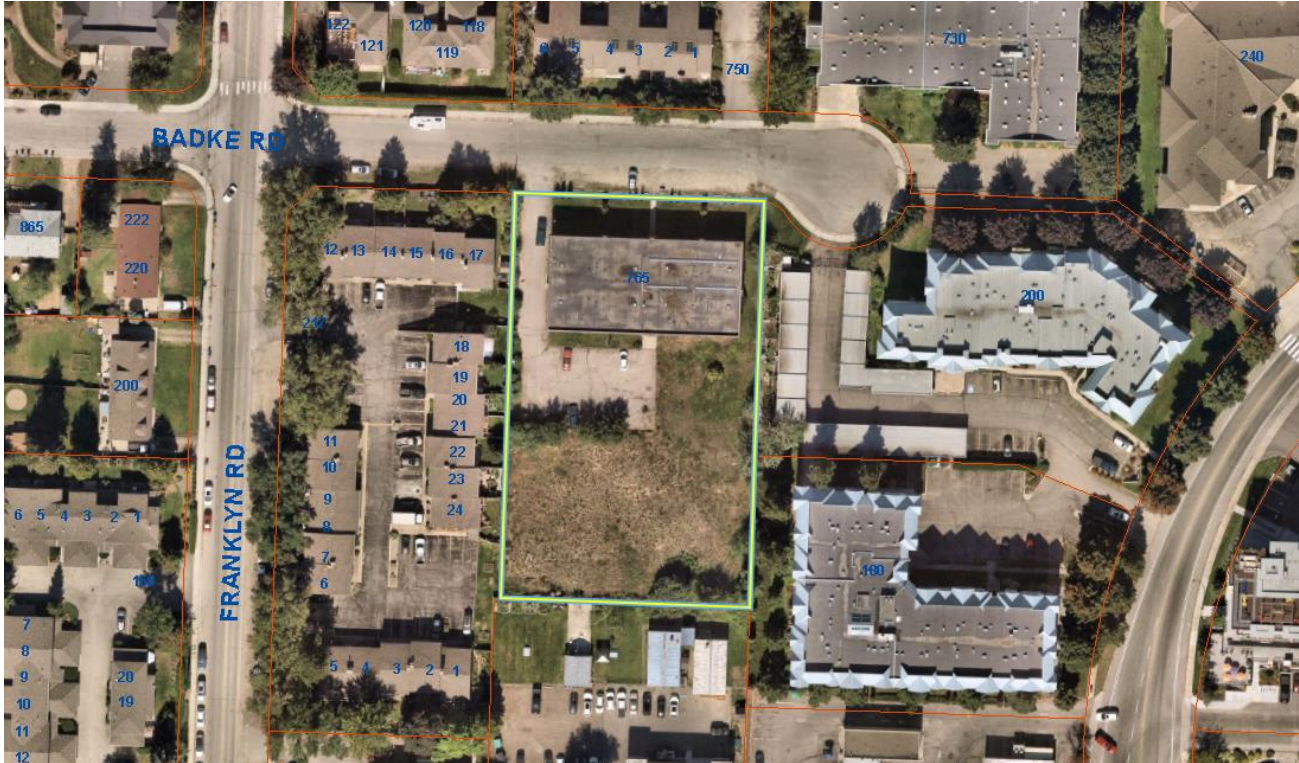
Staff support the Development Permit for the form and character of a 120-unit six-storey apartment building. The proposal generally conforms to the Official Community Plan (OCP) Form and Character Development Permit Guidelines for Low & Mid-Rise Residential & Mixed-Use Developments. Those key guidelines include:

- Orienting primary building facade toward the street to create street edge definition and activity;
- Breaking up building massing by providing simple vertical and horizontal articulation including stepbacks, insets, projections, colour and texture;
- Incorporating a range of architectural features and details into building facades to create visual interest; and
- Locating balconies and windows on the front building facade to create an active frontage and 'eyes on the street'.

Vehicle access is provided from Badke Road with structured parking provided primarily below grade with some surface parking located adjacent to the main apartment entrance. Common amenity spaces include a feature entrance garden area and an outdoor amenity area on top of the parkade. The outdoor amenity area includes a children’s play space, barbeque area, dog run, seating, and complementary landscaping including large trees.

4.0 Subject Property & Background

4.1 Subject Property Map



The subject property is located mid-block near the east end of the cul-de-sac at Badke Road near the major intersection of Highway 33 West and Hollywood Road North. Public transit stops are located nearby along Highway 33. The site is located within walking distance to a variety of commercial retail uses in the immediate area as well as Ben Lee Park.

4.2 Tenant Relocation

The existing low-rise apartment building is two storeys in height, was constructed in 1981, and is nearing the end of the building’s lifecycle due to the age of the structure and need for a new roof. The existing building has a number of significant roof leaks which necessitate a new roof to repair the leaks which is not economically feasible. The applicant has received a demolition permit (BP73039) for the existing building and intends to move forward with redevelopment of the existing site. The existing apartment building comprises a total of 18 dwelling units, only 7 of the existing units are still occupied by tenants.

A Tenant Protection and Relocation Assistance report was brought forward to be received by Council on [October 21, 2024](#). This report was brought forward to explore tenant protection and relocation assistance

options for properties proposing to redevelop with 5 existing rental units being displaced or more. Staff are anticipating a follow-up report returning to Council for future consideration shortly.

However, in the meantime without a formal tenant relocation and assistance program policy, the applicant proposes to compensate the existing tenants by offering to pay 3-months rents for the existing remaining tenants, early return of the damage deposit, provide a moving allowance of \$500, provide weekly rental listings including links to BC Housing programs and designating a Tenant Relocation Coordinator to work with tenants to assist in the relocation process.

Due to the building’s immediate demolition, Staff are recommending acceptance of the proposed tenant relocation plan to accelerate the provision of new housing with this new project.

5.0 Zoning Bylaw Regulations Summary

AREA & UNIT STATISTICS	
Gross Lot Area	5,029 m ²
Undevelopable Land (riparian, 30% slope, etc.)	n/a
Total Number of Units	120
1-bed	30
2-bed	76
3-bed	14

DEVELOPMENT REGULATIONS		
CRITERIA	UC _{4r} ZONE	PROPOSAL
Total Maximum Floor Area Ratio	1.8	1.79
Base FAR	1.8	1.79
Bonus FAR	n/a	n/a
Max. Site Coverage (buildings)	85%	77.3%
Max. Site Coverage (buildings, parking, driveways)	90%	86.7%
Max. Height	22.0 m	21.0 m
Base Height	22.0 m	21.0 m
Bonus Height	n/a	n/a
Setbacks		
Min. Front Yard (north)	3.0 m	3.0 m
Min. Side Yard (east)	4.0 m	4.0 m
Min. Side Yard (west)	4.0 m	2.9 m
Min. Rear Yard (south)	4.0 m	6.0 m
Setbacks (above 16.0 m in building height)		
Min. Front Yard (north)	3.0 m	6.0 m
Min. Side Yard (east)	4.0 m	4.0 m
Min. Side Yard (west)	4.0 m	20.0 m
Min. Rear Yard (south)	6.0 m	6.0 m
Step backs		
Min. Fronting Street (north)	3.0 m	3.0 m
Amenity Space		
Total Required Amenity Space	1,650 m²	1,932 m²
Common	480 m ²	850 m ²

Landscaping		
Min. Number of Trees	11 trees	15 trees
Min. Large Trees	6 trees	7 trees

PARKING REGULATIONS		
CRITERIA	UC4r ZONE REQUIREMENTS	PROPOSAL
Total Required Vehicle Parking	134 stalls	134 stalls
Residential	117	117
Visitor	17	17
Ratio of Regular to Small Stalls	Min. 50% Regular Max. 50% Small	93% Regular 7% Small
Bicycle Stalls Short-Term	6 stalls	6 stalls
Bicycle Stalls Long-Term	94 stalls	94 stalls
Bike Wash & Repair	y	y

6.o Application Chronology

Application Accepted: January 24, 2024
 Adoption of Zone Amending Bylaw: January 27, 2025

Report prepared by: Andrew Ferguson, Planner II
Reviewed by: Adam Cseke, Central Development Planning Manager
Reviewed by: Nola Kilmartin, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning, Climate Sustainability & Development Services

Attachments:

- Attachment A: Draft Development Permit DP24-0039
 - Schedule A: Site Plan & Floor Plans
 - Schedule B: Elevations, Sections, Renderings & Materials
 - Schedule C: Landscape Plan
- Attachment B: OCP Form and Character Development Permit Guidelines
- Attachment C: Applicant’s Letter of Rationale
- Attachment D: Applicant Tenant Relocation and Assistance Program

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.