

# REPORT TO COUNCIL DEVELOPMENT PERMIT & DEVELOPMENT VARIANCE PERMIT



**Date:** July 22, 2025  
**To:** Council  
**From:** City Manager  
**Address:** 125 Park Rd  
**File No.:** DP25-0053 DVP25-0054  
**Zone:** UC4r-Rutland Urban Centre Rental Only

---

## 1.0 Recommendation

THAT final adoption of Bylaw No. 12798 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP25-0053 and the Development Variance Permit No. DVP25-0054 for Lot 1 Block A Section 23 Township 26 ODYD Plan 4740, located at 125 Park 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".

AND THAT variances to the following section of the Zoning Bylaw No. 12375 Be granted:

Table 8.2.17a Required Amount of Accessible Parking Spaces in Transit Oriented Areas:

To vary the required number of accessible parking from one required to zero spaces proposed.

Table 8.5 – Minimum Bicycle Parking Required

To vary the required short-term bicycle parking spaces from six required to zero proposed.

Section 14.11-Commercial and Urban Centre Zone Development Regulations, UC4:

To vary the minimum front yard and flanking yard setback from 2.0 m required to 0.0 m proposed

AND FURTHER THAT this Development Permit and Development Variance 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 mixed-use apartment building with a Development Variance Permit to vary the front and flanking yard setback, the minimum required accessible parking space, and the minimum number of short-term bicycle parking spaces.

## 3.0 Development Planning

Staff support the proposed Development Permit for the form and character of a mixed-use apartment building. The proposal generally conforms with the Official Community Plan (OCP) Form and Character Design Guidelines for Low & Mid-Rise Residential Development. Key guidelines that are met include:

- Orienting building facades and entries for building on corner lots to both fronting streets;
- Locating off-street parking and other 'back-of-house' uses (such as loading, garbage collection, utilities, and parking access) away from public view; and
- Primary entrances are designed to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry.

The proposal is a mixed-use 4 storey building, which includes 13 residential units consisting of bachelor and two-bedroom units, intended as rental housing. The ground floor includes 268 m<sup>2</sup> of commercial space. Common amenity space has been provided as a 98 m<sup>2</sup> roof top patio, as well as large private balconies for each unit (total amenity space approximately twice as large as required). The building has an elevator and a large secure indoor bicycle storage.

There are no requirements for landscaping as this development is built to zero setbacks, however boulevard trees will be planted to meet the off-site landscaping requirements at the time of building permit.

#### Parking:

Vehicle access is provided from a laneway off Park Road, leading to 3 surface parking stalls dedicated to the commercial use. The subject property is located within a Transit Oriented Area (TOA) which has no minimum requirement for off-street residential parking, other than one accessible parking stall. The proposal includes no residential stalls and no residential accessible parking space. There are 16 long-term bicycle stalls being provided for 13 residential units and the one commercial – retail unit.

#### Variances

The applicant is seeking 3 minor variances which are supported by staff.

The building is designed to the property line along the front and flanking side yard. This design is consistent with the rest of the block face. A 2.0 m road dedication was required along Park Rd to allow for on-street parking and short-term bike racks, which reduced the flanking setback to zero. Staff support these variances as they will result in improvements to the block and street.

One accessible parking stall is required for developments with 10 or more units and up to 50 units in the TOA. The proposed development falls in the low end of this range with 13 units, and the applicant is proposing no accessible parking stall. Staff support this variance because this requirement is intended for larger developments.

The short-term bike parking requirement is six short term spaces per entrance. However, the applicant has proposed to locate six additional bike parking spaces inside the building for convenience, security reasons, and space limitations. Further, future sidewalk improvements will include temporary bike racks. Staff support the variance.

## 4.0 Subject Property & Background

### 4.1 Subject Property Map



The subject property is located at the intersection of Highway 33 W and Park Road within the Rutland Urban Centre. The site is located less than 400 m from the Rutland Transit Hub, and two bus stops within less than 150m on Routes 11 and 14.

## 5.0 Zoning Bylaw Regulations Summary

AREA & UNIT STATISTICS	
Gross Lot Area	567 m <sup>2</sup>
<b>Total Number of Units</b>	<b>13</b>
Bachelor	8
2-bed	5
Net Commercial Floor Area	268 m <sup>2</sup>

DEVELOPMENT REGULATIONS		
CRITERIA	UC <sub>4</sub> ZONE	PROPOSAL
<b>Total Maximum Floor Area Ratio</b>	<b>2.8</b>	<b>1.99</b>
Base FAR	2.5	
Bonus FAR	0.3	
Max. Site Coverage (buildings)	100%	74%
Max. Site Coverage (buildings, parking, driveways)	100%	100%
<b>Max. Height</b>	<b>34 m</b>	<b>14.43m</b>
Base Height	22.0 m	
Bonus Height	12 m	n/a or m
<b>Setbacks</b>		
Min. Front Yard (North)	2.0 m	0.0 m <span style="color: red;">❗</span>
Min. Side Yard (East)	0.0 m	0.0 m
Min. Flanking Yard (West)	2.0 m	0.0 m <span style="color: red;">❗</span>
Min. Rear Yard (South)	0.0 m	0.0 m

Amenity Space		
<b>Total Required Amenity Space</b>	<b>123 m<sup>2</sup></b>	<b>98.22 m<sup>2</sup></b>
Common	52 m <sup>2</sup>	98.22 m <sup>2</sup>
Private	71 m <sup>2</sup>	65.46 m <sup>2</sup>
❶ Indicates a requested variance to minimum front and flanking yards setback.		

PARKING REGULATIONS		
CRITERIA	UC <sub>4</sub> ZONE REQUIREMENTS	PROPOSAL
<b>Total Required Vehicle Parking</b>	<b>4 stalls</b>	<b>stalls</b>
Residential	0	0
Accessible	1	0 ❷
Commercial	3	3
Visitor	0	0
Ratio of Regular to Small Stalls	Min. 70% Regular Max. 30% Small	100% Regular 0% Small
Min. Loading Stalls	0 stalls	0 stalls
Bicycle Stalls Short-Term	6 stalls	0 stalls ❸
Bicycle Stalls Long-Term	10 stalls	16 stalls
❷ Indicates a requested variance to the minimum number of accessible parking spaces.		
❸ Indicates a requested variance to the minimum number of short-term bike parking spaces.		

## 6.o Application Chronology [Include all relevant dates, public processes here]

Application Accepted: October 18, 2024  
 Neighbour Notification Received: May 13, 2025  
 Adoption of Zone Amending Bylaw: July 22, 2025

**Report prepared by:** Nadia Mahmoudi, Planner I  
**Reviewed by:** Carla Eaton, Development Planning Manager  
**Reviewed by:** Nola Kilmartin, Development Planning Department Manager  
**Approved for Inclusion:** Ryan Smith, Divisional Director, Planning, Climate Action & Development Services

### Attachments:

Attachment A: Draft Development Permit DP25-0053 and Development Variance Permit DVP25-0054  
 Schedule A: Site Plan & Floor Plans  
 Schedule B: Elevations & Sections  
 Attachment B: OCP Form and Character Development Permit Guidelines  
 Attachment C: Rendering

For additional information, please visit our Current Developments online at [www.kelowna.ca/currentdevelopments](http://www.kelowna.ca/currentdevelopments).