

ADMINISTRATIVE REPORT



TO: Board of Directors

FROM: J. Zaffino, Chief Administrative Officer

DATE: August 7, 2025

RE: Zoning Bylaw Amendment – Electoral Area “D” (D2025.006-ZONE)

Administrative Recommendation:

THAT the Okanagan Valley Zoning Amendment Bylaw No. 2800.55, 2022, be read a first and second time and proceed to public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of August 21, 2025

AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

Purpose:

The purpose of proposed Zoning Bylaw amendment is to introduce a series of text amendments to the current Zoning Bylaw that would allow for exemptions to the current off-street parking requirements for a select number of parcels front Highway 97 in Okanagan Falls.

Specifically, it is being proposed to amend the Zoning Bylaw by:

- Revising the method in which off-street or loading spaces are calculated, where if the calculation to determine the number of off-street parking or loading spaces does not result in a whole number, the resulting number would be rounded down to the nearest whole number, rather than the current method of rounding up;
- Despite the current required number off-street vehicle parking spaces, no off-street parking spaces shall be required for a change of use or alteration of a building on a parcel within the subject plan area, provided there is no increase in gross floor area; and
- No off-street parking spaces that existed as of April 21, 2022, would be permitted to be removed, re-purposed, or rendered unusable.

Strategic Priorities:

Operational

Background & Analysis:

Under Section 525 of the *Local Government Act*, a local government may, by bylaw, do the following in relation to the provision of off-street parking and loading space requirements:

- a) *require owners or occupiers of any land, or of any building or other structure, to provide off-street parking and loading spaces ...*

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- b) establish design standards for spaces required ... including standards respecting the size, surfacing, lighting and numbering of the spaces;*
 - c) permit off-street parking spaces required ... to be provided, other than on the site of the building or other structure or use, under conditions that are specified in the bylaw;*
 - d) as an alternative to complying with a requirement to provide off-street parking spaces ... the payment ... of an amount of money specified in the bylaw.*

In response, the Regional District has historically required the provision of on-site (off-street) vehicle parking in relation to a variety of different uses in its various electoral area zoning bylaws.

This includes parking requirements for commercial uses such as a “eating and drinking establishments” (e.g. restaurants, pubs, bars, etc.), offices, personal service establishments (e.g. banks, barbershop, bakery, etc.) and retail.

In mixed use zones, this can also include vehicle parking requirements for residential uses such as apartment buildings where the residential units are located above ground-floor commercial uses.

At its meeting of June 19, 2025, the Planning & Development Committee considered a presentation from Administration concerning the subject bylaw amendments and resolved to direct Administration to initiate Okanagan Valley Zoning Bylaw Amendment Bylaw No 2800.55.

Analysis:

Through the day-to-day use of the zoning bylaw and processing of various application types, including building permits (e.g. zone checks), Administration has identified an issue with the current zoning requirements for off-street vehicle parking.

More specifically, a four-block section of parcels fronting Highway 97 on its south and west side as it passes through Okanagan Falls (see Attachment No. 1 below).

The Okanagan Falls “townsite” was originally surveyed and subdivided in approximately 1893 and, as a result, there remain a number of small and narrow parcels that were subsequently developed prior to the introduction of zoning and with large building footprints (e.g. >80% parcel coverage).

This has resulted in the provision of on-site vehicle parking on these parcels being challenging and problematic when applications are received by the Regional District related to a change of use, particularly, when this change of use generates a vehicle parking demand that is greater than the use that previously occurred on the parcel.

In recognition that the built form and that many of these parcels *may* not be capable of providing off-street parking spaces, it is being recommended that a new exemption be introduced.

Specifically, it is being proposed that any change of use (e.g. a business changing from retail to a restaurant) or any alterations that do not result in additional floor area being created be exempt from the requirement to provide additional off-street vehicle parking spaces.

In support of this, Administration recognizes that there is on-street parking that already functions as a shared public resource along these blocks of Highway 97 and that this supports multiple businesses and users throughout the day.

Importantly, the proposed amendments would not apply to re-development proposals in which additional floor area – whether commercial or residential – is being proposed on a parcel. In these

situations, a property owner would be required to provide required on-site vehicle parking in accordance with the requirements of the zoning bylaw.

Alternative:

Conversely, the option to maintain the status quo is available to the Board, but Administration is cognizant that the challenges of providing parking spaces on parcels in these blocks may discourage new business startups.

Financial Implications:

Financial implications have been considered and none were found.

Communication Strategy:

The proposed bylaw amendment(s) have been notified in accordance with the requirements of the *Local Government Act* as well as the Regional District's Development Procedures Bylaw No. 2500, 2011.

Referrals:

Approval from the Ministry of Transportation and Transport (MoTT) is required prior to adoption as the proposed amendments involve lands within 800 metres of a controlled access highway (i.e. Highway 97 & 3).

Public Process:

All comments received to date in relation to this application are included as a separate item on the Board Agenda.

Alternatives:

1. THAT the Okanagan Valley Zoning Amendment Bylaw No. 2800.55, 2022, be read a first and second time and proceed to public hearing;
AND THAT the holding of the public hearing be delegated to Director Taylor;
AND THAT staff schedule the date, time, and place of the public hearing in consultation with Director Taylor;
AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.
2. THAT the Okanagan Valley Zoning Amendment Bylaw No. 2800.55, 2022, be denied.

Will a PowerPoint presentation be presented at the meeting? No

Respectfully submitted:

Jerritt Cloney

Jerritt Cloney
Planner I

Endorsed By:



C. Garrish
Senior Manager of Planning

Endorsed By:



A. Fillion
Managing Director, Dev. & Infrastructure

Attachments: No. 1 – Okanagan Falls Parking Area
No. 2 – Site Photos
No. 3 – Site Photos

Attachment No. 1 – Okanagan Falls Parking Area



Attachment No. 2– Site Photos



Attachment No. 3 – Site Photos

