

## ADMINISTRATIVE REPORT



**TO:** Advisory Planning Commission

**FROM:** J. Zaffino, Chief Administrative Officer

**DATE:** August 18, 2025

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

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### **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.

### **Site Context:**

The area of land proposed to be affected by the proposed bylaw amendment is found entirely within Okanagan Falls (Electoral Area “D”) and is approximately 9 ha in area, and where the proposed plan boundaries are denoted in Attachment 2.

Under the Electoral Area “D” Official Community Plan (OCP) Bylaw No. 2603, 2013, the subject area currently contains a variety of designations, including Commercial (C), Commercial Tourist (CT), Medium Density Residential (MR). The subject area is also subject to various Development Permit Areas including the Okanagan Falls Commercial, Okanagan Falls Town Centre, and Multiple Family Development Permit Areas.

Under the [Okanagan Valley Zoning Bylaw No. 2800, 2022, the subject area contains a variety of zones, including Service Commercial (CS1), General Commercial (C1), Okanagan Falls Town Centre (OFTC), and Medium Density Residential (RM1). Some properties are also subject to various site-specific zoning requirements from the zones noted above.

### **Background:**

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:

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

**Board Consideration:**

At its meeting on August 7, 2025, the Regional District Board moved to defer the subject Zoning Bylaw application to the Area “D” Advisory Planning Commission (APC) for a recommendation.

**Analysis:**

In considering the proposed bylaw amendment, Administration notes that through the day-to-day use of the zoning bylaw and processing of various application types, including building permits (e.g. zone checks), issues have been identified pertaining to the off-street vehicle parking requirements for lots found within downtown Okanagan Falls.

The Okanagan Falls “townsite” was originally surveyed and subdivided in approximately 1893 and, as a result, there remains 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, Administration is recommending that a series of text amendments to the current Zoning Bylaw be introduced.

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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.

**Alternatively:**

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.

In summary, Administration supports the proposed amendments and is recommending approval.

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**Administrative Recommendation:**

**THAT the Okanagan Valley Zoning Amendment Bylaw No. 2800.55, 2022, be supported.**

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**Options:**

1. THAT the APC recommends to the RDOS Board of Directors that the Okanagan Valley Zoning Amendment Bylaw No. 2800.55, 2022, be supported.
2. THAT the APC recommends to the RDOS Board of Directors that the Okanagan Valley Zoning Amendment Bylaw No. 2800.55, 2022, be supported, subject to the following revisions:
  - i) *TBD*
3. THAT the APC recommends to the RDOS Board of Directors that the Okanagan Valley Zoning Amendment Bylaw No. 2800.55, 2022, be denied.

**Respectfully submitted:**

Jerritt Cloney

Jerritt Cloney, Planner I

**Endorsed By:**



C. Garrish, Senior Manager of Planning

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



Attachment No. 1 – Okanagan Falls Parking Area





Attachment No. 2 – Site Photos





Attachment No. 3 – Site Photos

