

**To:** Mayor and Council  
**From:** Paul Gipps, CAO  
**Meeting Date:** September 2, 2025  
**Meeting Type:** Regular Council Meeting

**Prepared by:** Trevor Empey, Senior Planner  
**Department:** Planning and Development

**Title:** Official Community Plan and Zoning Bylaw Amendment | OPZ00004 | 9730, 9750, 9764, 9778 Highway 97 and 9743, 9751 Okanagan Centre Road East (6 parcels)  
**Description:** Application to amend the future land use designation of one parcel and rezone 6 parcels to C1 – Town Centre Commercial

**RECOMMENDATION**

THAT Official Community Plan Amendment (OPZ00004) Bylaw 1294, 2025 be read a first time;  
 AND THAT Official Community Plan Amendment (OPZ00004) Bylaw 1294, 2025 be considered in conjunction with the District’s financial plan and waste management plan;  
 AND THAT Official Community Plan Amendment (OPZ00004) Bylaw 1294, 2025 be read a second time.  
 AND THAT Official Community Plan Amendment (OPZ00004) Bylaw 1294, 2025 be forwarded to a public hearing;  
 AND THAT Rezoning application (OPZ00004) Bylaw 1295, 2025 be read a first and second time;  
 AND THAT Rezoning application (OPZ00004) Bylaw 1295, 2025 be forwarded to a public hearing.

**EXECUTIVE SUMMARY**

The applicant requests to amend the future land use designation of one parcel (9730 Highway 97) from Highway Commercial to Mixed-Use Commercial and to rezone 9730, 9750, 9764, 9778 Highway 97 and 9743, 9751 Okanagan Centre Road East (subject properties) from RU1 - Small Scale Multi Unit Housing to C1 – Town Centre Commercial. Attachment A and B outline draft OCP and Zoning Bylaw amendments.

The subject properties are located along Okanagan Centre Road East and Highway 97 (Attachment C). Future amalgamation of the subject parcel is proposed by the applicant to facilitate a proposed mixed-use development. Should Council support the development proposal, the mixed-use project would come before Council for consideration as a Development Permit in the future. The subject properties are located within the Urban Containment boundary and are located in the Town Centre.

Staff reviewed and analyzed the Environment, Commercial, Housing, Neighbourhood Planning and Growth sections of the OCP to evaluate the proposed future land use change from Highway Commercial to Mixed Use Commercial for 9730 Highway 97 (Attachment D). Based on analysis, staff support this application as it would be consistent with the OCP.

Staff support rezoning the subject properties to C1-Town Centre Commercial as it would be consistent with the OCP.

**BACKGROUND**

Application Information			
<b>Application Type</b>	OCP and Rezoning Applications	<b>Application Date:</b>	February 19, 2025
<b>Applicant:</b>	Flat Architecture	<b>Owner:</b>	1384389 BC LTD
<b>Application Description</b>	<ul style="list-style-type: none"> <li>Amend the Future Land Use Designation to Mixed Use Commercial (1 Parcel)</li> <li>Rezone the all parcels from RU-1 Small Scale Multi Unit Housing to C1 – Town Centre Commercial</li> </ul>		
<b>Variances</b>	N/A		

Property Information: General		
<b>Civic Addresses:</b>	9730, 9750, 9764, 9778 Hwy. 97 and 9743, 9751 Okanagan Centre Rd. East	
Property Information: Land Use		
<b>OCP Designation:</b>	<ul style="list-style-type: none"> <li>Highway Commercial (9730 Hwy. 97)</li> <li>Mixed Use Commercial: 9750, 9764, 9778 Hwy. 97 and 9743, 9751 Okanagan Centre Rd. East</li> </ul>	
<b>Zoning Designation:</b>	<ul style="list-style-type: none"> <li>RU1 – Small Scale Multi Unit Housing (9730, 9750, 9764, 9778 Hwy. 97 and 9743, 9751 Okanagan Centre Rd. East)</li> </ul>	
<b>Land Use Contract</b>	No	
<b>ALR:</b>	No	
<b>Parcel Size:</b>	<ul style="list-style-type: none"> <li>Multiple parcels: varies between 0.2 to 0.5 Acres / 802m<sup>2</sup> to 2023m<sup>2</sup></li> </ul>	
<b>Development Permit Areas:</b>	<ul style="list-style-type: none"> <li>Town Centre</li> </ul>	
<b>Adjacent Land Summary:</b>	<b>Zoning:</b>	<b>Use:</b>
<i>North:</i>	RU-M – Single Family Housing Mobile Home	Building Strata
<i>East:</i>	C1 - Town Centre Commercial	Vacant
<i>South:</i>	C11 – Highway Commercial	Commercial Gas Station
<i>West:</i>	RU1 – SSMUH	Single-family dwelling

Property Information: Infrastructure and Development Engineering	
<b>Road Network</b>	Major collector (Okanagan Ctr. East), Highway 97
<b>Driveway Access</b>	Permit required upon Building Permit application
<b>Water Supply:</b>	Municipal (source: Okanagan Lake/Beaver Lake)
<b>Sewer:</b>	On-site septic
<b>Drainage / Stormwater</b>	Ditch conveyance along Okanagan Ctr. East., MOTT operated drainage on Hwy. 97
<b>Comments:</b>	At time of Building Permit application, community sewerage and stormwater drainage system designs would be required

## ANALYSIS

### Land Use Amendment: 9730 Highway 97

The applicant requests to amend the future land use designation from Highway Commercial to Mixed Use Commercial for 9730 Highway 97. Staff reviewed and analyzed the Environment, Economic, Commercial, Housing, Neighbourhood Planning and Growth sections of the OCP. These OCP policies direct higher-density growth inside the urban containment boundary (UCB) generally, and specifically to identified nodes of the District such as the Town Centre to utilize land more efficiently and support the development of a complete community. These OCP policies also encourage mixed-use development within the Town Centre with the goal of making it the residential, cultural and employment core of the District.

Based on analysis of the noted OCP sections, staff support this application to amend the future land use of 9730 Highway 97 as it would be consistent with the OCP and would support development of the subject properties.

### Rezoning Application: All Parcels

The subject properties are zoned RU1 – Small Scale Multi Unit Housing under Zoning Bylaw 561, 2007. As the future land use designation of the subject properties (excluding 9730 Highway 97) is identified under the OCP as Mixed Use Commercial, the current zoning of RU1 would be inconsistent with the OCP. Rezoning the subject properties to C1 – Town Centre Commercial would be consistent with the Mixed-Use Commercial future land use designation of the OCP and would support achieving Commercial, Economic, Environment, Housing, Growth and Neighbourhood Planning objectives and policies of the OCP (see Attachment D Land Use Analysis).

Rezoning the subject properties would permit a variety of commercial and residential uses in a mixed form of development. In summary, the C1 zone would permit an increase in density, reduction in setbacks and increase landscape buffering requirements. Staff support rezoning the subject properties from RU1 to C1. Table 1 below provides a comparison between the current and proposed zone.

**Table 1: Zoning Comparison Chart**

DEVELOPMENT REGULATIONS		
CRITERIA	RU1 – Small-Scale Multi Housing (Existing)	C1 – Town Centre Commercial (Proposed)
Principal Uses	<ul style="list-style-type: none"> <li>group homes, minor</li> <li>single dwelling housing</li> <li>small-scale multiple housing</li> </ul>	<ul style="list-style-type: none"> <li>zone permits a wide range of mixed commercial uses: government, financial, retail, entertainment, cultural and residential uses</li> </ul>
Secondary Uses	<ul style="list-style-type: none"> <li>bed and breakfast homes</li> <li>care centres,</li> <li>minor home occupations</li> <li>secondary suite</li> <li>utility services, minor impact</li> <li>short term vacation rental</li> <li>backyard chickens</li> </ul>	<ul style="list-style-type: none"> <li>amusement arcade, minor</li> <li>apartment housing</li> <li>care centres, minor &amp; intermediate</li> <li>home occupation</li> <li>utility services, minor impact</li> </ul>
Buildings & Structures	<ul style="list-style-type: none"> <li>one single detached house</li> <li>accessory buildings or structures</li> <li>small-scale multiple housing</li> </ul>	<ul style="list-style-type: none"> <li>N/A</li> </ul>
Site Coverage	<ul style="list-style-type: none"> <li>40% to 50% depending on if Single dwelling housing or Small Scale Multiple Housing</li> </ul>	<ul style="list-style-type: none"> <li>N/A</li> </ul>
Site Coverage (Building, Driveways, Parking)	<ul style="list-style-type: none"> <li>50% to 60% depending on if Single dwelling housing or Small Scale Multiple Housing</li> </ul>	<ul style="list-style-type: none"> <li>N/A</li> </ul>
Density	<ul style="list-style-type: none"> <li>N/A</li> </ul>	<ul style="list-style-type: none"> <li>Commercial Use Only: Max FAR 1.5</li> <li>Mixed Use: Max 3.0 FAR and 3.5 FAR with amenity bonusing</li> <li>Bonus Increase in FAR by 0.2 for underground parking</li> </ul>
Height	<ul style="list-style-type: none"> <li>Between 5.5m to 11m depending on housing typology</li> </ul>	<ul style="list-style-type: none"> <li>Apartment/Apartment Hotels: Lesser of 12.4m or 3 storeys with increase to 22.0m or 6 storeys with density bonusing</li> <li>Other Uses 12.4m or 3 storeys with increase to 16.5m or 4 storeys with density bonusing</li> </ul>
Min. Front Yard	<ul style="list-style-type: none"> <li>4.5m to 6.0m</li> </ul>	<ul style="list-style-type: none"> <li>2.0m</li> </ul>
Min. Side Yard	<ul style="list-style-type: none"> <li>2.0m to 6.0m</li> </ul>	<ul style="list-style-type: none"> <li>0.0m</li> </ul>
Min. Rear Yard	<ul style="list-style-type: none"> <li>4.5m to 6.0m</li> </ul>	<ul style="list-style-type: none"> <li>0.0m</li> </ul>

Private Open Space	<ul style="list-style-type: none"> <li>Min. 7.5m<sup>2</sup> per dwelling unit</li> </ul>	<ul style="list-style-type: none"> <li>6.0m<sup>2</sup> per bachelor dwelling</li> <li>10.0m<sup>2</sup> for 1 bedroom dwelling</li> <li>15.0m<sup>2</sup> per dwelling unit with more than 1 bedroom</li> </ul>
Drive Aisle	<ul style="list-style-type: none"> <li>SSMUH: 6.0m to 6.5m</li> </ul>	<ul style="list-style-type: none"> <li>Two way aisles: 7.0 m wide for all two way aisles and for all 90° parking</li> <li>One way aisles: 5.5 m wide for 60o parking, 3.6 m wide for 45° parking and 3.5 m wide for parallel parking</li> </ul>
Daylighting Standards	<ul style="list-style-type: none"> <li>65° angular plane requirement for buildings more than 10.0m in height / 2 storeys</li> </ul>	
<b>Landscaping</b>		
	<b>RU1 Zone</b>	<b>PROPOSAL</b>
Front	<ul style="list-style-type: none"> <li>Level 1: No specific guidelines for buffering</li> </ul>	<ul style="list-style-type: none"> <li>Level 2: 3.0m landscape buffer</li> </ul>
Sides		<ul style="list-style-type: none"> <li>Level 3: 3.0m landscape buffer or opaque barrier</li> </ul>
Rear		

<b>PARKING REGULATIONS</b>		
<b>CRITERIA</b>	<b>RU1</b>	<b>C1</b>
Total Required Vehicle Parking	<ul style="list-style-type: none"> <li>2 to 6 depending on housing typology</li> </ul>	<ul style="list-style-type: none"> <li>1 per dwelling unit in the C1 zone</li> </ul>
Visitor Parking	<ul style="list-style-type: none"> <li>N/A</li> </ul>	<ul style="list-style-type: none"> <li>1 parking space shall be designated visitor parking for every 7 dwelling unit</li> </ul>
Bicycle Stall Class I Bicycle Stall Class II	<ul style="list-style-type: none"> <li>N/A</li> </ul>	Residential <ul style="list-style-type: none"> <li>Class I: 0.5 per dwelling unit</li> <li>Class II: 0.1 per dwelling unit</li> </ul> Commercial: <ul style="list-style-type: none"> <li>Class I: 0.20 per 100 m<sup>2</sup> GLA; or 1 per 10 employees</li> <li>Class II: 0.60 per 100 m<sup>2</sup> GLA</li> </ul>

#### **FINANCIAL IMPLICATIONS**

- None
 Budget Previously Approved
 Other (see below)

The District must consider the proposed OCP amendments in conjunction with the Financial Plan and the Liquid Waste Management Plan. This application would result in additional taxation revenue for the District due to the commercial and residential uses proposed.

#### Liquid Waste Management Plan

The existing infrastructure currently has sufficient capacity to support the proposed development.

#### **COMMUNICATION**

- This application was referred to internal departments and comments were provided and shared with the applicant through the Comprehensive Letter
- The Ministry of Transportation provided conditions as part of the rezoning application and comments were provided by the Ministry as follows:
  - No direct access from the subject properties to Highway 97
  - Review of any proposed lot consolidation
  - All development drainage to be retained on the subject properties

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- Traffic Movement and Volume Analysis
  - Sign off of the Zoning Bylaw required
  - The applicant completed a public information meeting (neighbour consultation), and the provided feedback was largely supportive of the proposal. See Attachment E for the applicant's summary of engagement

**ALTERNATE RESOLUTION OPTIONS**

1. THAT Official Community Plan Amendment (OPZ00004) Bylaw 1294, 2025 not be read a first time, and the file be closed;  
THAT Zoning Amendment (OPZ00004) Bylaw 1295, 2025 not be read a first time, and the file be closed.
2. THAT Official Community Plan Amendment (OPZ00004) Bylaw 1294, 2025 be deferred pending additional information identified by Council;  
THAT Zoning Amendment (OPZ00004) Bylaw 1295, 2025 be deferred pending additional information identified by Council.

Respectfully Submitted,

**Trevor Empey, Senior Planner**  
**RPP, MCIP**

## Report Approval Details

Document Title:	Official Community Plan Amendment and Rezoning (OPZ00004).docx
Attachments:	<ul style="list-style-type: none"> <li>- Attachment A - OPZ00004 - Draft OCP Bylaw 1294, 2025.pdf</li> <li>- Attachment B - OPZ00004 - Draft Zoning Bylaw 1295, 2025.pdf</li> <li>- Attachment C - OPZ00004 - Location, Land Use and Zoning Maps.pdf</li> <li>- Attachment D - OPZ00004 - Land Use Analysis.pdf</li> <li>- Attachment E - OPZ00004 - Public Info Meeting Report.pdf</li> </ul>
Final Approval Date:	Aug 26, 2025

This report and all of its attachments were approved and signed as outlined below:

**Carie Liefke, Manager of Current Planning - Aug 22, 2025 - 3:15 PM**

**Matthew Salmon, Infrastructure & Development Engineering Director - Aug 25, 2025 - 7:54 AM**

**Jeremy Frick, Director of Development Approvals - Aug 25, 2025 - 1:34 PM**

**Reyna Seabrook, Director of Corporate Services - Aug 25, 2025 - 8:27 PM**

**Paul Gipps, Chief Administrative Officer - Aug 26, 2025 - 7:44 AM**

**Makayla Ablitt, Manager of Corporate Administration - Aug 26, 2025 - 9:41 AM**