

To: Mayor and Council
From: Paul Gipps, CAO
Meeting Date: November 4, 2025
Meeting Type: Regular Council Meeting

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

Title: Zoning Amendment | Z0000338 | 9971 Okanagan Centre Road East
Description: Rezoning application from RR2-Rural Residential to C1-Town Centre Commercial to support future Commercial and Residential development

RECOMMENDATION

THAT Zoning Amendment (Z0000338) Bylaw 1301, 2025 be read a second time;
 AND THAT prior to adoption, the property owner be required to:

- a) dedicate road as generally shown in red on Attachment D to the Report from Council dated November 4th 2025,
- b) secure an active transportation corridor on the property, between Okanagan Centre Road East and Pollard Road, through a legal agreement registered on the property title, and
- c) secure a minimum 8.0m side yard setback adjacent to land within the Agricultural Land Reserve through a legal agreement registered on the property title;

AND THAT Zoning Amendment (Z0000338) Bylaw 1301, 2025 be forwarded to a public hearing.

EXECUTIVE SUMMARY

This application requests to rezone 9971 Okanagan Centre Rd. East to C1-Town Centre Commercial (Attachment A) to support a future private racquet club and facilities with a phased residential component. Rezoning the subject property to C1-Town Centre Commercial would support OCP policy objectives that aim to develop the Town Centre as the residential, employment and cultural core of the community.

On September 16, 2025 Council directed staff to review future transportation plans and determine whether a right-of-way would be required through the subject property. Engineering staff analyzed Council’s request and concluded that an Active Transportation Corridor is recommended to be secured as a condition of rezoning to support active transit connection options to and from the Town Center via a controlled highway intersection.

Setbacks under the Zoning Bylaw were also further evaluated. While the C1 zone allows for a 0.0m setback for the side and rear yards, the applicant has proposed a 3.0m setback to the south (side), a 2.0m setback to the west (rear), and a 15.0m setback to the north (side). As these setbacks differ from what is permitted under the Zoning Bylaw, they would need to be secured through a restrictive covenant on title to ensure they are provided at the time of development. Adjacent to the Highway 97, the applicant has proposed a 3.0m setback whereas the bylaw requires a 4.5m setback adjacent to Highway 97. The full 4.5m highway setback would be provided to meet Ministry of Transportation and Transit requirements, and the applicant has acknowledged this.

Staff support this application with the conditions that road dedication along Okanagan Centre Road East and Pollard Road be provided, that an Active Transportation Corridor be provided and maintained by the landowner, and a 8.0m agricultural setback adjacent to the north property line is provided.

BACKGROUND

Application Information			
Application Type	Zoning Bylaw Amendment	Application Date:	September 10, 2024
Applicant:	Travis Tournier	Owner:	Kerr Properties 002 Ltd.
Application Description	Request to rezone the subject parcel from RR2 to C1		

Property Information: General	
Folio/Roll #:	02250.021
Legal Description:	LOT 27 SECTION 10 OSOYOOS DIV OF YALE LAND DISTRICT PLAN KAP315B TOWNSHIP 20 EXCEPTPLAN 9524 41500 L 27 PL 457 S/O B315
PID:	012-322-601
Civic Address:	9971 Okanagan Centre Road East

Property Information: Land Use		
OCP Designation:	Mixed Use Commercial	
Zoning Designation:	RR2-Rural Residential 2	
Land Use Contract	none	
ALR:	none	
Parcel Size:	1.64 ha/4.05ac	
Development Permit Areas:	Agricultural and Town Centre	
Adjacent Land Summary:	Zoning:	Use:
North:	A1-Agriculture	Agriculture
East:	C1-Town Centre Commercial	Commercial
South:	RU1 – Small Scale Multiple Housing	Single-Family Dwellings
West:	A1-Agriculture	Agriculture

Property Information: Infrastructure and Development Engineering	
Road Network	Major Connector (Okanagan Centre Road E) / Rural Road (Pollard Road)
Driveway Access	Will be required at building permit stage
Water Supply:	Municipal (source: Okanagan Lake/Beaver Lake)
Sewer:	Private – on-site septic
Drainage / Stormwater	Ditch drainage
Comments:	<p>Dedication of an area of approximately 162m² will be required on the Okanagan Centre Road East frontage. A cul-de-sac dedication for Pollard road is also required.</p> <p><u>For future building permit application:</u></p> <ul style="list-style-type: none"> • Consideration to be made regarding C1 zoning requiring connection to the municipal sanitary system. The preferred connection point is along Highway 97 60m to the north of the property. • C1 zoning requires design of a storm drainage system.

The subject property, at 9971 Okanagan Centre Road East, is located along Okanagan Centre Road East and Highway 97 (Attachment B). This application has been submitted to request the property be rezoned from RR2-Rural Residential to C1-Town Centre Commercial. If approved, this application would facilitate a mixed-use development as the current proposal is for a private racquet club with associated facilities and a phased residential development.

On September 16, 2024, Council first reviewed this application. At that time, the resolution 2025-09-208 and 2025-09-209 were passed as follows:

*THAT Zoning Amendment (Z0000338) Bylaw 1301, 2025 be read a first time;
AND THAT Staff be directed to report back on traffic impacts, the applicants objectives for the development and the impact of the proposed zero setbacks.*

Applicants Objectives for Development

The applicant's future development proposal outlines the intent to develop the subject property as permitted under the C1 zone. It is intended that development would take a phased approach, with Phase 1 to include a commercial building and two sport dome racquet courts. For Phase 2, the developer is considering a six-storey residential building, but is also exploring other principal and secondary uses that are permitted under the C1 zone.

ANALYSIS

Official Community Plan (OCP)

The OCP future land use designation of the subject property is identified as Mixed-Use Commercial (Attachment C). Staff evaluated the applicable OCP policies under the Environment, Growth, Neighbourhood Planning and Commercial, Parks and Recreation and Housing sections of the OCP in comparison to this application, and analysis demonstrated that rezoning the subject parcel would be consistent with the OCP. Further, as the subject property is currently zoned as Rural Residential 2, rezoning would support OCP policy objectives that aim to use land more efficiently, direct commercial and mixed-use development to the Town Centre and focus mixed-use development inside the UCB which protects the rural character of the community.

The Parks and Recreation Dept. noted there is identified demand for private recreation opportunities in the District. As such, rezoning the subject property to C1-Town Centre could help meet that demand and support OCP policy goals that aim to foster active living opportunities through physical recreation for residents.

Zoning Bylaw: C1 Town Center Commercial Zone

Rezoning the subject property would permit a mix of commercial and residential uses to support the Town Centre developing as the residential, employment and cultural core of the Community. The site plan currently proposed would meet the C1 zone regulations (with the exception of the front yard highway setback as noted below).

Impact of Proposed Zero Setbacks

Staff evaluated an updated draft site plan (Attachment E) that clarifies the setbacks proposed for the development by the applicant if this application were to proceed to development permit.

- North: The C1 zone would require a 0.0m setback. Landscape requirements of s.8.6.1.(e) of the Zoning Bylaw require a minimum 3.0m landscape buffer adjacent to ALR land.
The applicant has proposed an 8.0m wide landscape buffer and a 7.0m wide drive aisle, for a total width of 15.0m from the ALR property to the north. Further buffering considerations would be evaluated at the Development Permit Stage as the Agricultural Development Permit Area (DPA) would apply to any future development.
- South: The C1 zone would require a 0.0m setback.
The applicant has proposed a minimum 3.0m setback to the non-commercial parcels and has sighted the proposed buildings at 6.0m. This would provide buffering between the proposed commercial and existing non-commercial uses (though the future land use of these properties are also identified for mixed use commercial purposes).
- East: The C1 zone would require a 2.0m setback, however as the property is adjacent to Highway 97 s. 7.11.1 of the Zoning Bylaw requires a 4.5m setback.
The applicant has indicated a 3.0m setback on the draft site plan, however this would need to be adjusted to meet the minimum 4.5m setback requirement from Highway 97.
- West: The C1 zone would require a 0.0m setback.
The applicant has indicated a minimum 2.0m setback adjacent to Okanagan Centre Road East and has sighted the closest building at approximately 10m.

Staff note the intent of the 0.0m setback for properties zoned C1-Town Centre Commercial is to support the orderly development of commercial and mixed-use buildings. The intent is that buildings in this area would develop to the side and rear yard property lines, thereby eliminating areas that are typically too small to program with activities and often become 'dead' zones.

Should it be desirable to have setbacks for this property which are greater than the minimum C1 zone setbacks, a restrictive covenant could be registered on title to ensure the greater setbacks are achieved. Staff are supportive of the wider setback adjacent to the ALR property to the north.

Engineering Considerations: Road Dedication & Active Transportation Corridor (ATC)

The District's Lands Agent and Engineering Department has recommended that road dedication be secured as a condition of rezoning the subject property. Road dedication is recommended as depicted in Attachment D to support the mobility master plan and mobility improvement program, and full turning movements at the north end of Pollard Road.

The District's consulting Engineer reviewed the proposed development in association with the District's traffic modeling and future land use for the Pollard Road and Okanagan Centre Road area. Future development in this area is not expected to warrant a full road connection between Pollard Road and Okanagan Centre Road East; however, an active transportation corridor through this site, plus sidewalk and signage upgrades on Pollard Road are recommended. Staff recommend that the active transportation corridor be secured via a Statutory Right of Way for public access and a Covenant to ensure the landowner is responsible for maintenance.

The applicant is aware of this request and is in agreement with the proposed condition.

DEVELOPMENT REGULATIONS		
CRITERIA	RR2 Zone (Current)	C1 Zone (PROPOSAL)
Principal Uses	<ul style="list-style-type: none"> group home, minor single dwelling housing 	<ul style="list-style-type: none"> Zone permits a wide range of mixed commercial uses relative to government, financial, retail, entertainment, governmental, cultural and residential uses
Secondary Uses	<ul style="list-style-type: none"> animal clinics, major animal clinics, minor bed and breakfast homes care centre, minor home occupations hobby farms secondary suite or accessory suite utility services, minor impact short term vacation rental 	<ul style="list-style-type: none"> amusement arcade, minor apartment housing care centres, intermediate care centres, minor home occupation utility services, minor impact
Buildings & Structures	<ul style="list-style-type: none"> one single detached house (which may contain a secondary suite); accessory buildings or structures (may contain an accessory suite). 	<ul style="list-style-type: none"> N/A
Site Coverage	<ul style="list-style-type: none"> 20% Max 	<ul style="list-style-type: none"> not specified
Height	<ul style="list-style-type: none"> Lesser of 9.5m or 2.5 storeys Lesser of 8.0m or 1.5 storeys for accessory building 	Varies based on uses: <ul style="list-style-type: none"> Apartment/Apartment Hotels: Lesser of 12.4m or 3 storeys. Density bonusing permits lesser of 22.0m or 6 storeys Other Uses: Lesser of 12.4m or 3 storeys. Density bonusing permits up to 16.5m or 4 storeys

Density	<ul style="list-style-type: none"> one single detached house per lot, plus one secondary suite or accessory suite 	<ul style="list-style-type: none"> 1.5 Max Floor Area Ratio for Commercial development only For mixed use developments, the maximum floor area ratio is 3.0, except it is up to 3.5 where the developer has provided an amenity (density bonusing) Additional FAR when parking provided totally under habitable space
Private Open Space	<ul style="list-style-type: none"> N/A 	Minimum of: <ul style="list-style-type: none"> 6.0m² per bachelor unit 10.0m per 1 bedroom 15.0m² per unit with more than 1 bedroom,
Daylighting Standards	<ul style="list-style-type: none"> For buildings more than 2 storeys or 10.0m in height; 65 degrees 	
Setbacks		
Min. Front Yard	<ul style="list-style-type: none"> 6.0m 	<ul style="list-style-type: none"> 2.0m 4.5m adjacent to Hwy 97 (s.7.11.1)
Min. Side Yard	<ul style="list-style-type: none"> 3.0m 4.0m flanking street 	<ul style="list-style-type: none"> 0.0m Proposed: north – 8.0m south - 3.0m
Min. Rear Yard	<ul style="list-style-type: none"> 10.0m 4.0m flanking street 	<ul style="list-style-type: none"> 0.0m
Landscaping Regulations		
	RR2	C1
Front	Level 1: No specific requirements	Level 2: minimum 3.0 m landscape buffer, consisting of a vegetative buffer and continuous opaque barrier not required <i>*buffer width may be reduced to the width of the required setback</i>
Sides	Level 1: No specific requirements	Level 3: minimum 3.0 m landscape buffer consisting of a vegetative buffer or a continuous opaque barrier <i>*buffer width may be reduced to the width of the required setback</i>
Rear	Level 1: No specific requirements	Level 3: minimum 3.0 m landscape buffer consisting of a vegetative buffer or a continuous opaque barrier <i>*buffer width may be reduced to the width of the required setback</i>
Parking Regulations		
Total Required Vehicle Parking	2 Per Dwelling Unit	<ul style="list-style-type: none"> 1 per residential unit 2.0 per 100m² Gross Floor Area for Commercial units
Visitor Parking	N/A	1 per every 7 dwelling units

<p>Bicycle Stall Class I</p> <p>Bicycle Stall Class II</p>	<p>N/A</p>	<ul style="list-style-type: none"> • Class I: 0.5 per residential dwelling unit • Class I: 0.20 per 100m2 GFA; • Class II: 0.1 per dwelling unit • Class II: .60 per 100m2 GFA
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FINANCIAL IMPLICATIONS

None Budget Previously Approved Other (see below)

COMMUNICATION

- This application was referred to internal departments and comments were provided and shared with the applicant through the Comprehensive Letter.
- The Planning Department will prepare statutory notification if this application proceeds to a Public Hearing
- The Ministry of Transportation and Transit provided preliminary approval of this application and provided referral comments which were shared with the applicant on matters such as access, stormwater management and drainage, and setbacks.

ALTERNATE RESOLUTION OPTION(S)

1. THAT Rezoning application (Z0000338) Bylaw 1301, 2025 not be read a second time, rescind first reading and the file be closed.
2. THAT Rezoning application (Z0000338) Bylaw 1301, 2025 be deferred pending receipt of additional information as identified by Council.

Respectfully Submitted,

Trevor Empey, Senior Planner
RPP, MCIP

Report Approval Details

Document Title:	Z0000338 - 9971 Okanagan Centre Road E.docx
Attachments:	<ul style="list-style-type: none"> - Attachment A - Z0000338 - Draft Bylaw 1301, 2025.docx - Attachment B - Z0000338 - Location Map.pdf - Attachment C - Z0000338 - Land Use and Zoning Maps.pdf - Attachment D - Z0000338 - Road Dedication Map.pdf - Attachment E - Z0000338 - Draft Site Plan.pdf
Final Approval Date:	Oct 30, 2025

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

Carie Liefke, Manager of Current Planning - Oct 28, 2025 - 12:08 PM

Steven Gubbels, Development Engineering Manager - Oct 28, 2025 - 12:23 PM

Matthew Salmon, Infrastructure & Development Engineering Director - Oct 29, 2025 - 10:52 AM

Jeremy Frick, Director of Development Approvals - Oct 29, 2025 - 4:33 PM

Reyna Seabrook, Director of Corporate Services - Oct 30, 2025 - 11:03 AM

Paul Gipps, Chief Administrative Officer - Oct 30, 2025 - 1:43 PM

Makayla Ablitt, Manager of Corporate Administration - Oct 30, 2025 - 1:45 PM