

## ADMINISTRATIVE REPORT



**TO:** Advisory Planning Commission  
**FROM:** B. Newell, Chief Administrative Officer  
**DATE:** August 23, 2021  
**RE:** Zoning Bylaw Amendment – Electoral Area “F”

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Purpose: to allow a thrift store to operate on the subject property. Folio: F-07464.090

Civic: 2002 West Bench Drive Legal: Lot 1, Plan KAP14266, District Lot 5076, ODYD

OCP: Commercial (C) Zone: General Commercial Site Specific (C1s)

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### **Proposed Development:**

The applicant is seeking to amend the zoning of their property in order to allow retail store, general as a permitted use in the Site Specific General Commercial (C1s) zone to operate a thrift store on the subject property.

Specifically, it is being proposed to amend the zoning of the property under the Electoral Area ‘F’ Zoning Bylaw No. 2461, 20008, by replacing Section 17.3.1(a)(iv) retail sales, convenience, under Section 17.13 (Site Specific General Commercial (C1s) Provisions in its entirety with “retail sales, general”.

In support of the rezoning, the applicant has stated that “we have new tenants that would like to put a thrift store into the commercial space on the property. There will be no construction to do so. There is currently no store in the area and the community is very positive about having a thrift store in the West Bench area. The business owners are very friendly, hard working people and they do most of their sales online so traffic will be minimal.”

### **Site Context:**

The subject property is approximately 0.24 ha in area and is situated on the west side of West Bench Drive, approximately 1.2 km from the municipal boundary for Penticton. It is understood that the parcel is comprised of a building that has an accessory dwelling on the upper floor, commercial space on the main floor, and a garage.

The surrounding pattern of development is generally characterised by residential uses to the north and east, administrative and institutional to the south and Penticton Indian Band land directly to the west of the property.

### **Background:**

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on July 13, 1964, while available Regional District records indicate that building permits for a horse barn (1974), retaining wall (1975), Single family dwelling (1975), deck extension (2004), garage (2006), and a commercial building (2006) have previously been issued for this property.

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Under the Electoral Area “F” Official Community Plan (OCP) Bylaw No. 2790, 2018, the subject property is currently designated Commercial (C), and is the subject of a Watercourse Development Permit (WDP) Area designation.

Under the Electoral Area “F” Zoning Bylaw No. 2461, 2008, the property is currently zoned General Commercial Site Specific (C1s), which restricts permitted uses to “eating and drinking establishment”, “offices”, “personal service establishment”, “retail sales, convenience”, “one (1) accessory dwelling” and “accessory buildings and structures”.

A “thrift store” is seen to constitute a “retail store, general” use, which is defined as meaning a “premises where goods, merchandise, and other materials, and personal services, including those listed for convenience retail stores, are offered for sale at retail to the general public ...” As “retail store, general” is not a listed use in the C1s Zone, an amendment to the zoning bylaw is required.

BC Assessment has classified the property as part “Residential” (Class 01), and part “Business and Other” (Class 06).

**Analysis:**

In considering this proposal, Administration notes that convenience stores (i.e. “corner store”) are increasingly uncommon and that properties with zoning for a convenience store in residential neighbourhoods are being converted into other more viable uses (i.e. daycares, cafes, etc.).

It is further noted that the OCP Bylaw has designated the subject property as Commercial (C) and that this supports its use for smaller-scale, neighbourhood-serving commercial activities, such as “retail store, general”.

Administration also notes that the applicants are not proposing any new construction, that the thrift store use will occur within the existing building footprints and, additionally, the number of permitted uses on the property will remain the same.

Conversely, Administration recognises that the surrounding development is primarily residential in nature. The OCP generally directs commercial uses to primary growth areas such as the City of Penticton.

In summary, Administration feels that the proposed amendment constitutes a relatively minor change to the zoning designation and are generally supportive of the application.

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**Administrative Recommendation:**

**THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved.**

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**Options:**

1. THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved.
2. THAT the APC recommends to the RDOS Board of Directors that the subject development application be approved with the following conditions:

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i) *TBD*

3. THAT the APC recommends to the RDOS Board of Directors that the subject development application be denied.

**Respectfully submitted:**

*Fiona Titley*

Fiona Titley, Planner I

**Endorsed By:**

*CG*

C. Garrish, Planning Manager

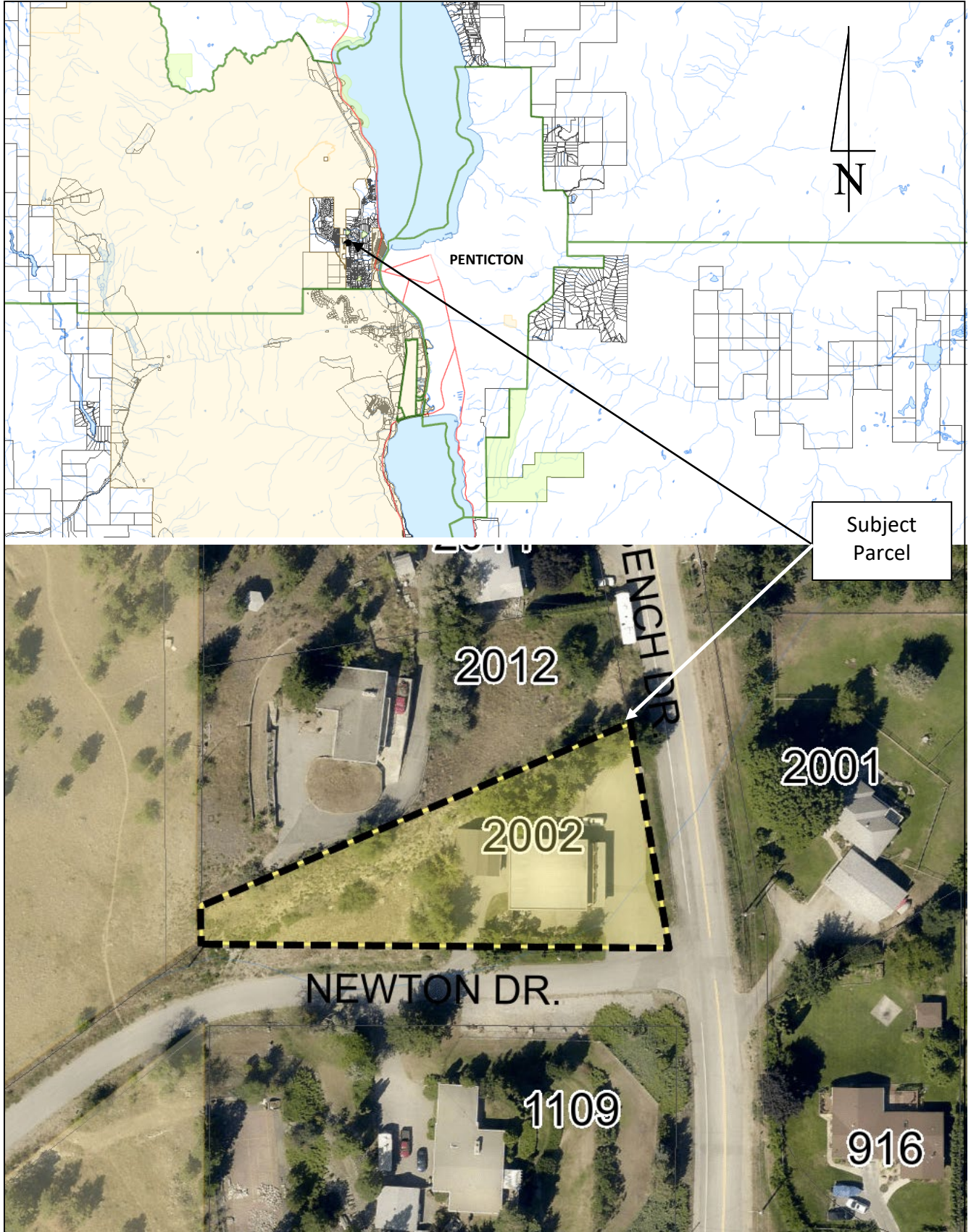
Attachments: No. 1 – Context Maps

No. 2 – Applicant’s Site Plan

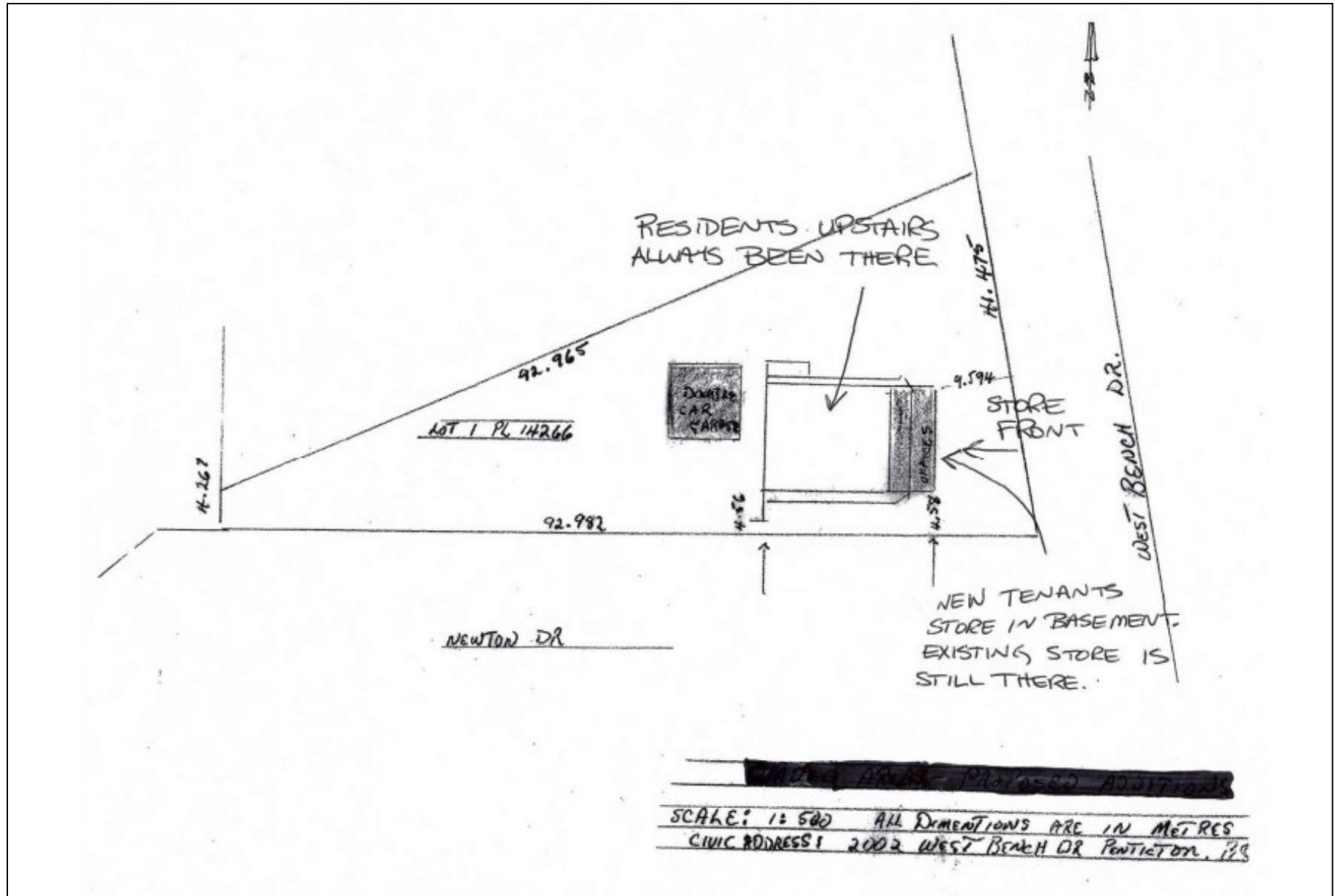
No. 3 – Applicant’s Floor Plan

No. 4 – Parking Plan

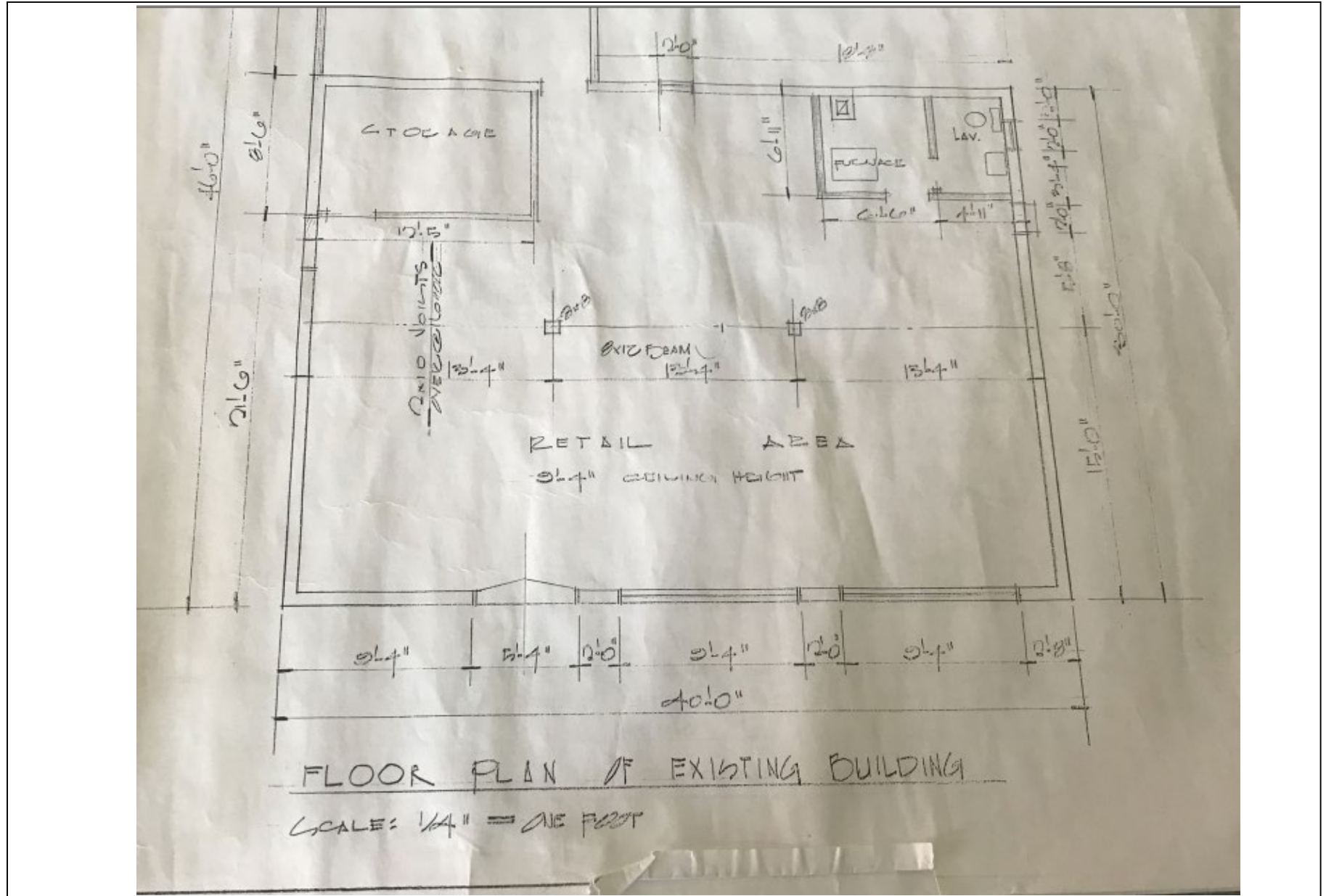
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Attachment No. 4 – Parking Plan

