

Lauri Feindell

From: Moraes, Ryan <Ryan.Moraes@fortisbc.com>
Sent: July 26, 2021 12:20 PM
To: Planning
Subject: RE: Bylaw referral -Zoning Aendment -2 002 West Bench Drive (F2021.007-ZONE)

Categories: URGENT

Hello,

FortisBC Energy Inc. has no concerns with this rezoning.

Regards,

Ryan Moraes, P.L.Eng, ASCT | Planning & Design Technologist | FortisBC

1975 Springfield Rd | Kelowna, BC V1Y 7V7
☎ 250-490-2621 ☎ 778-214-0509 | ✉ ryan.moraes@fortisbc.com

From: Referrals <Referrals@fortisbc.com>
Sent: Thursday, July 22, 2021 8:16 AM
To: Moraes, Ryan <Ryan.Moraes@fortisbc.com>
Subject: Bylaw referral -Zoning Aendment -2 002 West Bench Drive (F2021.007-ZONE)

Property Referral: 2021-1304

Hi Ryan,

Please review the attached / below and provide your comments directly to planning@rdos.bc.ca by **August 22, 2021**.

If FortisBC Energy Inc. is affected, please copy referrals@fortisbc.com in on your response so that we may update our records.

Thank you,

Mai Farmer
Property Services Assistant
Property Services
Phone 604-576-7010 x57010



From: Fiona Titley <ftitley@rdos.bc.ca>
Sent: Wednesday, July 21, 2021 11:29 AM
To: 'fire@penticton.ca' <fire@penticton.ca>; 'development@penticton.ca' <development@penticton.ca>; 'HBE@interiorhealth.ca' <HBE@interiorhealth.ca>; Referrals <Referrals@fortisbc.com>; 'rs@summer.com' <rs@summer.com>

Lauri Feindell

Subject: FW: Bylaw referral -Zoning Aendment -2 002 West Bench Drive (F2021.007-ZONE)

From: Nicole Capewell <Nicole.Capewell@penticton.ca>
Sent: July 23, 2021 12:24 PM
To: Planning <planning@rdos.bc.ca>
Subject: RE: Bylaw referral -Zoning Aendment -2 002 West Bench Drive (F2021.007-ZONE)

Hello,

We have reviewed the proposed Zoning Amendment Bylaw and note that our interests are unaffected by the bylaw. Please let me know if you require anything further.

Thank you,

**Nicole Capewell, BPI
Planner II**

City of Penticton | 171 Main Street | Penticton, BC | V2A 5A9
p: 250.490.2517 | f: 250.490.2502 | e: nicole.capewell@penticton.ca



City Hall is open to the public from 9am to 4pm; however, arranging appointments with Development Services staff is highly recommended. For more information contact Development Services at 250 490 2501 or development@penticton.ca.

For information related to all City COVID-19 operations, please go to <https://www.penticton.ca/covid19contact>

From: Planning Info - City of Penticton <planning@penticton.ca>
Sent: Wednesday, July 21, 2021 12:30 PM
To: Nicole Capewell <Nicole.Capewell@penticton.ca>
Subject: FW: Bylaw referral -Zoning Aendment -2 002 West Bench Drive (F2021.007-ZONE)

Heather McDonald, Planning Clerk

City of Penticton | 171 Main Street | Penticton, BC | V2A 5A9
p: 250.490.2523 | f: 250.490.2502 | e: heather.mcdonald@penticton.ca

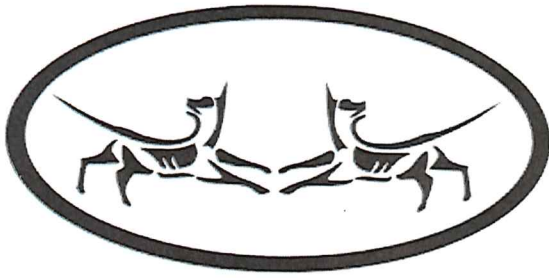
**** Please note that I will be away July 26-30, 2021 ****

City Hall is open to the public from 9 am to 4 pm; however, arranging appointments with Development Services staff is highly recommended. For more information contact Development Services at 250-490-2501 or development@penticton.ca .
For information related to all City COVID-19 operations, please go to <https://www.penticton.ca/covid19contact>



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From: Development Services email <Development@penticton.ca>
Sent: July 21, 2021 11:33 AM



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411
Fax: 250-493-2882

Project Name:

Zoning Amendment - 2002 West Bench Drive (F2021.007-ZONE)

FN Consultation ID:

L-210721-F2021 007-ZONE

Consulting Org Contact:

Planning RDOS

Consulting Organization:

[Regional District of Okanagan Similkameen](#)

Date Received:

Friday, July 23, 2021

File number:

F2021.007-ZONE

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

Attention: Fiona Titley

We are in receipt of the above referral. This proposed activity is within the PIB Area of Interest within the Okanagan Nation's Territory, and the lands and resources are subject to our unextinguished Aboriginal Title and Rights.

The Supreme Court of Canada in the *Tsilhqot'in* case has confirmed that the province and Canada have been applying an incorrect and impoverished view of Aboriginal Title, and that Aboriginal Title includes the exclusive right of Indigenous People to manage the land and resources as well as the right to benefit economically from the land and resources. The Court therefore concluded that when the Crown allocates resources on Aboriginal title lands without the Indigenous peoples' consent, it commits a serious infringement of constitutionally protected rights that will be difficult to justify.

PIB has specific referral processing requirements for both government and proponents which are integral to the exercise of our management right and to ensuring that the Crown can meet its duty to consult and accommodate our rights, including our Aboriginal title and management rights. According to this process, proponents are required to pay a \$500 processing fee for each referral. This fee must be paid within 30 days. Proper consultation and consideration of potential impacts cannot occur without the appropriate resources therefore it is only with payment that proper consultation can begin and the proposed activity/development can be reviewed.

1. Invoice Number: L-210721-F2021 007-ZONE

Referrals Processing Fee

Sub Total \$ 500.00

Tax \$ 0.00

Total \$ \$500.00

INVOICE AMOUNT FOR PRELIMINARY OFFICE REVIEW \$500.00

Please make cheque or cash payable to Penticton Indian Band. re: P.C.132 and send to 841 Westhills Drive, Penticton, British Columbia, Canada V2A 0E8

Upon receipt of the processing fee, we will commence our review. You may then expect to receive a letter from us notifying you of the results of our review of potential impacts of the project within 30 to 90 days.

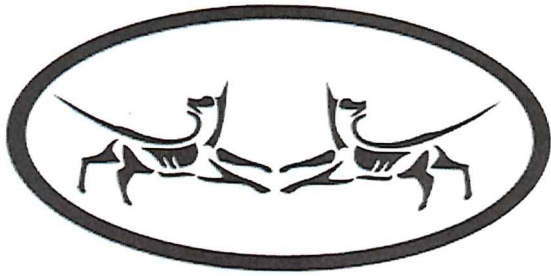
If the proposed activity requires a more in-depth review, PIB will notify the proponent and all parties will negotiate a memorandum of agreement regarding a process for review of the proposed activity.

Please note that our participation in the referral and consultation process does not define or amend PIB's Aboriginal Rights and Title, or limit any priorities afforded to Aboriginal Rights and Title, nor does it limit the positions that we may take in future negotiations or court actions.

If you require further information or clarification, please do not hesitate to contact me.

lmlmt,

Heather McDougall
Referrals Clerk
Natural Resources Department
Penticton Indian Band
W: 250-492-0411
Referrals.clerk@pib.ca



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411
Fax: 250-493-2882

Project Name:

Zoning Amendment - 2002 West Bench Drive (F2021.007-ZONE)

FN Consultation ID:

L-210721-F2021 007-ZONE

Consulting Org Contact:

Planning RDOS

Consulting Organization:

[Regional District of Okanagan Similkameen](#)

Date Received:

Friday, July 23, 2021

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

August 10, 2021

Attention: Planning RDOS

File number: F2021.007-ZONE

RE: 40 (forty) day extension

Thank you for the above application that was received on 2021-07-23T00:00:00.

This letter is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, the Penticton Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 40 days from the existing timeline.

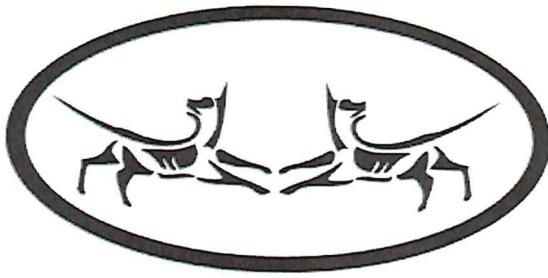
Most recently, the Supreme Court of Canada in the Tsilquot'in case confirmed that the province has been applying an incorrect and restrictive test to the determination of Aboriginal Title, and that Aboriginal Title includes the exclusive right of a First Nation to decide how that land is used and the right to benefit economically from those uses.

Please note that not receiving a response regarding a referral from Penticton Indian Band in the pre-application, current or post-application stage does not imply our support for the project.

I appreciate your co-operation.

lilməmt,

Heather McDougall
Referrals Clerk
Natural Resources Department
Penticton Indian Band
P: 250-492-0411
Referrals.clerk@pib.ca



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411
Fax: 250-493-2882

Project Name:

Zoning Amendment - 2002 West Bench Drive (F2021.007-ZONE)

FN Consultation ID:

L-210721-F2021 007-ZONE

Consulting Org Contact:

Planning RDOS

Consulting Organization:

[Regional District of Okanagan Similkameen](#)

Date Received:

Friday, July 23, 2021

File number:

F2021.007-ZONE

WITHOUT PREJUDICE AND NOT TO BE CONSTRUED AS CONSULTATION

Attention: Planning RDOS,

We are in receipt of the above referral. The proposed activity is located within syilx (Okanagan) Nation Territory and the Penticton Indian Band (PIB) Area of Interest. All lands and resources within the vicinity of the proposed development are subject to our unextinguished Aboriginal Title and Rights. The Penticton Indian Band has now had the opportunity to review the proposed activity. Our preliminary office review has indicated that although this is an administrative decision to amend a zoning bylaw, it represents a lengthy history of exclusion in the consultation and development of legislations, regulations and provincial processes over our lands. The bylaws and its objective was developed unilaterally without consultation or consent from the syilx(Okanagan) nation title holders. All lands and resources within syilx Territory are unceded.

Furthermore, the Crown or representatives of the crown have no beneficial interest (the right to use, enjoy and profit from the economic development of lands) in our Aboriginal title lands and resources; the beneficial interest is held by the syilx Nation. The legislation of our lands or resources to third parties are serious infringements on our Aboriginal title. The provincial government's consultation framework, land use referral policy and administrative system are insufficient to uphold our syilx interests in the land and resources within our traditional territory or to meet the fiduciary obligations of British Columbia.

At this time there has been no reconciliation of our interests with those of the Province of British Columbia and Canada and no process in place to adequately recognize and negotiate co- existence or accommodation of our title and jurisdiction. Compliance with provincial processes, legislation, regulations and requirements therefore does not ensure that our interests are adequately accommodated. In addition, as proved by the 2014 Tsilhqot'in case, when the Crown allocates resources on Aboriginal title lands without the Indigenous peoples' consent, it commits a serious infringement of constitutionally protected rights that will be difficult to justify.

In 2019, the province of British Columbia implemented the United Nations Declaration on the Rights of Indigenous Peoples which aims to emphasize the Indigenous peoples' rights to live in dignity, to maintain and strengthen Indigenous institutions, cultures and traditions and to pursue self-determined development, in keeping with Indigenous needs and aspirations. The

UNDRIP states in article 32(2): States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources. At this time,

The PIB cannot provide comment on this activity due to an insufficient level of engagement and consultation. Please note that our participation in the referral and consultation process does not define or amend PIB's Aboriginal Rights and Title, or limit any priorities afforded to Aboriginal Rights and Title, nor does it limit the positions that we may take in future negotiations or court actions.

Please contact me to discuss.

limlæmt,

Maryssa Bonneau
Referrals Coordinator
Natural Resources Department
Penticton Indian Band
W: 250-492-0411
C: 250-486-3241
Referrals@pib.ca

Lauri Feindell

Subject: FW: Bylaw referral -Zoning Aendment -2 002 West Bench Drive (F2021.007-ZONE)
Attachments: Bylaw Referral Sheet F2021.007-ZONE.pdf

From: HBE <HBE@interiorhealth.ca>
Sent: July 21, 2021 1:23 PM
To: Planning <planning@rdos.bc.ca>
Subject: FW: Bylaw referral -Zoning Aendment -2 002 West Bench Drive (F2021.007-ZONE)

Hello,

The IH Healthy Community Development Team has received the above captioned referral from your agency.

An initial review has been completed and no health impacts associated with this proposal have been identified. As such, our interests are unaffected by this proposal.

If you have any questions, please feel free to contact me at 250-549-5758.

Thanks,

Janelle

Janelle Rimell, B.Sc, B.Tech, C.P.H.I.(C) (she/her)

Healthy Communities
Interior Health Authority
1440 14th Avenue, Vernon, BC V1B 2T1
Office: 250-549-5758
Cell: 250-540-8380
Email: janelle.rimell@interiorhealth.ca
www.interiorhealth.ca



I acknowledge that my work area is within the convergance of the ancestral, traditional, and unceded territories of the Syilx and Secwepemc Nations and also recognize the Métis Nation and their important role to shape current understanding of Indigenous ways of being and knowing.

From: Fiona Titley <ftitley@rdos.bc.ca>
Sent: Wednesday, July 21, 2021 11:29 AM
To: 'fire@penticton.ca' <fire@penticton.ca>; 'development@penticton.ca' <development@penticton.ca>; HBE <HBE@interiorhealth.ca>; 'referrals@fortisbc.com' <referrals@fortisbc.com>; 'rs@summer.com' <rs@summer.com>
Cc: Lauri Feindell <lfeindell@rdos.bc.ca>
Subject: Bylaw referral -Zoning Aendment -2 002 West Bench Drive (F2021.007-ZONE)

CAUTION! This email originated from outside of Interior Health. Do not click links or open attachments unless you recognize the sender, their email address, and know the content is safe. If you suspect this is a phishing or fraudulent email please forward it to spam@interiorhealth.ca.

RECEIVED
Regional District

AUG - 3 2021

101 Martin Street
Penticton BC V2A 5J9

R. Jacobs

Penticton BC
V2A 8Z3

Regional District Okanagan Similkameen
101 Martin Street
Penticton, BC
V2A 5J9

July 29, 2021

Attention: Fiona Titley

Re: Zoning Application: 2002 West Bench Drive, Penticton
Lot1, Plan KAP14266 District Lot 5076

I would like to register my opposition to a change of zoning from C1S "retail store, convenience" to "retail store, general" for the property located at 2002 West bench Drive. I would ask that the RDOS Planning Board review the potential long term impact of this application and consider carefully before making changes to current zoning.

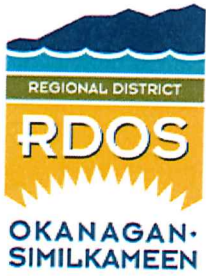
My concerns are many: Traffic, noise, parking, unsightly on-site storage, and security. However my greatest concern is; what happens next? The application is being made by the property owners on behalf of their renters, the renters have no community ties, they will move on when the situation no longer suits them, leaving a much broader scope of use behind. If the zoning change is made from a specific use for a "convenience store" to a "general store" classification, it has the potential to change the original intent and become a far greater issue. The next venture may well fall within the "general" category but be completely unsuitable and disruptive in a rural neighbourhood leaving the neighbours with little to no say, as long as it falls within the scope of the new amendment.

Most recently the building is was used for home offices and central dispatch for a small company, neither of which caused any disruption to the neighbourhood, it has not been used for a store in many years. I am not aware of any other commercially zoned properties in the West Bench area, which makes sense, since we are a rural residential area without commercial services such as sewage, sidewalks, lighting, or parking. A business designed to attract customers and increase traffic from outside the area can create increased dangers to the neighbourhood. School children daily walk alone and in large classes alongside the road, and horse riders cross next to the property to access the KVR trail. The property in is located closely between a school zone and a park zone, and one only needs to review the complaints online and with the RCMP to see that speeding and trafficare already a problems.

I would like to see the zoning remain as is, to have the use meet the zoning requirements not the other way around.

Thank you for your consideration
Rhonda Jacobs
West Bench Resident

F2021.007-ZONE
F07464.090



Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A-5J9

Tel: 250-492-0237 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** F2021.007-ZONE

FROM: Name: Gayle McIntaggart
(please print)

Street Address: _____

Date: 2021-08-06

RE: Electoral Area "F" Zoning Amendment Bylaw No. 2461.17
2002 West Bench Drive — Lot 1, Plan KAP14266, District Lot 5076, ODYD

My comments / concerns are:

- I do support the proposed rezoning of the subject parcel.
- I do support the proposed rezoning of the subject parcel, subject to the comments listed below.
- I do not support the proposed rezoning of the subject parcel.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2461.17.

Please see attached letter

Also on the RDOS website under planning etc there is no header beside the file number. This makes it very difficult to find the proposal and accompanying documents. people will have a difficult time seeing it
Why would you do that? All othe proposals have the description beside it.

Feedback Forms must be completed and returned to the Regional District prior to noon on the day of the applicable Regional District Board meeting.

Protecting your personal information is an obligation the Regional District of Okanagan-Similkameen takes seriously. Our practices have been designed to ensure compliance with the privacy provisions of the *Freedom of Information and Protection of Privacy Act* (British Columbia) ("FIPPA"). Any personal or proprietary information you provide to us is collected, used and disclosed in accordance with FIPPA. Should you have any questions about the collection, use or disclosure of this information please contact: Manager of Legislative Services, RDOS, 101 Martin Street, Penticton, BC V2A 5J9, 250-492-0237.

To RDOS,

I am writing this letter in regards to the Junk in the Trunk store proposal at 2002 West Bench Drive, Penticton.

I live in the area and I have some real concerns about a "Thrift" store at that location. I am very concerned about a change of zone to accommodate the thrift store. This could have negative future impact to the area. Having a local convenience store that serves the community is one thing but a thrift store that serves the City of Penticton residents far more than Westbench community does not make sense. It will increase traffic, there are only two ways in and out and one goes right through a 30 km school zone and playground and one that winds through a residential area and through a 30km/hr park zone. The residents would like to preserve what we have in Westbench which is a safe family orientated rural area, equestrian friendly and walkable neighbourhood for children and adults.

I have been to the Junk in the Trunk current location which is a secure warehouse full of merchandise. They will not fit all that stuff into the basement of the residence on West Bench Dr. I have been told that they will be putting storage containers on the property. My concern is will we have to look at storage containers sitting in the parking lot and/or junk sitting outside. This could really become a hazard attracting criminals looking for easy pickings and people dumping stuff anytime they want rather than paying to take it to the landfill. A thrift store should be in a location that serves the residents of the area. It would be better suited to downtown Penticton.

The RDOS has a responsibility to support the residents that live in the area and who have expectations for it to remain a rural setting without a commercial business right in the middle of it. As the owners of the house are not living in it, it is a rental, I do not believe they have the best interest of the neighbourhood in mind. This is a business decision that does not benefit the community. I have read the letter submitted by Amber Maddalozza where she states that "There is currently no store in the area and the community is very positive about having a thrift store in the West Bench area". I am in direct sight of the proposed location and I have never been approached to give my opinion on a Thrift Store in the area nor have my neighbours who live even closer and we do not support it. Although she states the sales are online and there will be very little traffic that simply is not true. There will be the constant pick up and delivery by commercial vehicle and people driving to pick up items they have purchased. The merchandise has to get to the customers somehow. It is either being picked up and delivered by their commercial truck or customers are coming to pick up. The nature of a thrift store is that people want to examine second hand items for wear and tear and damage rather than buying sight unseen. There will be people attending the store to browse as there is now in their current location. I put very little weight on her statements. The residents that live in the direct area of the proposed location will suffer the consequences of having a Thrift store at that location.

To summarize my concerns are increase in traffic, changing the rural feel of the area, strong possibility of people dumping their garbage at the location in off hours, attracting criminal behavior ie theft and break and enter, zoning being changed to "retail sales general" which could allow for future business at the location that may not fit within the community. The RDOS has not explained how this could impact

future requests. The nature of the existing neighbourhood is not commercial even though it is zoned for Convenience retail from a historical zone licence.

Why is the Junk in Trunk already moving their merchandise into the building prior to any approval? Is this meeting just a formality and has the decision already been made?

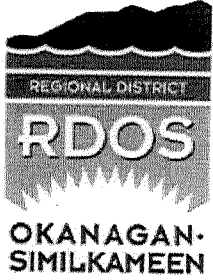
Gayle McIntaggart

Lauri Feindell

From: Deborah Webb
Sent: July 29, 2021 10:31 AM
To: Fiona Titley
Subject: Permission for Thrift Store at 2002 West Bench Drive per Project F2021.007-ZONE

We agree to permit this application.

Mark and Deborah Webb



Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A-5J9

Tel: 250-492-0237 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** F2021.007-ZONE

FROM: Name: Terrena Buck
(please print)

Street Address: _____

Date: Aug 9 2021

RE: Electoral Area "F" Zoning Amendment Bylaw No. 2461.17
2002 West Bench Drive — Lot 1, Plan KAP14266, District Lot 5076, ODYD

My comments / concerns are:

- I do support the proposed rezoning of the subject parcel.
- I do support the proposed rezoning of the subject parcel, subject to the comments listed below.
- I do not support the proposed rezoning of the subject parcel.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2461.17.

Feedback Forms must be completed and returned to the Regional District prior to noon on the day of the applicable Regional District Board meeting.

Protecting your personal information is an obligation the Regional District of Okanagan-Similkameen takes seriously. Our practices have been designed to ensure compliance with the privacy provisions of the *Freedom of Information and Protection of Privacy Act* (British Columbia) ("FIPPA"). Any personal or proprietary information you provide to us is collected, used and disclosed in accordance with FIPPA. Should you have any questions about the collection, use or disclosure of this information please contact: Manager of Legislative Services, RDOS, 101 Martin Street, Penticton, BC V2A 5J9, 250-492-0237.

Lauri Feindell

From: Info E-Box
Sent: August 11, 2021 4:37 PM
To: Planning
Subject: FW: Thrift store on West Bench zoning change

-----Original Message-----

From: Mary Lou
Sent: August 11, 2021 4:03 PM
To: Info E-Box <info@rdos.bc.ca>
Subject: Thrift store on West Bench zoning change

To Whom it may concern:

Regarding the planning change for the Thrift store on West Bench. I was unable to be online but would like to give my vote as "NO". This change would not "fit" the neighbourhood. We have not had a store or any other type of business up here since the 70's. Stores or merchandizing on the West Bench is out of place at this time and may be counter productive in a number of ways. Thank you for your consideration in this matter.

Sincerely'

Mary Lou Lancaster
Resident of the West Bench

Sent from my iPad

Lauri Feindell

From: Erin Aitkens
Sent: August 19, 2021 11:24 PM
To: Fiona Titley
Subject: Rezoning of 2022 West Bench Drive

Hi there-

I am writing to share my opinion for the rezoning of the property at 2022 West Bench Drive. I feel that rezoning this property would be a detriment to our community.

Due to the gravel pit located at the top of our community, we already have traffic concerns with large dump trucks heading to and from the gravel pit. We have three children at the West Bench school who enjoy walking and riding their bikes to school. As you probably are aware, the West Bench doesn't have sidewalks so the kids use the shoulder to get to and from school. Allowing a thrift store at this location will increase traffic in our area, especially the traffic passing right past the school. Traffic is already a concern in this area as many drivers do not obey the school zone and decreased speed and it is concerning for students walking home as well as crossing the street or being dropped off/picked up by their parents.

As well, at its current location, this business appears to be in need of a large amount of storage space for oversized items. The current building at 2022 West Bench Drive does not suite this need. My concern is that many items will need to be stored on and around the property. I would hate for this property to become a junk yard of sorts and negatively affect the housing prices of the surrounding properties.

Finally, we would love to see a business at this location that directly benefits the community of West Bench and it's residents such as a cafe, convenience store, or market space for fresh produce. We don't feel a thrift store will serve this purpose at this location.

Thank you for your time. If you need to contact me I can be reached via email or phone

-Erin Aitkens

Lauri Feindell

From: Pat Wand
Sent: August 19, 2021 7:42 PM
To: Fiona Titley
Subject: 2002 West Bench Dr rezoning

Dear Fiona,

I am writing this to make it know that we at 740 West Bench Dr.
Do NOT agree with the rezoning of the property at 2002 West Bench Drive.

Thank you

Pat Wand and Mike Smith



Feedback Form

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A-5J9

Tel: 250-492-0237 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen FILE NO.: F2021.007-ZONE

FROM: Name: KEVIN & BETTY MARREN
(please print)

Street Address: _____

Date: AUG. 22 - 2021

RE: Electoral Area "F" Zoning Amendment Bylaw No. 2461.17
2002 West Bench Drive — Lot 1, Plan KAP14266, District Lot 5076, ODYD

My comments / concerns are:

- I do support the proposed rezoning of the subject parcel.
- I do support the proposed rezoning of the subject parcel, subject to the comments listed below.
- I do not support the proposed rezoning of the subject parcel.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2461.17.

- WE ARE AGAINST THE REZONING
- WE DO NOT NEED THE ADDITIONAL TRAFFIC UP HERE
- WE DO NOT BELIEVE THIS WOULD SERVE OUR COMMUNITY IN THE LEAST
- ALL TRAFFIC WILL BE THROUGH THE SCHOOL ZONE
- IT WILL BECOME A DUMPING GROUND WITH "DONATIONS"

Feedback Forms must be completed and returned to the Regional District prior to noon on the day of the applicable Regional District Board meeting.

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THANK YOU.

Lauri Feindell

From: Lorna Foster
Sent: August 23, 2021 12:18 PM
To: Planning; Fiona Titley; Riley Gettens
Subject: Amended copy regarding 2002 West Bench Drive
Attachments: Store rezone.docx

Hi there,

Please accept and use this amended copy of my letter recently emailed to you minutes ago. Regrettably, I forwarded my unedited copy by accident. Just in case you are putting one in a file. I will send the same letter attached to the Feedback Form in time for the directors meeting in September. I do hope you are able to share some of these concerns with the APC.

Sincerely,
Lorna Foster

Re:Electoral Area "F" Zoning Amendment Bylaw No. 2461.17

2002 West Bench Drive — Lot 1, Plan KAP14266, District Lot 5076, ODYD

As long-term residents living on the primary road affected by this zoning change (Newton Drive west) please consider the following concerns when making your decision regarding 2002 West Bench Drive's application to operate a Thrift Store at this location. While we are not opposed to all commercial activity and would encourage a neighbourhood store or coffee shop that would be more aligned with the current zoning, we are opposed to the zoning change for the following reasons:

- 1) The property is not conducive to servicing commercial and heavy truck traffic. The Thrift Store owners have indicated that in addition to regular foot traffic and shoppers' vehicles, the store would also be the shipping point for online sales, which will increase the amount of commercial traffic that can safely and efficiently load and unload without blocking adjacent Newton Drive. There are no provisions for the proper loading and unloading of larger trucks and moving vans/ vehicles. The property has no loading bay area or loading unloading zone. It does not have a proper egress or opening in a designated area that would prevent a larger delivery vehicle from blocking Newton Drive traffic while being loaded or unloaded. As such, truck traffic could potentially be blocking Newton Drive for periods of time. Newton Drive is not a through street and the blocking of this road would prevent residents from accessing or leaving their homes.
- 2) Newton Drive, which runs adjacent to 2002 West Bench Drive, is not a through street. It is limited in width to two lanes, with no lane markings or painted centerlines. It does not have paved or marked pedestrian walking areas. With the exception of the residents on the street, the majority of Newton Drive traffic is generated by individuals accessing the numerous hiking and biking trails on Penticton Indian Band lands and maintenance traffic attending to the West Bench water towers. There is regular foot, bicycle, and horseback traffic on this street including frequent access from nearby West Bench Elementary students who use the street for their daily physical education walks due to its close proximity to the school and the safety offered by the street.
- 3) The driveway and parking lot area to the property at 2002 West Bench Drive is only accessed from a single-entry point on Newton Drive. As a result, all traffic will have either back in or out of the property from Newton

Drive. This creates a potential danger hazard to both pedestrian and vehicle traffic using the adjacent property. The topography of the roadway site is located on a moderately steep grade as well. The western most point of Newton Drive, does not have a proper turn around area for larger vehicles due to the No Through Road orientation. There is a small area where people park when hiking or biking but this parking area is located on PIB lands. When individuals park in this area, it makes the roadway area congested, thus, larger vehicles would be unable to safely turn around should they proceed up the roadway past the store location.

4) A Thrift Store at this location does not align with the overall fit and form of the surrounding residential neighbourhood. Currently, Newton Drive is in a semi-rural residential neighbourhood. In addition, this zoning change opens the possibility of future uses for this property that are currently unknown in the event that this business closes or relocates.

5) We have concerns regarding the possible storage of excess and deliveries of store merchandise, which would be left outside the premises for periods of time. We are also concerned regarding the use of shipping containers or storage sheds that potentially could be used to house excess merchandise and stock.

We thank you in advance for considering our concerns when you make this important and potentially non-reversible decision that could have far-reaching impact on our neighbourhood and on the West Bench Rural area in general.

Sincerely,

Lorna and Dave Foster

Lauri Feindell

From: Rick Clarke
Sent: July 30, 2021 11:58 AM
To: Fiona Titley
Subject: application number F2021.007-zone

Hello Fiona. My partner, Rhonda J Jacobs and I live at [redacted] Newton Drive and have a question regarding this application.

First of all, as a direct neighbour we were NEVER contacted as to this application and am alarmed that that would be stated in the applicants letter that all the neighbours were on board.

This application seems to be very vague as to the description of "general" use. It is NOT a store and hasnt been for a very long time.

If this is approved what guarantees do residents have if this "sorta" commercial lot, gets out of control with storage bins and general collection from home estate sales that create yet another mess such as the property directly across from Selby Park.

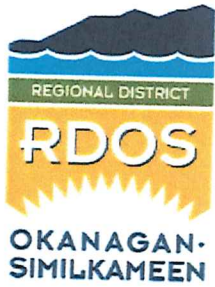
A convenience store is a long way from "general" use I believe. So we would like to know as examples, what type of retail store would then be allowed.

Please contact me by home phone
Or my email

Thank you Fiona, Rick Clarke (retired kitchen and bath design consultant)



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Feedback Form

RECEIVED
Regional District

AUG 18 2021

101 Martin Street
Penticton BC V2A 5J9

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A-5J9

Tel: 250-492-0237 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** F2021.007-ZONE

FROM: Name: DARRICK SMITH
(please print)

Street Address: _____

Date: AUG. 15 2021

RE: **Electoral Area "F" Zoning Amendment Bylaw No. 2461.17**
2002 West Bench Drive — Lot 1, Plan KAP14266, District Lot 5076, ODYD

My comments / concerns are:

- I do support the proposed rezoning of the subject parcel.
- I do support the proposed rezoning of the subject parcel, subject to the comments listed below.
- I do not support the proposed rezoning of the subject parcel.

Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2461.17.

- NOT INTERESTED IN THAT TYPE OF BUSINESS
IN OUR NEIGHBORHOOD.

- CONCERNS OF EXCESSIVE ITEMS OUTSIDE OF
THE BUILDING.

Feedback Forms must be completed and returned to the Regional District prior to noon on the day of the applicable Regional District Board meeting.

Protecting your personal information is an obligation the Regional District of Okanagan-Similkameen takes seriously. Our practices have been designed to ensure compliance with the privacy provisions of the Freedom of Information and Protection of Privacy Act (British Columbia) ("FIPPA"). Any personal or proprietary information you provide to us is collected, used and disclosed in accordance with FIPPA. Should you have any questions about the collection, use or disclosure of this information please contact: Manager of Legislative Services, RDOS, 101 Martin Street, Penticton, BC V2A 5J9, 250-492-0237.



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AUG 18 2021

101 Martin Street
Penticton BC V2A 5J9

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A-5J9

Tel: 250-492-0237 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen **FILE NO.:** F2021.007-ZONE

FROM: Name: Robert Perret
(please print)

Street Address: _____

Date: Aug 13 2021

RE: **Electoral Area "F" Zoning Amendment Bylaw No. 2461.17**
2002 West Bench Drive — Lot 1, Plan KAP14266, District Lot 5076, ODYD

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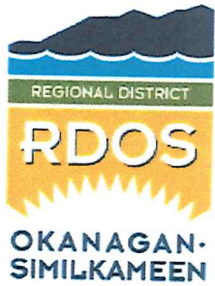
Written submissions received from this information meeting will be considered by the Regional District Board prior to 1st reading of Amendment Bylaw No. 2461.17.

I do not feel that the re-zoning, and that type of enterprise will be of any benefit to the west bench community.

It may turn out to be a dumping ground for used clothing etc, as we have all experienced. The homeless and the rampant theft in Penticton. If this business is buying used goods, it could become a dumping ground for goods that people are trying to sell, but can't.

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AUG 18 2021

101 Martin Street
Penticton BC V2A 5J9

Regional District of Okanagan Similkameen

101 Martin Street, Penticton, BC, V2A-5J9

Tel: 250-492-0237 / Email: planning@rdos.bc.ca

TO: Regional District of Okanagan Similkameen

FILE NO.: F2021.007-ZONE

FROM: Name:

JANE WINDOELER

(please print)

Street Address:

Date:

AUG 16/2021

RE:

Electoral Area "F" Zoning Amendment Bylaw No. 2461.17

2002 West Bench Drive — Lot 1, Plan KAP14266, District Lot 5076, ODYD

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more traffic
 speeding is already a problem with kids + horses walking along west Bench Drive - part of the school
 a recipe for a "junk yard" existing
 more downtown ppl "causing" homes for theft issue
 once the zoning is changed, residents will be up here at the mercy of whatever retail outlet may come up next.

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