

**Date:** February 11, 2025  
**To:** Anthony Haddad, City Manager  
**From:** Yvonne Mitchell, Planner II  
**Address:** 157 Wade Avenue West  
**Subject:** Temporary Use Permit PL2024-9938

File No: RMS/ 157 Wade Avenue West

### Staff Recommendation

THAT Council approve "Temporary Use Permit PL2024-9938", for Parcel "C" (DD KW106070) Block A District Lot 4 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 373, located at 157 Wade Avenue West, to allow a personal service establishment use for a 3-year period;

AND THAT Council direct staff to issue the permit.

### Strategic priority objective

**Livable & Accessible:** The City of Penticton will proactively plan for deliberate growth, focusing on creating an inclusive, healthy, and vibrant community.

### Proposal

The applicant is proposing to operate a personal service establishment use on the property for a 3-year period. The intent of the applicant is to offer spa service and massage to the public. A temporary use permit is required as the P1- Public Assembly Zone does not permit this use. The applicant has provided a Letter of Intent for the proposal (Attachment D).

### Background

The subject property is located on the edge of downtown, one block away from Martin Street. The property is 0.132 acres (534 m<sup>2</sup>) in size and contains a single detached dwelling. The property is zoned P1 – Public Assembly in the Zoning Bylaw and designated High Density Residential in the Official Community Plan. The surrounding area is designated High



Figure 1 - Property Location Map

Density Residential to the north, west, and south, and Downtown Mixed-Use to the east.

### *History*

The subject property was acquired by the St. Andrew's Presbyterian Church (located across the laneway to the east) in the 1970s. City records indicate the existing single detached dwelling was used for office space and Sunday school. The P1 – Public Assembly zoning on the property is shown on older versions of the City's zoning bylaw (Zoning Bylaw No. 87-65, adopted in 1988) and is likely a result of this previous use.

### **Analysis**

#### *Official Community Plan Bylaw No. 2019-08*

The Official Community Plan includes the following conditions which the approval of a temporary use permit will be assessed on. The proposed permit meets these conditions.

1. Compatibility with its Land Use Designation

The subject property is designated High Density Residential in the Official Community Plan. The designation permits limited retail/service uses and the following building types "small-scale neighbourhood commercial building (e.g., corner store, coffee shop, childcare)". The proposed personal service establishment use is seen to be compatible with this land use designation.

2. Minimizing conflict with adjacent land uses

Adjacent land uses include a 4-storey apartment building to the north, institutional and commercial use to the east, a 3-storey apartment building to the west, and commercial use to the south. Given the density and concentration of commercial uses in the surrounding area, conflict with adjacent land uses is expected to be minimal.

3. Avoiding impacts on environmentally-sensitive areas

There are no environmentally-sensitive areas on or in the vicinity of the subject property.

4. Not creating a significant increase in the level of demand for services

The proposed use is not expected to increase the level of demand for services.

5. Not permanently altering the site where it is located

No permanent site alterations are proposed. The personal service establishment use is proposed within the existing single detached dwelling.

#### *Zoning Bylaw No. 2024-22*

A personal service establishment requires EV ready outlets and a landscape buffer. Staff have drafted the temporary use permit without these regulations for the following reasons:

1. Energized Outlets

As per s.6.6 of the Zoning Bylaw, two energized outlets for Level 2 EV Charging are required. Given this application is for a temporary use (3-year period), staff do not recommend requiring the construction of energized outlets.

2. Landscape Buffer

As per s.5.2 of the Zoning Bylaw, a landscape buffer composed of trees, shrubs, and a 1.2m visual screen is required adjacent to the neighbouring property and along Wade Ave West. The adjacent uses are seen as compatible with the proposal. The adjacent use is higher density (3 storey apartment building) and there are existing commercial uses in the area. In addition, the proposed use is temporary (3-year period). Given this, staff do not recommend requiring landscape buffers.

Overall, staff recommend Council approve the permit as all conditions set out in the Official Community Plan have been met. Staff also recommend EV ready outlets and landscape buffers not be required for the permit given its temporary nature and compatibility with adjacent land uses.

**Alternate recommendations**

THAT Council deny "Temporary Use Permit PL2024-9938", for Parcel "C" (DD KW106070) Block A District Lot 4 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 373, located at 157 Wade Avenue West.

**Attachments**

- Attachment A – Zoning Map
- Attachment B – Official Community Plan Map
- Attachment C – Photos of Property
- Attachment D – Letter of Intent (applicant)
- Attachment E – Draft Temporary Use Permit PL2024-9938
- Attachment F – Submissions

Respectfully submitted,

Yvonne Mitchell  
Planner II

Concurrence

Director of Development Services  BL	City Manager  AH
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