



STAFF REPORT

Title: Second Hand Goods Stores - Concerns

Meeting Date: August 25, 2020

Executive Summary:

Administration has received a number of concerns regarding thrift stores located within the downtown area.

Background:

Administration has received a number of concerns regarding thrift stores located within the downtown, ranging from the outdoor display of items for sale, the concentration of stores within the downtown area, and donated items being left outdoors, which may become strewn about the surrounding area.

Under the City's Land Use Bylaw No. 382-LU-10 (LUB), thrift store are classified as a "Second Hand Goods Store". The LUB defines a Second Hand Goods Store as follows:

"SECOND HAND GOODS STORE means a retail store whose merchandise may include previously owned goods offered for sale, or sale on a consignment basis to the general public."

A Second Hand Goods Store is listed as a discretionary-Development Officer use in the RMX-Residential Mixed Use, C1-Downtown Commercial, C2-Arterial Commercial and LC-Lakeshore Commercial districts; and as a permitted use in the LI-Light Industrial district. There are currently four (4) Second Hand Goods stores operating within the downtown area, and one in the LI-Light Industrial Area.

Outdoor Displays

For the last several weeks, the Main Street Market has been displaying items for sale within their "parking area". The display initially included a number of larger items and, more recently, has grown to also include tables displaying smaller items, such as books and toys. More recently, Orbiting Trends has been placing tables of items for sale on the sidewalk in front of their store.

It should be noted that a number of other businesses within the City display items outdoors on either a seasonal or year-round basis and is a very common method for stores to advertise their merchandise and attract potential customers. Nothing in the City's Land Use Bylaw No. 382-LU-10 specifically prohibits businesses from displaying items outdoors on their premises, although Section 6.18(1) does provide a broad prohibition on unsightly items:



“6.18(1) No person shall keep in any part of a yard in the following Districts within the corporate limits of the City:

(b) In any district, any object which, in the opinion of the Development Authority is unsightly, or negatively affects the aesthetics or amenities of the area.”

Similarly, the City’s Community Standards Bylaw No. 538-PL-14, does not specifically prohibit businesses from displaying items for sale outdoors. The unsightly premises provision of the Community Standards Bylaw is not intended to prevent the accumulation or storage of materials that would be normally associated with the operation of a business. Several pictures of outdoor displays are attached as a reference.

A number of options could be considered to address the concerns regarding outdoor displays:

- Regulating outdoor displays by the type of use/type of business. This could be employed to prevent the display of second-hand items through an amendment specifying certain uses where outdoor displays would not be permitted.
- Regulating outdoor displays by the Land Use District. As an example, the LUB could be amended to limit outdoor displays to C2-Arterial Commercial and LI-Light industrial districts while prohibiting outdoor displays in RMX, C1 and LC districts.
- Regulating outdoor displays based on the size of the store. As an example, businesses could be permitted a maximum outdoor display area of 10% of the indoor floor area of the store. This would restrict businesses from using the entirety of their property to display items, yet would be scalable, so that larger stores would still be able to maintain a significant outdoor display area.

The measures above could be enacted on their own, or in some combination. The following example combines elements of all three approaches discussed above: Second hand Goods Stores operating in an RMX or C1 zoning district could be limited to an outdoor display area equal to no more than 10% of the indoor floor area of the store.

Concentration of Stores within the Downtown Area

Where it is undesirable to have a concentration of a specific type of land use within a certain area, Land Use Bylaws commonly impose a mandatory separation distance, either between the same use, or from other uses. As an example, many communities specify a separation distance between liquor stores, to prevent multiple stores being located within close proximity to one another.



An alternative approach is to specify a setback distance from other uses that are deemed to be incompatible with a proposed use. For example, the City's current LUB specifies a mandatory setback for Cannabis Retail Stores of 100 metres from schools, health care facilities, public parks/recreation areas and child care facilities.

The downside of such regulations is that they can impact the ability of a business to find a suitable location from which to operate. Thrift stores are often associated with charitable causes, making it imperative to find a location with a favourable rent structure.

A map indicating the location of existing Second Hand Goods Stores is attached for reference.

Unattended Donations

Administration has also received concerns regarding donations being dropped off outdoors at the various second-hand stores, often after hours when the stores are closed. Persons or birds then rummage through the donations which may lead to items being strewn about the area and adjacent properties.

It was suggested that a solution to this issue would be to require stores taking donations to have a secured donation bin where items can be left. Several of the local stores do have secure bins; however, there is little that the stores can do to prevent the public from leaving items outside when the donation bins may be full or during times when the stores are closed.

The intent of the information presented is to facilitate a fuller discussion of the concerns that have been brought forward. Any potential changes to the LUB should be carefully considered to ensure that they achieve the desired result, without generating unintended outcomes.

Alternatives:

For Discussion.

Recommended Action:

That Council pass a motion to refer the issue to Council's Corporate Priorities Committee meeting on September 15, 2020.

Budget Implications (Yes or No):

No

Submitted by:

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