

# Report

City of Merritt  
For Regular Council  
November 25<sup>th</sup>, 2008

**To:** Mayor and Council

**File Number:** 3360

**From:** Administrator

**Date:** November 19<sup>th</sup>, 2008

**Application No.** RZ2008-10

**Applicant:** Matthew Malkin

**Owner:** MATWAY Developments

**Subject Property Location:** 3299 River Ranch Road

**Purpose:** To amend the Official Zoning Map by changing the zoning designation on Lot 1, KAP58641 from R9, Intensive Residential to C9, Shopping Centre Commercial and R4, High Density Residential.

**Existing Zone:** R9, Intensive Residential

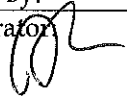
**Proposed Zone:** C9, Shopping Centre Commercial and R4, High Density Residential

**Report Prepared By:** Sean O'Flaherty

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**Recommendation:**

THAT the City of Merritt Zoning Amendment Bylaw No. 2066, 2008 be considered by Council

Reviewed by:			
Administrator 	Financial Services Mgr:	Corporate Services Mgr:	Other:



COUNTRY MUSIC CAPITAL OF CANADA

**Background:**

At the regular scheduled meeting of October 14<sup>th</sup>, 2008, Bylaw 2066 passed 3<sup>rd</sup> reading and by resolution Council required that a legal letter of undertaking be received restricting the residential building height to 2 stories and commercial building height to 1 story.

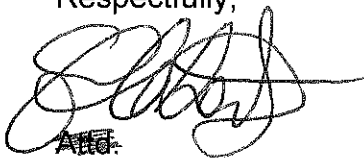
A legal letter of undertaking meeting all the requirements was received but Council further decided at the November 18<sup>th</sup>, 2008 regular meeting that absolute building heights be required since "storey" is not defined in the zoning Bylaw and could potentially be interpreted as any height.

The new wording in the covenant will read similar to:

*"any principal building for a residential use (including a home-based business) permitted under the Covenantee's zoning Bylaw in effect at that time shall not exceed two (2) storeys nor 12m in height; and*

*any building or structure for a commercial use permitted under the Covenantee's zoning Bylaw in effect at that time shall not exceed one (1) story nor 10m in building height."*

Respectfully,



Att.

**A BYLAW TO AMEND CITY OF MERRITT ZONING BYLAW NO. 1894, 2004**

NOW THEREFORE the Council of the City of Merritt in open meeting assembled hereby enacts as follows:

1. That this bylaw shall be cited as **"CITY OF MERRITT ZONING AMENDMENT BYLAW NO. 2066, 2008."**
2. THAT Schedule A, the Official Zoning Map to the City of Merritt Zoning Bylaw No. 1894 be amended by changing the zoning designation of Lot 1, KAP58641, KDYD, from R9 - Intensive Residential to R4 - High Density Residential and C9, Shopping Centre Commercial as shown on the attached Schedule A.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2008

**RUTH TOLERTON,  
CORPORATE SERVICES MANAGER**

# Map of Subject Property

R1

R9, Intensive Residential to C9, Shopping Centre Commercial

R9, Intensive Residential to R4, High Density Residential

R4

R9

P2

ITEM A  
PL KAP57842

KAP56641

PL KAP85049

FORKSDALE PL

RIVER RANCH RD

ROAD

PL KAP74213  
8

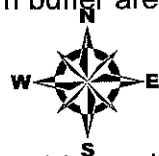
AIRPORT RD

SPRING BANK AVE

PL KAP83340



- Subject Property
- Zoning Boundary
- 30m buffer area



\* map not to scale

City of Merritt  
Bylaw No. 2066, 2008  
Schedule A