



# Merritt Information Item

FLOURISH UNDER THE SUN

**To:** Sean Smith, Chief Administrative Officer

**From:** Don McArthur, Planning Manager

**Date:** October 8, 2020

**Subject:** Public Hearing OCP Amendment Bylaw No. 2289 and Zoning Amendment Bylaw No. 2290 (3350 Voght Street and 3155 Grimmer Street)

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***This is provided as information, and no resolution is required. Council may make a motion to direct staff to take particular action if they wish.***

## **Background:**

On September 15, 2020, Council gave First and Second Readings to Official Community Plan Amendment Bylaw No. 2289 and Zoning Amendment Bylaw No. 2290, and directed staff to set a Public Hearing date.

If approved, the Bylaw amendments would enable the creation of a development of 52 modular homes (CSA A277 certification) and 15 townhomes.

Council also indicated a desire for an Open House to be held by the developer prior to the Public Hearing. Staff worked with the applicant to coordinate the Open House, which was held at the Civic Centre on October 1, 2020 (see Attachment D).

## **Development Process**

Rezoning is the first step in the development process. At this stage, Council is being asked to consider whether the proposed zones and uses are appropriate for the subject property. Other matters are addressed at later stages of the development process.

If the proposed rezoning were to be approved, the next stage in the development process is Subdivision. Issues such as fencing, parking, roads and servicing, and any required technical studies are addressed at this stage.

A Development Permit (DP) is also required for the subject property, as it is in the Highway Corridor Gateway Development Permit Area No. 3. At the DP stage, issues such as form and character of the buildings, landscaping, and exterior lighting are addressed.

The final stage of the development process is the Building Permit stage. Issues related to earth works, foundations, Building Code compliance and other building related matters are addressed at this final stage.

## Open House

32 people attended the Open House on October 1<sup>st</sup>. The main concerns raised are as follows:

Rezoning related issues:

- Dwellings fronting Voght Street
- Mobile Homes vs Modular Homes

Issues which would be addressed at later stages of the development process:

- Fencing at the southern property line
- Potential City trail and fencing on City land
- Access and Parking
- Stormwater
- Grimmitt Street extension
- Wildlife corridors

Each of the above items is addressed in detail below.

### Rezoning: Dwellings fronting Voght Street

Voght Street is a main gateway to the community. However, the street isn't as welcoming as it could be. Numerous initiatives have been completed, are being implemented, or are planned to help improve this important gateway to Merritt.

Signage has been installed at the entrance to the community to promote downtown and hopefully encourage visitors to travel down Voght Street into the community. Banners are planned to run alongside the street to help beautify the streetscape. Phase 2 of the Voght Street road improvement is currently being designed. Roundabouts may be included in the road improvement works. All of these initiatives are aimed at making Voght Street a more welcoming gateway to the community.

Another important Voght Street corridor initiative is to ensure that buildings on properties along Voght Street are situated to face the street, not back on to it. In the past, many buildings along Voght Street were situated in an unwelcoming manner, with their backs facing the street and tall fences lining the corridor. This is partly due to its former status as a highway. Voght Street is no longer a highway, however.

Another important reason to not have tall fences or walls along Voght Street, or any street, is for safety. At a Council meeting last December, the issue of crime in Merritt was discussed. Council indicated support for initiatives that would address crime. Staff heard that message and have been implementing initiatives to improve safety in the community. One of those initiatives is Crime Prevention Through Environmental Design (CPTED). Ensuring there are no visual obstructions in spaces where people walk, including along streets such as Voght, is a key principle of CPTED. Streets that are lined by tall fences or walls create a feeling of insecurity, especially at nighttime. The tall

fences prevent pedestrians from being seen from adjacent home windows. The tall fences prevent a means of escape if the person is in danger. On the other hand, if front doors are facing the street, people walking on that street have a sense of safety, knowing they can knock on a door for help, if needed.

Ensuring that buildings face Voght Street is vital to improving safety and making the street more welcoming for visitors and residents alike.

The developer had multiple options for the buildings facing Voght Street. Under the existing zone, commercial buildings, or mixed use with retail on the ground floor and apartments/condominiums above, are permitted. The developer did not want to proceed with commercial or mixed use, and chose to propose townhomes as an alternative. Staff would support any of the above options, as long as the buildings along Voght Street are facing the street.

#### Rezoning: Mobile Homes vs Modular Homes

Modular homes are not mobile homes. Below is a comparison of the two types of housing.

Mobile Homes:

- Built to CSA-Z240 code
- Not affixed to a permanent foundation
- Finished with vinyl or insulated skirting
- Standard Vipsun interior wall panels
- Available in single or double wide homes

Modular homes:

- Built to CSA-A277 code
- Affixed to a permanent foundation
- Standard 2x6 exterior wall construction
- Finished drywall on the home's interior
- Available in a variety of lengths and widths
- Often placed on private lots as a primary home



*Figure 1: Mobile Home without skirting*



*Figure 2: Modular Home*

The developer is proposing Modular Homes for the area identified as Residential Modular Home (R4) on the Proposed Site Plan (Attachment C).

#### Later Development Stages: Fencing at the southern property line

Fencing is not a rezoning consideration. Residents on Burgess Street have expressed privacy concerns, as their backyards are located at the bottom of the slope below the proposed development. While there is no way to provide complete privacy for property owners in the community, especially for properties located below other developments, staff would request at Subdivision stage that a fence be constructed along the southern parcel line of the subject property.

#### Later Development Stages: Potential City trail and fencing on City land

Residents on Burgess Street have also requested a second fence be constructed on the City owned property south of the subject property, most of which is the slope of the bank. There are multiple difficulties with constructing a fence before a plan for a potential trail is created.

Firstly, there is currently no funding allocated to developing a potential trail or constructing fencing. Secondly, surveying would need to be conducted and engineered design drawings would need to be created. Thirdly, due to the nature of the slope, it is quite likely that retaining walls and stormwater management would be required.

Without a survey and plan drawings detailing the required works, there is no way to determine where a potential fence should be located.

Furthermore, installation of fences along both sides of a trail does not conform with Crime Prevention Through Environmental Design principles. If there is a fence to the north of the trail, along the development's southern parcel line, it would be more likely that a row of evergreen trees be planted on the other side of the trail. This is hypothetical, however, because a trail plan has not been initiated. If a trail were to be planned and constructed in future, a privacy barrier, such as evergreen trees, would be installed at that time.

### Later Development Stages: Access and Parking

Access and parking are not rezoning considerations. At the Subdivision stage, the proposed development's internal road and parking configuration would be refined. The developer is proposing access to the townhomes from the internal road, with parking at the rear. Most of the modular homes would have access from the internal road, while some would front Grimmert Street, similarly to the modular homes on Spring Bank Avenue.

### Later Development Stages: Access and Parking

Stormwater is not a rezoning consideration. Submission of a Stormwater Management Plan would be a requirement for Subdivision approval.

### Later Development Stages: Grimmert Street extension

Some residents suggested that the City should close Grimmert Street south of Voght Street and transfer the land to the developer. There are two important reasons why this suggestion is not advisable: fire response and traffic.

Spring Bank Avenue currently has a longer Fire Department response time than most neighbourhoods in the City due to fire trucks having to drive all the way up Voght Street, down River Ranch Road, and then back down Spring Bank Avenue. Creating a connection from Grimmert Street to Spring Bank Avenue would alleviate this concern.

Additionally, as the community grows, traffic on Voght Street will continue to increase. An alternate route to the commercial area on River Ranch Road will be important. The Grimmert Street to Spring Bank Avenue connection would provide this alternate route.

### Later Development Stages: Wildlife corridors

Maintaining access to the Nicola River for deer and other wildlife is important. While this is not a rezoning consideration, the developer has provided a proposed site plan that illustrates the maintaining of river access. There is a north-south open space corridor at the eastern side of the proposed development. Extending Grimmert Street will provide an additional access route. Additionally, the City owned property south of the subject property provides another wildlife corridor. Furthermore, there is a trail east of the subject property from Voght Street to Irvine Avenue, with access to the river at Spring Bank Avenue Park.

### Public Notice

Notice of this Public Hearing was provided in accordance with the *Local Government Act* and City of Merritt bylaws, including the following:

- Newspaper ads in two consecutive editions of the Merritt Herald, on October 1 and 8

- Letters mailed to property owners and tenants within a 30 metre radius of the subject property
- Notice published on the City of Merritt website
- Public Hearing date posted on the rezoning sign at the subject property

**Attachments:**

Attachment A: Official Community Plan Amendment Bylaw No. 2289, 2020.

Attachment B: Zoning Amendment Bylaw No. 2290, 2020.

Attachment C: Proposed Site Plan.

Attachment D: Applicant's Open House Summary Report

**Respectfully submitted,**

**Don McArthur**  
**Planning and Development Services Manager**