

Report

City of Merritt
REGULAR Council Meeting
January 26, 2021

File Number: 3900.2295 and 3900.2296

To: Sean Smith, Chief Administrative Officer
From: Don McArthur, Planning Manager
Date: January 21, 2021
Subject: OCP Amendment Bylaw No. 2295 and Zoning Amendment Bylaw No. 2296
(Lindley Creek Road) – Third and Final

RECOMMENDATION:

THAT Council give Third Reading to Official Community Plan Amendment Bylaw No. 2295, 2020

And

THAT Council adopt Official Community Plan Amendment Bylaw No. 2295, 2020

And

THAT Council give Third Reading to Zoning Amendment Bylaw No. 2296, 2020

And

THAT Council adopt Zoning Amendment Bylaw No. 2296, 2020.

Background:

At the December 15, 2020 Regular Council Meeting, Council gave First and Second Readings to Official Community Plan Amendment Bylaw No. 2295, 2020 and Zoning Amendment Bylaw No. 2296, 2020.

Council also directed staff at the December 15th meeting to register a covenant on title to require an archaeological site investigation prior to Building Permit issuance, and

defeated a motion to direct staff to register a 55+ covenant on title for the proposed mobile home park.

Defeating the 55+ covenant motion doesn't prevent the developer from registering their own covenant on title, or prevent marketing of the mobile home development to seniors.

A Public Hearing was held on January 26, 2021.

OCP Amendment

The proposed Official Community Plan Amendment Bylaw No. 2295, 2020 would redesignate the subject property from Future Development and Parks, Schools & Open Spaces to Residential and Parks, Schools & Open Spaces. The Bylaw would also remove the subject property, and other industrial properties south of Lindley Creek Road, from the Collettsville neighbourhood and include them in the South Merritt neighbourhood.

The primary question for Council is whether this property, and other undeveloped parcels south of Lindley Creek road, belong in the Collettsville or the South Merritt sector. While OCP policies for the Collettsville sector do encourage a mixture of housing types, only portions of this development are consistent with Collettsville sector policy. However, there is a case that this property, and the other undeveloped properties south of Lindley Creek road should be included in the South Merritt sector, where sector policy would be more supportive of this development.

There may be a difference in character between the properties south of Lindley Creek road and other properties in the Collettsville sector. These same properties have more characteristics in common with the South Merritt sector. The OCP currently envisions the undeveloped parcels south of Lindley Creek road as being developed for a mix of residential, park and industrial uses. This is the same mix contemplated for the adjacent South Merritt sector.

The South Merritt industrial parcels are immediately adjacent to, and along the same truck route as the industrial parcels south of Lindley Creek road, which are currently in the Collettsville sector. It may make more sense to consider these industrial parcels as being within a single neighbourhood sector, particularly where there are no other industrial parcels in the Collettsville sector.

Similarly, what the OCP ultimately envisions as Windy Canyon Park is stretched across multiple parcels south of Lindley Creek road, some of which are currently in the Collettsville sector while others are in the South Merritt sector. It may be logical to envision the development of this park as a single entity within a single neighbourhood sector.

If considering all of this information, Council is desirous to proceed with this development, removing the properties south of Lindley Creek road, including the subject

property, from the Collettsville sector and adding them to South Merritt would be more consistent with the intent of the OCP than amending Collettsville policies. See Attachments A and B.

Zoning Amendment

The proposed Zoning Amendment Bylaw No. 2296, 2020 would rezone the subject property from Low Density Residential (R2), Medium Density Residential (R7), and Future Development (FD) to Medium Density Residential (R7), Mobile Home Park (R5), and Park & Cemetery (P1).

The proposed Amendment Bylaws would enable the creation of a townhome development, seniors oriented mobile home park, condominium development, and a large community park.

While OCP policies for the Collettsville neighbourhood (sector) do encourage a mixture of housing types, the policies outlined in the South Merritt neighbourhood (sector) may be more suitable for the proposed development. Removing properties south of Lindley Creek road, including the subject property, from Collettsville and adding them to South Merritt would prevent the need to re-write Collettsville policies that do not reflect the character of the area. See Attachments A and B.

The subject property's current zoning is Low Density Residential (R2), Medium Density Residential (R7), and Future Development (FD). The applicant is proposing to remove the R2 zone, reconfigure the R7 zone, and add Mobile Home Park (R5) and Park & Cemetery (P1) zones. See Attachments C, D, and E.

Rezoning is the first step in the development process. If the rezoning were to be approved, a Subdivision, Development Permit, and Building Permit would be required.

The developer has provided a conceptual site plan (Attachment E), which illustrates the potential site configuration. The conceptual plan includes 98 townhomes, 95 mobile homes in a seniors oriented development, and up to 180 condominium units in several lowrise buildings. The proposed development would be constructed in phases, with an expected build out of 10 years.

The developer would be required to dedicate and construct the road (Hill Street) from Lindley Creek road to the entrance of the proposed condominiums, as well as the parking lot for the community park. Servicing, including water and sewer, will also need to be extended to the property, at the developer's expense.

A park dedication of 9.49 hectares (23.46 acres) is being proposed. This is substantially more than the Provincial requirement of 5% of the property area. The park dedication would be 45% of the property. The proposed park would be another piece of the Windy Canyon Park that is envisioned by the OCP.

Local First Nations have indicated to the City that the subject property is of high cultural and historical significance. An archaeological site investigation would be a condition of Subdivision approval. Staff would register a covenant on title to ensure the site investigation is conducted.

The current OCP does not require a geotechnical report for the area of the property where development is being proposed. Therefore, staff can request geotechnical analysis, but cannot require it.

Options / discussion

1. THAT Council give Third Reading and adopt Official Community Plan Amendment Bylaw No. 2295, 2020 and Zoning Amendment Bylaw No. 2296, 2020; or
2. THAT Council amend Official Community Plan Amendment Bylaw No. 2295, 2020 and/or Zoning Amendment Bylaw No. 2296, 2020, as deemed necessary, and direct staff to schedule a new Public Hearing; or
3. THAT Council receive this report as information.

Financial / Risk Implications:

N/A

Others Consulted:

The following departments and agencies were provided a referral for comment:

Internal

CAO

Corporate Services

Building Inspector

Finance Department

Fire Department

Public Works

Economic Development

External

Urban Systems

Local First Nations

Ministry of Transportation and Infrastructure

Interior Health

BC Assessment

School District No. 58 Nicola – Similkameen

Nicola Valley Transit

BC Hydro

Canada Post
Fortis Gas

Attachments:

Attachment A: Official Community Plan Amendment Bylaw No. 2295, 2020
Attachment B: Existing OCP Land Use Designation Maps
Attachment C: Zoning Amendment Bylaw No. 2296, 2020
Attachment D: Existing Zoning Map
Attachment E: Conceptual Site Plan

Respectfully submitted,

Don McArthur
Planning and Development Services Manager