



Report

City of Merritt
REGULAR Council Meeting
September 17, 2019

File Number: RZ2019-03

To: Scott Hildebrand, Chief Administrative Officer

From: Jim Dinwoodie, Director of Engineering & Development

Date: September 12, 2019

Subject: 1330 Pine Street Rezoning – Direction to proceed with OCP Amendment

RECOMMENDATION:

THAT Council provide direction to staff on whether to bring forward an Official Community Plan Amendment Bylaw to Council that would allow Intensive Residential (R9) development in the Collettville sector.

Executive Summary:

The City has received a rezoning application for 1330 Pine Street (the “Subject Property”, see Figure 1), to change the zoning from Agricultural (AR1) to Intensive Residential (R9), in order to facilitate a 20-lot single family dwelling strata development. However, the proposed development doesn’t comply with the City’s Official Community Plan.

Pursuant to section 478(2) of the *Local Government Act*, all Bylaws adopted after the adoption of the OCP must comply with the OCP. To that end, an OCP amendment would be required to advance this rezoning application.

Staff recognizes the critical need for housing in our City, but we also acknowledge that the zoning proposed would be a departure from the plans set out for Collettville, which emphasizes preserving large lots and a semi-rural character. Minimum lot sizes in the Intensive Residential (R9) zone are about 25% smaller than Low Density Residential (R2) lots, the residential zone applicable in nearly all of Collettville.

If Council directs staff to prepare an OCP amendment bylaw, it and the Zoning Amendment Bylaw (see Attachment “A”) would be brought forward to the October 8th, 2019 meeting for first and second readings and on October 22nd, 2019 for a public hearing.

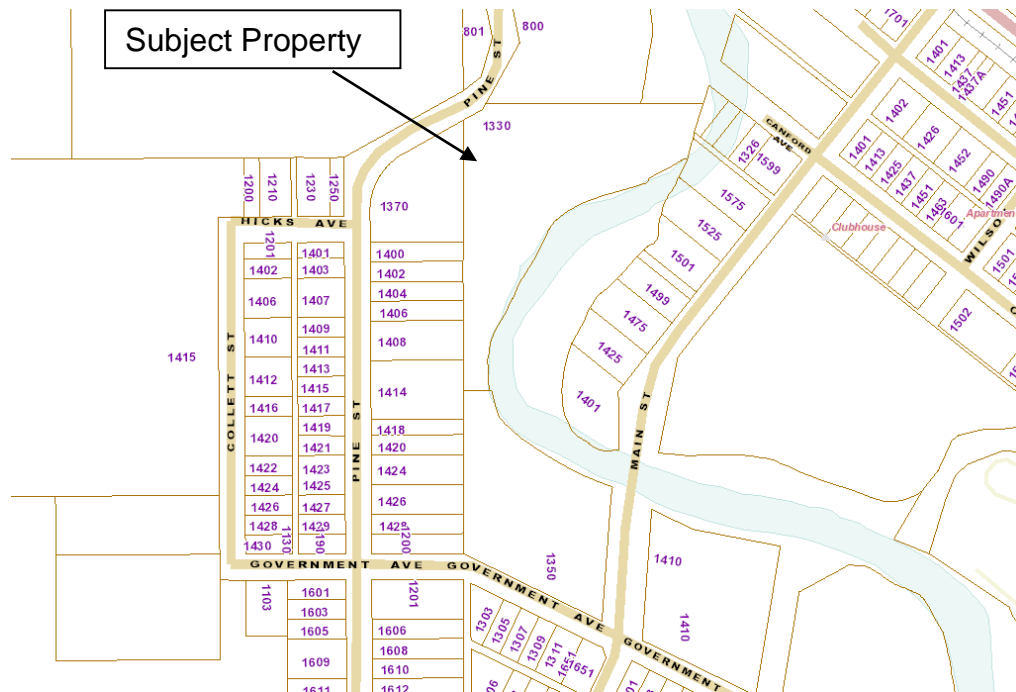


Figure 1: Location Sketch

Background:

The previous Council for the City of Merritt considered a rezoning application for the Subject Property in 2018 (also from AR1 to R9). After hearing public concerns regarding non-compliance with the OCP, Council did not give first reading to the bylaw.

Official Community Plan

The Subject Property is located within the Collettville sector of the OCP and is designated as Future Development. There are no specific policies for the Future Development land use designation in the OCP, as these are outlined in the sector-specific sections of the Bylaw. Section 5.4.9.1 of the OCP describes the existing characteristics of the Collettville sector and Section 5.4.9.2 outlines how this neighbourhood is anticipated to grow and redevelop in the future. The policies envision that any new development will retain the semi-rural character of Collettville with large lots being used for residential and agricultural purposes.

A 20-lot intensive single-family development is being proposed in the subject application. This type of development contradicts the overarching vision for the Collettville sector. The proposed development is contradictory to the following policies in Section 5.4.9.2:



- *Retain the large lot semi-rural character and servicing standards in the area.*
- *Maintain a mixture of residential dwelling types while preserving the character of the area.*
- *Preserve lands suited to agriculture as a means of retaining farmland and the semi-rural character of this sector.*

The proposed development is not compatible with the character of the existing neighbourhood as the proposed lots are smaller in size and the development much more compact. The residences in this area of Collettville are on much larger lots with a semi-rural character. If the development were to proceed as proposed in the application, this would not align with the semi-rural character for Collettville as outlined in the OCP. Residential development of a less intense nature (Low Density Residential (R2)) would be better suited for this parcel.

The primary difference between Low Density Residential (R2) and Intensive Residential (R9), is that the R2 zone requires lots to be a minimum of 15 meters wide and have a minimum lot area of 530m², whereas the R9 zone allows for lots to be a minimum of 10 meters wide (except corner lots) and have a minimum lot area of 400m². Historically, the City provided a letter to the owner of the Subject Property, indicating that the City would be in support of rezoning the property to R2.

If Council directs an OCP amendment, the Subject Property would need be re-designated in the from 'Future Development' to 'Residential'. The proposed development meets the following policies outlined in the Residential land use designation Section 5.3.1:

- *Encourage the following types of residential development:*
 - *Single Family Detached Residential - Low density with the opportunity for greater density in small lot/narrow lot single family areas or streets*
- *Encourage new residential development and redevelopment within existing serviced areas.*

Conclusion

The proposed development is not appropriate for the Subject Property as it does not meet the Official Community Plan's intention for the Collettville sector. The Collettville sector is largely rural residential in nature with large lots integrated with nearby agricultural ranch uses. While the Subject Property is designated for Future Development, the OCP intends for this development to be compatible with the existing rural character of Collettville. The proposed development does not meet this intent as it proposes an intensive small-lot residential development that is incompatible with the intensity of the existing residential uses. An amendment to the OCP would be required to advance this application.



Options

1. That Council direct staff to prepare an OCP amendment to accompany the attached zoning bylaw, for readings at an upcoming Council meeting;
2. That Council maintain that the OCP not be amended, which would terminate the process for the rezoning and development applications.

Financial / Risk Implications

Aside from staff time, no financial or risk implications are anticipated from either of the proposed options.

Attachments

Attachment A - Zoning Amendment Bylaw No. 2273

Respectfully submitted,

James Dinwoodie
Director of Engineering and Development

CITY OF MERRITT

BYLAW NO. 2273

A BYLAW TO AMEND ZONING BYLAW NO. 2187, 2015

WHEREAS the Municipal Council of the City of Merritt has received an application to amend the City of Merritt Zoning Bylaw No. 2187, 2015;

AND WHEREAS the zoning amendment conforms to the City of Merritt Official Community Plan Bylaw No. 2116, 2011 as amended;

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

1. This bylaw shall be cited as “**CITY OF MERRITT ZONING AMENDMENT BYLAW NO. 2273, 2019**”.
2. That the Official Zoning Map, being Schedule “A” of the City of Merritt Zoning Bylaw No. 2187, 2015, is amended by changing the zoning designation of the parcel legally described as 1330 Pine Street, Lot A, District Lot 174, Kamloops Division Yale District, Plan EPP70361, PID: 030-112-541 from Agricultural (AR1) to Intensive Residential (R9).

READ A FIRST TIME THIS _____ day of _____, 2019

READ A SECOND TIME THIS _____ day of _____, 2019

PUBLIC HEARING HELD THIS _____ day of _____, 2019

READ A THIRD TIME THIS _____ day of _____, 2019

**APPROVED BY THE MINISTRY OF
TRANSPORTATION AND INFRASTRUCTURE** _____ day of _____, 2019

ADOPTED THIS _____ day of _____, 2019

Linda Brown,
MAYOR

Sean Smith,
CORPORATE OFFICER