



Report

City of Merritt
REGULAR Council Meeting
November 26, 2019

File Number: 3900.2187

To: Scott Hildebrand, Chief Administrative Officer
From: Sean Smith, Director of Corporate Services
Date: November 26, 2019
Subject: Zoning Bylaw Amendment – Indoor Recreation in Light Industrial (M1) Zone

RECOMMENDATION:

THAT Council direct staff to bring forward a Zoning Amendment Bylaw, accompanied by further staff research, that would add the “Participant Recreation Services, Indoor” use to the Light Industrial (M1) and potentially the Service Commercial (C3) zones.

Background:

In the last year, staff have been approached on two different occasions by business owners who have wanted to open indoor fitness businesses in either the Light Industrial (M1) or Service Commercial (C3) zones.

Under our Zoning Bylaw, these businesses would fall into the “Participant Recreation Services, Indoor” use, which is defined as follows:

PARTICIPANT RECREATION SERVICES, INDOOR means facilities within an enclosed building for sports, active recreation and performing and cultural arts where patrons are predominantly participants. Typical uses include but are not limited to athletic clubs, health and fitness clubs, swimming pools, rifle and pistol ranges, bowling alleys, and racquet clubs.

This use is currently only permitted in the Central Business District (C2), Commercial Recreation (C6), and Shopping Centre Commercial (C9) zones. While there are a large number of properties zoned C2, there are very few properties in the City of Merritt that are zoned C6 or C9. As a result, indoor recreation businesses are largely limited to the downtown core.

Zoning Bylaw References

The stated intent of the Light Industrial (M1) zone is as follows:

The Light Industrial Zone is oriented towards a range of light and medium manufacturing, processing and other industrial uses that are likely to require outdoor storage and or produce noise, smoke, dust, glare, fumes or odours.

The stated intent of the Service Commercial (C3) zone is as follows:

The purpose of the Service Commercial Zone is to accommodate vehicular oriented commercial uses of low intensity, and commercial uses requiring large areas for storage and handling of materials, goods, and equipment.

Referencing our Zoning Bylaw alone, there is little basis to argue that an indoor health and fitness business fits the purposes of the M1 or C3 zones. However, recently, a business owner presented a compelling case that the City ought to reconsider this position.

Business Owner Research

Approximately one month ago, a business owner approached staff, expressing interest in moving their existing health and fitness business (currently located in the downtown core), into a light industrial area. The reasons cited for this potential move were first, a rising lease rate downtown, second, the potential for a larger, quieter space and third, more available parking.

Most impressively, this business owner also conducted a significant amount of research into the Zoning Bylaws of other municipalities in BC, noting a long list of other communities that allow indoor recreation uses in light industrial or equivalent zones (the owner also provided references to each page number in the respective bylaw). That list included:

1. Cowichan Valley
2. Silverton
3. Esquimalt
4. Port Alberni
5. Sidney
6. Burnaby
7. Cranbrook
8. Gibsons
9. Invermere
10. New Westminster
11. North Cowichan
12. Pemberton

13. Squamish
14. Creston
15. Salmon Arm
16. Golden
17. Prince George
18. Highlands
19. Ashcroft
20. Burns Lake
21. Clinton
22. Fruitvale
23. Golden
24. Greenwood



While staff is aware that a complete review of the Zoning Bylaw will take place during this Council term, staff agreed to pre-emptively bring this request forward, largely on the strength of the research and effort of the business owner.

Staff is of the opinion that a more thorough analysis of whether this use would be compatible in our M1 and C3 zones is warranted. This further research would be presented along with a Zoning Amendment Bylaw that would add the "Participant Recreation Services, Indoor" use to the M1 zone. If the research supports it, the C3 zone will also be considered.

Alternative

If Council is not interested in considering adding the "Participant Recreation Services, Indoor" use to all parcels zoned M1 or C3, Council could direct staff to advise the business owner to file a rezoning application, to add the "Participant Recreation Services, Indoor" use to a specific parcel in the M1 zone.

There are some complications with this approach, as City staff are working to reduce the number of instances where site specific rezoning is utilized. Second, the landowner would have to agree to allow for this rezoning process to take place, which has not been discussed.

Options / discussion

1. THAT Council direct staff to bring forward a Zoning Amendment Bylaw, accompanied by further staff research, that would add the "Participant Recreation Services, Indoor" use to the Light Industrial (M1) and potentially the Service Commercial (C3) zones.
2. THAT Council direct staff to advise the business owner to file for site specific rezoning that would add "Participant Recreation Services, Indoor" as a permitted use for the parcel.
3. THAT Council receive this report for information.

Respectfully submitted,

Sean Smith
Deputy CAO / Director of Corporate Services