

# Report

**City of Merritt**  
**REGULAR Council Meeting**  
**December 17, 2019**

**File Number: 3900.2187**

**To:** Scott Hildebrand, Chief Administrative Officer  
**From:** Sean Smith, Director of Corporate Services  
**Date:** December 12, 2019  
**Subject:** Zoning Amendment Bylaw – Health and Fitness Facilities

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**RECOMMENDATION:**

**THAT Council give first reading to Zoning Amendment Bylaw No. 2278, 2019;**

**AND**

**THAT Council give second reading to Zoning Amendment Bylaw No. 2278, 2019;**

**Background:**

At the November 26, 2019 Regular Council Meeting, Council passed the following resolution:

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.

The purpose of this report is to present the requested further research and to recommend that Council give first and second readings to Zoning Amendment Bylaw No. 2278, 2019.

### Comparison to other communities

Staff followed up with the research presented by Ms. Megan Paquette, which was included as part of the Report to Council on November 26, 2019. Staff confirmed that it is quite common in many British Columbia municipalities to allow for health and fitness facilities in the Light Industrial (M1) zone, and that this type of use is even more prevalent in the Service Commercial (C3) zone (or its equivalent).

### Compatibility with neighbouring uses

Staff reviewed our Zoning Bylaw to determine if the “Participant Recreation Services, Indoor” use is compatible with other uses. The lists of permitted uses in both the M1 and C3 zones are attached to this report as Schedule “B”.

Comparing the uses in these zones, staff found that the proposed use is largely dissimilar from other uses in the M1 zone, which raises some concerns regarding public accessibility, though this is not necessarily fatal. A comparison of uses in the C3 zone did not raise any concerns.

In most cases, uses in the M1 zone generate noise, smoke, dust, fumes or odours, and involve only the presence of employees and small numbers of the public at any given time. The “Participant Recreation Services, Indoor” use differs from the majority of these uses in that there is unlikely to be significant noise, smoke, dust, fume or odour generation and there could be large numbers of the public present. The notable exception within the M1 zone is the “Public transit depot including bus depot”, which could generate a significant number of the public.

The primary issue with allowing a use that could involve the attendance of larger groups of the public, is that Light Industrial areas are not designed to accommodate the public in that there are usually no streetlights or sidewalks and often there are no nearby transit stops. While this is not necessarily prohibitive, as most people choosing to attend a health and fitness centre in the M1 zone would do so by car, accessing the facility by any other mode, such as walking, biking or transit may be less safe or convenient for the public.

### Downtown Revitalization

Staff also has some reservation about the potential impacts that this rezoning bylaw may have on Council’s downtown revitalization efforts.

While staff is careful not to overstate the potential impact, this rezoning would allow businesses that generate public attendance in the downtown area to relocate to lower-cost industrial areas, which could contribute in a minor way to downtown storefront vacancy.

While downtown would not benefit from this amendment, it is possible that this rezoning would encourage more indoor recreation businesses to open, given the cost, building

size, and parking advantages of industrial areas. As such it is difficult to evaluate the net benefit to residents that this rezoning could have.

### **Conclusion**

Considering the information available, staff tentatively supports advancing Zoning Amendment Bylaw No. 2278, 2019 to a public hearing by giving the Bylaw first and second readings.

There is a stronger argument to be made that the “Participant Recreation Services, Indoor” use is appropriate in the C3 zone, though that change may not provide any benefit to the business owner who requested that Council consider this change.

### **Options / discussion**

1. **THAT Council give first reading to Zoning Amendment Bylaw No. 2278, 2019;**

**AND THAT Council give second reading to Zoning Amendment Bylaw No. 2278, 2019;**

2. **THAT Council direct staff to provide further information prior to advancing the Bylaw to second reading;**
3. **THAT Council amend Zoning Amendment Bylaw No. 2278, 2019 by deleting clause 3, which would have the effect of only allowing the proposed use in the C3 zone, but not the M1 zone.**
4. **THAT Council receive this report for information.**

### **Others Consulted:**

Don McArthur, Planning and Development Services Manager

### **Attachments:**

Schedule “A” – Zoning Amendment Bylaw No. 2278, 2019

Schedule “B” – Permitted Uses in M1 and C3 Zones

**Respectfully submitted,**

**Sean Smith**  
**Deputy CAO/Director of Corporate Services**

**Schedule "A"**  
**CITY OF MERRITT**

**BYLAW NO. 2278**

**A BYLAW TO AMEND ZONING BYLAW NO. 2187, 2015**

**WHEREAS** the Municipal Council of the City of Merritt desires to add additional uses to the Light Industrial (M1) and Service Commercial (C3) Zones;

**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 "**ZONING AMENDMENT BYLAW NO. 2278, 2019**".
2. That section 6.15.2 of City of Merritt Zoning Bylaw No. 2187, 2015, be amended by adding "Participant Recreation Services, Indoor" as a permitted use and that the uses listed be consequently renumbered.
3. That section 6.20.2 of City of Merritt Zoning Bylaw No. 2187, 2015, be amended by adding "Participant Recreation Services, Indoor" as a permitted use and that the uses listed be consequently renumbered.

**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

**ADOPTED THIS** \_\_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
Linda Brown,  
MAYOR

\_\_\_\_\_  
Sean Smith,  
CORPORATE OFFICER