

CITY OF MERRITT

BYLAW 2329

A BYLAW TO AMEND THE ZONING BYLAW

WHEREAS the Municipal Council of the City of Merritt has received an application to amend the City of Merritt Zoning Bylaw No. 2284, 2020;

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

NOW THEREFORE the Municipal Council for the City of Merritt, in open meeting assembled, **ENACTS AS FOLLOWS:**

Citation

1. This Bylaw shall be cited as the **“Zoning Amendment Bylaw No. 2329, 2022”**.

Amendments

2. That the definition in Section 2.2.1 for “Accessory” in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“ACCESSORY means anything of a customarily incidental and Subordinate nature to the Principal Use of land or buildings located on the same Parcel.”

3. That the definition in Section 2.2.1 for “Accessory Building” in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“ACCESSORY BUILDING means a Subordinate non-residential Structure, the Use of which is customarily incidental to the Use of the Principal Building situated on the same Parcel or to the Principal Use being made of the Parcel upon which it is situated. Accessory Building does not include any Garage, Greenhouse or similar Structure attached to or forming part of the Principal Building.”

4. That Section 2.2.1 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following definition:

“DESIGNATED TRANSIT STOP means any City-recognized stop for transit service designated for the embarkation or disembarkation of passengers.”

5. That the definition in Section 2.2.1 for “Development Approval Officer” in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“DEVELOPMENT APPROVING OFFICER means the person authorized to exercise land use authority in accordance with the Officer Designation and Delegation of Authority Bylaw.”

6. That the definition in Section 2.2.1 for “Dwelling, Detached Secondary” in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“DWELLING, DETACHED SECONDARY means an Accessory Dwelling Unit that is separate from the Principal Building on a Parcel and is Subordinate to the principal Dwelling Unit in terms of gross Floor Area. The principal Dwelling Unit and Detached Secondary Dwelling together form a single real estate entity.”

7. That Section 2.2.1 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following definition:

“SUBORDINATE means lesser in terms of building footprint, total square footage, Parcel Area, Height, or prevalence of Use, as determined by the Development Approving Officer.”

8. That the definition in Section 2.2.1 for “Brewing and Distilling” in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“BREWING AND DISTILLING, CRAFT means an Establishment for the brewing or distilling of alcoholic beverages or beverage products with alcoholic content exceeding one percent by volume, which may involve the malting, milling, mashing, lautering, boiling, fermenting, filtering, and distilling of fruit, grain, hops, maize, malt, rice, spices, vegetables or other ingredients, and which may include the sale of liquor and the serving of food, live entertainment, and games such as bean bag toss, billiard tables or foosball. The total area for manufacturing must be limited to a maximum of 300m² and the total gross floor area must be limited to a maximum of 750m².”

9. That “Brewing and Distilling” in Sections 7.14.2, 7.15.2, 7.16.2, 7.17.3, 7.18.2, and 7.21.2 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“Brewing and Distilling, Craft”

10. That the definition in Section 2.2.1 for “Commercial Conversion” in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“COMMERCIAL CONVERSION means a residential building in the area described in Section 4.31.2 altered to accommodate Personal and Professional Services other than a laundromat, employing fewer than five full-time or part-time employees.”

11. That the definition in Section 2.2.1 for “Community Care Facility, Minor” in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“COMMUNITY CARE FACILITY, MINOR means the use of a Single Detached Dwelling for the care of up to six persons who are not related by blood or marriage, in a facility licensed under the Community Care and Assisted Living Act, including supervision provided to minors through a residential program, or adults who require care because of family circumstances, age, disability, illness or frailty, in the form of three or more prescribed services as defined in the Community Care and Assisted Living Regulation. This Use is not permitted within Semi-Detached Dwellings or Multiple Unit Townhome Dwellings, and if proposed in a Strata, the Use must be approved by the Strata Council.”

12. That the definition in Section 2.2.1 for “Multiple Unit Townhome Dwelling” in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“MULTIPLE UNIT TOWNHOME DWELLING see DWELLING, MULTIPLE UNIT TOWNHOME.”

13. That Section 2.2.1 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following definition:

“STORAGE YARD means an area of a Parcel used for the storage of goods, materials, and machinery. A Storage Yard shall not include Vehicle Wrecking, a product display yard, or a junk yard.”

14. That Section 2.2.1 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following definition:

“STRATA LOT means the area of a Parcel apportioned to an individual strata unit.”

15. That the definition in Section 2.2.1 for “Use, Discretionary” in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“USE, DISCRETIONARY means a Use that may be approved by the Development Approving Officer, with or without conditions, subject to all provisions of this Bylaw.”

16. That Section 3.2 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

“3.2.7 When required, an Earthworks Permit, issued by the Director of Planning and Development Services, must be obtained prior to commencing or continuing work.”

17. That Section 4.2 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

“4.2.4 Agricultural Land Commission rules on the Use of land take priority over the regulations of this Bylaw with respect to lands within the Provincial Agricultural Land Reserve.”

18. That Section 4.3.1 (b) in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“A Use that is carried on wholly or partly in a tent, recreational vehicle, travel trailer, or Mobile Home, except as specifically permitted by this Bylaw;”

19. That Section 4.3.1 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

“f. Any Use that is water-consumption intensive, as determined by the Development Approving Officer.”

20. That Section 4.5.1 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following and renumbering the subsequent clauses accordingly:

“k. the impact on agriculture;”

21. That Section 4.8.1 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“A driveway Access to a Parcel may not be greater than 6 metres in width where the Access Abuts the Parcel Line, except in the case of Semi-detached Dwellings or Multiple Unit Townhome Dwellings where driveway Access to a Parcel for each Dwelling Unit may not be greater than 3 metres in width where the Access Abuts the Parcel Line. There is no width restriction for an Access where a Rear Parcel Line Abuts a Lane.”

22. That Section 4.8.2 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“A residential Parcel may have a maximum of one Frontage Access and one additional Access from a Lane, except in the case of Semi-Detached Dwellings and Multiple Unit Townhome Dwelling buildings where each Dwelling Unit may have its own Access.”

23. That Section 4.8.3 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“The location and number of Parcel Access is subject to approval by the Development Approving Officer or Building Inspector.”

24. That Table 4.11 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

Table 4.11: Projections	
Feature	Maximum Projection into Setback
Projections from a Structure	
chimneys	0.6 metres into any Setback
eaves, eavestroughs, roofs and gutters	0.6 metres interior side 1.5 metres front, exterior side or rear
canopies and awnings	0.6 metres interior side 1.5 metres front or exterior side 3.0 metres rear
covered or uncovered balconies, porches, decks, patios or verandas	1.5 metres front or exterior side 3.0 metres rear If less than 0.6 metres from Grade, not subject to regulations No portion of the foundation shall project
patios for Food Primary Establishments, Liquor Primary Establishments or Brewing and Distilling	No limit
fire escapes, open stairways, landings, steps or ramps	1.5 metres front or exterior side
wheelchair ramps	No limit
stairs to access a basement below Grade	No limit
ornamental elements such as sills, cornices, bay windows, parapets or pilasters	0.6 metres into any Setback
any cantilevered, architectural projection that constitutes less than 25% of the wall face to which the projection is attached	0.6 metres into any Setback
Free Standing Projections	
fences, landscape screening, retaining wall, or sign Structures	No limit, except as otherwise limited by this or other legislation
Accessory Buildings, including bicycle storage lockers and sheds used for storage of horticultural tools and supplies (see Section 4.16)	Up to 4.8 metres front, with a minimum 1.2 metre Front Setback in residential zones.
free standing lighting poles, warning devices, antennas, poles, masts, utility poles, wires, flag poles, gasoline service pumps and pump islands or electric charging stations, freestanding solar installations, air conditioners, book libraries (little free libraries) up to 1.8m tall, arbours up to 1.8m wide and 2.5m tall	No limit, except as otherwise limited by this bylaw or other legislation
Underground Projections	
underground Structures	No limit, provided that the top surface does not extend more than 0.5 metres above the average Grade

25. That Section 4.11.1 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“Siting exceptions in this Bylaw are subject to any requirements of the Ministry of Transportation and Infrastructure in relation to arterial Highways and the Agricultural Land Commission in relation to lands within the Provincial Agricultural Land Reserve.”

26. That Section 4.11.3 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“Notwithstanding the projections in Table 4.11, canopies, awnings, patio coverings or other architectural projections may be permitted to project beyond a front or exterior side Parcel Line, subject to Development Approving Officer, and if required, Ministry of Transportation and Infrastructure, and Agricultural Land Commission, approval.”

27. That Section 4.12 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

“4.12.3 If a new building’s exterior side wall is adjacent to a vacant Parcel or within 2.4 metres of a Building on an Abutting Parcel, and will be taller than the neighbouring Building by at least one Storey, the new building’s blank wall (fire wall) may be required to include a mural, at the discretion of the Development Approving Officer.”

28. That Section 4.13.1 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“The Height of new or existing Structures may be exceeded to a maximum of 3.0 metres for industrial cranes, upright silos, grain elevators, telecommunication towers, tanks, bunkers, radio and television antennas, church spires, belfries, and domes, monuments, chimneys and smoke stacks, flag poles, stadiums, stadium bleachers, lighting poles, elevator shafts, stair towers, fire and hose towers, hydro transmission towers, rooftop pergolas, rooftop solar panels, and rooftop mechanical equipment.”

29. That Section 4.13 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

“4.13.2 Height restrictions for agricultural buildings within the Provincial Agricultural Land Reserve are subject to Agricultural Land Commission requirements and approval.”

30. That Section 4.14.1 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

“c. No fence facing, and constructed on or within 3 metres of the Front Parcel Line, may exceed 1.25m in height.”

31. That Section 4.14.2 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

“c. No fence facing, and constructed on or within 3 metres of the Front Parcel Line, may exceed 1.25m in height.”

32. That Section 4.19.1 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“Shipping Containers, cargo containers, and similar metal storage containers may only be used as commercial, industrial, institutional, agricultural or residential Structures, or components of Structures, if the Shipping Container has been converted to meet the BC Building Code and has been issued a building permit from the City of Merritt.”

33. That Section 4.19 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

“4.19.8 Unless stated elsewhere in this Bylaw, the number of Shipping Containers permitted ancillary to a permitted Use in the AR1 zone for storage purposes is based on Parcel Area at a rate of one Shipping Container per 2 hectares, with the exception of Parcels in the Agricultural Land Reserve, which are subject to restrictions and approval by the Agricultural Land Commission.”

34. That Section 4.26 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

“4.26.5 Notwithstanding the regulations outlined in Table 4.26, if a homeowner of a Single Detached Dwelling partners with a developer to replace the house with a Multiple Unit Dwelling, the new building is eligible to receive a density bonus of 1 additional Dwelling Unit to enable the original homeowner to live in the new building, which would be outlined in a housing agreement or covenant.”

35. That Section 4.29.1 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“Parcels being subdivided must adhere to the regulations outlined in the City of Merritt Sanitary Sewer Bylaw No. 2182, 2015, as amended from time to time.”

36. That Section 4.35 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

“4.35.6 At least one Parking Space for the principal Dwelling and the Parking Space for the Secondary Suite must be located so as to provide direct vehicular Access to the street without obstruction by a vehicle parked in another Parking Space.”

37. That Section 4.37.1 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“Backyard Hens are restricted to Parcels in the R1, R1A, R2, R3, P2, and P3 zones.”

38. That Section 4.41 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

“4.41.3 For properties within the Provincial Agricultural Land Reserve, the regulations outlined in this section may not apply.”

39. That Part 4 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

“4.42 Strata Developments

4.42.1 Building and bare land strata is permitted in all residential, commercial, and industrial zones.”

40. That Part 4 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

“4.43 Temporary Use Permits

4.43.1 Temporary Use Permits may be issued for any Use on any Parcel on which it is not already a contemplated Use.

4.43.2 Temporary Use Permits are at the discretion of, and can be issued and extended by the Development Approving Officer.

4.43.3 Temporary Use Permits may be issued for 1 year, and may be extended up to a maximum of 2 times, for 1 year periods each time.

4.43.4 Notwithstanding Section 4.43.1, industrial Uses are not permitted to be located on residential Parcels.”

41. That Section 5.1.4 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“No person at any time may park or store any commercial vehicle, truck, bus, motor home, truck camper, travel trailer, utility trailer, tow truck or any construction equipment or truck or commercial vehicle containing building material on a Parcel in a residential zone, except:”

42. That Section 5.4.1 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“Parking Spaces in strata or purpose-built rental developments may be provided by way of communal parking areas, rather than on each strata or purpose-built rental lot.”

43. That Section 5.4.2 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“Where Common Parking exists, a pathway or sidewalk must connect the parking areas to the strata or purpose-built rental units.”

44. That Table 5.6 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

Table 5.6: Minimum Parking Space and Aisle Dimensions					
Parking Angle (A)*	Aisle Width (B)*	Stall Depth (C)*	Stall Width (D)*	Stall Width Parallel to Aisle (E)*	Clearance
Regular Size Parking Spaces					
0° (parallel)	3.0 m	7.0 m	2.5 m	7.0 m	2.0 m
30°	3.1 m	5.3 m	2.5 m	5.6 m	2.0 m
45°	3.5 m	6.1 m	2.5 m	4.0 m	2.0 m
60°	5.5 m	6.4 m	2.5 m	3.2 m	2.0 m
90°	6.0 m	5.8 m	2.5 m	2.6 m	2.0 m
Small Size Parking Spaces					
0° (parallel)	3.0 m	6.5 m	2.4 m	6.5 m	2.0 m
30°	3.1 m	5.0 m	2.4 m	2.6 m	2.0 m
45°	3.5 m	5.5 m	2.4 m	2.7 m	2.0 m
60°	5.5 m	5.8 m	2.4 m	2.8 m	2.0 m
90°	6.0 m	4.8 m	2.4 m	2.5 m	2.0 m
Accessible Parking Spaces					
All configurations	Same as Regular Size	Regular Size plus 0.2 m	3.9 m	Same as Regular Size	2.3 m
All two-way drive aisles without adjacent parking					
N/A	6.0 m	N/A	N/A	N/A	2.0 m

45. That Part 5 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following and renumbering the subsequent clauses accordingly:

“5.9 Transit Proximity Parking Reduction

5.9.1 There is no parking requirement for Detached Secondary Dwellings or Secondary Suites if the Parcel is within 200 metres of a Designated Transit Stop.

5.9.2 Notwithstanding the regulations outlined in Table 5.8, parking requirements may be reduced by up to one Parking Space per Dwelling Unit for affordable housing developments if the Parcel is within 200 metres of a Designated Transit Stop.”

46. That Section 5.9.1 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“Vehicle parking requirements outlined in Table 5.16 shall be reduced by 0.25 spaces per Dwelling or per commercial unit for Parcels in the City Centre Parking Zone, as illustrated in Figure 5.10.”

47. That the Commercial section of Table 5.16 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

Table 5.16 (Ctd): Off-Street Parking and Loading Requirements						
Class of Building or Use	Minimum Vehicle Parking Spaces	Minimum Visitor Vehicle Parking Spaces	Minimum Vehicle Loading Spaces	Minimum Bike Parking – Short-Term	Minimum Bike Parking – Long-Term	Minimum Motorcycle Parking
Commercial						
Motel	1 per Sleeping Unit	0.05 per Sleeping Unit	N/A	0.2 per Sleeping Unit	0.05 per Sleeping Unit	0.05 per Sleeping Unit
Hotel	1 per Sleeping Unit	0.02 per Sleeping Unit	1 space	0.2 per Sleeping Unit	0.05 per Sleeping Unit	0.05 per Sleeping Unit
Short-Term Rental – AR1, R1, R1A and R2 zones	1 space, in addition to Dwelling requirement	N/A	N/A	1 per Sleeping Unit	N/A	N/A
Golf Driving Range	1 per tee	N/A	N/A	0.1 per tee	N/A	N/A
Golf Course	2 per hole	N/A	1 space per 9 holes	0.1 per hole	1 per 9 holes	N/A
Home-based Business – AR1, R1, R1A and R2 zones	1 per Home-based Business, in addition to Dwelling requirement	N/A	N/A	1 space	N/A	N/A
Food Primary Establishment, Liquor Primary Establishment	1 per 8 seats For takeout only businesses the requirement is 1 per 100m ² Floor Area On Quilchena Avenue between Chapman Street and Charters Street the requirement is 0 Parking Spaces	N/A	1 per 1500 m ² Floor Area	1 per 8 seats For concession stands and takeout only businesses the requirement is 8	1 per 500 m ² Floor Area	1 per 1000 m ² of Floor Area
Commercial Retail, Personal and Professional Services	1 per 100 m ² Floor Area	N/A	1 per 1500 m ² Floor Area	1 per 500 m ² of Floor Area	1 per 500 m ² of Floor Area	1 per 1000 m ² of Floor Area

48. That Section 6.2.2 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“Landscape Screening consists of the following:”

49. That Section 6.2.3 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following and renumbering the subsequent clauses accordingly:

“g. If trees are approved as a screening method by the Development Approving Officer, the trees may exceed the heights outlined in 6.2.3; however, any materials being screened may not exceed the heights outlined in 6.2.3.”

50. That Section 6.4.1 (e) in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“Landscaped islands must have a minimum width of 1 metre, and be clearly delineated as separate and in addition to required vehicle parking and loading spaces described in Table 5.16.”

51. That Section 6.7.3 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“A landscape security deposit in the amount 120% of the landscape cost estimate must be submitted with the landscape plan. When all works are completed, the City will refund 90% of the security deposit. The remaining 10% will be retained for one additional year to ensure the plants are established. In addition to the security deposit, a non-refundable fee in the amount of 2% of the landscape cost estimate will be required for the landscape inspections.”

52. That Section 7.2.2 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

“h. For Provincial Agricultural Land Reserve properties, any other Use as permitted by the Agricultural Land Commission.”

53. That Section 7.2.3 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

“i. For Provincial Agricultural Land Reserve properties, any other Use as permitted by the Agricultural Land Commission.”

54. That Table 7.2.4 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

Table 7.2.4 Subdivision Regulations				
Use	Parcel Type	Minimum Parcel Area	Minimum Parcel Width	Minimum Parcel Depth
All permitted uses as outlined in 7.2.2	ALR	80,000 m ²	40 metres	50 metres
	Outside ALR	10,000 m ²	40 metres	50 metres

55. That Section 7.2.5 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

“c. Notwithstanding the regulations outlined in Table 7.2.5, Parcels located within the Provincial Agricultural Land Reserve must conform to the requirements of the Agricultural Land Commission.”

56. That Section 7.2.6 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

“b. Mobile Homes and Modular Homes located on Parcels within the Provincial Agricultural Land Reserve must conform to the requirements of the Agricultural Land Commission.”

57. That Section 7.2.8 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

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“d. All Structures and Uses located within the Provincial Agricultural Land Reserve must comply with requirements of the Agricultural Land Commission.”

58. That Table 7.3.6 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

Table 7.3.6 Site Development Regulations								
Use	Parcel Type	Maximum Density	Minimum Front Setback	Minimum Interior Side Setback	Minimum Exterior Side Setback	Minimum Rear Setback	Maximum Height	Maximum Parcel Coverage
Dwelling, Single Detached	Lane access	1 Dwelling Unit per Parcel	3 metres	1.2 metres	N/A	6 metres	Lesser of 12 metres or 2.5 storeys	65%, except as outlined in 7.3.6(b)
	Front Access	1 Dwelling Unit per Parcel	6 metres	1.2 metres	N/A	3 metres	Lesser of 12 metres or 2.5 storeys	
	Corner	1 Dwelling Unit per Parcel	6 metres	1.2 metres	2.8 metres	3 metres	Lesser of 12 metres or 2.5 storeys	
	Lane Access Corner	1 Dwelling Unit per Parcel	3 metres	1.2 metres	2.8 metres	6 metres	Lesser of 12 metres or 2.5 storeys	
	Panhandle	1 Dwelling Unit per Parcel	3 metres, not including panhandle access	1.2 metres, excluding panhandle access	2.8 metres, excluding panhandle access	3 metres	Lesser of 12 metres or 2.5 storeys	
	Pie	1 Dwelling Unit per Parcel	6 metres	1.2 metres	2.8 metres	3 metres	Lesser of 12 metres or 2.5 storeys	
Dwelling, Semi-Detached	Lane Access	2 Dwelling Units per Parcel	3 metres	1.2 metres	N/A	6 metres	Lesser of 12 metres or 2.5 storeys	
	Front Access	2 Dwelling Units per Parcel	6 metres	1.2 metres	N/A	3 metres	Lesser of 12 metres or 2.5 storeys	
	Corner	2 Dwelling Units per Parcel	6 metres	1.2 metres	6 metres	3 metres	Lesser of 12 metres or 2.5 storeys	
	Lane Access Corner	2 Dwelling Units per Parcel	3 metres	1.2 metres	2.8 metres	6 metres	Lesser of 12 metres or 2.5 storeys	
	Panhandle	2 Dwelling Units per Parcel	3 metres, not including panhandle access	1.2 metres, excluding panhandle access	2.8 metres, excluding panhandle access	3 metres	Lesser of 12 metres or 2.5 storeys	
	Pie	2 Dwelling Units per Parcel	6 metres	1.2 metres	2.8 metres	3 metres	Lesser of 12 metres or 2.5 storeys	
Dwelling, Detached Secondary	all Parcel types	1 Detached Secondary Dwelling per Parcel	Front Building Line	1.2 metres	2.8 metres	1.2 metres	Lesser of 10.5 metres or 2 storeys	
Accessory Building	all Parcel types	N/A	Front Building Line	1.2 metres	1.2 metres	1.2 metres	Lesser of 5 metres or 1.5 storeys	

59. That Table 7.4.6 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

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Table 7.4.6 Site Development Regulations								
Use	Parcel Type	Maximum Density	Minimum Front Setback	Minimum Interior Side Setback	Minimum Exterior Side Setback	Minimum Rear Setback	Maximum Height	Maximum Parcel Coverage
Dwelling, Single Detached	Lane Access	1 Dwelling Unit per Parcel	3 metres	1.2 metres	N/A	6 metres	Lesser of 12 metres or 2.5 storeys	60%, except as outlined in 7.4.6(b)
	Front Access	1 Dwelling Unit per Parcel	6 metres	1.2 metres	N/A	6 metres	Lesser of 12 metres or 2.5 storeys	
	Corner	1 Dwelling Unit per Parcel	6 metres	1.2 metres	2.8 metres	6 metres	Lesser of 12 metres or 2.5 storeys	
	Lane Access Corner	1 Dwelling Unit per Parcel	3 metres	1.2 metres	2.8 metres	6 metres	Lesser of 12 metres or 2.5 storeys	
	Panhandle	1 Dwelling Unit per Parcel	3 metres, not including panhandle access	1.2 metres, excluding panhandle access	2.8 metres, excluding panhandle access	3 metres	Lesser of 12 metres or 2.5 storeys	
	Pie	1 Dwelling Unit per Parcel	6 metres	1.2 metres	2.8 metres	3 metres	Lesser of 12 metres or 2.5 storeys	
Dwelling, Semi-Detached	Lane Access	2 Dwelling Units per Parcel	3 metres	1.2 metres	N/A	6 metres	Lesser of 12 metres or 2.5 storeys	
	Front Access	2 Dwelling Units per Parcel	6 metres	1.2 metres	N/A	6 metres	Lesser of 12 metres or 2.5 storeys	
	Corner	2 Dwelling Units per Parcel	6 metres	1.2 metres	6 metres	6 metres	Lesser of 12 metres or 2.5 storeys	
	Lane Access Corner	2 Dwelling Units per Parcel	3 metres	1.2 metres	2.8 metres	6 metres	Lesser of 12 metres or 2.5 storeys	
	Panhandle	2 Dwelling Units per Parcel	3 metres	1.2 metres	2.8 metres	3 metres	Lesser of 12 metres or 2.5 storeys	
	Pie	2 Dwelling Units per Parcel	6 metres	1.2 metres	2.8 metres	3 metres	Lesser of 12 metres or 2.5 storeys	
Dwelling, Detached Secondary	all Parcel types	1 detached secondary Dwelling per Parcel	Front Building Line	1.2 metres	2.8 metres	1.2 metres	Lesser of 10.5 metres or 2 storeys	
Accessory Building	all Parcel types	N/A	Front Building Line	1.2 metres	1.2 metres	1.2 metres	Lesser of 5 metres or 1.5 storeys	

60. That Table 7.5.6 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

Table 7.5.6 Site Development Regulations								
Use	Parcel Type	Maximum Density	Minimum Front Setback	Minimum Interior Side Setback	Minimum Exterior Side Setback	Minimum Rear Setback	Maximum Height	Maximum Parcel Coverage
Dwelling, Single Detached	Lane Access	1 Dwelling Unit per Parcel	3 metres	1.2 metres	N/A	5 metres	Lesser of 14 metres or 3 storeys	75%, except as outlined in 7.5.6(c)
	Front Access	1 Dwelling Unit per Parcel	5 metres	1.2 metres	N/A	3 metres	Lesser of 14 metres or 3 storeys	
	Corner	1 Dwelling Unit per Parcel	5 metres	1.2 metres	2.8 metres	3 metres	Lesser of 14 metres or 3 storeys	
	Lane Access Corner	1 Dwelling Unit per Parcel	3 metres	1.2 metres	2.8 metres	5 metres	Lesser of 14 metres or 3 storeys	
	Panhandle	1 Dwelling Unit per Parcel	3 metres, not including panhandle access	1.2 metres, excluding panhandle access	2.8 metres, excluding panhandle access	3 metres	Lesser of 14 metres or 3 storeys	
	Pie	1 Dwelling Unit per Parcel	5 metres	1.2 metres	2.8 metres	3 metres	Lesser of 14 metres or 3 storeys	
Dwelling, Semi-Detached	Lane Access	2 Dwelling Units per Parcel	3 metres	1.2 metres	N/A	3 metres	Lesser of 14 metres or 3 storeys	
	Front Access	2 Dwelling Units per Parcel	5 metres	1.2 metres	N/A	3 metres	Lesser of 14 metres or 3 storeys	
	Corner	2 Dwelling Units per Parcel	5 metres	1.2 metres	6 metres	3 metres	Lesser of 14 metres or 3 storeys	
	Lane Access Corner	2 Dwelling Units per Parcel	3 metres	1.2 metres	2.8 metres	3 metres	Lesser of 14 metres or 3 storeys	
	Panhandle	2 Dwelling Units per Parcel	3 metres, not including panhandle access	1.2 metres, excluding panhandle access	2.8 metres, excluding panhandle access	3 metres	Lesser of 14 metres or 3 storeys	
	Pie	2 Dwelling Units per Parcel	5 metres	1.2 metres	2.8 metres	3 metres	Lesser of 14 metres or 3 storeys	
Dwelling, Multiple Unit Townhome	Lane Access	60 Dwelling Units per hectare	3 metres	1.2 metres	N/A	3 metres	Lesser of 14 metres or 3 storeys	
	Front Access		5 metres	1.2 metres	N/A	3 metres	Lesser of 14 metres or 3 storeys	
	Back to Back		5 metres	1.2 metres	2.8 metres	5 metres	Lesser of 14 metres or 3 storeys	
	Corner		5 metres	1.2 metres	6 metres	3 metres	Lesser of 14 metres or 3 storeys	
	Lane Access Corner		3 metres	1.2 metres	2.8 metres	3 metres	Lesser of 14 metres or 3 storeys	
	Panhandle		3 metres, not including panhandle access	1.2 metres, excluding panhandle access	2.8 metres, excluding panhandle access	3 metres	Lesser of 14 metres or 3 storeys	
	Pie		5 metres	1.2 metres	2.8 metres	3 metres	Lesser of 14 metres or 3 storeys	
Dwelling, Detached Secondary	all Parcel types	1 Detached Secondary Dwelling per Parcel	Front Building Line	1.2 metres	2.8 metres	1.2 metres	Lesser of 10.5 metres or 2 storeys	
Accessory Building	all Parcel types	N/A	Front Building Line	1.2 metres	1.2 metres	1.2 metres	Lesser of 5 metres or 1.5 storeys	

61. That Section 7.5.6 (h) in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

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“For building strata developments, the minimum Setback from a Highway is 3 metres.”

62. That Section 7.5.6 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following and renumbering the subsequent clauses accordingly:

“i. Notwithstanding 7.5.6 (h), if a Dwelling Unit’s Access is directly to a Highway, the setback to the front of the Garage is 4.5 metres.”

63. That Section 7.5.6 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following and renumbering the subsequent clauses accordingly:

“j. For building strata developments, the minimum Setback from the inner curb of the internal road is 1.5 metres to the building face and 4.5 metres to the front of a Garage.”

64. That Section 7.5.6 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following and renumbering the subsequent clauses accordingly:

“k. Minimum separation between Multiple Unit Townhome buildings is 3 metres.”

65. That Table 7.6.6 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

Table 7.6.6 Site Development Regulations								
Use	Parcel Type	Maximum Density	Minimum Front Setback	Minimum Interior Side Setback	Minimum Exterior Side Setback	Minimum Rear Setback	Maximum Height	Maximum Parcel Coverage
Dwelling, Single Detached	Lane Access	1 Dwelling Unit per Parcel	3 metres	1.2 metres	N/A	5 metres	Lesser of 14 metres or 3 storeys	85%, except as outlined in 7.6.6(c)
	Front Access	1 Dwelling Unit per Parcel	5 metres	1.2 metres	N/A	3 metres	Lesser of 14 metres or 3 storeys	
	Corner	1 Dwelling Unit per Parcel	5 metres	1.2 metres	1.5 metres	3 metres	Lesser of 14 metres or 3 storeys	
	Lane Access Corner	1 Dwelling Unit per Parcel	3 metres	1.2 metres	2.8 metres	5 metres	Lesser of 14 metres or 3 storeys	
	Panhandle	1 Dwelling Unit per Parcel	3 metres, not including panhandle access	1.2 metres, excluding panhandle access	2.8 metres, excluding panhandle access	3 metres	Lesser of 14 metres or 3 storeys	
	Pie	1 Dwelling Unit per Parcel	5 metres	1.2	2.8 metres	3 metres	Lesser of 14 metres or 3 storeys	
Dwelling, Semi-Detached	Lane Access	2 Dwelling Units per Parcel	3 metres	1.2 metres	N/A	3 metres	Lesser of 14 metres or 3 storeys	
	Front Access	2 Dwelling Units per Parcel	5 metres	1.2 metres	N/A	3 metres	Lesser of 14 metres or 3 storeys	
	Corner	2 Dwelling Units per Parcel	5 metres	1.2 metres	2.8 metres	3 metres	Lesser of 14 metres or 3 storeys	
	Lane Access Corner	2 Dwelling Units per Parcel	3 metres	1.2 metres	2.8 metres	3 metres	Lesser of 14 metres or 3 storeys	
	Panhandle	2 Dwelling Units per Parcel	3 metres, not including panhandle access	1.2 metres, excluding panhandle access	2.8 metres, excluding panhandle access	3 metres	Lesser of 14 metres or 3 storeys	
	Pie	2 Dwelling Units per Parcel	5 metres	1.2 metres	2.8 metres	3 metres	Lesser of 14 metres or 3 storeys	
Dwelling, Multiple Unit Townhome	Lane Access	90 units per hectare	3 metres	1.2 metres	N/A	5 metres	Lesser of 14 metres or 3 storeys	
	Front Access		5 metres	1.2 metres	N/A	3 metres	Lesser of 14 metres or 3 storeys	
	Back to Back		5 metres	1.2 metres	2.8 metres	5 metres	Lesser of 14 metres or 3 storeys	
	Corner		5 metres	1.2 metres	2.8 metres	3 metres	Lesser of 14 metres or 3 storeys	
	Lane Access Corner		3 metres	1.2 metres	2.8 metres	3 metres	Lesser of 14 metres or 3 storeys	
	Panhandle		3 metres, not including panhandle access	1.2 metres, excluding panhandle access	2.8 metres, excluding panhandle access	3 metres	Lesser of 14 metres or 3 storeys	
	Pie		5 metres	1.2 metres	2.8 metres	3 metres	Lesser of 14 metres or 3 storeys	
Dwelling, Detached Secondary	all Parcel types	1 Detached Secondary Dwelling per Parcel	Front Building Line	1.2 metres	2.8 metres	1.2 metres	Lesser of 10.5 metres or 2 storeys	
Accessory Building	all Parcel types	N/A	Front Building Line	1.2 metres	1.2 metres	1.2 metres	Lesser of 5 metres or 1.5 storeys	

66. That Section 7.6.6 (h) in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“For building strata developments, the minimum Setback from a Highway is 3 metres.”

67. That Section 7.6.6 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following and renumbering the subsequent clauses accordingly:

“i. Notwithstanding 7.6.6 (h), if a Dwelling Unit’s Access is directly to a Highway, the setback to the front of the Garage is 4.5 metres.”

68. That Section 7.6.6 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following and renumbering the subsequent clauses accordingly:

“j. For building strata developments, the minimum Setback from the inner curb of the internal road is 1.5 metres to the building face and 4.5 metres to the front of a Garage.”

69. That Section 7.6.6 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

“k. Minimum separation between Multiple Unit Townhome buildings is 3 metres.”

70. That Section 7.9.1 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“The purpose of the Strata Residential zone is to provide for the development of Single Detached, Semi-Detached, Multiple Unit Townhome and Multiple Unit Apartment Dwellings within the confines of a strata development. Although the development may contain reduced servicing and regulatory standards and is maintained privately under common ownership, its appearance is that of a conventional residential subdivision.”

71. That Table 7.9.4 in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

Table 7.9.4 Subdivision Regulations				
Use	Parcel Type	Minimum Parcel / Strata Lot Area	Minimum Parcel / Strata Lot Width	Minimum Parcel / Strata Lot Depth
all principal Uses	parent Parcel	1,350 m ²	45 metres	30 metres
	bare land Strata Lot	112.5 m ²	7.5 metres	15 metres

72. That Section 7.9.5 (c) in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“The minimum Setback from a Highway is 3 metres.”

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73. That Section 7.9.5 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following and renumbering the subsequent clauses accordingly:

“d. Notwithstanding 7.9.5 (c), if a Dwelling Unit’s Access is directly to a Highway, the setback to the front of the Garage is 4.5 metres.”

74. That Section 7.9.5 (d) in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“The minimum Setback from the inner curb of the internal road is 1.5 metres to the building face and 4.5 metres to the front of a Garage.”

75. That Section 7.14.4 (e) in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“Two Dwelling Units within a Principal Building;”

76. That Section 7.14.4 (f) in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“One Dwelling Unit in a Principal Building;”

77. That Section 7.15.4 (e) in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“Two Dwelling Units within a Principal Building;”

78. That Section 7.15.4 (f) in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“One Dwelling Unit in a Principal Building;”

79. That Section 7.15 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following and renumbering the subsequent clauses accordingly:

“7.15.8 Special Regulations

- a. Notwithstanding Section 7.15.4, except for Security / Operator Suite, Dwelling Units are not permitted Uses on Lot A Plan KAP78643 Section 23 Township 91 Kamloops Division Yale District, PID: 026-363-721.
- b. Notwithstanding Section 7.15.4, except for Security / Operator Suite, Dwelling Units are not permitted Uses on Lot B Plan KAP78643 Section 23 Township 91 Kamloops Division Yale District, PID: 026-363-739.

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- c. Notwithstanding Section 7.15.4, except for Security / Operator Suite, Dwelling Units are not permitted Uses on Lot C Plan KAP78643 Section 23 Township 91 Kamloops Division Yale District, PID: 026-363-747.
- d. Notwithstanding Section 7.15.4, except for Security / Operator Suite, Dwelling Units are not permitted Uses on Lot D Plan KAP78643 Section 23 Township 91 Kamloops Division Yale District, PID: 026-363-755.
- e. Notwithstanding Section 7.15.4, except for Security / Operator Suite, Dwelling Units are not permitted Uses on Lot E Plan KAP78643 Section 23 Township 91 Kamloops Division Yale District, PID: 026-363-763.”

80. That Section 7.15.6 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

“e. Notwithstanding the regulations in Table 7.15.6, site development and placement of objects must conform with Transport Canada regulations, including Obstacle Limitation Surfaces for an AGNII Non-Instrument aerodrome.”

81. That Section 7.16.4 (e) in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“Two Dwelling Units within a Principal Building;”

82. That Section 7.16.4 (f) in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“One Dwelling Unit in a Principal Building;”

83. That Section 7.16.6 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

“e. Notwithstanding the regulations in Table 7.16.6, site development and placement of objects must conform with Transport Canada regulations, including Obstacle Limitation Surfaces for an AGNII Non-Instrument aerodrome.”

84. That Section 7.17.4 (e) in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“Two Dwelling Units within a Principal Building;”

85. That Section 7.17.4 (f) in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“One Dwelling Unit in a Principal Building;”

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86. That Section 7.18.4 (c) in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“Two Dwelling Units within a Principal Building;”

87. That Section 7.18.4 (d) in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“One Dwelling Unit in a Principal Building;”

88. That Section 7.19.2 (y) in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“Vehicle Storage & Towing;”

89. That Section 7.19.6 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

“d. Notwithstanding the regulations in Table 7.19.6, site development and placement of objects must conform with Transport Canada regulations, including Obstacle Limitation Surfaces for an AGNII Non-Instrument aerodrome.”

90. That Section 7.20 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following and renumbering the subsequent clauses accordingly:

“7.20.3 Discretionary Uses

Subject to the regulations outlined in Section 4.5, the Development Approving Officer may approve any of the following uses, with or without conditions:

- a. One Dwelling Unit in an airport hangar.”

91. That Section 7.20.5 (c) in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“Notwithstanding the regulations in Table 7.20.5, site development and placement of objects must conform with Transport Canada regulations, including Obstacle Limitation Surfaces for an AGNII Non-Instrument aerodrome.”

92. That Section 7.21.4 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

“b. Storage Yard;”

93. That Section 7.21.4 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

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“c. Dwelling Unit in an industrial building (one Dwelling Unit per industrial unit or bay).”

94. That Section 7.21.6 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following:

“d. Notwithstanding the regulations in Table 7.21.6, site development and placement of objects must conform with Transport Canada regulations, including Obstacle Limitation Surfaces for an AGNII Non-Instrument aerodrome.”

95. That Section 7.22.2 in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended by inserting the following and renumbering the subsequent clauses accordingly:

“j. Storage Yard;”

96. That Section 7.24.7 (c) in the City of Merritt Zoning Bylaw No. 2284, 2020 is deleted and replaced with the following:

“Notwithstanding Section 7.24.2, a Mobile Home is permitted on Lot A, DL 176, Plan 34260 (319 Lindley Creek Road) for the purpose of a Security / Operator Suite. Any Uses on the Parcel must be consistent with the Agricultural Land Commission’s approved site development plan and/or the *Agricultural Land Commission Act* and its regulations.”

97. That the Table of Contents in the City of Merritt Zoning Bylaw No. 2284, 2020 is amended accordingly.

READ A FIRST TIME this _____ day of _____, 2022

READ A SECOND TIME this _____ day of _____, 2022

PUBLIC HEARING this _____ day of _____, 2022

READ A THIRD TIME this _____ day of _____, 2022

Approved pursuant to section 52(3)(a) of the *Transportation Act*
this _____ day of _____, 20____.

for Minister of Transportation & Infrastructure

Bylaw 2329, 2022 – A Bylaw to amend the Zoning Bylaw

ADOPTED this

____ day of ____, 2022

Linda Brown
Mayor

Greg Lewis
Corporate Officer