

CITY OF CHILLIWACK
Regular Meeting of Council

Tuesday, September 26, 2023, 2:00 pm

8550 Young Road,
Chilliwack, BC V2P 8A4

1. Call to Order

The City of Chilliwack Acknowledges that we are honoured to live, work and play on the traditional, ancestral and unceded territory of the Stó:lō Coast Salish peoples.

2. Delegations/Hearings

3. Adoption of Minutes

Recommendation

That the Minutes of the Special Regular Meeting of Council held August 31, 2023, and the Minutes of the Regular Meeting of Council held September 5, 2023, be adopted as circulated.

4. Business Arising

5. Consent Agenda

Recommendation

That the “Miscellaneous Rates Bylaw Amendment Bylaw 2023, No. 5333” be adopted;

and further, that the Minutes of the following Committee meetings be received for information:

Chilliwack Public Art Advisory Committee Meeting, held August 18, 2023; and,

Design Review Advisory Committee Meeting, held September 12, 2023.

6. Quarterly Reports

7. Departmental Reports

7.1 Engineering - Sanitary Sewer System Bylaw Update

Recommendation

That "Sanitary Sewer System Regulation Bylaw Amendment Bylaw 2023, No. 5341" be given first and second reading.

Recommendation

That "Sanitary Sewer System Regulation Bylaw Amendment Bylaw 2023, No. 5341" be given third reading.

7.2 Engineering - Tyson-Keith Wilson Design-Build Project RFP Evaluation

Recommendation

That Council accept the proposal for the Tyson Keith Wilson Design-Build Project from the lead proponent, B&B Heavy Civil Construction Ltd., in the amount of \$8,900,404 (plus applicable taxes); and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.

7.3 Operations - Policy Directive No. A-13 "Snow and Ice Control Service Level" Amendments

Recommendation

That Policy Directive No. A-13 "Snow and Ice Control Service Level" be approved, as amended.

7.4 Recreation and Culture - Building Deconstruction - Request for Qualifications

Recommendation

That Council approve the pre-selection of the following four proponents, to submit Request for Proposal documents for future deconstruction of buildings and structures owned by the City of Chilliwack for a period of three years.

1. Clearview Demolition Ltd.;
2. Matcon Demolition Ltd.;
3. Pheonix Enterprises Ltd.; and,
4. T & T Demolition Ltd.

7.5 Recreation and Culture - Truth and Reconciliation Day

Recommendation

That Council approve the request from the Chilliwack School District No. 33, for funding under the Community Development Initiatives Funding Policy, in the amount of \$10,500.00, for the Truth and Reconciliation Events being held September 29 and 30, 2023; and further, that any surplus funds be returned to the City of Chilliwack.

7.6 Finance - 2024 Permissive Tax Exemption and Tax Exemption Riparian Property Bylaw

Recommendation

That "Permissive Tax Exemption Bylaw 2023, No. 5351" be given first and second reading.

Recommendation

That "Permissive Tax Exemption Bylaw 2023, No. 5351" be given third reading.

Recommendation

That "Tax Exemption (Riparian Property) Bylaw 2023, No. 5352" be given first and second reading.

Recommendation

That "Tax Exemption (Riparian Property) Bylaw 2023, No. 5352" be given third reading.

7.7 Finance - 2024 Financial Plan - Community Engagement Survey

Recommendation

That the presentation on the "2024 Financial Plan Community Engagement Survey", be received for information. (Presentation)

7.8 Legislative Services - Repeal Bylaws

Recommendation

That "Canada Education Park Lands Delegation Repeal Bylaw 2023, No. 5356" be given first and second reading.

Recommendation

That "Canada Education Park Lands Delegation Repeal Bylaw 2023, No. 5356" be given third reading.

Recommendation

That "Holiday Shopping Regulation Repeal Bylaw 2023, No. 5357" be given first and second reading.

Recommendation

That "Holiday Shopping Regulation Repeal Bylaw 2023, No. 5357" be given third reading.

Recommendation

That "Intensive Swine Operation Repeal Bylaw 2023, No. 5358" be given first and second reading.

Recommendation

That "Intensive Swine Operation Repeal Bylaw 2023, No. 5358" be given third reading.

Recommendation

That "Shops Regulation Repeal Bylaw 2023, No. 5359" be given first and second reading.

Recommendation

That "Shops Regulation Repeal Bylaw 2023, No. 5359" be given third reading.

7.9 Planning - RZ001675 - 10140 Woods Road

Recommendation

That "Zoning Bylaw Amendment Bylaw 2023, No. 5293", which proposes to rezone property located at 10140 Woods Road from an R1-A (Urban Residential) Zone to an R1-C (Urban Infill) Zone, be given third reading.

Recommendation

That "Zoning Bylaw Amendment Bylaw 2023, No. 5293", which proposes to rezone property located at 10140 Woods Road from an R1-A (Urban Residential) Zone to an R1-C (Urban Infill) Zone, be adopted.

7.10 Planning - RZ001522 and DVP01300 - 45631 and 45641 Morton Road

Recommendation

That "Zoning Bylaw Amendment Bylaw 2023, No. 5339" which proposes to rezone properties located at 45631 and 45641 Morton Road from an R1-A (Urban Residential) Zone to an R6 (Mid Rise Apartment) Zone, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023.

7.11 Planning - RZ001694 - 45223 Watson Road

Recommendation

That "Zoning Bylaw Amendment Bylaw 2023, No. 5346", which proposes to rezone property located at 45223 Watson Road from an R1-A (Urban Residential) Zone to an R1-B (Urban Duplex Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023.

7.12 Planning - RZ001662 and DVP01343 and DP001712 - 7990 Lickman Road

Recommendation

That "Zoning Bylaw Amendment Bylaw 2023, No. 5349", which proposes to rezone portions of property located at 7990 Lickman Road from a CS2 (Tourist Commercial) Zone to an M2 (Service Industrial) Zone and an M1 (Light Industrial) Zone to an M2 (Service Industrial) Zone, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023.

7.13 Planning - RZ001672 - 43596 Old Orchard Road

Recommendation

That the "Zoning Bylaw Amendment Bylaw 2023, No. 5353", which proposes to rezone property located at 43596 Old Orchard Road from an R1-A (Urban Residential) Zone to an R3 (Small Lot Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023.

7.14 Planning - RZ001580 and DVP01374 - 46195 Fifth Avenue

Recommendation

That "Official Community Plan Bylaw Amendment Bylaw 2023, No. 5354" which proposes to redesignate property located at 46195 Fifth Avenue from "Industrial" to "Civic/Institutional" as specified in the Downtown Land Use and Development Plan, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023.

Recommendation

That "Zoning Bylaw Amendment Bylaw 2023, No. 5355", which proposes to rezone property located at 46195 Fifth Avenue from an M1 (Light Industrial) Zone to a P1 (Civic Assembly) Zone, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023.

7.15 Planning - ALR00397 - 4586 No. 3 Road

Recommendation

That application ALR00397 for a "Non-Adhering Residential Use" within the Agricultural Land Reserve, with respect to property located at 4586 No. 3 Road, be forwarded to the Agricultural Land Commission with support.

7.16 Planning - ALR00408 - 10505, 10639, 10650 Bustin Road

Recommendation

That application ALR00408 for a "Boundary Adjustment" within the Agricultural Land Reserve, with respect to properties located at 10505, 10639 and 10650 Bustin Road, be forwarded to the Agricultural Land Commission with support.

7.17 Planning - ALR00409 - 10912 and 10918 Kitchen Road

Recommendation

That application ALR00409 for a "Boundary Adjustment" within the Agricultural Land Reserve, with respect to properties located at 10912 and 10918 Kitchen Road, be forwarded to the Agricultural Land Commission with support.

7.18 Planning - DP001707 - 45991 Airport Road

Recommendation

That Council approve the issuance of Development Permit DP001707 with respect to property located at 45991 Airport Road, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Permit.

7.19 DARES - Latecomer Agreement LC-094 First Resolution - Storm Main Extension on Lewis Avenue

Recommendation

That Council enter into a Latecomer Agreement and adopt the First Latecomer Resolution for Snehdeep Chugh for the storm main extension along Lewis Avenue, with the form and content of Appendix "D" to Policy Directive No. G-5 with the following attachments:

1. Schedule "A" - Report of the Director of Development;
2. Schedule "B" - Latecomer Agreement dated for reference August 28, 2023; and
3. Schedule "C" - Form F3 Certificate of Substantial Completion, signed May 18, 2021.

8. Mayor and Councillors' Reports

9. Motion to Adjourn to a Closed Session – Regular Meeting to Reconvene at 6:30 pm

10. Meeting Reconvened

The City of Chilliwack Acknowledges that we are honoured to live, work and play on the traditional, ancestral and unceded territory of the Stó:lō Coast Salish peoples.

11. Delegations/Hearings

11.1 Delegations

11.2 Section 57 Hearing / Section 74 Hearing / Unsightly Premises Hearing

11.3 Public Hearing

- 11.3.1 "Zoning Bylaw Amendment Bylaw 2023, No. 5334" and "Development Variance Permit DVP01365"
(6538 and 6548 Fern Street)
- 11.3.2 "Zoning Bylaw Amendment Bylaw 2023, No. 5335" and "Development Variance Permit DVP01322"
(9132 and 9146 Mary Street)
- 11.3.3 "Zoning Bylaw Amendment Bylaw 2023, No. 5336" and "Development Variance Permit DVP01315"
(45745 and 45751 Alder Avenue and 45740, 45744, 45754 Webb Avenue)
- 11.3.4 "Zoning Bylaw Amendment Bylaw 2023, No. 5340"
(46485 Uplands Road)
- 11.3.5 "Official Community Plan Bylaw Amendment Bylaw 2023, No. 5342" and "Zoning Bylaw Amendment Bylaw 2023, No. 5343"
(44130 and 44160 Yale Road)
- 11.3.6 "Temporary Use Permit TUP00216"
(101 - 45300 Luckakuck Way)

11.4 Public Information Meeting

- 11.4.1 "Development Variance Permit DVP01335"
(45624 and 45632 Wellington Avenue)
- 11.4.2 "Development Variance Permit DVP01367"
(48200 Briteside Road)

12. **Clerk's Reports**

12.1 "Zoning Bylaw Amendment Bylaw 2023, No. 5334" and "Development Variance Permit DVP1365"

Recommendation

That "Zoning Bylaw Amendment Bylaw 2023, No. 5334" with respect to properties located at 6538 and 6548 Fern Street be given third reading. (RZ001573)

Recommendation

That "Zoning Bylaw Amendment Bylaw 2023, No. 5334" with respect to properties located at 6538 and 6548 Fern Street be adopted. (RZ001573)

Recommendation

That, subject to public representation, Council approve the issuance of Development Variance Permit DVP001365 with respect to properties located at 6538 and 6548 Fern Street, subject to the recommendations as stipulated within the draft Development Variance Permit.

12.2 "Zoning Bylaw Amendment Bylaw 2023, No. 5335"; "Development Variance Permit DVP01322"; and, "Development Permit DP001649"

Recommendation

That "Zoning Bylaw Amendment Bylaw 2023, No. 5335" with respect to properties located at 9132 and 9146 Mary Street be given third reading. (RZ001687)

Recommendation

That "Zoning Bylaw Amendment Bylaw 2023, No. 5335" with respect to properties located at 9132 and 9146 Mary Street be adopted. (RZ001687)

Recommendation

That, subject to public representation, Council approve the issuance of Development Variance Permit DVP01322 with respect to properties located at 9132 and 9146 Mary Street, subject to the conditions as stipulated within the draft Development Variance Permit.

Recommendation

That Council approve the issuance of Development Permit DP001649 with respect to properties located at 9132 and 9146 Mary Street, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Permit.

- 12.3 "Zoning Bylaw Amendment Bylaw 2023, No. 5336"; "Development Variance Permit DVP01315"; and "Development Permit DP001649"

Recommendation

That "Zoning Bylaw Amendment Bylaw 2023, No. 5336" with respect to properties located at 45745 and 45751 Alder Avenue and 45740, 45744 and 45754 Webb Avenue, be given third reading. (RZ001566)

Recommendation

That "Zoning Bylaw Amendment Bylaw 2023, No. 5336" with respect to properties located at 45745 and 45751 Alder Avenue and 45740, 45744 and 45754 Webb Avenue be adopted. (RZ001566)

Recommendation

That, subject to public representation, Council approve the issuance of Development Variance Permit DVP01315 with respect to properties located at 45745 and 45751 Alder Avenue and 45740, 45744 and 45754 Webb Avenue, subject to the conditions as stipulated within the draft Development Variance Permit.

Recommendation

That Council approve the issuance of Development Permit DP001640 with respect to properties located at 45745 and 45751 Alder Avenue and 45740, 45744 and 45754 Webb Avenue, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Permit.

- 12.4 "Zoning Bylaw Amendment Bylaw 2023, No. 5340"

Recommendation

That "Zoning Bylaw Amendment Bylaw 2023, No. 5340" with respect to property located at 46485 Uplands Road be given third reading. (RZ001683)

- 12.5 "Official Community Plan Bylaw Amendment Bylaw 2023, No. 5342" and "Zoning Bylaw Amendment Bylaw 2023, No. 5343"

Recommendation

That "Official Community Plan Bylaw Amendment Bylaw 2023, No. 5342" with respect to properties located at 44130 and 44160 Yale Road be given third reading. (RZ001693)

Recommendation

That "Zoning Bylaw Amendment Bylaw 2023, No. 5343" with respect to properties located at 44130 and 44160 Yale Road be given third reading. (RZ001693)

13. **Application Reports**

13.1 "Temporary Use Permit TUP00216"

Recommendation

That Council approve the issuance of Temporary Use Permit TUP0216 with respect to property located at 101 – 45300 Luckakuck Way, subject to the recommendations as stipulated within the draft Temporary Use Permit.

13.2 "Development Variance Permit DVP01335" and "Development Permit DP001667"

Recommendation

That, subject to public representation, Council approve the issuance of Development Variance Permit DVP01335 with respect to properties located at 45624 and 45632 Wellington Avenue, subject to the recommendations as stipulated within the draft Development Variance Permit. (DVP01335)

Recommendation

That Council approve the issuance of Development Permit DP001667 with respect to properties located at 45624 and 45632 Wellington Avenue, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Permit. (DP001667)

13.3 "Development Variance Permit DVP01367"

Recommendation

That, subject to public representation, Council approve the issuance of Development Variance Permit DVP01367 with respect to property located at 48200 Brideside Road, subject to the recommendations as stipulated within the draft Development Variance Permit. (DVP01367)

14. **Items Deferred**

15. **Other Business**

15.1 Decisions Referred from Closed Session

15.2 Additional Items

16. **Public Questions**

17. **Adjournment**

AGENDA ITEM NO: 3.

MEETING DATE: September 26, 2023

STAFF REPORT - COVER SHEET

SUBJECT: Adoption of Minutes Date: September 18, 2023

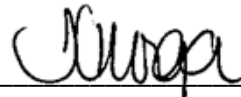
DEPARTMENT: Clerk's Prepared by: Jacqueline Morgan

1. SUMMARY OF ISSUE:

Minutes of the Special Regular Meeting of Council held August 31, 2023, and the Minutes of the Regular Meeting of Council held September 5, 2023, for adoption.

2. RECOMMENDATION:

That the Minutes of the Special Regular Meeting of Council held August 31, 2023, and the Minutes of the Regular Meeting of Council held September 5, 2023, be adopted as circulated.



Jacqueline Morgan, CMC
Corporate Officer

City of Chilliwack
Special Regular Meeting Minutes

August 31, 2023, 9:00 am
8550 Young Road
Chilliwack, BC V2P 8A4

Present: All members of Council.

Staff Present: C. Crosman, Chief Administrative Officer
D. Blain, Deputy Chief Administrative Officer/Director of Recreation and Culture
J. Morgan, Corporate Officer
G. Savard, Director of Finance
C. Carruthers, Manager of IT Operations

Call to Order

The City of Chilliwack Acknowledges that we are honoured to live, work and play on the traditional, ancestral and unceded territory of the Stó:lō Coast Salish peoples.

Mayor Popove was Chair and called the meeting to order at 9:00 am.

Consent Agenda

Moved / Lum

Seconded / Read

That the Minutes of the Design Review Advisory Committee meeting, held August 8, 2023, be received for information.

Carried unanimously

Departmental Reports

Recreation and Culture - Mural Placement - 45835 Spadina Avenue

Moved / Westeringh

Seconded / Lum

That Council approve the placement of a mural to be located at 45835 Spadina Avenue, as depicted in the rendering within the Staff Report dated August 21, 2023.

Carried unanimously

Motion to Adjourn to a Closed Session

Moved / Shields

Seconded / Mercer

On a motion of Councillor Shields, and seconded by Councillor Mercer, the meeting adjourned at 9:02 am.

Carried unanimously

Mayor

Corporate Officer

City of Chilliwack
Regular Meeting Minutes

September 5, 2023, 2:00 pm
8550 Young Road
Chilliwack, BC V2P 8A4

Present: All members of Council with the exception of Councillor Read

Staff Present: C. Crosman, Chief Administrative Officer
D. Blain, Deputy Chief Administrative Officer/Director of Recreation and Culture
J. Morgan, Corporate Officer
G. Savard, Director of Finance
C. Wilson, Assistant Fire Chief
K. Stanton, Director of Public Safety and Social Development
J. Koczur, Deputy Director of Operations
S. Hamilton, Director of Utility Operations
G. Schipper, Deputy Director of Development and Regulatory Enforcement Services
K. Jefford, Director of Engineering
T. Friesen, Manager of Environmental Services
C. Marleau, Manager of Recreation Services and Corporate Wellness
H. Ferris, Manager of Social Development
E. Leary, Manager of Development Planning
R. Goertzen, Manager of Building and Inspections
C. Nwaoha, Manager of Utilities
D. Mossey, Manager of Transportation and Drainage
D. Lindhout, Superintendent of Civic Facilities
L. Knutson, Property Manager
L. Wiebe, Communications Coordinator
K. Spice, Social Development Specialist
C. Carruthers, Manager of IT Operations

Call to Order

The City of Chilliwack Acknowledges that we are honoured to live, work and play on the traditional, ancestral and unceded territory of the Stó:lō Coast Salish peoples.

Mayor Popove was Chair and called the meeting to order at 2:00 pm.

Delegations/Hearings

Delegation - Rotary Club of Chilliwack's Climate Change Action Group

Robyn Curtis and Shannon Burnett, members of the Rotary Club of Chilliwack's Climate Change Action Group, were in attendance and provide Council with a presentation highlighting concerns around climate change; the potential impacts to our area; and, some of the projects undertaken by the group.

Delegation - Enbridge

Rikki Beaudet and Emma Shea, Sr. Community and Indigenous Engagement Advisors, Enbridge, were in attendance and provide Council with an overview of Enbridge as well as an update on project plans within British Columbia.

Adoption of Minutes

Moved / Lum

Seconded / Kloot

That the Minutes of the Regular Meeting of Council held August 15, 2023, be adopted as circulated.

Carried unanimously

Consent Agenda

Moved / Mercer

Seconded / Westeringh

That the following bylaws be adopted:

“Official Community Plan Bylaw Amendment Bylaw 2023, No. 5324”; and,
“Zoning Bylaw Amendment Bylaw 2023, No. 5325”;

and further, that the Minutes of the Public Safety Advisory Committee meeting held July 19, 2023, be received for information.

Carried unanimously

Departmental Reports

Engineering - Miscellaneous Rates Bylaw Update

Moved / Westeringh

Seconded / Shields

That "Miscellaneous Rates Bylaw Amendment Bylaw 2023, No. 5333" be given first and second reading.

Carried unanimously

Moved / Kloot

Seconded / Mercer

That "Miscellaneous Rates Bylaw Amendment Bylaw 2023, No. 5333" be given third reading.

Carried unanimously

Engineering - Transportation Advisory Committee Minutes and Transit Expansion Resolution

Moved / Shields

Seconded / Lum

That Council direct Staff to write a letter to the relevant Provincial Ministers and the Premier with respect to the lack of expansion funding and the impact on the community.

Carried unanimously

Engineering - 2023 Linear Utilities Upgrades - RFP Award

Moved / Kloot

Seconded / Westeringh

That Council accept the proposal for the design and construction of the "2023 Linear Utilities Upgrades" Project from the lead proponent, Sandpiper Contracting LLP/Wedler Engineering LLP, in the amount of \$5,620,816.00 (plus applicable taxes); and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.

Carried unanimously

Engineering - 2023 Utilities Nonlinear Upgrade Predesign - RFP Proponent Selection

Moved / Shields

Seconded / Mercer

That Council authorize Staff to forward Request for Proposal documents to the following selected proponents for the "2023 Utilities Nonlinear Upgrade Predesign":

1. Associated Engineering (B.C.) Ltd.;

2. Stantec Engineering Ltd.; and,
3. Urban Systems.

Carried unanimously

Engineering - Water Conservation Plan in Response to Provincial Drought Level 5

The Director of Engineering provided Council with a presentation on the water conservation plan

Moved / Westeringh

Seconded / Shields

That the presentation on the Water Conservation Plan in response to the Provincial Drought Level 5, be received for information.

Carried unanimously

Planning - RZ001313 - 8160 and 8136 Nixon Road

Moved / Westeringh

Seconded / Shields

That "Official Community Plan Bylaw Amendment Bylaw 2020, No. 4797", which proposes to redesignate portions of 8160 Nixon Road from "Rural Hillside" and "Environmental Conservation" to "Residential - Low Density", and portions of 8136 Nixon Road from "Rural Hillside" to "Residential - Low Density" and "Environmental Conservation" as specified in the Eastern Hillside Comprehensive Area Plan be adopted.

Carried unanimously

Moved / Shields

Seconded / Westeringh

That "Zoning Bylaw Amendment Bylaw 2020, No. 4798", which proposes to rezone portions of 8160 Nixon Road from an SHR (Suburban Hillside Residential) Zone to an R3 (Small Lot One Family Residential) Zone and RSV1 (Limited Use Reserve) Zone, and portions of 8136 Nixon Road from an RH (Rural Hillside) Zone to an R3 (Small Lot One Family Residential) Zone and RSV1 (Limited Use Reserve) Zone be adopted.

Carried unanimously

Planning - RZ001573 and DVP01365 - 6538 and 6548 Fern Street

Moved / Kloot
Seconded / Shields

That "Zoning Bylaw Amendment Bylaw 2023, No. 5334", which proposes to rezone properties located at 6538 and 6548 Fern Street from an R1-A (Urban Residential) Zone to an R4-B (Low Density Multi-Unit Secondary Suite) Zone, be given first and second reading; and further, that a Public Hearing be called for September 26, 2023.

Carried unanimously

Planning - RZ001687, DVP01322, and DP001649 - 9132 and 9146 Mary Street

Moved / Mercer
Seconded / Shields

That "Zoning Bylaw Amendment Bylaw 2023, No. 5335", which proposes to rezone properties located at 9132 and 9146 Mary Street from an RC (Commercial Conversion) Zone to an R6 (Mid Rise Apartment) Zone, be given first and second reading; and further, that a Public Hearing be called for September 26, 2023.

Carried unanimously

Planning - RZ001566, DVP01315, and DP001640 - 45745, 45751 Alder Avenue and 45740, 45744, and 45754 Webb Avenue

Moved / Kloot
Seconded / Westeringh

That "Zoning Bylaw Amendment Bylaw 2023, No. 5336", which proposes to rezone properties located at 45745 and 45751 Alder Avenue and 45740, 45744 and 45754 Webb Avenue from an R1-A (Urban Residential) Zone and an R5 (Low Rise Apartment) Zone to an R6 (Mid Rise Apartment) Zone, be given first and second reading; and further, that a Public Hearing be called for September 26, 2023.

Carried unanimously

Planning - RZ001683 - 46485 Uplands Road

Moved / Mercer
Seconded / Shields

That "Zoning Bylaw Amendment Bylaw 2023, No. 5340", which proposes to rezone property located at 46485 Uplands Road from an SR (Suburban Residential) Zone to an R3 (Small Lot

Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for September 26, 2023.

Carried unanimously

Planning - RZ001693 - 44130 and 44160 Yale Road

Moved / Westeringh

Seconded / Shields

That "Official Community Plan Bylaw Amendment Bylaw 2023, No. 5342", which proposes to redesignate properties located at 44130 and 44160 Yale Road from "General Industrial" to "Mixed Commercial and Industrial", be given first and second reading; and further, that a Public Hearing be called for September 26, 2023.

Carried unanimously

Moved / Shields

Seconded / Westeringh

That "Zoning Bylaw Amendment Bylaw 2023, No. 5343", which proposes to rezone properties located at 44130 and 44160 Yale Road from an M2 (Service Industrial) Zone to a CSM (Service Commercial Industrial) Zone, be given first and second reading; and further, that a Public Hearing be called for September 26, 2023.

Carried unanimously

Planning - TUP00163 (Renewal) - 44490 Keith Wilson Road

Moved / Mercer

Seconded / Shields

That Council approve the renewal of Temporary Use Permit TUP00163, with respect to property located at 44490 Keith Wilson Road, subject to the recommendations as stipulated within the draft Temporary Use Permit.

Carried unanimously

Planning - RZ001580 - 46195 Fifth Avenue

Moved / Kloot

Seconded / Westeringh

That Council direct Staff not to pre-consult with outside agencies with respect to the subject application which proposes to amend the 2040 Official Community Plan designation for property at 46195 Fifth Avenue from "Industrial" to "Civic/Institutional" as specified in the Downtown Land Use and Development Plan.

Carried unanimously

Planning - RZ001722 - 9355 Nowell Street, 45915 Princess Avenue, 46006, 46018, 46026, 46038 Victoria Avenue, and 9330, 9334, 9340, 9343 and 9347 Young Road

Moved / Mercer

Seconded / Westeringh

That Council direct Staff not to pre-consult with outside agencies with respect to the subject application which proposes to amend the 2040 Official Community Plan designations for properties located at 9355 Nowell Street, 46006, 46018, 46026, and 46038 Victoria Avenue from "Residential 4" to "Civic/Institutional" and 45915 Princess Avenue, and 9330, 9334, 9340, 9343 and 9347 Young Road from "Urban Quarter" to "Civic/Institutional" as specified in the Downtown Land Use and Development Plan.

Carried unanimously

Public Safety and Social Development - Emergency Shelter Policy Resolution - 46146 Margaret Avenue

Moved / Mercer

Seconded / Shields

Whereas shelter beds are urgently needed to accommodate and support, over the winter, many people who are living precariously on the downtown streets and through the City in makeshift camps with significant negative impact to themselves and the surrounding community, and existing shelters are operating at full capacity;

And whereas, operating funding for staffing and security has been secured, and the Fire Chief has inspected the building and concluded that there are no immediate life safety concerns;

Be it resolved that Council make a policy decision for a period of six months, starting October 1, 2023 to April 30, 2024, not to enforce the Zoning Bylaw or BC Building Code for shelter use for property located at 46146 Margaret Avenue.

Carried unanimously

DARES - Latecomer Agreement LC-093 Second Resolution - Storm Main Extension on Higginson Road

Moved / Kloot

Seconded / Westeringh

That Council adopt the Second Resolution for Latecomer Agreement LC-093 for the extension of the storm main along Higginson Road, servicing the benefiting properties, as contained within the Staff Report dated August 11, 2023, with the form and contents of Appendix "A" to Policy Directive No. G-5, with the following attachments:

1. Schedule 'A' - Report of the Director of Development; and,
2. Schedule 'B' - Form F3 Certificate of Substantial Completion, dated June 16, 2022.

Carried unanimously

Mayor and Councillors' Reports

Councillor Lum commented it is the first day of school with lots of kids walking and biking. He wants everyone to be aware of the school zones and their surroundings. He congratulated all those going back to school.

Councillor Westeringh attended a tour of Little Mountain Elementary School; Public Art Advisory Committee Meeting; and, Chilliwack Healthier Community Meeting.

Councillor Kloot met with our two MLA's Dan Coulter and Kelli Paddon. He reminded everyone school is back in session and to slow down. In addition, the farmers are out with their farm vehicles, which can be slow so he advised to please give them space.

Councillor Shields attended the Chilliwack Arts and Cultural Centre Society Board Meeting.

Councillor Mercer attended the Public Safety Advisory Committee Meeting. He also met with our MLA's Dan Coulter and Kelli Paddon and attended the Celebration of Life for Mike Csoka.

Mayor Popove attended the 15 AAA Baseball Westerns; Pride Festival; Chilliwack Flight Fest Hangar Dance; Malayalee Association Festival; Chilliwack Healthier Community Meeting; Meeting with the MLA's, and Emergency Minister Situational Update; and, the BC Championship Horse Jumping Competition - 35th Anniversary.

Motion to Adjourn to a Closed Session – Regular Meeting to Reconvene at 6:30 pm

Moved / Mercer

Seconded / Shields

Motion to adjourn to a Closed Meeting of Council pursuant to Section 90(1)(a) and (l) and 90(2)(b) of the Community Charter.

Carried unanimously

Meeting Reconvened

The City of Chilliwack Acknowledges that we are honoured to live, work and play on the traditional, ancestral and unceded territory of the Stó:lō Coast Salish peoples.

The Regular Meeting adjourned at 3:00 pm and reconvened at 6:30 pm.

Present: All members of Council with the exception of Councillor Read.

Staff present: D. Blain, Deputy Chief Administrative Officer;
 E. Leary, Manager of Development Planning
 J. Morgan, Corporate Officer
 C. Carruthers, Manager of IT Operations

Public Hearing

"Temporary Use Permit TUP00217"

Public Hearing on Temporary Use Permit TUP00217 with respect to properties located at 7984 and 7991 Venture Place, to permit the operation of a trade school, as the M3 (General Industrial) Zone does not permit this use, a Temporary User Permit is required.

Public engagement package received from:

- Tom Muller, Training Administrator, Professional Labourers' Union School, Applicant, and Konrad Sears, Administrator, Teamsters Local 213 Joint Training School, 120 - 19092 26 Avenue, Surrey BC, received August 28, 2023.

Tom Muller, Training Administrator, Professional Labourers' Union School, Applicant, 120 - 19092 26 Avenue, Surrey BC provided Council with an overview of the application, citing Industrial Trades will be taught at this location.

Moved / Lum

Seconded / Westeringh

That the representations with respect to Temporary Use Permit TUP00217 be received for information; and further, that Temporary Use Permit TUP00217 be referred for Council's further consideration following the close of the Public Hearing.

Carried unanimously

"Temporary Use Permit TUP00219"

Public Hearing on Temporary Use Permit TUP00219 with respect to property located at 45657 Stevenson Road, to continue the operation of a home and garden giftware shop, as the R1-A (Urban Residential) Zone does not permit this use, a Temporary Use Permit is required.

There were no representations with respect to Temporary Use Permit TUP00219.

Moved / Shields

Seconded / Kloot

That Temporary Use Permit TUP00219 be referred for Council's further consideration following the close of the Public Hearing.

Carried unanimously

Public Information Meeting

"Development Variance Permit DVP01363"

Public Information Meeting on Development Variance Permit DVP01363 with respect to property located at 11430 Gill Road, which proposes to reduce the minimum required interior side lot line (ISLL) setback from 3m to 2.6m, within the AL (Agricultural Lowland) Zone, to bring the siting of a pool, currently under construction into compliance.

Email of support received from:

- Wim Kloot, Elk Ridge Dairy Ltd., Neighbour, no address provided, dated August 7, 2023

Councillor Kloot withdrew from the meeting at 6:38 pm, due to a potential conflict of interest, as the Applicant is his neighbour

Councillor Kloot returned to the meeting at 6:40 pm.

Moved / Mercer

Seconded / Lum

That the representation with respect to Development Variance Permit DVP01363 be received for information; and further, that Development Variance Permit DVP01363 be referred for Council's further consideration following the close of the Public Information Meeting.

Carried unanimously by members remaining

"Development Variance Permit DVP01364"

Public Information Meeting on Development Variance Permit DVP01364 with respect to property located at 46396 Yale Road, which proposes to waive the requirement that an additional 0.5m width be provided for a maneuvering aisle adjacent to a fence and to reduce the interior

side lot line (ISLL) setback within the R4 (Low Density Multi-Unit Residential) Zone for the roof overhangs of a proposed townhouse development.

Email correspondence received from:

- Lee Simon Tao Ping, 46401 Yale Road, received August 25, 2023.

Email of opposition received from:

- Brian Simundic, 1 - 46392 Yale Road, received August 30, 2023.

Michael Mernickle, Applicant, 46397 Yale Road, provided an overview of the application. He confirmed that fencing will be placed around the property once construction commences, to help reduce noise.

Moved / Lum

Seconded / Kloot

That the representations with respect to Development Variance Permit DVP01364 be received for information; and further, that Development Variance Permit DVP01364 be referred for Council's further consideration following the close of the Public Information Meeting.

Carried unanimously

"Development Variance Permit DVP01377"

Public Information Meeting on Development Variance Permit DVP01377 with respect to property located at 9451 Hazel Street, which proposes to waive the requirements to provide an unenclosed parking space for each townhouse unit in favour of an enclosed parking space within a carport.

There were no representations with respect to Development Variance Permit DVP01377.

Moved / Shields

Seconded / Lum

That Development Variance Permit DVP01377 be referred for Council's further consideration following the close of the Public Information Meeting.

Carried unanimously

Application Reports

"Temporary Use Permit TUP00217"

Moved / Lum

Seconded / Kloot

That Council approve the issuance of Temporary Use Permit TUP00217 with respect to properties located at 7984 and 7991 Venture Place, subject to the recommendations as stipulated within the draft Temporary Use Permit.

Carried unanimously

"Temporary Use Permit TUP00219"

Moved / Westeringh

Seconded / Lum

That Council approve the issuance of Temporary Use Permit TUP00219 with respect to property located at 45657 Stevenson Road, subject to the recommendations as stipulated within the draft Temporary Use Permit.

Carried unanimously

"Development Variance Permit DVP01363"

Councillor Kloot withdrew from the meeting at 6:51 pm, due to a potential conflict of interest, as the Applicant is his neighbour.

Councillor Kloot returned to the meeting at 6:52 pm.

Moved / Lum

Seconded / Mercer

That, subject to public representation, Council approve the issuance of Development Variance Permit DVP01363 with respect to property located at 11430 Gill Road, subject to the recommendations as stipulated within the draft Development Variance Permit.

Carried unanimously by members remaining

"Development Variance Permit DVP01364" and "Development Permit DP001567"

Moved / Kloot

Seconded / Westeringh

That, subject to public representation, Council approve the issuance of Development Variance Permit DVP01364 with respect to property located at 46395 Yale Road, subject to the conditions as stipulated within the draft Development Variance Permit.

Carried unanimously

Moved / Westeringh

Seconded / Shields

That Council approve the issuance of Development Permit DP001567 with respect to property located at 46395 Yale Road, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Permit.

Carried unanimously

"Development Variance Permit DVP01377" and "Development Permit DP001541"

Moved / Mercer

Seconded / Shields

That, subject to public representation, Council approve the issuance of Development Variance Permit DVP01377 with respect to property located at 9451 Hazel Street, subject to the recommendations as stipulated within the draft Development Variance Permit.

Carried unanimously

Moved / Lum

Seconded / Kloot

That Council approve the issuance of Development Permit DP001541 with respect to property located at 9451 Hazel Street, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Permit.

Carried unanimously

Public Questions

Mayor Popove called for questions from the public. None were received.

Adjournment

Moved / Klood

Seconded / Westeringh

On a motion of Councillor Klood and seconded by Councillor Westeringh, the meeting adjourned at 6:54 pm.

Carried unanimously

Mayor

Corporate Officer

AGENDA ITEM NO: 5.

MEETING DATE: September 26, 2023

STAFF REPORT - COVER SHEET

SUBJECT: Consent Agenda Date: September 21, 2023

DEPARTMENT: Clerk's Prepared by: Jacqueline Morgan

1. SUMMARY OF ISSUE:

Consent Agenda items for Council's consideration.

2. RECOMMENDATION:

That the "Miscellaneous Rates Bylaw Amendment Bylaw 2023, No. 5333" be adopted;

and further, that the Minutes of the following Committee meetings be received for information:

Chilliwack Public Art Advisory Committee Meeting, held August 18, 2023; and,
Design Review Advisory Committee Meeting, held September 12, 2023.



Jacqueline Morgan, CMC
Corporate Officer

City of Chilliwack

Bylaw No. 5333

A bylaw to amend the “Miscellaneous Rates Bylaw 2001, No. 2750”

The Council of the City of Chilliwack in open meeting assembled, enacts as follows:

1. This bylaw may be cited as “**Miscellaneous Rates Bylaw Amendment Bylaw 2023, No. 5333**”.
2. “Miscellaneous Rates Bylaw 2001, No. 2750” is hereby amended by adding a new Section as follows:
“13. There are hereby imposed rates for Municipal Electric Vehicle Charge Stations User Fees as set out in Schedule “J” attached hereto and forming part of this bylaw.”
3. Said Bylaw is hereby further amended by adding a new Schedule, Schedule “J”, attached hereto and forming part of this Bylaw.

Received first and second reading on the 6th of September, 2023.

Received third reading on the 6th of September, 2023.

Received adoption on the 6th of September, 2023.

.....
Mayor

.....
Corporate Officer

SCHEDULE "J"

MUNICIPAL ELECTRIC VEHICLE CHARGE STATIONS USER FEES

1. For the provision of information, the following charges or fees (including G.S.T.) shall apply:

- | | | | |
|-----|-------------------------|----|-----------------|
| (1) | Level 2 Chargers | \$ | 2.10 per hour |
| (2) | Level 3 (fast) Chargers | \$ | 0.32 per minute |

City of Chilliwack
Chilliwack Public Art Advisory Committee
MINUTES OF MEETING
Friday August 18, 2023 - 8:00 A.M.
Chilliwack City Hall – Dogwood Room

Council Members: Councillor Read, Chair
Councillor Westeringh, Vice Chair

CPAAC Members: Trevor McDonald
Michael Hamilton-Clark
Terry Cross

City Staff: Carol Marleau, Manager of Recreations Services & Corp. Wellness
Tricia Rickards, Recording Secretary

Regrets: Dave Algra
Ryan Huston
Patrick Stedman
Lynne Goodwin
Patti Lawn
Jacquie Horner-Simpson

1. CALL TO ORDER

Chair Read called the meeting to order at 8:01 am.

2. ADOPTION OF AGENDA

Moved) That the Agenda for the August 18, 2023 meeting of the Chilliwack Public Art
Seconded (Advisory Committee be adopted as circulated.

Moved – McDonald, Seconded – Hamilton-Clark

Carried unanimously

3. ADOPTION OF MINUTES

Moved) That the minutes from the April 21, 2023 meeting of the Public Art
Seconded (Advisory Committee be adopted.

Moved – Cross, Seconded - McDonald

Carried unanimously

4. NEW BUSINESS TO ADDRESS

Restorative Cycle –

Mural at 45835 Spadina Avenue. Brief introduction to what the Restorative Cycle program is. Discussion on mural – recommendation to have the mountain view correctly reflect the look of Mt. Cheam; agreement in principle with the concept, but CPAAC members are requesting a copy of the finalized adjusted version actually showing where the windows will be, where the logo will be and the Mt. Cheam background. Tommy Green is the artist and Carol will look for a biography.

Project Updates –

Lickman round about is with City’s Engineering Department, still aiming for a March 2024 start date. Bring back the RFP once it is confirmed for CPAAC to review the language

Round Table –

Terry – Requested an update on the Southern Drip building/mural. Carol - What has been submitted is approved and is going forward.

Councillor Westeringh – Why does the art inventory/murals seem to focus on the downtown core? It should be expanded into Yarrow/Greendale/Promontory. Carol advised that there will be a meeting set for September 11, 2023 with the Planning department to discuss this; and to create language that aligns with the individual OCP (Official Community Plan) and the different Neighbourhood plans.

Terry and Michael – is there an inventory of all the city art- murals, statues, other public art? Carol – Tourism Chilliwack has an online map that lists the public art and The Bookman has a list of the downtown murals.

Carol – Consider creating a FAQ sheet “How can I get public art in the community?” so that artists understand the process and work on clarifying the language so it is easily understood.

Carol – Has ordered more decorative ‘art’ bike racks to be installed. The one at the airport has been installed.

Councillor Westeringh – Requested an update on the Cultus Lake Roundabout. Carol advised the quote received was significantly higher than the original budget.

Michael expressed the value in meeting in person instead of email communications. He also expressed his appreciation for everyone attending this meeting on such short notice.

5. INFORMATION / DISCUSSION

Funding for the Restorative Cycle mural will be a partnership between BIA and Restorative Justice.

Trevor McDonald will coordinate with Restorative and the artist to request new rendering, and will advise they can proceed with painting of the base coat color on the proposed area.

Discussion on the RFP process going forward. Due to negative backlash on language in RFP, discussed bringing in 5 active artists for their feedback on the language of the process.

Looking for youth perspective regarding the language. Carol cautioned that we must be careful not to confuse the process as that is taken from the City’s charter.

6. NEXT MEETING

The next meeting of the Chilliwack Public Art Advisory Committee will be held September 15, 2023

7. ADJOURNMENT

Moved) There being no further business, the meeting of the Public Arts Advisory Committee

Seconded (adjourned at 8:57 am.

Moved – McDonald, Seconded – Hamilton-Clark

Councillor Nicole Read, Chair

City of Chilliwack
DESIGN REVIEW ADVISORY COMMITTEE
MINUTES OF MEETING
TUESDAY, SEPTEMBER 12, 2023 – 3:00 pm
DOGWOOD ROOM / Held Electronically

Council Members:

Councillor Chris Kloot, Chair
Councillor Bud Mercer, Vice-Chair

Design Review Advisory Committee:

Tyler Jones, AIBC Representative
Carmen Peters, Community Member
Quintin van Dyk, Design
Jessica Thiessen, BCSLA Representative
Daryl Moniz, CADREB Representative

City Staff:

Erin Leary, Manager of Development Planning
Gillian Villeneuve, Director of Planning
Richard Fortin, Manager of Parks Planning
Trish Alsip, Recording Secretary

Regrets:

Chris Klaassen, Development
Jennifer Perigo, Community Member
Constable Lucian Mares, RCMP
Michelle Savich, Community Member
Scott Pelletier, Planning

1. CALL TO ORDER

Councillor Kloot was Chair, called the meeting to order at 3:00 pm and provided territorial acknowledgement.

2. ADOPTION OF AGENDA

Moved /) That the Agenda for the Design Review Advisory Committee meeting of Tuesday,
Seconded (September 12, 2023 be adopted as circulated.

Carried unanimously

3. ADOPTION OF MINUTES

Moved /) That the Minutes for the Design Review Advisory Committee meeting of Tuesday, August 8,
Seconded (2023 be adopted as circulated.

Carried unanimously

4. DEVELOPMENT PERMIT APPLICATIONS

Joe Dhaliwal and Kevin Dhaliwal, Mainland Development, Lance Barnett, Lance Barnett Architects, and Joe Minten, JM Architecture, were present.

1. DP001712 – 7990 Lickman Road

The Manager of Development Planning provided a presentation regarding this application for the form and character of a new mixed-use industrial and hotel development within DPA 7 (Industrial). The presentation included an overview of the proposal, location map, ortho map, site plan, proposed elevations, landscaping, and recommendations. A Crime Prevention Through Environmental Design (CPTED) report was prepared in conjunction with this application.

Members commented with respect to the lack of colour on southeast façade, visibility of the hotel entrance way, protection measures such as structural soil regarding landscaping along the reciprocal access road and, the screening of rooftop equipment.

Moved /) That the Design Review Advisory Committee supports DP001712 and recommend
Seconded (Council approve the application subject to the following conditions:

- that a detailed lighting plan be submitted, prior to the issuance of a Building Permit, to ensure adequate lighting is provided for all walkways, parking areas and pedestrian entrances;
- that all utility equipment be screened from public view through installation of landscaping fencing, or vinyl wrapping;
- that an irrigation system be included into the landscaped areas within the site;
- that any rooftop equipment such as heaters, mechanical units, air conditioners, etc. should be located near one another, buffered to reduce noise and screened from view;
- that any chain link fencing provided be black; and,
- that a painted pedestrian pathway be provided in various locations throughout the site including from the front entrance of the hotel to the nearest sidewalk and along the front of each industrial building to connect each unit; and,
- that additional colour and/or materials be incorporated into the southeast corner elevation of the hotel building to create greater visual interest and break up the overall massing of the structure.

Carried unanimously

Joe Dhaliwal, Kevin Dhaliwal, Lance Barnett and Joe Minten left the meeting at 3:24 pm.

Navia Sivia, Gagan Sivia, Andrew Figueiredo, and JD Gilliland, Azure Properties Group, Steven Bartok, Principal Architect, Mina Girgis, Project Manager and, Jennifer Wall, Landscape Architect, Keystone Architecture, were present.

4. DEVELOPMENT PERMIT APPLICATIONS (continued)

2. **DP001667 – 45624 & 45632 Wellington Avenue**

The Manager of Development Planning provided a presentation regarding this application for the form and character of a new apartment building within DPA 6 (Infill). The presentation included an overview of the proposal, location map, ortho map, site plan, proposed elevations, landscaping, and recommendations. A Crime Prevention Through Environmental Design (CPTED) report was prepared in conjunction with this application.

Discussion ensued regarding the amenities to be provided within the two playground areas, the surface material of the playground areas in the outdoor amenity space; incorporating additional shade in the common amenity area, specifically in the children’s playground; and the impact of the construction with respect to the large, mature tree on the property. Committee members discussed flood-plain requirements with respect to the pedestrian connectivity between the above-ground parkade with the street.

Moved /) That the Design Review Advisory Committee supports DP001667 and recommend
Seconded (Council approve the application subject to the following conditions:

- that a detailed lighting plan be submitted, prior to the issuance of a Building Permit, to ensure adequate lighting is provided for all walkways, parking areas and elevations of the building;
- that glazing, in the form of side lights or glazed doors, be provided for all entrances into and out of stairwells, exits and communal spaces;
- that a well-lit complex sign be provided along Wellington Avenue;
- that all utility equipment be screened from public view through installation of landscaping fencing, or vinyl wrapping;
- that an irrigation system be included into the landscaped areas within the site;
- that a coded gate be provided at the entrances to the lobby, parking area and amenity area;
- that non-combustible cladding and soffits be provided within the balconies;
- that a rubberized tile surface be included within the playground areas to ensure site safety and accessibility;
- that additional shade or trees be provided within the south side of the common amenity area, specifically surrounding the playground area, to ensure year round use; and,
- that protection measures be taken during construction to ensure the mature tree located on the property to the east is maintained throughout the redevelopment process.

Carried unanimously

5. DELEGATION / PRESENTATION

6. INFORMATION

• **2023 Membership List – Updated**

A revised 2023 Membership List was provided for information.

• **Annual Review of Member Appointments**

Chair Klot noted that all member appointments may be reviewed annually at Council’s discretion, or will be done after a Council re-election takes place.

7. NEXT MEETING

The next meeting is rescheduled on Tuesday, October 17, 2023 at 3:00 pm in the Dogwood Room.

8. ADJOURNMENT

There being no further business, the meeting adjourned at 3:45 pm.

Councillor Chris Kloot, Chair

DRAFT

AGENDA ITEM NO: 7.1

MEETING DATE: September 26, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Sanitary Sewer System Bylaw Update DATE: August 15, 2023

DEPARTMENT: Engineering PREPARED BY: Chikezie Nwaoha

1. SUMMARY OF ISSUE:


The City engaged Associated Engineering to review of the City's current source control program and provide recommendations for improvement to ensure the City's wastewater effluent entering the Fraser River is in compliance with both federal and provincial legislation to protect the receiving environment. One of the recommendations in the report is updating the City of Chilliwack's *Sanitary Sewer System Regulation Bylaw 2010, No. 3702*.

A bylaw to amend the "Sanitary Sewer System Regulation Bylaw 2010, No. 3702" is proposed, as attached, to update the high strength waste treatment fees, and update the parameters for conventional contaminants, physical parameters and inorganic contaminates as per proposed amendments to Schedule "E", as attached.

2. RECOMMENDATION:

Recommendation "Sanitary Sewer System Regulation Bylaw Amendment Bylaw 2023, No. 5341" be given first and second reading.

Recommendation that "Sanitary Sewer System Regulation Bylaw Amendment Bylaw 2023, No. 5341" be given third reading.


Kara Jefford, Director of Engineering

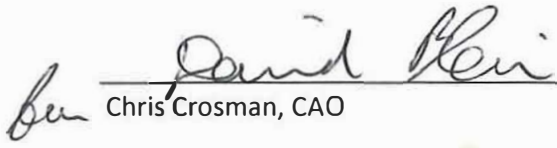
3. FINANCE COMMENTS:

The sanitary sewer function serves as a self-sustaining, cost recovery service, funded through user fees with no property taxation subsidy. The recommended changes to the Sanitary Sewer System Regulation Bylaw would ensure service viability and recovery of service costs.


Glen Savard, Director of Finance

4. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.


Chris Crosman, CAO

**STAFF REPORT ON
SANITARY SEWER BYLAW UPDATE**

PREPARED BY:	<u>Sydney Raison</u>	DATE:	<u>August 15, 2023</u>
POSITION:	<u>Utilities Environment Specialist</u>	DEPARTMENT:	<u>Engineering</u>

1. DEFINITION OF ISSUE:

The City engaged Associated Engineering to review of the City's current source control program and Sanitary Sewer System Regulation Bylaw 2010, No. 3702 to provide recommendations for improvement to ensure the City's wastewater effluent entering the Fraser River is in compliance with both federal and provincial legislation to protect the receiving environment.

A bylaw to amend the 'Sanitary Sewer System Regulation Bylaw 2010, No. 3702' is proposed, as attached, to update the high strength waste treatment fees, and update the parameters for conventional contaminants, physical parameters and inorganic contaminates as per proposed amendments to Schedule "E", as attached.

2. BACKGROUND

- 2.1 Wastewater Source Control is a regulatory requirement in British Columbia under the *Municipal Wastewater Regulation* (MWR) The MWR requires that a municipality does not accept "non-domestic" waste to a municipal wastewater collection system unless there is a regulation of this waste through a source control bylaw (or equivalent measures that provide pre-treatment).
- 2.2 The City of Chilliwack's *Sanitary Sewer System Regulation Bylaw 2010, No. 3702* Regulates wastewater discharged to the sanitary sewer system. To meet both federal and provincial regulatory requirements, Associated Engineering provided the City of Chilliwack with the following recommendations in the Source Control Plan Assessment to update the Sanitary Sewer System Regulation Bylaw
- a) Update the Sanitary Sewer System Regulation Bylaw 2010, No. 3702 by;
 - i. Implementing new compliance limits for Biochemical Oxygen Demand (BOD), Chemical Oxygen Demand (COD), Sulphate, and Ammonia.
 - ii. Implementing overstrength surcharge for COD when it is over the greater of,
 - The compliance limit, or
 - Double the BOD concentration
 - iii. Reducing high strength user fees for BOD to keep the change cost neutral for current waste discharge permittees with the lowered compliance limits.

3. RECOMMENDATION:

Recommendation:

Recommendation “Sanitary Sewer System Regulation Bylaw Amendment Bylaw 2023, No. 5341” be given first and second reading.

Recommendation that “Sanitary Sewer System Regulation Bylaw Amendment Bylaw 2023, No. 5341” be given third reading.

Substantiation:

This proposed changes to the sanitary sewer system regulation bylaw are important both to protect the wastewater collection and treatment system from discharges that could cause damage and lead to out of compliance events but also in terms of ensuring that industries pay the cost of treatment for their wastewater discharges.

City of Chilliwack

Bylaw No. 3702

**A bylaw to provide for the establishment, regulation and use of the
Sanitary Sewer System**

WHEREAS Sections 8(2) and (3) of the *Community Charter* authorizes Council, by bylaw, to establish and operate any service that it considers necessary or desirable for all or part of the municipality and regulate in relation to a service;

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

1. This Bylaw may be cited as “**Sanitary Sewer System Regulation Bylaw 2010, No. 3702**”.
2. “Sanitary Sewer System Regulation Bylaw 2000, No. 2701” and amendments thereto, are hereby repealed.

INTERPRETATION

3. In this Bylaw:

“Best Management Practices (BMP)” means an integrated plan to control and reduce the release of restricted and prohibited waste into the wastewater treatment plant to a practicable extent, through methods including physical controls, pretreatment processes, operational procedures and staff training;

“billing period” means a three month (quarterly) cycle in which consumption is measured and charges, rates and fees are assessed accordingly under the provisions of this bylaw;

“Biochemical Oxygen Demand (BOD)” means the quantity of oxygen, expressed in milligrams per litre, utilized in the biochemical oxidation of organic matter under standard laboratory procedure according to Standard Methods;

“Building Sewer” means the portion of the pipe and appurtenances to it outside a building or structure which connect it to the Sanitary Sewer System, or other place of disposal, commencing 1 metre from the outer face of the wall of the building or structure to the real property line;

“Chemical Oxygen Demand (COD)” means the quantity of oxygen, expressed in milligrams per litre, utilized in the chemical oxidation of organic matter under standard laboratory procedure according to Standard Methods;

“City Sewer Connection” means that part of any pipe leading from the private sewer connection and connected to the City sewer and located within the limits of the public road allowance, or other public lands or public land interests held for

materials;

“infill lot” means a lot which exists, or is created by further subdivisions, within an existing subdivision;

“Inspector” means a person authorized by the City to carry out observations and inspections and take samples as prescribed by this bylaw;

“institutional use” means a non-profit cultural, recreational, social religious, governmental, public hospital or educational use, and also includes a use in any building or structure that is served by Eastern Hillside Sewer and which is not a residential, commercial or industrial use;

“Medical Health Officer” means the Medical Health Officer, or designate, for the Provincial Ministry of Health in the City of Chilliwack;

“Monitoring Access Point” means an access point, such as a chamber, in a private sewer connection to allow for observation, sampling and flow measurement of the wastewater or uncontaminated water therein;

“Development and Regulatory Enforcement Services” means the Development and Regulatory Enforcement Services Department of the City of Chilliwack;

“non-domestic wastewater” means all wastewater except domestic wastewater, uncontaminated water, and septic tank waste;

“oil and grease” means any type of oil or grease, or any substance derived from a petroleum source or *n*-Hexane extractable matter as described in Standard Methods;

“owner” means the person or persons, including a corporation or company, registered in the records of a land title office as owner in fee simple of a real property or, where there is a registered agreement for sale and purchase of the real property, the registered holder of the last registered agreement for sale and purchase, and includes that person's authorized agent;

“parcel” includes a parcel under the *Land Title Act* and a strata lot under the *Strata Property Act*;

“Pollution Prevention Plan” means a plan prepared by a Qualified Professional an Environmental Engineer containing measures to control or eliminate the release of industrial discharge into the Sanitary Sewer System;

“pretreatment” means the reduction, elimination or alteration of pollutants in wastewater prior to discharge into the sanitary sewer;

“pretreatment processes” means one or more treatment processes or devices designed to remove sufficient matter from wastewater discharged into the City sewer to enable compliance with effluent limits established in this Bylaw;

“private sewer connection” means that part of any pipe or system of pipes, lying within the limits of the private lands and leading to the City sewer connection whose responsibility for maintenance is the property owner's;

- (1) the actual cost to treat or remove all substances which must be treated or removed to comply with the terms and conditions set out in this Bylaw;
 - (2) in the case of BOD, COD and TSS which exceeds the limits set out in Schedule “E” of this Bylaw, an additional treatment charge as set out in Schedule “C” of this Bylaw; and
 - (3) the actual cost to repair or replace any part of the Sanitary Sewer System or Wastewater Treatment Plant damaged, injured or rendered inoperable by the discharge.
46. Every person who is charged a fee for the discharge of sewage or waste pursuant to Sections 39 and 45 of this Bylaw, may dispute the Engineer's analysis of the sewage or waste by appealing to Council through the office of the City Clerk and submitting an analysis from a competent recognized laboratory documenting substance descriptions and values and the method of calculation, and Council shall hear and decide upon the appeal and the decision of Council shall be final.

INDUSTRIAL DISCHARGE

47. No person shall discharge into the Sanitary Sewer System, any industrial discharge without first obtaining a Waste Discharge Permit from the Engineer.

WASTE DISCHARGE PERMITS

48. Every person wanting to discharge industrial discharge or trucked wastewater into the Sanitary Sewer System, shall first make application to the Engineer for and obtain a Waste Discharge Permit at least 60 days prior to the discharge and pay the fee set out in Schedule “C” of this Bylaw.
49. The Engineer may issue and amend a Waste Discharge Permit to allow the discharge of non-domestic waste and trucked wastewater into a sewer upon such terms and conditions as the Engineer considers appropriate and without limiting the generality of the foregoing, may in the Waste Discharge Permit:
- (1) place limits and restrictions on the quality, composition, frequency and nature of the water permitted to be discharged; and,
 - (2) require the holder of a Waste Discharge Permit to repair, alter, remove or add to works or construct new works.
50. Every Waste Discharge Permit shall be subject to the following:
- (1) The permit shall be valid for a period of 5 years unless otherwise specified on the permit.
 - (2) where required by the Engineer, the owner of the real property shall install, operate and maintain on the property, holding facilities, pumps, valves and flow regulating and measuring devices to determine flow rate.
51. Every holder of a Waste Discharge Permit shall meet the following requirements as set out in the permit, including but not limited to:

Schedule “C”

INDUSTRIAL WASTE FEES

1. WASTE DISCHARGE PERMIT FEE:

Application Fee	A non-refundable fee payable at the time of application; credited to the first Annual Base Fee.	\$ 100.00
Annual Base Fee	A yearly fee payable upon issue of the Waste Discharge Permit and upon each anniversary thereafter.	\$ 250.00
Amendment Fee	A fee to amend the terms of an existing Waste Discharge Permit.	\$ 100.00

2. DISCHARGE FEE: \$0.42 per cubic metre of discharge
 For discharge containing concentrations of BOD, COD or TSS that do not exceed the limits specified in Schedule “E” of this Bylaw.

3. HIGH STRENGTH TREATMENT FEE:

In addition to the Discharge Fee, an additional High Strength Treatment Fee for discharge containing concentrations of BOD, COD or TSS that exceed the limits specified in Schedule “E” of this Bylaw shall be as follows:

For Treating one (1) kilogram of BOD,
 or one (1) kilogram of above permitted limits,
 whichever is the greater amount \$ 0.894.48/kg

For Treating one (1) kilogram of COD,
 or one (1) kilogram of above permitted limits,
 whichever is the greater amount \$ 0.89/kg

For Treating one (1) kilogram of TSS
 above permitted limits \$ 1.10/kg

NOTE: If any fee associated with a Waste Discharge Permit is not paid within ninety (90) days of its due date (except the Application Fee which is payable upon application) the Waste Discharge Permit shall be immediately terminated and made invalid.

“Sanitary Sewer System Regulation Bylaw 2010, No. 3702”– Schedule “E”

Schedule “E”

RESTRICTED WASTES – SANITARY SEWER DISCHARGES

Table A - CONVENTIONAL CONTAMINANTS & PHYSICAL PARAMETERS

Substance	Concentration Limit - [mg/L, except as noted]
Biochemical Oxygen Demand	500 300
<u>Chemical Oxygen Demand</u>	<u>600</u>
Oil and grease - animal and vegetable	150
Oil and grease - mineral and synthetic/hydrocarbon	15
Total Suspended Solids	300
pH	5.5 – 9.5 (unitless)
Temperature	60 Degrees Celsius

Table B – ORGANIC CONTAMINANTS

Substance	Concentration Limit - [mg/L, except as noted]
Benzene	0.01
Chloroform	0.04
Dichlorobenzene (1,2-)	0.05
Dichlorobenzene (1,4)	0.08
Ethylbenzene	0.16
Hexachlorobenzene	0.0001
Methylene chloride (dichloromethane)	0.2
PCBs (chlorobiphenyls)	0.004
Phenols, Total (or Phenolic compounds)	0.1
Tetrachloroethane (1,1,2,2-)	1.4
Tetrachloroethane	1.0
Toluene	0.02
Trichloroethylene	0.04
Xylenes, total	1.4

Table C - INORGANIC CONTAMINANTS

Substance	Concentration Limit– [mg/L, except as noted]
Arsenic, total <u>Ammonia</u> (as NH ₃ -N)	1.0 <u>50</u>
<u>Arsenic, total</u>	<u>1.0</u>
<u>Boron, total</u>	<u>50</u>
Cadmium, total	0.2
Chromium, total	4.0
Cobalt, total	5.0
Copper, total	2.0
Cyanide, total	1.0
Lead, total	1.0
<u>Manganese, total</u>	<u>5.0</u>
Mercury	0.05
Molybdenum, total	1.0
Nickel, total	2.0
Nitrogen, Total Kjeldahl	100
Phosphorus, total	10
Selenium, total	0.8
Silver, total	1.0
<u>Sulphate</u>	<u>1,500</u>
Sulphide (as H ₂ S)	1.0
Zinc, total	3.0

~~Schedule “F”~~

~~MAXIMUM WASTEWATER STRENGTH LIMITS UNDER
WASTE DISCHARGE PERMIT~~

Substance	Maximum Concentration Limits under a Waste Discharge Permit mg/l
Biochemical Oxygen Demand (BOD)	1200
Total Suspended Solids (TSS)	1200
Oil and grease— animal and vegetable (O&G)	450
Total Phosphorus (TP)	To be specified in the Waste Discharge Permit
Total Kjeldahl Nitrogen (TKN)	To be specified in the Waste Discharge Permit

City of Chilliwack

Bylaw No. 5341

A bylaw to amend the ‘Sanitary Sewer Regulation Bylaw 2010, No. 3702’

The Council of the City of Chilliwack in open meeting assembled, enacts as follows:

1. This bylaw may be cited as **“Sanitary Sewer System Regulation Bylaw Amendment Bylaw 2023, No. 5341”**.
2. “Sanitary Sewer System Regulation Bylaw 2010, No. 3702” is hereby further amended in Section 3 INTERPRETATION, by inserting a new definition in alphabetical order, as follows:

““Chemical Oxygen Demand (COD)” means the quantity of oxygen, expressed in milligrams per litre, utilized in the chemical oxidation of organic matter under standard laboratory procedure according to Standard Methods;”.
3. Said Bylaw is hereby further amended in Section 3 INTERPRETATION, “Pollution Prevention Plan”, by deleting the words “an Environmental Engineer”, and substituting with the words “a Qualified Professional” after the words “prepared by” and before the words “containing measures”.
4. Said Bylaw is hereby further amended in Section 45 ENGINEER MAY IMPOSE SPECIFIC REQUIREMENTS, Subsection (2), by inserting the acronym “COD” after the word/acronym “of BOD,” and before the word/acronym “and TSS”.
5. Said Bylaw is hereby further amended in Schedule “C”, Section 2 DISCHARGE FEE by inserting the acronym “COD” after the word/acronym “of BOD,” and before the word/acronym “or TSS”.
6. Said Bylaw is hereby further amended in Schedule “C”, Section 3 HIGH STRENGTH TREATMENT FEE, by deleting Section 3 in its entirety, and substituting with a new Section 3, as follows:

“3. HIGH STRENGTH TREATMENT FEE:

In addition to the Discharge Fee, an additional High Strength Treatment Fee for discharge containing concentrations of BOD, COD or TSS that exceed the limits specified in Schedule “E” of this Bylaw shall be as follows:

For Treating one (1) kilogram of BOD,
or one (1) kilogram of above permitted limits,
whichever is the greater amount

\$ 0.89/kg

For Treating one (1) kilogram of COD,
or one (1) kilogram of above permitted limits,
whichever is the greater amount \$ 0.89/kg

For Treating one (1) kilogram of TSS
above permitted limits \$ 1.10/kg

NOTE: If any fee associated with a Waste Discharge Permit is not paid within 90 days of its due date (except the Application Fee which is payable upon application) the Waste Discharge Permit shall be immediately terminated and made invalid.”

7. Said Bylaw is hereby further amended in Schedule “E”, Table A – CONVENTIONAL CONTAMINANTS & PHYSICAL PARAMETERS, by deleting Table A, attached thereto, in its entirety and substituting with a new Table A, attached hereto and forming part of this Bylaw.
8. Said Bylaw is hereby further amended in Schedule “E”, Table C – INORGANIC CONTAMINANTS, by deleting Table C, attached thereto, in its entirety and substituting with a new Table C, attached hereto and forming part of this Bylaw.
9. Said Bylaw is hereby further amended by deleting Schedule “F” attached thereto, in its entirety.

Received first and second reading on the
Received third reading on the
Received adoption on the

Mayor

Corporate Officer

Table A - CONVENTIONAL CONTAMINANTS & PHYSICAL PARAMETERS

Substance	Concentration Limit - [mg/L, except as noted]
Biochemical Oxygen Demand	300
Chemical Oxygen Demand	600
Oil and grease - animal and vegetable	150
Oil and grease - mineral and synthetic/hydrocarbon	15
Total Suspended Solids	300
pH	5.5 – 9.5 (unitless)
Temperature	60 Degrees Celsius

Table C - INORGANIC CONTAMINANTS

Substance	Concentration Limit– [mg/L, except as noted]
Ammonia (as NH ₃ -N)	50
Arsenic, total	1.0
Boron, total	50
Cadmium, total	0.2
Chromium, total	4.0
Cobalt, total	5.0
Copper, total	2.0
Cyanide, total	1.0
Lead, total	1.0
Manganese, total	5.0
Mercury	0.05
Molybdenum, total	1.0
Nickel, total	2.0
Nitrogen, Total Kjeldahl	100
Phosphorus, total	10
Selenium, total	0.8
Silver, total	1.0
Sulphate	1,500
Sulphide (as H ₂ S)	1.0
Zinc, total	3.0

AGENDA ITEM NO: 7.2

MEETING DATE: September 26, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Tyson – Keith Wilson Design-Build Project – RFP Evaluation DATE: September 18, 2023

DEPARTMENT: Engineering PREPARED BY: Kevin Pollard

1. SUMMARY OF ISSUE:

Design-Build proposals were received from BA Blacktop Infrastructure, B&B Heavy Civil Construction and Jakes Construction for the design and construction of the Tyson – Keith Wilson Design-Build Project.

A decision to accept a proposal for the Tyson – Keith Wilson Design-Build Project is required.

2. RECOMMENDATION:

Recommendation that Council accept the proposal for the Tyson – Keith Wilson Design-Build Project from the lead proponent, B&B Heavy Civil Construction Ltd., in the amount of **\$8,900,404** (plus applicable taxes); and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.


K. Jefford, Director of Engineering


3. FINANCE COMMENTS:

Sufficient funds are available in the 2023 Financial Plan funded from the Roads DCC and General Fund.


Glen Savard, Director of Finance

4. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.


Chris Crosman, CAO

**STAFF REPORT ON
TYSON – KEITH WILSON DESIGN-BUILD PROJECT – RFP EVALUATION**

PREPARED BY:	<u>Kevin Pollard</u>	DATE:	<u>September 18, 2023</u>
POSITION:	<u>Assistant Manager– Transportation and Drainage</u>	DEPARTMENT:	<u>Engineering</u>

1. DEFINITION OF ISSUE:

Design-Build proposals were received from BA Blacktop Infrastructure, B&B Heavy Civil Construction and Jakes Construction for the design and construction of the Tyson – Keith Wilson Design-Build Project.

A decision to accept a proposal for the Tyson – Keith Wilson Design-Build Project is required.

2. BACKGROUND:

2.1 On June 6th, 2023 the following three (3) proponents were advanced to the RFP Stage 2:

- BA Blacktop Infrastructure / McElhanney Engineering Services Ltd.
- B&B Heavy Civil Construction Ltd. / Aplin & Martin Consultants Ltd.
- Jakes Construction Ltd. / ISL Engineering and Land Services Ltd.

2.2 The Tyson – Keith Wilson Design-Build Project is made up of two different transportation projects, as described below:

- **Tyson Road – Stevenson Rd to Watson Rd**
Works include signalized intersection widening/upgrades at South Sumas Road and approximately 1,270m of road widening/reconstruction complete with drainage works, paving, streetlighting, street trees, curb and multi-use pathways on both sides of Tyson Road (site plan in Appendix 'A').
- **Keith Wilson Road – Hipwell Pl to Garrison Blvd**
Works include approximately 730m of road widening/reconstruction complete with drainage works, paving, streetlighting, street trees, curb, sidewalk and bike lanes (north side) and multi-use pathway (south side). Road geometry improvements to reduce westbound traffic entering the roundabout are included in the proposal (site plan in Appendix 'A').

3. ANALYSIS:

3.1 The table below summarizes the proposal prices and points awarded for superior technical elements:

Proponent Name	Base Price	Price Adjustment	Total Price	Technical Points /45	Price Points /55	Total Points /100
B&B Heavy Civil Construction	\$8,346,600	\$157,097	\$8,503,697	32.8	55	87.8
Jakes Construction	\$9,480,000	\$0	\$9,480,000	36.7	45.5	82.2
BA Blacktop	\$11,197,814	(\$54,972)	\$11,142,842	36.2	29.4	65.6

3.2 The evaluation committee ranked the RFP submittals based on information contained within the respective Technical Proposals.

3.4 The Financial Proposals remained sealed until all rated criteria evaluations of the technical proposals were finalized and documented. The City Treasury Department provided and opened the Financial Proposals at the conclusion of the technical evaluation.

3.5 B&B Heavy Civil Construction is deemed to be the lead proponent based on highest total points, as shown in the above table.

4. FACTORS:

4.1 The lead proponent’s proposal includes co-ordination with BC Hydro, Telus and Shaw for the necessary relocation of utility poles on both project sites. Utility companies will not initiate their detailed design until they receive the 100% road design drawings from the selected lead proponent. Once utility design is completed, pricing will be received for the necessary relocations. The current 2023 budget has allocated funds for these additional works based on the engineer’s estimates.

4.2 After contract negotiations with the lead proponent, agreed additional works require a net increase of \$396,707 (excluding GST) to the contract.

4.3 Substantial Completion is anticipated to be achieved by March 31, 2025 for both projects.

4.4 The City was successful in a grant application for the Tyson Road Project. This project will receive \$500,000 from the B.C. Active Transportation Infrastructure Grant.

- 4.5 With the planned multi-use paths for pedestrians and cyclists behind the curb and away from the travel lane portion of the roadway, Tyson Road will become the first north-south arterial in the City with continuous cycle and pedestrian facilities and will be a major milestone in Active Transportation community connectedness. This section of Tyson Road is the final 1km without sidewalks along the 8.5km long corridor and is ranked as one of the highest priority projects in the City's Active Transportation Plan and is identified as a core route in the City's Cycle Vision Plan.

5. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

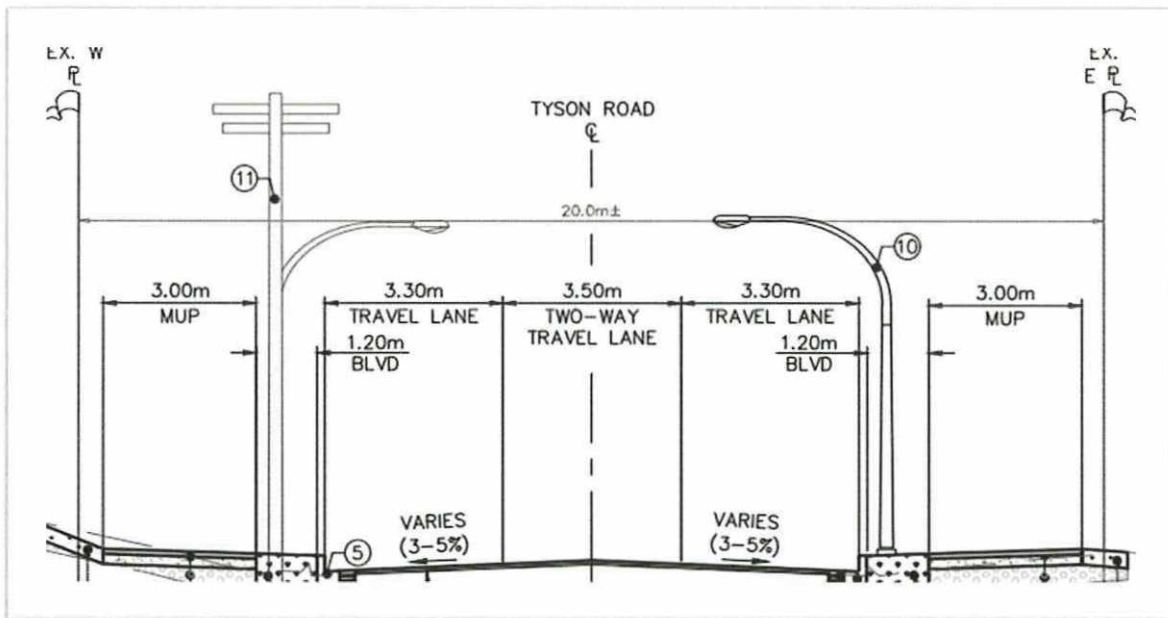
Recommendation that Council accept the proposal for the Tyson – Keith Wilson Design-Build Project from the lead proponent, B&B Heavy Civil Construction Ltd., in the amount of **\$8,900,404** (plus applicable taxes); and further, that the Mayor and Clerk be authorized to sign any necessary documentation.

Substantiation:

These road improvement projects will provide for enhanced safety, more efficient vehicular movements and increased pedestrian/cyclist facilities within the road allowance now available. These projects have been combined into this larger single Design-Build project to realize economies of scale and to co-ordinate road works to minimize traffic disruption.

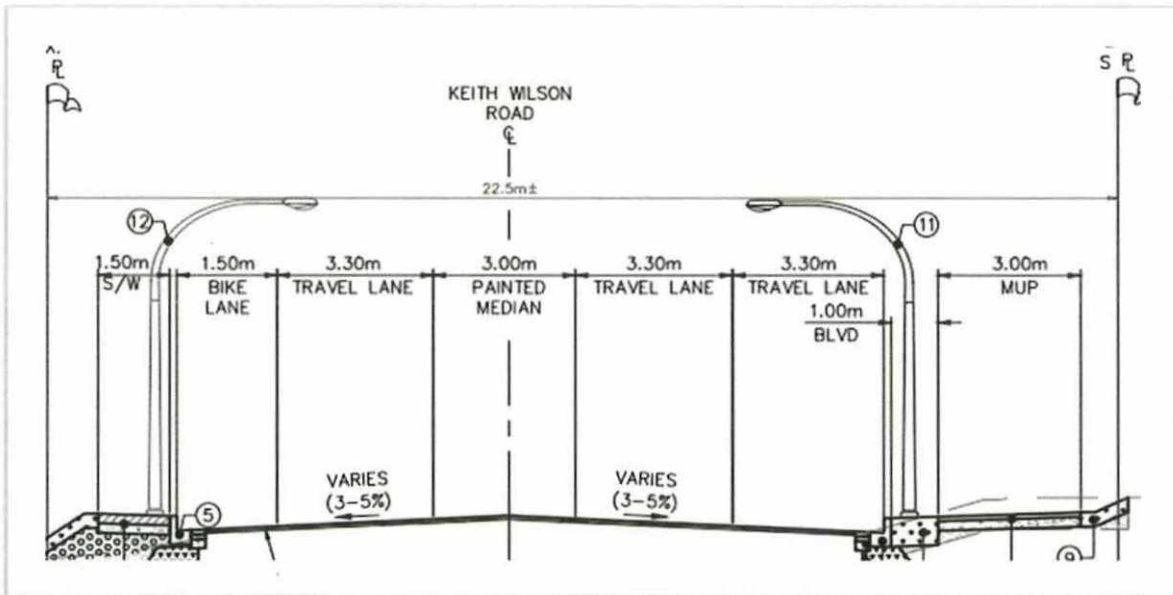
APPENDIX 'A'

Tyson Road – Stevenson Rd to Watson Rd



APPENDIX 'A'

Keith Wilson Road – Hipwell Pl to Garrison Boulevard



AGENDA ITEM NO: 7.3

MEETING DATE: September 26, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Policy Directive No. A-13 "Snow and Ice Control Service Level" Amendments DATE: Sept 18, 2023

DEPARTMENT: Operations PREPARED BY: Scott Funk

1. SUMMARY OF ISSUE:

Each year a review of Policy Directive No. A-13 "Snow and Ice Control Service Level" is carried out to determine any policy amendments that may be required based on the previous year's winter operational experience. Staff have recently completed this review and policy amendments are recommended as detailed below.

Upgrade to Road Priorities:

Several roads have been identified for an increase in service level priority. The changes will improve overall service, so populated residential areas will have better connectivity to higher priority routes. Consideration has been given to prioritize service to the BC Ambulance Station access on Southland Drive and RCMP Facility on Airport Road and Kiernan Drive.

The table below details the recommended road priority changes.


See the link below to determine road priority.

<https://www.chilliwack.com/main/page.cfm?id=2291>

Road	Current Priority	Proposed Priority
Southlands Drive (Young to Southlands)	3	1
Southlands Cres. (Southlands to 46056)	3	1
Kiernan Dr	4	1
Crestview (Weeden to Highview)	4	2
Highroad Dr (Crestview to Crestview)	New	2
Tower Rd (Young to Brinx)	4	3
Tyson Rd (Caen to end)	4	2
Greenwood Dr. (Britton to Griffin)	4	3
Griffin Dr. (Greenwood to Collins)	4	3
Centennial Dr. (Griffin to Collins)	4	3
Collins Dr. (Centennial to School)	4	3
Sheffield Way (Britton to Webb)	4	2
Webb Ave (Sheffield to Vedder)	4	2

2. **RECOMMENDATION:**

Recommendation that Policy Directive No. A-13 "Snow and Ice Control Service Level" be approved, as amended.



Joe Koczur, Director of Public Works/Parks

3. **FINANCE COMMENTS:**

The proposed amendments to Policy Directive No. A-13 "Snow and Ice Control Service Level" will not result in increased costs.



Glen Savard, Director of Finance

4. **CHIEF ADMINISTRATIVE OFFICER'S
RECOMMENDATION/COMMENTS:**

Supports recommendation.



Chris Crossman, CAO

AGENDA ITEM NO: 7.4

MEETING DATE: September 26, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Building Deconstruction – Request for Qualifications DATE: September 6, 2023

DEPARTMENT: Recreation & Culture PREPARED BY: Darrell Lindhout

1. SUMMARY OF ISSUE:

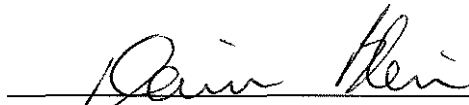
The City issued a Request for Qualifications from eligible respondents to indicate their interest and provide their qualifications for the partial or complete deconstruction of buildings and structures owned by the City of Chilliwack as the need arises, for a period of three years. The pre-selection of qualified contractors allows the City to proceed directly to the Request for Proposal stage when projects are identified. Five compliant responses were received and evaluated on their technical ability and capacity to undertake various deconstruction projects.

A decision to advance the top four (4) respondents to the Request for Proposal stage is requested.

2. RECOMMENDATION:

Recommendation that Council approve the pre-selection of four (4) proponents to submit Request for Proposal documents for future deconstruction projects for a period of three years.

1. Clearview Demolition Ltd.
2. Matcon Demolition Ltd.
3. Phoenix Enterprises Ltd.
4. T & T Demolition Ltd.



David Blain, Deputy CAO, Director of Recreation & Culture

3. FINANCE COMMENTS:

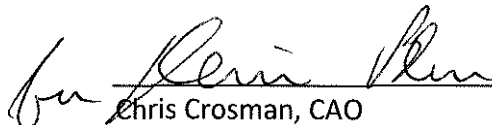
There are no budgetary implications to the request for qualification process. As projects are identified, funding is allocated within the project budget.



Glen Savard, Director of Finance

4. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman, CAO

**STAFF REPORT ON
BUILDING DECONSTRUCTION – REQUEST FOR QUALIFICATIONS**

PREPARED BY:	<u>Darrell Lindhout</u>	DATE:	<u>September 6, 2023</u>
POSITION:	<u>Deputy Director of Recreation & Culture</u>	DEPARTMENT:	<u>Recreation & Culture</u>

1. SUMMARY OF ISSUE:

The City issued a Request for Qualifications from eligible respondents to indicate their interest and provide their qualifications for the partial or complete deconstruction of buildings and structures owned by the City of Chilliwack as the need arises, for a period of three years. The pre-selection of qualified contractors allows the City to proceed directly to the Request for Proposal stage when projects are identified. Five compliant responses were received and evaluated on their technical ability and capacity to undertake various deconstruction projects.

A decision to advance the top four (4) respondents to the Request for Proposal stage is requested.

2. BACKGROUND:

2.1 The objective of the Request for Qualifications (RFQ) is to select a shortlist of up to four (4) qualified respondents who will be invited to respond to Requests for Proposals (RFP) as the need for building deconstruction projects arises in the future.

2.2 Those shortlisted would be eligible to participate in the RFP process for a period of three (3) years. The opportunity to remain on the shortlist will be based on and subject to the City's review of the contractor's performance over the previous year.

2.3 Projects may include but are not limited to the deconstruction of buildings or structures ranging from small residential structures to large wood-frame, masonry, concrete, or structural steel structures.

2.4 Request for Proposal submissions will be evaluated for each project ensuring all qualifications and project specifics are met at the time of submission and review.

3. FACTORS:

3.1 Five (5) respondents submitted qualifications:

1. Clearview Demolition Ltd.
2. House 2 Home Landscaping Ltd.
3. Matcon Demolition Ltd.
4. Phoenix Enterprises Ltd.
5. T & T Demolition Ltd.

3.2 A three (3) member evaluation committee evaluated each response based on the following criteria:

- Capability to undertake various deconstruction projects
- Team composition and organization
- Relevant experience
- Understanding and vision

3.3 The results of the committee’s evaluation are as follows:

Proponent	Technical Score	Ranking
Clearview Demolition Ltd.	80.7	1
Matcon Demolition Ltd.	80.0	2
Phoenix Enterprises Ltd.	61.3	3
T & T Demolition Ltd.	60.7	4
House 2 Home Landscaping Ltd.	47.3	5

4. **RECOMMENDATION & SUBSTANTIATION:**

Recommendation:

Recommendation that Council approve the pre-selection of four (4) proponents for a period of three (3) years to submit Request for Proposal documents for future deconstruction projects.

1. Clearview Demolition Ltd.
2. Matcon Demolition Ltd.
3. Phoenix Enterprises Ltd.
4. T & T Demolition Ltd.

Substantiation:

The four (4) respondents were selected by the evaluation team based on their ability to deconstruct buildings and structures in a cost-effective and environmentally responsible manner.

The four (4) highest rated respondents offer a wide range of demolition services to the construction industry combined with expertise and experience in a municipal setting.

AGENDA ITEM NO: 7.5

MEETING DATE: September 26, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Truth and Reconciliation Day DATE: September 19, 2023

DEPARTMENT: Recreation and Culture PREPARED BY: Carol Marleau

1. SUMMARY OF ISSUE:

School District #33, in close collaboration with the Spirit of the People Society and the Chilliwack Metis Association, has taken on the coordination of this year's Truth and Reconciliation event. Last year's event was organized through the Dan Milo Society. To help cover costs associated with the weekend event they are seeking funding from the City of Chilliwack through Policy Directive C-13 Community Development Initiative Funding.

The event, will be hosted at Chilliwack Senior Secondary School September 29th and 30th, 2023 and will begin with a feast followed by three grand entrances throughout the two-day event. All activities are open to the public and have a projected attendance of 3,500-5,000 people. This year there is no outdoor procession of any type included.

The School District is seeking a funding level of \$10,500 to help cover the costs of the planned event and attached for Council's review is a draft budget as well as a letter of request.

This initiative meets Mayor and Council's strategic goal of supporting accessibility, inclusion, diversity, and truth and reconciliation, while fostering community spirit, attracting community events and supporting cultural groups, as well as providing high quality parks and recreational opportunities.

To support School District #33's collaborative Truth and Reconciliation event planned for September 29th and 30th, 2023 Council is asked to consider the following recommendation:

2. RECOMMENDATION:

Recommendation that Council approve funding to School District #33, in the amount of \$10,500, for the Truth and Reconciliation events being held September 29th and 30th, 2023 under Policy Directive C-13, Community Development Initiative Funding and that staff direct the most to complete all reporting requirements set out in said policy directive.


David Blain,
Deputy CAO & Director of Recreation and Culture

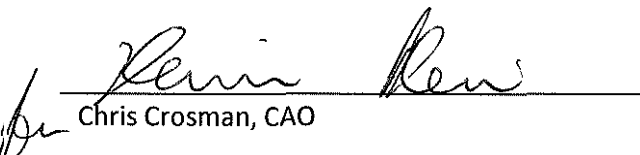
3. FINANCE COMMENTS:

Funding can be accommodated within the 2023 approved Financial Plan within allocated Community Development Initiatives funding.


Glen Savard, Director of Finance

4. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.


Chris Crosman, CAO



September 15, 2023

To City of Chilliwack Mayor and Council

Subject: Truth and Reconciliation Powwow

Dear Chilliwack City Council,

I hope this letter finds you well. I am writing on behalf of the Chilliwack School District, Chilliwack Metis Association and Spirit of the People Society to request your support for our Truth and Reconciliation Powwow. The event holds significant importance for all involved; Chilliwack School District, the Community of Chilliwack and our local Indigenous partners. As we strive to foster a stronger and more inclusive community, we acknowledge and support the rich heritage and contributions of our Indigenous communities.

Our city has a long and storied history, one that is deeply intertwined with the Indigenous peoples who have called this land home for countless generations. Their culture, traditions, and wisdom have not only shaped the landscape but have also enriched the tapestry of our city's identity. It is our collective responsibility to honour and preserve this heritage.

I am pleased to inform you of an initiative that aims to do just that. Together with the above Indigenous partnerships and leaders we are hosting a Truth and Reconciliation Powwow September 29 and 30th, 2023 with 3 grand entries for the community at Chilliwack Secondary School. There will be an evening feast for 600 people on September 30th. We are expecting 3500-5000 people in attendance over the 2 day event. This event has been developed in close collaboration with the Spirit of the People Society, the Chilliwack School District, and the Chilliwack Metis Association. The primary goal of this celebration is to promote cultural awareness, education, Day of Reconciliation, and preservation while fostering greater understanding and unity within our community. There will be up to 50 vendors including support agencies and local artists. This year there will not be a parade or organized walk.

To achieve these objectives effectively, we are seeking financial support of \$10,500 from City Council to ensure the successful implementation of the Truth and Reconciliation Powwow. The requested funds will be allocated towards the following key areas:

1. Renumeration to the MC, Arena Director, Event Drummers, and Dancers.
2. Assist with costs for the September 30th Feast for 600 people.
3. Support in operational costs to host this large community event.



**Chilliwack
School District**

I kindly request that you consider allocating the necessary funding for this community event. Your support will send a powerful message that our city values its Indigenous heritage and is committed to working together towards a harmonious future. There would also be an opportunity on the September 30th 7 00pm Grand Entry for Mayor Popove or a member of City Council to bring a message from the city

I would welcome the opportunity to discuss this matter further with you or provide any additional information you may require I can be reached at mark_klassen@sd33.bc.ca or 604-845-0795.

Thank you for your time and consideration I believe that together, we can make a meaningful difference in our community and celebrate the invaluable contributions of our Indigenous partners.

Sincerely,

Mark Klassen
Manager of Facilities
Chilliwack School District

Truth and Reconciliation Powwow 2023 budget

Outgoing

Host drum Wild River	3000
MC	1000
AD	1500
Sound system	700
Drum Pay split, 200/session	4000
Specials:	
Orange regalia 300, 200, 100	600
Mens Traditional 300, 200, 100	600
Womens Jingle Old Style	600
Rental Spaces	2500
Onsite Custodial Staff/Clean up all OT (2) 31hrs x \$69.72/hr	2161
Griffin 2 guards \$61.96/hr x 23hrs	1425
Salmon/Chicken dinner for 600	8500
2 hotel rooms for 2 nights	800
Total	27386

Estimated Revenue

Vendors 100/table	At least 45	4500
50/50	once per session	750
Donation box		600
Total		5850

AGENDA ITEM NO: 7.6
MEETING DATE: September 26, 2023

STAFF REPORT – COVER SHEET

SUBJECT: 2024 Permissive Tax Exemption and DATE: September 14, 2023
Tax Exemption Riparian Property Bylaw

DEPARTMENT: Finance Department PREPARED BY: L Kreitner

1. SUMMARY OF ISSUE:

Section 224 and 225 of the *Community Charter* authorizes Council to provide, by bylaw, property tax exemptions for organizations that meet specific criteria within the legislation and qualify under City Policy Directive No. C-19 Permissive Tax Exemptions.

Section 225(2)(c) of the *Community Charter* provides authority for Council to exempt from taxation, all or part of the eligible riparian property, under Section 197(1)(a), for the purposes of supporting the conservation and protection of the property located at 45620 Spruce Drive

2. RECOMMENDATION:

That the “Permissive Tax Exemption Bylaw 2023, No 5351” be given first and second reading.

That the “Permissive Tax Exemption Bylaw 2023, No. 5351” be given third reading.

That the “Tax Exemption (Riparian Property) Bylaw 2023, No. 5352” be given first and second reading.

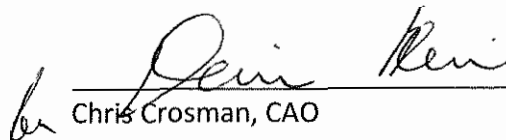
That the “Tax Exemption (Riparian Property) Bylaw 2023, No. 5352” be given third reading.



Glen Savard, Director of Finance

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.


Chris Crosman, CAO

**STAFF REPORT ON
2023 Permissive Tax Exemptions**

PREPARED BY: Leigh Kreitner DATE: September 14, 2023

POSITION: Manager of Revenue Services DEPARTMENT: Finance Department

1. DEFINITION OF ISSUE:

Section 224 and 225 of the *Community Charter* authorizes Council to provide, by bylaw, property tax exemptions for organizations that meet specific criteria within the legislation and qualify under City Policy Directive No. C-19 Permissive Tax Exemptions.

The City's "Permissive Tax Exemption Bylaw" is presented to Council on an annual basis, in accordance with Section 224 of the *Community Charter* and allows Council to exempt, from property taxation, specific properties that meet conditions of the *Community Charter* and City Policy Directive No. C-19 Permissive Tax Exemptions.

The City's Tax Exemption (Riparian Property), in accordance with Section 225(2)(c) of the *Community Charter*, provides authority for Council to exempt from property taxation, all or part of the eligible riparian property, under Section 197(1)(a), for the purposes of supporting the conservation and protection of the property located at 45620 Spruce Drive.

2. FACTORS:

- 2.1 The attached "Permissive Tax Exemption Bylaw 2023, No. 5351" includes properties that received a permissive tax exemption in 2023, with the exceptions as noted below.
- 2.2 There are two (2) new additions and three (3) deletions to the recommended Permissive Tax Exemptions for 2024.

Additions:

Chilliwack Society for Community Living purchased the property at 1 – 9282 Coote Street. The organization provides community inclusion services for individuals with developmental disabilities to access community resources and activities. The property qualifies under Section 224(2)(a) of the *Community Charter*.

Xolhemet Society (Wilma's Transition House), a non-profit organization dedicated to providing services, support and education to women and their children who are victims of interpersonal violence, has constructed an 18-unit supportive housing building. The property qualifies under Section 224(2)(a) of the *Community Charter*.

Deletions:

Chilliwack Crime Prevention Society has been dissolved, therefore the property at 45879 Wellington Avenue no longer qualifies for a permissive tax exemption and has been removed from the bylaw.

Chilliwack and District Seniors' Resources Society sold their property at 45795 Victoria Avenue, so the property has been removed from the Bylaw.

Trinitarian Bible Society (Canada) is not renewing their lease in 2024 for the space they occupy at 9140 Young Road, so the property has been removed from the Bylaw.

- 2.3 As 2024 tax rates are not yet known, based on the 2023 tax rates, the estimated municipal revenues represented by the properties contained within proposed Bylaw 5351 and 5352 are \$560,525, as detailed within the attached spreadsheet.

3. RECOMMENDATION:

That the "Permissive Tax Exemption Bylaw 2023, No. 5351" be given first and second reading.

That the "Permissive Tax Exemption Bylaw 2023, No. 5351" be given third reading.

That the "Tax Exemption (Riparian Property) Bylaw 2023, No. 5352" be given first and second reading.

That the "Tax Exemption (Riparian Property) Bylaw 2023, No. 5352" be given third reading

	Organization Name	Folio	Address	2024
1	Adult & Teen Challenge	4220-04166	4166 Eckert Street	\$4,471 07
2	Ann Davis Transition Society	4597-09046	Ann Davis Transition Society	\$9,498 12
3	Ann Davis Transition Society	4665-10196	Ann Davis Transition Society	\$2,923 78
4	Bethesda Christian Association	4586-05881	5881 Clover Drive	\$2,346.52
5	Bethesda Christian Association	4569-06560	6560 Vedder Road	\$10,632 74
6	BCSPCA	4320-06797	6797 Hopedale Road	\$2,835 71
7	Camp River Community Hall Society	1098-50246	50246 Camp River Road	\$3,471 23
8	Canadian Red Cross Society	4565-09290	9290 Mary Street	\$3,106.69
9	Chilliwack Activrty Centre (50 Plus)	4586-09400	9400 Coliege Street	\$5,794 01
10	Chilliwack Alano Society	0935-46035	46035 Victoria Avenue	\$3,646 26
11	Chilliwack Alliance Church	4597-08600	8600 Young Road	\$12,479 57
12	Chilliwack Animal Safe Haven	0880-49843	49843 Chwk Central Road	\$6,495 19
13	Chilliwack Community Services	0959-45938	45938 Wellington Avenue	\$8,990 56
14	Chilliwack Community Services	0982-46187	46187 Yale Road	\$13,247.77
	Chilliwack Community Services	"	46187 Yale Road	\$20,734 85
15	Chilliwack Community Services	4568-08937	8937 School Street	\$0 01
	Chilliwack Community Services	"	8937 School Street	\$766.84
16	Chilliwack Community Services	4565-09214	9214 Mary Street	\$9,782 48
17	Chilliwack Family YMCA	0862-45844	45844 Hocking Avenue	\$20,320 15
		"	45844 Hocking Avenue	\$24,884.15
18	Chilliwack Hospice Society	4569-07112	7112 Vedder Rd	\$9,960 47
19	Chilliwack Housing for Homeless Foundation	4641-09266	103-9282 Hazel Street	\$444 78
20	Chilliwack Housing for Homeless Foundation	4641-09286	210-9282 Hazel Street	\$437.03
21	Chilliwack Housing for Homeless Foundation	4641-09290	301-9282 Hazel Street	\$343 93
22	Chilliwack Lawn Bowling Society	4558-09350	9350 Edward Street	\$7,107 00
23	Chilliwack Opportunity Society	4619-10135	10135 Williams Street	\$4,261 32
24	Chilliwack Society for Community Living	4521-07390	7390 Sunshine Drive	\$5,993 10
25	Chilliwack Society for Community Living	4565-09343	9343 Mary Street	\$5,543 09
26	Chilliwack Society for Community Living	4565-09361	9361 Mary Street	\$9,897 80
27	Chilliwack Society for Community Living	4597-09140	9140 Young Road (Schedule A)	\$6,286 24
28	Chilliwack Society for Community Living	4519-07717	17-7715 Luckakuck Place	\$1,053 57
29	Chilliwack Society for Community Living	0931-46660	46660 Cedar Avenue	\$2,901 59
30	Chilliwack Society for Community Living	0753-45371	45371 Jasper Drive	\$2,469 50
31	Chilliwack Society for Community Living	0730-45195	45195 Wells Road	\$12,717 48
	Chilliwack Society for Community Living	"	45195 Wells Road	\$3,895 84
32	Chilliwack Society for Community Living	0912-45647	45647 Hodgins Avenue	\$3,603 38
33	Chilliwack Society for Community Living	4683-09280	9280 Carleton Street	\$2,328 60
34	Chilliwack Society for Community Living	0854-46079	46079 Southlands Crescent	\$2,631 63
35	Chilliwack Society for Community Living	4505-05648	5648 Hipwell Place	\$2,267 74
36	Chilliwack Society for Community Living	4690-09285	9285 McNaught Road	\$2,442.44
37	Chilliwack Society for Community Living	4628-06699	6699 Vanmar Street	\$2,864 67
38	Chilliwack Society for Community Living	4571-05658	103-5658 Vedder Road (Schedule B)	\$3,599 36
39	Chilliwack Society for Community Living	0970-45942	B-45941 Yates Street	\$1,682 24
40	Chilliwack Society for Community Living	0536-46469	46469 Lear Drive	\$2,124.37
41	Chilliwack Society for Community Living	4597-08635	23 & 25-8635 Young Road (Schedule C)	\$5,971 38
42	Chilliwack Society for Community Living	4569-07084	102-7084 Vedder Road (Schedule D)	\$2,557 74
43	Chilliwack Society for Community Living	4534-07516	7516 Sapphire Drive	\$2,436 19
44	Chilliwack Society for Community Living	0200-45619	102-45619 Yale Road (Schedule E)	\$5,105 08
45	Chilliwack Society for Community Living	4673-09283	1-9282 Coote Street	\$2,125 27
46	Chilliwack Supportive Housing Society	4578-09483	203-9477 Cook Street	\$611 71
47	Chilliwack Supportive Housing Society	4578-09502	308-9477 Cook Street	\$617 13
48	Chilliwack Supportive Housing Society	4578-09501	310-9477 Cook Street	\$619.72
49	Chilliwack Supportive Housing Society	0922-46181	304-46165 Gore Avenue	\$486 94
50	Chilliwack Supportive Housing Society	0869-45664	216-45669 McIntosh Drive	\$709 70
51	Chilliwack Supportive Housing Society	0869-45672	317-45669 McIntosh Drive	\$720 54
52	Chilliwack Supportive Housing Society	4564-09222	112-45744 Spadina Avenue	\$545 22
53	Chilliwack Supportive Housing Society	4564-09241	207-45744 Spadina Avenue	\$550 64
54	Chilliwack Supportive Housing Society	4564-09243	209-45744 Spadina Avenue	\$550 64
55	Chilliwack Supportive Housing Society	0943-45744	306-45749 Spadina Avenue	\$606.41
56	Chilliwack Supportive Housing Society	0871-45512	203-45598 McIntosh Drive	\$634 99
57	Chilliwack Supportive Housing Society	0871-45572	325-45598 McIntosh Drive	\$714 31
58	Communitas Supportive Care Society	0918-46431	1-46433 First Avenue	\$475 55
59	Communitas Supportive Care Society	0918-46432	2-46433 First Avenue	\$475 55
60	Communitas Supportive Care Society	0918-46433	3-46433 First Avenue	\$559.07
61	Communitas Supportive Care Society	0918-46434	4-46433 First Avenue	\$559 07
62	Communitas Supportive Care Society	0918-46435	5-46433 First Avenue	\$501.54

	Organization Name	Folio	Address	2024
63	Communitas Supportive Care Society	0918-46436	6-46433 First Avenue	\$501.54
64	Communitas Supportive Care Society	0918-46437	7-46433 First Avenue	\$560.42
65	Communitas Supportive Care Society	0918-46438	8-46433 First Avenue	\$560.42
66	Coqualeetza Cultural Education Centre	4569-07355	F-7355 Vedder Road (Schedule F)	\$407.28
67	Creative Centre Society	4563-08916	8916 Mary Street	\$2,704.46
68	Crossroads Community Church	0739-45668	4-45668 Storey Avenue (schedule G)	\$2,204.45
69	Elizabeth Fry Society of Greater Vancouver	4960-09375	9375 Upper Prairie Road	\$3,826.69
70	Evangelical Christian Church of Chilliwack	4586-09391	9391 College Street (schedule H)	\$2,110.91
71	Evangelical Missionary Church	0892-51855	51855 Hack Brown Road	\$2,199.36
72	Evangelical Missionary Church	0892-51935	51935 Hack Brown Road	\$729.83
	Evangelical Missionary Church	"	51935 Hack Brown Road	\$2,704.75
73	Fraser Valley Child Development	0762-45480	45480 Luckakuck Way (Schedule I)	\$17,407.50
74	Mamele'awt Qweesome Housing Society	0923-45685	45685 Patten Avenue	\$2,399.87
75	Mamele'awt Qweesome Housing Society	0200-45603	45603 Yale Road	\$16,222.47
	Mamele'awt Qweesome Housing Society	"	45603 Yale Road	\$3,773.45
76	Midtown Church	0841-45573	45573 Airport Road	\$3,740.39
77	Mt Cheam Lions Club	4580-09233	9233 Main Street	\$7,126.48
78	Pacific Community Resources Society	4655-08780	8780 Butchart Street	\$2,452.78
79	Pacific Community Resources Society	0862-45921	45921 Hocking Avenue	\$0.01
80	Pacific Community Resources Society	0841-45991	45991 Airport Road (Schedule J)	\$2,665.79
81	Pentecostal Senior Citizens Society	4636-09155	9155 Garden Drive (Schedule K)	\$7,851.91
82	Po Lam Buddhist Assoc	0800-46372	46372 Prairie Central Rd	\$1,042.28
83	Royal Canadian Legion Branch #280	4571-05661	5661 Vedder Road	\$2,653.68
84	Ruth and Naomi's Mission	0933-46130	46130 Margaret Avenue	\$0.01
85	Ruth and Naomi's Mission	0925-46129	46129 Princess Avenue	\$9,348.87
	Ruth and Naomi's Mission	"	46129 Princess Avenue	\$12,269.90
86	Ruth and Naomi's Mission	0933-46146	46146 Margaret Avenue	\$1,414.81
87	Ryder Lake Farmers and Womens Institute	0536-49265	49265 Elk View Road	\$2,567.46
88	Seventh-Day Adventist Church	4597-09784	9784 Young Road	\$740.87
89	The Nature Trust of BC	0514-46800	46800 Thornton Road	\$3,114.56
90	The Nature Trust of BC	1069-47916	47916 Camp River Road	\$6,484.78
91	The Nature Trust of BC	0711-45640	45640 Spruce Drive	\$59.27
92	The Nature Trust of BC	0746-41775	41775 Industrial Way	\$5,883.37
93	The Nature Trust of BC	0490-45650	45650 Vedder Mtn Road	\$1,696.74
94	The Nature Trust of BC	0501-45750	45750 Chwk Lake Road	\$520.06
95	The Nature Trust of BC	4569-07025	7025 Vedder Road	\$1,159.24
96	The Nature Trust of BC	4569-07055	7055 Vedder Road	\$1,696.74
97	The Nature Trust of BC	4165-07701	7701 Cannor Road	\$45,859.54
98	The Salvation Army	0200-45744	45744 Yale Road	\$20,186.85
99	The Salvation Army	0200-45746	45746 Yale Road	\$19,177.99
100	The Salvation Army	0200-45748	45748 Yale Road	\$8,452.53
101	Valley Heights Community Church	0762-45428	45428 Luckakuck Way (Schedule L)	\$8,574.05
102	Vineyard Christian Fellowship	0959-45892	45892 Wellington Avenue	\$19,424.62
103	Xolhemet Society	0654-45110	Xolhemet Society - Wilma's Transition House	\$2,457.84
104	Xolhemet Society	4571-05732	Xolhemet Society - Wilma's Transition House	\$8,847.25
105	Yarrow Alliance Church	0440-42220	42228 Yarrow Central Rd (Schedule M)	\$1,122.89
				\$558,326.18
	Conservation & Protection (Riparian Property)	0711-45620	45620 Spruce Drive	\$2,195.46
				\$560,521.64

City of Chilliwack

Bylaw No. 5351

**A bylaw to provide for tax exemption in accordance with
Section 224 of the *Community Charter***

WHEREAS the property owners herein described have submitted evidence to the Council of the City of Chilliwack that, pursuant to Section 224 of the *Community Charter*, herein described, they qualify for exemption from taxation in respect to the lands hereinafter described;

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

1. This bylaw may be cited as “**Permissive Tax Exemption Bylaw 2023, No. 5351**”.
2. The lands and improvements hereinafter described shall be exempt from taxation, imposed under Section 197 of the *Community Charter*, for the year 2024.

	<u>Property & Civic Address</u>	<u>Owner & Mailing Address</u>	<u>Community Charter Qualification</u>
(1)	PID: 001-314-921 Lot "A" District Lot 83 Group 2 NWD Plan 21145 (4166 Eckert Street)	Adult and Teen Challenge Society of BC PO Box 2095, STN A Abbotsford BC V2T 3X8	Section 224(2)(a)
(2)	Lot 249 District Lot 385 Group 2 NWD Plan 41744	Ann Davis Transition Society 9046 Young Road Chilliwack BC V2P 4R6	Section 224(2)(a)
(3)	Lot 28 Except: Part Dedicated Road on Plan BCP17402 Division "E" NWD Plan 57330	Ann Davis Transition Society 9046 Young Road Chilliwack BC V2P 4R6	Section 224(2)(a)
(4)	PID: 017-464-731 Lot 2 Section 7 Township 26 NWD Plan LMP1422 (5881 Clover Drive)	Bethesda Christian Association 2775 Emerson Street Abbotsford BC V2T 4H8	Section 224(2)(a)

	<u>Property & Civic Address</u>	<u>Owner & Mailing Address</u>	<u>Community Charter Qualification</u>
(5)	PID: 009-218-301 Lot 12 Except: Part Dedicated Road on Plan LMP50451; District Lot 338 Group 2 NWD Plan 24983 (6560 Vedder Road)	Bethesda Christian Association 2775 Emerson Street Abbotsford BC V2T 4H8	Section 224(2)(a)
(6)	PID: 009-433-422 Lot 1 District Lot 86 Group 2 NWD Plan 10898 (6797 Hopedale Road)	British Columbia Society for the Prevention of Cruelty to Animals c/o 1245 East 7 th Avenue Vancouver BC V5T 1R1	Section 224(2)(a)
(7)	PID: 024-073-555 Lot 1 District Lot 433 Group 2 NWD Plan LMP37171 (50246 Camp River Road)	Camp River Community Hall Society PO Box 183 Chilliwack BC V2P 6J1	Section 224(2)(i)
(8)	PID: 012-300-144 Lot 1 Block 14 Division “A” NWD Plan 1737 (9290 Mary Street)	Canadian Red Cross Society c/o 3400 Lake City Way Burnaby BC V5A 4Y2	Section 224(2)(a)
(9)	PID: 006-169-457 Lot 17 Division “B” NWD Plan 47150 (9400 College Street)	Chilliwack Activity Center (50 Plus) Society 9400 College Street Chilliwack BC V2P 4L6	Section 224(2)(i)
(10)	PID: 012-224-812 Parcel “One” Division “E” NWD Plan 79489 (46035 Victoria Avenue)	Chilliwack Alano Club 46035 Victoria Avenue Chilliwack BC V2P 2T9	Section 224(2)(a)
(11)	PID: 008-718-253 Lot 25 Plan 25227 DL341 Group 2 NWD (8600 Young Road)	Chilliwack Alliance Church 8700 Young Road Chilliwack BC V2P 4P4	Section 224(2)(f)
(12)	PID: 026-505-045 Lot 2 Section 36 Township 26 NWD Plan BCP21092 (49843 Chilliwack Central Rd)	Chilliwack Animal Safe Haven Society 49843 Chilliwack Central Road Chilliwack BC V2P 6H3	Section 224(2)(a)

	<u>Property & Civic Address</u>	<u>Owner & Mailing Address</u>	<u>Community Charter Qualification</u>
(13)	PID: 025-065-378 Lot 1 Division “A” NWD Plan LMP50214 (45938 Wellington Avenue)	Chilliwack Community Services 45938 Wellington Avenue Chilliwack BC V2P 2C7	Section 224(2)(a)
(14)	PID: 031-605-656 Lot 1 Block 17 Division E NWD Plan EPP99614 (46187 Yale Road)	Chilliwack Community Services 45938 Wellington Avenue Chilliwack BC V2P 2C7	Section 224(2)(a)
(15)	PID: 028-054-059 Lot A District Lots 27 and 28 Group 2 NWD Plan BCP42603 (8937 School Street)	Chilliwack Community Services 45938 Wellington Avenue Chilliwack BC V2P 2C7	Section 224(2)(a)
(16)	PID: 008-905-274 Lot 18 Division “A” NWD Plan 27502 (9214 Mary Street)	Chilliwack Community Services 45938 Wellington Avenue Chilliwack BC V2P 2C7	Section 224(2)(a)
(17)	PID: 030-362-211 Lot A District Lot 114 Group 2 NWD Plan EPP70920 (45844 Hocking Avenue)	Chilliwack Family YMCA c/o YMCA of Greater Vancouver 10 - 620 Royal Avenue New Westminster BC V3M 1J2	Section 224(2)(i)
(18)	PID: 030-653-037 Lot A District Lot 267 Group 2 NWD Plan EPP69794 (7112 Vedder Road)	Chilliwack Hospice Society 7112 Vedder Road Chilliwack BC V2R 3T6	Section 224(2)(a)
(19)	PID: 008-041-326 Strata Lot 30 District Lot 332 Group 2 NWD Strata Plan NWS2599 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1 (301 - 9282 Hazel Street)	Chilliwack Housing for Homeless Foundation 7067 Sheffield Way Chilliwack BC V2R 3T5	Section 224(2)(a)

	<u>Property & Civic Address</u>	<u>Owner & Mailing Address</u>	<u>Community Charter Qualification</u>
(20)	PID: 008-041-288 Strata Lot 26 District Lot 332 Group 2 NWD Strata Plan NWS2599 together with an interest in the common property in proportion of the unit entitlement of the Strata Lot as shown on Form 1 (210 - 9282 Hazel Street)	Chilliwack Housing for Homeless Foundation 7067 Sheffield Way Chilliwack BC V2R 3T5	Section 224(2)(a)
(21)	PID: 008-041-067 Strata Lot 6 District Lot 332 Group 2 NWD Strata Plan NWS2599 together with an interest in the common property in proportion of the unit entitlement of the Strata Lot as shown on Form 1 (103 - 9282 Hazel Street)	Chilliwack Housing for Homeless Foundation 7067 Sheffield Way Chilliwack BC V2R 3T5	Section 224(2)(a)
(22)	PID: 010-535-152 Lot “A” Division “A” NWD Plan 19677 (9350 Edward Street)	Chilliwack Lawn Bowling Society c/o Carol Jean Chevalier 47411 Mountain Park Drive Chilliwack BC V2P 7P7	Section 224(2)(i)
(23)	PID: 011-428-236 South 60 feet Lot 4 District Lot 372 Group 2 NWD Plan 9386 (10135 Williams Street)	Chilliwack Opportunity Society 10135 Williams Street Chilliwack BC V2P 5H3	Section 224(2)(a)
(24)	PID: 009-003-177 Lot 21 Except: Part Subdivided by Plan BCP7994, District Lot 279 Group 2 NWD Plan 28781 (7390 Sunshine Drive)	Chilliwack Society for Community Living 9353 Mary Street Chilliwack BC V2P 4G9	Section 224(2)(a)
(25)	PID: 006-784-534 Lot “C” Division “A” NWD Plan 5498 (9343 Mary Street)	Chilliwack Society for Community Living 9353 Mary Street Chilliwack BC V2P 4G9	Section 224(2)(a)

	<u>Property & Civic Address</u>	<u>Owner & Mailing Address</u>	<u>Community Charter Qualification</u>
(26)	PID: 006-784-569 Lot 1 (P2242E) Division “A” NWD Plan 5498 (9361 Mary Street)	Chilliwack Society for Community Living 9353 Mary Street Chilliwack BC V2P 4G9	Section 224(2)(a)
(27)	PID: 004-207-441 Lot 25 Block 26 Division “E” NWD Plan 50820 (as shown on Schedule “A”) (9140 Young Road)	Chilliwack Society for Community Living 9353 Mary Street Chilliwack BC V2P 4G9	Section 224(2)(a)
(28)	PID: 017-929-601 Strata Lot 17 District Lots 78, 259, 766, 815 & 816 Group 2 NWD Strata Plan LMS522 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1 (17 – 7715 Luckakuck Place)	Chilliwack Society for Community Living 9353 Mary Street Chilliwack BC V2P 4G9	Section 224(2)(a)
(29)	PID: 004-031-458 Lot 165 District Lot 334 Group 2 NWD Plan 38525 Except Plan 76083 (46660 Cedar Avenue)	Chilliwack Society for Community Living 9353 Mary Street Chilliwack BC V2P 4G9	Section 224(2)(a)
(30)	PID: 015-821-315 Lot 77 District Lot 259 Group 2 NWD Plan 84039 (45371 Jasper Drive)	Chilliwack Society for Community Living 9353 Mary Street Chilliwack BC V2P 4G9	Section 224(2)(a)
(31)	PID: 009-003-185 Lot 22 District Lot 279 Group 2 NWD Plan 28781 (45195 Wells Road)	Chilliwack Society for Community Living 9353 Mary Street Chilliwack BC V2P 4G9	Section 224(2)(a)

	<u>Property & Civic Address</u>	<u>Owner & Mailing Address</u>	<u>Community Charter Qualification</u>
(32)	PID: 012-300-748 Parcel "One" (Plan with Fee Deposited 11918F) Lot 4 Except: Parcel "B" (Reference Plan 4802) Block 21 Division "A" NWD Plan 1737 (45647 Hodgins Avenue)	Chilliwack Society for Community Living 9353 Mary Street Chilliwack BC V2P 4G9	Section 224(2)(a)
(33)	PID: 009-195-246 Lot 103 District Lot 334 Group 2 NWD Plan 29787 (9280 Carleton Street)	Chilliwack Society for Community Living 9353 Mary Street Chilliwack BC V2P 4G9	Section 224(2)(a)
(34)	PID: 010-421-793 Lot “K” District Lot 342 Group 2 NWD Plan 18873 (46079 Southlands Crescent)	Chilliwack Society for Community Living 9353 Mary Street Chilliwack BC V2P 4G9	Section 224(2)(a)
(35)	PID: 015-935-655 Lot 21 Section 12 Township 23 NWD Plan 84975 (5648 Hipwell Place)	Chilliwack Society for Community Living 9353 Mary Street Chilliwack BC V2P 4G9	Section 224(2)(a)
(36)	PID: 009-195-025 Lot 101 District Lot 334 Group 2 NWD Plan 29787 (9285 McNaught Road)	Chilliwack Society for Community Living 9353 Mary Street Chilliwack BC V2P 4G9	Section 224(2)(a)
(37)	PID: 008-732-582 Lot 9 District Lot 338 Group 2 NWD Plan 75995 (6699 Vanmar Street)	Chilliwack Society for Community Living 9353 Mary Street Chilliwack BC V2P 4G9	Section 224(2)(a)
(38)	PID: 010-095-501 Lot 1 Section 7 Township 26 NWD Plan 15525 Except Plan EPP85760 (as shown on Schedule “B”) (103 - 5658 Vedder Road)	Chilliwack Society for Community Living 9353 Mary Street Chilliwack BC V2P 4G9	Section 224(2)(a)

	<u>Property & Civic Address</u>	<u>Owner & Mailing Address</u>	<u>Community Charter Qualification</u>
(39)	PID: 018-340-369 Strata Lot 2 of Division “C” NWD Strata Plan LMS964 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1 (B - 45941 Yates Avenue)	Chilliwack Society for Community Living 9353 Mary Street Chilliwack BC V2P 4G9	Section 224(2)(a)
(40)	PID: 024-318-906 Lot 2 Section 5 Township 26 NWD Plan LMP40106 (46469 Lear Drive)	Chilliwack Society for Community Living 9353 Mary Street Chilliwack BC V2P 4G9	Section 224(2)(a)
(41)	PID: 013-677-501 Lot 2 Except Part Dedicated Road on Plan BCP8979, District Lots 27 & 114 Group 2 NWD Plan 81140 (as shown on Schedule “C”) (23 & 25 - 8635 Young Road)	Chilliwack Society for Community Living 9353 Mary Street Chilliwack BC V2P 4G9	Section 224(2)(a)
(42)	PID: 018-804-381 Lot 1 District Lot 267 Group 2 NWD Plan LMP17416 (as shown on Schedule “D”) (#102 – 7084 Vedder Road)	Chilliwack Society for Community Living 9353 Mary Street Chilliwack BC V2P 4G9	Section 224(2)(a)
(43)	PID: 015-821-765 Lot 109 District Lot 259 Group 2 NWD Plan 84039 (7516 Sapphire Drive)	Chilliwack Society for Community Living 9353 Main Street Chilliwack BC V2P 4G9	Section 224(2)(a)
(44)	PID: 023-377-038 Lot 1 District Lot 257 Group 2 NWD Plan LMP27691 (as shown on Schedule “E”) (#102 – 45619 Yale Road)	Chilliwack Society for Community Living 9353 Main Street Chilliwack BC V2P 4G9	Section 224(2)(a)

	<u>Property & Civic Address</u>	<u>Owner & Mailing Address</u>	<u>Community Charter Qualification</u>
(45)	PID: 029-520-282 Strata Lot A District Lot 334 Group 2 NWD Plan EPS2616 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V (1 – 9282 Coote Street)	Chilliwack Society for Community Living 9353 Main Street Chilliwack BC V2P 4G9	Section 224(2)(a)
(46)	PID: 001-450-409 Strata Lot 14 Division "B" NWD Strata Plan NWS588 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1 (203 – 9477 Cook Street)	Chilliwack Supportive Housing Society Box 2139 Sardis Station Main Chilliwack BC V2R 1A5	Section 224(2)(a)
(47)	PID: 001-450-638 Strata Lot 33 Division “B” NWD Strata Plan NWS588 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1 (308 – 9477 Cook Street)	Chilliwack Supportive Housing Society Box 2139 Sardis Station Main Chilliwack BC V2R 1A5	Section 224(2)(a)
(48)	PID: 001-450-620 Strata Lot 32 Division “B” NWD Strata Plan NWS588 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1 (310 – 9477 Cook Street)	Chilliwack Supportive Housing Society Box 2139 Sardis Station Main Chilliwack BC V2R 1A5	Section 224(2)(a)

	<u>Property & Civic Address</u>	<u>Owner & Mailing Address</u>	<u>Community Charter Qualification</u>
(49)	PID: 001-400-771 Strata Lot 17 Division “E” NWD Strata Plan NWS529 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1 (304 – 46165 Gore Avenue)	Chilliwack Supportive Housing Society Box 2139 Sardis Station Main Chilliwack BC V2R 1A5	Section 224(2)(a)
(50)	PID: 018-185-002 Strata Lot 24 District Lots 27 and 114 Group 2 NWD Strata Plan LMS799 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1 (216 - 45669 McIntosh Drive)	Chilliwack Supportive Housing Society Box 2139 Sardis Station Main Chilliwack BC V2R 1A5	Section 224(2)(a)
(51)	PID: 018-185-088 Strata Lot 32 District Lots 27 and 114 Group 2 NWD Strata Plan LMS799 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1 (317 - 45669 McIntosh Drive)	Chilliwack Supportive Housing Society Box 2139 Sardis Station Main Chilliwack BC V2R 1A5	Section 224(2)(a)
(52)	PID: 005-194-890 Strata Lot 2 Division “A” NWD Strata Plan NWS2468 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1 (112 – 45744 Spadina Avenue)	Chilliwack Supportive Housing Society Box 2139 Sardis Station Main Chilliwack BC V2R 1A5	Section 224(2)(a)

	<u>Property & Civic Address</u>	<u>Owner & Mailing Address</u>	<u>Community Charter Qualification</u>
(53)	PID: 005-195-179 Strata Lot 21 Division “A” NWD Strata Plan NWS2468 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1 (207 - 45744 Spadina Avenue)	Chilliwack Supportive Housing Society Box 2139 Sardis Station Main Chilliwack BC V2R 1A5	Section 224(2)(a)
(54)	PID: 005-195-209 Strata Lot 23 Division “A” NWD Strata Plan NWS2468 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1 (209 – 45744 Spadina Avenue)	Chilliwack Supportive Housing Society Box 2139 Sardis Station Main Chilliwack BC V2R 1A5	Section 224(2)(a)
(55)	PID: 016-033-493 Strata Lot 44 Division “A” NWD Strata Plan NWS3242 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1 (306 – 45749 Spadina Avenue)	Chilliwack Supportive Housing Society Box 2139 Sardis Station Main Chilliwack BC V2R 1A5	Section 224(2)(a)
(56)	PID: 001-867-423 Strata Lot 12 District Lot 27 Group 2 NWD Strata Plan NWS1648 together with an interest in the common property in proportion of the unit entitlement of the Strata Lots as shown on Form 1 (203 – 45598 McIntosh Drive)	Chilliwack Supportive Housing Society Box 2139 Sardis Station Main Chilliwack BC V2R 1A5	Section 224(2)(a)

	<u>Property & Civic Address</u>	<u>Owner & Mailing Address</u>	<u>Community Charter Qualification</u>
(57)	PID: 001-868-039 Strata Lot 72 District Lot 27 Group 2 NWD Strata Plan NWS1648 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1 (325 – 45598 McIntosh Drive)	Chilliwack Supportive Housing Society Box 2139 Sardis Station Main Chilliwack BC V2R 1A5	Section 224(2)(a)
(58)	PID: 016-781-619 Strata Lot 1 District Lot 333 Group 2 NWD Strata Plan NWS3387 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1 (1 – 46433 First Avenue)	Communitas Supportive Care Society 103 – 2776 Bourquin Crescent Abbotsford BC V2S 6A4	Section 224(2)(a)
(59)	PID: 016-781-627 Strata Lot 2 District Lot 333 Group 2 NWD Strata Plan NWS3387 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1 (2 – 46433 First Avenue)	Communitas Supportive Care Society 103 – 2776 Bourquin Crescent Abbotsford BC V2S 6A4	Section 224(2)(a)
(60)	PID: 016-781-635 Strata Lot 3 District Lot 333 Group 2 NWD Strata Plan NWS3387 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1 (3 – 46433 First Avenue)	Communitas Supportive Care Society 103 – 2776 Bourquin Crescent Abbotsford BC V2S 6A4	Section 224(2)(a)

	<u>Property & Civic Address</u>	<u>Owner & Mailing Address</u>	<u>Community Charter Qualification</u>
(61)	PID: 016-781-643 Strata Lot 4 District Lot 333 Group 2 NWD Strata Plan NWS3387 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1 (4 – 46433 First Avenue)	Communitas Supportive Care Society 103 – 2776 Bourquin Crescent Abbotsford BC V2S 6A4	Section 224(2)(a)
(62)	PID: 016-781-651 Strata Lot 5 District Lot 333 Group 2 NWD Strata Plan NWS3387 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1 (5 – 46433 First Avenue)	Communitas Supportive Care Society 103 – 2776 Bourquin Crescent Abbotsford BC V2S 6A4	Section 224(2)(a)
(63)	PID: 016-781-660 Strata Lot 6 District Lot 333 Group 2 NWD Strata Plan NWS3387 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1 (6 – 46433 First Avenue)	Communitas Supportive Care Society 103 – 2776 Bourquin Crescent Abbotsford BC V2S 6A4	Section 224(2)(a)
(64)	PID: 016-781-678 Strata Lot 7 District Lot 333 Group 2 NWD Strata Plan NWS3387 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1 (7 – 46433 First Avenue)	Communitas Supportive Care Society 103 – 2776 Bourquin Crescent Abbotsford BC V2S 6A4	Section 224(2)(a)

	<u>Property & Civic Address</u>	<u>Owner & Mailing Address</u>	<u>Community Charter Qualification</u>
(65)	PID: 016-781-686 Strata Lot 8 District Lot 333 Group 2 NWD Strata Plan NWS3387 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1 (8 – 46433 First Avenue)	Communitas Supportive Care Society 103 – 2776 Bourquin Crescent Abbotsford BC V2S 6A4	Section 224(2)(a)
(66)	PID: 009-991-310 Lot "C" District Lot 38 Group 2 NWD Plan 14674 (as shown on Schedule “F”) (F – 7355 Vedder Road)	Coqualeetza Cultural Education Centre Box 2370 Sardis Main Station Chilliwack BC V2R 1A7	Section 224(2)(a)
(67)	PID: 011-625-597 Lot 9 District Lot 28 Block 1 Group 2 NWD Plan 1480 (8916 Mary Street)	Creative Centre Society PMB #146, PO Box 8000 Abbotsford BC V2S 6H1	Section 224(2)(a)
(68)	PID: 009-991-298 Lot “A” District Lot 38 Group 2 NWD Plan 14674 (as shown on Schedule “G”) (4 – 45668 Storey Avenue)	Crossroads Community Church 4 -45668 Storey Avenue Chilliwack BC V2P 3E4	Section 224 (2)(a)
(69)	PID: 003-749-592 Lot 20 District Lot 383 Group 2 NWD Plan 66247 (9375 Upper Prairie Road)	Elizabeth Fry Society of Greater Vancouver 402 E. Columbia Street New Westminster BC V3L 3X1	Section 224(2)(a)
(70)	PID: 009-602-186 Lot A Division B NWD Plan 11864 (as shown on Schedule “H”) (9391 College Street)	Evangelical Christian Church of Chilliwack 45762 Britton Avenue Chilliwack BC V2R 3T6	Section 224(2)(g)
(71)	PID: 008-778-931 Lot 10 Section 32 Township 29 NWD Plan 25339 (51855 Hack-Brown Road)	Evangelical Missionary Church Canada West District 51935 Hack-Brown Road Chilliwack BC V4Z 1L1	Section 224(2)(g)

	<u>Property & Civic Address</u>	<u>Owner & Mailing Address</u>	<u>Community Charter Qualification</u>
(72)	PID: 011-211-326 Lot 5 Section 32 Township 29 NWD Plan 6577 (51935 Hack-Brown Road)	Evangelical Missionary Church Canada West District 51935 Hack-Brown Road Chilliwack BC V4Z 1L1	Section 224(2)(g)
(73)	PID: 018-155-545 Lot “A” District Lot 259 Group 2 NWD Plan LMP9188 (as shown on Schedule “I”) (45480 Luckakuck Way)	Fraser Valley Child Development Centre 45474 Luckakuck Way Chilliwack BC V2R 3S9	Section 224(2)(a)
(74)	PID: 001-949-543 Lot “A” (N316E) Block 22 Division “A” NWD Plan 1737 (45685 Patten Avenue)	Mamele’awt Qweesome Housing Society PO Box 3563 Mission BC V2V 4L1	Section 224(2)(a)
(75)	PID: 023-377-054 Lot 3 District Lot 257 Group 2 NWD Plan LMP27691 (45603 Yale Road)	Mamele’awt Qweesome Housing Society PO Box 3563 Mission BC V2V 4L1	Section 224(2)(a)
(76)	PID: 031-396-011 Lot A District Lot 257 Group 2 NWD Plan EPP109881 (45573 Airport Road)	Midtown Church 45657 Yale Road Chilliwack BC V2P 2N1	Section 224(2)(f)
(77)	PID: 012-300-187 Lot 9 Except: Parcel A (Reference Plan 9001) Block 14 Division A NWD Plan 1737 (9233 Main Street)	Mt. Cheam Lions Club 9233 Main Street Chilliwack BC V2P 4M8	Section 224(2)(i)
(78)	PID: 030-039-444 Lot D District Lot 343 Block Group 2 NWD Plan EPP63924 (8780 Butchart Street)	Pacific Community Resources Society 2780 East Broadway Vancouver BC V5M 1Y8	Section 224(2)(a)
(79)	PID: 011-821-400 Lot 2 Except: Part Dedicated Road on Plan LMP51773, District Lot 114 Group 2 NWD Plan 78773 (45921 Hocking Avenue)	Pacific Community Resources Society 2780 East Broadway Vancouver BC V5M 1Y8	Section 224(2)(a)

	<u>Property & Civic Address</u>	<u>Owner & Mailing Address</u>	<u>Community Charter Qualification</u>
(80)	PID: 008-665-109 Lot 41 Except: Part on Plan LMP44932 District Lot 257 Group 2 NWD Plan 38789 (as shown on Schedule “J”) (45991 Airport Road)	Pacific Community Resources Society 2780 East Broadway Vancouver BC V5M 1Y8	Section 224(2)(a)
(81)	PID: 005-926-459 Lot 104 District Lot 332 Group 2 NWD Plan 45319 (for land surrounding the building as shown on Schedule “K”) (9155 Garden Drive)	Pentecostal Senior Citizens Society 9155 Garden Drive Chilliwack BC V2P 5M8	Section 224(2)(a)
(82)	PID: 030-142-652 Lot 1 District Lot 340 Group 2 NWD Plan EPP66276 (46372 Prairie Central Road)	PO Lam Buddhist Association 46350 Prairie Central Road Chilliwack BC V2P 6H3	Section 224(2)(g)
(83)	PID: 003-580-580 Lot 52 Section 7 Township 26 NWD Plan 65392 (5661 Vedder Road – Class 8 portion only)	Royal Canadian Legion Branch #280 5661 Vedder Road Chilliwack BC V2R 3N5	Section 224(2)(a)
(84)	PID: 006-320-376 Lot 22 Division “E” NWD Plan 48585 (46130 Margaret Avenue)	Ruth and Naomi’s Street Mission PO Box 327 Station Main Chilliwack BC V2P 6J4	Section 224(2)(a)
(85)	PID: 030-119-383 Parcel A (Being A Consolidation of Lots 9 And 10, See CA5931570) Block 20 Division “E” NWD Plan 1737 (46129 Princess Avenue)	Ruth and Naomi’s Street Mission PO Box 327 Station Main Chilliwack BC V2P 6J4	Section 224(2)(a)
(86)	PID: 008-038-945 Lot 2 Division “E” NWD Plan 12337 (46146 Margaret Avenue)	Ruth and Naomi’s Street Mission PO Box 327 Station Main Chilliwack BC V2P 6J4	Section 224(2)(a)

	<u>Property & Civic Address</u>	<u>Owner & Mailing Address</u>	<u>Community Charter Qualification</u>
(87)	PID: 003-440-192 Lot 1 District Lot 649 Group 2 NWD Plan 64298 (49265 Elk View Road)	Ryder Lake Farmers' and Women’s Institute c/o 48438 McGuire Road Chilliwack BC V4Z 1C7	Section 224(2)(a)
(88)	PID: 011-333-243 Lot 21 District Lot 350 Group 2 NWD Plan 8328 (9784 Young Road)	Seventh-Day Adventist Church Box 1000 Abbotsford BC V2S 4P5	Section 224(2)(g)
(89)	PID: 002-920-042 District Lot 534 NWD Plan 70889 Parcel A Group 2 (46800 Thornton Road)	The Nature Trust of BC 500 – 888 Dunsmuir Street Vancouver BC V6C 3K4	Section 224(2)(i)
(90)	PID: 007-128-576 Lot 43 District Lot 396 Group 2 NWD Plan 34931 (47916 Camp River Road)	The Nature Trust of BC 500 – 888 Dunsmuir Street Vancouver BC V6C 3K4	Section 224(2)(i)
(91)	PID: 012-909-483 Parcel “One” (Reference Plan 11984) of Parcel “H” (Explanatory Plan 8721) District Lots 261 and 267 Group 2 NWD (45640 Spruce Drive)	The Nature Trust of BC 500 – 888 Dunsmuir Street Vancouver BC V6C 3K4	Section 224(2)(i)
(92)	PID: 001-794-752 Parcel L (Explanatory Plan 14601) DL 277 Group 2 and Section 19 TWP 23 Except: Firstly: Part on Statutory Right of Way Plan 45869; Secondly: Part on Statutory Right of Way Plan 21335; NWD (41775 Industrial Way)	The Nature Trust of BC 500 – 888 Dunsmuir Street Vancouver BC V6C 3K4	Section 224(2)(i)
(93)	PID: 000-599-174 Lot 1 Section 6 Township 26 NWD Plan 10885 (45650 Vedder Mountain Road)	The Nature Trust of BC 500 – 888 Dunsmuir Street Vancouver BC V6C 3K4	Section 224(2)(i)

	<u>Property & Civic Address</u>	<u>Owner & Mailing Address</u>	<u>Community Charter Qualification</u>
(94)	PID: 000-599-221 Lot 2 Section 6 Township 26 NWD Plan 10885 (45750 Chilliwack Lake Road)	The Nature Trust of BC 500 – 888 Dunsmuir Street Vancouver BC V6C 3K4	Section 224(2)(i)
(95)	PID: 012-909-521 Parcel 5 (RP 14494) of Parcel H (Ex. Plan 8721) District Lots 261, 267 & 279 Group 2 NWD (7025 Vedder Road)	The Nature Trust of BC 500 – 888 Dunsmuir Street Vancouver BC V6C 3K4	Section 224(2)(i)
(96)	PID: 012-909-513 Parcel J (RP 13208) of Parcel H (Ex. Plan 8721) District Lots 261 & 267 Group 2 NWD (7055 Vedder Road)	The Nature Trust of BC 500 – 888 Dunsmuir Street Vancouver BC V6C 3K4	Section 224(2)(i)
(97)	PID: 027-223-396 Lot 1 Section 19 Township 23 NWD Plan BCP32089 (7701 Cannor Road)	The Nature Trust of BC 500 – 888 Dunsmuir Street Vancouver BC V6C 3K4	Section 224(2)(i)
(98)	PID: 006-516-394 Lot "A", Except Part In Plan LMP6347 District Lots 27 And 114 Group 2 NWD Plan 73749 (45744 Yale Road)	The Salvation Army Chilliwack Community Church 46420 Brooks Avenue Chilliwack BC V2P 1C5	Section 224(2)(a)
(99)	PID: 017-920-060 Lot 1 District Lot 27 and 114 Group 2 Plan LMP6347 (45746 Yale Road)	The Salvation Army Chilliwack Community Church 46420 Brooks Avenue Chilliwack BC V2P 1C5	Section 224(2)(a)
(100)	PID: 002-217-279 Lot 62 District Lot 27 Group 2 NWD Plan 25512 (45748 Yale Road)	The Salvation Army Chilliwack Community Church 46420 Brooks Avenue Chilliwack BC V2P 1C5	Section 224(2)(a)

	<u>Property & Civic Address</u>	<u>Owner & Mailing Address</u>	<u>Community Charter Qualification</u>
(101)	PID 023-490-713 Lot “A” (BK232950 District Lot 259 Group 2 NWD Plan 85769 (as shown on Schedule “L”) (230 and 260-45428 Luckakuck Way)	Valley Heights Community Church 5707 Gillian Place Chilliwack BC V2R 3K2	Section 224(2)(g)
(102)	PID: 005-007-801 Lot 20 Except: the Southerly 20 feet shown on Plan with Bylaw File 5210; Block 6 Division “A” NWD Plan 1737 (45892 Wellington Avenue)	Vineyard Christian Fellowship 45892 Wellington Avenue Chilliwack BC V2P 2C8	Section 224(2)(g)
(103)	Lot 106 District Lot 280 Group 2 NWD Plan 60922	Xolhemet Society PO Box 2025 Sardis Station Main Chilliwack BC V2R 1A5	Section 224(2)(a)
(104)	Lot 6 Section 7 Township 26 NWD Plan 8197	Xolhemet Society PO Box 2025 Sardis Station Main Chilliwack BC V2R 1A5	Section 224(2)(a)
(105)	PID: 029-539-161 Lot A District Lot 83 Group 2 NWD Plan EPP35178 (as shown on Schedule “M”) (42228 Yarrow Central Road)	Yarrow Alliance Church 42479 Yarrow Central Road Chilliwack BC V2R 5E4	Section 224(2)(g)

Received first and second reading on the

Received third reading on the

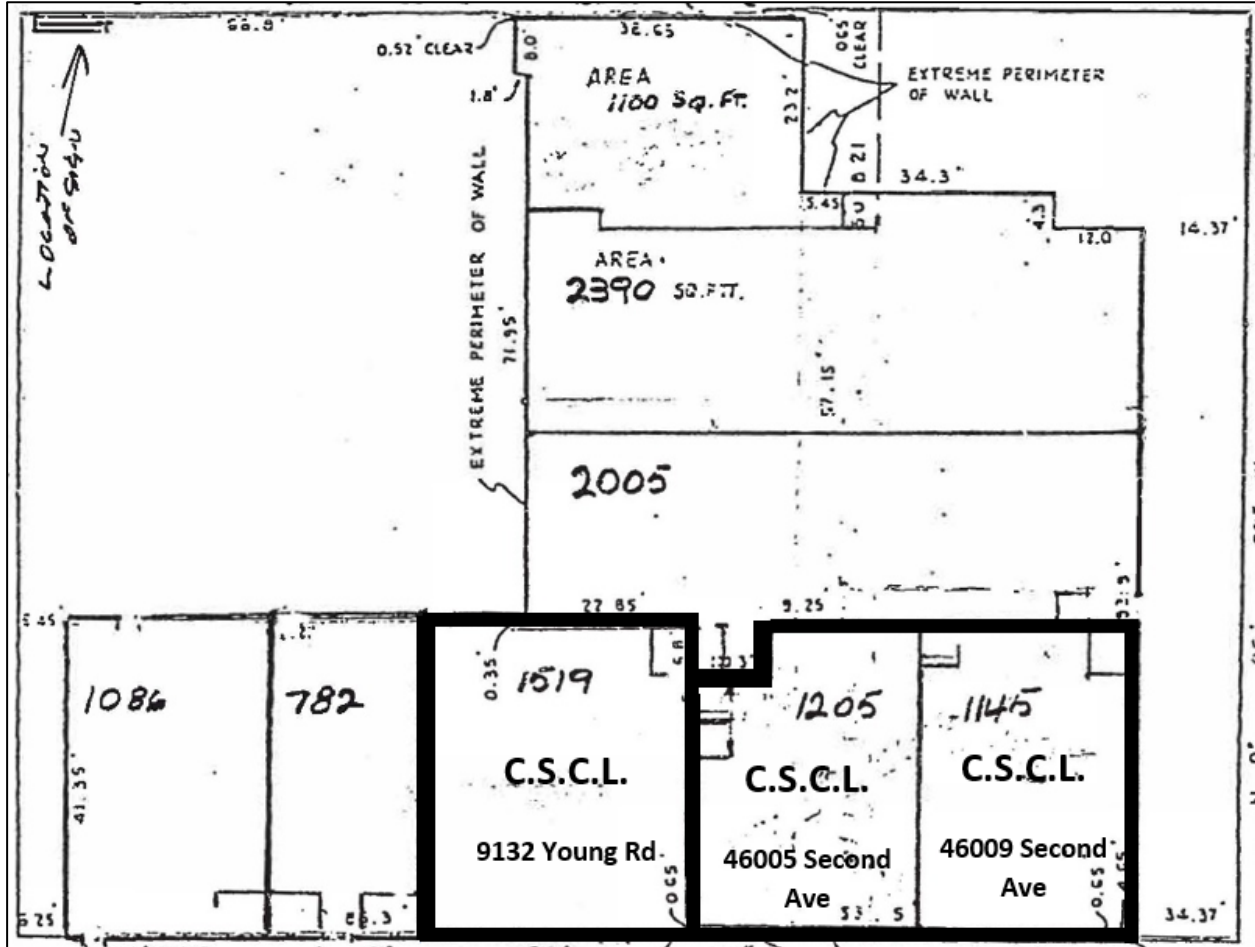
NOTICE given in accordance with Section 94 of the Community Charter on the

Received adoption on the

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Mayor

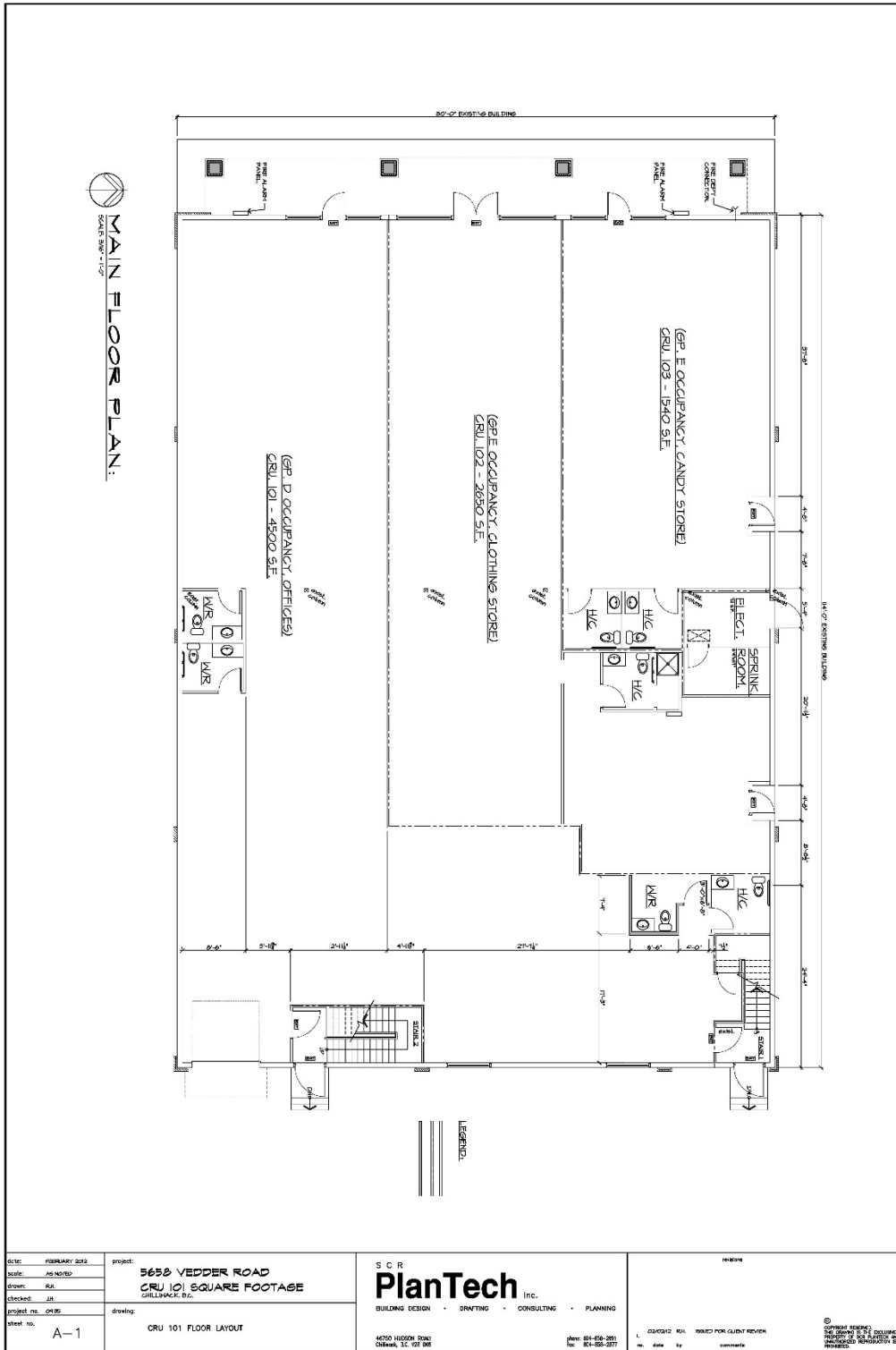
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Corporate Officer

Schedule “A”



9140 Young Road

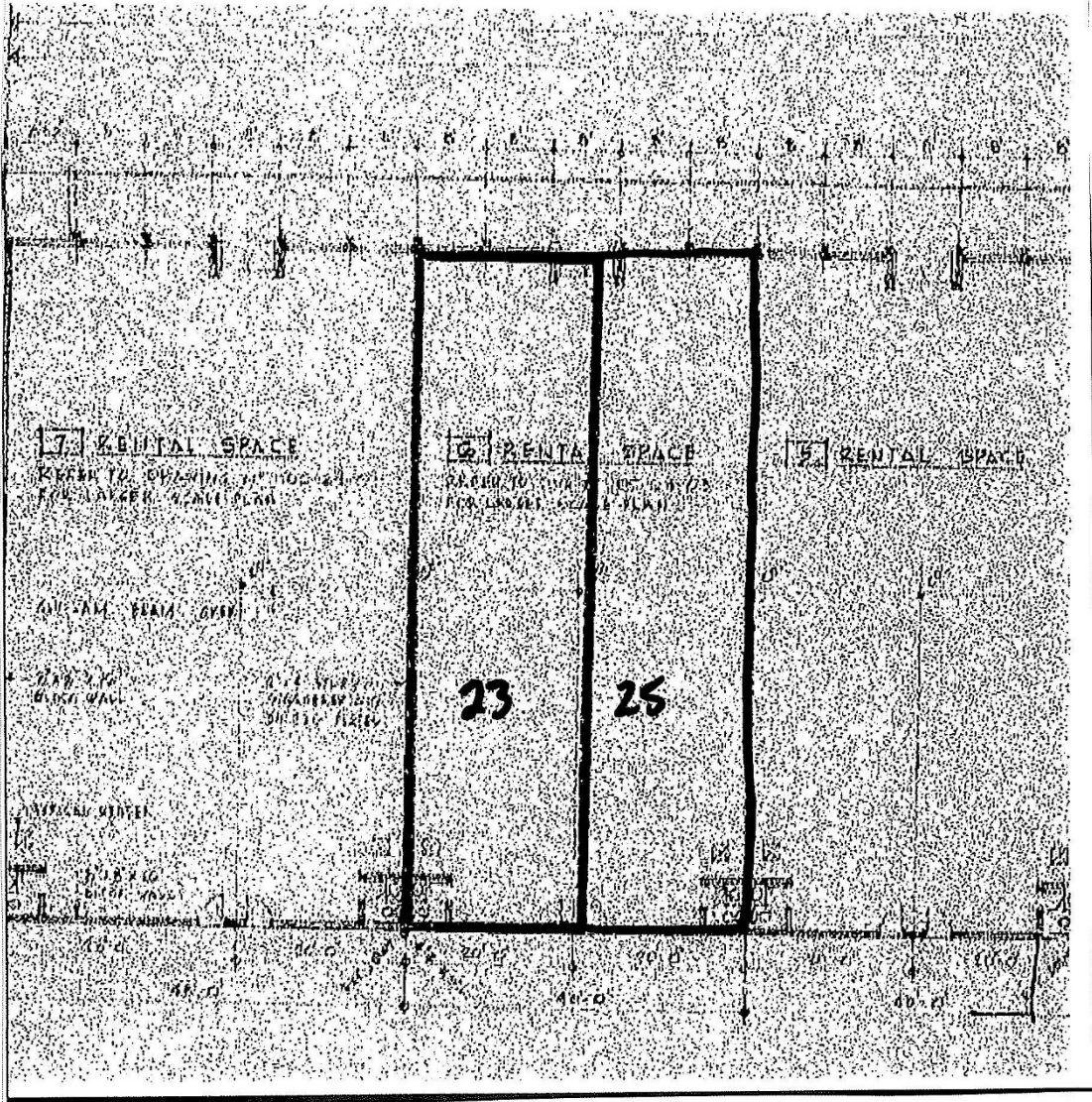
Schedule “B”



DATE: FEBRUARY 2019 SCALE: AS NOTED DRAWN: RJK CHECKED: JAT PROJECT NO.: 0435 SHEET NO.: A-1	PROJECT: 5658 VEDDER ROAD CRU 101 SQUARE FOOTAGE GILLINACK BLDG. DRAWING: CRU 101 FLOOR LAYOUT	S C R PlanTech Inc. BUILDING DESIGN • DRAFTING • CONSULTING • PLANNING 4620 HAZEN ROAD CALHOUN, IL 62626 PHONE: 618-656-2911 FAX: 618-656-9777	REVISIONS NO. DATE BY COMMENTS © 2019 PLANTECH INC. ALL RIGHTS RESERVED. THIS DOCUMENT IS THE PROPERTY OF PLANTECH INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION.
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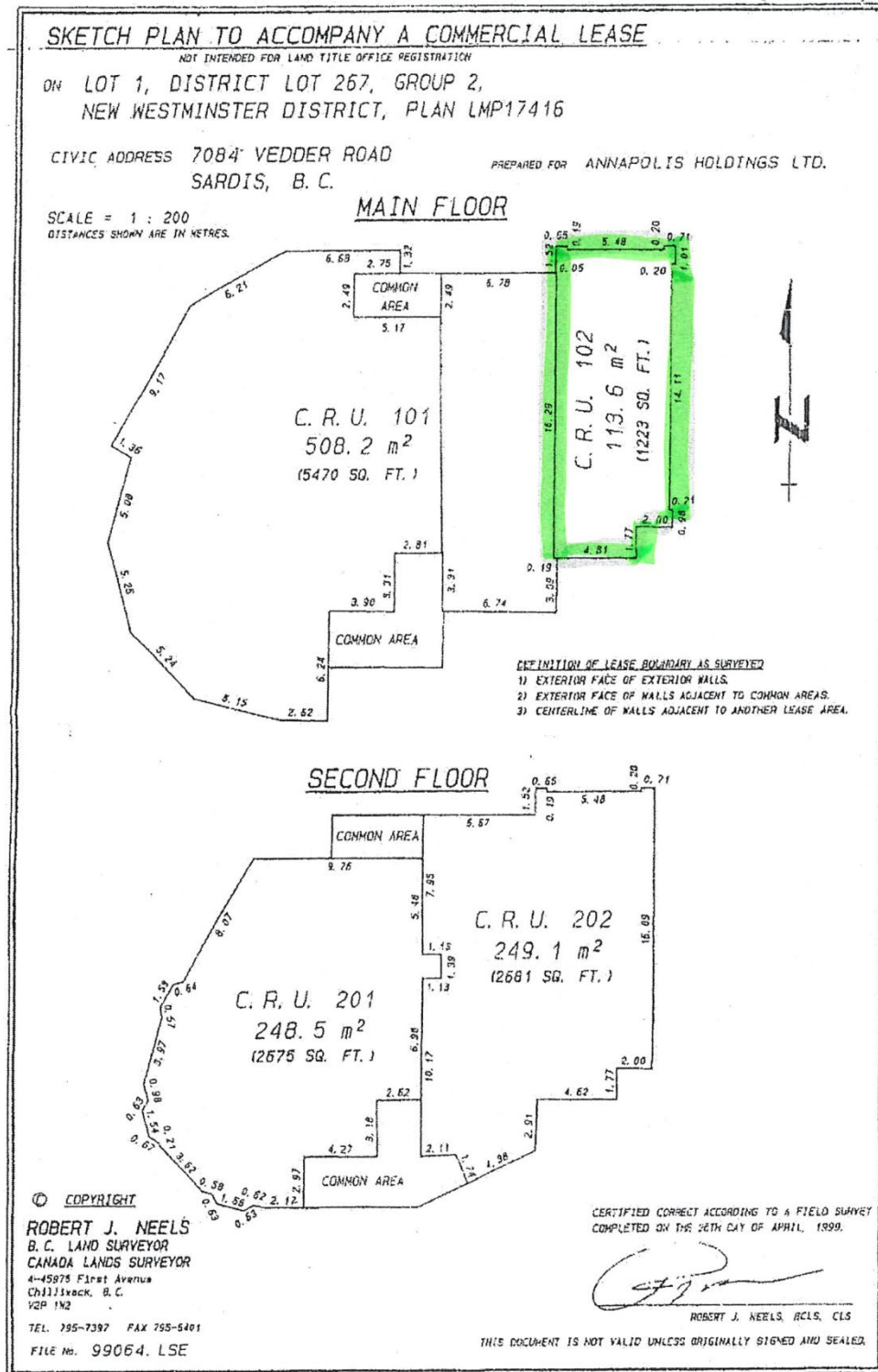
103 – 5658 Vedder Road

Schedule “C”



23 & 25– 8635 Young Road

Schedule “D”

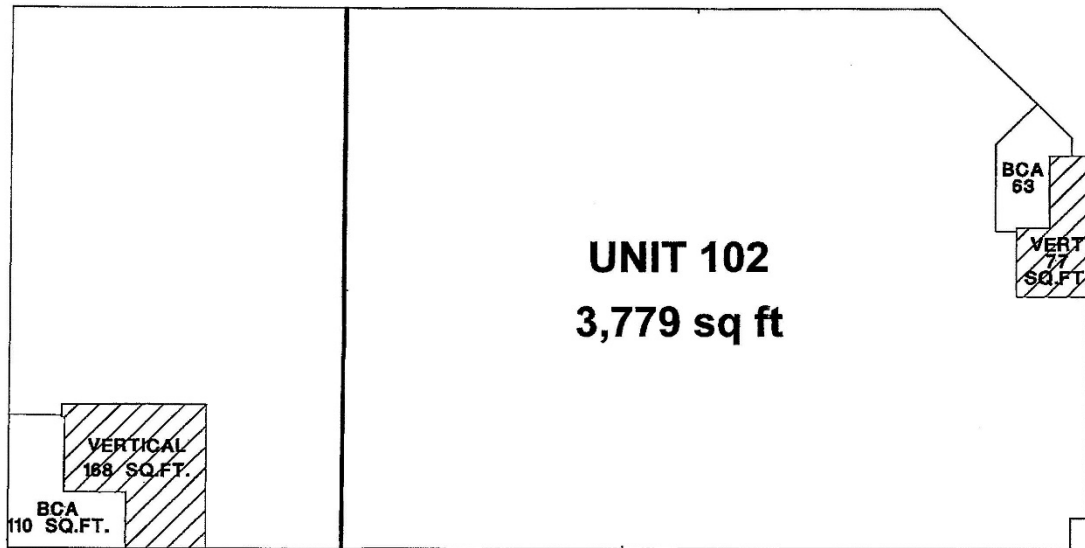


#102 – 7084 Vedder Road

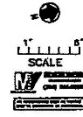
Schedule “E”

45619 YALE ROAD
CHILLIWACK, B.C.

1st FLOOR

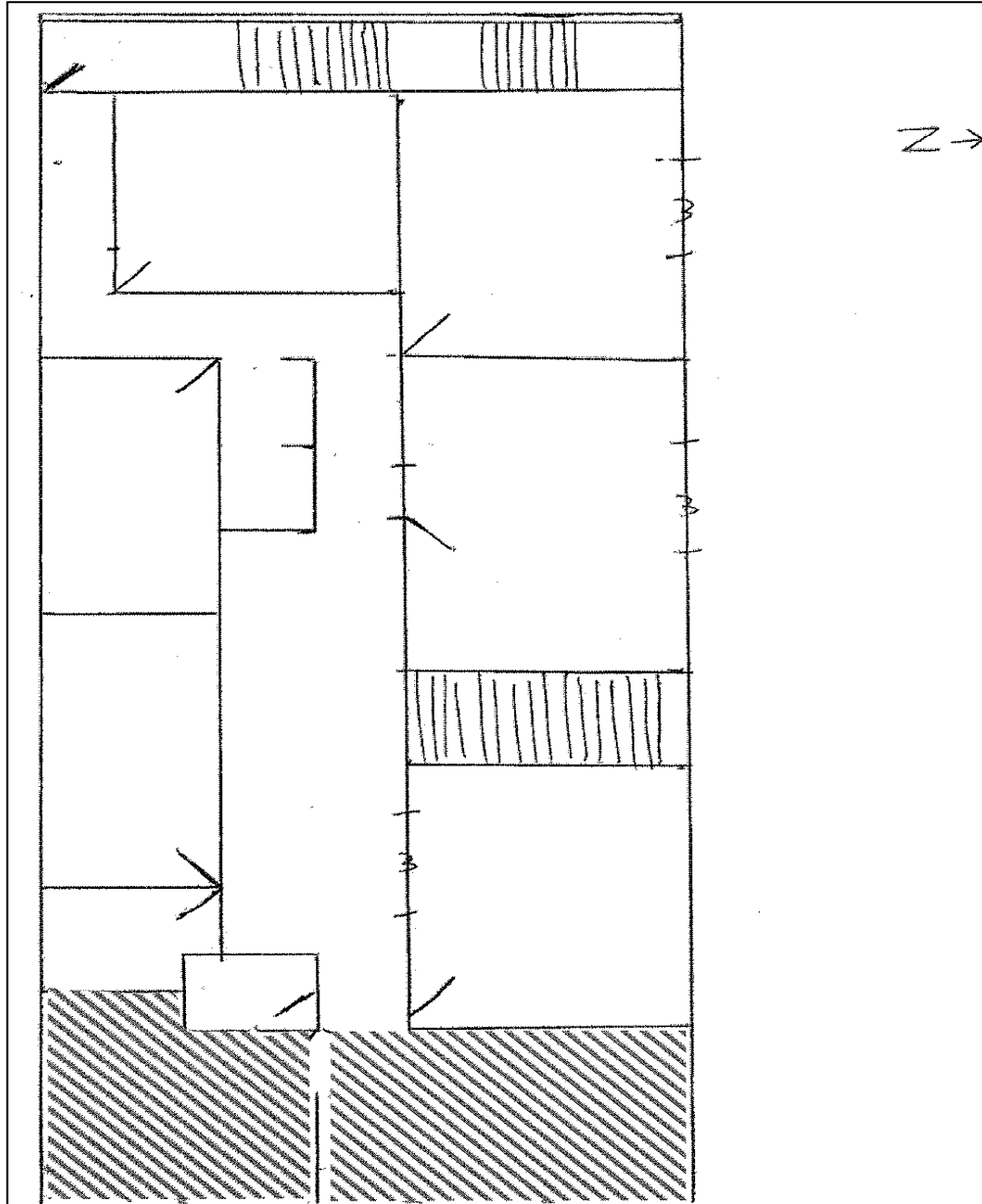


GROSS MEASURED AREA -- 5619 SQ.FT.



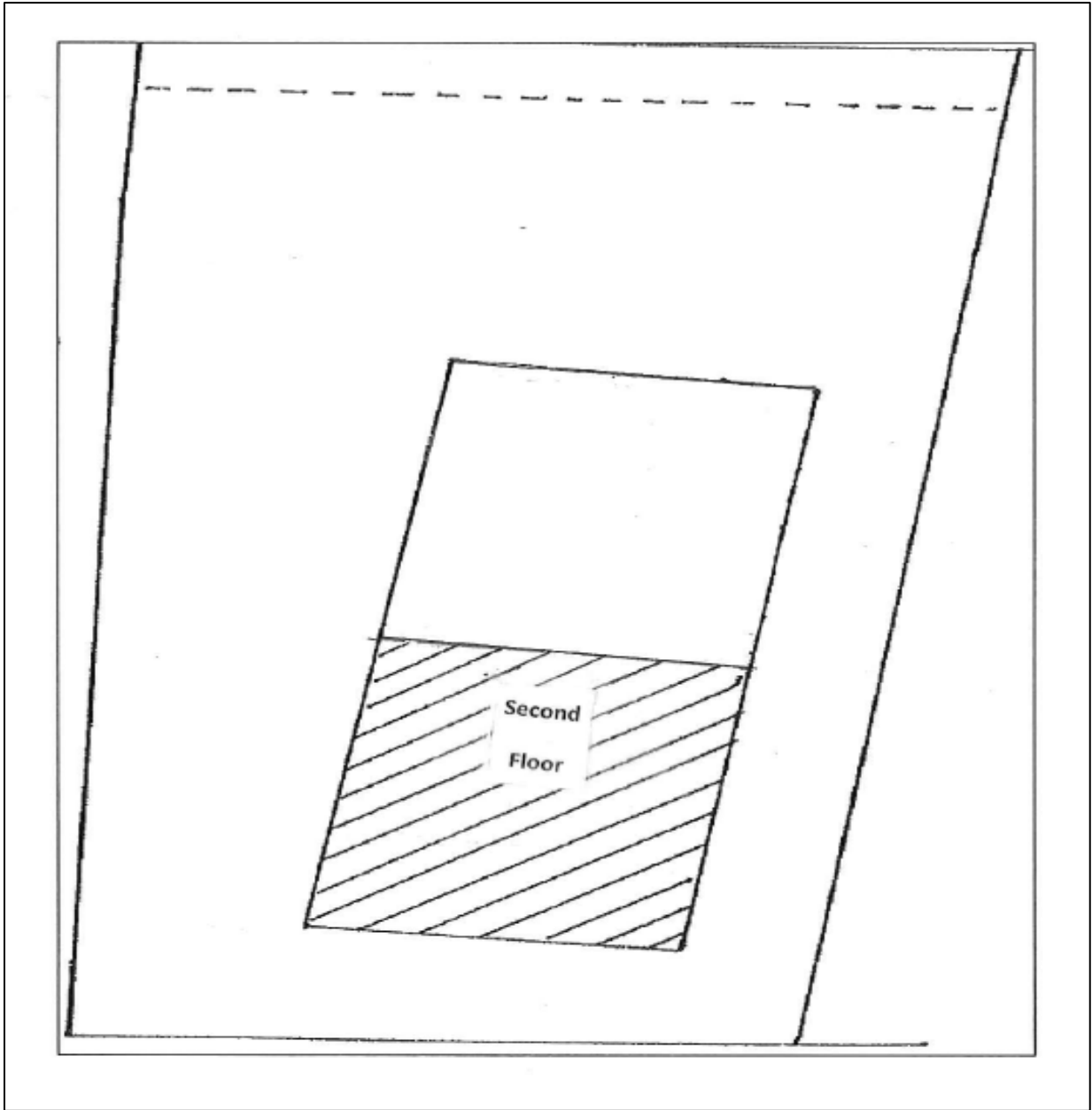
102 - 45619 Yale Road

Schedule “F”



F – 7355 Vedder Road – Upstairs

Schedule “G”

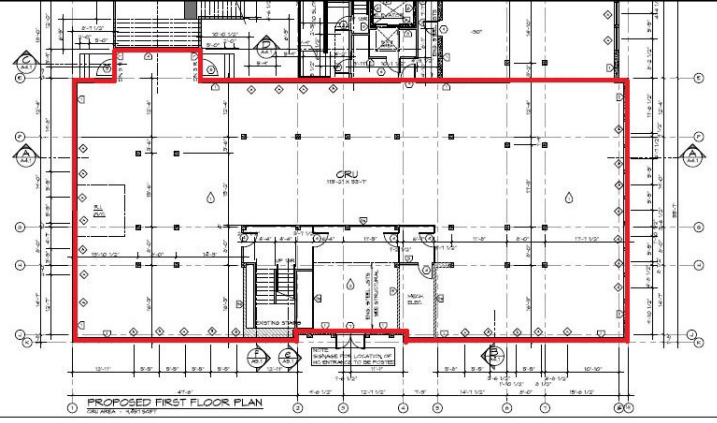


4 – 45668 Storey Avenue

Schedule “H”

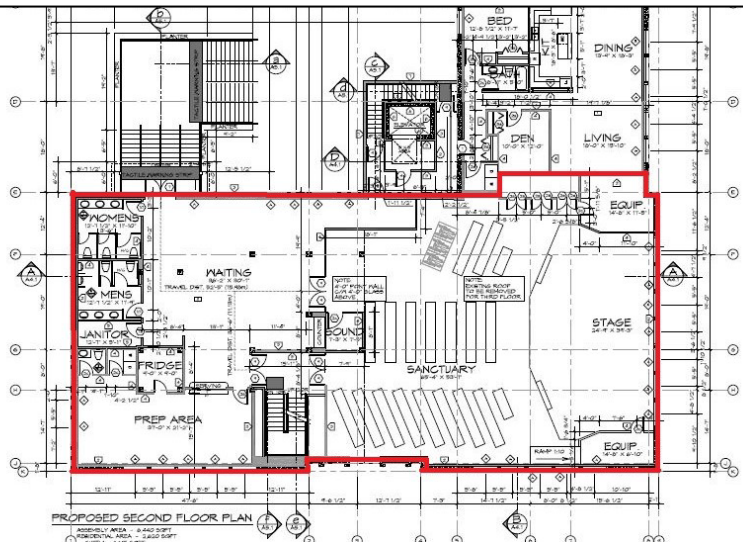
Ground Level:

**Total Area: 9,567 FT²
Church use: 6,415 FT²**



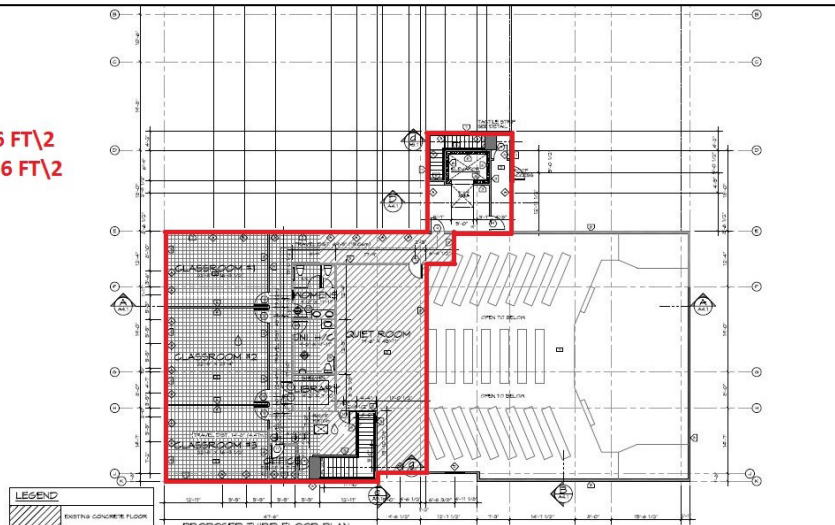
Main Level:

**Total area: 9,567 FT²
Church use: 6,450 FT²**



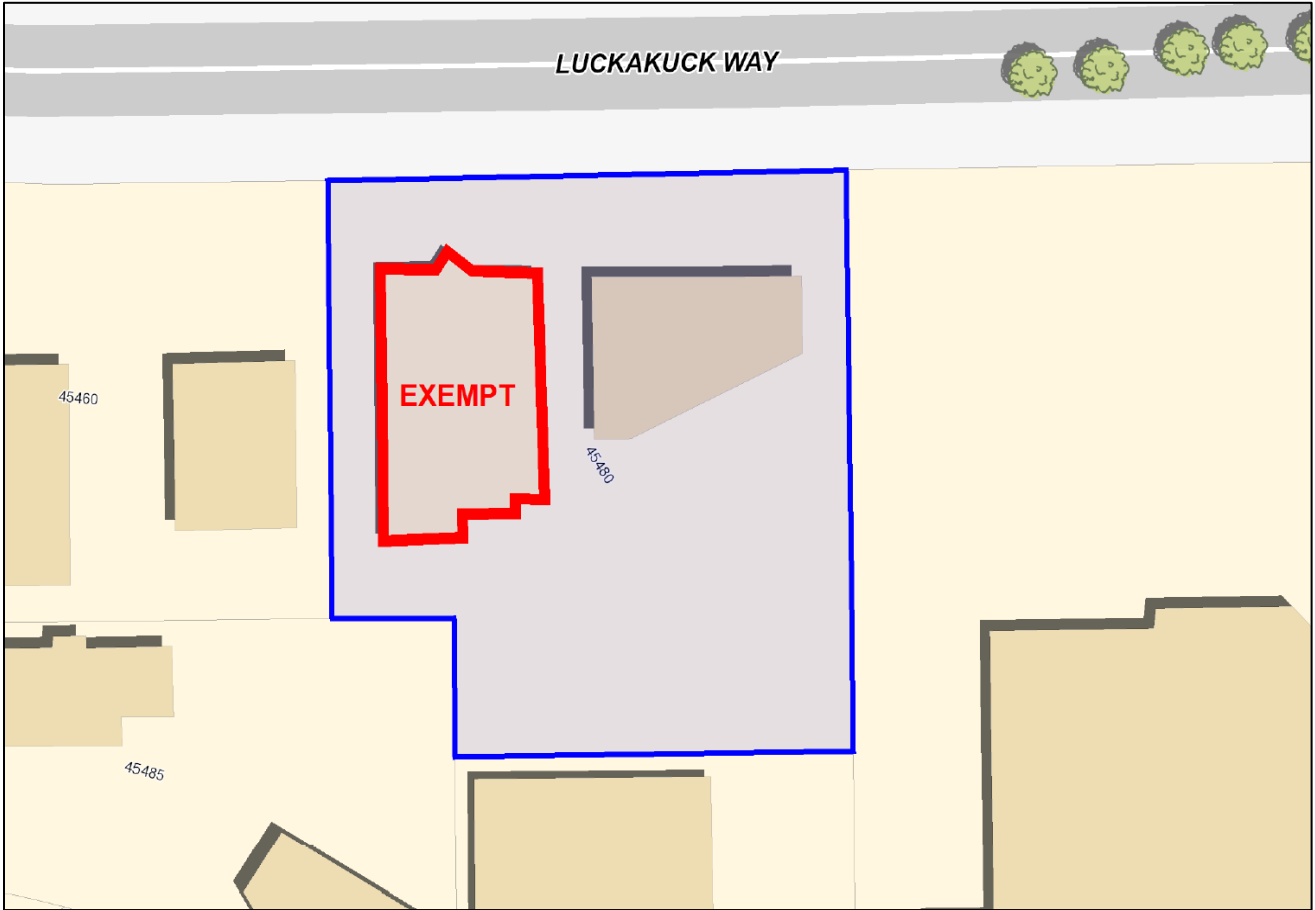
Upper Level:

**Total area: 3,536 FT²
Church use: 3,536 FT²**



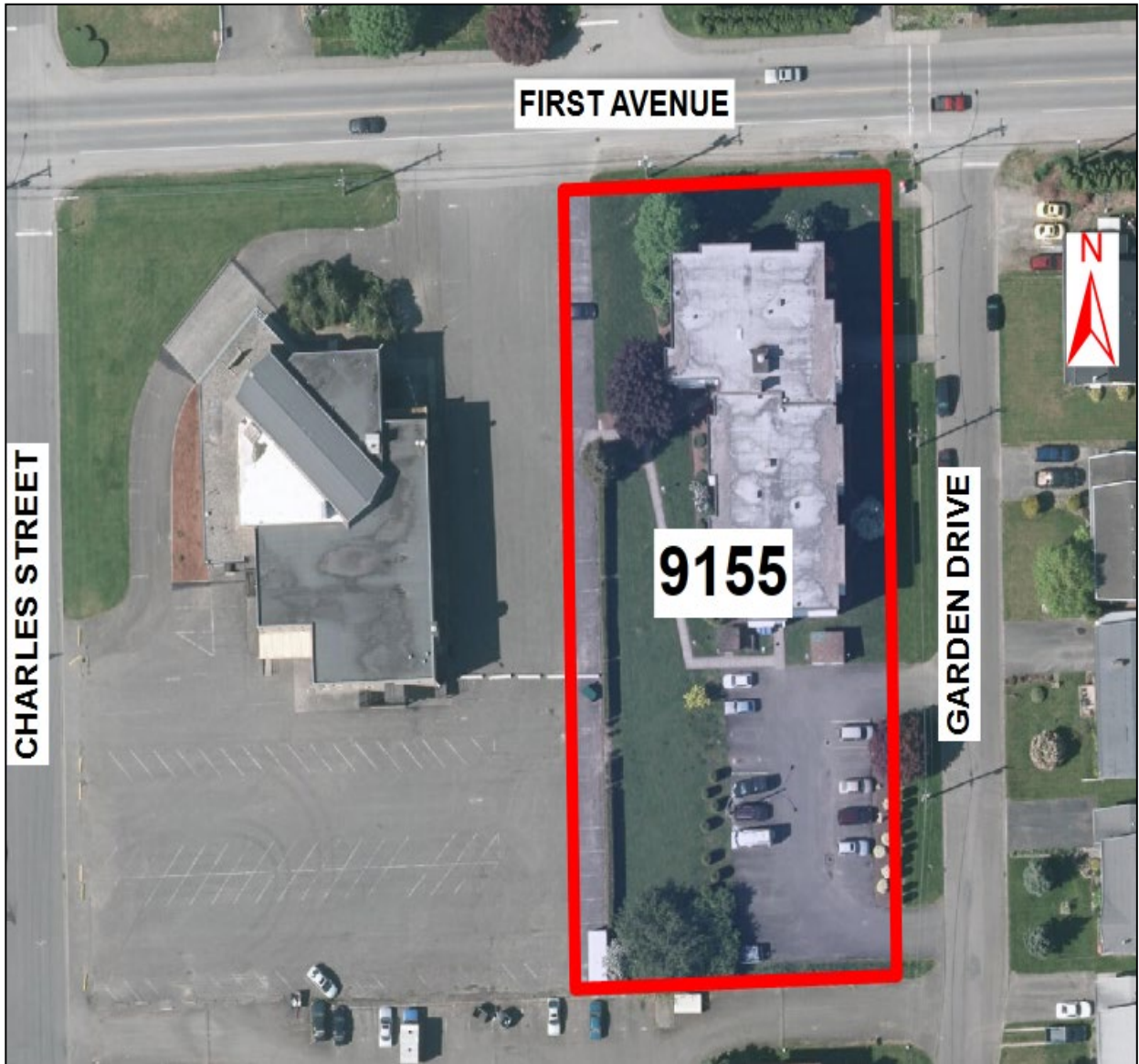
9391 College Street

Schedule “I”



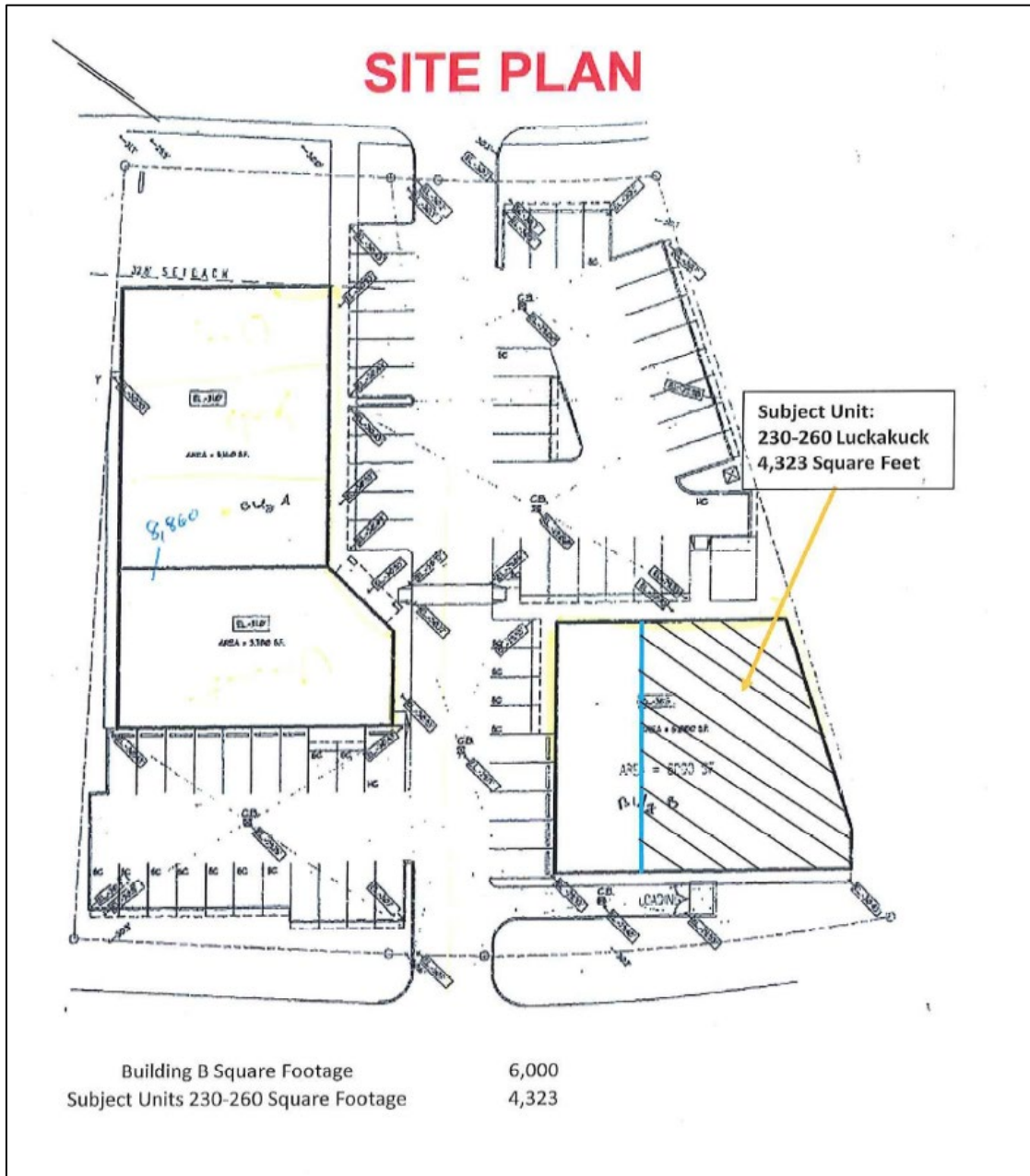
45480 Luckakuck Way

Schedule “K”



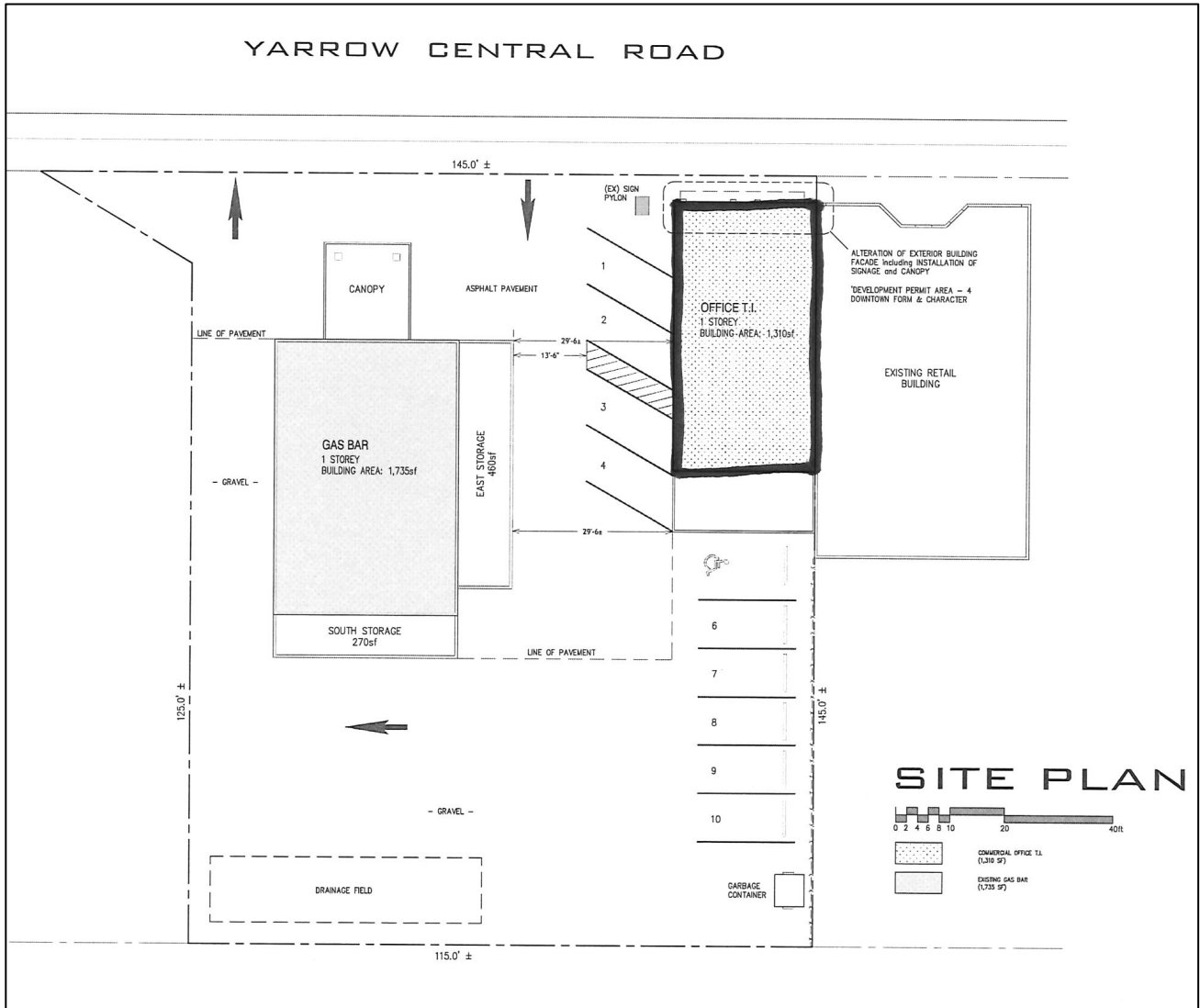
9155 Garden Drive

Schedule “L”



Units 230 & 260 - 45428 Luckakuck Way

Schedule “M”



42228 Yarrow Central Road

City of Chilliwack

Bylaw No. 5352

**A bylaw to provide for tax exemption in accordance with
Section 225(2)(c) of the *Community Charter***

WHEREAS pursuant to Section 225(2)(c) of the *Community Charter*, Council may, by bylaw, exempt from taxation under Section 197(1)(a), all or part of the eligible riparian property for the purposes of supporting the conservation of said property;

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

1. This bylaw may be cited as “**Tax Exemption (Riparian Property) Bylaw 2023, No. 5352**”.
2. The lands and improvements hereinafter described shall be exempt from taxation imposed under Section 197(1)(a) of the *Community Charter* for the year 2024:
 - (1) PID: 001-675-206
Lot 12 District Lot 261 Group 2 New Westminster District Plan 20382
(45620 Spruce Drive)

Received first and second reading on the
Received third reading on the

NOTICE given in accordance with Section 94 of the *Community Charter* on the

Received adoption on the

Mayor

Corporate Officer

AGENDA ITEM NO: 7.7

MEETING DATE: September 26, 2023

STAFF REPORT - COVER SHEET

SUBJECT: 2024 Financial Plan
Community Engagement Survey Date: September 15, 2023

DEPARTMENT: Finance Prepared by: Glen Savard

1. SUMMARY OF ISSUE:

The process of drafting the 2024-2033 Financial Plan is currently underway. As in previous years, Council is seeking the input from the community to aid in the financial planning process and to share priorities for the upcoming budget.

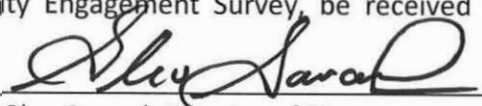
Members of Council receive ongoing inquiries, suggestions and input from residents throughout the year and to supplement this information, the City further provides additional opportunities for budgetary input and feedback through various surveys. The first opportunity is a survey insert included with tax notices in the spring, with an online engagement survey opportunity in the fall. The input and feedback received provides Council with additional information as they balance and prioritize the needs of the community, while considering the property taxation implications.

The online community engagement survey opportunity is ready to launch and will become "live" immediately following today's meeting. The responses received will provide Council with input and feedback on service importance, prioritization and financial considerations as it develops the City's 2024 Financial Plan. The survey will remain open for completion until October 20th, 2023.

The survey can be accessed and completed through the City's Engage Chilliwack platform at www.engagechilliwack.com/2024Budget.

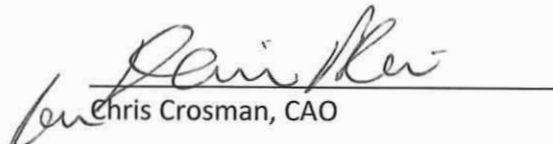
2. RECOMMENDATION:

That the staff report, 2024 Financial Plan Community Engagement Survey, be received for information.


Glen Savard, Director of Finance

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation


Chris Crosman, CAO

AGENDA ITEM NO: 7.8

MEETING DATE: September 26, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Repeal Bylaws DATE: September 21, 2023

DEPARTMENT: Legislative Services PREPARED BY: Jacqueline Morgan

1. SUMMARY OF ISSUE:

Staff recently undertook a review of City of Chilliwack's Bylaws and determined four bylaws are no longer required. This is due to the age of the bylaws and the fact that they are no longer in effect.

The repeal bylaws have been created and are brought forward for Council consideration.

2. RECOMMENDATION:

That "Canada Education Park Lands Delegation Repeal Bylaw 2023, No. 5356" be given first and second reading.

That "Canada Education Park Lands Delegation Repeal Bylaw 2023, No. 5356" be given third reading.

That "Holiday Shopping Regulation Repeal Bylaw 2023, No. 5357" be given first and second reading.


That "Holiday Shopping Regulation Repeal Bylaw 2023, No. 5357" be given third reading.

That "Intensive Swine Operation Repeal Bylaw 2023, No 5358" be given first and second reading.

That "Intensive Swine Operation Repeal Bylaw 2023, No 5358" be given third reading.

That "Shops Regulation Repeal Bylaw 2023, No. 5359" be given first and second reading.


That "Shops Regulation Repeal Bylaw 2023, No. 5359" be given third reading.



Jacqueline Morgan, Corporate Officer

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



David Blain, Deputy CAO

City of Chilliwack

Bylaw No. 5358

A bylaw to repeal “Intensive Swine Operation Bylaw 1981, No. 191”

The Council of the City of Chilliwack in open meeting assembled, enacts as follows:

1. This bylaw may be cited as **“Intensive Swine Operation Repeal Bylaw 2023, No. 5358”**.
2. The “Intensive Swine Operation Bylaw 1981, No. 191” and amendments thereto are hereby repealed.

Received first and second reading on the
Received third reading on the
Received adoption on the

Mayor

Corporate Officer

City of Chilliwack

Bylaw No. 5356

A bylaw to repeal “Canada Education Park Lands Delegation Bylaw 2005, No. 3204”

The Council of the City of Chilliwack in open meeting assembled, enacts as follows:

1. This bylaw may be cited as **“Canada Education Park Lands Delegation Repeal Bylaw 2023, No. 5356”**.
2. The “Canada Education Park Lands Delegation Bylaw 2005, No. 3204” and amendments thereto are hereby repealed.

Received first and second reading on the
Received third reading on the
Received adoption on the

Mayor

Corporate Officer

City of Chilliwack

Bylaw No. 5357

A bylaw to repeal “Holiday Shopping Regulation Bylaw 1990, No. 1487”

The Council of the City of Chilliwack in open meeting assembled, enacts as follows:

1. This bylaw may be cited as **“Holiday Shopping Regulation Repeal Bylaw 2023, No. 5357”**.
2. The “Holiday Shopping Regulation Bylaw 1990, No. 1487” and amendments thereto are hereby repealed.

Received first and second reading on the
Received third reading on the
Received adoption on the

Mayor

Corporate Officer

City of Chilliwack

Bylaw No. 5359

A bylaw to repeal “Shops Regulation Bylaw 1984, No. 533”

The Council of the City of Chilliwack in open meeting assembled, enacts as follows:

1. This bylaw may be cited as **“Shops Regulation Repeal Bylaw 2023, No. 5359”**.
2. The “Shops Regulation Bylaw 1984, No. 533” and amendments thereto are hereby repealed.

Received first and second reading on the

Received third reading on the

Received adoption on the

Mayor

Corporate Officer

AGENDA ITEM NO: 7.9

MEETING DATE: September 26, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Coastal Valley Development Ltd.
Rezoning / 10140 Woods Road DATE: September 13, 2023

DEPARTMENT: Planning Department
RZ001675 PREPARED BY: L. Joty Rai / cc

1. SUMMARY OF ISSUE:


On April 18, 2023 a Public Hearing was completed for “Zoning Bylaw Amendment Bylaw 2023, No. 5293” which proposed to rezone property located at 10140 Woods Road from an R1-A (Urban Residential) Zone to an R1-C (Urban Infill) Zone to facilitate a future subdivision. A copy of the original staff report has been attached for information.

Subsequent to the Public Hearing, the Bylaw was referred back to Staff to address concerns with the proposed lot configuration and to complete a comprehensive review of the development to determine if further lot consolidation with the adjacent parcels was feasible. In response, the applicant has provided a more detailed Site Plan demonstrating building envelopes and driveway location as well as a Response Letter with respect to comments outlined by Council during the Public Hearing. The applicant’s Response Letter is attached as “Schedule A” for information. The rezoning is now being brought forward for Council consideration of third reading and adoption.

2. RECOMMENDATION:

Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5293”, which proposes to rezone property located at 10140 Woods Road from an R1-A (Urban Residential) Zone to an R1-C (Urban Infill) Zone, be given third reading; and,

Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5293”, which proposes to rezone property located at 10140 Woods Road from an R1-A (Urban Residential) Zone to an R1-C (Urban Infill) Zone, be adopted. (RZ001675)



Gillian Villeneuve
Director of Planning

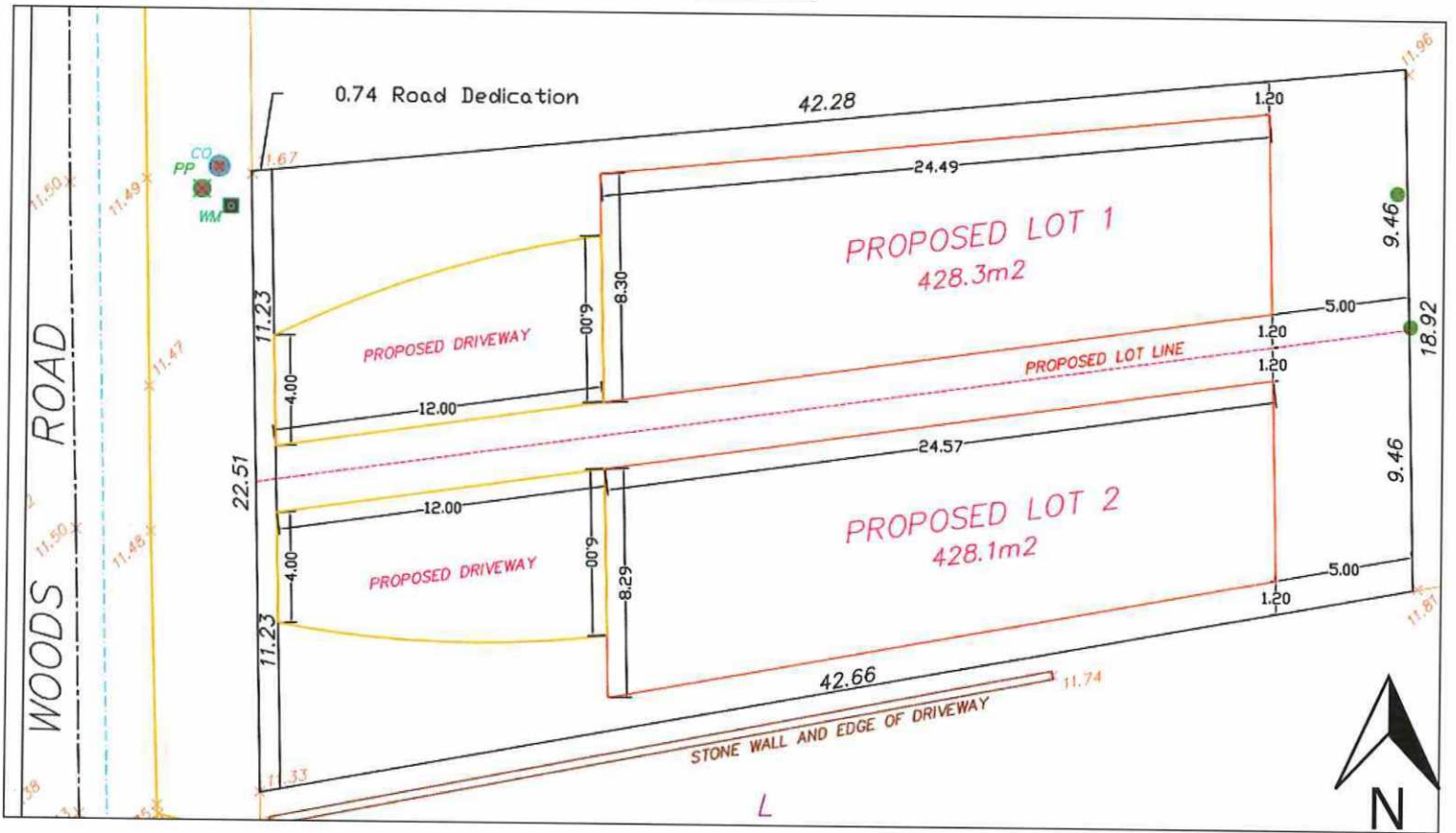
3. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman
Chief Administrative Officer

Revised **Conceptual Site Plan** (as provided by the applicant)



Schedule A
Applicant's Response Letter

City of Chilliwack
Planning & Strategic Initiatives Department
8550 Young Road
Chilliwack, BC V2P 8A4
T: (604) 793-2906

August 18th, 2023

Attn: City Planner & Council

RE: Rezoning of 10140 Woods Rd, Chilliwack, BC V2P 6G7

This Letter is in response to the April 18th, 2023, Public Hearing decision to refer the rezoning application of 10140 Woods Rd, Chilliwack, BC V2P 6G7 back to the Planning Department for further review. We thank you for sharing your concerns and comments and have conducted the following analysis.

The intention of our rezoning application is to subsequently apply to subdivide the property into 2 quality sized lots. On each lot, we then plan to build a single family detached residential dwelling to service Chilliwack's growing middle class. The home designs will emphasize the modern dwelling, while highlighting energy efficient design and build.

Our rezoning proposal supports the OCP guidelines, is designed within Bylaw requirements, submitted without any variances, has no opposition from the neighbours, and is submitted with the Development Department's recommendation. Therefore, the main comment we wish to address is the possibility of a redevelopment involving the neighbouring 10150 Woods Rd property. A feasibility assessment using cost analysis was conducted, and it is concluded that a redevelopment involving both 10140 & 10150 Woods Rd is not feasible.

From a financial standpoint, since 10150 Woods Rd does not contain a residence, a mortgage cannot be obtained from a bank lender. Meaning, private lending of more than \$1.8 million would be required to finance the acquisition of such a project, which does not include infrastructure development and building costs. The cost analysis does not warrant this option as a possibility, as alternative investments would yield a substantially greater return on investment.

Cost Analysis

Land Purchase of 10140 Woods Rd.	\$962,000
Property Transfer Tax including 2% closing costs	\$36,480
Land Purchase of 10150 Woods Rd.	\$1,800,000
Property Transfer Tax including 2% closing costs	\$70,000
Servicing, Infrastructure, Engineering and Development Charges	\$500,000
Incurred Interest ¹	\$62,991
Interest Expense for Development Loan (24 months) ²	\$600,939
Total Cost of Subdivision	<u>\$4,032,410</u>
Cost of Land Per Lot (4 Lots)	\$1,008,103
Construction Cost per House (\$150/sqf *2500 sqf)	\$375,000
Interest Expense for Construction Loan (12 months) ³	\$26,250
Total Cost Per New House	<u>\$1,409,353</u>
Market Selling Price Per New Home ⁴	\$1,050,000
Minus: Total Cost Per New Home	\$1,409,353
Net Loss Per New Home	<u>(\$359,353)</u>
Net Loss on Development Project (\$355,012*4 Houses)	<u>(\$1,437,412)</u>

¹ Property purchased on April 27th, 2022, for \$962,000. At 5%, the simple interest incurred as of August 18th, 2023 (478 days), accumulates to \$62,991.

² Loan Amount: \$3,362,000 (Land Purchase of 10140 Woods Rd: \$962,000; Land Purchase of 10150 Woods Rd: \$1,800,000; Servicing, Infrastructure and Development Charges: \$600,000). Weighted Annum Interest Rate: 8.57%. (\$962,000 at 5.00% = \$48,100, \$1,800,000 at 10% = \$180,000, \$600,000 at 10% = \$60,000). \$48,100 + \$180,000 + \$60,000 = \$288,100. \$288,100/\$3,362,000 = 8.57%. Term: 24 months. Total Interest Expense: \$600,939 = FV (\$3,962,929) - PV (\$3,362,000).

³ Loan Amount: \$375,000; Interest Rate: 7.00%; Term: 12 months; Total Interest Expense: \$26,250.

⁴ The figure for the expected market value for a new home is derived from observing similar listings for new homes in the "Chilliwack Proper and Fairfield Island" Neighbourhoods on Realtor.ca.

Financing aside, in respects to the OCP, the Official Community Plan has designated this region as a Residential 1 Area. This means the following are the only permitted “Appropriate Housing Types” a Development may propose: Single detached homes on a variety of lot sizes, Duplexes, Coach houses or garden suites and Secondary suites. Multifamily or mid-rise developments are not permitted, leaving single family homes as the only option for redevelopment.

We would also like to note that the ownership of both 10150 and 10160 Woods Rd is by the same individual. So instead of viewing the neighbouring property in a “T-Shape”, it should be viewed more in its rectangular nature. Considering the ownership is already under one title, future development for the immediate area will be unaffected from our redevelopment since they already have access to the combined area of both 10150 and 10160 Woods Rd. In fact, the current owner of 10150 Woods Rd has contracted the services of Precision Building Design Associates Ltd. to draft a Conceptual Site plan for 10150 Woods Rd that illustrates a possible 5 lot Strata redevelopment. Further emphasising the position that our subdivision will not interfere with neighbouring redevelopments.

We would also like to note that the general narrowness for properties in this neighbourhood is unavoidable. Within a 100 m radius, a subdivision resulting in 4 narrow R3 lots, (10156, 10162, 10168 & 10174 Brentwood Dr) shows how narrow lots are the only feasible orientation for this neighbourhood. But to mitigate the perceived narrowness of the lot, we have reduced the building area to a more standard rectangular nature. This resulted in a flared driveway which accommodates for a double garage as well as sufficient driveway parking for 3 vehicles.

Lastly, when compared with all eleven R1-C rezoning applications submitted and adopted in 2023, we find our application has great merits. Especially considering how our redevelopment is not requesting for any variances, and of all the R1-C applications submitted in 2023, 10140 Woods Rd has the second greatest lot area (after road dedication) at 856.40 m² (9218.21 sqf). The smallest lot to have their R1-C rezoning application adopted had a lot area of 687.95 m² (7405 sqf).

We hope this letter helps elaborate further on our redevelopment proposal and has provided a satisfactory analysis to your comments from the Public Hearing. If you require any additional information, please do not hesitate to contact our office via email at info@coastalvalley.ca

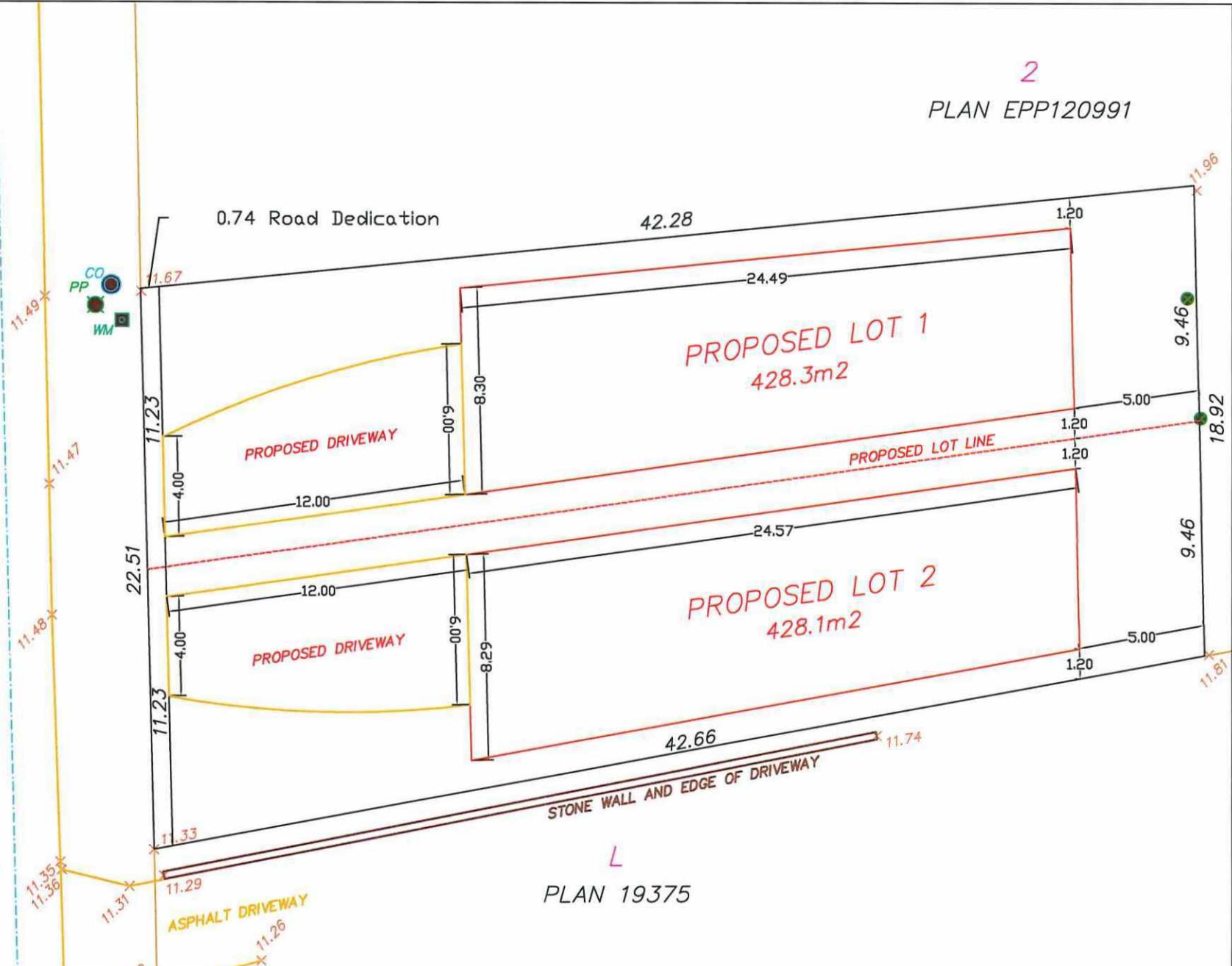
Sincerely,
Coastal Valley Development Ltd.



Ravi Khunkhun, CIM, BBA Hons.
Project Manager
info@coastalvalley.ca

Attachment: [Conceptual Site Plan]

2
PLAN EPP120991



L
PLAN 19375

CITY FILE NO. RZ001675
LEGAL DESCRIPTION:
LOT 80 DISTRICT LOT 458
GROUP 2 NEW WESTMINSTER
DISTRICT PLAN 47617

PARCEL IDENTIFIER:
001-567-012

PARKING STALLS
LOT 1: 3 STALLS
2.5 M WIDE X 5.5 M LONG

LOT 2: 3 STALLS
2.5 M WIDE X 5.5 M LONG

PROPOSED DRIVEWAYS ARE
4.0 M WIDE & 12 M LONG. CAN
ACCOMMODATE PERPENDICULAR
STALLS AT THE FRONT OF
DRIVEWAY AND A SINGLE
STALL AT THE REAR

EXISTING ZONING: R1-A
PROPOSED ZONING: R1-C

EXISTING LOT AREA: 872.9M
LOT AREA AFTER
0.74M DEDICATION: 856.4M2

MIN. LOT AREA: 300M2
PROPOSED LOT 1 AREA: 428
PROPOSED LOT 2 AREA: 428

MIN. BUILDING AREA SETBACKS
REQUIRED/PROPOSED
INTERIOR LOT LINE: 1.2M/1.2
EXTERIOR LOT LINE: 4.5M/4.5
REAR LOT LINE: 5.0M/5.0M
FRONT LOT LINE: 4.5M/12M

MIN. LOT DIMENSIONS
REQUIRED/PROPOSED
LOT WIDTH: 10M/11.03M
LOT DEPTH: 30M/41.8M

*LOT DEPTH MEASURED AT
MID-POINT OF EACH LOT

*LOT WIDTH MEASURED AT
FROM REVISED FRONT LOT
AFTER 0.74M ROAD DEDICATION

CANT/AGENT
COASTAL VALLEY
DEVELOPMENT LTD.
I KHUNKHUN
TEL: (604) 440-9080
E: INFO@COASTALVALLEY.CA

NO.	DATE	REVISION

COASTAL VALLEY DEVELOPMENT
2329 QUEEN ST. ABBOTSFORD, BC V2T 6J6
PHONE: (604) 440-9080
EMAIL: INFO@COASTALVALLEY.CA

PROJECT NO: 1134
DATE: AUG. 18, 2023
DWN BY: R.K.
DESIGN: R.K.
SCALE: 1:200

SHEET NO: 1 OF 1

City of Chilliwack

CONCEPTUAL SITE PLAN
10140 WOODS ROAD
CHILLIWACK, BC V2P 6G7

AGENDA ITEM NO: _____

MEETING DATE: April 4, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Coastal Valley Development Ltd.
Rezoning / 10140 Woods Road DATE: March 24, 2023


DEPARTMENT: Planning Department
RZ001675 PREPARED BY: Joty Rai / sw

1. SUMMARY OF ISSUE:

The applicant wishes to rezone the subject property from an R1-A (Urban Residential) Zone to an R1-C (Urban Infill) Zone to facilitate a future subdivision. Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to the property located at 10140 Woods Road.

2. RECOMMENDATION:


Recommendation that "Zoning Bylaw Amendment Bylaw 2023, No. 5293", which proposes to rezone property located at 10140 Woods Road from an R1-A (Urban Residential) Zone to an R1-C (Urban Infill) Zone, be given first and second reading; and further, that a Public Hearing be called for April 18, 2023. (RZ001675)



Gillian Villeneuve
Director of Planning

**3. CHIEF ADMINISTRATIVE OFFICER'S
RECOMMENDATION/COMMENTS:**

Supports recommendation.



Chris Crosman
Chief Administrative Officer

STAFF REPORT ON REZONING APPLICATION RZ001675

PREPARED BY: Joty Rai DATE: March 24, 2023
POSITION: Planner I DEPARTMENT: Planning Department

1. DEFINITION OF ISSUE:

The applicant wishes to rezone the subject property from an R1-A (Urban Residential) Zone to an R1-C (Urban Infill) Zone to facilitate a future subdivision. Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to the property located at 10140 Woods Road.

2. PROPOSAL:

The proposal is to rezone the subject property from an R1-A Zone to an R1-C Zone to facilitate a future 2-lot subdivision. The proposal meets the minimum lot width, depth, and area requirements to facilitate a subdivision within the proposed R1-C Zone.

Final lot layout must comply with City Bylaws and include frontage improvements complete with barrier curb, gutter, catch basin, sidewalk, and LED streetlighting on Woods Road. Additionally, 0.74m of the Woods Road frontage will be dedicated for future road development at the time of subdivision. The requirements of the Floodplain Regulation Bylaw, Tree Management (Land Development) Bylaw and Land Development Bylaw will also apply at time of subdivision.

As the property is not serviced by a rear lane, driveways of 12m length and 4m width are to be provided in accordance with the City's Infill Development Policy to ensure adequate on-site parking. At this time, the applicant has not committed to a specific design for the single detached dwellings to be constructed; however, building height within the proposed R1-C Zone is limited to 8.5m or approximately two storeys.

3. FACTORS:

3.1 2040 Official Community Plan (OCP) / Land Use / Community Engagement

Official Community Plan: "Residential 1 – One and Two Family Housing" as designated in the Chilliwack Proper & Fairfield Island Neighbourhoods Plan within the Official Community Plan.

Land Use: Single detached dwelling (to be demolished at time of subdivision). The applicant has indicated that the house on the property is currently occupied by tenants and has provided information in the attached 'Schedule A' detailing how the site will be maintained throughout the redevelopment process.

Community Engagement: The applicant has conducted independent public engagement with neighbouring properties. On January 8, 2023, the applicant hand-delivered letters to neighbouring homes to request the submission of any questions or comments regarding the proposal. One letter was mailed. No responses have been received at the time of writing. A copy of the applicant's public engagement package has been submitted for the public record.

3.2 Neighbourhood Character

The subject property is located within a mature residential neighbourhood of Chilliwack Proper. The property is surrounded by single detached dwellings within the R1-A Zone on all sides. The neighbourhood also contains smaller residential lots within the R3 (Small Lot Residential) Zone; however, the majority of the surrounding properties are larger and within the R1-A Zone. The subject property is located near Hope Slough and is within walking distance of Little Mountain Elementary. Nearby schools include Chilliwack Middle and Chilliwack Secondary.

The proposed rezoning is consistent with the "Residential 1 – One and Two Family Housing" designation of the Chilliwack Proper & Fairfield Island Neighbourhoods Plan and the City's Infill Development Policy, which support infill development to accommodate future growth and increased housing options at an appropriate scale. The proposed development meets parking requirements of the Zoning Bylaw and the required urban frontage improvements are anticipated to provide a safe and inviting streetscape.

3.3 Technical Issues:

Floodplain: The subject property is within the protected floodplain and is subject to the Floodplain Regulation Bylaw.

Watercourses: There are no known watercourses within or in the immediate vicinity of the subject property.

Geotechnical: The property is not subject to any known geotechnical hazards or earthquake-related risks.

4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that "Zoning Bylaw Amendment Bylaw 2023, No. 5293", which proposes to rezone property located at 10140 Woods Road from an R1-A (Urban Residential) Zone to an R1-C (Urban Infill) Zone, be given first and second reading; and further, that a Public Hearing be called for April 18, 2023. (RZ001675)

Substantiation:

The proposed rezoning is consistent with the City's Infill Development Policy, Zoning Bylaw, and OCP designation and will offer additional housing options. The proposal is not anticipated to have an impact on the surrounding area.

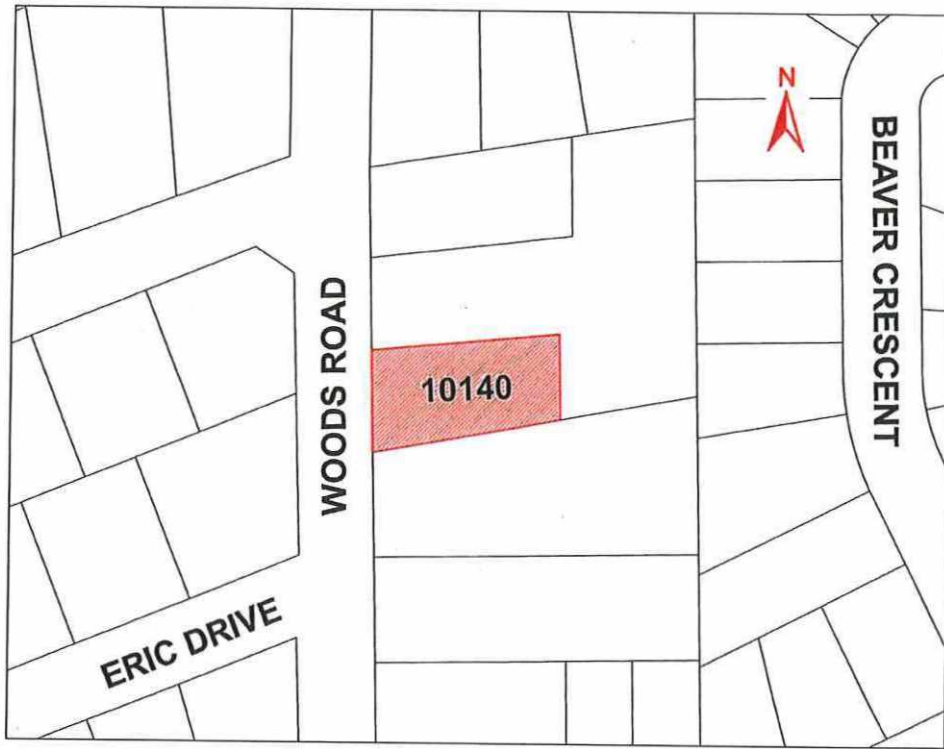
5. SOURCES OF INFORMATION:

- Rezoning Application (RZ001675) – October 11, 2023
- Development Application Review Team (DART) Minutes – November 10, 2022

Attachments

- "Schedule A" – Applicant's Maintenance Plan

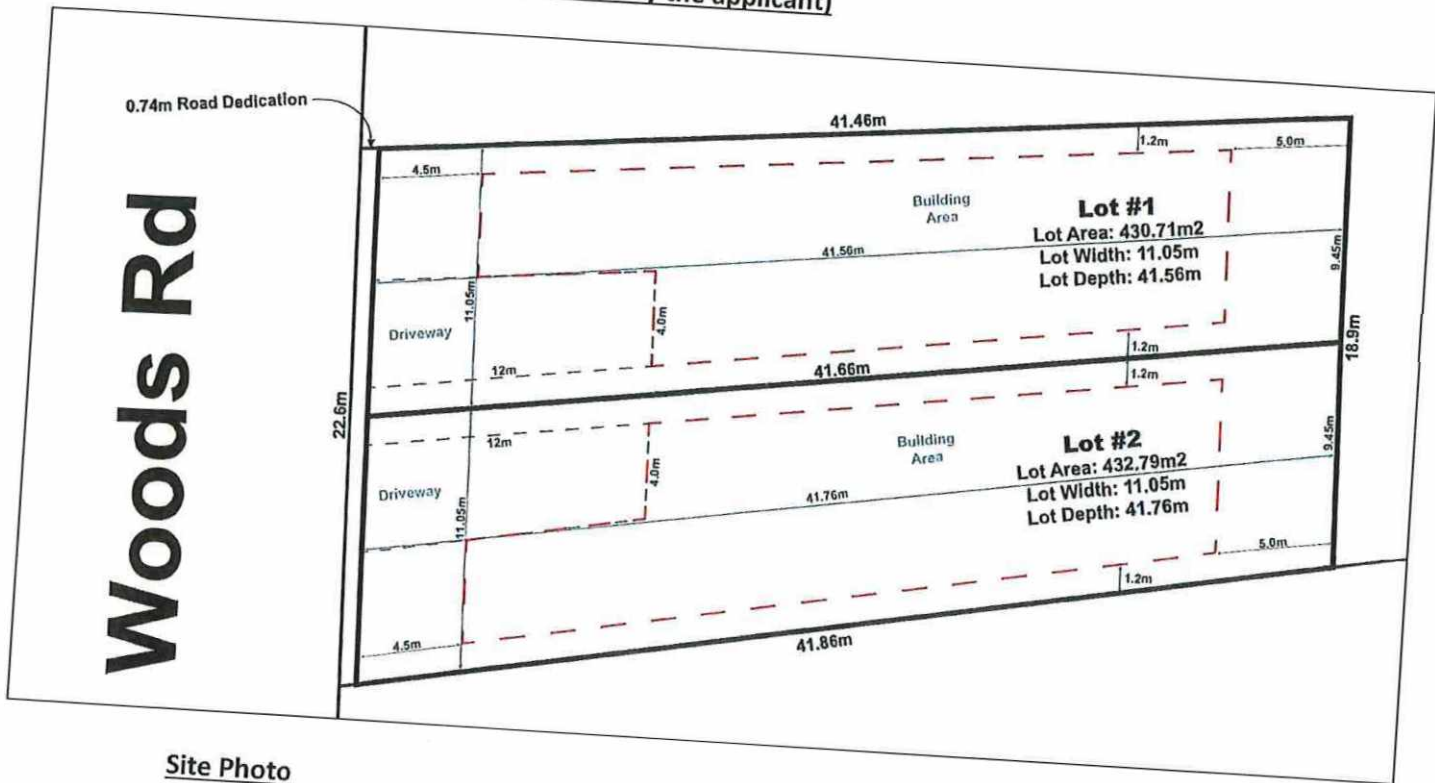
Location Map



Orthophoto



Conceptual Site Plan (as provided by the applicant)



Site Photo



Schedule A

Applicant's Property Maintenance Plan Letter

December 20th, 2022



City of Chilliwack
Planning & Strategic Initiatives Department
8550 Young Road
Chilliwack, BC V2P 8A4
T: (604) 793-2968

December 20th, 2022

Attn: Joty Rai

RE: Property Maintenance Plan for 10140 Woods Rd, Chilliwack, BC V2P 6G7

This Letter is in reference to our Property Maintenance Plan for the redevelopment of 10140 Woods Rd, Chilliwack, BC V2P 6G7. Throughout the entirety of the redevelopment process, we will assure that the property will be maintained in accordance with the Community Standards Bylaw.

We will achieve this objective by keeping the property tenanted and having the tenants responsible for the regular up-keep of the property. We will also highlight to the tenants the standard of care to be met. In addition, we will conduct biweekly drive-bys to verify the property is remaining compliant with all Community Bylaws.

If you require any additional information, please contact our office via email at info@coastalvalley.ca

Sincerely,
Coastal Valley Development Ltd.

A handwritten signature in black ink that reads "Ravi Khunkhun".

Ravi Khunkhun, CIM, BBA Hons.
Project Manager
info@coastalvalley.ca

AGENDA ITEM NO: 7.10

MEETING DATE: September 26, 2023

STAFF REPORT – COVER SHEET

SUBJECT: 1356981 BC Ltd.
Rezoning / 45631 & 45641 Morton Road DATE: September 15, 2023

DEPARTMENT: Planning Department
RZ001522 & DVP01300 PREPARED BY: Adam Roberts / cc


1. SUMMARY OF ISSUE:

The applicant wishes to rezone the subject properties from an R1-A (Urban Residential) Zone to an R6 (Mid Rise Apartment) Zone to facilitate a future apartment development. Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to the properties located at 45631 and 45641 Morton Road.

A concurrent Development Variance Permit application has been submitted to vary Zoning Bylaw standards as detailed within the report.

2. RECOMMENDATION:

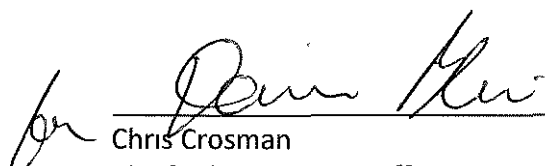
Recommendation that "Zoning Bylaw Amendment Bylaw 2023, No. 5339", which proposes to rezone properties located at 45631 and 45641 Morton Road from an R1-A (Urban Residential) Zone to an R6 (Mid Rise Apartment) Zone, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023. (RZ001522)



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman
Chief Administrative Officer

**STAFF REPORT ON REZONING APPLICATION RZ001522 &
DEVELOPMENT VARIANCE PERMIT APPLICATION DVP01300**

PREPARED BY: Adam Roberts DATE: September 15, 2023
POSITION: Planner III DEPARTMENT: Planning

1. DEFINITION OF ISSUE:

The applicant wishes to rezone the subject properties from an R1-A (Urban Residential) Zone to an R6 (Mid Rise Apartment) Zone to facilitate a future apartment development. Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to the properties located at 45631 and 45641 Morton Road.

A concurrent Development Variance Permit application has been submitted to vary Zoning Bylaw standards as detailed within the report.

2. PROPOSAL:

The proposal is to rezone the subject properties from an R1-A Zone to an R6 Zone to facilitate a future 32-unit apartment development, the maximum density permitted based on the consolidated area of the properties. A concurrent Development Variance Permit application has been submitted to vary the following Zoning Bylaw standards:

- increase the maximum ratio of small car parking spaces from 20% to 26% (from 12 to 15 spaces); and,
- waive the requirement to provide an off-street loading space.

Final lot layout must comply with City Bylaws and include lot consolidation, 2.65m road dedication and urban half road frontage improvements complete with curb, sidewalk, LED streetlighting to extend from the subject properties to Vedder Road. The requirements of the Tree Management Bylaw and Land Development Bylaw apply.

Should the rezoning be approved, the proposed apartment will be subject to a Development Permit (DP) Area No. 5 (Urban Corridor) application to address “form and character” considerations. As part of the DP approval process, the applicant will be required to demonstrate the proposal meets the DP5 Design Guidelines and the objectives of the Infill Development Policy. As such, the conceptual site plan is subject to change as part of the DP review process. At this time, the attached conceptual site plan demonstrates two variances which are discussed in further detail below. No additional variances are anticipated at time of Development Permit application.

3. DISCUSSION REGARDING VARIANCES:

Small Car Parking

The applicant requests an increase to the maximum number of small car parking spaces permitted. The Zoning Bylaw permits a maximum of 20% of the number of parking spaces provided to be designated for small cars (4.5m length and 2.5m width, versus 6m length and 2.6m width for regular spaces). Given the total number of spaces proposed (58), a maximum of 12 small car spaces are permitted. At this time, 15 small car spaces are proposed, and as such, a variance is required. Although the number of small car spaces is exceeded, the total number of spaces proposed exceeds the minimum required (a total of 54 spaces are required, and 58 have been provided). As such, the variance request to permit 3 additional small parking spaces is considered supportable by staff given that the applicant has provided 4 additional spaces above the minimum required.

Off-Street Loading Space

The applicant requests to waive the requirement to provide an off-street loading space in favour of an on-street loading space on Morton Road. The Engineering Department has confirmed a designated loading space on Morton Road is acceptable in this location.

4. FACTORS:

4.1 2040 Official Community Plan (OCP) / Land Use / Public Engagement

OCP Designation: “General Commercial” as designated within the South Vedder Neighbourhood Plan (SVNP) within the 2040 Official Community Plan. Standalone apartments are consistent with this designation.

Land Use: 45631 Morton Road – Single detached dwelling (to be demolished at time of redevelopment).

45641 Morton Road – Single detached dwelling and multiple detached ancillary buildings (to be demolished at time of redevelopment).

The applicant has provided a property maintenance plan which is attached as Schedule A for information.

Public Engagement: The applicant hand-delivered and mailed an information package between August 17-19, 2023 to neighbours within 30m of the subject properties requesting submission of questions or concerns in regard to the proposed rezoning application. The applicant received support from one neighbour and no opposition at time of consultation. The applicant was contacted by one neighbour who requested further information about the construction timeline as they were interested in buying in the area. A copy of the engagement package has been included within the public record.

4.2 Neighbourhood Character

The subject properties are located within the South Vedder neighbourhood and are surrounded by a variety of land uses including:

North: Two commercial buildings within the C2 (Local Commercial) Zone and a 5-storey apartment within the R5 (Low Rise Apartment) Zone.

East: Parking lot for the adjacent apartment and three properties within the R1-A Zone containing single detached dwellings.

South: Apartment and townhouse development within the R5 Zone.

West: Child care facility within the P1 (Civic Assembly) Zone.

Although the neighbouring property at 5412 Vedder Road has not been included within this proposal, the applicant has provided a redevelopment scenario for this property to demonstrate that 5412 Vedder Road will retain redevelopment potential independent of the current proposal. It is expected that development that is in keeping with the current “General Commercial” designation could be possible in the future if consolidated with the neighbouring property at 5430 Vedder Road. As such, the applicant has demonstrated that the proposed development will integrate well into the surrounding area while ensure redevelopment potential of neighbouring lots is preserved.

The proposed rezoning is consistent with the “General Commercial” designation within the SVNP which supports standalone apartment development in this location in order to support the varied needs of South Vedder residents. The required urban frontage improvements – including curb, sidewalk and LED streetlighting – will ensure a safe and inviting streetscape is achieved. As the subject properties are within an area that contains existing commercial and multi-family uses, the proposed rezoning is considered to be consistent with and complementary to the existing neighbourhood.

4.3 Technical Issues

Floodplain: The subject properties are not located within the floodplain.

Watercourses: There are no known watercourses within or in the immediate vicinity of the subject properties.

Geotechnical Issues: The properties are not subject to any known geotechnical hazards or earthquake-related risks.

4.4 Condition of Issuance

Staff support the requested variances as proposed by the applicant and recommend approval of the draft DVP, subject to the following recommended condition:

- that the development be in accordance with the plans found in Schedule “A”.

5. RECOMMENDATION & SUBSTANTIATION:**Recommendation:**

Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5339”, which proposes to rezone properties located at 45631 and 45641 Morton Road from an R1-A (Urban Residential) Zone to an R6 (Mid Rise Apartment) Zone, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023. (RZ001522)

Substantiation:

The proposed rezoning is consistent with the “General Commercial” designation within the SVNP, which supports standalone residential development in this location. Redevelopment is anticipated to complement the existing neighbourhood, support a safe and inviting pedestrian environment, and provide additional housing options in close proximity to various everyday needs.

The requested variances are not anticipated to significantly impact adjacent properties or the neighbourhood as a whole, and are supportable as they result in a design which provides excess parking for residents and an on-street loading space.

6. SOURCES OF INFORMATION:

- Rezoning Application (RZ001522) – June 14, 2021
- Development Variance Permit Application (DVP01300) – September 22, 2022
- Development Application Review Team (DART) Minutes – February 9, 2023

Attachments:

- Schedule A – Property Maintenance Plan

Site Photos

45631 Morton Road



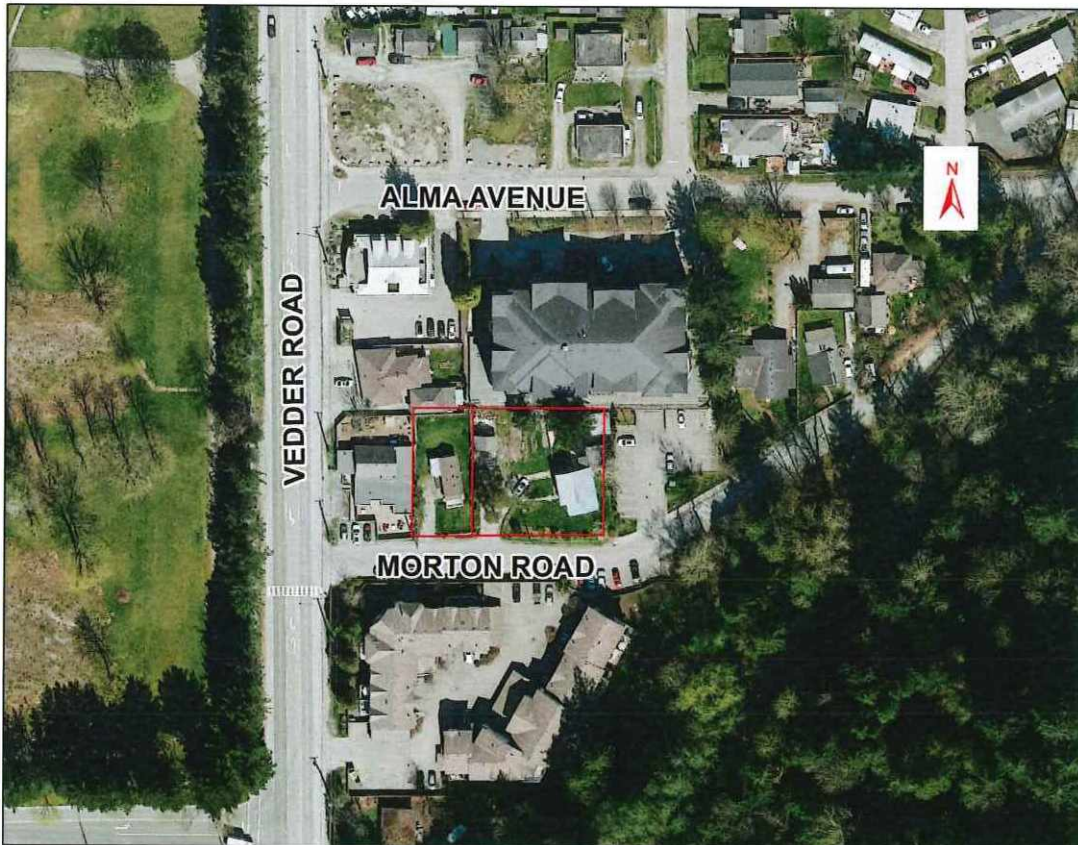
45641 Morton Road



Location Map



Orthophoto



Conceptual Site Plan (as provided by the applicant)



Schedule A Applicant's Property Maintenance Plan

The following was provided by the applicant on September 15, 2023:

Here is the plan to maintain the property throughout the redevelopment process:

- Both properties will continue to be rented to long term tenants on month to month basis.
- Lawn will be maintained by Jim's Mowing/owners on bi-weekly rotation.
- Owners will continue to visit the property bi-weekly to ensure no garbage, excess recreational vehicles or wood is being allowed to pile up on the property.

City of Chilliwack

Bylaw No. 5339

A bylaw to amend the “Zoning Bylaw 2020, No. 5000”

The Council of the City of Chilliwack in open meeting assembled enacts as follows:

1. This bylaw may be cited as **“Zoning Bylaw Amendment Bylaw 2023, No. 5339”**.
2. “Zoning Bylaw 2020, No. 5000” is hereby amended by rezoning properties described as:
 - (1) PID: 011-115-904, East 50 Feet Lot 2 Section 6 Township 26 New Westminster District Plan 7087 (45631 Morton Road); and,
 - (2) PID: 011-115-882, Lot 1 Section 6 Township 26 New Westminster District Plan 7087 (45641 Morton Road);from an R1-A (Urban Residential) Zone to an R6 (Mid Rise Apartment) Zone.

Received first and second reading on the
Public hearing held on the
Received third reading on the
Received adoption on the

Mayor

Corporate Officer

“Zoning Bylaw Amendment Bylaw 2023, No. 5339”





SCHEDULE "A"

CITY OF CHILLIWACK

DEVELOPMENT VARIANCE PERMIT NO. DVP01300

To: 1356981 BC Ltd.
Attn: Kamaljit Gill
16262 112 Avenue
Surrey, BC V4N 4P7

Arthur Buse
300 - 7337 137 Street
Surrey, BC V4N 4P7

1. This Development Variance Permit is issued subject to compliance with all of the Bylaws of the City of Chilliwack applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies only to those lands within the City of Chilliwack described below, to facilitate construction of an apartment development and, does not apply to any additions or subsequent replacement of any and all buildings and structures and other development thereon:

Parcel Identifier No. 011-115-904
Legal Description: EAST 50 FEET LOT 2 SECTION 6 TOWNSHIP 26 NEW WESTMINSTER DISTRICT PLAN 7087
Address: 45631 Morton Road

Parcel Identifier No. 011-115-882
Legal Description: LOT 1 SECTION 6 TOWNSHIP 26 NEW WESTMINSTER DISTRICT PLAN 7087
Address: 45641 Morton Road

3. In accordance with the provisions of Section 498 of the *Local Government Act* the following section(s) of "Zoning Bylaw 2020, No. 5000" are varied as stated:

Section 5.03(1)(d) is varied by increasing the maximum ratio of small car parking spaces from 20% to 26%; and,

Section 5.02(6)(g)(iii) Minimum Off-Street Loading Space Requirements is varied by waiving the requirement to provide an off-street loading space.

4. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and the plans and information contained within the application. The following condition applies:

a) that the development be in accordance with the plans found in Schedule "A".

DRAFT

5. Pursuant to Section 504 of the *Local Government Act*, if the permittee does not substantially start any construction permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.
6. This Permit is not a Building Permit.

APPROVED BY COUNCIL ON THE ___ DAY OF ___, 2023.

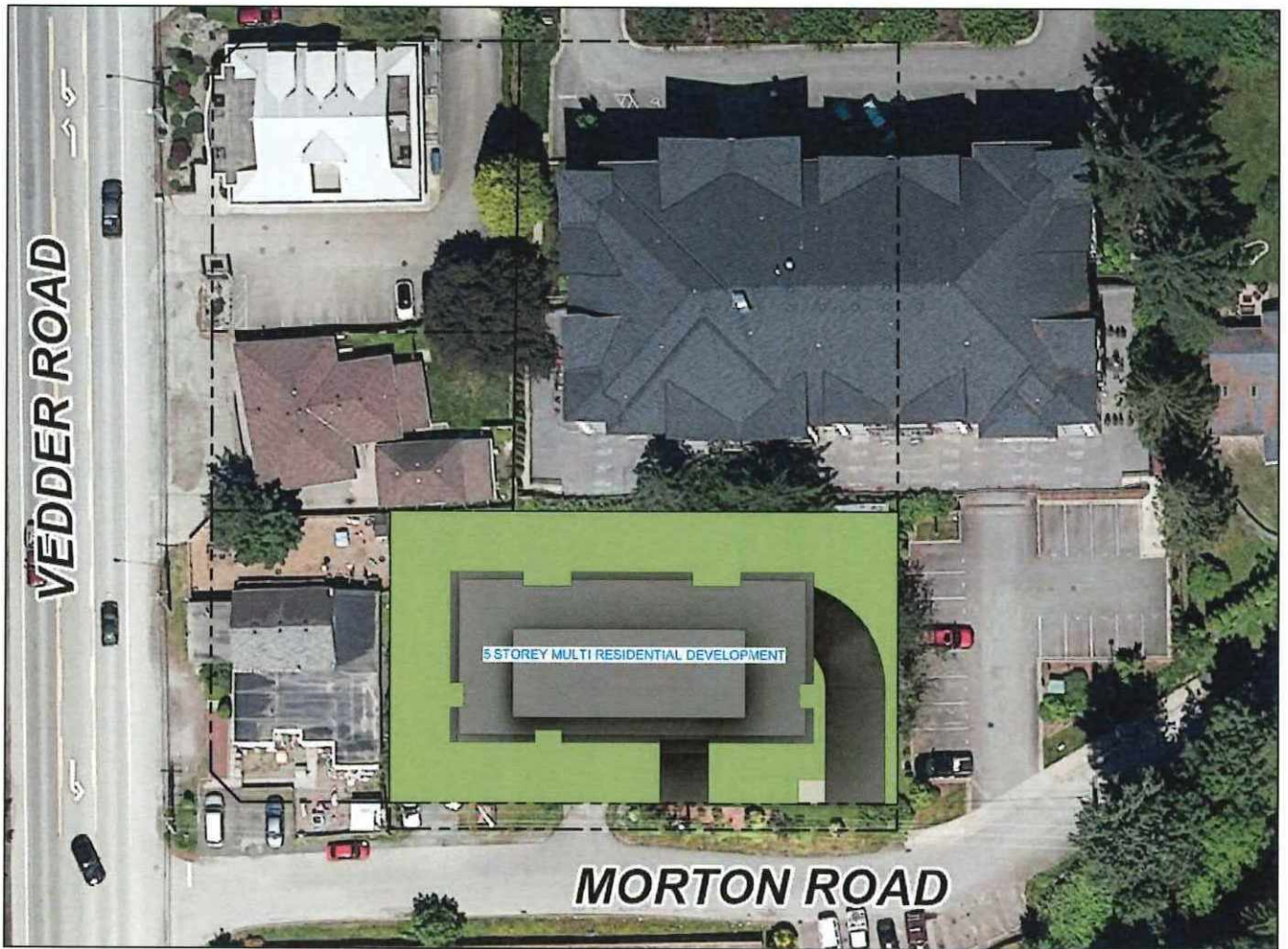
ISSUED THIS ___ DAY OF ___, 2023

CORPORATE OFFICER

DRAFT

Schedule "A"

Proposed Site Plan (as provided by the applicant)



DRAFT

AGENDA ITEM NO: 7.11

MEETING DATE: September 26, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Jesse Rayner
Rezoning / 45223 Watson Road DATE: September 14, 2023

DEPARTMENT: Planning Department
RZ001694 PREPARED BY:  Stella Xiao / cc


1. SUMMARY OF ISSUE:

The applicant wishes to rezone the subject property from a R1-A (Urban Residential) Zone to a R1-B (Urban Duplex Residential) Zone to facilitate a future duplex development.

Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to the property located at 45223 Watson Road.

2. RECOMMENDATION:

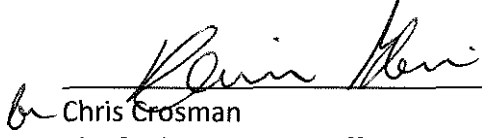
Recommendation that "Zoning Bylaw Amendment Bylaw 2023, No. 5346", which proposes to rezone property located at 45223 Watson Road from an R1-A (Urban Residential) Zone to an R1-B (Urban Duplex Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023. (RZ001694)



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman
Chief Administrative Officer

Community Engagement: The applicant conducted independent community engagement for the application. According to the applicant, a letter was distributed to neighbouring properties to explain the proposed rezoning and request further input on April 25, 2023 and an open house held on May 10, 2023. As of the date of this report, no response from neighbouring properties has been received. For information, a copy of the public engagement package as submitted by the applicant is included within the public record.

3.2 Neighbourhood Character

The subject property is located within the established Vedder neighbourhood. While predominantly surrounded by single detached houses within the R1-A (Urban Residential) Zone, a low-rise apartment and townhouses within the R5 (Low Rise Apartment) Zone lies south of the subject property. Various amenities are within walking distance, including schools (Watson Elementary School, Mount Slesse Middle School and the University of Fraser Valley campus), parks (Watson Park, Balmoral Park, Garrison Woodlot, Cheamview Park, and Watson Glen Park), community buildings (Sardis Library, Sardis Sports Complex, and Cheam Leisure Centre) and a commercial centre at the corner of Tyson Road and Watson Road.

The proposed rezoning is consistent with the “Low Density Residential” designation of the Official Community Plan and the City’s Infill Development Policy, which support duplex development to accommodate future growth and increased housing options. As demonstrated by the attached conceptual plan, the proposed duplex can meet Infill Development Policy guidelines for driveways of 12m length and 4m width at time of redevelopment, achieving a balance of adequate off-street parking and green front yard space.

3.3 Technical Issues:

Floodplain: The subject property is located outside the floodplain.

Watercourses: There are no known watercourses within or in the immediate vicinity of the subject property.

Geotechnical Issues: The property is not subject to any known geotechnical hazards or earthquake-related risks.

4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5346”, which proposes to rezone property located at 45223 Watson Road from an R1-A (Urban Residential) Zone to an R1-B (Urban Duplex Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023. (RZ001694)

Substantiation:

The proposed rezoning is consistent with the residential character of the neighbourhood and the City’s OCP and Infill Development Policy, and is not expected to impact the surrounding area.

5. SOURCES OF INFORMATION:

- Rezoning Application (RZ001694) – January 18, 2023
- Development Application Review Team (DART) Minutes – February 23, 2023

Site Photo



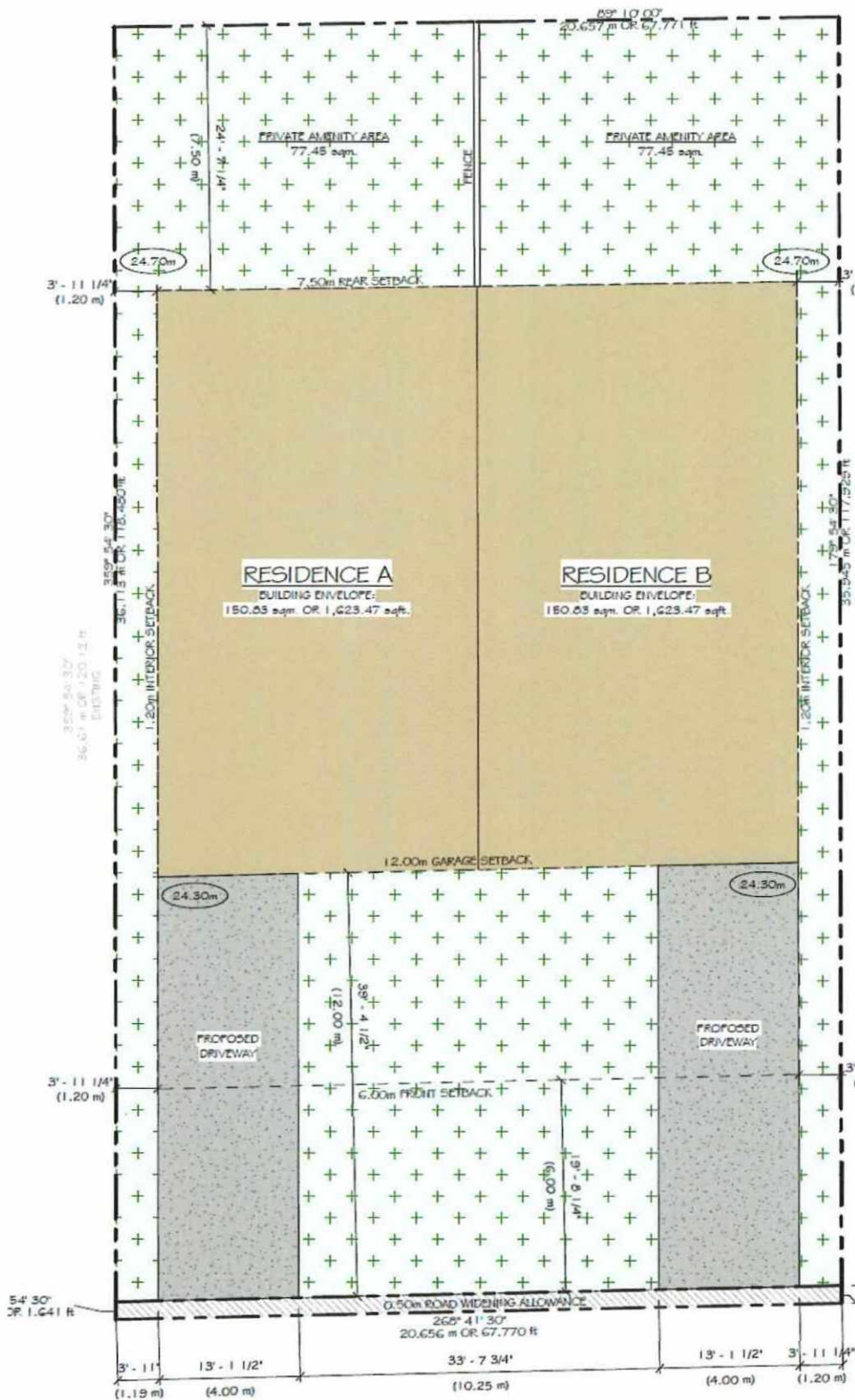
Location Map



Orthophoto



Conceptual Site Plan (as provided by the applicant)



WATSON ROAD

City of Chilliwack

Bylaw No. 5346

A bylaw to amend the “Zoning Bylaw 2020, No. 5000”

The Council of the City of Chilliwack in open meeting assembled enacts as follows:

1. This bylaw may be cited as **“Zoning Bylaw Amendment Bylaw 2023, No. 5346”**.
2. “Zoning Bylaw 2020, No. 5000” is hereby amended by rezoning property described as PID: 004-294-971, Lot 372 Section 12 Township 23 New Westminster District Plan 51772, from an R1-A (Urban Residential) Zone to an R1-B (Urban Duplex Residential) Zone.

Received first and second reading on the
Public hearing held on the
Received third reading on the
Received adoption on the

Mayor

Corporate Officer

NOTE: This bylaw refers to property located at 45223 Watson Road.

“Zoning Bylaw Amendment Bylaw 2023, No. 5346”



AGENDA ITEM NO: 7.12

MEETING DATE: September 26, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Joe Dhaliwal
Rezoning, Development Variance Permit
& Development Permit / 7990 Lickman
Road DATE: September 13, 2023

DEPARTMENT: Planning Department
RZ001662, DVP01343 & DP001712 PREPARED BY: Adam Roberts / cc

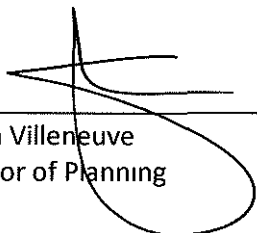
1. SUMMARY OF ISSUE:

The applicant requests to rezone a portion of the subject property from a CS2 (Tourist Commercial) Zone to an M2 (Service Industrial) Zone and a portion from an M1 (Light Industrial) Zone to an M2 Zone to facilitate a combination industrial and hotel development. Once the Bylaw has been to Public Hearing, staff recommend that Council hold the Bylaw at Third Reading pending approval by the Ministry of Transportation and Infrastructure with respect to the property located at 7990 Lickman Road.

A concurrent Development Variance Permit application has been submitted to vary Zoning Bylaw standards as detailed within the report. As the property is within Development Permit Area No. 7 (Industrial Development), a Development Permit for “form and character” is required and further described within the report.

2. RECOMMENDATION:

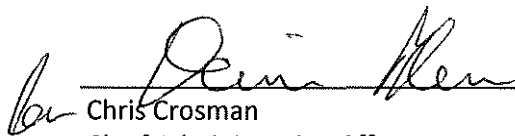
Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5349”, which proposes to rezone a portion of the subject property from a CS2 (Tourist Commercial) Zone to an M2 (Service Industrial) Zone and a portion from an M1 (Light Industrial) Zone to an M2 (Service Industrial) Zone, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023. (RZ001662)



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman
Chief Administrative Officer

**STAFF REPORT ON REZONING RZ001662, DEVELOPMENT VARIANCE PERMIT DVP01343 &
DEVELOPMENT PERMIT DP001712 APPLICATIONS**

PREPARED BY: Adam Roberts DATE: September 13, 2023

POSITION: Planner III DEPARTMENT: Planning Department

1. DEFINITION OF ISSUE:

The applicant requests to rezone a portion of the subject property from a CS2 (Tourist Commercial) Zone to an M2 (Service Industrial) Zone and a portion from an M1 (Light Industrial) Zone to an M2 Zone to facilitate a combination industrial and hotel development. Once the Bylaw has been to Public Hearing, staff recommend that Council hold the Bylaw at Third Reading pending approval by the Ministry of Transportation and Infrastructure with respect to the property located at 7990 Lickman Road.

The applicant has submitted a concurrent Development Variance Permit application (DVP01343) that requests the following departures to Zoning Bylaw standards:

- reduce the minimum required lot width within the CS2 Zone from 25m to 16m for the proposed hotel lot;
- reduce the minimum required lot width within the M2 Zone from 15m to 7.5m for the proposed industrial lot;
- waive the requirement to provide a 0.6m overhang when a parking space is located adjacent to a building, fence or sidewalk;
- waive the requirement to provide a 1.5m wide sidewalk located outside of a maneuvering aisle;
- waive the requirement to landscape the front setback area for the proposed industrial lot;
- waive the requirement that landscape beds within parking areas be at least 5m² for the proposed hotel lot;
- reduce the minimum interior landscaping of a parking lot area from 7% to 3.7% for the proposed industrial lot;
- increase maximum building height from 20m to 20.9m for a portion of the hotel;
- reduce the minimum required number of loading spaces from 5 to 2 for the proposed hotel lot; and,
- increase the maximum permitted copy area for a sign from 20m² to 27m².

As the property is within Development Permit Area No. 7 (Industrial Development), a Development Permit for "form and character" has been submitted for concurrent review.

2. PROPOSAL:

A summary of the proposed hotel and industrial developments has been provided below:

Hotel Development

- A 5-storey, 72-unit hotel (3998m²);
- 72 parking spaces (72 spaces are required) and sufficient bicycle parking; and,
- sufficient landscaping including 28 trees (24 are required).

Industrial Development

- 3 multi-unit industrial buildings totaling 5,656m²;
- 86 parking spaces (82 are required) and sufficient bicycle parking; and,
- 73 trees (34 are required).

The applicant requests to rezone the centre portion of the subject property from a CS2 Zone to an M2 Zone and the rear portion from an M1 Zone to an M2 Zone to facilitate a combination industrial and hotel development. The proposal is in keeping with the existing “General Industrial” designation of the Official Community Plan. Furthermore, the proposal is in keeping with the redevelopment trend and existing character of the area.

The final lot layout must comply with City Bylaws and include 3.9m road dedication and 2.5m supplementary setback (6.4m total) along Lickman Road. A 6m Right of Way (measured from top of bank) is required to be registered over the north and east property lines affected by McDermott Ditch, to allow for City maintenance purposes. In addition, a “No Left Turn” Covenant is required. The requirements of the Tree Management (Land Development) Bylaw and Floodplain Regulation Bylaw apply to the development.

3. DISCUSSION REGARDING VARIANCES:

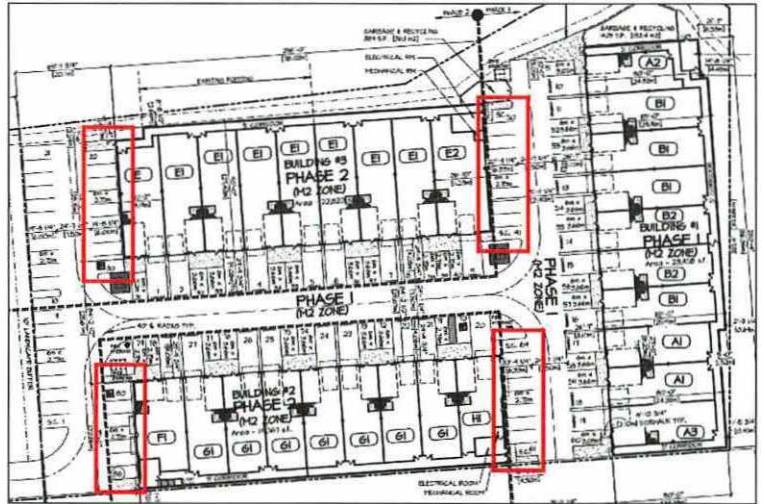
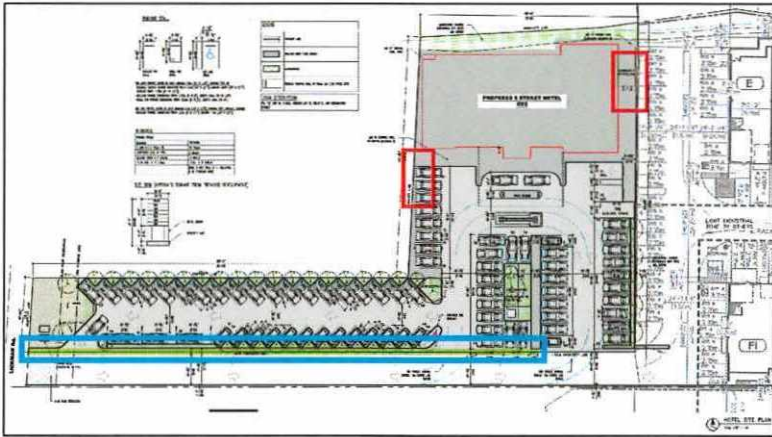
Overall, the design of the buildings and site is visually appealing and constitutes a high-quality addition to the area. A discussion in relation to the proposed variances is provided below.

Lot Width

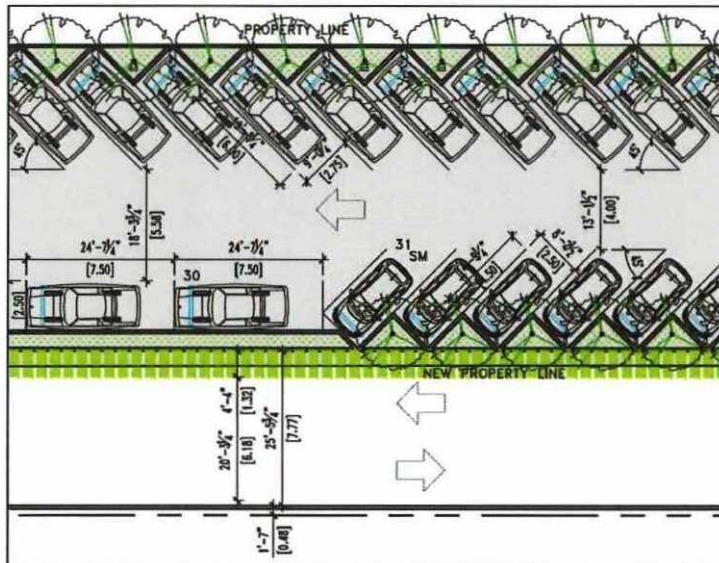
The applicant requests a reduction to the minimum lot width from 15m to 7.5m for the proposed industrial lot and from 25m to 16m for the proposed hotel lot. The current lot orientation includes 24m frontage onto Lickman Road and, although not considered a panhandle, the property functions as one given that it wraps behind the adjacent gas station located at 8032 Lickman Road. As such, to facilitate redevelopment of the subject property, a panhandle-style development is proposed with a subdivision to separate the hotel and industrial buildings. To ensure one driveway access is maintained to access Lickman Road, the applicant wishes to register a shared access easement over the 7.5m shared driveway for use by both lots. Considering that one driveway access is maintained and will be shared between the two proposed developments, the requested variance is considered minor in nature with no anticipated impact on the surrounding area.

Parking Space Overhang

The applicant requests to waive the requirement to provide a 0.6m landscape bed for vehicle overhang when a parking space is located adjacent to a building, fence or sidewalk in various location throughout both the industrial and hotel lots. As shown below in red, within the industrial lot, 6m long parking spaces have been provided at each end of building 2 and 3 without a raised landscape bed. For the hotel lot, a portion of the sidewalk along the west property line narrows to less than 0.6m. In addition, the spaces located along the east property line do not have a 0.6m buffer adjacent to the hotel’s garbage enclosure.

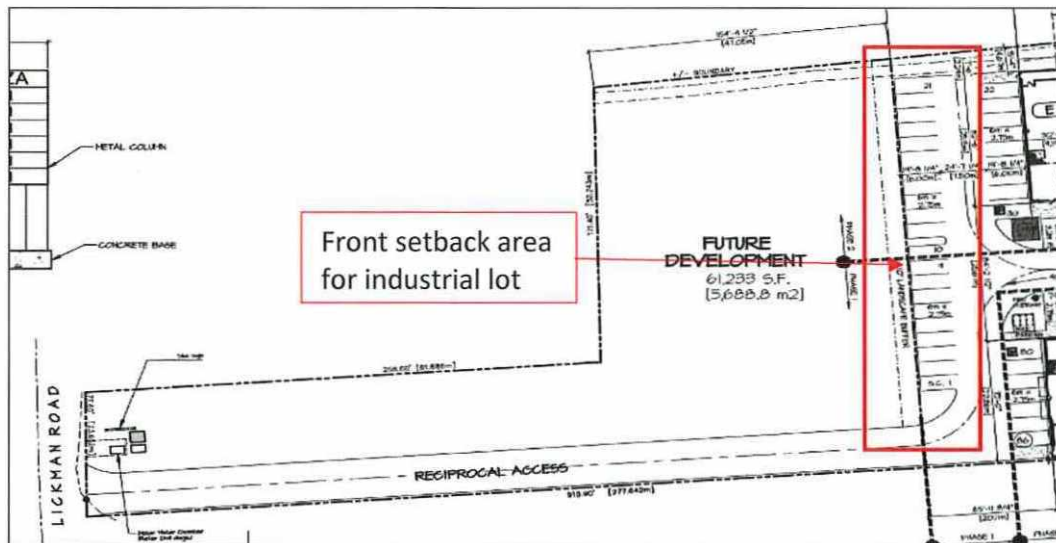


The applicant also requests to waive the requirement to provide a 1.5m wide sidewalk located outside of a maneuvering aisle. To ensure pedestrian connectivity is provided from Lickman Road, the applicant has provided a 1.3m wide painted pathway located within the required 7.5m maneuvering aisle as highlighted in blue above. The Zoning Bylaw requires pedestrian pathways to be at least 1.5m wide and located outside of maneuvering aisles. Given the constraints related to the existing orientation of the lot, the applicant has indicated they are unable to provide a separate pedestrian pathway from Lickman Road given the requirements for off-street parking, maneuvering and landscaping. As the surrounding area is primarily industrial in nature, with few amenities within walking distance, pedestrian movement within the site to Lickman Road is expected to be limited. As such, the painted pedestrian pathway will likely be sufficient to manage pedestrian traffic on site.



Landscaping

The applicant requests to waive the requirement to landscape the front setback area for the proposed industrial lot only. The Zoning Bylaw requires 40% of front setback area to be landscaped to ensure an appealing streetscape and screening is provided along property frontages. This standard has been met along Lickman Road for the proposed hotel lot, however, the proposed industrial lot does not meet this requirement. As the industrial lot is considered a panhandle, the front lot line (as shown below) is not adjacent to Lickman Road but rather is located to the rear of the proposed hotel site. As such, in order to ensure the two sites include clear access and movement between properties, the applicant has requested to waive the landscape requirement along this shared property line. In addition, as this area is not visible from the street, the requested variance is supportable and not anticipated to impact the surrounding area.



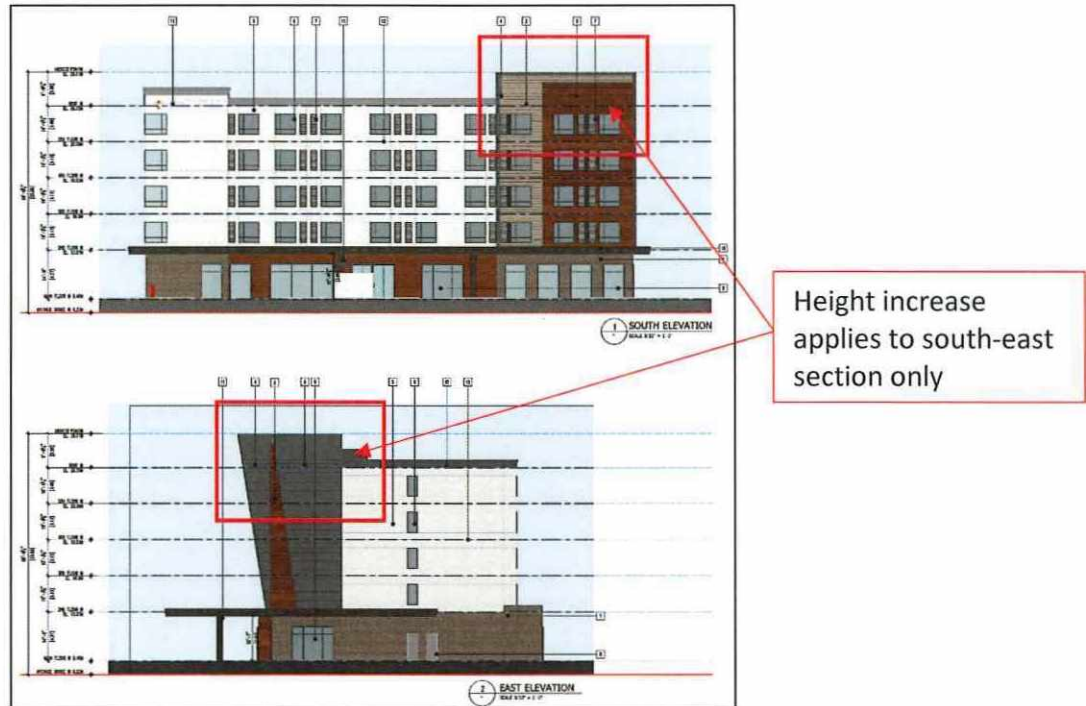
The applicant requests to waive the requirement that landscape beds within parking areas be at least 5m^2 for the hotel lot only. Given the constraints related to the existing lot orientation, the applicant has provided landscape beds within the panhandle portion of the hotel lot that are only 3.1m^2 . Despite this, the minimum 1.5m dimension requirement is still met and the applicant has provided trees within each bed within structural soil to ensure survival. Further, all minimum landscaping ratios for the hotel lot are exceeded.

The applicant also requests to reduce the minimum interior landscaping of a parking lot area from 7% to 3.7% for the proposed industrial lot only. The overall landscaping requirements for the industrial lot are met; however, only 3.7% of the parking lot area is landscaped. Further, landscaped beds of sufficient size have been provided throughout the industrial lot to break-up the parking area providing visual relief throughout the space.

Despite the requested variances, the proposed development exceeds the minimum overall landscaping and tree planting requirements. Although the above-mentioned standards are not met, the intent of the landscaping requirements within the Zoning Bylaw are considered met in this instance. Given the irregular lot orientation and size of the property, the variances are considered supportable and not anticipated to impact the proposed development or surrounding area.

Building Height

The applicant requests an increase to maximum building height from 20m to 20.9m to accommodate the proposed 5-storey hotel. As shown below, the height increase only applies to the southeast section of the hotel to accommodate increased building articulation and architectural features. As the requested increase is considered minimal and only applies to the architectural feature, the requested variance is considered supportable in this instance.



Off-Street Loading Space

The applicant requests to reduce the required number of off-street loading spaces from 5 to 2 for the proposed hotel lot. As the Zoning Bylaw requires 1 loading space per 1,000m² for all commercial uses, the proposed hotel requires 5 loading spaces. Despite this, the anticipated demand for loading spaces is much lower for a hotel than a multi-unit commercial development. As such, the requested reduction is supportable in this instance as two loading spaces is considered adequate for a hotel use.

Sign Bylaw

The applicant has requested to increase the total copy area for a free-standing sign from 20m² to 27m² to provide adequate space for future tenants to advertise their business. Given the number of industrial units proposed, the applicant submits that additional copy area is necessary to allow each tenant the opportunity for space on the sign. As the total height of the sign will remain at 10m, the increased copy area is not anticipated to impact the surrounding area. An additional Development Permit application to approve the form and character of the free-standing sign will be required prior to installation to ensure the sign design is consistent with the design guidelines for DPA 7 to be reviewed by the Director of Planning.

4. DEVELOPMENT PERMIT CONSIDERATIONS:

As demonstrated by the attached checklist evaluation for DPA 7, the proposed development substantially complies with the Industrial Design Guidelines. A copy of the proposed site plan, landscape plan and colour elevations are attached within the draft Development Permit for information.

Summary and CPTED Review

In support of the application, the applicant has submitted a CPTED (Crime Prevention Through Environmental Design) report prepared by *AMR Systems*. A summary of the CPTED assessment is shown in the table below:

CPTED Elements	Recommendations	
	✓ included in the design	✗ not included in the design
Natural Access Control	<ul style="list-style-type: none"> ✓ Clearly identified entrances to all buildings promotes natural access control. ✓ Pedestrian access from Lickman Road to both the hotel and industrial buildings is achieved from a painted pedestrian pathway within the maneuvering aisle. A variance has been requested to waive the requirement that a pedestrian pathway be provided outside of the maneuvering aisle. 	
Natural Surveillance	<ul style="list-style-type: none"> ✓ The use of windows on both the hotel and industrial buildings will promote “eyes on the street”. ✗ Given the panhandle access to the industrial buildings, there is a lack of natural surveillance outside of normal working hours for the industrial portion of the property. 	
Territoriality	<ul style="list-style-type: none"> ✓ Maintenance of landscaping within the hotel lot is important as the hotel creates a “gateway” to the industrial buildings and well-maintained vegetation will demonstrate a defensible space* 	
Maintenance	<ul style="list-style-type: none"> ✓ The vegetation on the site should be maintained to provide long sightlines from the street and ensure public and private spaces are well defined. Any damage or vandalism should be repaired within a timely manner* 	

* Future strata/hotel owner to maintain vegetation and ensure sightlines are not obstructed.

5. DESIGN REVIEW ADVISORY COMMITTEE:

The application was reviewed by the Design Review Advisory Committee (DRAC) on September 12, 2023. Based on this, the following recommendation was made:

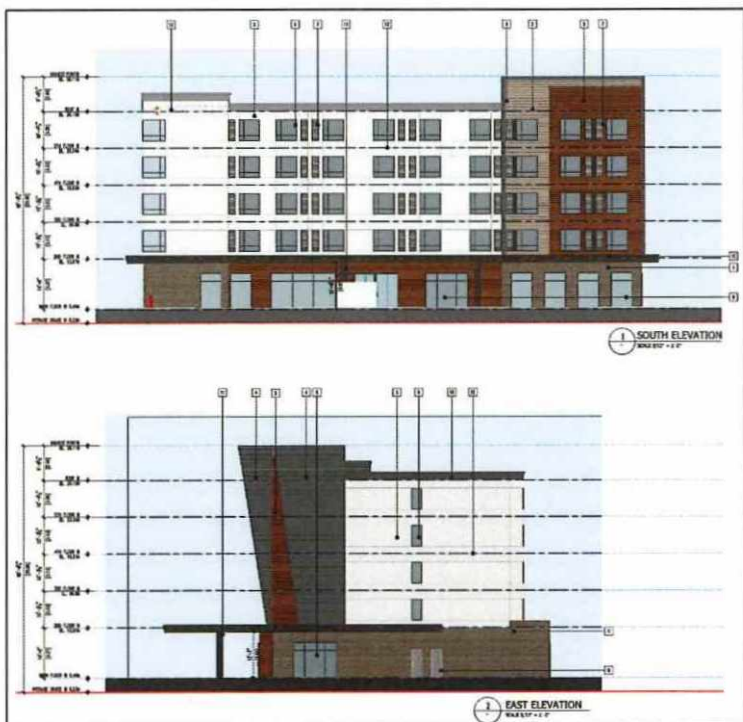
That the Design Review Advisory Committee supports DP001712 and recommend Council approve the application subject to the following conditions:

- 1. that a detailed lighting plan be submitted, prior to the issuance of a Building Permit, to ensure adequate lighting is provided for all walkways, parking areas and pedestrian entrances;*
- 2. that all utility equipment be screened from public view through installation of landscaping fencing, or vinyl wrapping;*
- 3. that an irrigation system be included into the landscaped areas within the site;*
- 4. that any rooftop equipment such as heaters, mechanical units, air conditioners, etc. should be located near one another, buffered to reduce noise and screened from view;*
- 5. that any chain link fencing provided be black;*
- 6. that a painted pedestrian pathway be provided in various locations throughout the site including from the front entrance of the hotel to the nearest sidewalk and along the front of each industrial building to connect each unit; and,*
- 7. that additional colour and/or materials be incorporated into the southeast corner elevation of the hotel building to create greater visual interest and break up the overall massing of the structure.*

In response to condition 7, the applicant has provided updated elevations, shown below, to ensure additional colour and materials are incorporated into the southeast corner of the hotel. As such, condition 7 has been removed from the draft permit.

The applicant was present at the meeting and agreeable to the remaining conditions.

Previous Elevations



Revised Elevations



VIEW 1



6. FACTORS:

6.1 2040 Official Community Plan (OCP) / Land Use

OCP: “General Industrial” as designated within the 2040 Official Community Plan.

Land Use: A previously approved industrial building is under construction at the rear of the property. This building will remain and has been incorporated into the current proposal.

6.2 Neighbourhood Character

The subject property is located within the Village West neighbourhood, north of the Lickman Road Highway 1 interchange, and is surrounded by a variety of land uses including:

North: A restaurant, cannabis retail store and a hotel (Hampton Inn) within the CS2 and C8 (Cannabis Retail) Zones.

West: A Service Station (Husky) within a CS2 Zone. Further to the west on the opposite side of Lickman Road is a bare lot within the M3 (General Industrial) Zone, a liquor store, a cannabis retail store and Tim Hortons within the CS2, C7 (Liquor Store) and C8 Zones.

East: Industrial uses within the M3 Zone.

South: Two commercial vehicle service stations (Shell Flying J & Chevron Cardlock) within the CSM (Service Commercial Industrial) Zone and the M2 Zone.

6.3 Technical Issues

Floodplain: The subject property is located within the protected floodplain and subject to the Floodplain Regulation Bylaw.

Watercourses: A “Class A” drainage ditch known as McDermott Ditch runs along the property’s northern property line. A Development Permit Area 3 – Riparian Areas has been issued which reduced the required setback from this watercourse from 30m to 2m. The applicant’s conceptual Site Plan indicates that this minimum setback will be provided.

Geotechnical Issues: The property is not subject to any known geotechnical hazards or earthquake related risks.

Ministry of Transportation and Infrastructure: In accordance with Section 505 of the *Local Government Act*, a local government is required to refer land use permits for the construction of commercial or industrial buildings exceeding 4500m² in gross floor area to the minister responsible for the administration of the *Transportation Act* when the proposed development is within 800m from a controlled area. As such, the subject Development Permit was referred to the Ministry of

Transportation and Infrastructure (MOTI). A response was received indicating that the MOTI has no objections or comments regarding this building design or site layout.

In accordance with Section 52 of the *Transportation Act*, anyone who wishes to change the land use of a property in a controlled area needs a separate zoning approval from the MOTI. As such, the amendment bylaw must be held at Third Reading pending approval by the MOTI.

6.4 Conditions of Issuance

Staff support the requested variances as proposed by the applicant and recommend approval of the draft DVP and DP, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Variance Permit and Development Permit.

7. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5349”, which proposes to rezone a portion of the subject property from a CS2 (Tourist Commercial) Zone to an M2 (Service Industrial) Zone and a portion from an M1 (Light Industrial) Zone to an M2 (Service Industrial) Zone, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023. (RZ001662)

Substantiation:

The proposed rezoning is consistent with the OCP designation and it is anticipated that the proposed development will complement and enhance the existing character of the area. The requested variances are supportable and not anticipated to significantly impact neighbouring properties or the neighbourhood as a whole.

The proposed development meets the intent of the Design Guidelines for Development Permit Area No. 7. The proposed buildings and associated landscaping have been designed to ensure a positive relationship between the building, open spaces, surrounding properties and the street.

8. DEVELOPMENT PERMIT AREA NO. 7 DESIGN GUIDELINE CHECKLIST:

Design Guidelines		Yes/No	Comments
1.	Building form and character		
1.1	All structures are comprehensively planned and architecturally coordinated	Yes	The proposed development is architecturally coordinated and creates an easily identifiable façade that integrates well with neighbouring industrial developments
1.2	Consideration is given to relationship between buildings and open space, circulation patterns, and design compatibility with surrounding buildings and streets	Yes	The proposed development features a defined and efficient vehicle and pedestrian circulation network; shape and massing are consistent with industrial buildings on neighbouring properties.
1.3	Building(s) are oriented toward the street with an emphasis on glazing, and designed to create visually enhanced streetscapes	Partial	Due to the irregular lot shape, the majority of the development is pulled back from the street with the buildings facing internal to the site. Ample glazing and architectural details have been incorporated into the design to enhance the appearance of the buildings on site.
1.4	Building design, materials, exterior finishes and landscaping support the creation of an attractive, high quality estate industrial environment	Yes	The proposed buildings feature modern design with high-quality materials, articulation, and landscaping
1.5	Building design, layout, siting, landscaping, screening and buffering are designed to mitigate noise from Hwy #1 and between industrial/commercial uses	N/A	Building is not adjacent to Hwy #1.
1.6	Buildings on corner lots, or fronting more than one road, give design consideration to each frontage	N/A	The property is not located on a corner.
1.7	Low profile building designs are incorporated, particularly adjacent to Hwy #1	N/A	Building is not adjacent to Hwy #1
1.8	Box-like structures with little surface articulation and long expanses of uninterrupted roof lines are avoided	Partial	Although the proposed industrial buildings have an overall box-like appearance, the use of offset rooflines, significant glazing and varied colours soften the appearance of the development and creates visual interest. Considering this, the intent of the design guideline is considered met in this instance.
1.9	Loading bays and service compounds are screened or minimally visible from the public view	Yes	The loading bay doors are not visible from public view
1.10	Materials are of high quality, untreated or unfinished concrete, metal and/or prefabricated metal structures are not used	Yes	Materials for the industrial buildings include: grey, black and white tilt-up concrete panels, Black fiber-cement fascia panels and metal and glass canopies Materials for the hotel include smooth cement siding (red), horizontal cement siding (gun-smoke), aluminum panel siding (slate grey), EIFS (stucco) siding (Lace Falls – white), brick (Garnet) and black vinyl windows and doors.
1.11	Roof top equipment is positioned to minimize exposure or properly screened	No	The plans do not indicate if any rooftop equipment is proposed. As such, a recommended condition requires that if any rooftop equipment is visible from the street it will be positioned to minimize exposure or be adequately screened

1.12	Public entrance is clearly identified and accessible from the street	No	Due to the proposed panhandle access to both the hotel and industrial buildings, direct pedestrian access from Lickman Road is not possible. As such, the applicant has provided a painted pedestrian pathway within the maneuvering aisle to direct pedestrians to the entrance of the hotel. Further connection to the industrial buildings from Lickman Road has not been provided. Despite this, access to the industrial buildings by pedestrians is expected to be minimal as the majority of traffic to the rear of the property will be from vehicles.
1.13	Garish or neon colours are not used	Yes	A monochromatic colour scheme is proposed.
2.	General		
2.1	Buildings and open space are well integrated, Minimize untreated space	Yes	The site has been comprehensively planned and is well integrated with no “leftover” space.
2.2	Vehicle and pedestrian routes are clearly defined	Partial	Vehicle parking and maneuvering spaces are clearly separated from pedestrian routes through raised sidewalks and painted pathways. Despite this, the pathway from Lickman Road is not 1.5m wide, nor located outside of the 7.5m maneuvering aisle.
2.3	Garbage and recycling facilities located away from street and screened from public view	Yes	The garbage and recycling facilities are located away from the street and screened from view
3.	Parking		
3.1	Parking provided at back and side of property	Partial	Parking is provided throughout the site, with very little being visible from Lickman Road. The parking that is located within the panhandle portion of the hotel lot is screened by substantial landscaping along Lickman Road
3.2	Parking and loading areas facilitate safe and efficient vehicle and pedestrian movement	Partial	Maneuvering aisles of sufficient size are provided for vehicle circulation; pedestrian sidewalks have been provided adjacent to all building entrances and throughout the site. A recommended condition has been included to provide painted pedestrian pathways along the frontage of each industrial building to provide safe pedestrian movement between units
3.3	Parking areas screened from street	Yes	Landscaping throughout the site screens the parking areas and serves to soften the visual impact of these areas.
4.	Screening & Landscaping		
4.1	Berms, shrubs, beds, low walls and plantings used to screen unaesthetic features	Yes	Landscape beds and shrubs provide screening from the street and throughout the property.
4.2	Landscaping creates visual interest along the street frontage and entire development with variety throughout the year	Yes	Ample landscaping has been included along the Lickman Road frontage providing visual interest from the street. Landscape beds along the buildings and throughout the parking area provide visual interest.
4.3	Landscaping creates an attractive high-quality development	Partial	The proposed landscaping is attractive and has a positive impact on the development. Despite this, minimum Zoning Bylaw standards in relation to landscaping have not been met. This includes the minimum size of landscape beds on the hotel site and minimum parking lot landscaping for the industrial site.
4.4	Street trees along road frontage are in compliance with the Tree Management Bylaw	Yes	The minimum number of trees required Tree Management Bylaw has been exceeded for both the hotel and industrial sites.
4.5	Landscaping includes decorative fence design (black chain-link fencing hidden within landscaping may be provided, plain	No	Details of the fencing material and colour have not been identified on the site plan. As such, a recommended condition requires all chain-link fencing to be black.

	chain-link fencing along street frontage is avoided)		
4.6	Natural vegetation or berming adjacent to Hwy #1 not removed unless approved by Development Permit	N/A	The property is not adjacent to Hwy #1
4.7	Adjacent to Hwy #1, where no vegetation exists of, vegetation that is permitted to be altered, is replaced by a combination of landscaping and berming	N/A	The property is not adjacent to Hwy #1
4.8	Outside storage areas are screened. Screening along Hwy #1 does not compromise the visibility of the building(s) on site	N/A	No outside storage is proposed.
5.	Lighting		
5.1	Adequate lighting of all pedestrian and vehicle movement areas to ensure security and public safety	No	A recommended condition requires that a lighting plan be submitted prior to the issuance of a Building Permit to ensure adequate lighting is provided for the building and parking area.
6.	Crime Prevention Through Environmental Design (CPTED)		
6.1	Application of CPTED principals for building design, lighting, signage, etc	Yes	As outlined in the attached CPTED Assessment, prepared by <i>AMR Systems</i> , the proposal incorporates key CPTED principles into the design
7.	Public Open Space and Recreational Pathways		
7.1	Open space areas should be designed for passive and active recreational opportunities for employees	Yes	Although open/left-over space is limited, an outdoor employee amenity area has been provided at the rear of the industrial site
7.2	Outside employee amenity area provided (an encouragement)	Yes	An outdoor employee amenity area complete with a picnic table, landscaping and nearby bicycle parking has been included.
7.3	Secure bicycle storage provided (an encouragement)	Yes	Bicycle parking has been provided in accordance with the Zoning Bylaw
8.	Outdoor Storage		
8.1	Outdoor storage areas should be located at the rear or side of the building and visually buffered	N/A	No outdoor storage is proposed
9.	Signage		
9.1	Signage is architecturally coordinated with the overall design of the building and landscaping	Yes	A Sign Permit is required for new signage as per the Sign Bylaw.
9.2	Complies with the Sign Bylaw	No	A variance to increase the copy area of a free-standing sign from 20m ² to 27m ² has been included within the concurrent Development Variance Permit application

9. SOURCES OF INFORMATION:

- Rezoning Application (RZ001662) – August 8, 2022
- Development Permit Application (DP001712) – May 12, 2023
- Development Variance Permit Application (DVP01343) – February 9, 2023
- Development Application Review Team (DART) Minutes – October 13, 2022 & June 29, 2023
- CPTED Report, prepared by *AMR Systems* – August 30, 2023

Location Map



Ortho Photo



City of Chilliwack

Bylaw No. 5349

A bylaw to amend the “Zoning Bylaw 2020, No. 5000”

The Council of the City of Chilliwack in open meeting assembled enacts as follows:

1. This bylaw may be cited as **“Zoning Bylaw Amendment Bylaw 2023, No. 5349”**.
2. “Zoning Bylaw 2020, No. 5000” is hereby amended by rezoning portions of property described as PID: 012-976-571, Parcel “M” (Reference Plan 11598) District Lot 72 Group 2 New Westminster District, as shown on Schedule “A” attached hereto and forming part of this bylaw, from a CS2 (Tourist Commercial) Zone to an M2 (Service Industrial) Zone; and, from an M1 (Light Industrial) Zone to an M2 (Service Industrial) Zone.

Received first and second reading on the
Public hearing held on the
Received third reading on the
Received adoption on the

Mayor

Corporate Officer

NOTE: This bylaw refers to property located at 7990 Lickman Road.

**“Zoning Bylaw Amendment Bylaw 2023, No. 5349”
Schedule “A”**





SCHEDULE "A"

CITY OF CHILLIWACK

DEVELOPMENT VARIANCE PERMIT NO. DVP01343

To: Mainland Developments Lickman Ltd.
Attn: Joe Dhaliwal
210 - 12899 80th Avenue
Surrey, BC V3W 0E6

1. This Development Variance Permit is issued subject to compliance with all of the Bylaws of the City of Chilliwack applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies only to those lands within the City of Chilliwack described below, to facilitate a combination industrial and hotel development, and, does not apply to any additions or subsequent replacement of any and all buildings and structures and other development thereon:

Parcel Identifier No. 012-976-571
Legal Description: PARCEL 'M' (REFERENCE PLAN 11598) DISTRICT
LOT 72 GROUP 2 NEW WESTMINSTER DISTRICT
Address: 7990 Lickman Road

3. In accordance with the provisions of Section 498 of the *Local Government Act* the following section(s) of "Zoning Bylaw 2020, No. 5000" are varied as stated:

Section 9.11(3)(a) within the CS2 (Tourist Commercial) Zone is varied by reducing the minimum lot width from 25m to 16m for the proposed hotel lot;

Section 9.11(9)(a) within the CS2 (Tourist Commercial) Zone is varied by increasing the maximum building height from 20m to 20.9m for a portion of the hotel;

Section 10.03(3)(a) within the M2 (Service Industrial) Zone is varied by reducing the minimum lot width from 15m to 7.5m for the proposed industrial lot;

Section 5.03(4)(g) is varied by waiving the requirement that a 0.6m landscape bed or sidewalk extension is provided when a parking space is located adjacent to a building, fence or sidewalk;

Section 4.09(2)(c)(iii) is varied by waiving the requirement that a pedestrian pathway be 1.5m wide and located outside of a maneuvering aisle;

Section 4.09(2)(c)(i)(A) is varied by waiving the requirement that 40% of the front setback area be landscaped for the proposed industrial lot;

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Section 5.03(7)(a)(iv) is varied by waiving the requirement that landscape beds within parking areas be 5m² for the proposed hotel lot;

Section 5.03(7)(a)(i) is varied by reducing the minimum interior landscaping of a parking area from 7% to 3.7% for the proposed industrial lot; and,

Section 5.02 is varied by reducing the minimum number of off-street loading spaces from 5 to 2 for the proposed hotel lot.

4. In accordance with the provisions of Section 498 of the *Local Government Act* the following section(s) of "Sign Bylaw 2004, No. 3005" are varied as stated:

Section 33(4) Business Premises Signs is varied to increase the maximum permitted copy area for business premise signs located within 600m of the Trans-Canada Highway from 20m² to 27m².

5. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and the plans and information contained within the application. The following condition applies:

a) that the development be in accordance with the plans found in Schedule "A";

6. Pursuant to Section 504 of the *Local Government Act*, if the permittee does not substantially start any construction permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.
7. This Permit is not a Building Permit.

APPROVED BY COUNCIL ON THE ____ DAY OF ____, 2023.

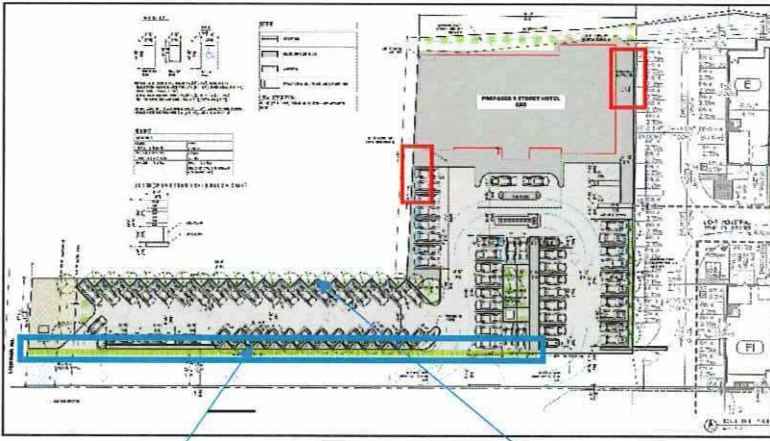
ISSUED THIS ____ DAY OF ____, 2023

CORPORATE OFFICER

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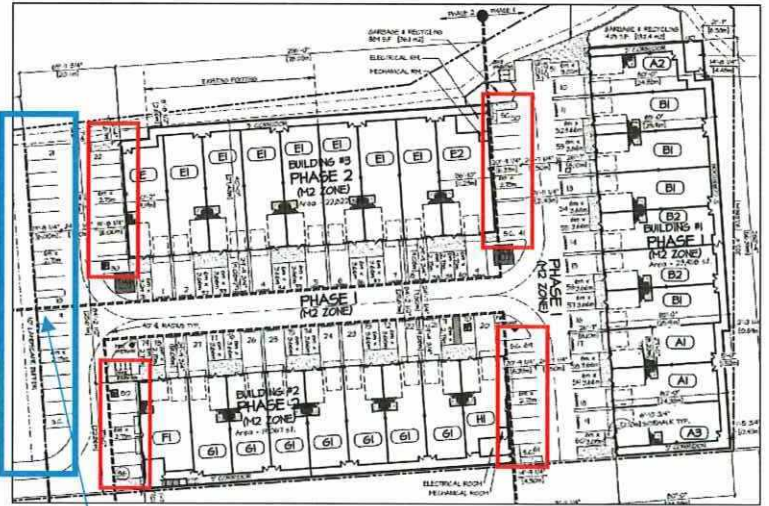
Schedule "A"

Site Plans – Details of Variances (as provided by the applicant)



1.3m sidewalk located within maneuvering aisle

Landscape beds are not 5m²

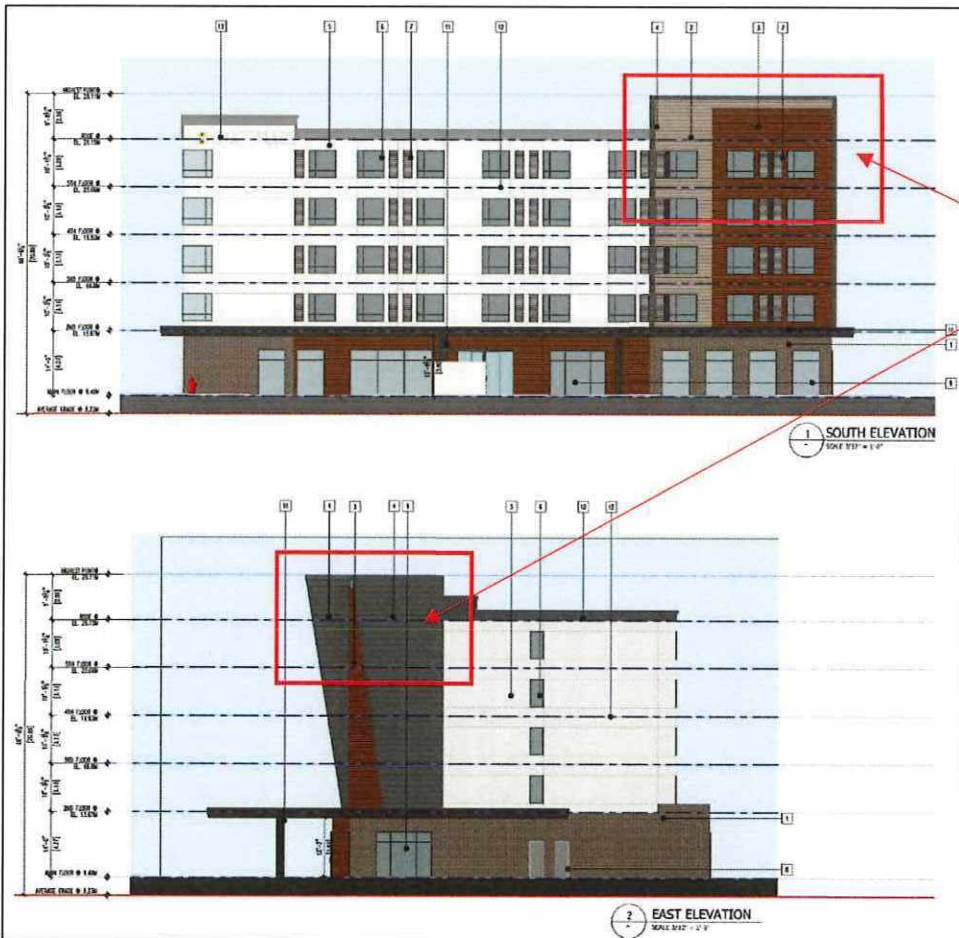


Waive FLL landscaping for industrial lot

Areas where 0.6m overhang to be waived outlined in red

Elevations – Hotel Lot (as provided by the applicant)

South and East



Height increase applies to south-east section only

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CITY OF CHILLIWACK

DEVELOPMENT PERMIT NO. DP001712, 2023

(Portion of Development Permit Area No. 7 of the Official Community Plan)

**To: Mainland Developments Lickman Ltd.
Attn: Joe Dhaliwal
211 - 12899 80th Avenue
Surrey, BC V3W 0E6**

1. This Development Permit applies to the following property:

Parcel Identifier No. 012-976-571
Legal Description: PARCEL "M" (REFERENCE PLAN 11598) DISTRICT LOT 72
GROUP 2 NEW WESTMINSTER DISTRICT
Address: 7990 Lickman Road

2. Development of the subject property shall be substantially in conformance to the following:

- Development shall be in accordance with the approved site plan and elevations attached with Schedule "A";
- That a detailed lighting plan be submitted, prior to the issuance of a Building Permit, to ensure adequate lighting is provided for all walkways, parking areas and pedestrian entrances;
- That all utility equipment be screened from public view through installation of landscaping fencing, or vinyl wrapping;
- That an irrigation system be included into the landscaped areas within the site;
- That any rooftop equipment such as heaters, mechanical units, air conditioners, etc. should be located near one another, buffered to reduce noise and screened from view;
- That any chain link fencing provided be black;
- That a painted pedestrian pathway be provided in various locations throughout the site including from the front entrance of the hotel to the nearest sidewalk and along the front of each industrial building to connect each unit; and,
- Specifications of Development Permit Area No. 7 (Industrial Development Form and Character) of the City of Chilliwack Official Community Plan.

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N.B. The above technical information is retained on file in the Planning Department.

3. This Development Permit is not a Building Permit and does not constitute approval of any proposed subdivision.
4. Pursuant to Section 504 of the *Local Government Act*, if the permittee does not substantially start any construction permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

APPROVED BY COUNCIL ON THE ___ DAY OF ___, 2023.

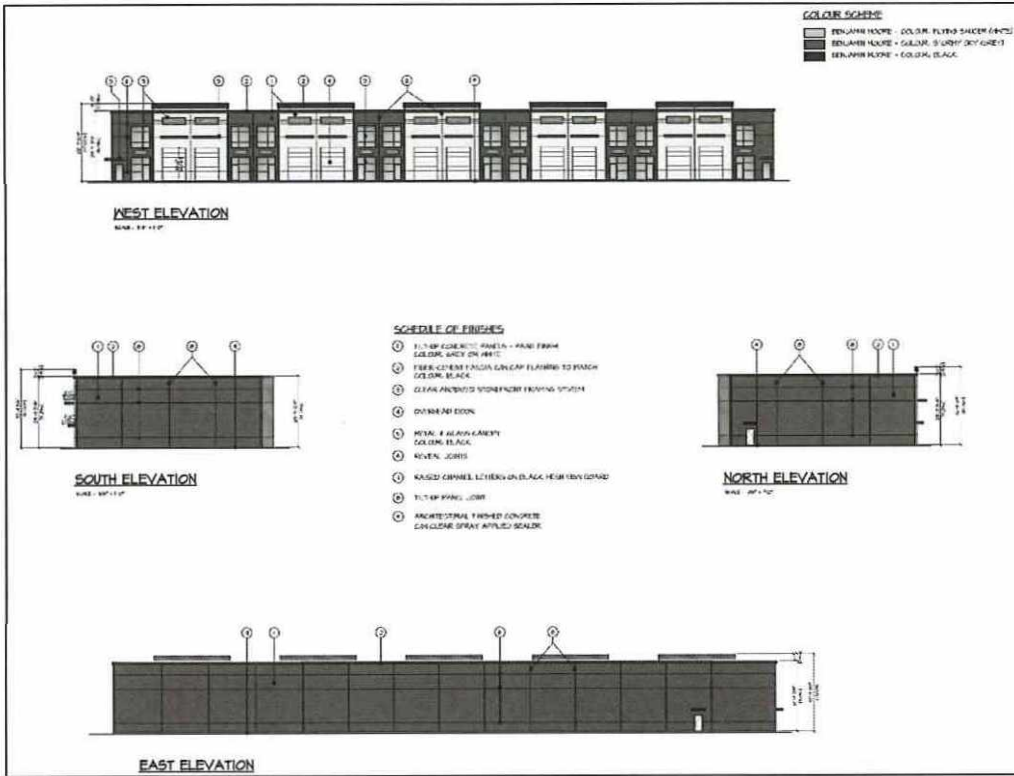
ISSUED THIS ___ DAY OF ___, 2023.

CORPORATE OFFICER

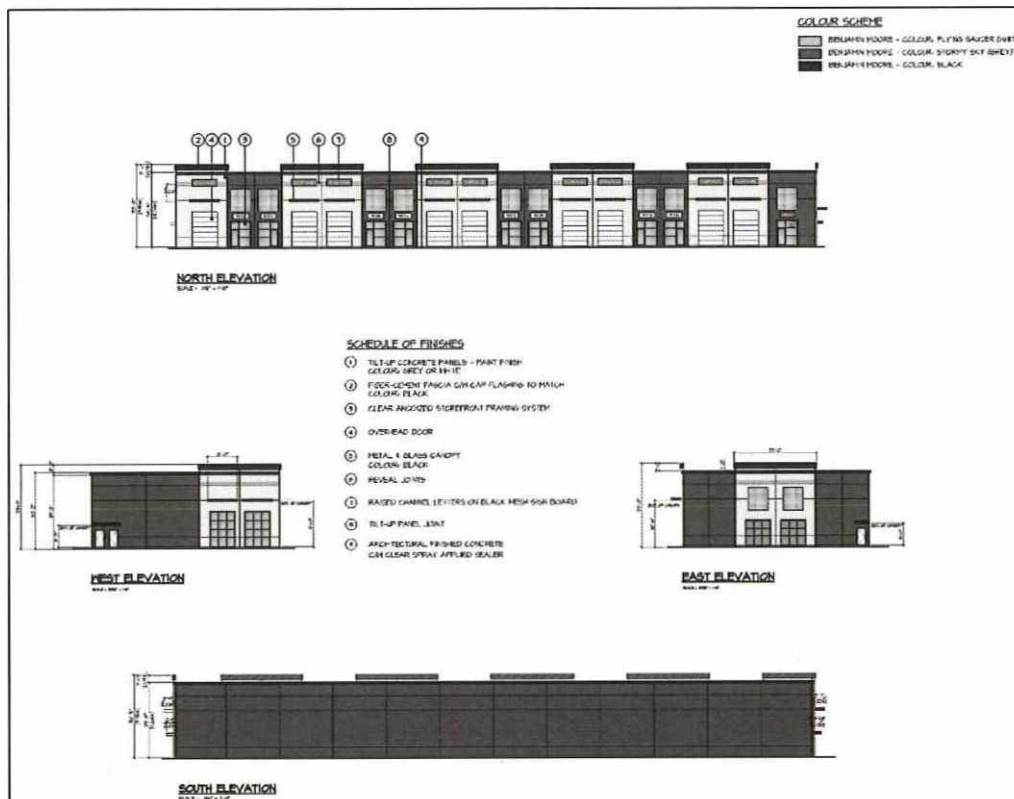
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Elevations – Industrial Lot (as provided by the applicant)

Building 1

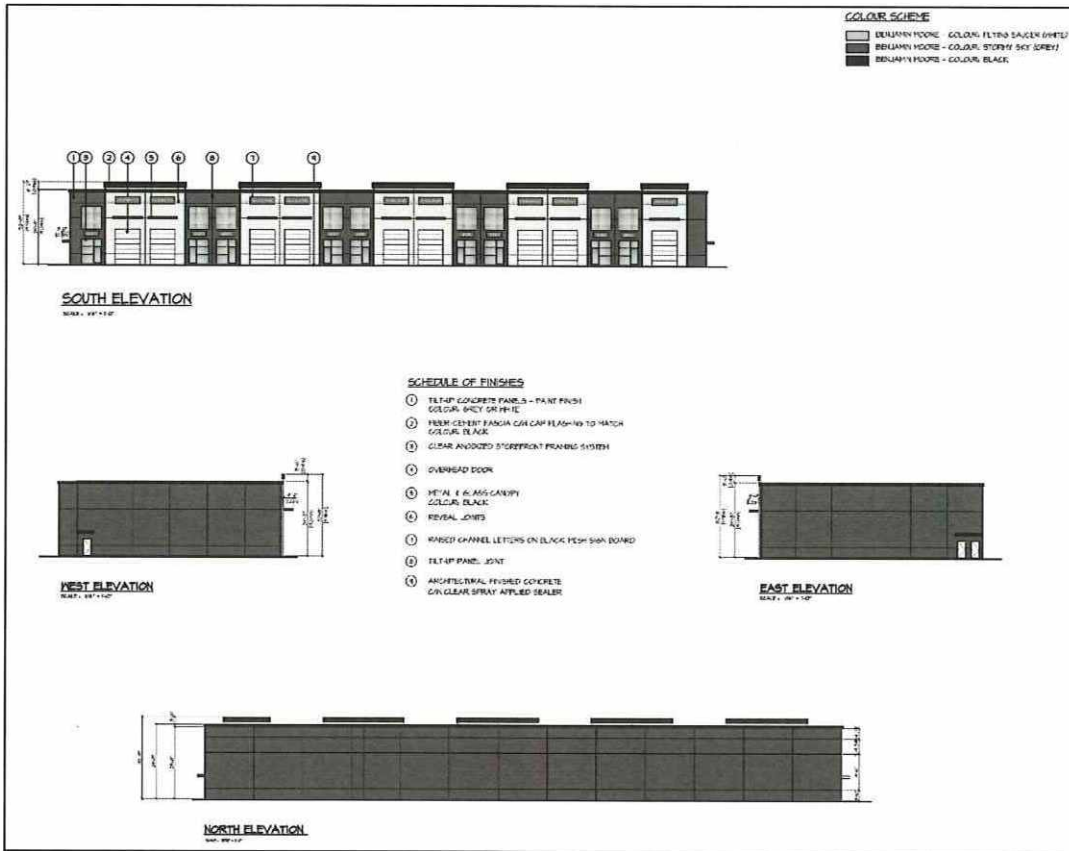


Building 2

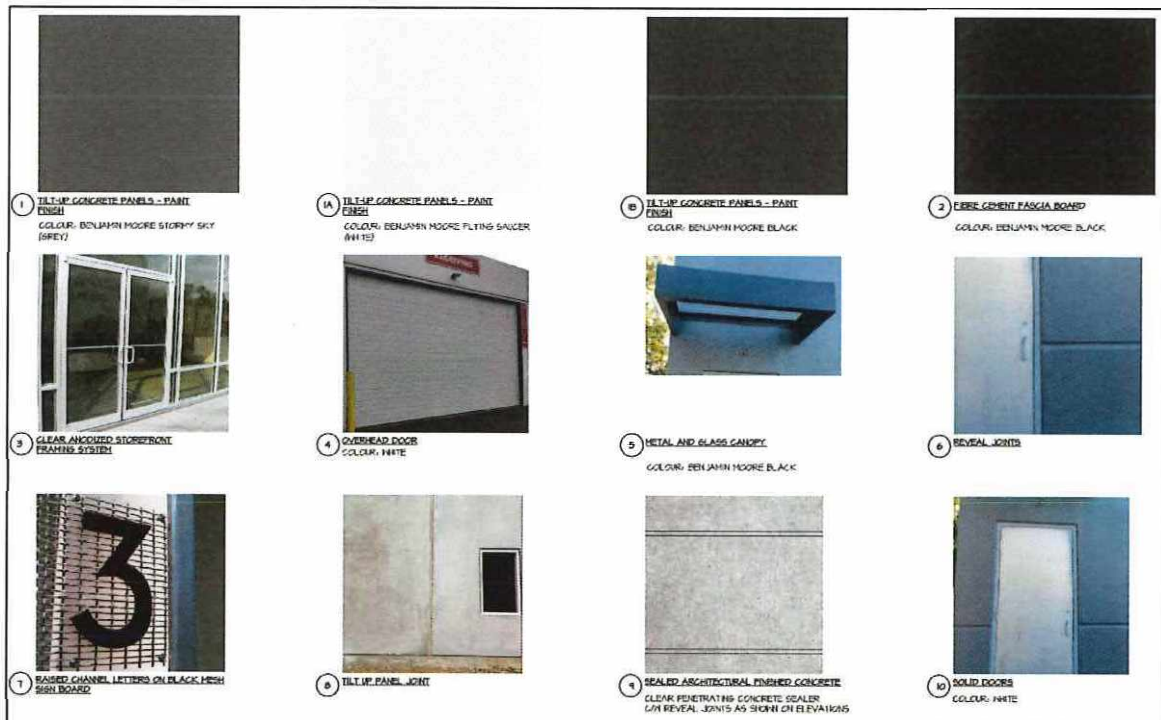


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Building 3



Colours and Materials – Industrial Lot (as provided by the applicant)



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Elevations – Hotel Lot (as provided by the applicant)

South

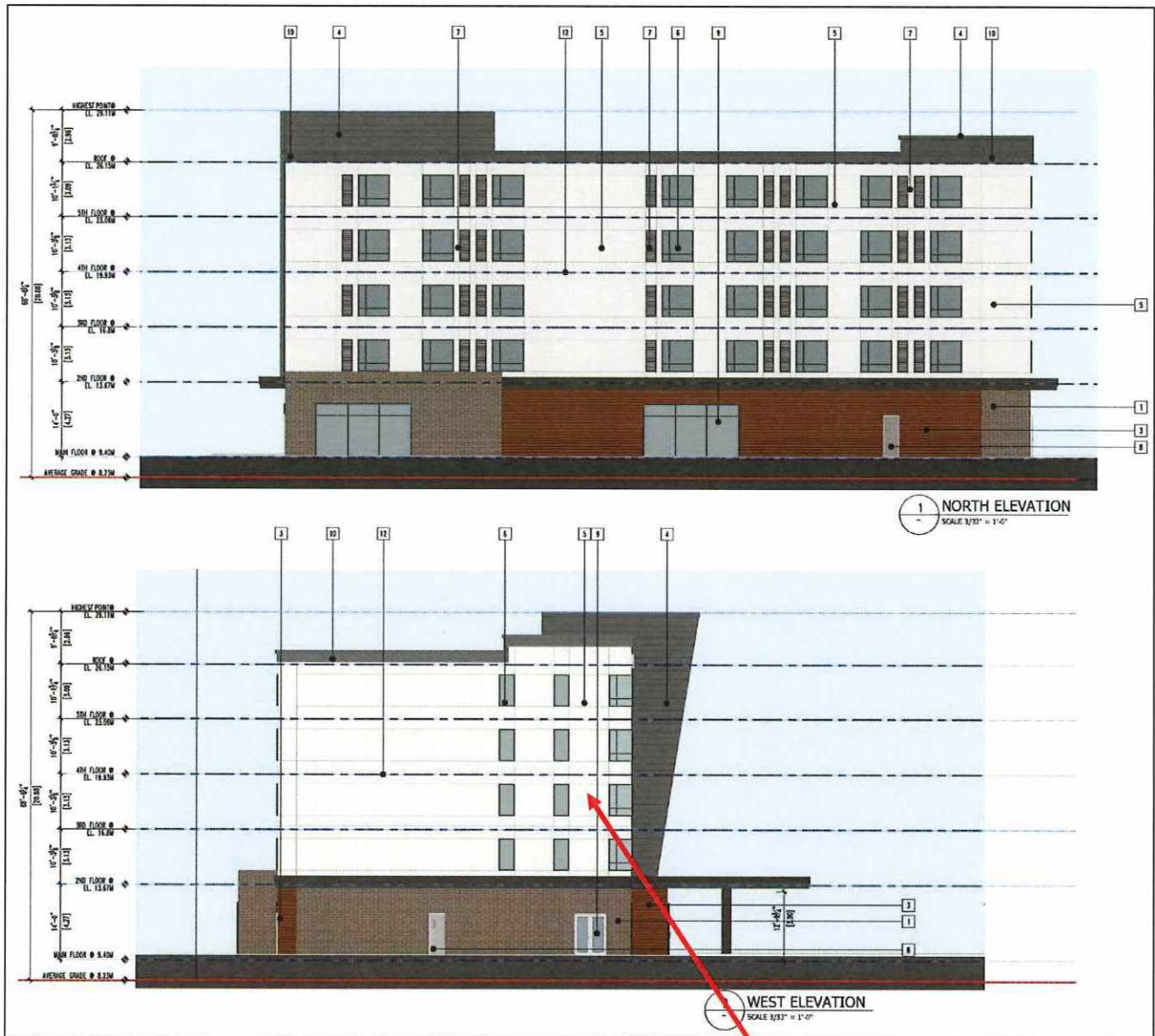


East



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North and West



Colours to match south elevation provided above

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Colours and Materials – Hotel Lot (as provided by the applicant)

MATERIALS & FINISHES SCHEDULE				
#	BUILDING MATERIALS	FINISH	COLOUR	SUPPLIER
1	BRICK	INTEGRAL	GARNET	HEBRON BRICK
2	PANEL-1	HORIZONTAL REVEALS	GUNSMOKE	NICHIHA
3	PANEL-2	ARTISAN V-GROOVE SIDING	TO MATCH SHERWIN WILLIAMS SW7594	JAMES HARDY
4	PANEL-3	TO MATCH PAC-3000 CS	ALUM. MUSKET GRAY	
5	EIFS #1 - RS	INTEGRAL	MAGANESE IRONSPOT VELOUR MODULAR	
6	VINYL DOORS/WINDOWS	INTEGRAL	BLACK	
7	METAL LOUVRES	INTEGRAL	BLACK	
8	METAL DOORS	INTEGRAL	BLACK	
9	STOREFRONT DOORS/WINDOWS	INTEGRAL	BLACK	
10	METAL PROFILE ROOFING	INTEGRAL		
11	WOOD CLADDED COLUMN			
12	PRE-FINISHED METAL FLASHING			
13	HYATT PLACE SIGNAGE	INTEGRAL		

Renderings – Hotel Lot (as provided by the applicant)




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AGENDA ITEM NO: 7.13

MEETING DATE: September 26, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Lucern Construction Ltd.
Rezoning / 43596 Old Orchard Road DATE: September 14, 2023

DEPARTMENT: Planning Department
RZ001672 PREPARED BY:  Stacy Johnson / cc


1. SUMMARY OF ISSUE:

The applicant wishes to rezone the subject property from an R1-A (Urban Residential) Zone to an R3 (Small Lot Residential) Zone to facilitate a future subdivision.

Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to the property located at 43596 Old Orchard Road.

2. RECOMMENDATION:


Recommendation that "Zoning Bylaw Amendment Bylaw 2023, No. 5353", which proposes to rezone property located at 43596 Old Orchard Road from an R1-A (Urban Residential) Zone to an R3 (Small Lot Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023. (RZ001672)



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman
Chief Administrative Officer

STAFF REPORT ON REZONING APPLICATION RZ001672

PREPARED BY: Stacy Johnson DATE: September 14, 2023
POSITION: Senior Planner DEPARTMENT: Planning Department

1. DEFINITION OF ISSUE:

The applicant wishes to rezone the subject property from an R1-A (Urban Residential) Zone to an R3 (Small Lot Residential) Zone to facilitate a future subdivision.

Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to the property located at 43596 Old Orchard Road.

2. PROPOSAL:

The proposal is to rezone the subject property from an R1-A (Urban Residential) Zone to an R3 (Small Lot Residential) Zone to facilitate a future subdivision and retain the existing single detached dwelling. The proposal meets the minimum lot width, depth, and area requirements to facilitate a 2 lot subdivision within the proposed R3 Zone.

Final lot layout must comply with City Bylaws and include half road frontage improvements in accordance with 2008 Chilliwack Mountain ISL Engineering Design to add a bike lane and no parking signs. A vehicle turn around within the driveway layout is also required to be provided to prevent vehicles backing onto Old Orchard Road.

At this time, the applicant has not committed to a specific design for the new single detached dwelling to be constructed at the time of redevelopment; however, building height within the proposed R3 Zone is limited to 10m or approximately three storeys.

3. FACTORS:

3.1 2040 Official Community Plan (OCP) / Land Use

Official Community Plan: “Comprehensive Development Area” as designated within the Official Community Plan.

Land Use: Single Detached Dwelling (to be demolished at time of subdivision). The applicant has indicated that the house on the property is currently occupied by tenants and has provided information in the attached ‘Schedule A’ detailing how the site will be maintained throughout the redevelopment process.

3.2 Neighbourhood Character

The subject property is located on Chilliwack Mountain in an area with a variety of built forms and new development.

East:	Vacant lot within the R1-A Zone.
West:	Single detached dwelling within the R1-A Zone.
South:	Duplexes and single detached dwellings within a building strata in the R3 Zone.
North:	Old Orchard Road and a townhouse complex, currently under construction, within the R4 (Low Density Multi-Unit Residential) Zone.

3.3 Technical Issues:

Floodplain:	The property is located outside of the floodplain.
Watercourses:	There are no known watercourses within or adjacent to the property.
Geotechnical:	The property is located within an area mapped as having significant geohazard due to steep slopes.

4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5353”, which proposes to rezone property located at 43596 Old Orchard Road from an R1-A (Urban Residential) Zone to an R3 (Small Lot Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023. (RZ001672)

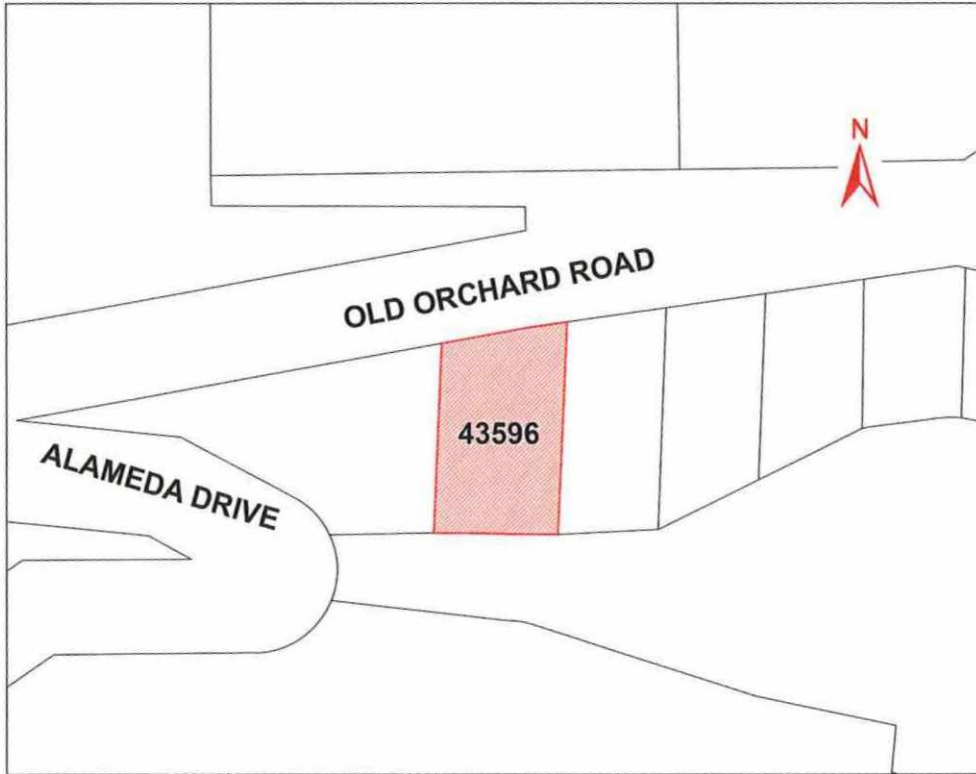
Substantiation:

The proposal is in keeping with low density residential development within the surrounding area and will maintain a consistent streetscape with the adjacent single detached dwellings.

5. SOURCES OF INFORMATION:

- Rezoning Application (RZ001672) – September 14, 2022
- Development Application Review Team (DART) Minutes – October 13, 2022

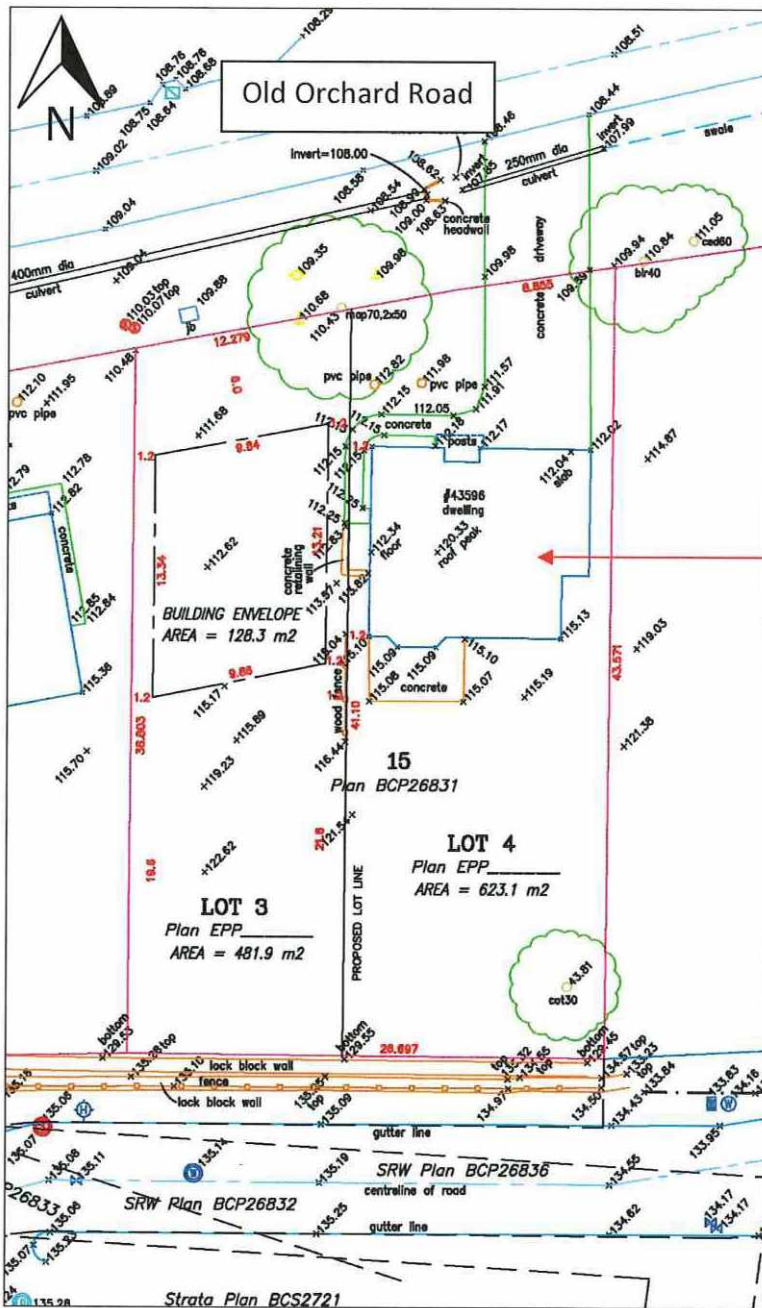
Location Map



Orthophoto



Conceptual Site Plan (as provided by the applicant)



Existing single detached dwelling (to be retained through subdivision)

Schedule A – Applicant’s Development & Maintenance Plan

The applicant provided the following development & maintenance details via email on September 12, 2023:

“The current property is rented. It will continue to be rented as the house will be retained even after rezoning and subdivision is complete. The yard and house will continue to be maintained by the tenants and myself as needs arise. Currently the side yard is grass (where the new lot will be).”

City of Chilliwack

Bylaw No. 5353

A bylaw to amend the “Zoning Bylaw 2020, No. 5000”

The Council of the City of Chilliwack in open meeting assembled enacts as follows:

1. This bylaw may be cited as **“Zoning Bylaw Amendment Bylaw 2023, No. 5353”**.
2. “Zoning Bylaw 2020, No. 5000” is hereby amended by rezoning property described as PID: 026-867-923, Lot 15 Section 27 Township 23 New Westminster District Plan BCP26831, from an R1-A (Urban Residential) Zone to an R3 (Small Lot Residential) Zone.

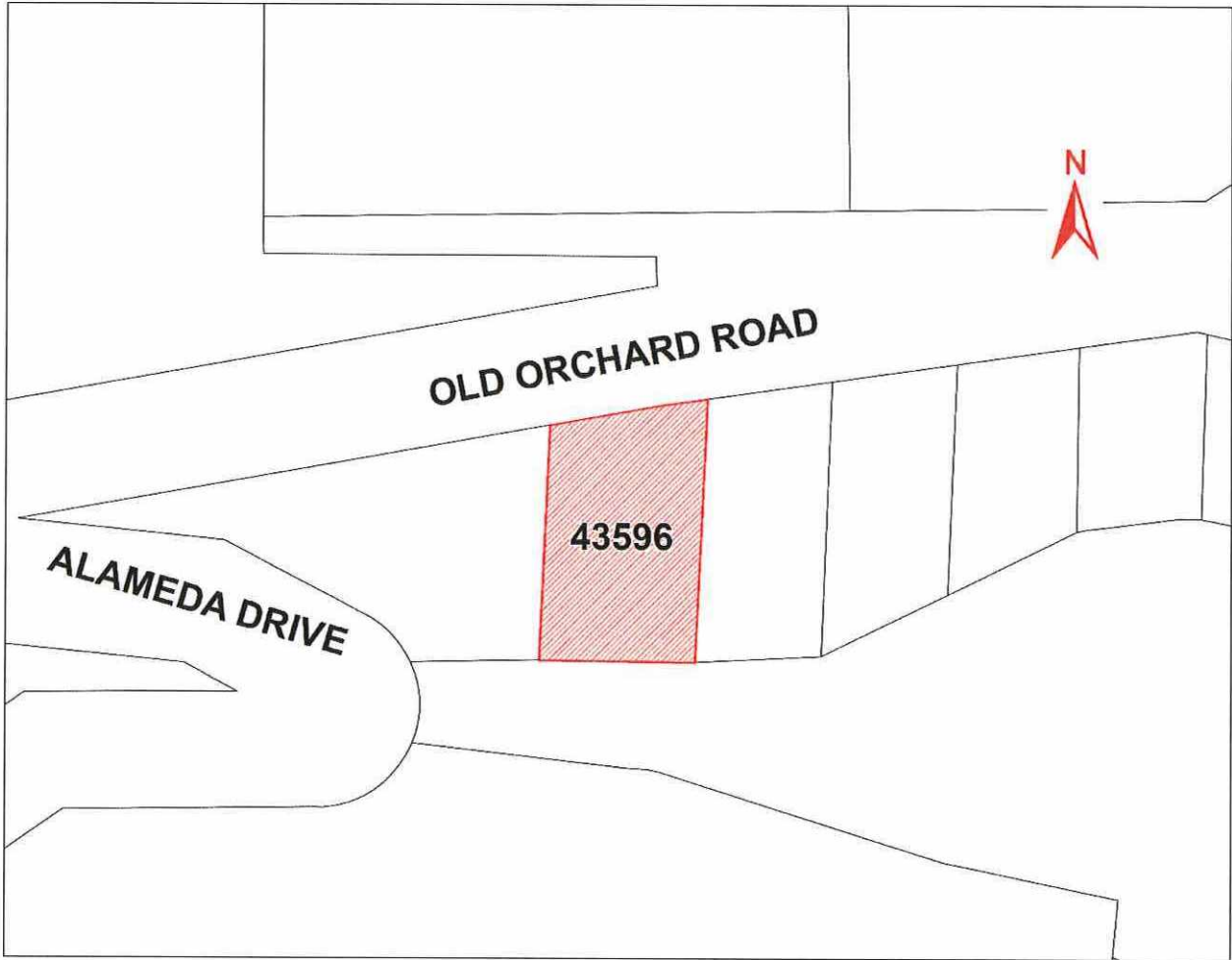
Received first and second reading on the
Public hearing held on the
Received third reading on the
Received adoption on the

Mayor

Corporate Officer

NOTE: This bylaw refers to property located at 43596 Old Orchard Road.

“Zoning Bylaw Amendment Bylaw 2023, No. 5353”



AGENDA ITEM NO: 7.14

MEETING DATE: September 26, 2023

STAFF REPORT – COVER SHEET

SUBJECT: City of Chilliwack
Rezoning & Development Variance
Permit / 46195 Fifth Avenue DATE: September 12, 2023

DEPARTMENT: Planning Department
RZ001580 & DVP01374 PREPARED BY: Stacy Johnson / cc


1. SUMMARY OF ISSUE:


The applicant requests to amend the 2040 Official Community Plan (OCP) designation of the subject property from "Industrial" to "Civic/Institutional" as per the Downtown Land Use and Development Plan and to rezone the subject property from an M1 (Light Industrial) Zone to a P1 (Civic Assembly) Zone to facilitate the development of a new facility for Chilliwack Search and Rescue. Once the Bylaws have been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaws with respect to the property located at 46195 Fifth Avenue.

A concurrent Development Variance Permit application has been submitted to vary Zoning Bylaw standards as detailed within the report.

2. RECOMMENDATION:

Recommendation that "Official Community Plan Bylaw Amendment Bylaw 2023, No. 5354 which proposes to amend the designation of property located at 46195 Fifth Avenue from "Industrial" to "Civic/Institutional" as specified in the Downtown Land Use and Development Plan, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023. (RZ001580);

Recommendation that "Zoning Bylaw Amendment Bylaw 2023, No. 5355", which proposes to rezone property located at 46195 Fifth Avenue from an M1 (Light Industrial) Zone to a P1 (Civic Assembly) Zone, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023. (RZ001580)



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman
Chief Administrative Officer

**STAFF REPORT ON REZONING RZ001580 &
DEVELOPMENT VARIANCE PERMIT DVP01374 APPLICATIONS**

PREPARED BY: Stacy Johnson DATE: September 12, 2023
POSITION: Senior Planner DEPARTMENT: Planning Department

1. DEFINITION OF ISSUE:

The applicant requests to amend the 2040 Official Community Plan (OCP) designation of the subject property from "Industrial" to "Civic/Institutional" as per the Downtown Land Use and Development Plan and to rezone the subject property from an M1 (Light Industrial) Zone to a P1 (Civic Assembly) Zone to facilitate the development of a new facility for Chilliwack Search and Rescue. Once the Bylaws have been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaws with respect to the property located at 46195 Fifth Avenue.

A separate Development Variance Permit (DVP01374) application has been submitted to vary the following Zoning Bylaw standards:

- Waive all interior landscaping requirements for the parking areas;
- Waive the requirements to provide a landscape strip or sidewalk between a parking stall and a fence or a building; and,
- Waive the requirement to pave a portion of the property in the area identified for a future addition until such time it is constructed.

2. PROPOSAL:

The applicant requests to amend the 2040 Official Community Plan designation and rezone the subject property to recognize the existing use of the property for Chilliwack Search and Rescue and to facilitate the construction of a new building to continue the operation. In summary, the proposal includes:

- A new 1098m² building, single storey with mezzanine, and a 1429m² future addition;
- 32 parking stalls (32 required as per Zoning Bylaw, including future addition);
- Sufficient landscaping along the front setback and within the overall site, including 3 trees (City projects are exempt from the requirements of the Tree Management Bylaw).



As the property is owned by the City, a Development Permit for form and character is not required; however, to ensure City initiated projects meet a high standard of design as detailed within the applicable Design Guidelines, the form and character of City projects are to be reviewed by the Design Review Advisory Committee. As such, the form and character of the proposed addition has been evaluated in relation to the Design Guidelines for Development Permit Area No. 7 (Industrial) and was reviewed by the Design Review Advisory Committee at the meeting on August 8, 2023. The Committee supported the development as proposed.

3. OCP AMENDMENT & REZONING DISCUSSION:

The requested OCP amendment and rezoning will legitimize the existing, longstanding use of the property by Search and Rescue and permit the reconstruction and further expansion of the existing building to better serve residents of Chilliwack. Though the requested proposal will result in a loss of industrial land, Search and Rescue has been located at this property for over 30 years and provides an important service to the community. Therefore, allowing for the reconstruction and expansion of the existing use within this property is supportable in this location.

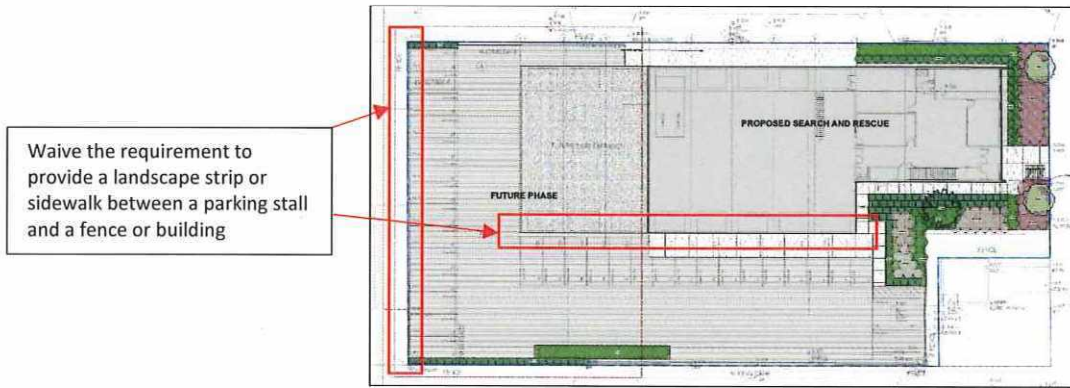
4. VARIANCE DISCUSSION:

Overall, the design of the building and site is visually appealing and constitutes a high-quality addition to the area. A discussion regarding the requested variances is provided below and the site plans are included within the attached draft Schedule A for information.

Parking Area Landscaping

The applicant requests to waive the requirement to provide landscaping within the parking area. As the parking area will only be accessed by Search and Rescue staff, and is not open to the public, this area will be secured by view obscuring fencing thereby limiting the visual impact of the reduction to landscaping. In addition, as the total overall site and front landscaping requirements have been met, the request is considered supportable.

The applicant also requests to waive the requirement to provide a landscape strip or sidewalk between a parking stall and a fence or building for the parking area along the southern portion of the building and the western property line, as highlighted below. In order to accommodate the minimum required parking for the development and provide adequate maneuvering for the proposed use of the site, a variance to waive the requirement for a landscape or sidewalk between a parking space and building is required. With the current site design, it is impractical to provide this requirement along the south building elevation as the building includes bay doors that provide egress for the vehicles and equipment stored in the building. Should a landscape bed or sidewalk be required in this location, vehicle access through the bay doors would be blocked. Given the proposed layout and that there will be limited pedestrian movement through the site as it is not accessible to the public, the request is considered supportable.



Paving

The applicant requests to waive the requirement to pave the area designated for the future addition. The site is currently paved but it is anticipated that through preparation for construction of the new building, the paving in this portion of the property will be damaged. Instead of replacing the pavement after the new building is complete, in the interim, before the proposed addition is constructed, the applicant requests to leave that portion of the site unfinished. The applicant has confirmed that the remainder of the site and parking area will be paved. Given the cost associated with completing paving for the entire property and with the proposed addition anticipated to be completed in the future, the retention of that portion of the property as unfinished is considered supportable.

5. FACTORS:

5.1 2040 Official Community Plan (OCP) / Land Use / OCP Pre-consultation

Official Community Plan: "Industrial" as per the Downtown Land Use and Development Plan as designated within the Official Community Plan. An amendment to the OCP designation to "Civic/Institutional" is proposed and further detailed in Section 3 of this report.

Land Use: Search and Rescue building.

OCP Pre-consultation: As considered appropriate under Section 475 of the *Local Government Act* and at the direction of Council, OCP pre-consultation with outside agencies was not deemed to be necessary as the proposed amendment is not anticipated to lead to any impacts on the interests of these organizations.

5.2 Neighbourhood Character

The subject property is located within an established light industrial area, surrounded by properties within the M1 (Light Industrial) Zone.

5.3 Technical Issues

Floodplain:	The property is located within the protected floodplain and is subject to the Floodplain Regulation Bylaw.
Watercourses:	There are no known watercourses within or within the area surrounding the subject property.
Geotechnical:	There are no known geotechnical hazards within or around the subject property.

5.4 Conditions of Issuance

Staff support the requested variances as proposed by the applicant and recommend approval of the draft DVP, subject to the following recommended conditions:

- that the development be in accordance with the plans found in Schedule “A”; and,
- that only the portion of the property designated for future expansion is permitted to remain unpaved until such time that the future expansion of the building is constructed. The remainder of the parking and maneuvering areas are required to be paved.

6. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that “Official Community Plan Bylaw Amendment Bylaw 2023, No. 5354 which proposes to amend the designation of property located at 46195 Fifth Avenue from “Industrial” to “Civic/Institutional” as specified in the Downtown Land Use and Development Plan, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023. (RZ001580);

Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5355”, which proposes to rezone property located at 46195 Fifth Avenue from an M1 (Light Industrial) Zone to a P1 (Civic Assembly) Zone, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023. (RZ001580)

Substantiation:

The requested OCP amendment and rezoning will legitimize an existing use within the property and permit the reconstruction and further expansion of a building that houses Chilliwack Search and Rescue. As the property has been occupied by an institutional use for the past 30 years and the expansion of Search and Rescue constitutes a significant benefit for Chilliwack residents, the proposal is considered supportable in this instance.

The requested variances are supportable in this location given the intended use and function of the building and the overall improvement the reconstruction will bring to the surrounding area. The redevelopment of the site will provide a visually appealing front entrance, complete with extensive landscaping, with the remainder of the site/parking area screened from view with no public access to the site.

7. SOURCES OF INFORMATION:

- Rezoning Application (RZ001580) – November 22, 2021
- Development Variance Permit Application (DVP01374) – July 24, 2023
- Development Application Review Team (DART) Minutes – July 29, 2021
- Development Permit Application (DP001686) – March 16, 2023

Location Map



Ortho Photo



City of Chilliwack

Bylaw No. 5354

A bylaw to amend the “Official Community Plan Bylaw 2014, No. 4025”

The Council of the City of Chilliwack in open meeting assembled enacts as follows:

1. This bylaw may be cited as **“Official Community Plan Bylaw Amendment Bylaw 2022, No. 5354”**.
2. “Official Community Plan Bylaw 2014, No. 4025”, is hereby amended by redesignating property described as PID: 031-888-755, Lot 1 Division “E” New Westminster District Plan EPP125490, from “Industrial” within the Downtown Land Use and Development Plan to “Civic/Institutional” within the Downtown Land Use and Development Plan.

Received first and second reading on the
Public hearing held on the
Received third reading on the

Consultation Process considered by Council on the 5th day of September, 2023.

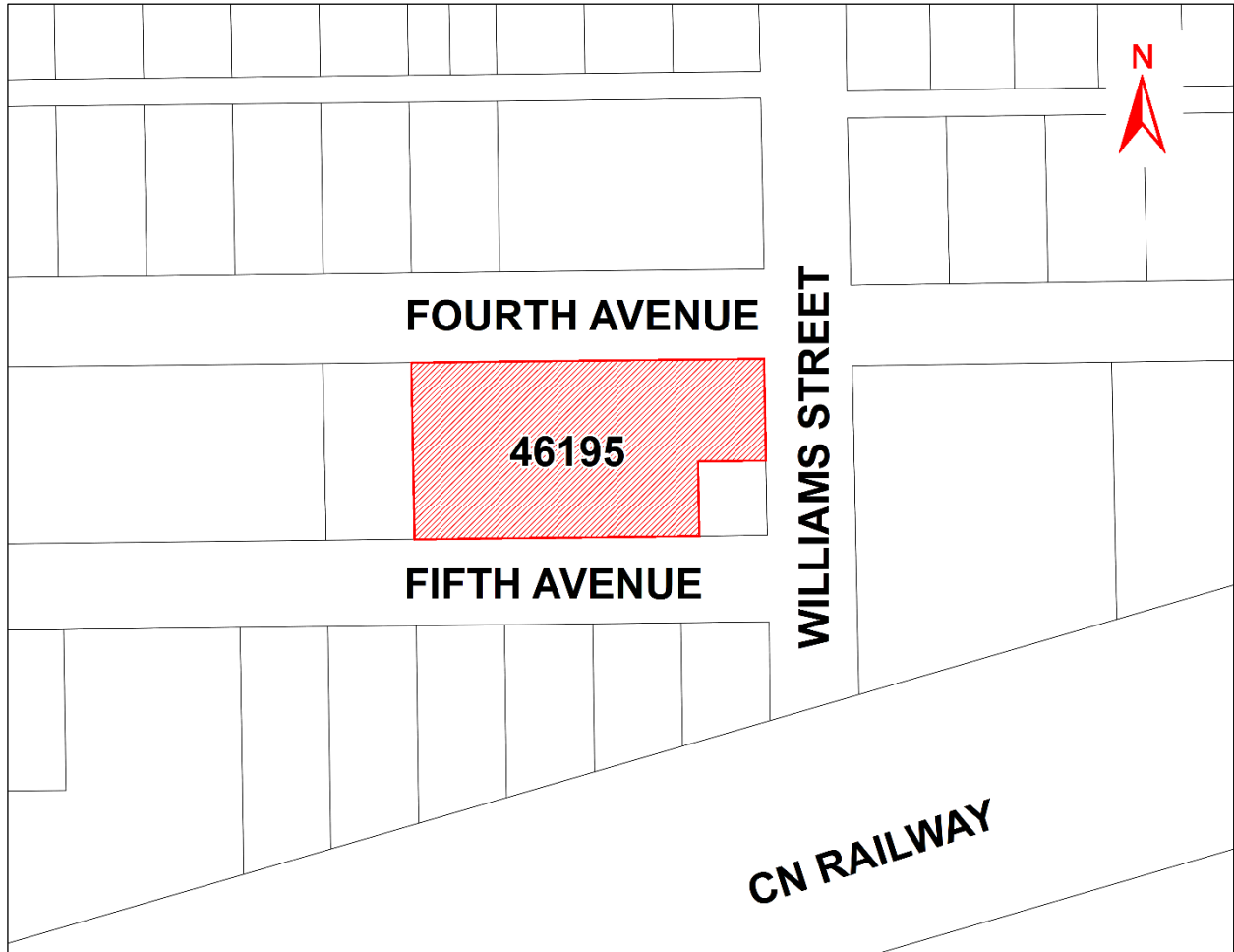
Received adoption on the

.....
Mayor

.....
Corporate Officer

NOTE: This bylaw refers to property located at 46195 Fifth Avenue.

“Official Community Plan Bylaw Amendment Bylaw 2022, No. 5355”



City of Chilliwack

Bylaw No. 5355

A bylaw to amend the “Zoning Bylaw 2020, No. 5000”

The Council of the City of Chilliwack in open meeting assembled enacts as follows:

1. This bylaw may be cited as **“Zoning Bylaw Amendment Bylaw 2023, No. 5355”**.
2. “Zoning Bylaw 2020, No. 5000” is hereby amended by rezoning property described as PID: 031-888-755, Lot 1 Division “E” New Westminster District Plan EPP125490, from an M1 (Light Industrial) Zone to a P1 (Civic Assembly) Zone.

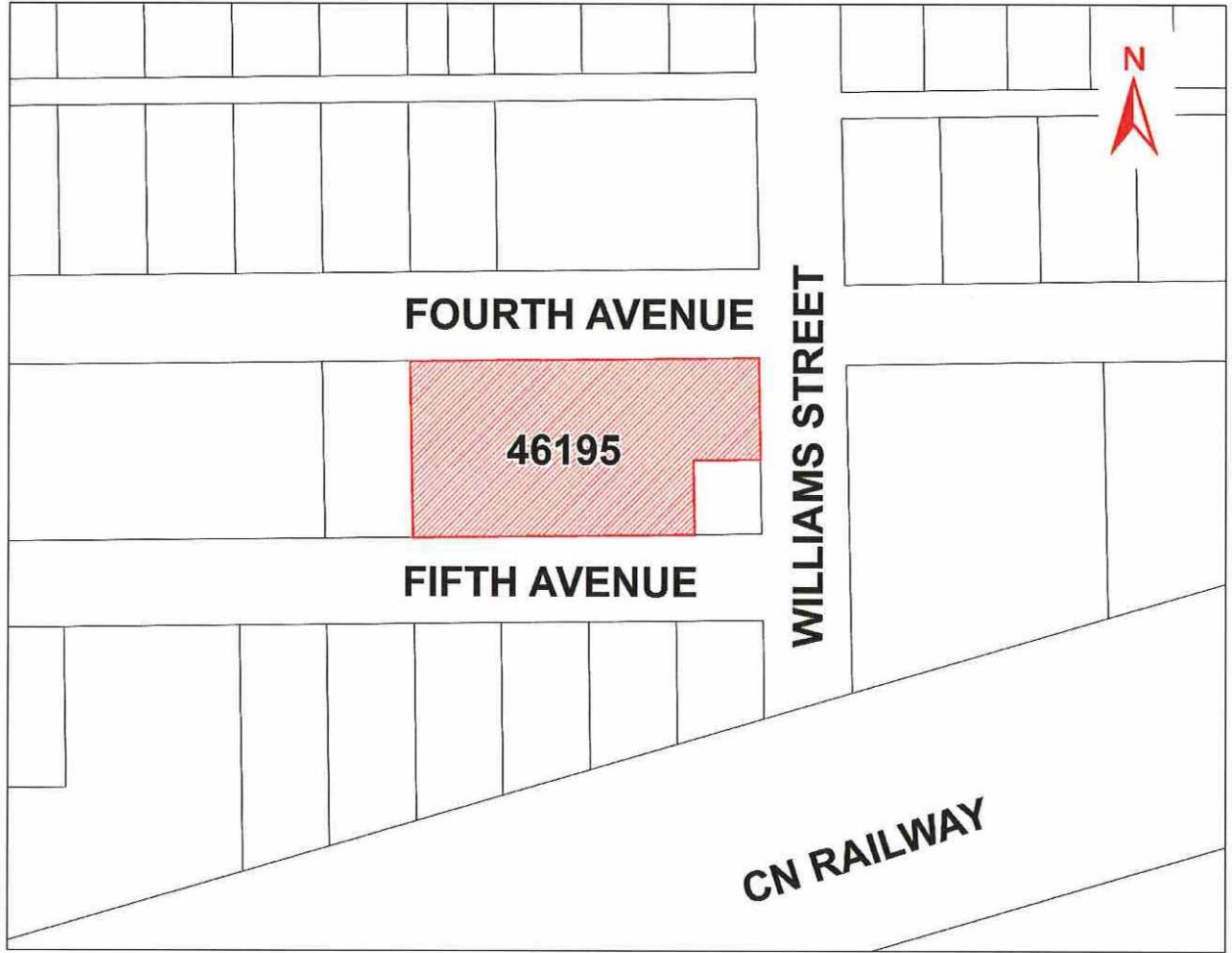
Received first and second reading on the
Public hearing held on the
Received third reading on the
Received adoption on the

Mayor

Corporate Officer

NOTE: This bylaw refers to property located at 46195 Fifth Avenue.

“Zoning Bylaw Amendment Bylaw 2023, No. 5355”





SCHEDULE "A"

CITY OF CHILLIWACK

DEVELOPMENT VARIANCE PERMIT NO. DVP01374

To: Gerry Enns Contracting Ltd.
45895 Hocking Avenue
Chilliwack, BC V2P 1B5

City of Chilliwack
8550 Young Road
Chilliwack, BC V2P 8A4

1. This Development Variance Permit is issued subject to compliance with all of the Bylaws of the City of Chilliwack applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies only to those lands within the City of Chilliwack described below, to facilitate the construction of a new civic administration building, and does not apply to any additions or subsequent replacement of any and all buildings and structures and other development thereon:

Parcel Identifier No. 031-888-755
Legal Description: LOT 1 DIVISION 'E' NEW WESTMINSTER DISTRICT
PLAN EPP125490
Address: 46195 Fifth Avenue

3. In accordance with the provisions of Section 498 of the *Local Government Act* the following section(s) of "Zoning Bylaw 2020, No. 5000" are varied as stated:

Section 5.03(7) Off-Street Parking is waived by removing the requirement to provide interior landscaping of parking lot areas.

Section 5.03(4)(g) Off-Street Parking is waived by removing the requirement to provide a raised landscape bed or a sidewalk where parking spaces are located adjacent to a building or fence.

Section 5.03(4)(h) Off-Street Parking is waived by removing the requirement for all areas used for off-street parking to be surfaced with an asphalt, concrete or similar surface that is durable and dust-free.

4. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and the plans and information contained within the application. The following conditions apply:

a) that the development be in accordance with the plans found in Schedule "A"; and,

DRAFT

- b) that only the portion of the property designated for future expansion, as noted in the attached Site Plan, is permitted to remain unpaved until such time that the future expansion of the building is constructed. The remainder of the parking and maneuvering areas are required to be paved.
- 5. Pursuant to Section 504 of the *Local Government Act*, if the permittee does not substantially start any construction permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.
- 6. This Permit is not a Building Permit.

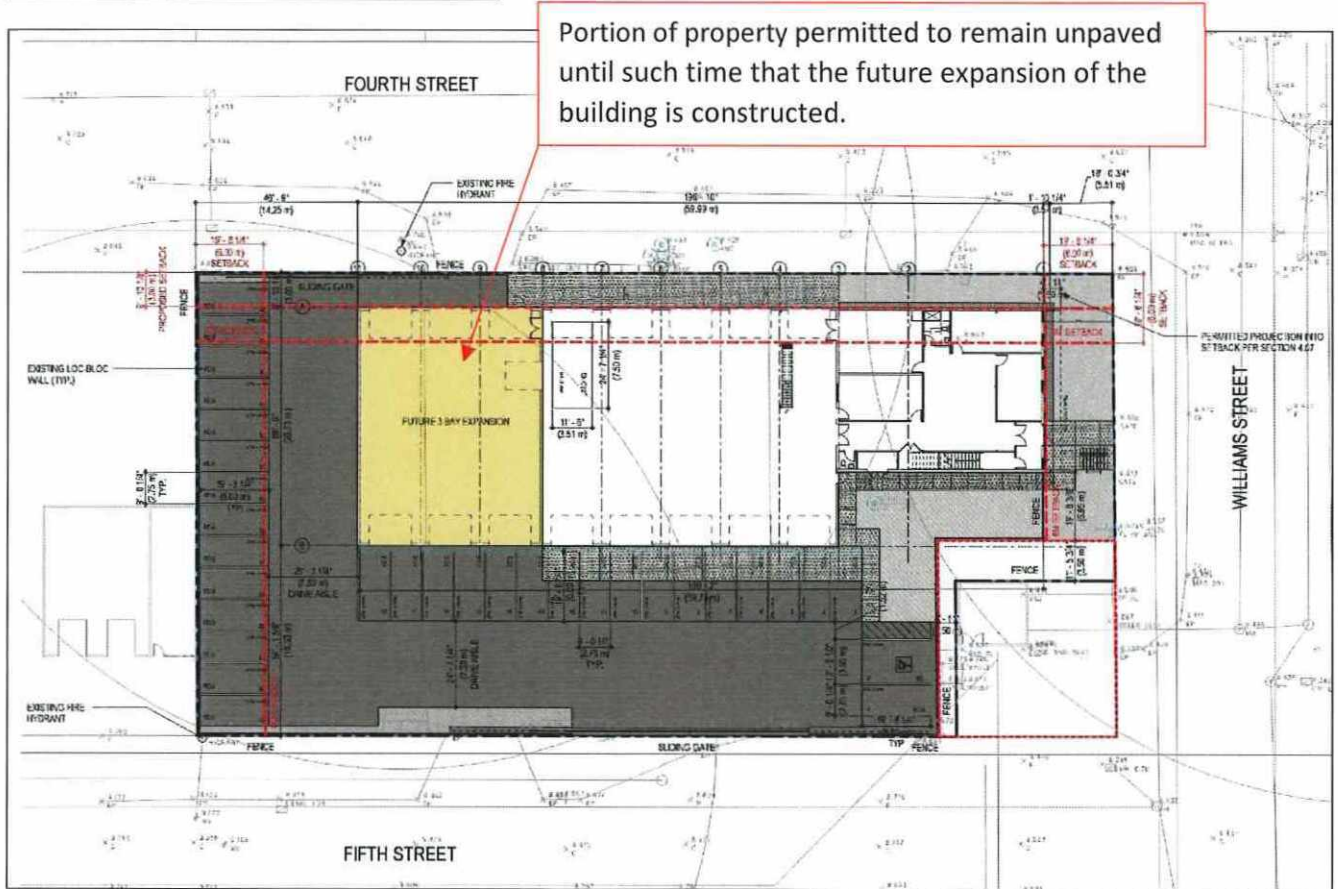
APPROVED BY COUNCIL ON THE ___ DAY OF ___, 2023.

ISSUED THIS ___ DAY OF ___, 2023

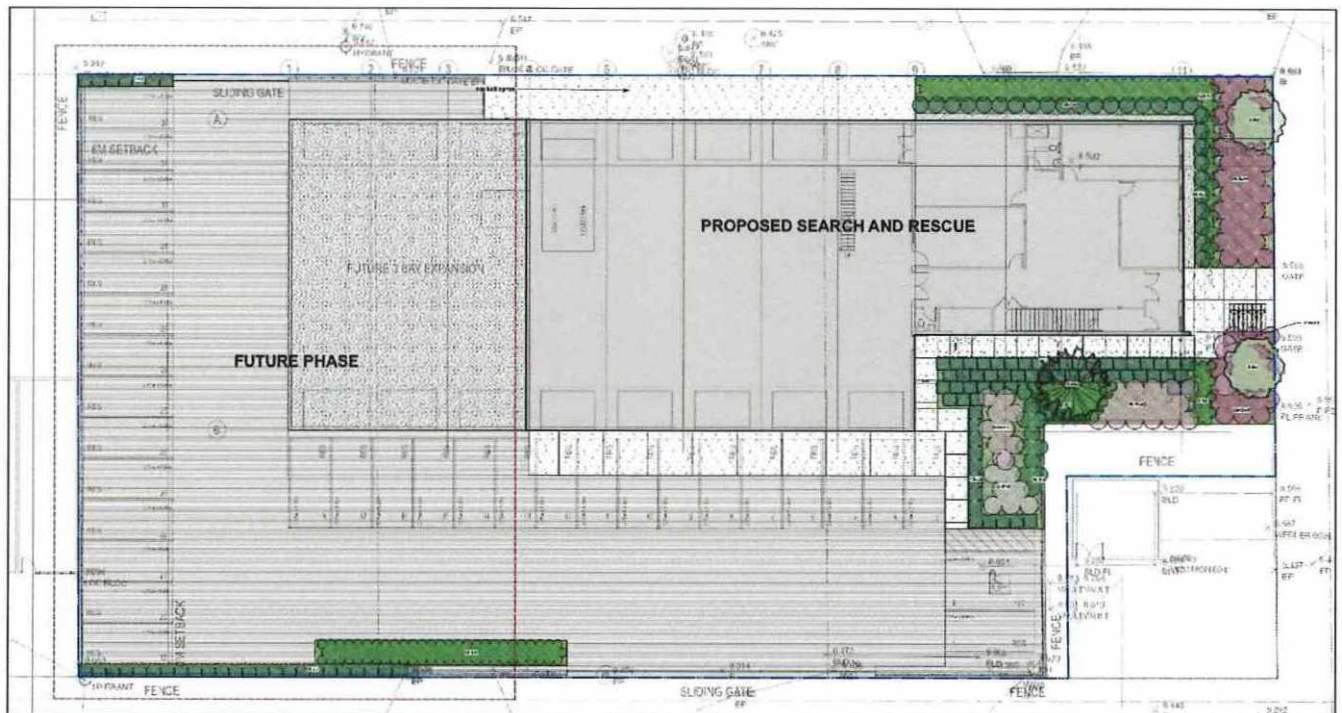
CORPORATE OFFICER

DRAFT

Site Plan (as provided by the applicant)



Landscape Plan (as provided by the applicant)




DRAFT

AGENDA ITEM NO: 7.15

MEETING DATE: September 26, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Reimer's Nurseries Ltd.
Agricultural Land Reserve
4586 No. 3 Road DATE: September 15, 2023

DEPARTMENT: Planning Department
ALR00397 PREPARED BY:  Caitlyn Wiltsie / cc

1. SUMMARY OF ISSUE:

The applicant is seeking approval for a Non-Adhering Residential Use within the Agricultural Land Reserve (ALR) to allow for a secondary residence for farm worker housing with a gross floor area of 178m², in excess of Agricultural Land Commission (ALC) regulations.

2. RECOMMENDATION:

Recommendation that application ALR00397 for a Non-Adhering Residential Use within the Agricultural Land Reserve (ALR), with respect to property located at 4586 No. 3 Road, be forwarded to the Agricultural Land Commission "with support".



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman
Chief Administrative Officer

STAFF REPORT ON AGRICULTURAL LAND RESERVE APPLICATION ALR00397

PREPARED BY: Caitlyn Wiltsie DATE: September 15, 2023

POSITION: Planner I DEPARTMENT: Planning Department

1. SUMMARY OF ISSUE:

The applicant is seeking approval for a Non-Adhering Residential Use within the Agricultural Land Reserve (ALR) to allow for a secondary residence for farm worker housing with a gross floor area of 178m², in excess of Agricultural Land Commission (ALC) regulations.

2. BACKGROUND/PROPOSAL:

The Agricultural Land Commission (ALC) permits one principal residence of 500m² or less and one 90m² additional residence on properties of 40 hectares or less. As the applicant is proposing to construct a 178m² residence in addition to the 139m² existing residence on the property, a Non-Adhering Residential Use (NARU) application is required.

Current agricultural activities on this property consist of wholesale tree production including a greenhouse, space for potted tree production, and a field nursery. The existing 139m² residence was constructed in the 1940s and is currently used as housing for temporary farm workers; however, the size of the house is no longer able to accommodate increased labor demands on the property. The proposed 178m² pre-manufactured home is intended to be located on an existing gravel pad, minimizing impact to agricultural capability and will support agricultural operations by providing additional on-site housing for staff. The existing dwelling, comprised of two storeys and a basement, will be retained for a family whose work is farm-based while the proposed secondary residence will house up to nine temporary farm workers.

3. FACTORS:

3.1 Zoning/2040 OCP Designation/Land Use

Current Zone: The property is within the AL (Agricultural Lowland) Zone.

OCP Designation: The property is designated as "Agriculture" in the 2040 Official Community Plan.

Existing Land Uses: Temporary farm worker residence, field nursery, warehouse, greenhouse, and two sheds.

3.2 Technical Issues:

- Floodplain:** The property is within the protected floodplain, and as such, is subject to the Floodplain Regulation Bylaw.
- Geotechnical Issues:** The property is not subject to any known geotechnical hazards or earthquake related risks.
- Soil Classification:** According to the ALC's soil capability mapping, the affected portion of the property is composed primarily of Class 2 soils (with excess water, soil moisture deficiency, and topographic issues), with the potential to become 70% Class 1 soils and 30% Class 2 soils with topographic issues under improved conditions.

For reference, the ALC's Soil Classes are outlined below:

- Class 1 lands are capable of producing the very widest range of crops, resulting in easy management.
- Class 2 lands have minor limitations that require ongoing management practices or slightly restrict the range of crops, or both.

3.3 Neighbourhood Character

The property is located in the Yarrow Neighbourhood, surrounded by the Chilliwack River to the north, AL zoned properties located in the Agricultural Land Reserve to the west and east, and R1-A (Urban Residential) Zone properties to the south.

4. DISCUSSION:

Based on the scale of the agricultural operations on site and demand for additional labour, the existing 139m² temporary farm worker dwelling is of insufficient size to provide adequate on-site housing for farm staff. In addition, the applicant anticipates upcoming legislative changes to the housing requirements for temporary farm workers which will necessitate costly upgrades to the 1940s house. Due to increased production and associated labor demands on the property, a 178m² additional residence is proposed to meet future housing requirements and ensure that available labour meets operational demands.

The applicant intends to site the additional residence on a secondary, 1760m² farm home plate (FHP) on an existing gravel pad along the south side of the property. The clustering of buildings along the west side of the property along the No. 3 Road frontage makes the placement of a new dwelling on the current 2310m² farm home plate infeasible. The 2 separate sites result in a combined total FHP area of 4070m² which is under the maximum of 5000m² for a property with a principal and secondary residential use as per the Zoning Bylaw.

Currently, there are two unused greenhouses situated on the gravel pad with enough space to add the proposed additional residence within the developed area. Though the overall FHP area is met,

the proposed siting does not align with siting requirements within the AL Zone and as such, an application for a Development Permit Area 9 – Farm Home Plate to permit the proposed alternative siting will be required prior to future Building Permit application. As the proposed location minimizes impacts to agricultural land capability and facilitates building clustering the proposal is supportable in this instance. As the proposal seeks to maximize agricultural production on the property, it is also in alignment with the City’s Agricultural Area Plan and Provincial efforts toward minimizing the impact of buildings on agricultural land.

5. AGRICULTURAL AND RURAL ADVISORY COMMITTEE:

The Agricultural and Rural Advisory Committee (ARAC) reviewed this proposal on September 14, 2023 and made the following recommendation:

That the Agricultural and Rural Advisory Committee supports the proposed Non-Adhering Residential Use within the Agricultural Land Reserve for property located at 4586 No. 3 Road and recommends Council forward the application to the Agricultural Land Commission “with support”.

As part of the Committee’s rationale, it was noted that the current agricultural operation supports the need for additional farm workers to be housed on site. In addition, the location of the proposed residence does not impact the existing land in active agricultural production.

6. RECOMMENDATION AND SUBSTANTIATION:

Recommendation

Recommendation that application ALR00397 for Non-Adhering Residential Use within the Agricultural Land Reserve, with respect to property located at 4586 No 3 Road, be forwarded to the Agricultural Land Commission “with support”.

Substantiation

The proposed residence will be sited on an existing gravel pad within the subject property to ensure buildings are clustered and minimizing impact on agricultural land. Given the scale of agricultural operations within the property and the shortage of alternative affordable housing options in the community, the provision of farm worker accommodation within the site is considered appropriate and in the best interest of agriculture.

7. SOURCES OF INFORMATION:

- ALC Applicant Submission (ID: 65373) – May 25, 2022
- ALR Application (ALR0397) – May 31, 2022
- Development Application Review Team (DART) Minutes – August 17, 2023

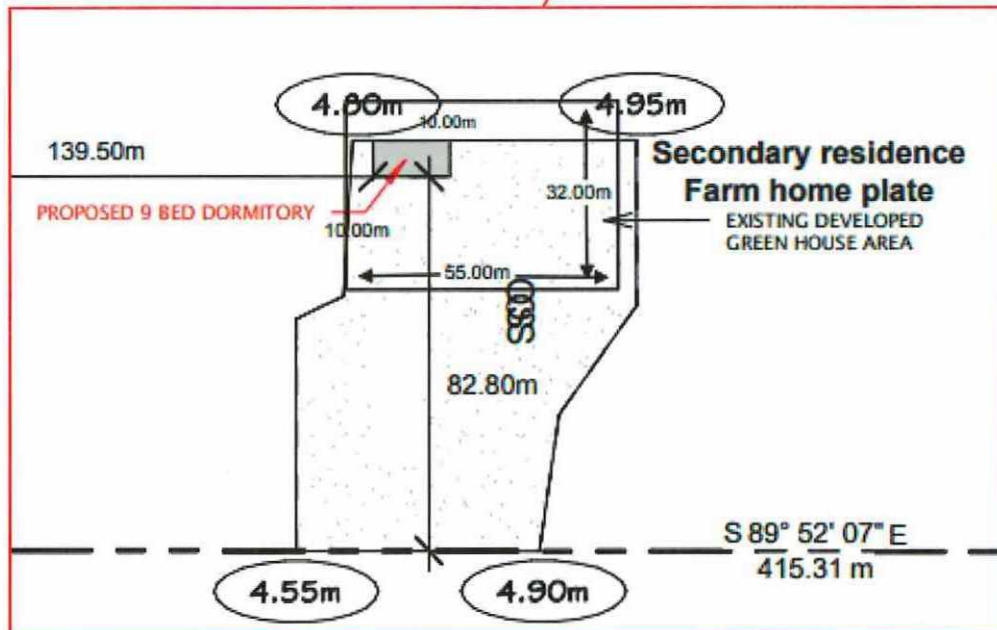
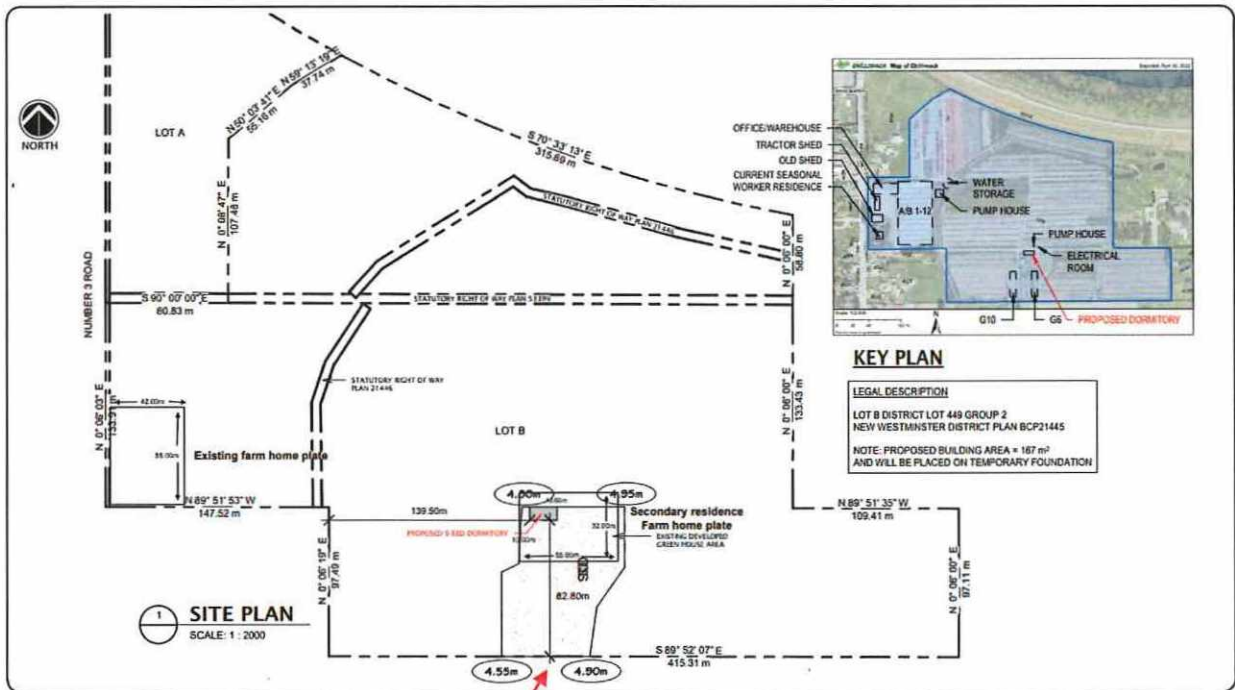
Location Map



Ortho Map



Proposed Site Plan (as submitted by the applicant)





Provincial Agricultural Land Commission - Applicant Submission

Application ID: 65373

Application Status: Under LG Review

Applicant: Paul Reimer

Agent: Reimer's Nurseries Ltd.

Local Government: City of Chilliwack

Local Government Date of Receipt: 05/25/2022

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Non-Adhering Residential Use - Additional Residence for Farm Use

Proposal: We are applying for an additional residence on the farm for our farm workers.

Agent Information

Agent: Reimer's Nurseries Ltd.

Mailing Address:

4586 No. 3 Rd.

Chilliwack, BC

V2R 5E8

Canada

Primary Phone: (604) 823-4255

Mobile Phone: (604) 600-2152

Email: adrian@reimersnurseries.com

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 026-523-957

Legal Description: LOT B DISTRICT LOT 449 GROUP 2 NEW WESTMINSTER DISTRICT
PLAN BCP21445

Parcel Area: 14.2 ha

Civic Address: 4586 No 3 Rd Chilliwack, BC

Date of Purchase: 07/01/2014

Farm Classification: Yes

Owners

1. **Name:** Paul Reimer

Address:

5471 Mt. Lehman Rd.

Abbotsford, BC

V4X 1V6

Canada

Phone: (604) 864-1282

Email: paul@reimersnurseries.com

Ownership or Interest in Other Lands Within This Community

- Ownership Type:** Fee Simple
Parcel Identifier: 009-281-843
Owner with Parcel Interest: Paul Reimer
Parcel Area: 3.2 ha
Land Use Type: Agricultural/Farm
Interest Type: Rental Agreement
-

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

Currently this property is used as a wholesale tree production nursery. Of the 35 acres, approximately 3.8 acres are used as greenhouse (1.8 acres); warehouse/office and equipment storage, and current residence for on farm help. About 4 acres are used for potted tree production, 1.6 acres is a swampy area that was gravelled over for previous greenhouse production, and the remainder is used as field nursery

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

There are extensive improvements to this property, including a 1.8 acre greenhouse, multiple wells and pumps, and irrigation capability throughout the property.

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

There is no non-agriculture uses that take place on this property

Adjacent Land Uses

North

Land Use Type: Civic/Institutional
Specify Activity: Vedder River Dike

East

Land Use Type: Commercial / Retail
Specify Activity: Several properties are zoned commercial

South

Land Use Type: Residential
Specify Activity: various residential properties - R1A

West

Land Use Type: Residential
Specify Activity: Various residential properties - R1A

Proposal

1. What is the purpose of the proposal?

We are applying for an additional residence on the farm for our farm workers

Applicant: Paul Reimer

2. Describe the necessity for an additional residence for farm use and how it will support agriculture in the short or long term.

The current residence for farm help is constructed in the 1940s and upcoming changes to the requirements for housing for temporary foreign workers will require very expensive upgrades to the house. Also, the farm onsite is needing more labour than can be housed in this facility, so we are planning to install a larger facility onsite that can more adequately handle the labour that is required to fulfill our production requirements.

Additionally, if the house is vacated we will use it for family whose income and work is farm-based.

3. Describe the size, type and number, as well as occupancy of all residential structures currently located on the property.

Currently there is one residence on the property built in the 1940s that is occupied by farm help. It is 2 stories plus a basement and contains about 1500 sq ft of living area.

4. What is the total floor area of the proposed additional residence in square metres?

178 m²

5. Describe the rationale for the proposed location of the additional residence.

We are proposing to place the additional residence on an existing gravel pad in the back of the property adjacent to the access road that goes through the property from west to east.

6. What is the total area of infrastructure necessary to support the additional residence?

All infrastructure can be placed inside of the existing gravel pad formerly occupied by cold-frame greenhouses.

7. Do you need to import any fill to construct the additional residence or infrastructure?

No.

Applicant Attachments

- Agent Agreement-Reimer's Nurseries Ltd
- Proposal Sketch-65373
- Certificate of Title-026-523-957

ALC Attachments

None.

Decisions

None.

AGENDA ITEM NO: 7.16

MEETING DATE: 5
September 26, 2023

STAFF REPORT – COVER SHEET

SUBJECT: OTG Developments Ltd.
Agricultural Land Reserve
10505, 10639, 10650 Bustin Road DATE: September 15, 2023

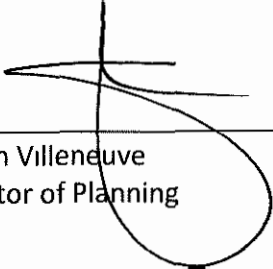
DEPARTMENT: Planning Department
ALR00408 PREPARED BY: Krista Desormeaux / cc


1. SUMMARY OF ISSUE:

The applicant is seeking approval to facilitate a boundary adjustment in the Agricultural Land Reserve (ALR) between 10505, 10639 and 10650 Bustin Road to create three parcels of 8.36ha, 0.47ha and 26.77ha, respectively.

2. RECOMMENDATION:

Recommendation that application ALR00408 for a boundary adjustment within the Agricultural Land Reserve (ALR), with respect to properties located at 10505, 10639 and 10650 Bustin Road, be forwarded to the Agricultural Land Commission "with support".



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman
Chief Administrative Officer

STAFF REPORT ON AGRICULTURAL LAND RESERVE APPLICATION ALR00408

PREPARED BY: Krista Desormeaux DATE: September 15, 2023
POSITION: Planner I DEPARTMENT: Planning Department

1. SUMMARY OF ISSUE:

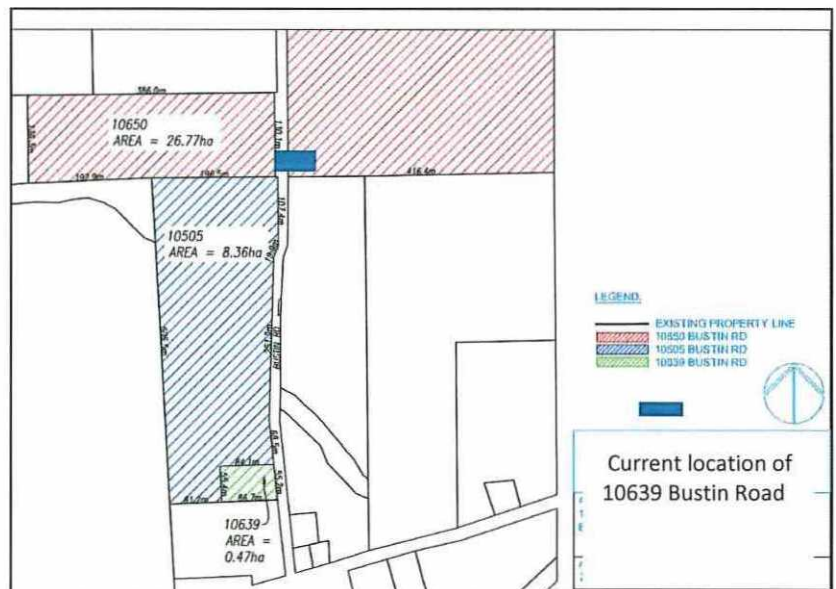
The applicant is seeking approval to facilitate a boundary adjustment in the Agricultural Land Reserve (ALR) between 10505, 10639 and 10650 Bustin Road to create three parcels of 8.36ha, 0.47ha and 26.77ha, respectively.

2. BACKGROUND:

The subject property of 10639 Bustin Road was created in 1994 through the homesite severance process. Subsequently, a subdivision application was approved in 2009 to relocate the homesite to the southeast corner of 10505 Bustin Road. This approval was subject to 2 conditions: that the existing homesite lot at 10639 Bustin Road be consolidated with 10650 Bustin Road and that the subdivision must be completed within three years from the date of decision. As the subdivision was not completed within the three-year time frame, a new application is required. The applicant is requesting the same proposal that was previously approved.

3. PROPOSAL:

The proposal is to complete a boundary adjustment to relocate the existing homesite at 10639 Bustin Road to the southeast corner of 10505 Bustin Road and consolidate the previous homesite into 10650 Bustin Road. If the proposed boundary adjustment is approved, this would increase the lot area of 10650 Bustin Road from 26.3ha to 26.77ha and reduce the lot area of 10505 Bustin Road from 8.8ha to 8.3ha; the lot area of 10639 will remain unchanged. The applicant has indicated that the proposed



boundary adjustment will improve the agricultural viability of 10650 Bustin Road by removing the potential for residential development of the site and allowing the property to be farmed more cohesively in the future. Should the proposed boundary adjustment be approved, the applicant will be expected to rezone 10639 Bustin Road to the AS (Agricultural Small Lot) Zone or apply for a site specific text amendment as the AL Zone requires a minimum lot size of 1ha for a boundary

adjustment. Furthermore, if the proposed boundary adjustment is approved, road dedication of 3.9m along the frontage of 10505 Bustin Road will be required at the time of subdivision. For more information, a copy of the ALC application is attached.

4. FACTORS:

4.1 Zoning/2040 OCP Designation/Land Use

Current Zone:	The properties are within the AL (Agricultural Lowland) Zone.
OCP Designation:	The properties are designated as “Agricultural” in the 2040 Official Community Plan.
Existing Land Uses:	10505 Bustin Road: poultry barns and crop production. 10639 Bustin Road: crop production. 10650 Bustin Road: single detached dwelling, accessory dwelling unit and crop production.

4.2 Technical Issues:

Floodplain:	The properties are within the protected floodplain, and as such, are subject to the Floodplain Regulation Bylaw.
Geotechnical Issues:	The properties are not subject to any known geotechnical hazards or earthquake related risks.
Watercourses:	<i>Hope Slough</i> , a Class “A” watercourse, runs through 10505 Bustin Road and along the south property line of 10650 Bustin Road. <i>Bustin Ditch</i> , a Class “C” watercourse runs along the south property lines of 10650 and 10639 Bustin Road and along the north property line of 10505 Bustin Road. As per the OCP, the minimum required setback is 30m for the Class “A” watercourse and 15m for the Class “C” watercourse. The proposed boundary adjustment is not expected to affect the 30m and 15m watercourse setbacks.
Soil Classification:	According to the ALC’s soil capability mapping, the affected portion of the properties are composed of a variety of soils, including areas with: <ul style="list-style-type: none">• 60% Class 2 soils (with soil moisture deficiencies and topographic issues), 30% Class 2 soils (with excess water, soil moisture deficiencies and topographic issues), and 10% Class 3 soils (with topographic issues and soil moisture deficiencies) with the potential to be Class 2 and Class 3 soils with topographic issues.

For reference, the ALC's Soil Classes are outlined below:

- Class 2 lands have minor limitations that require ongoing management practices or slightly restrict the range of crops, or both.
- Class 3 lands require moderately intensive management practices or restrictions in the range of crops.

4.3 Neighbourhood Character

The subject properties are located within an agricultural area situated to the north of the Rosedale neighbourhood. All three properties are immediately surrounded by parcels similarly zoned AL (Agricultural Lowland) and occupied predominantly by large farming operations. All properties within the immediate vicinity are located within the Agricultural Land Reserve (ALR).

5. DISCUSSION:

As per ALC Policy P-01 – ALR Subdivision Approvals by Approving Officers, boundary adjustments may be approved by an Approving Officer if they meet the criteria of Policy P-01. The proposed boundary adjustment does not meet the criteria of the Policy, as 10639 Bustin Road is less than 1ha; as such, the application is required to be forwarded to the ALC for consideration.

Though the proposal does not meet the minimum criteria for the Approving Officer to consider, the City of Chilliwack's Policy Directive No. G-31 – Boundary Adjustments in the ALR is referenced because it serves as a guide to ensure future decisions align with Chilliwack's long-term objectives such as the protection of farmland for agricultural purposes and long-term agricultural sustainability.

As stated in Policy G-31, boundary adjustments between parcels of variable sizes, where some parcels are less than 9.0ha in size, shall create the largest possible farm lots to enable a variety of diverse agricultural activities. Additionally, no resulting lot shall be less than 4ha in size unless there is an opportunity to reduce one of the parcels to 1ha. The Policy endorses the consideration of a proposal that does not meet the parameters if supported by an Agricultural Impact Assessment (AIA) from a Professional Agrologist. If the proposed boundary adjustment is approved, the resulting lot sizes will be 26.77ha, 8.36ha, and 0.47ha. While the applicant has not submitted an AIA, they have indicated that the proposed boundary adjustment will enable the more efficient cropping of 10650 Bustin Road.

6. AGRICULTURAL AND RURAL ADVISORY COMMITTEE:

The Agricultural and Rural Advisory Committee (ARAC) reviewed this proposal on September 14, 2023 and made the following recommendation:

That the Agricultural and Rural Advisory Committee supports the proposed boundary adjustment within the Agricultural Land Reserve for properties located at 10505, 10639 and 10650 Bustin Road

and recommends Council forward the application to the Agricultural Land Commission “with support”.

As part of the Committee’s rationale, it was noted that, as the proposal is consistent with a past application which was approved by the Agricultural Land Commission, the Committee had no concerns with renewing the proposal. In addition, the relocation of 10639 Bustin Road to the south end of 10505 Bustin Road will allow for better utilization of agricultural land by relocating the smaller lot from the centre of the farmable area.

7. RECOMMENDATION AND SUBSTANTIATION:

Recommendation

Recommendation that application ALR00408 for a boundary adjustment within the Agricultural Land Reserve (ALR), with respect to properties located at 10505, 10639 and 10650 Bustin Road, be forwarded to the Agricultural Land Commission “with support”.

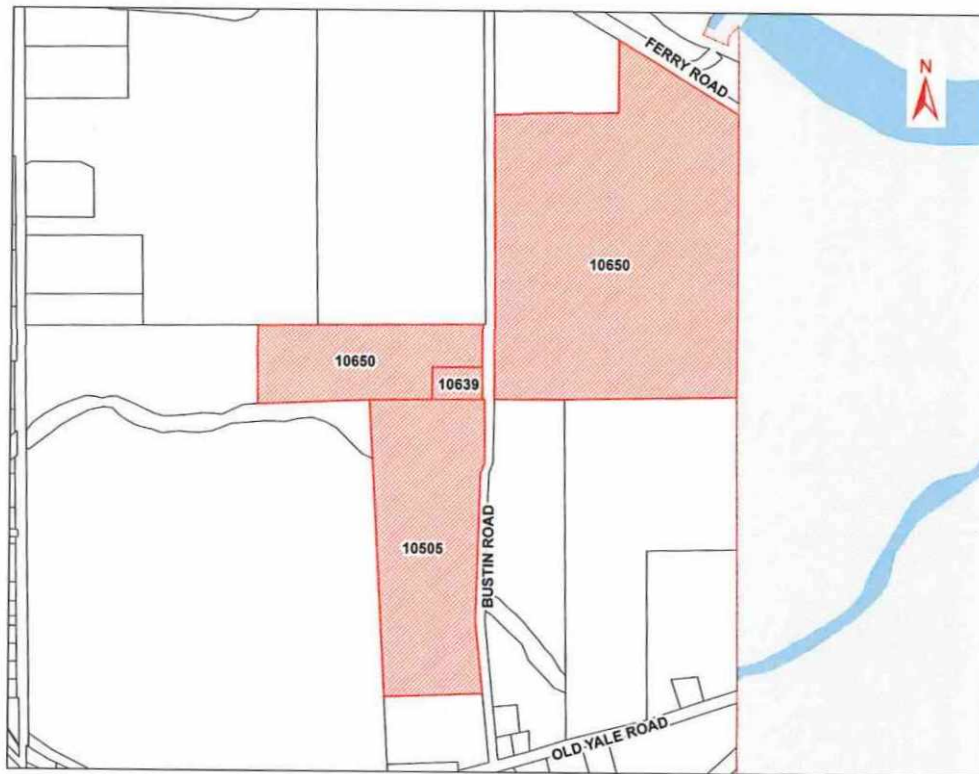
Substantiation

The proposed boundary adjustment is expected to improve the agricultural viability of 10650 Bustin Road by removing potential for residential development of the site and allowing the property to be farmed more cohesively in the future. In addition, the proposal does not include any new structures that would remove agricultural land from production.

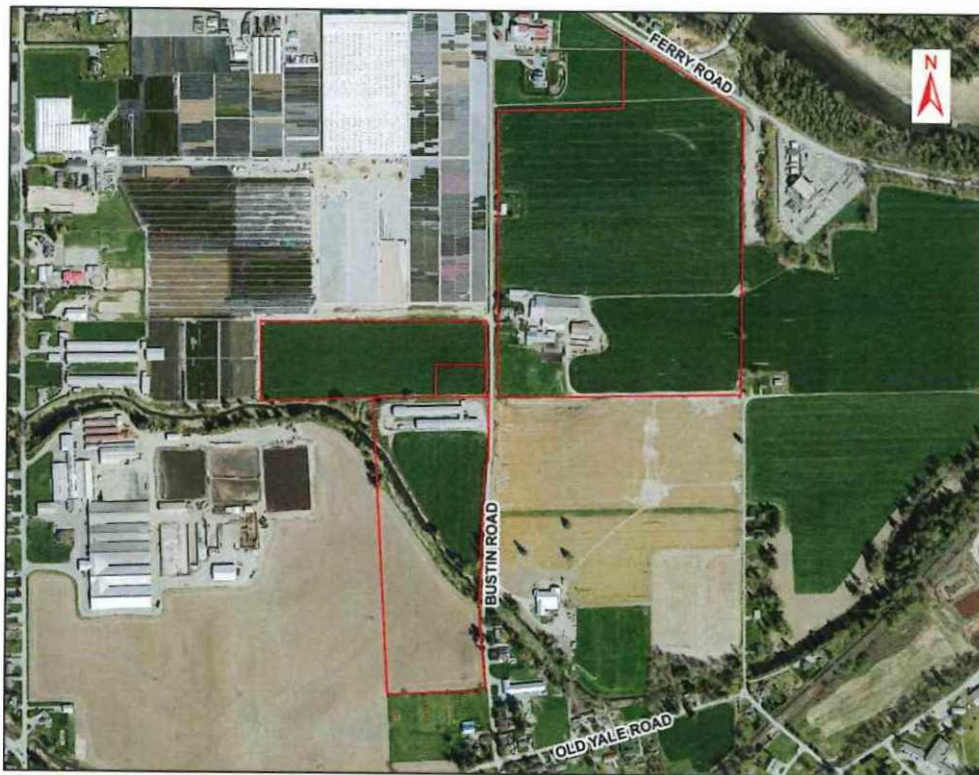
8. SOURCES OF INFORMATION:

- ALC Certified Resolution #43/2009 – March 11, 2009
- ALC Applicant Submission (ID68051) – April 26, 2023
- ALR Application (ALR00408) – April 28, 2023
- Development Application Review Team (DART) Minutes – June 22, 2023

Location Map



Ortho Map



Proposed Site Plan (as submitted by the applicant)





Provincial Agricultural Land Commission - Applicant Submission

Application ID: 68051

Application Status: Under LG Review

Applicant: John Bartel , Margaret Bartel

Agent: OTG Developments Ltd.

Local Government: City of Chilliwack

Local Government Date of Receipt: 04/26/2023

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Subdivision

Proposal: The purpose of the proposal is to relocate the homesite lot at 10639 Bustin Rd from its current location to the southeast corner of 10505 Bustin Rd. The original homesite lot would then be consolidated with 10650 Bustin Rd. The relocated homesite is proposed to retain its approximate size.

Agent Information

Agent : OTG Developments Ltd.

Mailing Address :

201-45269 Keith Wilson Rd

Chilliwack, BC

V2R 5S1

Canada

Primary Phone : (604) 799-7469

Email : isaac@otgdevelopments.com

Parcel Information

Parcel(s) Under Application

1. **Ownership Type :** Fee Simple

Parcel Identifier : 013-586-271

Legal Description : PARCEL "B" (REFERENCE PLAN 7577) NORTH HALF OF THE NORTH EAST QUARTER SECTION 5 AND OF THE SOUTH HALF OF THE SOUTH WEST QUARTER SECTION 8 TOWNSHIP 30 NEW WESTMINSTER DISTRICT

Parcel Area : 8.8 ha

Civic Address : 10505 Bustin Rd, Rosedale, BC V0X 1X2

Date of Purchase : 04/18/2012

Farm Classification : Yes

Owners

1. **Name :**

ALR 408

Canada
Phone :
Email :
2. **Name :**
Address :

Canada
Phone :
Email :

2. **Ownership Type :** Fee Simple
Parcel Identifier : 023-237-643
Legal Description : LOT 1 DISTRICT LOT 469 GROUP 2 NEW WESTMINSTER DISTRICT
PLAN LMP25670
Parcel Area : 0.5 ha
Civic Address : 10639 Bustin Rd, Rosedale, BC V0X 1X2
Date of Purchase : 10/18/1995
Farm Classification : Yes
Owners
1 **Name :**
Address :

Canada
Phone :
Email :
2. **Name :**
Address :

Canada
Phone :
Email :

3. **Ownership Type :** Fee Simple
Parcel Identifier : 029-176-255
Legal Description : LOT 2 DISTRICT LOT 469 GROUP 2 NEW WESTMINSTER DISTRICT
PLAN EPP31337
Parcel Area : 26.6 ha
Civic Address : 10650 Bustin Rd, Rosedale, BC V0X 1X2
Date of Purchase : 06/21/2021
Farm Classification : Yes
Owners
1. **Name :** Mountam Shadow Acres Ltd., INC. NO. BC1228635
Address :
10650 Bustin Road
Rosedale, BC

Applicant: John Bartel , Margaret Bartel

V0X 1X2
Canada
Phone : (604) 793-3420
Email : tonyneels@gmail.com

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

Two active poultry farm buildings occupy the northern 1 Oha portion of 10505 Bustin Rd. The portion of 10505 Bustin Rd south of the poultry farm buildings is leased by Corner Pride Farms of 10362 McGrath Road for crop farming. 10639 Bustin Rd is leased by the owners of 10650 Bustin Rd who use both properties conjunctively for crop farming.

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

There are two poultry farm buildings on the northern portion of 10505 Bustin Rd. There are no other structures or agricultural improvements present on the parcels except on the portion of 10650 Bustin Rd on the east side of Bustin Rd which contains various farm buildings and primary and secondary dwellings.

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

There are no non-agricultural uses that currently take place on the parcels with the exception of the primary and secondary dwellings on the portion of 10650 Bustin Rd on the east side of Bustin Rd.

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm

Specify Activity : Commercial Farm for Qualitree Propogators

East

Land Use Type: Agricultural/Farm

Specify Activity : Dairy Farm and Crop Farming

South

Land Use Type: Residential

Specify Activity : Single-family home and hobby farm

West

Land Use Type: Agricultural/Farm

Specify Activity : Corner's Pride Dairy Farm

Proposal

1. Enter the total number of lots proposed for your property.

Applicant: John Bartel , Margaret Bartel

27.07 ha
8.36 ha
0.47 ha

2. What is the purpose of the proposal?

The purpose of the proposal is to relocate the homesite lot at 10639 Bustin Rd from its current location to the southeast corner of 10505 Bustin Rd. The original homesite lot would then be consolidated with 10650 Bustin Rd. The relocated homesite is proposed to retain its approximate size.

3. Why do you believe this parcel is suitable for subdivision?

These parcels are suitable for this subdivision as they do not benefit from the existing configuration and location of the homesite lot. The subdivision would allow 10650 Bustin Road to be restored to its original boundaries, which are more in line with how it is used, allowing it to be farmed more cohesively into the future. It would also relocate the homesite away from the poultry barns and agricultural uses, closer to other residences to decrease conflicts and complaints. The proposed homesite lot is also further away from ditches, watercourses, and is outside of any rights-of-way.

4. Does the proposal support agriculture in the short or long term? Please explain.

The proposal supports agriculture in the long term by consolidating 10650 and 10639 Bustin Road. This will make the parcel a more regular shape and therefore easier to farm, while also preserving its agricultural viability into the future. The proposal also relocates the homesite further from agricultural buildings and closer to other residences, improving compatibility and avoiding conflicts between uses. The relocation would also avoid the need of the installation of a culvert for access, decreasing the risk of subjecting agricultural land to contamination and environmental hazards.

5. Are you applying for subdivision pursuant to the ALC Homesite Severance Policy? If yes, please submit proof of property ownership prior to December 21, 1972 and proof of continued occupancy in the "Upload Attachments" section.

No

Applicant Attachments

- Agent Agreement - OTG Developments Ltd.
- Proposal Sketch - 68051
- Other correspondence or file information - Cover Letter
- Certificate of Title - 013-586-271
- Certificate of Title - 023-237-643
- Certificate of Title - 029-176-255

ALC Attachments

None.

Decisions

None.

Applicant: John Bartel , Margaret Bartel

AGENDA ITEM NO: 7.17

MEETING DATE: September 26, 2023

STAFF REPORT – COVER SHEET

SUBJECT: OTG Developments Ltd.
Agricultural Land Reserve
10912 & 10918 Kitchen Road DATE: September 14, 2023

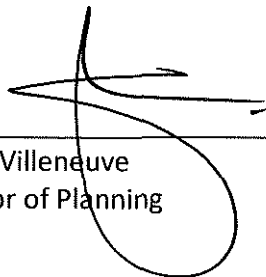
DEPARTMENT: Planning Department
ALR00409 PREPARED BY: Joty Rai / cc

1. SUMMARY OF ISSUE:

The applicant is seeking approval to relocate 10918 Kitchen Road (0.2ha) to the southwest corner of 10912 Kitchen Road (18.6ha) through a boundary adjustment subdivision within the Agricultural Land Reserve (ALR).

2. RECOMMENDATION:

Recommendation that application ALR00409 for a boundary adjustment within the Agricultural Land Reserve (ALR), with respect to properties located at 10912 and 10918 Kitchen Road, be forwarded to the Agricultural Land Commission "with support".



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman
Chief Administrative Officer

STAFF REPORT ON AGRICULTURAL LAND RESERVE APPLICATION ALR00409

PREPARED BY: Joty Rai DATE: September 14, 2023
POSITION: Planner I DEPARTMENT: Planning

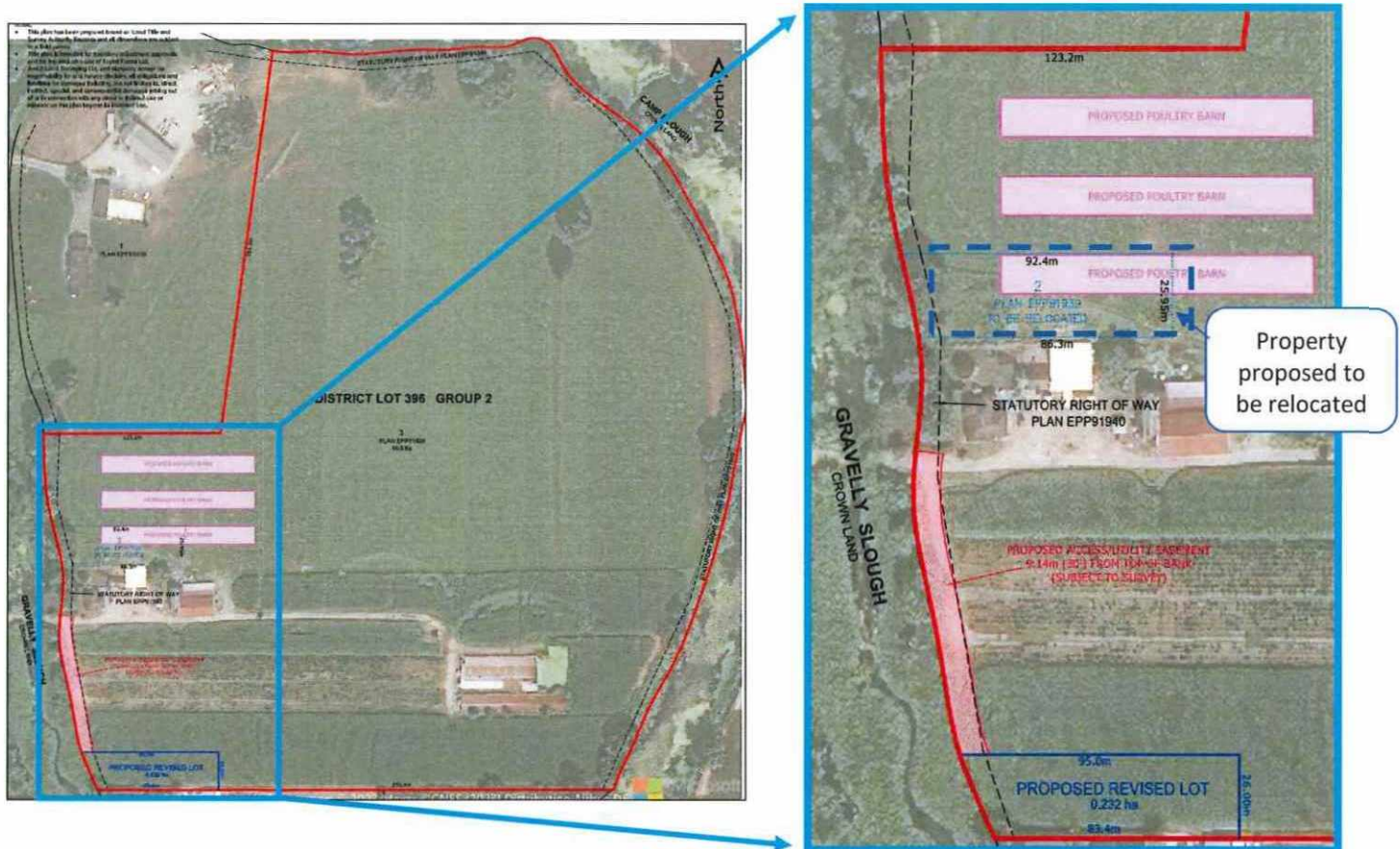
1. SUMMARY OF ISSUE:

The applicant is seeking approval to relocate 10918 Kitchen Road (0.2ha) to the southwest corner of 10912 Kitchen Road (18.6ha) through a boundary adjustment subdivision within the Agricultural Land Reserve (ALR).

2. BACKGROUND/PROPOSAL

The property located at 10918 Kitchen Road is a historic parcel which was identified and surveyed during a previously completed boundary adjustment (SAL00113) between 10912 Kitchen Road and 11014 Kitchen Road. The applicant now wishes to relocate this parcel to the southwest corner of 10912 Kitchen Road in order to construct three future poultry barns for *Tuytel Farms* within close proximity to the existing agricultural buildings on 10912 Kitchen Road.

As a result of the proposal, 10918 Kitchen Road will be relocated in its entirety from its current location on the northwest portion of the site to the southwest corner, as depicted below. The lot areas of both parcels will remain unchanged. Additionally, the applicant has confirmed that no new residential construction is proposed for 10918 Kitchen Road at this time. A copy of the applicant's letter of rationale is attached as 'Schedule A' for information.



Should the proposed boundary adjustment be approved, the applicant will be expected to either connect the property to a community water system or apply for a site specific text amendment as the AR Zone requires a minimum lot size of 1ha for a boundary adjustment when not serviced by community water system.

3. FACTORS:

3.1 Zoning / 2040 OCP Designation / Land Use

Current Zone: Both properties are located within the AR (Agricultural Residential) Zone

OCP Designations: Both properties are designated “Agriculture”

Existing Land Uses: 10918 Kitchen Road - Vacant

10912 Kitchen Road - Single detached dwelling, ancillary building, and agricultural building

3.2 Technical Issues

Floodplain: The subject properties are both located within the protected floodplain and are subject to the Floodplain Regulation Bylaw.

Watercourses: Gravelly Slough and Camp Slough, both “Class A” watercourses with a 30m riparian setback, surround both properties. Gravelly Slough runs along the entire western portion of the properties and a north portion of 10912 Kitchen Road. Camp Slough runs along the eastern portion of 10912 Kitchen Road and continues north.

There is an existing driveway crossing over Gravelly Slough which provides access to 10912 Kitchen Road. The applicant is proposing to share this crossing and implement an easement to provide access to 10918 Kitchen, as depicted in the attached Site Plan. As the proposed driveway connection will be located adjacent to Gravelly Slough, a 30m riparian setback will apply.

Geotechnical Issues: The properties are not subject to any known geotechnical hazards or earthquake related risks.

Soil Classification: According to the ALC’s soil capability mapping, the properties are composed of a variety of soils including:

10912 Kitchen Road

- An area which is 70% Class 2 soils (with soil moisture deficiency and topographical issues), having the potential to be Class 2 soils with topographical issues only; and, 30% Class 2 soils (with excess water and soil moisture deficiency), having the potential to be Class 1 soils.

- An area which is 30% Class 3 soils (with soil moisture deficiency and topographical issues) with 60% of this area having the potential to be Class 2 soils with topographic issues and soil moisture deficiency.

10918 Kitchen Road

- Entirely 70% Class 2 soils (with soil moisture deficiency and topographical issues), having the potential to be Class 2 soils with topographical issues; and, 30% Class 2 soils (with excess water and soil moisture deficiency), having the potential to be Class 1 soils.

For reference, the ALC's Soil Classes are outlined below:

- Class 1 lands have no or only very slight limitations that restrict its use for the production of common agricultural crops.
- Class 2 lands have minor limitations that require good ongoing management practices or slightly restrict the range of crops, or both.
- Class 3 lands have limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.

3.4 Neighbourhood Character

The subject properties are located within an agricultural area situated to the north east of the Urban Growth Boundary. The properties adjoin agricultural residential parcels also zoned AR, which contain dwellings and modestly sized agricultural operations. Other surrounding properties are zoned AL (Agricultural Lowland) and are occupied predominantly by large farming operations. All properties within the immediate vicinity are located within the Agricultural Land Reserve (ALR).

4. DISCUSSION:

As per ALC Policy P-01 – ALR Subdivision Approvals by Approving Officers, boundary adjustments may be approved by an Approving Officer if they meet the criteria of Policy P-01. The proposed boundary adjustment does not meet the criteria of the Policy, as 10918 Kitchen Road is less than 1ha; as such, the application is required be forwarded to the ALC for consideration.

Though the proposal does not meet the minimum criteria for the Approving Officer to consider, the City's Policy Directive No. G-31 – Boundary Adjustments in the ALR is referenced because it serves as a guide to ensure future decisions align with Chilliwack's long-term objectives such as the protection of farmland for agricultural purposes and long-term agricultural sustainability.

As stated in Policy G-31, boundary adjustments between parcels of variable sizes, where some parcels are less than 8.0ha in size shall create the largest possible farm lots to enable a variety of diverse agricultural activities. The policy also states that no resulting lot shall be less than 4ha in size. If the proposed boundary adjustment is approved, the resulting lot sizes will remain as is, 0.2ha and 18.6ha. As such, the proposal does not meet this criterion of the Policy.

The Policy also states that boundary adjustments involving improvement to an irregular lot shape may be supported if the current lot configuration negatively affects agricultural viability. The applicant has stated that the boundary adjustment will improve the agricultural viability of 10912 Kitchen Road, an irregularly shaped parcel, by allowing for a cohesive expansion to the current farming operation.

5. AGRICULTURAL AND RURAL ADVISORY COMMITTEE:

The Agricultural and Rural Advisory Committee (ARAC) reviewed this proposal on September 14, 2023 and made the following recommendation:

That the Agricultural and Rural Advisory Committee supports the proposed boundary adjustment within the Agricultural Land Reserve for properties located at 10912 and 10918 Kitchen Road and recommends Council forward the application to the Agricultural Land Commission “with support”.

As part of the Committee’s rationale, it was noted that relocating the 0.2ha lot from the centre of the site to the south end of the area will result in a more efficient lot alignment to maximize agricultural production on the properties.

6. RECOMMENDATION AND SUBSTANTIATION:**Recommendation**

Recommendation that application ALR00409 for a boundary adjustment within the Agricultural Land Reserve (ALR), with respect to properties located at 10912 and 10918 Kitchen Road, be forwarded to the Agricultural Land Commission “with support”.

Substantiation

The relocation of 10918 Kitchen Road is minor in scale and is anticipated to improve the agricultural viability of 10912 Kitchen Road by facilitating a cohesive future expansion of agricultural operations at the property.

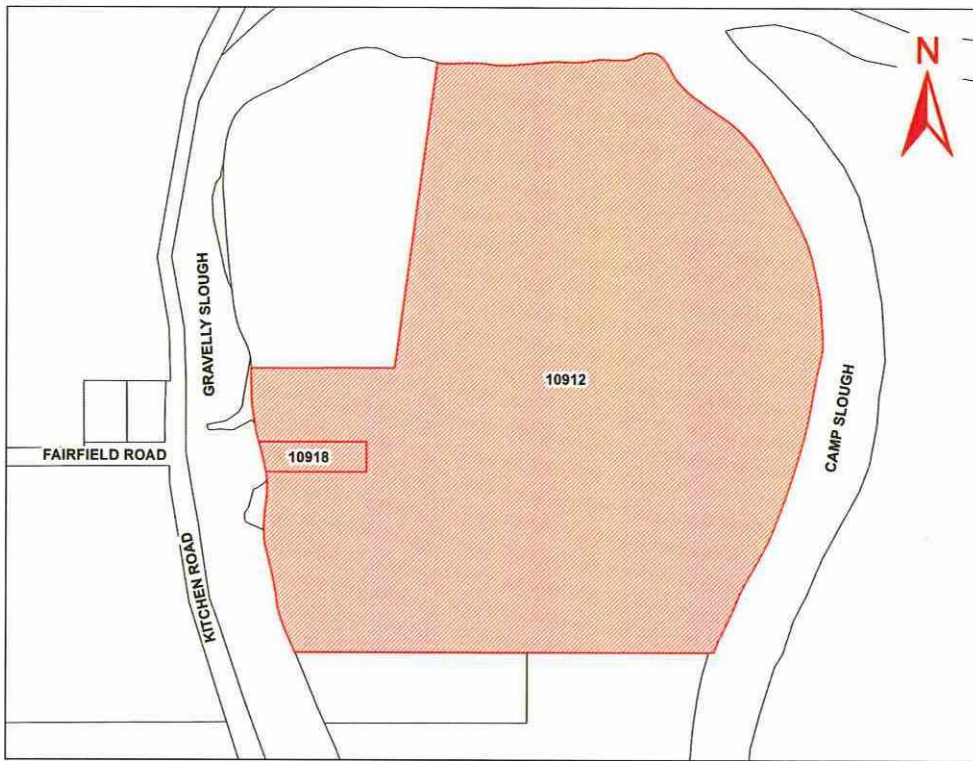
7. SOURCES OF INFORMATION:

- ALC Applicant Submission (ID 68281) – May 9, 2023
- ALR Application (ALR00409) – May 9 2023
- Letter of Rationale provided by Applicant – May 4, 2023
- Development Application Review Team (DART) Minutes – June 29, 2023
- Boundary Adjustment Application (SAL00113) – October 8, 2019
- Policy Directive No. G-31 – Boundary Adjustments in the ALR
- ALC Policy P-01 – ALR Subdivision Approvals by Approving Officers

Attachments:

- ALC Applicant Submission (ID 68281) – May 9, 2023
- Schedule A - Applicant’s Letter of Rationale

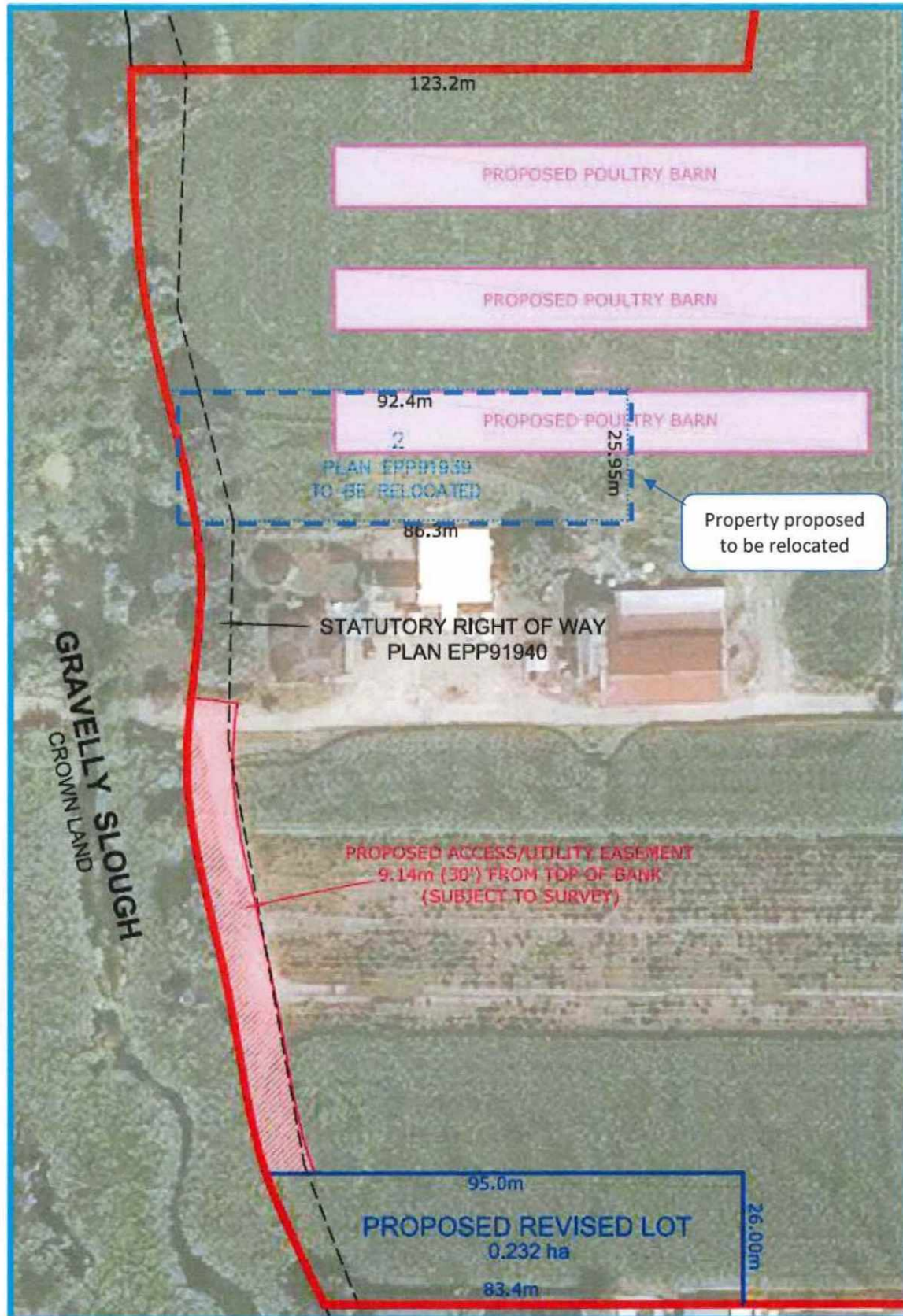
Location Map



Ortho Map



Proposed Site Plan – Partial (as submitted by the applicant)



**Schedule “A”
Applicant’s Letter of Rationale**

Via Electronic Delivery:

4 May 2023

OTG File No. 23-146

Agricultural Land Commission
201- 4940 Canada Way
Burnaby, BC
V5G 4K6

To whom it may concern,

RE: 10912 & 10918 Kitchen Road – Boundary Adjustment Application (ID68281)

Please accept this letter as a supplement to the above noted Subdivision Application (ID 68281) for the Property at 10912 & 10918 Kitchen Road (the "Subject Properties"). This application seeks to relocate Lot 2 (PID 031-248-420) to the southwest corner of Lot 3 (PID 031-248-438). The purpose of this relocation is to allow for more cohesive farmable land (see attached plan).

In 2020 there was a boundary adjustment completed which created Lots 1, 2 and 3 on plan EPP91939. The purpose of this was to increase the size of Lot 3 and shift Lot 2 to the north as the farmhouse was straddling the property line.

Description of the Subject Properties

The Subject Properties are located in East Chilliwack between two watercourses: "Camp Slough" to the north-east and "Gravelly Slough" to the north-west. The surrounding properties are mainly large agricultural lots with a handful of smaller agricultural lots in the area.

Lot 3 is serviced by a private onsite well and by a private onsite wastewater system, and Lot 2 is currently vacant.

+++

"A plan without action is a dream,
an action without a plan is a nightmare."



Technical Issues

- Floodplain:** The Subject Properties are located within the floodplain protected area as per the City of Chilliwack's online mapping.
- Watercourses:** The Subject Properties are surrounded by water on the north, east and west sides. Along the western side, wrapping around to the north, is Gravelly Slough. Camp Slough runs along the eastern boundary and continues north.
- Geotechnical Issues:** The Subject Properties are not subject to any known geotechnical hazards.
- DPA:** The Subject Properties are not subject to any DPA.

Official Community Plan

As per the Official Community Plan (OCP), the Subject Properties are designated Agricultural (AG). The intention of the OCP is to provide clear direction for future decision-making regarding limited subdivision growth on agricultural land. The proposed boundary adjustment is in keeping with the objectives of the OCP by not creating additional lots within the Agricultural Land Reserve (ALR) and maintaining the agricultural viability of the land.

Proposed Boundary Adjustment

The City of Chilliwack has a Boundary Adjustment Policy (Policy Directive No. G-31). It *was developed to support the Approving Officer in making decisions regarding boundary adjustments in the Agricultural Land Reserve, as enabled through the Agricultural Land Reserve Use, Subdivision and Procedure Regulation for the purpose of enhancing an existing farm, or better utilization of farm buildings for farm purposes.*

The existing lots do not meet the minimum lot area criteria as set out in the Policy to allow for the Approving Officer to sign-off. However, the proposal *does* meet the intent of improving an irregular-shaped lot to enhance agricultural viability by the proposed boundary adjustment.

The existing Agricultural Residential (AR) Zone has a minimum lot area of 0.2 hectares for lots which are serviced with community water and have private onsite sewer systems or 1 hectare without City water. The intent is not to change the overall lot area or the dimensions of Lot 2 when shifting it south. The purpose of relocating Lot 2 to the southwest corner of Lot 3 is to improve the agricultural viability for Lot 3. At this time the farmer does not have any intention of building on Lot 2 but may in the future.

The purpose of the boundary adjustment is to allow for three (3) future poultry barns to be located north of the existing residence. This location allows for the barns to be sited in accordance with the City of Chilliwack setbacks, as well as not having a large impact on the remaining lot area. The remaining area of Lot 3 would still be farmed for dairy feed to support other divisions of the business. With the current lot layout, there would only be room for two (2) barns in this area as the third barn would straddle the property line.

Access

At this time there is a crossing to access Lot 3 over Gravelly Slough, this access will be maintained as the Lot 3 driveway location. The driveway location for proposed Lot 2 will be determined upon final house design and comply with the requirements of the Zoning Bylaw at the time.

Waste Collection

Waste collection will be completed by the municipality and garbage bins will be brought to the curb on the designated days by the property owner.

Parking

The proposed parking will be as per Zoning Bylaw requirements. The Agricultural Residential lots will each have 2 parking spaces, one of which is not enclosed within a garage.

Road Dedication

The proposed boundary adjustment does not appear to require any road dedication. This will be confirmed by the City of Chilliwack.

Servicing

The Subject Properties do not currently have municipal servicing. Lot 3 is serviced with a private well, private onsite sewer, and a rock-pit for storm drainage. The Subject Properties are within the floodplain so any future onsite sewer systems on Lot 2 will likely need to be a raised pressure system. This will be designed in compliance with the Standard of Practice Manual (SPM) and Fraser Health by a registered Professional at the time of building permit.

Rationale

The following are points of rationale in support of the requested boundary adjustment:

- The proposed development is in keeping with the City of Chilliwack's Official Community Plan by not creating any additional lots within the Agricultural Land Reserve (ALR);
- The proposed layout creates a more practical and viable farming area for Lot 3; and,
- Allows for a proposed expansion of the poultry barns.



Attachments:

- Signed Letter of Agency
- Titles of Subject Properties
- Conceptual Plan of Subdivision

Thank you for your time and consideration. If you have any questions or concerns, please do not hesitate to contact the undersigned.

Best Regards,

Cassidy Silbernagel

Cassidy Silbernagel

DEVELOPMENT PLANNER

c: 604 997 2772

e: cassidy.silbernagel@otgdevelopments.com

604.316.9405

Unit 201 - 45269 Keith Wilson Rd Chilliwack, BC, V2R 5S1

www.otgdevelopments.com



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 68281

Application Status: Under LG Review

Applicant: TUYTEL FARMS LTD.

Agent: OTG Developments Ltd.

Local Government: City of Chilliwack

Local Government Date of Receipt: 05/09/2023

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Subdivision

Proposal: The purpose of the proposal is for a boundary relocation to allow the smaller 0.2ha lot to be relocated to the southwest corner to allow for a more viable farming parcel configuration for future barns and crop field.

Agent Information

Agent : OTG Developments Ltd.

Mailing Address :

201-45269 Keith Wilson Road

Chilliwack , BC

V2r 5S1

Canada

Primary Phone : (604) 997-2772

Email : cassidy.silbernagel@otgdevelopments.com

Parcel Information

Parcel(s) Under Application

1. **Ownership Type :** Fee Simple

Parcel Identifier : 031-248-420

Legal Description : LOT 2 DISTRICT LOT 396 GROUP 2 NEW WESTMINSTER DISTRICT
PLAN EPP91939 ACCESS BY WATER ONLY

Parcel Area : 0.2 ha

Civic Address : 10918 Kitchen Road

Date of Purchase : 11/25/2020

Farm Classification : No

Owners

1. **Name :** TUYTEL FARMS LTD.

Address :

11244 Kitchen Road

Chilliwack, BC

V2P 6H5

Applicant: TUYTEL FARMS LTD.

Canada
Phone : (604) 819-8067
Email : Tuytelfarmsltd@gmail.com

2. **Ownership Type :** Fee Simple
Parcel Identifier : 031-248-438
Legal Description : LOT 3 DISTRICT LOT 396 GROUP 2 NEW WESTMINSTER DISTRICT
PLAN EPP91939 ACCESS BY WATER ONLY
Parcel Area : 18.6 ha
Civic Address : 10912 Kitchen Road
Date of Purchase : 11/25/2020
Farm Classification : No
Owners
1. **Name :** TUYTEL FARMS LTD.
Address :
11244 Kitchen Road
Chilliwack, BC
V2P 6H5
Canada
Phone : (604) 819-8067
Email : Tuytelfarmsltd@gmail.com
-

Ownership or Interest in Other Lands Within This Community

1. **Ownership Type :** Fee Simple
Parcel Identifier : 027-837-548
Owner with Parcel Interest : TUYTEL FARMS LTD.
Parcel Area : 18.6 ha
Land Use Type : Agricultural/Farm
Interest Type : Full Ownership

2. **Ownership Type :** Fee Simple
Parcel Identifier : 028-766-997
Owner with Parcel Interest : TUYTEL FARMS LTD.
Parcel Area : 5.9 ha
Land Use Type : Agricultural/Farm
Interest Type : Full Ownership

3. **Ownership Type :** Fee Simple
Parcel Identifier : 000-536-498
Owner with Parcel Interest : TUYTEL FARMS LTD.
Parcel Area : 8.9 ha
Land Use Type : Agricultural/Farm
Interest Type : Full Ownership

4. **Ownership Type :** Fee Simple
Parcel Identifier : 016-290-160
Owner with Parcel Interest : TUYTEL FARMS LTD.
Parcel Area : 33.4 ha

Applicant: TUYTEL FARMS LTD.

Land Use Type : Agricultural/Farm
Interest Type : Full Ownership

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

The subject properties are used to grow crops for their dairy farm down the road.

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

No agricultural improvements have been made

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

The non-agricultural activity that takes place on the subject property is a single-family home located near the Gravelly Slough

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm
Specify Activity : Dairy Field Crop

East

Land Use Type: Agricultural/Farm
Specify Activity : Cedar Nursery

South

Land Use Type: Agricultural/Farm
Specify Activity : Chicken Farm

West

Land Use Type: Agricultural/Farm
Specify Activity : Horse boarding

Proposal

1. Enter the total number of lots proposed for your property.

*0.2 ha
18 6 ha*

2. What is the purpose of the proposal?

The purpose of the proposal is for a boundary relocation to allow the smaller 0.2ha lot to be relocated to the southwest corner to allow for a more viable farming parcel configuration for future barns and crop field

3. Why do you believe this parcel is suitable for subdivision?

Applicant: TUYTEL FARMS LTD.

Technically this constitutes a subdivision, however, we are not creating any new parcels or changing the current size. Rather, we are proposing to reconfigure the site to allow for the improved agricultural viability of the large lot. The subject site does not meet the requirements for approving officer sign-off as the original lots do not meet or exceed the 10ha requirement as one of the lots is 0.2ha

4. Does the proposal support agriculture in the short or long term? Please explain.

The proposal allows for a more cohesive large farm lot to support agriculture in the long term

5. Are you applying for subdivision pursuant to the ALC Homesite Severance Policy? If yes, please submit proof of property ownership prior to December 21, 1972 and proof of continued occupancy in the "Upload Attachments" section.

No

Applicant Attachments

- Agent Agreement - OTG Developments Ltd.
- Professional Report - Cover letter
- Proposal Sketch - 68281
- Certificate of Title - 031-248-420
- Certificate of Title - 031-248-438

ALC Attachments

None.

Decisions

None.

AGENDA ITEM NO: 7.18

MEETING DATE: September 26, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Precision Building Design Associates Ltd.
Development Permit / 45991 Airport
Road DATE: September 14, 2023

DEPARTMENT: Planning Department
DP001707 PREPARED BY:  J. Doty Rai / cc

1. SUMMARY OF ISSUE:

The applicant is seeking approval for the form and character of exterior alterations to the existing commercial building within the subject property.

2. RECOMMENDATION:


Recommendation that Council approve the issuance of Development Permit DP001707 with respect to property located at 45991 Airport Road, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Permit.



Gillian Villeneuve
Director of Planning

**3. CHIEF ADMINISTRATIVE OFFICER'S
RECOMMENDATION/COMMENTS:**

Supports recommendation.



Chris Crosman
Chief Administrative Officer

STAFF REPORT ON DEVELOPMENT PERMIT DP001707

PREPARED BY: Joty Rai DATE: September 14, 2023
POSITION: Planner I DEPARTMENT: Planning Department

1. SUMMARY OF ISSUE:

The applicant is seeking approval for the form and character of exterior alterations to the existing commercial building within the subject property. As the property is located within Development Permit Area No. 5 (Urban Corridor), a Development Permit is required.

2. BACKGROUND:

The applicant began exterior alterations to the building without the benefit of a Development Permit or Building Permit for maintenance purposes, as shown in the below site photo. Once it was determined that the alterations exceeded purely maintenance, an application for a Development Permit was submitted. Construction ceased at that time and will not continue until approvals are granted and a Building Permit is issued.



Site Photo

3. PROPOSAL

In summary the proposal includes:

- Façade upgrades to the building including resurfaced stucco and new Hardie panel siding with a metal cladding feature facing Airport Road;
- A new parapet addition to the roofline to include signage;
- No changes to the footprint of the building or site layout, including parking; and,
- Existing landscaping is to be retained.

6. DESIGN REVIEW AND ADVISORY COMMITTEE:

The Design Review Advisory Committee reviewed the subject Development Permit application on August 8, 2023 and made the following recommendation:

That the Design Review Advisory Committee supports DP001707 and recommend Council approve the application subject to the following conditions:

- 1. that the design of the exterior façade be revised by limiting the use of metal siding and include alternative siding materials in keeping with the Design Guidelines;*
- 2. that the required minimum front lot line (FLL) setback for all other uses within the CSM (Service Commercial Industrial) Zone be reduced from 10m to 0.6m; and,*
- 3. that the required south exterior lot like (ESLL) setback for all other uses within the CSM (Service Commercial Industrial) Zone be reduced from 3m to 1.1m.*

In response to the first condition, the applicant amended the proposed elevations by replacing the horizontal metal siding material with Hardie panel. Based on this alteration to the building design, the proposal is considered to be in keeping with the Design Guidelines for DPA 5. As the building design has been updated, condition 1 has not been included in the draft permit.

7. RECOMMENDATION & SUBSTANTIATION:**Recommendation:**

Recommendation that Council approve the issuance of Development Permit DP001707 with respect to property located at 45991 Airport Road, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Permit.

Substantiation:

The proposed development conforms to the Urban Corridor Form and Character Design Guidelines and is expected to contribute to an enhanced streetscape. As the proposed setback variances will legitimize the siting of the existing building and facilitate the construction of a roof parapet addition resulting in greater visual interest and building articulation, the variances are considered to be consistent with the Design Guidelines for DPA 5.

8. DEVELOPMENT PERMIT AREA NO. 5 DESIGN GUIDELINE CHECKLIST:

Design Guidelines		Yes/No	Comments
Character of Buildings			
1.1	Buildings, structures architecturally coordinated, compatible in design with surrounding properties & streets	Yes	<ul style="list-style-type: none"> The proposed exterior alterations add visual improvements to the existing building and the design is considered to be compatible with the surrounding commercial and industrial uses on Airport Road.
1.2	Façade and Roof Articulation to soften massing	Yes	<ul style="list-style-type: none"> The proposed parapet roof addition adds articulation to the existing flat roof
1.3 & 1.4	Exterior finish / materials are in keeping with the guidelines	Yes	<ul style="list-style-type: none"> The proposal includes resurfacing the existing stucco and the addition of high-quality Hardie panel siding with metal fry reglet channels. Metal is used as an accent feature only.
1.5	Muted colours, compatible with surrounding development	Yes	<ul style="list-style-type: none"> The proposed paint colours, "City Loft" and "Tahoe Blue" appear as a soft beige and muted blue on the Colours & Materials Board as provided by the applicant, creating compatibility with the surrounding buildings and environment.
Siting			
2.1	Orientation of main façade to street, building sited near back of sidewalk	Yes	<ul style="list-style-type: none"> The main façade of the building is oriented towards the street (Airport Road). Additional emphasis has been placed on the front façade through the use of signage, roof articulation, and distinguished metal feature cladding.
2.2	Garbage receptacles in rear yard; screened from road	N/A	
2.3	Outdoor storage screened	N/A	
Parking & Access			
3.1	At rear / side of building	Yes	<ul style="list-style-type: none"> The existing parking area is located beside the building. No changes are required or proposed to the existing parking.
3.2	Design promotes safe & efficient vehicle movements	N/A	<ul style="list-style-type: none"> No changes are required or proposed to the existing parking.
Landscaping			
4.1	Meets Zoning Bylaw standards	N/A	<ul style="list-style-type: none"> No additional landscaping is proposed or required based on the scope of work.
4.2	Retention & integration of existing mature plantings in landscape plan, internal sidewalk links to public sidewalk in landscaping area	Yes	<ul style="list-style-type: none"> The existing landscaping is to be retained.
4.3	Screening of parking areas visible from street	N/A	<ul style="list-style-type: none"> Additional screening is not required or proposed.

Signage			
5.1	Architecturally coordinated with overall building design	Yes	<ul style="list-style-type: none"> The proposed signage placement is architecturally coordinated with the overall design and scale of the building and complements the existing and surrounding development
5.2	Meets Sign Bylaw standards; Fascia signs max of 2m ² per linear meter of building wall	Yes	
5.3	Window decals conform to Downtown Design Guidelines (Section 4.8) standards	N/A	<ul style="list-style-type: none"> No window decals proposed.
External Lighting			
6.1	Oriented to illuminate building form & parking areas	N/A	<ul style="list-style-type: none"> Existing lighting to be maintained

7. SOURCES OF INFORMATION:

- Development Permit Application (DP001707) – May 2, 2023
- Development Application Review Team (DART) Minutes – June 22, 2023

Location Map



Ortho Photo





CITY OF CHILLIWACK

DEVELOPMENT PERMIT NO. DP001707, 2023

(Portion of Development Permit Area No. 5 of the Official Community Plan)

To: **1241987 BC Ltd.** **Precision Building Design Associates Ltd.**
107B - 45750 Alder Avenue **3 - 45953 Airport Road**
Chilliwack, BC V2R 4E3 **Chilliwack, BC V2P 1A3**

1. This Development Permit applies to the following property:

Parcel Identifier No. **008-665-109**
Legal Description: **LOT 41 EXCEPT: PART ON PLAN LMP44932; DISTRICT LOT**
257 GROUP 2 NEW WESTMINSTER DISTRICT PLAN 39789
Address: **45991 Airport Road**

2. Development of the subject property shall be substantially in conformance to the following:

- Development shall be in accordance with the approved site plan and elevations attached within Schedule "A";
- That the required minimum front lot line (FLL) setback (Young Road) for all other uses within the CSM (Service Commercial Industrial) Zone be reduced from 10m to 0.6m;
- That the required south exterior lot like (ESLL) setback (Airport Road) for all other uses within the CSM (Service Commercial Industrial) Zone be reduced from 3m to 1.1m; and,
- Specifications of Development Permit Area No. 5 (Urban Corridor) of the City of Chilliwack Official Community Plan.

N.B. The above technical information is retained on file in the Planning Department.

3. This Development Permit is not a Building Permit and does not constitute approval of any proposed subdivision.
4. Pursuant to Section 504 of the *Local Government Act*, if the permittee does not substantially start any construction permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

APPROVED BY COUNCIL ON THE __ DAY OF __, 2023.

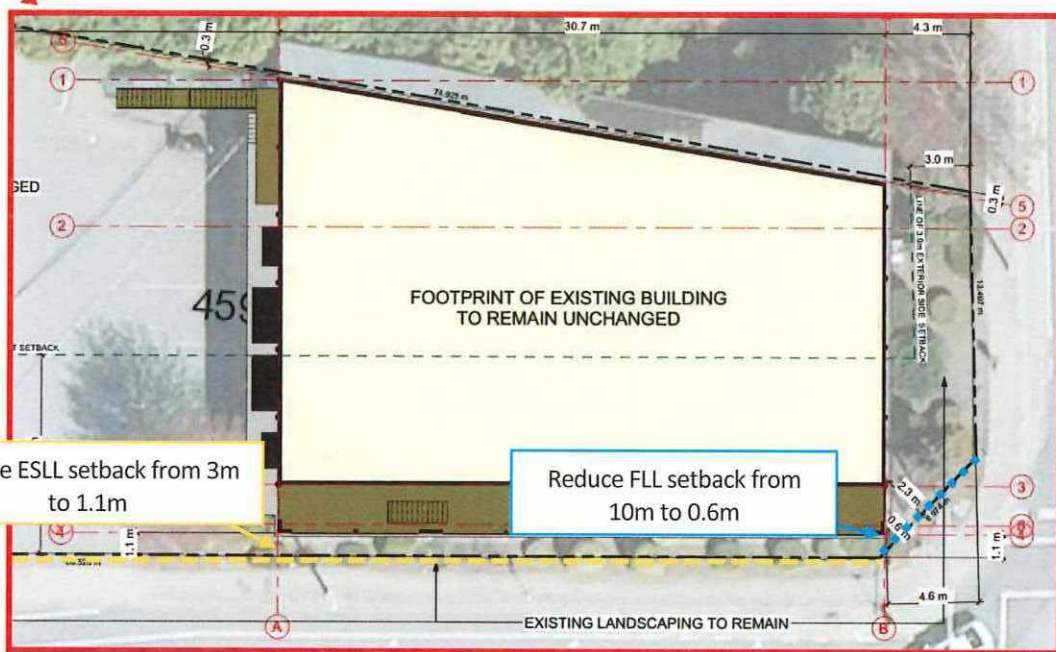
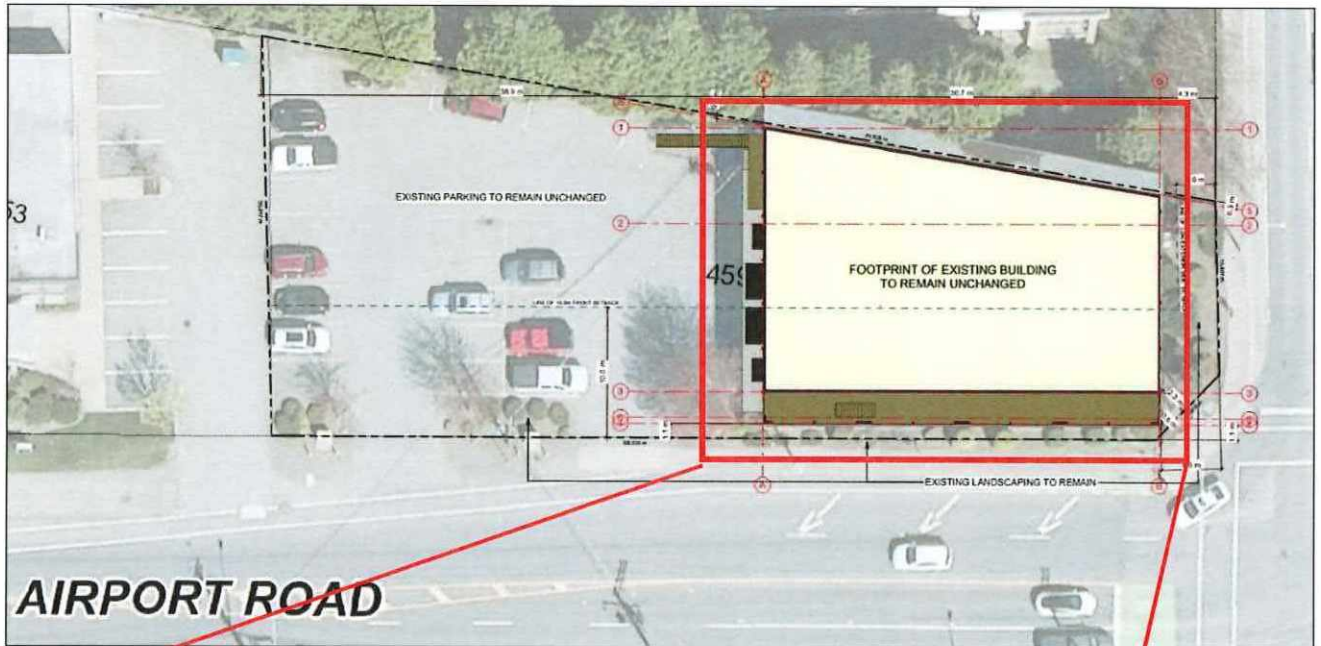
ISSUED THIS __ DAY OF __, 2023.

CORPORATE OFFICER

DRAFT

Schedule "A"

Site Plan (as provided by the applicant)



DRAFT

Elevations



Colours & Materials

- Resurfaced stucco in colour SW7631 'City Loft'
- Hardie panel siding in colour 'Charcoal Grey' with metal fry reglet channels
- Vertical metal cladding feature in colour WF-636 'Tahoe Blue'

DRAFT

AGENDA ITEM NO: 7.19

MEETING DATE: September 26, 2023

STAFF REPORT – COVER SHEET

Latecomer Agreement LC-094 & First Resolution
Snehdeep Chugh
SUBJECT: Storm Main Extension on Lewis Avenue DATE: September 5, 2023

DEPARTMENT: Development & Regulatory Enforcement Services PREPARED BY: Laura Redpath

1. SUMMARY OF ISSUE:

A Latecomer Agreement and First Resolution are presented for Council's consideration. The agreement is for the Developer to recover costs from benefiting lands. The extended works include a storm main extension along Lewis Avenue. The Developer is Snehdeep Chugh.

2. RECOMMENDATION:

That Council enter into a Latecomer Agreement and adopt the First Latecomer Resolution for Snehdeep Chugh for the storm main extension along Lewis Avenue, with the form and content of Appendix "D" to Policy Directive No. G-5 with the following attachments:

1. Schedule "A" – Report of the Director of Development,
2. Schedule "B" – Latecomer Agreement dated for reference August 28, 2023;
3. Schedule "C" – Form F3 Certificate of Substantial Completion, signed May 18, 2021



Glen White, Director of DARES

3. FINANCE COMMENTS:

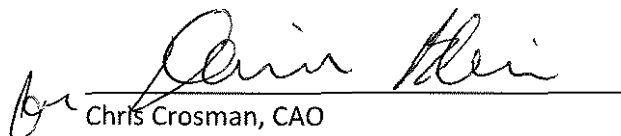
This Latecomer Agreement will be administered in accordance with Council Policy. There is no financial impact to the City from this agreement.



Glen Savard, Director of Finance

4. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman, CAO

**STAFF REPORT ON
LATECOMER AGREEMENT AND FIRST RESOLUTION LC-094**

PREPARED BY: Laura Redpath

DATE: September 5, 2023

POSITION: Senior Development
Technologist

DEPARTMENT: Development & Regulatory
Enforcement Services

1. DEFINITION OF ISSUE:

A Latecomer Agreement and First Resolution are presented for Council's consideration. The agreement is for the Developer to recover costs from benefiting lands. The extended works include a storm main extension along Lewis Avenue. The Developer is Snehdeep Chugh.

2. FACTORS:

- 2.1 The Latecomer Agreement (LC-094) and First Resolution are herewith attached for Council's consideration
- 2.2 The Subdivision Servicing Agreement (No. SUB02128 SEP.2019) has been executed by the Developer (Snehdeep Chugh) and the City.
- 2.3 Snehdeep Chugh constructed and completed the works including a 200mm storm main extension along Lewis Avenue.
- 2.4 The Developer Lands are located at 46016 Lewis Avenue and 46025 King Avenue.
- 2.5 A storm main extension, approximately 44m in length, extends from the intersection of Lewis Avenue and Bartlett Street.
- 2.6 Attachments:
 - a) Appendix 'A' Location of Benefiting Lands, Developer's Land, and Extended Works
 - b) First Latecomer Resolution (long & short form) including Schedule 'A' Report to Council for Servicing Agreement (not applicable as per Council's designated authorization), Schedule 'B' Latecomer Agreement including its schedules and Schedule 'C' Substantial Completion Certificate

3. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

That Council adopt the First Latecomer Resolution and enter into the Latecomer Agreement for the storm main extension along Lewis Avenue.

Substantiation.




The proposed agreement is consistent with the City's Latecomer Policy.

APPENDIX "A"

LOCATION OF BENEFITING LANDS AND DEVELOPER'S LANDS



Legend:

-  Solid green lines indicate storm main extension
-  Hatched red area indicates the properties benefiting from the storm main extension
-  Hatched grey area indicates the developer's land

FIRST LATECOMER RESOLUTION (LC-094)
SNEHDEEP CHUGH
STORM MAIN EXTENSION ON LEWIS AVENUE
CITY OF CHILLIWACK

The Council of the City of Chilliwack in open meeting assembled resolves as follows:

1. In this resolution
 - (a) "**Complete**" or "**Completion**" or any variation of these words means the date that
 - (i) issuance of a certificate of completion signed by the Director of Engineering certifying that the **Excess or Extended Services** have been constructed and installed to the standards and specifications set out in the bylaws of the City such that the **Excess or Extended Services** have been fully tested, are functional, and can be used for their intended purpose, all to the satisfaction of the Director of Engineering,
 - (b) "**Excess or Extended Services**" means any combination, described in the **Report** of a portion of a
 - (i) highway system required to be constructed and installed by the **Owner** that will provide access to lands other than the **Lands**, or
 - (ii) water, sewage, or drainage system constructed and installed by the **Owner** that will serve land other than the **Lands**;
 - (c) "**Lands**" has the same meaning as "**Lands**" in the Latecomer Agreement
 - (d) "**Latecomer Agreement**" means the Agreement attached hereto as Schedule "B".
 - (e) "**Owner**" means the owner, as defined in Section 1 of the *Local Government Act*, of the **Lands**, and
 - (f) "**Report**" means the report of the Director of Development whereby the Building Servicing Agreement is forwarded for approval by Council.
2. The **Owner** is required to construct and install, in accordance with the standards prescribed in the City's Subdivision and Development Control Bylaw in force from time to time, the works and services described in the **Report**.
3. The Council of the City considers its costs to provide the whole of the **Excess or Extended Services** to be excessive.

4. The **Owner** is required to **Complete the Excess or Extended Services** prior to the date before which the **Owner** is required, pursuant to an agreement under Section 940 of the *Local Government Act*, to complete on site works and services on the **Lands** pursuant to the **Owner's** application for a subdivision of the **Lands**

5. The City enters into the **Latecomer Agreement** with the **Owner** and the Mayor and Corporate Of are authorized to execute and affix the corporate seal to the **Latecomer Agreement**.

CARRIED this 16th day of May, 2023.

Corporate Officer

FIRST LATECOMER RESOLUTION (LC-094)
SNEHDEEP CHUGH
STORM MAIN EXTENSION ON LEWIS AVENUE
CITY OF CHILLIWACK
(Shorter Form)

The Council of the City of Chilliwack in open meeting assembled resolves to pass the resolution with the form and content of Appendix "D" to Policy Directive No. G-5 with the following attachments:

1. Schedule 'A' – Report of the Director of Development 'Not Applicable'
2. Schedule 'B' – Latecomer Agreement dated August 28, 2023
3. Schedule 'C' – Form F3 Certificate of Substantial Completion, signed May 18, 2021

SCHEDULE 'A'

REPORT OF THE DIRECTOR OF DEVELOPMENT

Not applicable Refer to First Latecomer Resolution definitions where “Report” means the report of the Director of Development whereby the Subdivision Servicing Agreement is forwarded for approval by Council. City Council has designated authority to enter Subdivision Servicing Agreement to the Mayor and Corporate Officer. The subject servicing agreement has been executed by the Developer and the City.

SCHEDULE 'B'

LATECOMER AGREEMENT (LC-094)

SNEHDEEP CHUGH

STORM MAIN EXTENSION ON LEWIS AVENUE

CITY OF CHILLIWACK

THIS AGREEMENT dated for reference the 28 day of August, 2023.

BETWEEN.

CITY OF CHILLIWACK
8550 Young Road
Chilliwack, BC V2P 8A4

(the "City")

OF THE FIRST PART

AND:

SNEHDEEP CHUGH
46025 King Avenue
Chilliwack, BC V2P 3B4

(the "Developer")

OF THE SECOND PART

GIVEN THAT:

- A The Developer has applied to the City to develop the **Lands** herein defined and is in accordance with the City's subdivision and development bylaw providing water, sewage, drainage, or highway facilities, or a combination of such facilities, that will serve the **Lands**;
- B A portion of the water, sewage, drainage, or highway facilities (herein defined as "**Excess or Extended Services**") will serve the **Benefiting Lands** herein defined, which **Benefiting Lands** do not include the **Lands**;

- C. The City considers that its costs to provide the **Excess or Extended Services** in whole or in part are excessive, and requires the Developer, as owner of the **Lands**, and the owners of any other land that, in the opinion of the City, will benefit from the **Excess or Extended Services**, to pay the cost of the **Excess or Extended Services**;
- D. The City is authorized to enter into this agreement under Section 939 of the *Local Government Act*,
- E. The Council of the City of Chilliwack has by way of Bylaw No. 1171, 1989, as amended or replaced from time to time, set the rate of interest referred to under Section 939(8) of the *Local Government Act* and in paragraph 3 of this agreement;

NOW THEREFORE THIS AGREEMENT WITNESSES THAT in consideration of the mutual covenants and agreements made by each of the parties to the other as set out in this agreement, and for other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and the Developer covenant and agree as follows:

Interpretation

1 In this Agreement

- (a) "**Benefiting Lands**" means the lands other than the **Lands** that:
 - (i) in the opinion of the City, will be served by the **Excess or Extended Services**, which **Benefiting Lands** are, subject to paragraph 1(a)(ii), legally described on Schedule A, and
 - (ii) are connected to the **Excess or Extended Services** after **Completion** of those **Excess or Extended Services**;
- (b) "**Completion**" means the date that
 - (i) the issuance of a certificate of Completion signed by the City's Director of Engineering certifying that the **Excess or Extended Services** have been completed to the standards and specifications set out in the bylaws of the City such that the **Excess or Extended Services** have been fully tested, are functional, and can be used for their intended purpose, all to the satisfaction of the City's Director of Development;
- (c) "**Excess or Extended Services**" means any combination, described in Schedule B, of a portion of a.
 - (i) highway system constructed by the Developer that will in the opinion of the City provide access to the **Benefiting Lands**, or

- (ii) water, sewage, or drainage system constructed by the Developer that will serve the **Benefiting Lands**;

- (d) "**Lands**" means those certain lands legally described on Schedule C and owned by the Developer in respect of which the Developer is constructing highway, water, sewage, or drainage systems, a portion of which systems constitutes the **Excess or Extended Services** that will serve the **Benefiting Lands**.

Charges for Latecomer Connections or Use

- 2. The City must pay to the Developer charges imposed by the City under Section 939(5)(c) of the *Local Government Act* and described on Schedule D, only if and to the extent the charges are paid by the owners of **Benefiting Lands** and collected by the City during the **15 year period** commencing on **Completion**.

Interest

- 3. There shall be included in the charge payable by the owner of **Benefiting Lands** under Section 939(5)(c) interest calculated annually at a rate prescribed by a bylaw of the City, payable for the period commencing on **Completion**, up to the date that the connection is made or the use commences, and if paid by the owners of **Benefiting Lands** and collected by the City during the period referred to in paragraph 2, the interest shall be paid to the Developer.

Assignment or Transfer of Developer's Rights

- 4. In the event of the assignment or transfer of the rights of the Developer voluntarily, or by operation of law, the City's Director of Corporate Services may pay any benefits accruing under this agreement, after notice, to such successor of the Developer as the City's Director of Corporate Services, in his judgement, deems entitled to such benefits. In the event of conflicting demands being made on the City for benefits accruing under this agreement, then the City may at its option commence an action in interpleader joining any party claiming rights under this agreement, or other parties which the City believes to be necessary or proper, and the City shall be discharged from further liability on paying the person or persons whom the court having jurisdiction over such interpleader action shall determine, and in such action the City shall be entitled to recover its reasonable legal fees and costs, which fees and costs shall constitute a lien upon all funds accrued or accruing pursuant to this agreement.

Indemnity

- 5. The Developer covenants not to sue the City, its administrators, successors, assigns, directors, officers, agents, employees, servants, tenants, solicitors, consultants, and anyone else for whom the City is in law liable, by reason of or arising out of or in any way connected with any error, omission, or conduct of the City in relation to the **Excess or Extended Services**, including, without the generality of the foregoing, a failure of the City to pass a resolution, enact a bylaw, enter into an agreement, impose a charge, calculate a charge correctly, or collect a charge under Section 939 of the *Local Government Act*.

Termination

- 6 This agreement shall expire and shall be of no further force and effect for any purpose on the earlier of.
- (a) the payment of the latecomer charge or charges by the City to the Developer for all the **Benefiting Lands** under paragraphs 2 and 3 of this agreement, or
 - (b) completion of the **15 year latecomer period**
- and thereafter the City shall be forever fully released and wholly discharged from any and all liability and obligations hereunder this agreement, or howsoever arising pertaining to the latecomer charges, and whether arising before or after the expiry of this agreement.
- 7 Paragraphs 5 to 16 shall survive the termination of this Agreement

Developer Representation and Warranty

8. The Developer represents and warrants to the City that the Developer has not received, claimed, demanded, or collected money or any other consideration from the owners of the **Benefiting Lands** for the provision, or expectation of the provision of the **Excess or Extended Services**, other than as contemplated and as provided for under this agreement; and further represents and warrants that the Developer has not entered into any agreement with the owners of the **Benefiting Lands** for consideration in any way related to or connected directly or indirectly with the provision of the **Excess or Extended Services**.
9. "The Developer shall ensure that the written statement referred to in Section 1(b)(i) certifying the final costs of the Excess or Extended Services is submitted to the City within ninety (90) days following the issuance of the Certificate of Completion if such written statement was not submitted prior to the issuance of the Certificate of Completion."

Miscellaneous

- 10 Time is of the essence.
11. Any notice required by this agreement will be sufficiently given if delivered by courier or registered mail to the parties at the addresses first above written
12. This agreement will enure to the benefit of and be binding on the parties hereto and their respective successors and assigns.
13. This agreement shall be governed by the laws of the Province of British Columbia.

Policy Directive G-5

Appendix "G"

- 14 This Agreement constitutes the entire agreement between the City and Developer with regard to the subject matter hereof and supersedes all prior agreements, understandings, negotiations, and discussions, whether oral or written of the City with the Developer.
- 15 No amendment or waiver of any portion of this Agreement shall be valid unless in writing and executed by the parties to this Agreement. Waiver of any default by a party shall not be deemed to be a waiver of any subsequent default by that party.
16. A reference in this Agreement to the City or the Developer included or permitted assigns, heirs, successors, officers, employees, and agents
17. The Developer represents and warrants to the City that:
 - (a) all necessary corporate actions and proceedings have been taken by the Developer to authorize its entry into in performance of this Agreement;
 - (b) upon execution and delivery on behalf of the Developer, this Agreement constitutes a valid and binding contractual obligation of the Developer;
 - (c) neither the execution and delivery, nor the performance, of this Agreement shall breach any other agreement or obligation, or cause the Developer to be in default of any other agreement or obligation, respecting the Lands, and
 - (d) the Developer has the corporate capacity and authority to enter into and perform this Agreement

Policy Directive G-5
Appendix "G"

IN WITNESS WHEREOF the parties hereto have executed this Agreement on the dates written below.

DATED the 11th day of September, 2023.

The Corporate Seal of the CITY OF CHILLIWACK was hereunto affixed in the presence of:

Mayor: KEN POPOVE

~~Clerk:~~ JACQUELINE A. MORGAN
Corporate Officer

Dated the 28 day of August, 2023
Signed, Sealed and Delivered by SNEHDEEP CHUGH in the presence of:

Laura Redpath
Name

5-9486 Wadburne Street
Address

Development Technologist
Occupation



APPROVED FOR SIGNATURE
[Signature]

[Signature]
SNEHDEEP CHUGH




Schedule "A"

CITY OF CHILLIWACK LATECOMER AGREEMENT (LC-094) SNEHDEEP CHUGH

STORM MAIN EXTENSION ON LEWIS AVENUE BENEFITING LANDS & LOCATION



Legend:

-  Solid green lines indicate storm main extension
-  Hatched red area indicates the properties benefiting from the storm main extension
-  Hatched grey area indicates the properties benefiting from the storm main extension

Schedule "A"- continued

BENEFITING LANDS & LOCATION

ADDRESS //LEGAL DESCRIPTION	PID // FOLIO
46016 LEWIS AVENUE // LOT A BLOCK 4 DIVISION "D" NEW WESTMINSTER DISTRICT PLAN EPP83371	031-005-373 // 0965-46016
46025 LEWIS AVENUE // LOT B BLOCK 4 DIVISION "D" NEW WESTMINSTER DISTRICT PLAN EPP83371	031-005-381 // 0962-46025
46026 LEWIS AVENUE // LOT 22 BLOCK 4 DIVISION "D" NEW WESTMINSTER DISTRICT PLAN 1737	012-325-287 // 0965-46026
46023 LEWIS AVENUE // LOT 28 BLOCK 4 DIVISION "D" NEW WESTMINSTER DISTRICT PLAN 1737	012-329-185 // 0965-46023
46017 LEWIS AVENUE // LOT 7 DISTRICT LOT 350 GROUP 2 NEW WESTMINSTER DISTRICT PLAN EPP115193	031-883-435 // 0965-46017
46013 LEWIS AVENUE // LOT 6 DISTRICT LOT 350 GROUP 2 NEW WESTMINSTER DISTRICT PLAN EPP115193	031-883-427 // 0965-46013

Schedule "B"

**CITY OF CHILLIWACK
LATECOMER AGREEMENT (LC-094)
SNEHDEEP CHUGH**

STORM MAIN EXTENSION ON LEWIS AVENUE

BENEFITING LANDS & LOCATION

DESCRIPTION OF EXCESS OR EXTENDED SERVICES

The subject works are extended services.

- A 200mm storm main has been extended along Lewis Avenue.

Schedule "C"
CITY OF CHILLIWACK
LATECOMER AGREEMENT (LC-094)
SNEHDEEP CHUGH

STORM MAIN EXTENSION ON LEWIS AVENUE
DEVELOPER'S LANDS



- Legend:**
- Solid green lines indicate storm main extension
 - Hatched red area indicates the properties benefiting from the storm main extension
 - Hatched grey area indicates the developer's land

Developer's Lands

ADDRESS //LEGAL DESCRIPTION	PID // TAX ROLL FOLIO
46016 LEWIS AVENUE // LOT A BLOCK 4 DIVISION "D" NEW WESTMINSTER DISTRICT PLAN EPP83371	031-005-373 // 0965-46016
46025 LEWIS AVENUE // LOT B BLOCK 4 DIVISION "D" NEW WESTMINSTER DISTRICT PLAN EPP83371	031-005-381 // 0962-46025

Schedule "D"

The charges imposed by the Municipality for the purposes of paragraph 2 will, in respect of a particular parcel of the Benefiting Lands, be based on the following formula:

*TO BE DETERMINED BY LATECOMER POLICY COORDINATOR
CALCULATION MAY BE AS FOLLOWS:*

$[(\text{Parcel NDA}) / ((\text{Benefiting Lands NDA}) + (\text{Lands NDA}))] \times [(\text{Latecomer Factor}) (\text{Excess or Extended Services Cost})]$

where

"Excess or Extended Services Cost" means the cost accepted under paragraph 1(b)(ii);

"Latecomer Factor" means the applicable factor specified in Appendix "C" of the City's Council Policy Directive No. G-5; and

"NDA" means net developable area, being the gross area of the parcel less areas to be dedicated for highway or park purposes and areas in respect of which statutory rights of way, easements, or fee simple will be granted to a government or crown corporation for utility purposes;

SCHEDULE 'C'

Form F-3

CERTIFICATE OF SUBSTANTIAL COMPLETION

DEVELOPER: Snehdeep Chugh

CONTRACTOR: _____

PROJECT NO: SUB02128

SERVICING AGREEMENT NO: SUB02128.SEP.2019

DATE: May 28, 2021

This certificate is issued pursuant to Section 1.8.4 of Schedule "B" to the "Land Development Bylaw 2014, No.3055".

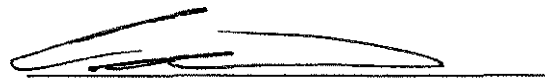
The **MAINTENANCE PERIOD** for the Works will begin on May 27, 2021

The **MAINTENANCE PERIOD** for the works will end on May 27, 2022

The attached is a **LIST OF DEFICIENCIES** related to the Works.

The Certificate of Acceptance will be issued when all deficiencies have been cleared, the maintenance period expired, and the City Engineer has been satisfied all conditions of the Servicing Agreement have been fulfilled.

This Certificate has been made to the best of the Engineer's knowledge, information and belief. It does not constitute acceptance of any Work not in accordance with the requirements of the "Land Development Bylaw 2014, 3055" and not listed as a deficiency herein, whether or not such defect(s) could have been observed or discovered during construction.



Manager of Land Development

cc: Contractor

**SCHEDULE 'C'
CONT'D**

LIST OF DEFICIENCIES

ON

SERVICING AGREEMENT NUMBER: SUB02128.SEP.2019

DEVELOPER: Snehdeep Chugh

DATE: May 28, 2021

FILE NO: SUB02128

- add gravel at the West end of the sidewalk for a smooth transition to the existing ground
- STM I.C. needs a lid that states STORM not WATER
- gutter line is cracked in one place and chipped in another (see pictures attached). Remove and replace 1.0m long sections.
- remove and replace one panel of sidewalk (see picture attached).
- sanitary cleanout for 46025 King Ave. to be replaced with a 200mm ϕ I.C.
- rock pit sump to be grouted.
- place second lift of asphalt on King Ave.

AGENDA ITEM NO: 11.3

MEETING DATE: September 26, 2023

STAFF REPORT - COVER SHEET

SUBJECT: Public Hearing Listing Date: September 21, 2023

DEPARTMENT: Clerk's Prepared by: Jacqueline Morgan

**PH No. 11.3.1 "Zoning Bylaw Amendment Bylaw 2023, No. 5334"
(RZ001573) "Development Variance Permit DVP01365"
(DVP01365)**

Public Hearing on "Zoning Bylaw Amendment Bylaw 2023, No. 5334", which proposes to rezone properties located at 6538 and 6548 Fern Street, from an R1-A (Urban Residential) Zone to an R4-B (Low Density Multi-Unit Secondary Suite) Zone; and,

Development Variance Permit DVP01365, which proposes to vary the following Zoning Bylaw standards:

- To reduce the front lot line setback within the proposed R4-B Zone from 6m to 5.5m;
- To reduce the rear lot line setback within the proposed R4-B Zone from 6m to 4m;
- To reduce the minimum common amenity area space requirement from 210m² to 145m²;
- To waive the requirement that a common amenity area have a minimum contiguous area of 200m² and minimum dimension of 6m; and,
- To permit a carport to be considered an unenclosed parking space,

to facilitate a future townhouse development.

Public engagement package received from:

- Kevin J. Key, KeyPlan Development Management, Applicant, received July 24, 2023.

Emails of opposition received from:

- Beant Kaur Mangat and Jaspreet Singh Tatla, 6561 Fern Street, dated September 18, 2023; and,
 - Kristina Biro-Pankratz, 6549 Fern Street, dated September 17, 2023.
-

**PH No. 11.3.2 “Zoning Bylaw Amendment Bylaw 2023, No. 5335”
(RZ001687) “Development Variance Permit DVP01322”
(DVP01322)**

Public Hearing on “Zoning Bylaw Amendment Bylaw 2023, No. 5335”, which proposes to rezone properties located at 9132 and 9146 Mary Street, from an RC (Commercial Conversion) Zone to an R6 (Mid Rise Apartment) Zone; and,

Development Variance Permit DVP01322, which proposes to vary the following Zoning Bylaw standards:

- Reduce the front lot line setback from 6m to 3.3m for an off-street parking structure;
- Reduce the exterior side lot line setback from 4.5m to 1m for an off-street parking structure;
- Reduce the minimum interior side lot line setback from 6.75m to 6m for the 4th storey and from 7.5m to 6m for the 5th storey;
- Waive the requirement for portions of the common amenity area to have a minimum dimension of 6m;
- Waive the requirement for a private amenity area to have a minimum dimension of 3m for five ground-oriented units;
- Waive the requirement for a common amenity area to be located more than 5m from a window serving a dwelling unit;
- Reduce the minimum private amenity area space to less than 15m² for two ground-oriented units;
- Increase the maximum lot coverage from 50% to 82% for an off-street parking structure; and,
- Waive the requirement to provide an off-street loading space,

to facilitate a future apartment development.

**PH No. 11.3.3 “Zoning Bylaw Amendment Bylaw 2023, No. 5336”
(RZ001566) “Development Variance Permit DVP01315”
(DVP01315)**

Public Hearing on “Zoning Bylaw Amendment Bylaw 2023, No. 5336”, which proposes to rezone properties located at 45745 and 45751 Alder Avenue and 45740, 45744 and 45754 Webb Avenue, from an R1-A (Urban Residential) Zone and an R5 (Low Rise Apartment) Zone to an R6 (Mid Rise Apartment) Zone; and,

Development Variance Permit DVP01315, which proposes to vary the following Zoning Bylaw standards:

- Increase lot coverage for a parkade of 3m in height from 50% to 65%;
- Waive the requirement for a loading stall for each apartment building to be provided on site;

- Reduce the setback requirements within the proposed R6 Zone for a parkade over 3m in height as follows:
 - Front (Webb Avenue) and rear (Alder Avenue) from 6.0 to 4.5m;
 - Exterior side (Kosumi Street) from 6.0 to 3.0m for the majority of the building and from 6.0m to 2.3m for two decorative projections; and,
 - Interior side (west) from 6.0 to 1.3m;
- Reduce the setback requirements within the proposed R6 Zone for an apartment (containing 5 or more dwelling units) as follows:
 - Front (Webb Avenue) and rear (Alder Avenue) from 6.0 to 4.3m for the roof over the entryway; and,
 - Front (Webb Avenue) and rear (Alder Avenue) from 6.0 to 3.3m for the stairs along the north property line;
- Waive the requirement for a storage locker to be provided in a centralized location in favour of providing a storage area within each residential unit,

to facilitate the construction of an apartment development.

**PH No. 11.3.4 “Zoning Bylaw Amendment Bylaw 2023, No. 5340”
(RZ001683)**

Public Hearing on “Zoning Bylaw Amendment Bylaw 2023, No. 5340”, which proposes to rezone property located at 46485 Uplands Road, from an SR (Suburban Residential) Zone to an R3 (Small Lot Residential) Zone to facilitate a future subdivision.

Public engagement package received from:

- Shelley Ross, JCR Design Ltd., Applicant, 201 – 45269 Keith Wilson Road, dated July 12, 2023.
-

**PH No. 11.3.5 “Official Community Plan Bylaw Amendment Bylaw 2023, No. 5342”
(RZ001693) “Zoning Bylaw Amendment Bylaw 2023, No. 5343”**

Public Hearing on “Official Community Plan Bylaw Amendment Bylaw 2023, No. 5342”, which proposes to redesignate properties located at 44130 and 44160 Yale Road from “General Industrial” to “Mixed Commercial and Industrial”; and,

“Zoning Bylaw Amendment Bylaw 2023 No. 5343”, which proposes to rezone properties located at 44130 and 44160 Yale Road, from an M2 (Service Industrial) Zone to a CSM (Service Commercial Industrial) Zone.

Letter of support received from:

- Brian Coombes, Chilliwack Economic Partners Corporation, 46115 Yale Road, dated August 8, 2023.
-

**PH No. 11.3.6. “Temporary Use Permit TUP00216”
(TUP00216)**

Public Hearing on “Temporary Use Permit TUP00216”, with respect to property located at 101–45300 Luckakuck Way.



CITY OF CHILLIWACK
NOTICE OF PUBLIC HEARING
Tuesday, September 26, 2023 at 6:30 pm
Council Chambers
8550 Young Road, Chilliwack, BC V2P 8A4
www.chilliwack.com

TAKE NOTICE that the Council of the City of Chilliwack will hold a Public Hearing, as noted above, on the following items:

1. **ZONING BYLAW AMENDMENT BYLAW 2023, No. 5334 (RZ001573)**
2. **DEVELOPMENT VARIANCE PERMIT (DVP01365)**

Location: 6538 and 6548 Fern Street

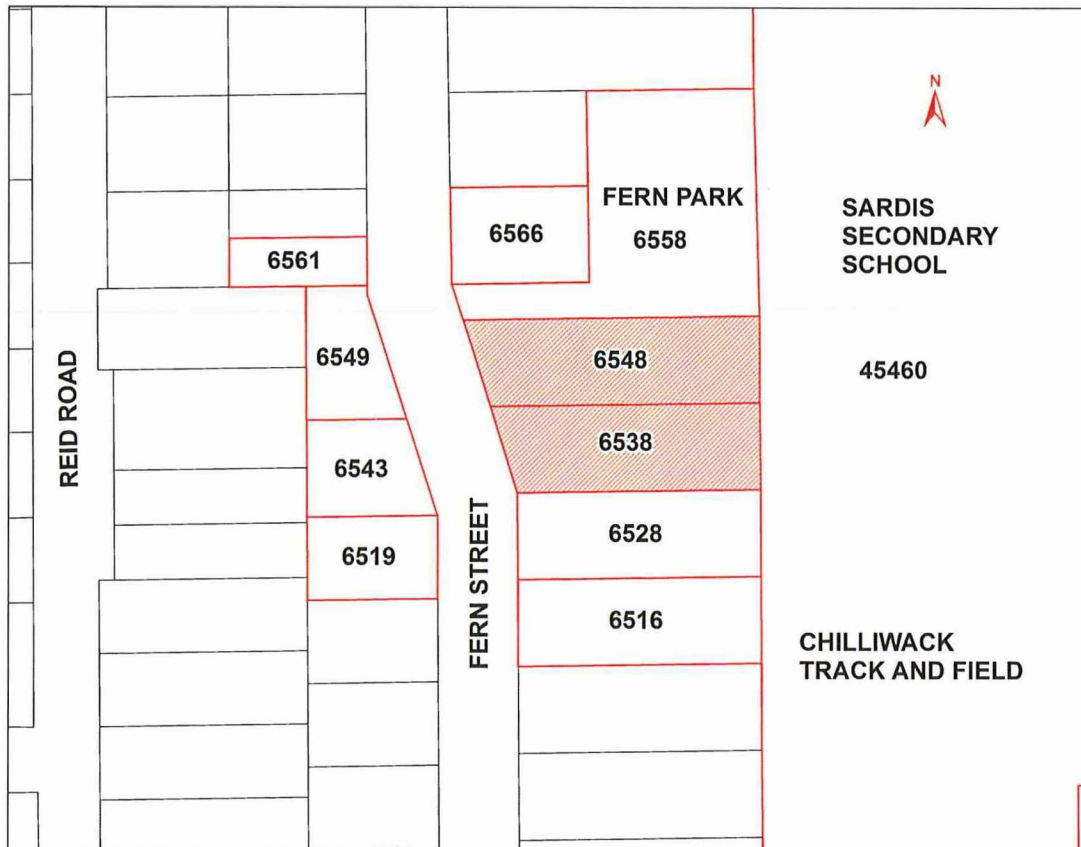
Applicant: Keyplan Development Management

Purpose: To rezone the subject properties from an R1-A (Urban Residential) Zone to an R4-B (Low Density Multi - Unit Secondary Suite) Zone, to facilitate a future townhouse development, within the subject properties, as shown on the map below.

A concurrent Development Variance Permit application has been submitted to vary the following Zoning Bylaw standards:

- To reduce the front lot line setback within the proposed R4-B Zone from 6m to 5.5m;
- To reduce the rear lot line setback within the proposed R4-B Zone from 6m to 4m;
- To reduce the minimum common amenity area space requirement from 210m² to 145m²;
- To waive the requirement that a common amenity area have a minimum contiguous area of 200m² and minimum dimension of 6m; and,
- To permit a carport to be considered an unenclosed parking space.

Location Map



Please review the instructions below in regard to the participation options for the Public Hearing:

1. Written submissions, **including your full name and address**, to the Legislative Services Department at 8550 Young Road, Chilliwack, BC V2P 8A4 or by email to clerks@chilliwack.com **no later than 4:00 pm on Monday, September 25, 2023.**
2. Participate in person at the City of Chilliwack, Council Chambers, located at 8550 Young Road, Chilliwack, BC.

All submissions will be recorded and form part of the official record of the meeting. The Council meeting will be broadcast live on the City of Chilliwack website via the following link: www.chilliwack.com/live for viewing by the public.

The proposed bylaw and permit will be provided via email upon request between the hours of 8:30 am and 4:30 pm, Monday through Friday, excluding holidays, from **Wednesday, September 13, 2023 to Tuesday, September 26, 2023**, both inclusive, by the Planning Department at **604-793-2906** or planning@chilliwack.com.

Please note that no further information or submissions can be considered by Council after the conclusion of the Public Hearing.


 Jacqueline Morgan, CMC
Corporate Officer

New Townhousing at 6538/48 Fern Street

Hello dear neighbour, we inform you of a residential re-development on a 0.75 acre site next to Fern Park and to the back of the school yard. It currently has two houses, over a half-century old. The City's Official Community Plan (OCP) encourages townhousing to maintain diverse housing choices for affordability and to enable aging in place, so retired people don't need to move elsewhere. Townhomes are called the 'missing middle' of housing (in between big houses on large lots and small condos in towers). It is the most versatile of housing because it adapts well to many user types and income levels; families, working couples, empty-nesters, seniors, etc. Here are the features:

Off-site: The street front along Fern is 46 metres (150 ft), providing 6 public street parking spaces. (The City also requires 2 on-site parking spaces for visitors who do not want to park on the street). A public sidewalk will be built along the frontage, and street trees planted on the turf boulevard. There will be one driveway to the site, adjacent to Fern park, and not next to any adjacent home. All underground services (water supply, drainage, sanitary sewage do not need to be up-sized.

On-site: Eleven (11) townhouses with 3 bedrooms. Two parking spaces are under each unit. A design example view is shown on this page, from the interior part of the site, showing garages and carports. One townhouse will have an 'accessory dwelling unit (ADU), a small rental suite in lower floor to provide some income for the owner, and a self-contained home for a renter starting out, with their own patio and parking space. These townhomes will be managed by a strata council. Outdoor spaces such as carports, balconies, patios & yards, are for the exclusive use of the assigned townhouse unit, but are collectively-owned, which means any use or alteration of those spaces must comply with maintenance, enforcement (and fines) through Strata Bylaws. That is a very effective, self-policing system to ensure neighbors (on and off-site), are not disturbed. Garbage and recycling will be picked up at each unit, on-site, by a private service; not bins left on the street.

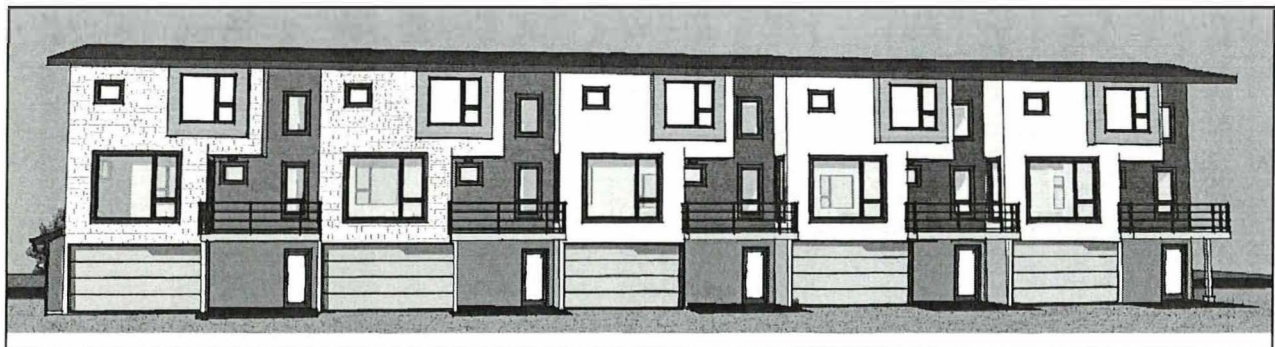
On the south side, we have setback the townhouses and placed a large community garden, for residents to share (they can also grow on their balconies and in their own yards). A variety of trees will be planted on site; maples, magnolias, lilac and cedars. New fencing will be placed on property sides and we will plant a hedge in the park, to screen and naturalize the view of the chainlink fence.

The land use zone for the townhomes is R4-B and this is NOT a formal Public Hearing notice, which Council will direct staff to distribute, directly to you later in the design and approval process. If you have any questions or have any comments to share, contact the project Planning Consultant at KeyPlan@shaw.ca (604-540-4122) or the City Planning Department at (604-793-2906).

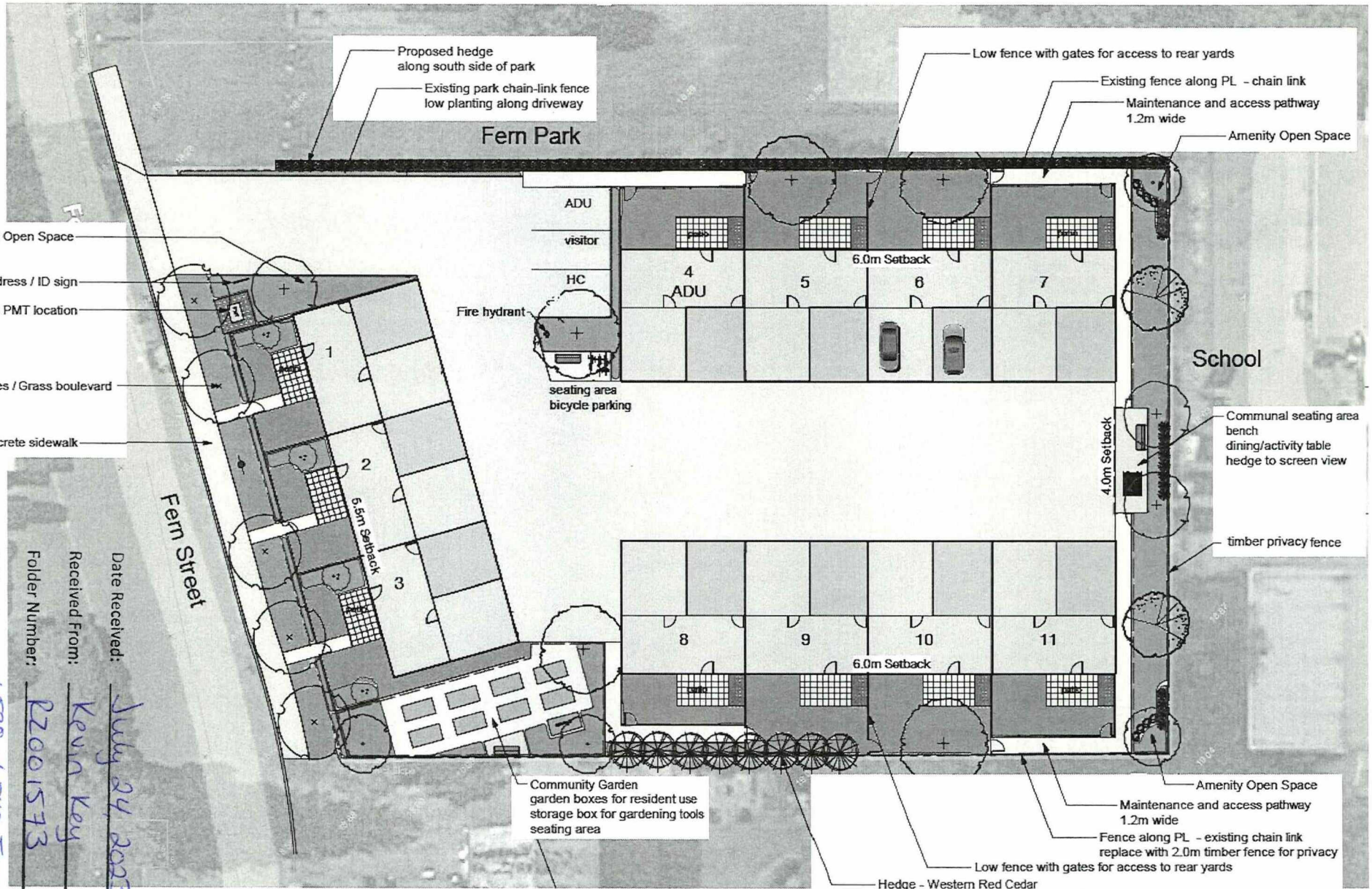
And thank you very kindly

Kevin J. Key of KeyPlan Development Mgmt

June 28 2023



Received: July 24/23 From Kevin Key. Folder: Z21573 Address: 6538 + 6548 Fern Street Council Date: TBS



Council Date: TRD

Subject Property: 6538 + 6548 Fern Street

Folder Number: R2001573

Received From: Kevin Key

Date Received: July 24 2023

284

Date Received: July 24, 2023

Received From: Kevin Key Page 1 of 2

Folder Number: RZ1573

Subject Property: 6538 + 6548 Fern Street

Council Date: TBD

Application Number: RZ 1573

Development Application: Public Engagement Summary

Property Address(es): 6538/48 Fern Street

Applicant Contact Information: KeyPlan KeyPlan@shaw.ca Tel 604-540-4122

Purpose: The purpose of this application is to rezone from R1-A to R4-B for eleven (11) townhouses

The above-required application number, property address, applicant contact information, and purpose statement must be included on each page of the summary chart.

Name	Address	Method of Contact	Support	Oppose	Comments/Responses
	6528 Fern Street	in person	<input checked="" type="checkbox"/>	<input type="checkbox"/>	upper tenant-support
	6528 Fern street	in person	<input checked="" type="checkbox"/>	<input type="checkbox"/>	lower tenant-Support
	6528 Fern Street	mail	<input type="checkbox"/>	<input type="checkbox"/>	Owner-no response
	6566 Fern Street	mail	<input type="checkbox"/>	<input type="checkbox"/>	Owner-no response
	6566 Fern Street	in person	<input type="checkbox"/>	<input type="checkbox"/>	Tenant- no comment
SD33 Airport Drive	45460 Stevenson	in person	<input type="checkbox"/>	<input type="checkbox"/>	Dropped at SD 33
	6519 Fern Street	in person	<input type="checkbox"/>	<input type="checkbox"/>	owner-Support questions re school dumpsters
	6543 Fern Street	in person	<input checked="" type="checkbox"/>	<input type="checkbox"/>	owner-Support
	6549 Fern Street	left letter	<input type="checkbox"/>	<input type="checkbox"/>	owner -confirmed via text-parking,dog questions
	6561 Fern Street	left letter	<input type="checkbox"/>	<input type="checkbox"/>	owner- Language issue
	6567 Fern Street	in person	<input checked="" type="checkbox"/>	<input type="checkbox"/>	owner-Support-asked about parking
	6506B Fern Street	in person	<input type="checkbox"/>	<input type="checkbox"/>	owner-oppose-SFD area

This summary will be submitted to the City of Chilliwack, to be included within the public record, for the above-noted application. By providing personal information on this document you are providing your consent to permit all information provided therein to be viewed by the public.

3 of 4

Date Received: July 24, 2023
 Received From: Kevin Key Page 2 of 2
 Folder Number: RZ1573
 Subject Property: 6538+6548 Fern Street
 Council Date: TBD

4 of 4

Application Number: RZ 1573

Development Application: Public Engagement Summary

Property Address(es): 6538/48 Fern Street

Applicant Contact Information: KeyPlan KeyPlan@shaw.ca Tel 604-540-4122

Purpose: The purpose of this application is to rezone from R1-A to R4-B for eleven (11) townhouses

The above-required application number, property address, applicant contact information, and purpose statement must be included on each page of the summary chart.

Name	Address	Method of Contact	Support	Oppose	Comments/Responses
	6516 Fern Street	in person	<input type="checkbox"/>	<input type="checkbox"/>	owner-no response
	6589 Fern Street	in person	<input checked="" type="checkbox"/>	<input type="checkbox"/>	owner-Support
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
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			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	

This summary will be submitted to the City of Chilliwack, to be included within the public record, for the above-noted application. By providing personal information on this document you are providing your consent to permit all information provided therein to be viewed by the public.

**From the homeowners of
6561 Fern St, Chilliwack, BC**

September 18th, 2023

Your Worship, Mayor Propove and Elected Council
City of Chilliwack
8550 Young Rd
Chilliwack, BC, V2P 8A4

Re: Opposition to New Development at 6538 and 6548 Fern St, Chilliwack

I, Beant Kaur Mangat, together with my husband, Jaspreet Singh Tatla, am writing this letter as a concerned homeowner and resident of 6561 Fern St, Chilliwack, V2R 2Z7. We are the legal owners of the property and have been residing at this address along with our parents and sibling. We are writing to express our strong opposition to the proposed new development at 6538 and 6548 Fern St.

We moved to 6561 Fern St in 2022 with the intention of establishing a safe and peaceful home for our family. The primary reason for choosing this location was the serene atmosphere and the sense of community that the area offered. Fern Street appealed to us due to its status as a dead-end street with minimal traffic, making it a quiet and secure place for our family, including our 18 months old son.

However, shortly after we moved into our house, we received notification of a new development at 6590 Fern St, which was divided into eight townhouses. The construction of these townhouses is still ongoing, and it has already started to impact the peacefulness of our neighborhood.

Now, we are facing the prospect of yet another new development at 6538 and 6548 Fern St, which is causing us significant concern. Our main worry is the adverse effects it will have on our child's ability to play safely outside. With the increase in traffic and potential noise and disturbances caused by the new townhouse development, we fear that our son may be confined to our house, unable to enjoy the outdoor activities he currently does.

We strongly believe that it is unfair to approve another subdivision on the same street while we are still trying to adapt to the changes brought about by the 6590 Fern St townhouses. The prospect of increased traffic, noise, and potential crime that may accompany this new development is deeply troubling to us and other residents on Fern Street.

We kindly request that you take our concerns into serious consideration when reviewing the proposed development at 6538 and 6548 Fern St. We hope that you will carefully evaluate the potential negative impacts on our community and the well-being of our residents, particularly the safety and quality of life for our young children.

Thank you for your attention to this matter, and we look forward to a fair and thoughtful assessment of our concerns regarding this development proposal.

Sincerely,

Beant Kaur Mangat and Jaspreet Singh Tatla
6561 Fern street.

FROM THE HOME OF

Kristina Biro-Pankratz

6549 FERN STREET, CHILLIWACK BC

September 17, 2023

Your Worship, Mayor Popove and Elected Council
City of Chilliwack
8550 Young Road,
Chilliwack, BC V2P 8A4

Good Day Your Worship, and Elected Council,

I am writing today to express my concern and disapproval of the Zoning Bylaw Amendment Bylaw 2023, No. 5334 (RZ001573). The properties related to this proposal are 6538 and 6548 Fern Street.

I live on this street with my family and pets. We chose to live on Fern Street because it was a quiet cul-de-sac in a well kept neighbourhood. The homes are older but they are maintained and there is pride in each property.

Shortly after we moved in to our house in 2021, a small house a few doors up, on a big property was torn down, and we learned a new townhouse complex with 8 units was being built. The construction started over a year ago and now 4/8 units are almost completed. No one is occupying these townhomes yet and therefore there's no means to measure the impact of 8 additional residences on this street. One family home was replaced by 8 townhouse units. Now there's a proposal to have 11 townhomes replace 2 homes, with only two properties between the first development.

Our street has done its part to contribute to the Official Community Plan. We have a new townhouse development in the process of being built. We also already have one lot with a carriage house on Fern. We appreciate that Chilliwack is growing, and that requires some level of densification, however Fern Street has met that requirement. I do not believe it is responsible to add yet another multiunit complex to a quiet residential street, at least not before the first townhouse complex is completed and occupied. By that time, we will have an idea of how the street is affected by more people, more vehicles for parking issues, more traffic, more dogs, and likely more crime.

Of note, Sardis Secondary is beside Fern Street and at the start and end of each school day, Fern Street gets considerably busier with vehicles parked on the street. Our street does not have consistent sidewalks or street lights. With increased street parking, pedestrians are required to walk either across front yards or in the street. This includes students walking to/from school as well as community members walking dogs or

enjoying the neighbourhood. Fern St has one way in/out and that's onto Stevenson Rd which is already quite a busy thru road connecting Tyson Rd and Vedder Rd.

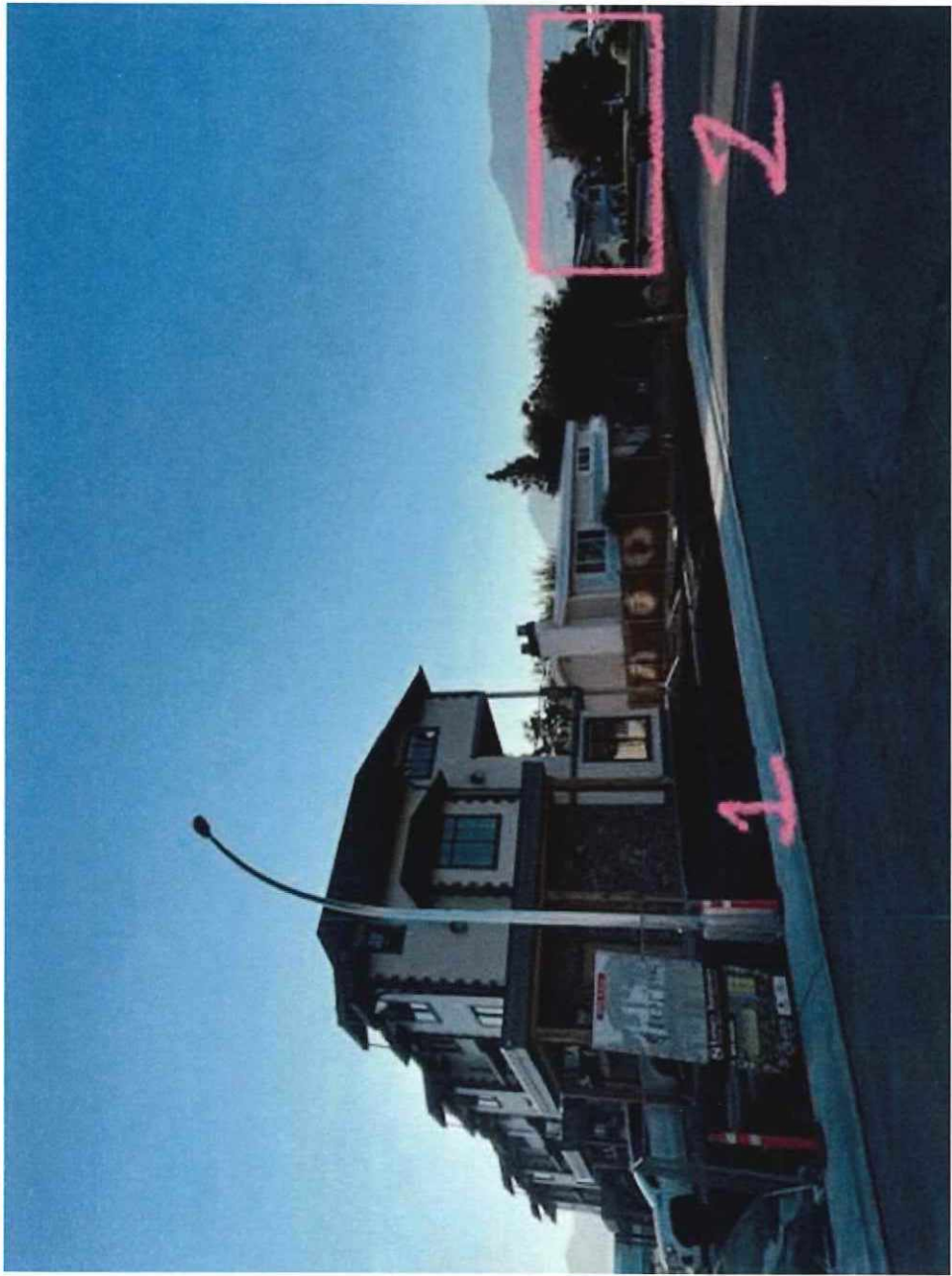
We are not opposed to development on this street for single family homes, however we are strongly against another townhouse complex being built on Fern Street. The houses that are being proposed for redevelopment are older homes, but are occupied by families and are well maintained.

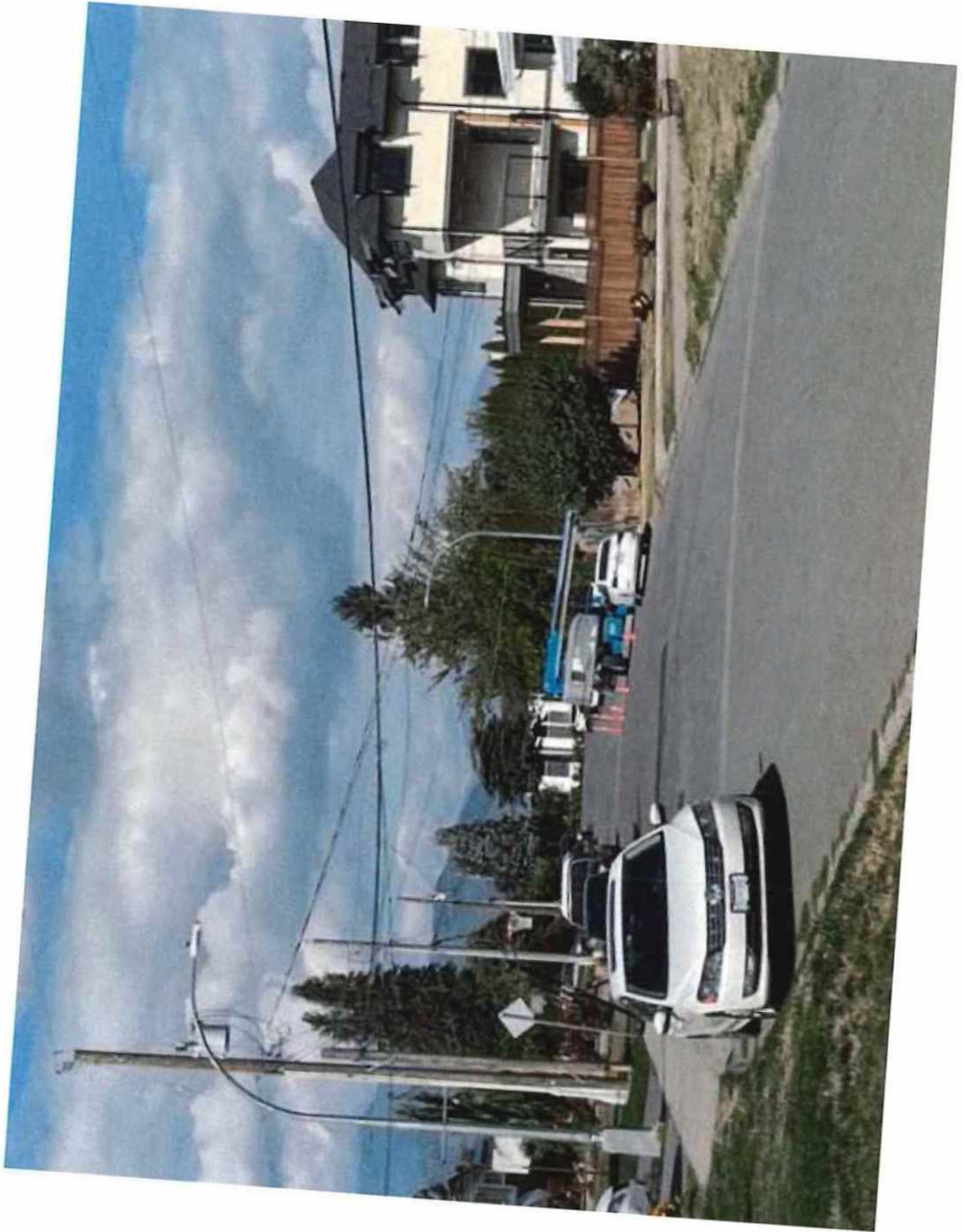
3 homes torn down on a quiet residential side street and 19 homes built in its place is not fair or reasonable to the residents already living on Fern St. The only people who benefit from this are the sellers and the developers.

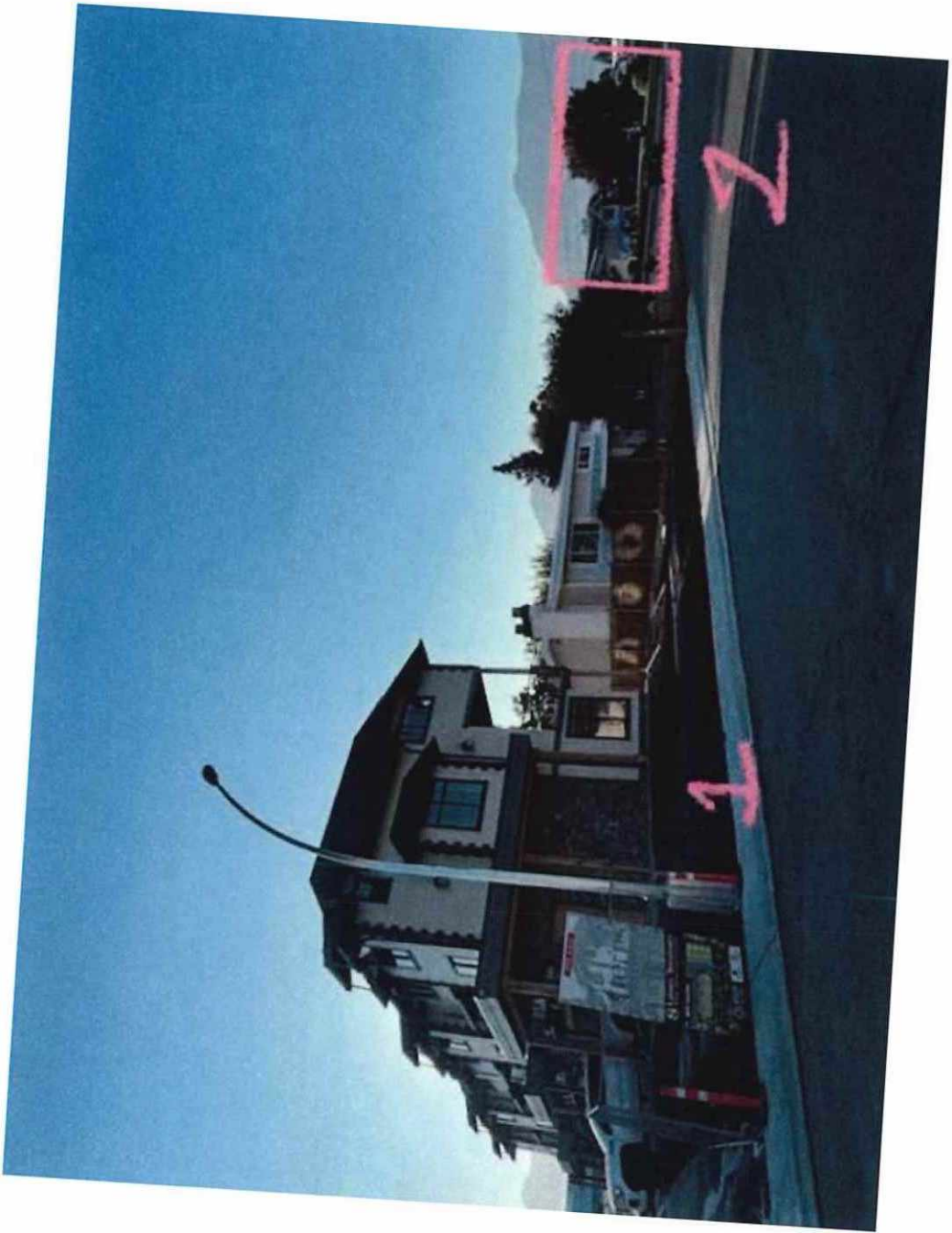
Fern Street has done its part and is the only street in the area with one townhouse complex on it, let alone two.

I respectfully request that rezoning be denied by the city.

Sincerely,
Kristina Biro-Pankratz
6549 Fern Street







**REGULAR COUNCIL
SEPTEMBER 26, 2023
PH No. 11.3.1
6538 and 6548 FERN STREET**

21 September 2023

City of Chilliwack
Legislative Services Dept.
8550 Young Road
Chilliwack, B.C.
V2P 8A4

Dear Sir:

**RE: Zoning Bylaw Amendment Bylaw 2023, No 5334 (RZ001573)
Development Variance Permit (DVP01365)
6538 and 6548 Fern Street**

We are Dwain Lachlan MacDonald and Diane Gail MacDonald residing at 6614 Fern Street and we would like to voice our concerns regarding the above redevelopment of two single family homes into a town house complex which we understand is to be 14 units.

We have lived at our residence at 6614 Fern Street for the past 35 years. We are the first house on the left when you turn down this dead-end street from Stevenson. There are no sidewalks on this street and it is not very well lit. The traffic has greatly increased over the years. It is a favorite place for parents to park and wait to pick up Sardis Senior school students with cars lining both sides of the street from Stevenson past our house of both sides of the road. As there is no signage for Fern Street being a dead end street, we have several cars turning down the street and then speeding back out when they realize they can't continue through.

This year there has been construction of a 4 unit townhouse which has meant many trucks either backing in or backing out from Stevenson to the site with their constant back-up signal beeping as they cannot turn around in the street and cannot exit by going straight through. There is another townhouse with 4 units to be built on that same property in the near future. These units are going to add at least 12 cars per day of traffic (based on 1 ½ per unit). If you add another 14 unit townhouse it will add at least another 20. This is too much extra traffic on a dead-end street.

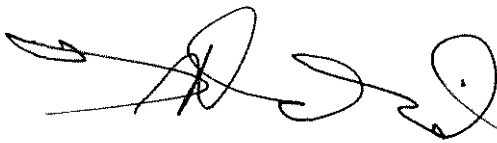
In addition to the extra cars parking after school there are already several cars parked on the road and townhouses are notorious for not enough parking, particularly if anyone has visitors so this will just add to more congestion.

Lastly, we are on very low priority for snow removal. This will mean more people stranded or cars abandoned when they can't make it through the snow.

We realize that there is a need for more housing in Chilliwack but the two properties in question are well maintained houses and there are other areas of Chilliwack where houses that are not so well maintained could be torn down for this type of development or on streets that have better access. We feel our short street has already contributed to densification with the adding of 8 townhouse units on what used to be a lot with a single dwelling home.

Thank you for taking the time to read our concerns. We are definitely opposed to this rezoning and hope that City Council will take into consideration the concerns of the current residents of Fern Street.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dwain Lachlan MacDonal', with a long horizontal line extending to the right.

Dwain Lachlan MacDonal

A handwritten signature in black ink, appearing to read 'Diane Gail MacDonal', written in a cursive style.

Diane Gail MacDonal



CITY OF CHILLIWACK
NOTICE OF PUBLIC HEARING
Tuesday, September 26, 2023 at 6:30 pm
Council Chambers
8550 Young Road, Chilliwack, BC V2P 8A4
www.chilliwack.com

1. ZONING BYLAW AMENDMENT BYLAW 2023, No. 5334 (RZ001573)
2. DEVELOPMENT VARIANCE PERMIT (DVPO1365)

Location: 6538 and 6548 Fern Street

Applicant: Keyplan Development Management

Purpose: To rezone the subject properties from an R1-A (Urban Residential) Zone to an R4-B (Low Density Multi-Unit Secondary Suite) Zone, to facilitate a future townhouse development, within the subject properties, as shown on the map below.

A concurrent Development Variance Permit application has been submitted to vary the following Zoning Bylaw standards:

- To reduce the front lot line setback within the proposed R4-B Zone from 6m to 5.5m;
- To reduce the rear lot line setback within the proposed R4-B Zone from 6m to 4m;
- To reduce the minimum common amenity area space requirement from 210m² to 145m²;
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Please review the instructions below in regard to the participation options for the Public Hearing:

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2. ^A Participate in person at the City of Chilliwack, Council Chambers, located at 8550 Young Road, Chilliwack, BC.

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Please note that no further information or submissions can be considered by Council after the conclusion of the Public Hearing.

**REGULAR COUNCIL
SEPTEMBER 26, 2023
PH No. 11.3.1
6538 and 6548 FERN STREET**

From:
To: [Clerks Dept Email](#)
Cc:
Subject: Opposition to Zoning Bylaw Amendment Bylaw 2023, No. 5334 (RZ001573) [EXTERNAL]
Date: September 23, 2023 3:11:52 PM
Attachments: [Opposed to Re-zoning - Fern Street.pdf](#)
[Public Engagement Survey - Fern St Rezoning.pdf](#)

Good Day,

Please find attached a letter addressed to His Worship Mayor Popove and Chilliwack City Council stating my opposition to the proposed rezoning of 6538 & 6548 Fern Street.

Also attached is a five (5) page Development Application: Public Engagement Summary.

I will be in attendance for the Sept 26 Public Hearing to speak to this issue.

Thank you
Darren Pankratz
6549 Fern Street

DARREN PANKRATZ

6549 FERN STREET, CHILLIWACK BC V2B 1T6



September 23, 2023

Your Worship and Chilliwack City Council
8550 Young Road,
Chilliwack BC V2P 8A4

Your Worship and Chilliwack City Council

Regarding Opposition to:

- 1) Zoning Bylaw Amendment Bylaw 2023, No. 5334 (RZ001573)
- 2) Development Variance Permit (DVP01365)

I live directly across the street from the properties in question (6538 and 6548 Fern Street) and I respectfully request that the proposed rezoning be denied.

My family and I moved to Fern Street in December 2021 and chose the location in part due to the quiet cul-de-sac community. Fern Street is an older neighbourhood where residents know each other and kids can play. The houses are well cared for and there is a strong sense of neighbourhood pride. Being a cul-de-sac, traffic can only enter Fern Street from Stevenson Rd, which is a busy road. There is a pedestrian pathway on the south side of Fern Street, which means that Fern Street is a commonly used road for pedestrians out for a walk.

I understand there is a need in Chilliwack for a measured level of community densification. Our City is growing quickly and that is in part due to our beautiful surroundings and less expensive housing. The residents of Fern Street are doing their part to contribute to that housing need already, which is in-line with Chilliwack's Official Community Plan. Currently still under construction is one townhouse development located two lots north of the properties in question. One single home was replaced with an eight (8) unit townhouse development, of which four (4) units are almost complete. Those first 4 townhouses have just been advertised for sale with a price of between \$799,900 to \$839,900. The other 4 units currently have the foundation only and will not be complete until late 2024. Because these units are not yet occupied, there is no means to measure the impact this development will have on the community. The additional 8 families, with vehicles and pets and visitors will certainly have an impact on our street.

The current proposal for 6538 & 6548 Fern Street would see two more homes on the street replaced with an 11 unit townhouse development. This would have a very negative impact on our

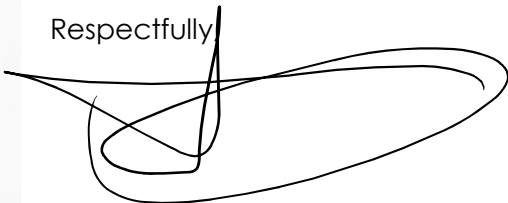
community, and we are opposed to it. Currently there are single family homes on each of the properties. Although they are older homes, they have been well maintained and have families living in them. One house is rented out and just had a family of five move in. The three children all to walk to their schools, enjoy the large yard and are all involved in the local Tzeatchen FC soccer club. The second house is also occupied by the property owner and has family members living there as well. Our street does not have consistent sidewalks due to the age of the lots and as a result, families walking to the park or taking pets for a walk are forced to walk near the shoulder of the road. When cars are parked on the roadway, the families, including kids on bicycles, are forced to walk between the parked cars and the traffic. This issue is manageable as the residents of Fern St generally drive slowly and are aware. An additional townhouse complex will significantly increase the use of street parking, and further compound those safety issues.

Every school day at before and after school times, Fern St also becomes the overflow parking and waiting area for Sardis Secondary. This causes significant parking and congestion issues, including cars parked facing the wrong way. There are often safety risks during this time as pedestrians try to navigate around the vehicles. Adding additional congestion to this cul-de-sac street will only increase the risks. (see photos attached)

I have spoken to as many neighbours and residents of Fern Street as I can, and knocked on every door. In that process I have found Fifty-Eight (58) adults that call Fern Street home who are also opposed to this re-zoning. Each of those adults have signed the attached Public Engagement Summary. I found four (4) adults that chose not to involve themselves in the process, and in all of my conversations I did not find a single adult (other than the property owner) who agreed that rezoning is a positive opportunity for the community.

In closing, I would like to highlight that I am not opposed to densification or redevelopment. Our community is welcoming of the current 8-unit townhouse development that is still under construction. I would also support division of 6538 & 6548 Fern Street to accommodate additional single-family houses. I have significant concerns over a second townhouse development and another 11 units on our cul-de-sac street. Traffic and pedestrian safety will be compromised due to the lack of sidewalks and street lighting, and the residents of Fern Street have clearly stated through the public engagement summary that this is not supported. Please hear our concerns, and we respectfully request this proposal for re-zoning be denied.

Respectfully,

A handwritten signature in black ink, appearing to read 'Darren Pankratz', written over a large, loopy scribble.

Darren Pankratz

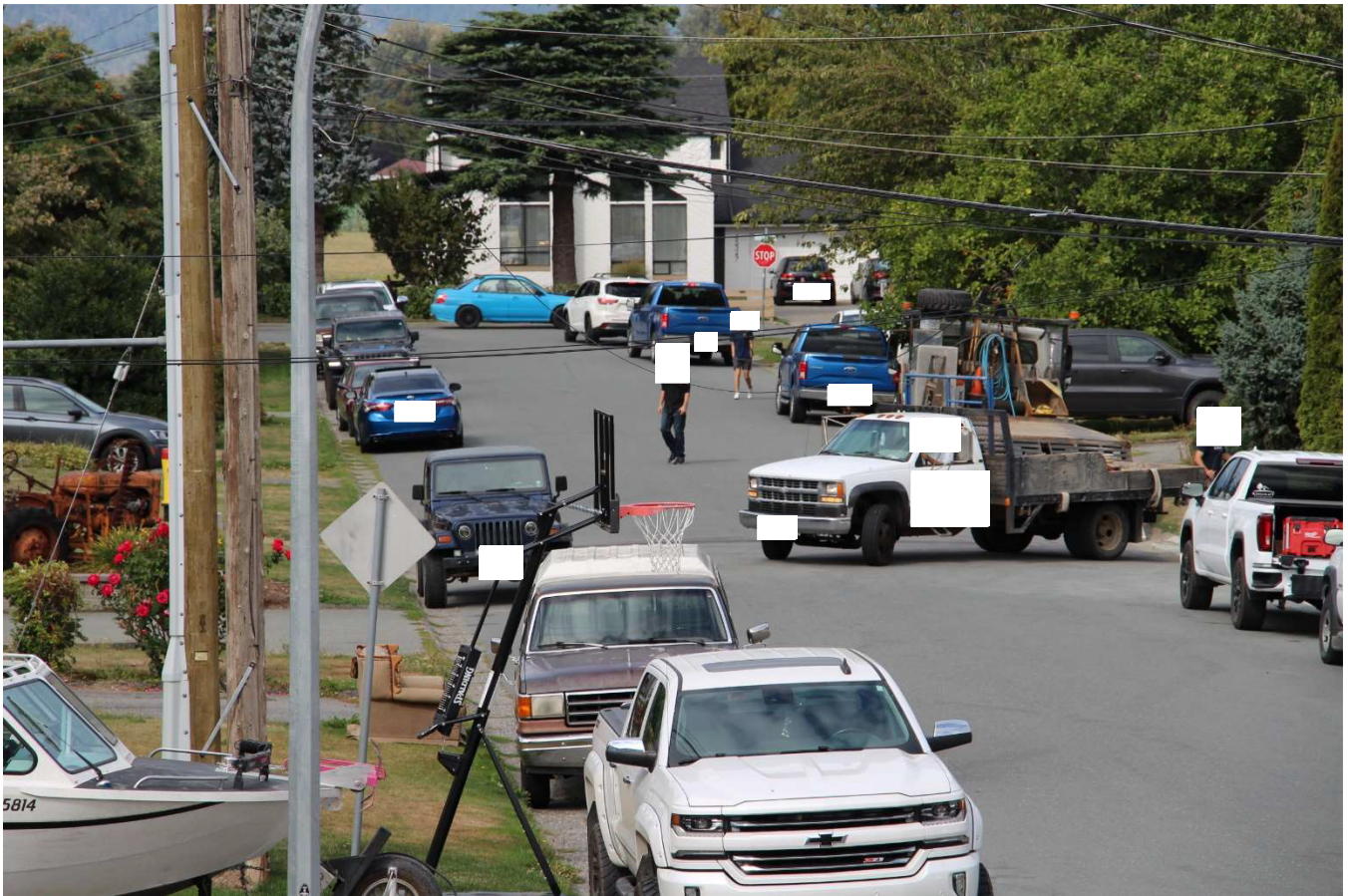
6549 Fern Street, Chilliwack BC V2B 1T6



New 8-unit Townhouse Development two lots north of the property in question. 4 Units are almost complete and 4 units have foundations only.



This is the street view near the intersection of Fern/Stevenson at School Pick-up time. There are vehicles parked all along the street including one facing the wrong way.



This is the street view near the intersection of Fern/Stevenson at School Pick-up time. Of particular note, student pedestrians are forced to walk in the roadway as there are no sidewalks.

Darren Pankratz

Application Number: RZ001513Development Application: Public Engagement SummaryPublic Hearing
Sept 26.Property Address(es): 6538/6548 Fern St. Chilliwack, BCApplicant Contact Information: KeyPlan Development management 604-540-4122Purpose: The purpose of this application is to rezone from Urban residential to low density multi-unit/suite

The above-required application number, property address, applicant contact information, and purpose statement must be included on each page of the summary chart.

Name	Address	Method of Contact	Support	Oppose	Comments/Responses
Darren Bankratz	6549 Fern St			✓	
Kristina Bira	6549 Fern St			✓	
Johanna C Walker	6577 Fern St			✓	
Anita VanWinkel	6613 Fern St			✓	
Sumantha VanWinkel	6613 Fern St			✓	
Akiko Tatsuoka	6602 Fern St			✓	
Aki Tatsuoka	6602 Fern St			✓	
Millie Farrell	6578 Fern St			✓	
LEON HAGELIN	6567 FERN ST			✓	
VANESSA HAGELIN	6567 FERN ST			✓	
Jeremy Csardi	6601 Fern St.			✓	
Laura Csardi	6601 Fern St			✓	

This summary will be submitted to the City of Chilliwack, to be in this document you are providing your consent to permit all info

or the above-noted application. By providing personal information on wed by the public.

Application Number: R2001573Development Application: Public Engagement SummaryProperty Address(es): 6538/6548 Fern St Chilliwack, BCApplicant Contact Information: KeyPlan Development Management 604-540-4122Purpose: The purpose of this application is to rezone from urban residential to low density multiunit/suite

The above-required application number, property address, applicant contact information, and purpose statement must be included on each page of the summary chart.

Name	Address	Method of Contact	Support	Oppose	Comments/Responses
BEANT MANGAT	6561 FERN ST.			✓	
JASPREET TATLA	6561 FERN ST.			✓	
INDERJIT TATLA	6561 FERN ST.			✓	
NIRMALJIT KARR	6561 FERN ST			✓	
CHARAN SINGH	6561 FERN ST.			✓	
HARJINDER KARR	6561 FERN ST			✓	
Clint O'Byrne	6561 FERN ST			✓	
JEAN O'BYRNE	6543 FERN ST			✓	
Brick O'Byrne	6543 Fern St.			✓	
JOAN LARSON	6543 FERN ST			✓	
Kathryn O'Byrne	6543 Fern Street			✓	
Brian Johnson	6513 Fern Street			✓	

This summary will be submitted to the City of Chilliwack, to be included within the public record, for the above-noted application. By providing personal information on this document you are providing your consent to permit all information provided therein to be viewed by the public.

Application Number: R2001573**Development Application: Public Engagement Summary**Property Address(es): 6538/6548 Fernst. Chilliwack, BCApplicant Contact Information: KeyPlan Development Management 604-540-4122Purpose: The purpose of this application is to rezone from Urban residential to low density multi units/suite

The above-required application number, property address, applicant contact information, and purpose statement must be included on each page of the summary chart.

Name	Address	Support	Oppose	Comments/Responses
Diane MacDonald	6614 Fern St. Chwck		✓	
Dwain MacDonald	6614 Fern St. Chwck		✓	
Tiffany Kendall	6528 Fern St CHWK		✓	
Allen Goodman	6528 Fern St CHWK		✓	
Regan Bogue	6519 Fern St. CHWK		✓	
Ian McMurphy	6519 Fern St. CHWK		✓	
SPENCER POZELL	6506 FERN ST		✓	
Hunter Davis	6506 Fern street		✓	
Aletheia DAVIS	6506 Fern St.		✓	
Alysa Pozell	6506 Fern St		✓	
Viola Susheski	6513 Fern Street		/	
CHRIS WIX	6505 FERN ST		✓	

This summary will be submitted to the City of Chilliwack, to be included within the public record, for the above-noted application. By providing personal information on this document you are providing your consent to permit all information provided therein to be viewed by the public.

Application Number: R2001573**Development Application: Public Engagement Summary**Property Address(es): 6538/6548 Fern St. Chilliwack BCApplicant Contact Information: KeyPlan Development management 604-540-4122Purpose: The purpose of this application is to rezone from urban residential low density multiunit/suite*The above-required application number, property address, applicant contact information, and purpose statement must be included on each page of the summary chart.*

Name	Address	Method of Contact	Support	Oppose	Comments/Responses
SUZANNE GARDNER	6505 FERN ST			✓	
MARY ANN WIK	6505 FERN ST			✓	
Mieke Isack	6496 Fern St.			✓	
Richard Simmons	6485 FERN ST			✓	
LINDA SIMMONS	6485 FERN ST			✓	
Jessy Simmons	6485 FERN ST			✓	
LOUISE SHORWOOD	6485 FERN ST			✓	
SUSAN M'COUCHSON	6451 FERN ST			✓	
CINDY WALTZ	6459 FERN ST			✓	
Michelle waltz	6459 Fern st			✓	
Rupinder	6427 Fern St			✓	
Dil -	6427 Fern St			✓	

This summary will be submitted to the City of Chilliwack, to be included within the public record, for the above-noted application. By providing personal information on this document you are providing your consent to permit all information provided therein to be viewed by the public.

Application Number: 22001573Development Application: Public Engagement SummaryProperty Address(es): 6538/6548 Fern St. Chilliwack, BCApplicant Contact Information: KeyPlan Development management 604-540-4122Purpose: The purpose of this application is to rezone from urban residential to low density multi unit/suite*The above-required application number, property address, applicant contact information, and purpose statement must be included on each page of the summary chart.*

Name	Address	Method of Contact	Support	Oppose	Comments/Responses
Gurbinder	6427 Fern			—	
Steven	6435 Fern			—	
Shannon Todd	6567 Fern			—	
Rick McKay	6467 Fern			✓	
Denise McKay	6467 Fern			✓	
Heather McKay	6467 Fern			✓	
Carly McKay	6467 Fern			✓	
#56 Shannon Bobb	6497 Fern			✓	
BHARAT DHAWAN	6566 Fern			✓	
ANIL DHAWAN	6566 Fern st			✓	

This summary will be submitted to the City of Chilliwack, to be included within the public record, for the above-noted application. By providing personal information on this document you are providing your consent to permit all information provided therein to be viewed by the public.

From:
To: [Clerks Dept Email](#)
Subject: Legislative services department, ZONING BYLAW AMENDMENT BYLAW 2023, DEVELOPMENT VARIANCE PERMIT [EXTERNAL]
Date: September 25, 2023 11:34:21 AM

Samantha VanWinkoop
6613 Fern Street
Chilliwack, B.C.
V2R2Z7

Legislative Services Department
Council Chambers
City of Chilliwack
8550 Young Road
Chilliwack, B.C. V2P 8A4

September 25, 2023

Dear Legislative Services Department:

I received notice of a public hearing regarding Zoning Bylaw Amendment bylaw 2023, No. 5334 (RZ001573) and Development Variance Permit (DVP01365). I understand the proposal is to turn the properties of 6538 and 6548 Fern Street into a townhouse development. I am asking that the city reconsider this proposal.

Building another townhouse development on Fern Street would not be a good fit for the area. There are already too many cars turning onto Fern Street with people coming to and from work. I'm afraid a townhouse development would add more cars to the traffic. I have lived with my mother on Fern Street for 30 years, we care for foster kids who like to ride their bikes and scooters down the road to the park and constantly have to stop and pull over to the side to avoid cars. Fern street is located next to the Sardis Secondary Highschool which results in many cars parked along the street in the morning and afternoon to drop off and pick up students lingering about. Since Fern Street is a 'No Exit' road I do not think it wise to add a Townhouse development that will add many more cars turning onto the road.

While I understand Chilliwack is a growing community and the city wants to provide more housing, I do not feel that Fern Street is the location to facilitate this. A street that does not have to deal with highschool traffic, small children playing in the street and is not a dead-end road would be a better fit for a townhouse development.
Sincerely,

Samantha VanWinkoop

AGENDA ITEM NO: 7.7

MEETING DATE: September 5, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Keyplan Development Management
Rezoning / 6538 & 6548 Fern Street DATE: August 23, 2023

DEPARTMENT: Planning Department
RZ 0015 73 & D VP01 365 PREPARED BY:  Adam Roberts / cc


1. SUMMARY OF ISSUE:

The applicant wishes to rezone the subject properties from an R1-A (Urban Residential) Zone to an R4-B (Low Density Multi-Unit Secondary Suite) Zone to facilitate a future townhouse development. Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to the properties located at 6538 and 6548 Fern Street.

A concurrent Development Variance Permit application has been submitted to vary Zoning Bylaw standards as detailed within the report.

2. RECOMMENDATION:


Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5334”, which proposes to rezone properties located at 6538 and 6548 Fern Street from an R1-A (Urban Residential) Zone to an R4-B (Low Density Multi-Unit Secondary Suite) Zone, be given first and second reading; and further, that a Public Hearing be called for September 26, 2023. (RZ001573)



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman
Chief Administrative Officer

**STAFF REPORT ON REZONING APPLICATION RZ001573 &
DEVELOPMENT VARIANCE PERMIT APPLICATION DVP01365**

PREPARED BY: Adam Roberts DATE: August 23, 2023
POSITION: Planner III DEPARTMENT: Planning

1. DEFINITION OF ISSUE:

The applicant wishes to rezone the subject properties from an R1-A (Urban Residential) Zone to an R4-B (Low Density Multi-Unit Secondary Suite) Zone to facilitate a future townhouse development. Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to the properties located at 6538 and 6548 Fern Street.

A concurrent Development Variance Permit application has been submitted to vary Zoning Bylaw standards as detailed within the report.

2. PROPOSAL:

The proposal is to rezone the subject properties from an R1-A Zone to an R4-B Zone to facilitate a future 11-unit townhouse development, which is permitted based on the size of the properties. One of the townhouse units includes a townhouse accessory dwelling unit and an additional parking space has been provided to accommodate the additional unit.

A concurrent Development Variance Permit application has been submitted to vary the following Zoning Bylaw standards:

- To reduce the front lot line setback within the proposed R4-B Zone from 6m to 5.5m;
- To reduce the rear lot line setback requirement within the proposed R4-B Zone from 6m to 4m;
- To reduce the minimum common amenity area space requirement from 210m² to 145m²;
- To waive the requirement that a common amenity area have a minimum area contiguous area of 200m² and minimum dimension of 6m; and,
- To permit a carport to be considered an unenclosed parking space.

Final lot layout must comply with City Bylaws and include lot consolidation, urban half road frontage improvements complete with curb, sidewalk, LED streetlighting, on-site stormwater mitigation and an on-site fire hydrant. The requirements of the Tree Management Bylaw and Land Development Bylaw apply.

Should the rezoning be approved, the proposed townhouse complex will be subject to a Development Permit (DP) Area No. 6 (Infill) application to address “form and character” considerations. As part of the DP approval process, the applicant will be required to demonstrate the proposal meets the DP6 Design Guidelines and the objectives of the Infill Development Policy. As such, the conceptual site

plan is subject to change as part of the DP review process. At this time, the attached conceptual site plan demonstrates five variances which are discussed in further detail below. No additional variances are anticipated at time of Development Permit application.

3. DISCUSSION REGARDING VARIANCES:

Front and Rear Lot Line Setbacks

The applicant requests to reduce the minimum front lot line setback required within the proposed R4-B Zone from 6m to 5.5m. As the DPA 6 Design Guidelines aim to locate development close to and parallel with the street, the proposed reduction meets the intent of the Guidelines. Additionally, the Infill Development Policy aims to activate street frontages with street facing units and front doors that are clearly visible from the street. Considering the objectives of the DPA 6 Guidelines and the Infill Development Policy, the proposed variance is considered minor in nature and in keeping with City's goals to create an interactive and visually appealing streetscape.

The applicant also requests to reduce the minimum rear lot line setback required within the proposed R4-B Zone from 6m to 4m. In this instance, the rear lot line abuts a storage area for Sardis Secondary School and the applicant has provided a 2m tall view obstructing fence along this property line. Considering this, the requested variance is not anticipated to impact the privacy or function of surrounding properties.

Common Amenity Area

The applicant requests a reduction to the total common amenity area space requirement from 210m² to 145m². In addition, a request to permit portions of the common amenity area to be less than the minimum dimension requirement of 6m and overall contiguous area of 200m² is proposed. To support the proposed variances, the applicant has provided a detailed layout of the amenity area, which includes a community garden with storage and benches, to ensure the space will constitute a functional and appealing contribution to the development for future residents of the complex. The applicant has also identified a 178m² linear amenity area along the east property line, with a lawn area and benches. As this space is unlikely to be utilized by future residents, and rather will act as side yards for the adjoining townhouse units, this area has not been included within the total common amenity area calculation.

To mitigate the impact of the reduced common amenity area, the applicant has provided large (57m²) private amenity areas within the rear yards of each unit. In addition, as the property is adjacent to a playground located in Fern Park and the proposed common amenity area has been programmed with a community garden, staff are supportive of the requested reduction to the amenity area size and dimension requirements in this instance.

Unenclosed Parking

The applicant requests to permit the proposed carports provided for each townhouse unit to be considered as an unenclosed parking space. The current site and building design includes driveways that are entirely covered by the second storey of the building and enclosed by walls on each side.

The Zoning Bylaw requires one parking space be unenclosed to ensure vehicle parking spaces are preserved for vehicle parking only and that opportunities for future enclosure of the spaces, or uses other than parking (storage), are limited. As such, carports – including the spaces proposed – are considered enclosed spaces. Despite this, the overall minimum number of spaces has been provided on site (23 residential spaces and 2 visitor space).

Should a future resident wish to fully enclose the spaces through installation of a garage door, both a new variance application and an amendment to the Development Permit will be required as the current variance proposal is linked specifically to the carport design. Based on this limitation as well as the fact that the overall minimum number of parking spaces has been provided, the requested variance is considered supportable in this instance.

4. FACTORS:

4.1 2040 Official Community Plan (OCP) / Land Use / Public Engagement

OCP Designation: “Low Density Residential” as designated within the 2040 Official Community Plan (OCP). The proposal is consistent with this designation.

Land Use: 6538 Fern Street – Single detached dwelling (to be demolished at time of redevelopment).

6548 Fern Street – Single detached dwelling (to be demolished at time of redevelopment).

The applicant has provided a property maintenance plan which is attached as Schedule A for information.

Public Engagement: The applicant hand-delivered and mailed an information package on June 28, 2023 to neighbours within 30m of the subject properties requesting submission of questions or concerns in regard to the proposed rezoning application. The applicant received support from five neighbours and no opposition at time of consultation. A copy of the engagement package has been included within the public record.

4.2 Neighbourhood Character

The subject properties are located along the boundary of the of the Sardis neighbourhood and are surrounded by properties within a variety of urban residential zones on a variety of lot sizes. The majority of properties are within the R1-A Zone, although some nearby properties are within the R1-C (Urban Infill) Zone, R3 (Small Lot Residential) Zone and R4 Zone. The subject properties are located immediately adjacent to Fern Park and Sardis Secondary.

The proposed rezoning is consistent with the “Low Density Residential” designation within the OCP which supports appropriately scaled townhouse development in this location in order to accommodate future growth and increased housing options at an appropriate scale. The required

urban frontage improvements – including curb, sidewalk and LED streetlighting – will ensure a safe and inviting streetscape is achieved. As the subject properties are within a neighbourhood that is experiencing modest infill development, the proposed rezoning is considered to be consistent with and complementary to the existing neighbourhood. Both the existing R1-A Zone and the proposed R4-B Zone allow a maximum building height of 10m.

4.3 Technical Issues

- Floodplain: The subject properties are not located within the floodplain.
- Watercourses. There are no known watercourses within or in the immediate vicinity of the subject properties.
- Geotechnical Issues: The properties are not subject to any known geotechnical hazards or earthquake-related risks.

4.4 Conditions of Issuance

Staff support the requested variances as proposed by the applicant and recommend approval of the draft DVP, subject to the following recommended condition:

- that the development be in accordance with the plans found in Schedule “A”.

5. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5334”, which proposes to rezone properties located at 6538 and 6548 Fern Street from an R1-A (Urban Residential) Zone to an R4-B (Low Density Multi-Unit Secondary Suite) Zone, be given first and second reading, and further, that a Public Hearing be called for September 26, 2023. (RZ001573)

Substantiation:

The proposed rezoning is consistent with the “Low Density Residential” designation within the OCP, which supports appropriately scaled townhouse development in this location. Redevelopment is anticipated to complement the existing neighbourhood, support a safe and inviting pedestrian environment, and provide a mix of housing options within the established Sardis neighbourhood.

The requested variances are supportable as they result in a design which enhances the street frontage while efficiently utilizing the available land for development. In addition, the reductions to the common amenity area standards are sufficiently offset by the private amenity space provided on site, the proposed programming of the space with a community garden and the proximity of Fern Park to the site. The request to permit carports to qualify as an unenclosed parking space will provide functional parking for future residents with limited opportunity to enclose the spaces at a future date.

6. SOURCES OF INFORMATION:

- Rezoning Application (RZ001573) – November 12, 2021
- Development Variance Permit Application (DVP01365) – May 30, 2023
- Development Application Review Team (DART) Minutes – June 2, 2022

Attachments:

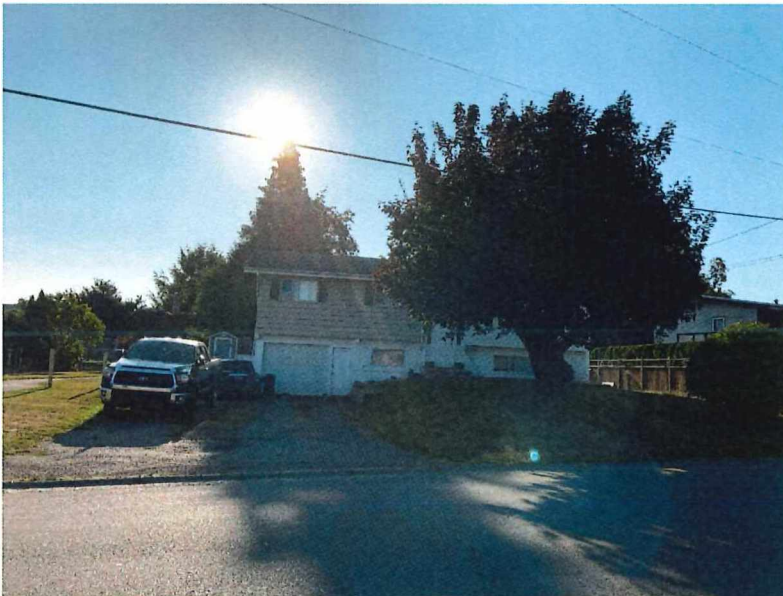
- Schedule A – Property Maintenance Plan

Site Photos

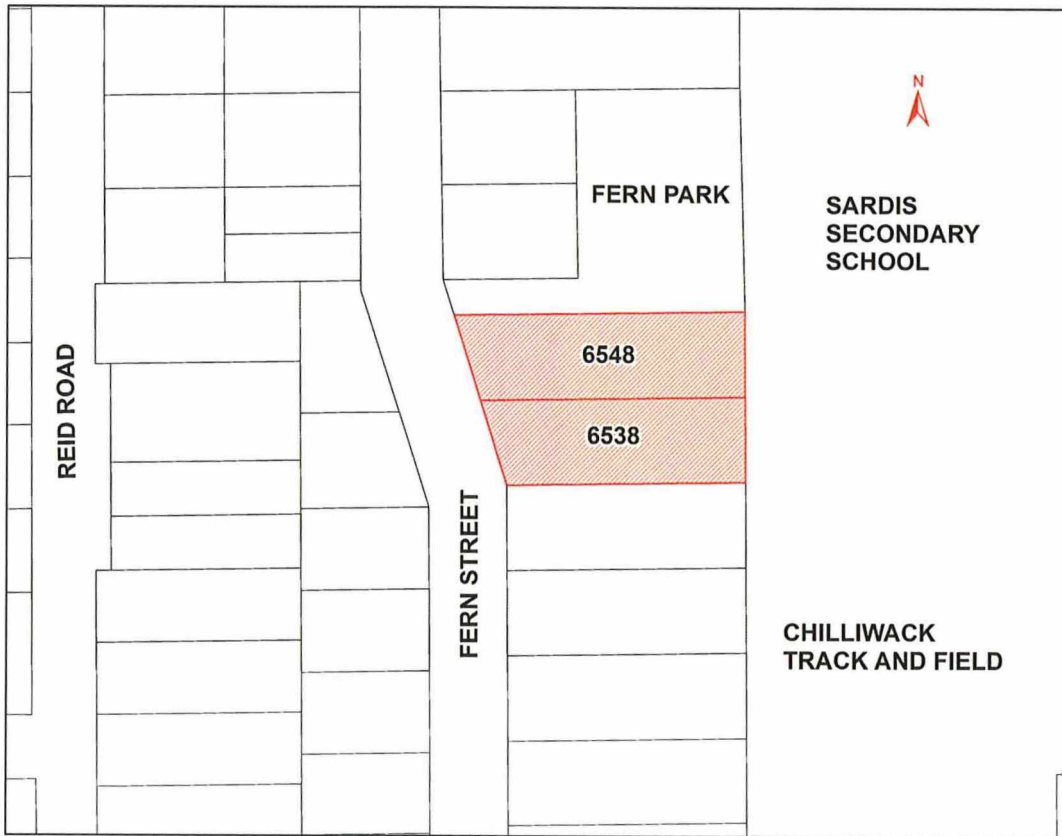
6538 Fern Street



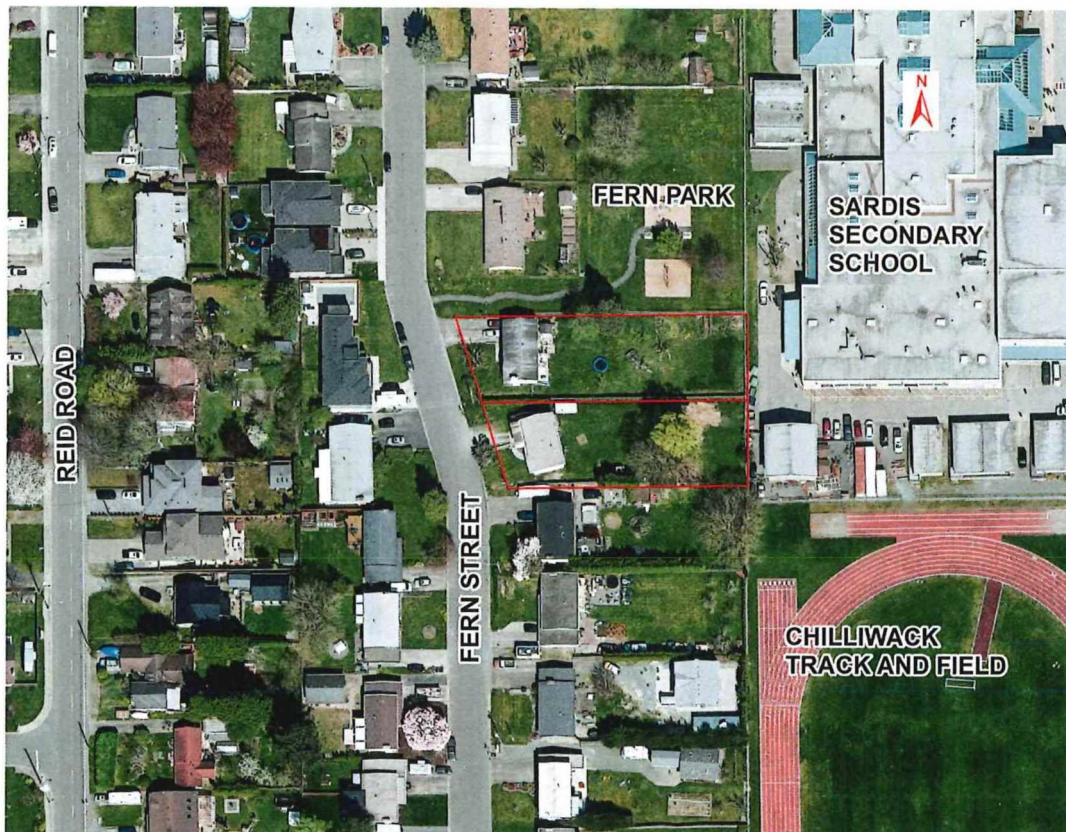
6548 Fern Street



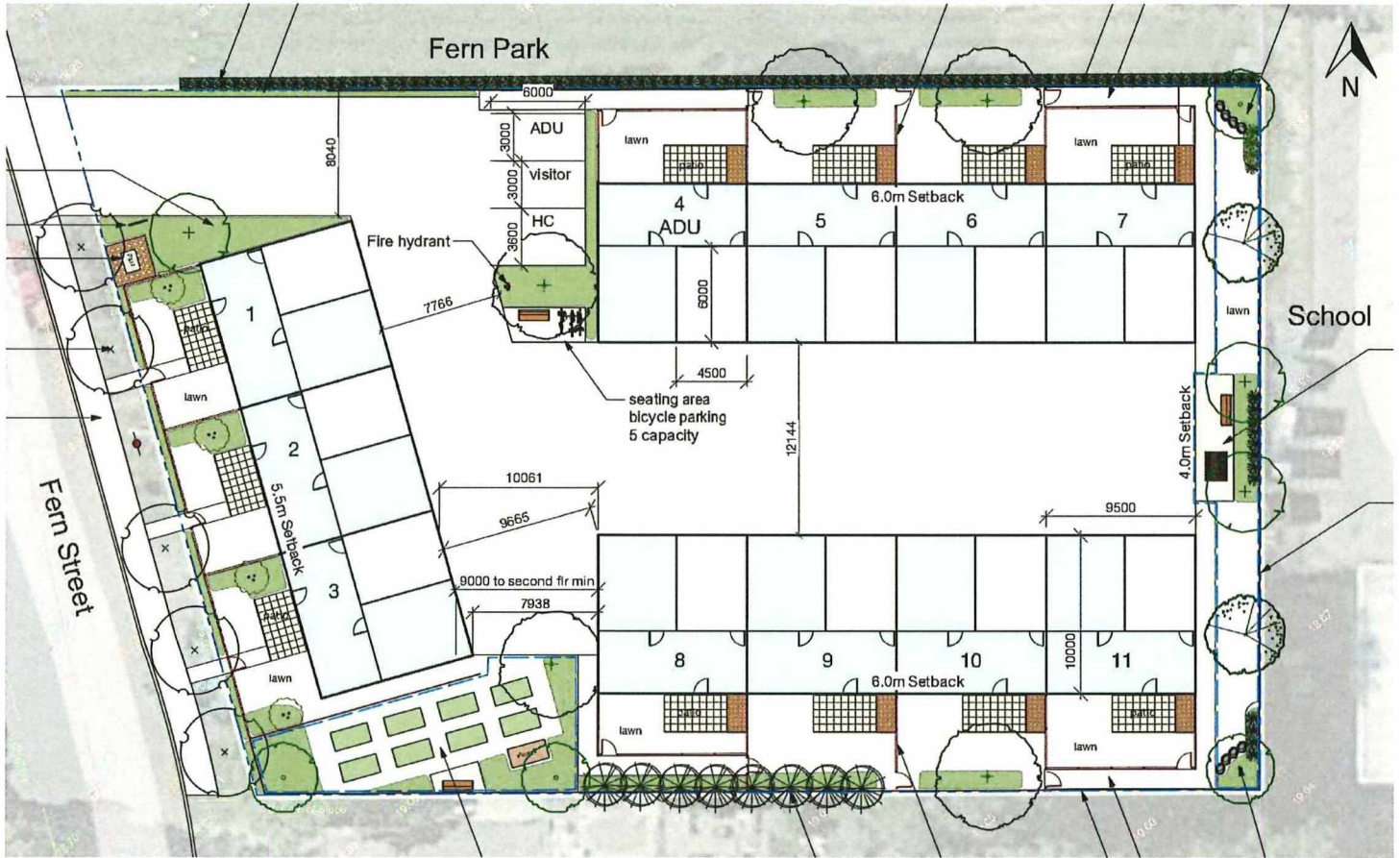
Location Map



Orthophoto



Conceptual Site Plan (as provided by the applicant)



Schedule A Applicant's Property Maintenance Plan

The following was provided by the applicant on March 15, 2023:

If 3rd Reading of rezoning bylaw is achieved, a refinancing will immediately occur to ensure the project has feasibility to advance under current market and interest rate conditions.

The existing detached dwellings (as well as their grounds) have been maintained well for years and will continue to do so, and will be occupied until immediately prior to deconstruction, after Building and Demolition Permits are issued. Any period of vacancy will be minimized.

At the time of deconstruction, tree removal (or relocation) will also occur. A bird-nesting survey will be undertaken for removal of trees between March 15 – August 15, as required by the federal Migratory Birds Convention Act and the BC Wildlife Act

It is highly desirable for site, foundation and framing work to be done by October, before winter storms.



SCHEDULE "A"

CITY OF CHILLIWACK

DEVELOPMENT VARIANCE PERMIT NO. DVP01365

To: KeyPlan Development Management
805-271 Francis Way
New Westminster, BC V3L 0H2

Jo-Ann Mcneil
6538 Fern Street
Chilliwack, BC V2R 1T6

Sarah Bistriz
207 - 3163 Richter Street
Kelowna, BC V1W 3R4

Hannah Bistriz
207 - 3163 Richter Street
Kelowna, BC V1W 3R4

1. This Development Variance Permit is issued subject to compliance with all of the Bylaws of the City of Chilliwack applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies only to those lands within the City of Chilliwack described below, to facilitate construction of a townhouse development and, does not apply to any additions or subsequent replacement of any and all buildings and structures and other development thereon:

Parcel Identifier No. 005-371-732
Legal Description: LOT 143 DISTRICT LOT 262 GROUP 2 NEW WESTMINSTER DISTRICT PLAN 40578
Address: 6538 Fern Street

Parcel Identifier No. 005-371-759
Legal Description: LOT 144 DISTRICT LOT 262 GROUP 2 NEW WESTMINSTER DISTRICT PLAN 40578
Address: 6548 Fern Street

3. In accordance with the provisions of Section 498 of the *Local Government Act* the following section(s) of "Zoning Bylaw 2020, No. 5000" are varied as stated:

Section 8.10(7)(a) within the R4-B (Low Density Multi-Unit Secondary Suite) Zone to reduce the front lot line setback requirement from 6m to 5.5m;

Section 8.10(7)(a) within the R4-B (Low Density Multi-Unit Secondary Suite) Zone to reduce rear lot line setback requirement from 6m to 4m;

Section 4.08(6)(c)(i)(A) Amenity Area Standards to reduce the minimum common amenity area space requirement from 210m² to 145m²;

DRAFT

Section 4.08(6)(c)(i)(B) Amenity Area Standards to waive the requirement that a common amenity area have a minimum area contiguous area of 200m² and minimum dimension of 6m; and,

Section 5.04 Minimum Off-Street Parking Space Requirements is varied by permitting a carport to qualify as an unenclosed parking space in relation to a townhouse development.

4. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and the plans and information contained within the application. The following condition applies:
 - a) that the development be in accordance with the plans found in Schedule "A".
5. Pursuant to Section 504 of the *Local Government Act*, if the permittee does not substantially start any construction permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.
6. This Permit is not a Building Permit.

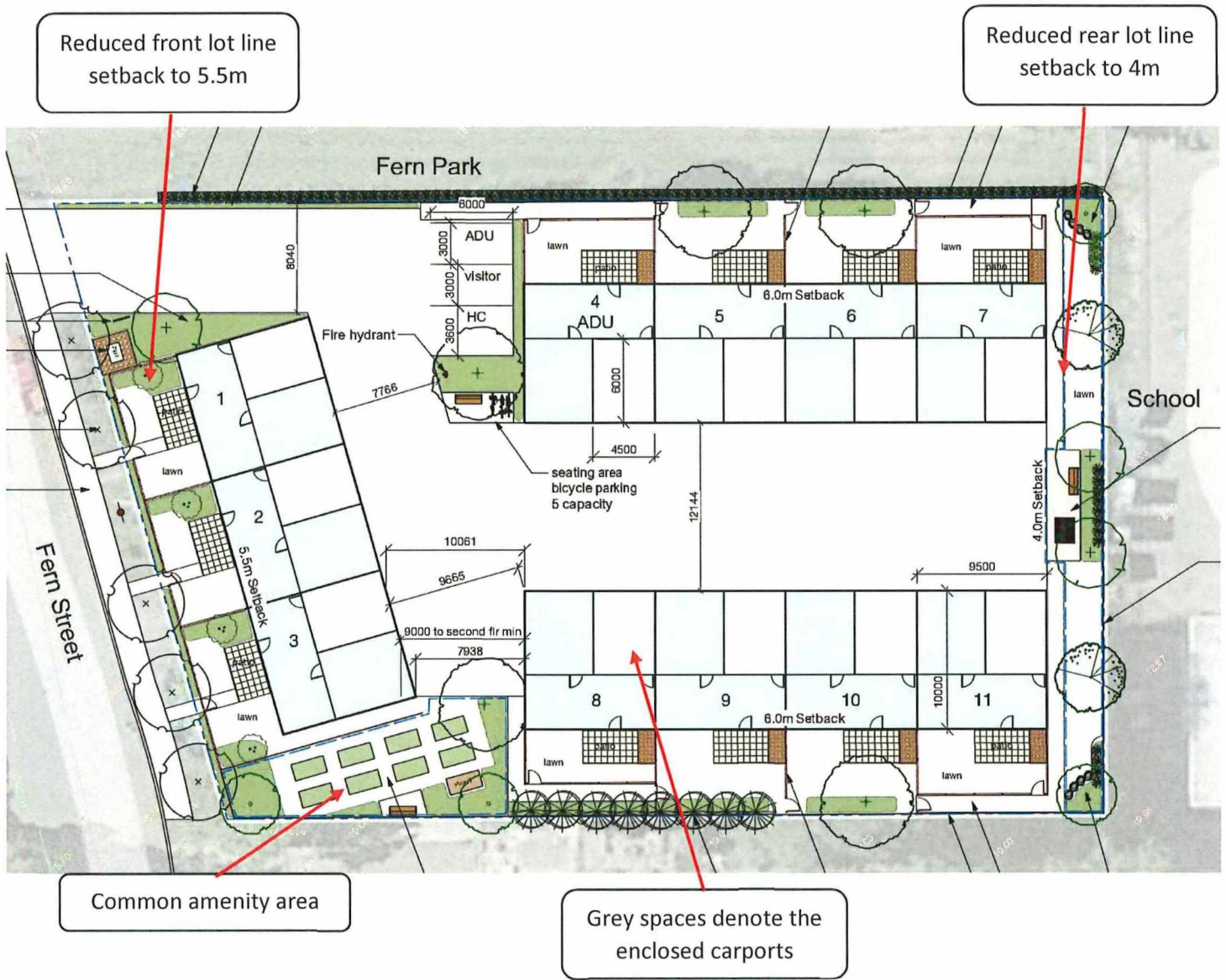
APPROVED BY COUNCIL ON THE ___ DAY OF ___, 2023.

ISSUED THIS ___ DAY OF ___, 2023

CORPORATE OFFICER

DRAFT

Proposed Site Plan (as provided by the applicant)



DRAFT

City of Chilliwack

Bylaw No. 5334

A bylaw to amend the “Zoning Bylaw 2020, No. 5000”

The Council of the City of Chilliwack in open meeting assembled enacts as follows:

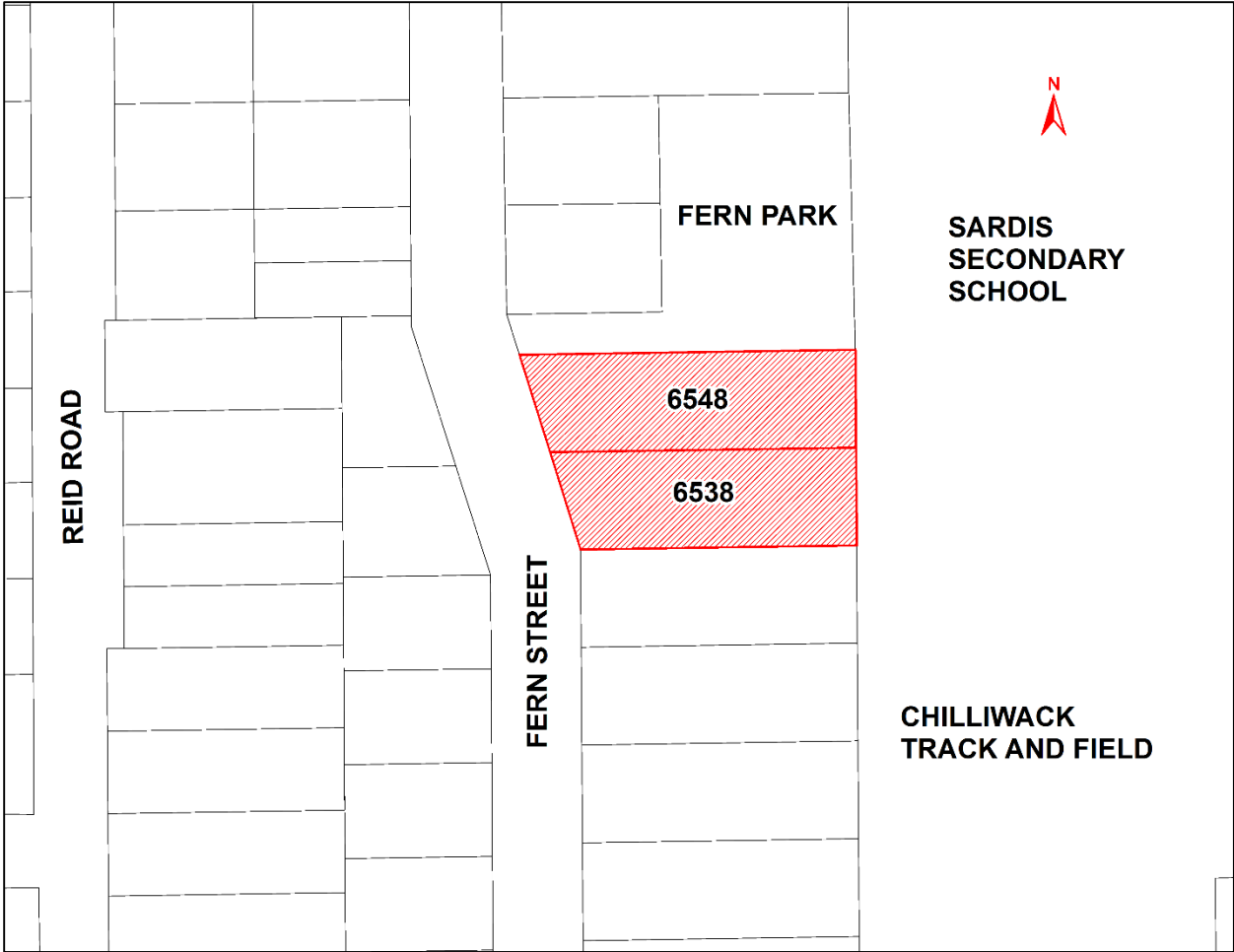
1. This bylaw may be cited as “**Zoning Bylaw Amendment Bylaw 2023, No. 5334**”.
2. “Zoning Bylaw 2020, No. 5000” is hereby amended by rezoning properties described as:
 1. PID: 005-371-732, Lot 143 District Lot 262 Group 2 New Westminster District Plan 40578 (6538 Fern Street); and,
 2. PID: 005-371-759, Lot 144 District Lot 262 Group 2 New Westminster District Plan 40578 (6548 Fern Street);from an R1-A (Urban Residential) Zone to an R4-B (Low Density Multi-Unit Secondary Suite) Zone.

Received first and second reading on the 5th day of September, 2023.
Public hearing held on the
Received third reading on the
Received adoption on the

.....
Mayor

.....
Corporate Officer

“Zoning Bylaw Amendment Bylaw 2023, No. 5334”





CITY OF CHILLIWACK
NOTICE OF PUBLIC HEARING
Tuesday, September 26, 2023 at 6:30 pm
Council Chambers
8550 Young Road, Chilliwack, BC V2P 8A4
www.chilliwack.com

TAKE NOTICE that the Council of the City of Chilliwack will hold a Public Hearing, as noted above, on the following items:

1. **ZONING BYLAW AMENDMENT BYLAW 2023, No. 5335 (RZ001687)**
2. **DEVELOPMENT VARIANCE PERMIT (DVP01322)**

Location: 9132 and 9146 Mary Street

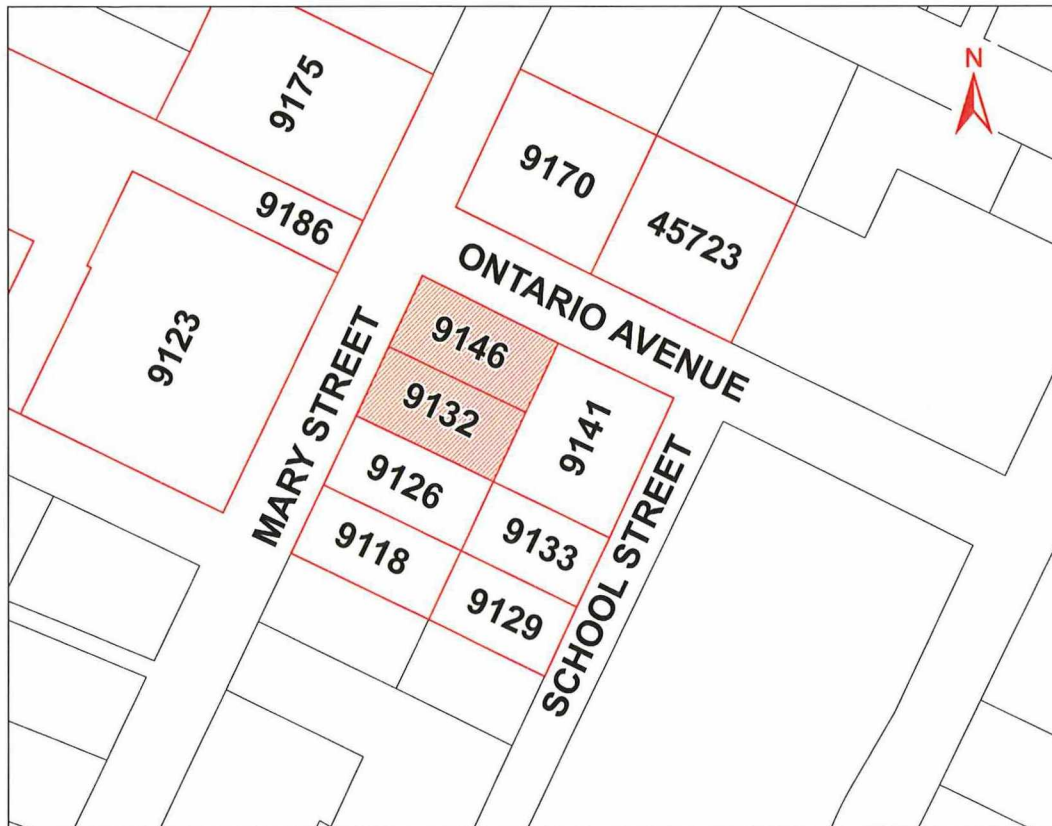
Applicant: 1335457 BC Ltd.

Purpose: To rezone the subject properties from an RC (Commercial Conversion) Zone to an R6 (Mid Rise Apartment) Zone, to facilitate a future apartment development, within the subject properties, as shown on the map below.

A concurrent Development Variance Permit application has been submitted to vary the following Zoning Bylaw standards:

- reduce the front lot line setback from 6m to 3.3m for an off-street parking structure;
- reduce the exterior side lot line setback from 4.5m to 1m for an off-street parking structure;
- reduce the minimum interior side lot line setback from 6.75m to 6m for the 4th storey and from 7.5m to 6m for the 5th storey;
- waive the requirement for portions of the common amenity area to have a minimum dimension of 6m;
- waive the requirement for a private amenity area to have a minimum dimension of 3m for five ground-oriented units;
- waive the requirement for a common amenity area to be located more than 5m from a window serving a dwelling unit;
- reduce the minimum private amenity area space to less than 15m² for two ground-oriented units;
- increase the maximum lot coverage from 50% to 82% for an off-street parking structure; and,
- waive the requirement to provide an off-street loading space.

Location Map



Please review the instructions below in regard to the participation options for the Public Hearing:

1. Written submissions, **including your full name and address**, to the Legislative Services Department at 8550 Young Road, Chilliwack, BC V2P 8A4 or by email to clerks@chilliwack.com no later than 4:00 pm on Monday, September 25, 2023.
2. Participate in person at the City of Chilliwack, Council Chambers, located at 8550 Young Road, Chilliwack, BC.

All submissions will be recorded and form part of the official record of the meeting. The Council meeting will be broadcast live on the City of Chilliwack website via the following link: www.chilliwack.com/live for viewing by the public.

The proposed bylaw and permit will be provided via email upon request between the hours of 8:30 am and 4:30 pm, Monday through Friday, excluding holidays, from **Wednesday, September 13, 2023 to Tuesday, September 26, 2023**, both inclusive, by the Planning Department at 604-793-2906 or planning@chilliwack.com.

Please note that no further information or submissions can be considered by Council after the conclusion of the Public Hearing.



Jacqueline Morgan, CMC
Corporate Officer

AGENDA ITEM NO: 7.8

MEETING DATE: September 5, 2023

STAFF REPORT – COVER SHEET

SUBJECT: 1335457 BC Ltd.
Development Permit / 9132 & 9146
Mary Street DATE: August 22, 2023

DEPARTMENT: Planning Department
RZ001687, DVP01322 & DP001649 PREPARED BY:  Adam Roberts / mb

1. SUMMARY OF ISSUE:


The applicant requests to rezone the properties from an RC (Commercial Conversion) Zone to an R6 (Mid Rise Apartment) Zone to facilitate the construction of an apartment development. Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to the properties located at 9132 & 9146 Mary Street.

A concurrent Development Variance Permit application has been submitted to vary Zoning Bylaw standards as detailed within the report.

As the property is within Development Permit Area No. 6 (Infill), a Development Permit for “form and character” is required and further described within the report.

2. RECOMMENDATION:


Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5335”, which proposes to rezone properties located at 9132 and 9146 Mary Street from an RC (Commercial Conversion) Zone to an R6 (Mid Rise Apartment) Zone, be given first and second reading; and further, that a Public Hearing be called for September 26, 2023. (RZ001687)



Gillian Villeneuve
Director of Planning

**3. CHIEF ADMINISTRATIVE OFFICER'S
RECOMMENDATION/COMMENTS:**

Supports recommendation.



Chris Crosman
Chief Administrative Officer

**STAFF REPORT ON REZONING RZ001687, DEVELOPMENT VARIANCE PERMIT DVP01322 &
DEVELOPMENT PERMIT DP001649 APPLICATIONS**

PREPARED BY: Adam Roberts DATE: August 22, 2023
POSITION: Planner III DEPARTMENT: Planning Department

1. DEFINITION OF ISSUE:

The applicant requests to rezone the properties from an RC (Commercial Conversion) Zone to an R6 (Mid Rise Apartment) Zone to facilitate the construction of an apartment development. Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to the properties located at 9132 & 9146 Mary Street.

The applicant has submitted a concurrent Development Variance Permit application (DVP01377) that requests the following departures to Zoning Bylaw standards:

- reduce the front lot line setback from 6m to 3.3m for an off-street parking structure;
- reduce the exterior side lot line setback from 4.5m to 1m for an off-street parking structure;
- reduce the minimum interior side lot line setback from 6.75m to 6m for the 4th storey and from 7.5m to 6m for the 5th storey;
- waive the requirement for portions of the common amenity area to have a minimum dimension of 6m;
- waive the requirement for a private amenity area to have a minimum dimension of 3m for five ground-oriented units;
- waive the requirement for a common amenity area to be located more than 5m from a window serving a dwelling unit;
- reduce the minimum private amenity area space to less than 15m² for two ground-oriented units,
- increase the maximum lot coverage from 50% to 82% for an off-street parking structure; and,
- waive the requirement to provide an off-street loading space.

As the property is within Development Permit Area No. 6 (Infill), a Development Permit for “form and character” has been submitted for concurrent review.

2. PROPOSAL:

In summary the proposal includes:

- 5-storey building (1 above-ground parkade with 4 residential floors above);
- 32 units (25 small unit apartments);
- 36 off-street parking spaces including 6 visitor parking spaces (36 are required);
- 40 bicycle parking spaces (40 are required); and,
- 8 trees (8 are required).

The final lot layout must comply with City Bylaws and include urban frontage improvements on both Mary Street and Ontario Avenue including barrier curb, sidewalk full half-road construction and LED streetlighting. A buffered bike lane will also be required along Mary Street. The requirements of the Tree Management (Land Development) Bylaw and Floodplain Regulation Bylaw apply to the development.

3. REZONING:

The applicant requests to rezone the subject properties to the R6 (Mid Rise Apartment) Zone to facilitate construction of a 5-storey apartment building. As the parcels are located close to the downtown core, in proximity to transit and commercial services, the increased density and building height permitted within the R6 Zone is considered appropriate in this location and in keeping with the existing “Residential 4 – Mid – High Rise Apartment” designation of the Downtown Land Use and Development Plan. Furthermore, the surrounding area includes existing apartment buildings along both Mary Street and Ontario Avenue and as such, the proposal is in keeping with the redevelopment trend in the area and respects the overall character of the neighbourhood.

4. DISCUSSION REGARDING VARIANCES:

Overall, the design of the building and site is visually appealing and constitutes a high-quality addition to the area. A discussion in relation to the proposed variances is provided below.

Front and Exterior Side Lot Line Setbacks

The applicant requests a reduction to the minimum front (FLL) and exterior side (ESLL) lot line setbacks along the north and west property lines to accommodate the siting of the parkade. The proposed R6 (Mid Rise Apartment) Zone requires an FLL setback of 6m and ESLL setback of 4.5m for a parkade. The applicant requests to reduce the FLL setback from 6m to 3.3m and reduce the ESLL setback from 4.5m to 1m to accommodate the proposed parkade. As the property is located on a corner, the setbacks for a parkade are more restrictive than an interior lot. For reference, the rear (RLL) and interior (ISLL) setback for a parkade is 0m. The applicant has indicated that given the size of the site and location on a corner, a parkade that provides adequate parking and meets the required setbacks is not achievable in this location.

Interior Side Lot Line Setbacks

The applicant requests a reduction to the minimum interior side lot line (ISLL) setbacks along the south and east property lines for the 4th and 5th storeys of the residential building. The R6 (Mid Rise Apartment) Zone requires an ISLL setback to increase by 0.75m per storey beyond the third storey. Considering this, an ISLL setback of 6.75m is required for the 4th storey and 7.5m for the 5th storey. As shown below, the applicant requests to reduce these setbacks to maintain a consistent building design from the 1st through 5th storeys.

Reduce setback to 6m for 4th and 5th storeys on south and east property lines



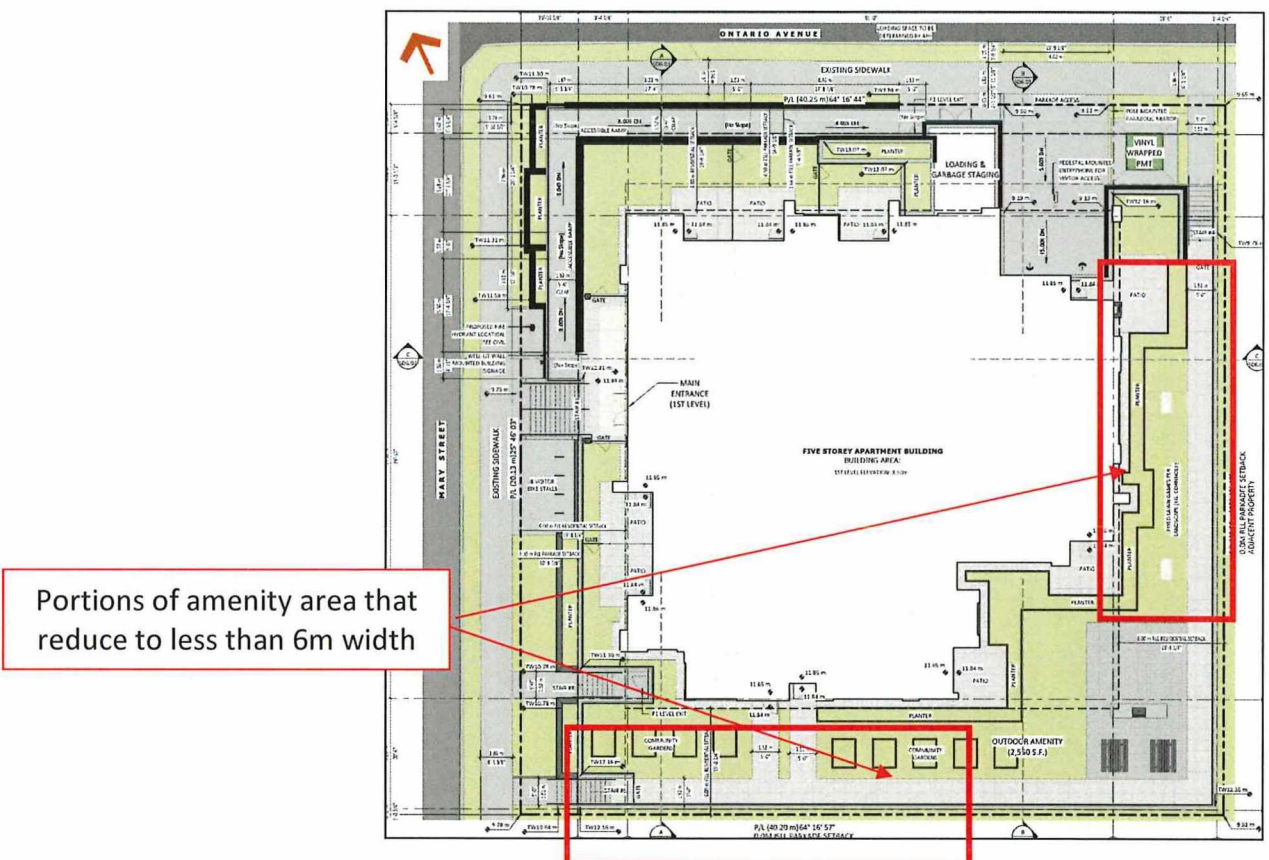
To mitigate the impact of the requested variances, the applicant has provided significant articulation in the building's façades, in combination with the use of various materials and colours. This results in a building form that appears as a series of modules thereby reducing the impact of the overall massing of the building. The private amenity areas of each unit are recessed into the building face, which limits any overlooking into neighbouring properties and further breaks up the massing of the building by providing variety in depth. In addition, the common amenity area is sited in the south-east corner of the subject property reducing the impact of shadowing which may be caused by the proposed apartment.

Lot Coverage

The applicant requests an increase to the maximum permitted lot coverage from 50% to 82% for the above ground parkade. As shown on the attached landscape plan, substantial landscaping has been provided along the north and west portion of the parkade wall fronting Mary Street and Ontario Avenue. In addition, the applicant proposes to utilize brick along the south and east parkade walls to break up and soften the wall adjacent to neighbouring properties.

Common Amenity Area

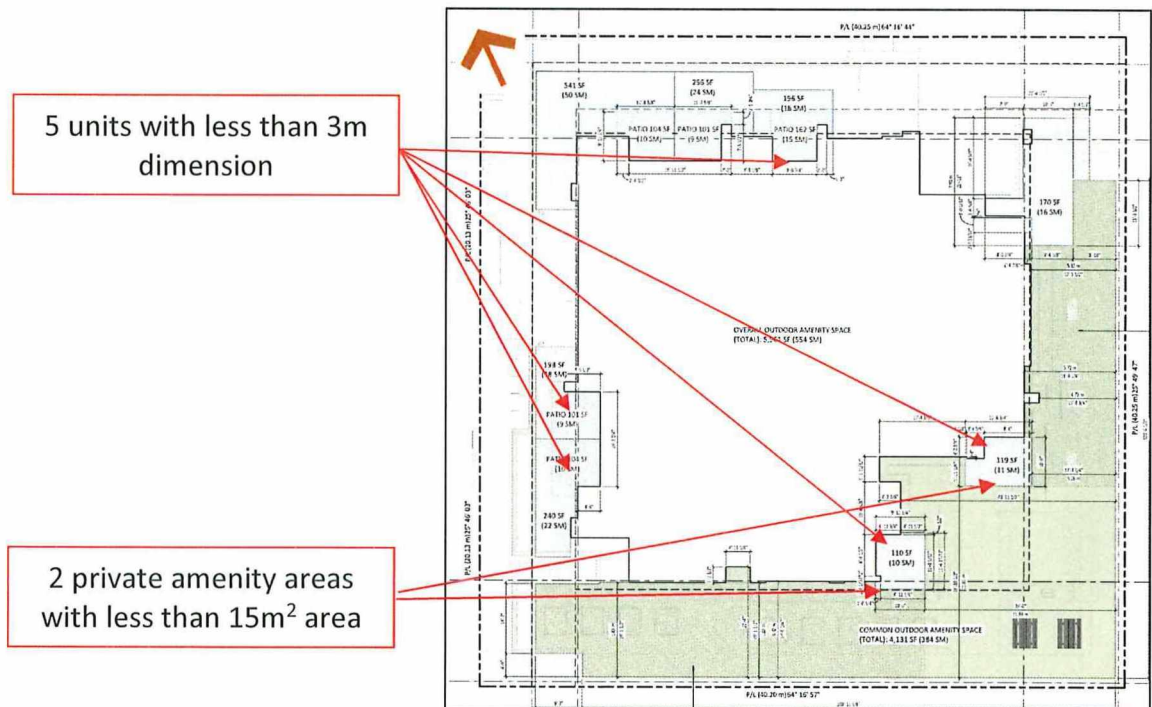
The applicant has provided an outdoor common amenity space with a total area of 554m² (310m² minimum is required), which includes landscaping, picnic tables, garden boxes and lawn areas with games. Despite this, a portion of the amenity area does not meet the required minimum dimension of 6m. As shown below, the south and east sections of the amenity area narrow to between 4.8-5.9m (the majority of which is greater than 5.3m in width). Of the total provided amenity area, 154m² meets the minimum dimension of 6m. Given that the restricted areas are activated with community garden boxes and lawn games, staff consider them as useable areas in this instance. In addition, two indoor amenity areas are provided totaling 123m².



Private Amenity Areas

The applicant is requesting variances related to the ground-oriented private amenity areas that are located adjacent to the common amenity area. The Zoning Bylaw requires an outdoor amenity area to be located a minimum of 5m from a window serving a dwelling unit. Given the siting of the units adjacent to the amenity area, and constraints related to the size of the site, the 5m setback is not met. As such, the applicant has provided planters with substantial landscaping between the dwelling unit windows and common amenity area to ensure the privacy of the impacted units is preserved.

The Zoning Bylaw also requires that ground-oriented dwelling units have a private amenity space with an area of 15m² and minimum dimension of no less than 3m. As shown below, two private amenity areas are less than 15m² (ranging from 10-11m²) and five do not have a minimum dimension of 3m. As these five amenity areas are located within close proximity to the common amenity area, it is anticipated the future residents of these units will be able to easily access the common area to utilize the amenities provided within that space (lawn, picnic tables and community garden).



Off-Street Loading Space

The applicant requests to waive the requirement to provide an off-street loading space in favour of an on-street loading space on Ontario Avenue. The Engineering Department has confirmed a designated loading space on Ontario Avenue is acceptable in this location.

For the reasons discussed above, the requested variances are deemed supportable in this instance.

5. DEVELOPMENT PERMIT CONSIDERATIONS:

As demonstrated by the attached checklist evaluation for DPA 6, the proposed development substantially complies with the Infill Development Design Guidelines. A copy of the proposed site plan, landscape plan and colour elevations are attached within the draft Development Permit for information.

Summary and CPTED Review

In support of the application, the applicant has submitted a CPTED (Crime Prevention Through Environmental Design) report prepared by *Liahona Security Consortium*. A summary of the CPTED assessment is shown in the table below:

CPTED Elements	Recommendations	
	✓ included in the design	* not included in the design
Natural Access Control	<ul style="list-style-type: none"> ✓ One main pedestrian entrance promotes natural access control. ✓ Balconies overlooking the parkade driveway from unit 104 will help reduce loitering and unauthorized entry into the parkade. ✓ Gates at the stairwells to the amenity area were recommended in the report and included by the applicant in the current design. 	
Natural Surveillance	<ul style="list-style-type: none"> ✓ Views from the ground-floor units into the amenity area and street will promote “eyes on the street”. 	
Territoriality	<ul style="list-style-type: none"> ✓ Gates and well-lit signage are utilized to ensure the transition from public to private space is clearly defined. 	
Maintenance	<ul style="list-style-type: none"> ✓ The vegetation on the site should be maintained to provide long sightlines from the street and ensure public and private spaces are well defined. Any damage or vandalism should be repaired within a timely manner* 	

* Future strata to maintain vegetation and ensure sightlines are not obstructed

6. DESIGN REVIEW ADVISORY COMMITTEE:

The application was reviewed by the Design Review Advisory Committee (DRAC) on August 8, 2023. Based on this, the following recommendation was made:

That the Design Review Advisory Committee supports DP001649 and recommend Council approve the application subject to the following conditions:

1. *that a detailed lighting plan be submitted, prior to the issuance of a Building Permit, to ensure adequate lighting is provided for all walkways, parking areas and elevations of the building;*

2. *that glazing, in the form of side lights or glazed doors, be provided for all entrances into and out of stairwells, exits and communal spaces;*
3. *that a well-lit complex sign be provided along Mary Street;*
4. *that all utility equipment be screened from public view through installation of landscaping, fencing, or vinyl wrapping;*
5. *that an irrigation system be included into the landscaped areas within the site;*
6. *that non-combustible cladding and soffits be provided within the balconies;*
7. *that either trees or a structure be provided within the outdoor common amenity area to provide shade within the space to promote year-round use;*
8. *that a direct access door be provided from the first storey indoor common amenity to the outdoor common amenity area to integrate the spaces;*
9. *that playground equipment be provided within the outdoor amenity area to create an engaging space for families;*
10. *that a rubberized (or equivalent) surface be provided throughout the outdoor common amenity area to ensure the space is fully accessible for future residents, and,*
11. *that the colour scheme be amended at time of Building Permit application to include lighter accent colours to enhance the visual appeal of the development.*

The applicant was present at the meeting and agreeable to the above conditions.

7. FACTORS:

7.1 2040 Official Community Plan (OCP) / Land Use

OCP: “Residential 4 – Mid – High Rise Apartment” as designated within the Downtown Land Use and Development Plan within the 2040 Official Community Plan

Land Use: Each property contains a single detached dwelling (to be demolished).

7.2 Neighbourhood Character

The subject properties are located in an established area within the downtown neighbourhood and are surrounded by commercial properties within the C2 Zone and apartments within the R5 (Low Rise Apartment) Zone and R6 Zone.

7.3 Technical Issues

Floodplain: The subject properties are located within the protected floodplain and subject to the Floodplain Regulation Bylaw.

Watercourses: There are no known watercourses within or in the immediate vicinity of the subject properties.

Geotechnical Issues: The properties are not subject to any known geotechnical hazards or earthquake related risks.

7.4 Conditions of Issuance

Staff support the requested variances as proposed by the applicant and recommend approval of the draft DVP and DP, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Variance Permit and Development Permit.

8. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5335”, which proposes to rezone properties located at 9132 and 9146 Mary Street from an RC (Commercial Conversion) Zone to an R6 (Mid Rise Apartment) Zone, be given first and second reading; and further, that a Public Hearing be called for September 26, 2023. (RZ001687)

Substantiation:

The proposed rezoning is consistent with the OCP designation and it is anticipated that the proposed development will complement and enhance the existing character of the area and provide additional housing options in close proximity to transit and everyday needs. The requested variances are supportable and not anticipated to significantly impact neighbouring properties or the neighbourhood as a whole.

The proposed apartment development meets the intent of the Design Guidelines for Development Permit Area No. 6 through the use of extensive landscaping, building articulation and varied design features that are expected to create an appealing streetscape

9. DEVELOPMENT PERMIT AREA NO. 6 DESIGN GUIDELINE CHECKLIST:

	Design Guidelines	Yes/No	Comments
1.1	Landscaping & building materials		
	Preserve existing trees where possible	No	<ul style="list-style-type: none"> No existing trees are retained
	Utilize tree species & vegetation common to area	Yes	<ul style="list-style-type: none"> Tree species are consistent with the Tree Management Bylaw
	Use varied building materials (i.e. combinations of wood, brick, rock, etc.)	Yes	<ul style="list-style-type: none"> The proposed exterior finishes for the buildings include materials such as horizontal hardie siding with 6-inch exposure (pearl gray, country lane red), hardie panel siding (midnight black, night gray, gray slate), steel panel lap siding (mountain cedar), corrugated metal siding (galvanized), brick (burgundy, imperial gray) and black aluminum privacy screens and railings
2.1	Building shape & form		
	Provide visual variety in building form, shape & character	Yes	<ul style="list-style-type: none"> Roof articulation, building projections, recesses, balconies, and the incorporation of a variety of materials and modern detailing, create a visually appealing design.
	Avoid large expanses of blank façade	Yes	<ul style="list-style-type: none"> The design avoids large expanses of blank façade by using a variety of materials, colours and building articulation.

	Use a variety of complementary colors	Yes	<ul style="list-style-type: none"> The proposed exterior finishes include a variety of colours that complement each other. A copy of the colour and material list is attached
3.1	Physically integrate development with adjacent development		
	Shared access, consolidate open space, etc.	N/A	<ul style="list-style-type: none"> As the properties are adjacent to existing apartments, shared access or open space is not possible
3.2	Scale, mass & form is sensitive to adjacent properties		
	Height not to exceed more than 8m above adjacent historically significant home	N/A	<ul style="list-style-type: none"> There are no significant historical buildings adjacent to the site
	Use articulation, vary materials and colors to provide visual relief	Yes	<ul style="list-style-type: none"> A complementary colour scheme with diverse building materials, and building articulation in both the façade and roofline, serves to create visually appealing development
	Series of modules fit together	Yes	<ul style="list-style-type: none"> Roof articulation and varying architectural treatments create a design where the building appears as a series of units or modules that fit together
	Differentiate between pedestrian-level commercial/upper level residential development	N/A	<ul style="list-style-type: none"> No commercial development proposed
	Complement existing size, mass, and scale of surrounding development	Yes	<ul style="list-style-type: none"> The proposed building has been designed in a comprehensive manner and respects the existing character of the area by using articulation and a variety of materials along all four elevations.
	Consideration of views from adjacent developments	Partial	<ul style="list-style-type: none"> Given the proposed building height of 16 55m, views that are currently experienced by adjacent properties will inevitably be impacted Given the properties are located on a corner and adjacent to existing apartments, impacts to views from neighbouring properties are expected to be minimal
4.1	Maximize a positive impact on the street		
	Preserve & integrate existing natural features where possible	N/A	<ul style="list-style-type: none"> No existing natural features to be preserved
	Orient development towards street	Yes	<ul style="list-style-type: none"> The proposed building activates both Mary Street and Ontario Avenue with a welcoming entrance on Mary Street and extensive landscaping on both frontages.
	Locate development close to & parallel to street	Yes	<ul style="list-style-type: none"> Same as above
	Consider impact of sun, wind & shadows on site	Yes	<ul style="list-style-type: none"> The proposed development includes a common amenity area on top of the proposed parkade along the south and east property lines The siting of the amenity area will ensure the area receives sunlight year-round as it is not obstructed by the building
4.2	Locate mechanical equipment and service areas out of public view		
	Locate or screen mechanical and operational equipment from the view of tenants and from the street	Yes	<ul style="list-style-type: none"> It is recommended that all utility equipment be screened from public view through a combination of landscaping, fencing or vinyl wrapping The proposed site plan includes vinyl wrapping on the PMT which is surrounded by landscaping
5.1	Entrances into the development must be highly visible, easy to find and logical in location.		

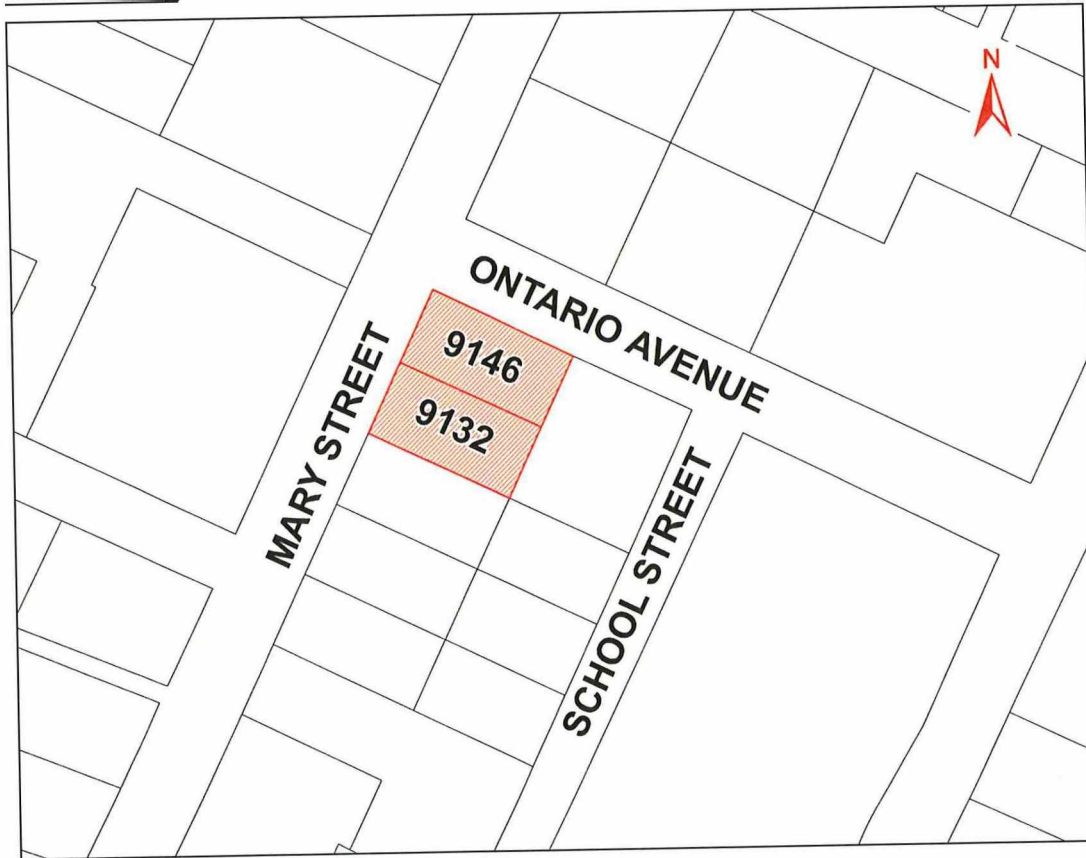
	Emphasize vehicle entrance through additional landscaping, tree planting, appropriate signage & lighting	Yes	<ul style="list-style-type: none"> The pedestrian entrance is clearly defined through a prominent staircase with signage located close to the Mary Street sidewalk It is recommended that a lighting plan be submitted prior to the issuance of a Building Permit to ensure adequate lighting is provided throughout the development.
	Define pedestrian & vehicle corridors	Yes	<ul style="list-style-type: none"> The proposal includes pedestrian and vehicle access that is clearly marked/defined
5.2	Parking areas must be adequate in size, efficient in layout and safe in location & design		
	Parking areas are visually secured all day	Yes	<ul style="list-style-type: none"> All parking is located within the secured parkade
	Provide parking areas that are easily accessible but do not dominate the user's first impression of the site	Yes	<ul style="list-style-type: none"> Easily accessible parking for both visitors and residents will be provided within the secured parkade
	Avoid the provision of parking in the front yard	Yes	<ul style="list-style-type: none"> Same as above
	Adequate concealed underground parking	Partial	<ul style="list-style-type: none"> Although the upper façade treatment is not brought down to the ground floor, the parkade wall is treated with brick veneer, matching treatments on the second storey, to mitigate the impact of the parkade wall The parkade wall is also screened by landscape planters along Mary Street and Ontario Avenue
	Avoid large expanses of contiguous parking	Yes	<ul style="list-style-type: none"> Large expanses of parking are avoided as all parking is provided within the parkade
	Use landscaping to soften the impact of parking area	Yes	<ul style="list-style-type: none"> Substantial landscaping is proposed throughout the development, specifically along the street frontages. As all parking is provided within the parkade, screening with landscaping is not required
6.1	Building entrances must be highly visible, attractive and inviting to the pedestrian		
	Clearly identify and orient the primary pedestrian entrance to the street	Yes	<ul style="list-style-type: none"> The main entrance is clearly defined through the use of a wide staircase, landscaping and signage
	Provide separate ground-level entrances for commercial and residential developments	N/A	<ul style="list-style-type: none"> Commercial uses are not proposed
	Provide a suitable transition from public (street) to semi-private to private (entrance) through scale, detail, and sense of enclosure	Yes	<ul style="list-style-type: none"> The proposed landscaping planters and outdoor front entrance area provide a suitable transition between public, semi-private and private space
6.2	Enhance the pedestrian experience by providing interest at the street level		
	Set back building facades to create amenity areas that interact with the street	Yes	<ul style="list-style-type: none"> The building face is setback 6m from the street where substantial landscaping and outdoor entrance area interact with the City sidewalk All units that face the street include large outdoor patios that overlook and interact with the public space
	Use various materials and design techniques to create through-visibility or transparency, (e.g. windows, see-through landscaping and fencing, etc.) at ground level	Yes	<ul style="list-style-type: none"> Low level landscaping and glazing in the lobby and on the first residential storey is provided

	Have a pedestrian oriented building base of 1 to 3 storeys that is distinct from upper storey developments	Partial	<ul style="list-style-type: none"> The first storey parkade is clearly defined from the four residential storeys above through the use of varied building materials and colours. The four residential storeys are differentiated through the use of various materials and articulation of the building façade.
	Provide architectural detail to capture pedestrian attention	Yes	<ul style="list-style-type: none"> The building articulation, glazing, variety of building materials/colours, and the incorporation of landscaping serve to capture pedestrian attention
6.3	Design outdoor spaces to provide a sanctuary for its occupants		
	Create useable, accessible & highly visible on-site people places & amenity areas (i.e. paths, courtyards, upper level decks, playgrounds, etc.)	Yes	<ul style="list-style-type: none"> The development includes a 554m² outdoor common amenity area complete with patio tables, a community garden and fixed lawn games, which are easily accessible to residents
	Accommodate the year-round use of outdoor spaces by considering environmental conditions (e.g. sun angles and prevailing winds)	Yes	<ul style="list-style-type: none"> Private amenity areas include balconies that may be used on a year-round basis. The proposed development includes an outdoor common amenity, which will benefit from sunlight year-round given its siting in the south-east corner of the property

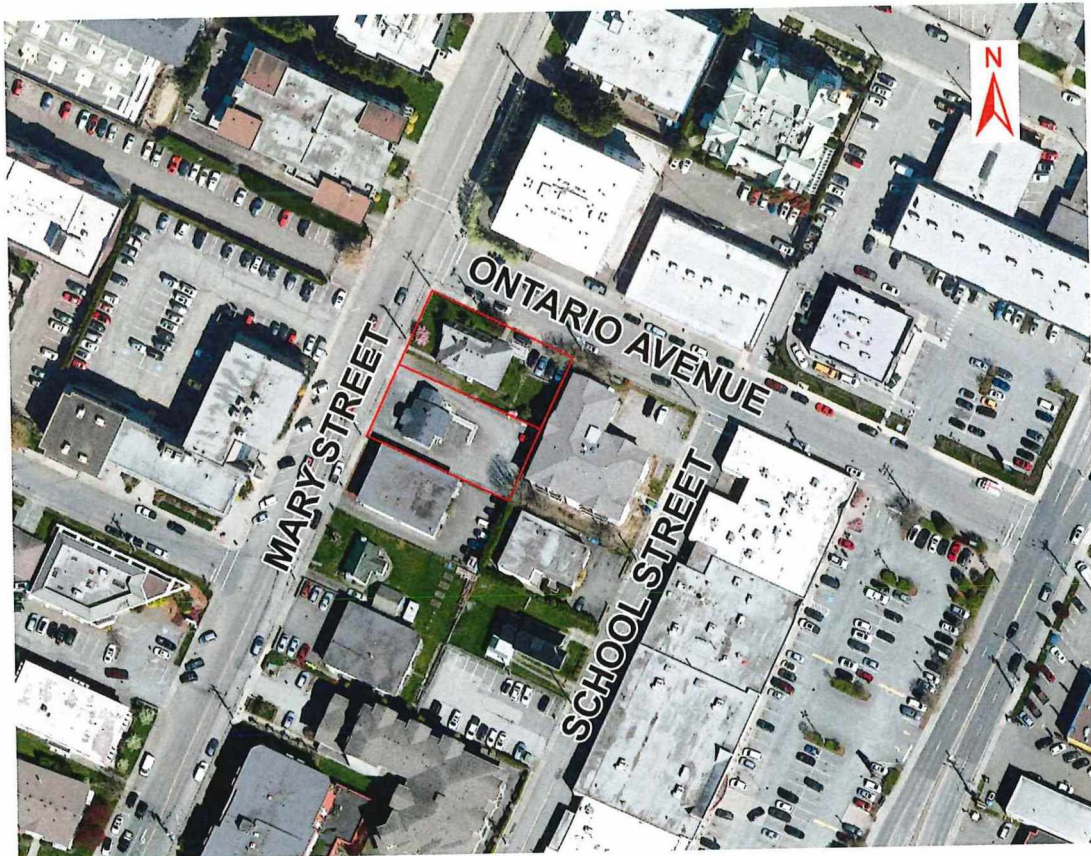
10. SOURCES OF INFORMATION:

- Rezoning Application (RZ001687) – December 1, 2022
- Development Permit Application (DP001649) – December 1, 2022
- Development Variance Permit Application (DVP01322) – December 1, 2022
- Development Application Review Team (DART) Minutes – March 9, 2023
- CPTED Report, prepared by *Liahona Security Consortium* – November 22, 2022

Location Map



Ortho Photo





SCHEDULE "A"

CITY OF CHILLIWACK

DEVELOPMENT VARIANCE PERMIT NO. DVP01322

To: 1335457 BC Ltd.
Attn: Shane Nercessian
3102 McBride Street
Surrey, BC V4A 3H1

1. This Development Variance Permit is issued subject to compliance with all of the Bylaws of the City of Chilliwack applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies only to those lands within the City of Chilliwack described below, to facilitate the construction of an apartment development, and, does not apply to any additions or subsequent replacement of any and all buildings and structures and other development thereon:

Parcel Identifier No. 003-987-990
Legal Description: LOT 10 BLOCK 20 DIVISION "A" NEW WESTMINSTER
DISTRICT PLAN 1737
Address: 9132 Mary Street

Parcel Identifier No. 001-717-677
Legal Description: LOT 9 BLOCK 20 DIVISION "A" NEW WESTMINSTER
DISTRICT PLAN 1737
Address: 9146 Mary Street

3. In accordance with the provisions of Section 498 of the *Local Government Act* the following section(s) of "Zoning Bylaw 2020, No. 5000" are varied as stated:

Section 8.12(5)(a) within the R6 (Mid Rise Apartment) Zone is varied by increasing the maximum permitted lot coverage from 50% to 82% for an off-street parking structure;

Section 8.12(7)(e) within the R6 (Mid Rise Apartment) Zone is varied by reducing the minimum front lot line setback from 6m to 3.3m for an off-street parking structure;

Section 8.12(7)(e) within the R6 (Mid Rise Apartment) Zone is varied by reducing the minimum exterior side lot line setback from 4.5m to 1m for an off-street parking structure;

Section 8.12(7)(g) within the R6 (Mid Rise Apartment) Zone is varied by reducing the minimum interior side lot line setback from 6.75m to 6m for the 4th storey;

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Section 8.12(7)(g) within the R6 (Mid Rise Apartment) Zone is varied by reducing the minimum interior side lot line setback from 7.5m to 6.75m for the 5th storey;

Section 4.08(6)(d)(i)(B) Regulations Applicable to Specific Zones is varied by waiving the requirement for the common amenity area to have a minimum dimension of 6m for portions of the common amenity area;

Section 4.08(6)(e)(i)(C)(III) Regulations Applicable to Specific Zones is varied by waiving the requirement for the common amenity area to be setback 5m from a window serving a dwelling unit;

Section 4.08(6)(g)(iii) Regulations Applicable to Specific Zones is varied by waiving the requirement for a private amenity area to have a minimum dimension of 3m for five ground-oriented units;

Section 4.08(6)(g)(i) Regulations Applicable to Specific Zones is varied by reducing the minimum private amenity area space to less than 15m² for two ground-oriented units;

Section 5.02(6)(g)(iii) Minimum Off-Street Loading Space Requirements is varied by waiving the requirement to provide an off-street loading space.

4. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and the plans and information contained within the application. The following condition applies:
 - a) that the development be in accordance with the plans found in Schedule "A".
5. Pursuant to Section 504 of the *Local Government Act*, if the permittee does not substantially start any construction permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.
6. This Permit is not a Building Permit.

APPROVED BY COUNCIL ON THE ___ DAY OF ___, 2023.

ISSUED THIS ___ DAY OF ___, 2023

CORPORATE OFFICER

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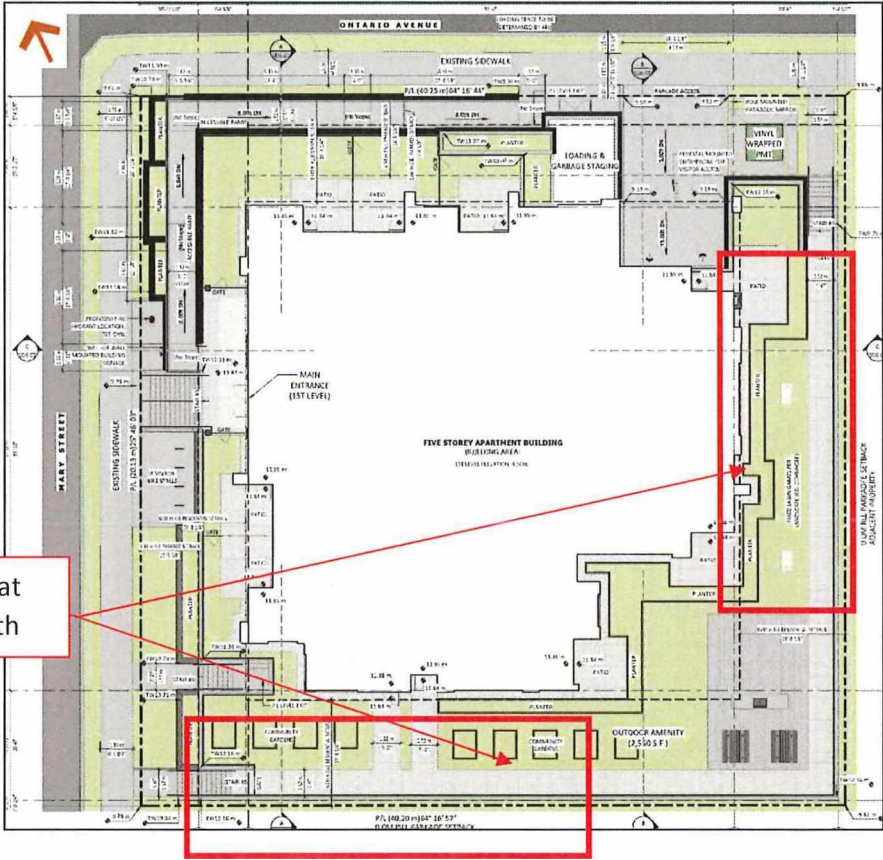
Building Setbacks (as provided by the applicant)

Reduce setback to 6m for 4th and 5th storeys on south and east property lines



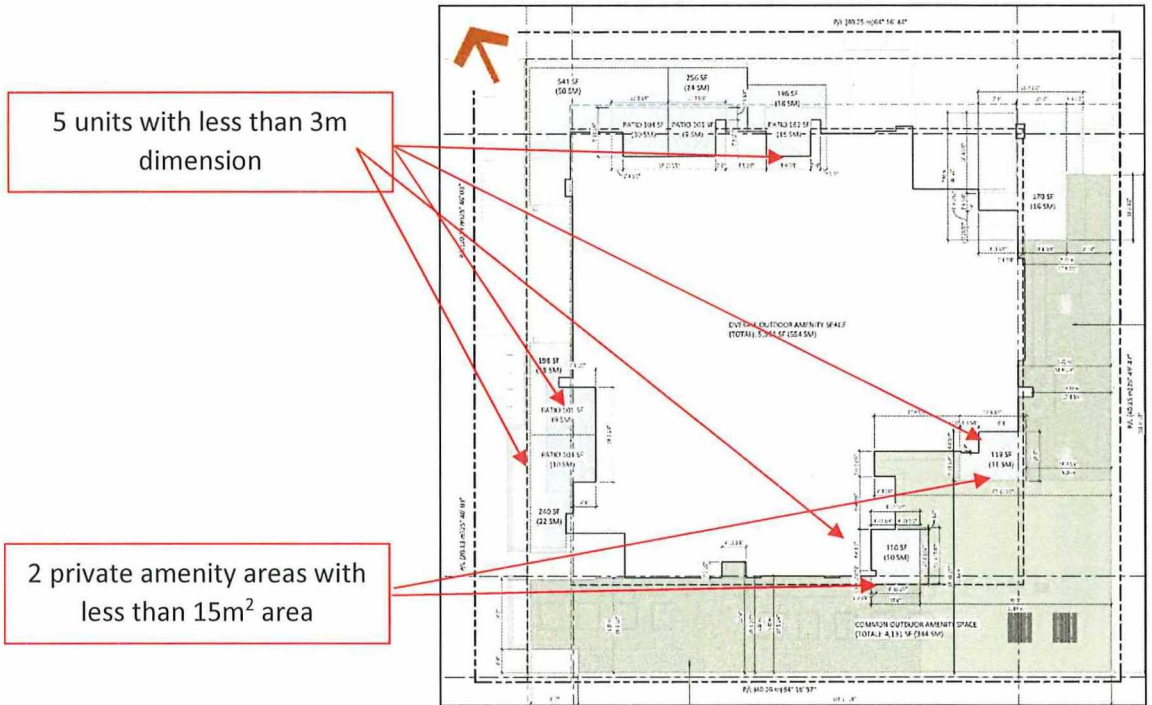
Common Amenity Area (as provided by the applicant)

Portions of amenity area that reduce to less than 6m width



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Private Amenity Area (as provided by the applicant)



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CITY OF CHILLIWACK

DEVELOPMENT PERMIT NO. DP001649

(Portion of Development Permit Area No. 6 of the Official Community Plan)

**To: 1335457 BC Ltd.
Attn: Shane Nercessian
3102 McBride Street
Surrey, BC V4A 3H1**

1. This Development Permit applies to the following properties:

**Parcel Identifier No. 003-987-990
Legal Description: LOT 10 BLOCK 20 DIVISION "A" NEW WESTMINSTER DISTRICT PLAN 1737
Address: 9132 Mary Street**

**Parcel Identifier No. 001-717-677
Legal Description: LOT 9 BLOCK 20 DIVISION "A" NEW WESTMINSTER DISTRICT PLAN 1737
Address: 9146 Mary Street**

2. Development of the subject properties shall be substantially in conformance to the following:

- Development shall be in accordance with the approved site plan and elevations attached within Schedule "A";
- That non-combustible cladding and soffits be provided within the balconies;
- That an irrigation system be included into the landscaped areas within the site;
- That either trees or a structure be provided within the outdoor common amenity area to provide shade within the space to promote year-round use;
- That a detailed lighting plan be submitted, prior to the issuance of a Building Permit, to ensure adequate lighting is provided for all walkways, parking areas and elevations of the building;
- That a well-lit complex sign be provided along Mary Street;
- That glazing, in the form of side lights or glazed doors, be provided for all entrances into and out of stairwells, exits and communal spaces;
- That a direct access door be provided from the first storey indoor common amenity to the outdoor common amenity area to integrate the spaces;

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- That playground equipment be provided within the outdoor amenity area to create an engaging space for families;
- That all utility equipment be screened from public view through installation of landscaping, fencing, or vinyl wrapping;
- That a rubberized (or equivalent) surface be provided throughout the outdoor common amenity to ensure the space is fully accessible for future residents;
- That the colour scheme be amended at time of Building Permit application to include lighter accent colours to enhance the visual appeal of the development; and,
- Specifications of Development Permit Area No. 6 (Infill Development Form and Character) of the City of Chilliwack Official Community Plan.

N.B. The above technical information is retained on file in the Planning Department.

3. This Development Permit is not a Building Permit and does not constitute approval of any proposed subdivision.
4. Pursuant to Section 504 of the *Local Government Act*, if the permittee does not substantially start any construction permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

APPROVED BY COUNCIL ON THE ____ DAY OF ____, 2023.

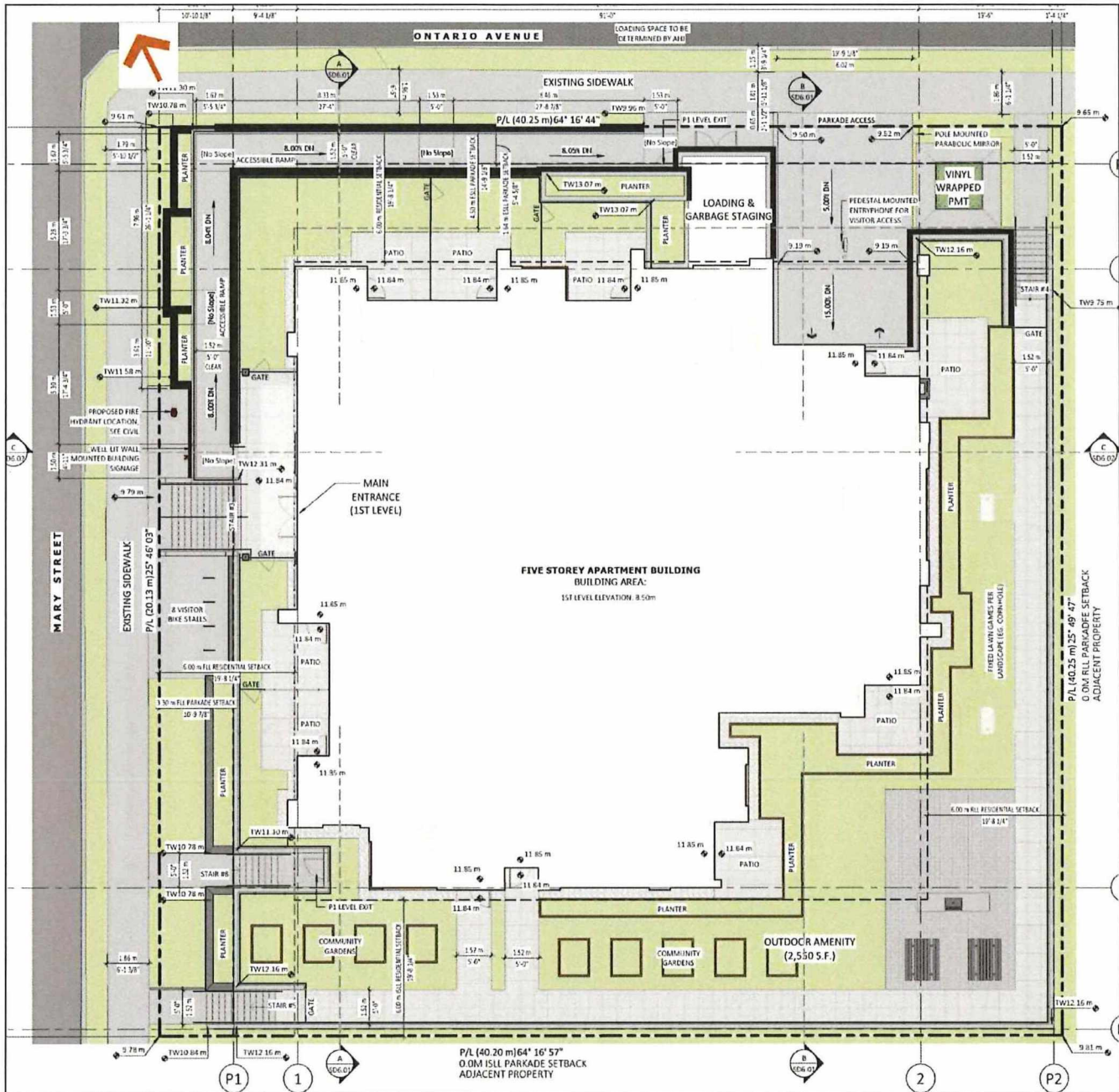
ISSUED THIS ____ DAY OF ____, 2023.

CORPORATE OFFICER

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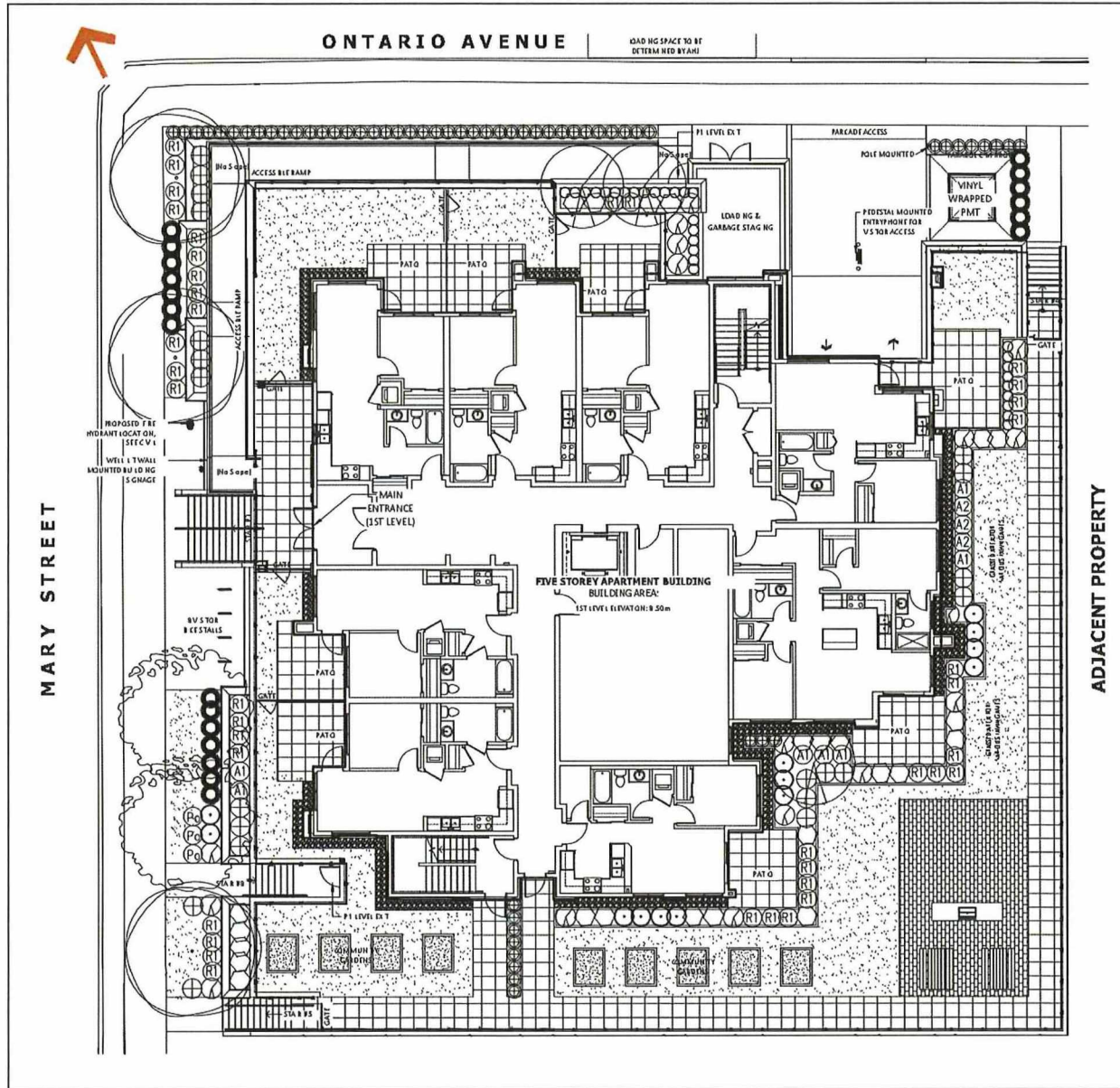
Schedule "A"

Site Plan (as provided by the applicant)



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Landscape Plan (as provided by the applicant)



Plant List

PLANT LIST						
KEY	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	SPACING	REMARKS
	CORNUS FLORIDA 'RUBRUM'	RED FLOWERING DOGWOOD	2	6 CM. CAL.	AS SHOWN	B. & B.
	ACER PALMATUM 'BLOODGOOD'	BLOODGOOD JAP. MAPLE	3	3.00 METERS	AS SHOWN	B. & B.
	ACER GINNALA FLAME	FLAME AMUR MAPLE	3	3.00 METERS	AS SHOWN	B. & B.
	AZALEA JAPONICA 'HINO CRIMSON'	CRIMSON AZALEA	7	#3 POT	90 CM. O.C.	
	AZALEA NORTHERN LIGHTS 'MANDARIN LIGHTS'	NORTHERN LIGHTS AZALEA	7	#3 POT	90 CM. O.C.	
	AZALEA JAPONICA (VARIOUS)	AZALEA	3	#3 POT	90 CM. O.C.	
	ABELIA 'EDWARD GOWCHER'	EDWARD GOUCHER ABELIA	24	#3 POT	90 CM. O.C.	
	HYDRANGEA MACROPHYLLA 'NIKKO BLUE'	HYDRANGEA	14	#3 POT	90 CM. O.C.	
	POTENTILLA FRUITICOSA 'PINK WHISPER'	SHRUBBY CINQUEFOIL	3	#3 POT	90 CM. O.C.	
	MEDIUM RHODODENDRON (VARIOUS)	RHODODENDRON	35	#3 POT	90 CM. O.C.	
	SYRINGA VULGARIS 'MICHEL BUCHNER'	LILAC	16	#3 POT	90 CM. O.C.	
	PRUNUS LAUROCERASUS 'OTTO LUYKEN'	OTTO LUYKEN LAUREL	59	#3 POT	90 CM. O.C.	
	THUJA OCCIDENTALIS 'SMARAGD'	EMERALD ARBORVITAE	20	1.50 METERS	70 CM. O.C.	
	BUXUS MACROPHYLLA 'WINTER GEM'	ASIAN BOXWOOD	29	#3 POT	45 CM. O.C.	

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Elevations (as provided by the applicant)

North

Reduce setback to 6m for 4th and 5th storeys on east property line



East

Reduce setback to 6m for 4th and 5th storeys on east property line



Elevations (cont.)

South



West



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Colours and Materials (as provided by the applicant)



material legend

- 1 CEMENT BOARD SMOOTH PANEL SIDING (C/W COLOUR MATCHED REVEALS)
- 'JAMES HARDIE', COLOUR: 'MIDNIGHT BLACK'
- 2 CEMENT BOARD SMOOTH PANEL SIDING (C/W COLOUR MATCHED REVEALS)
- 'JAMES HARDIE', COLOUR: 'NIGHT GRAY'
- 3 CEMENT BOARD SMOOTH PANEL SIDING (C/W COLOUR MATCHED OR 'MIDNIGHT BLACK' REVEALS, REFER TO ELEVATIONS)
- 'JAMES HARDIE', COLOUR: 'GRAY SLATE'
- 4 CEMENT BOARD SMOOTH PANEL SIDING (C/W COLOUR MATCHED OR 'MIDNIGHT BLACK' REVEALS, REFER TO ELEVATIONS)
- 'JAMES HARDIE', COLOUR: 'PEARL GRAY'
- 5 CEMENT BOARD SMOOTH LAP PANEL SIDING (6" EXPOSURE)
- 'JAMES HARDIE', COLOUR: 'PEARL GRAY'
- 6 CEMENT BOARD SMOOTH LAP PANEL SIDING (6" EXPOSURE)
- 'JAMES HARDIE', COLOUR: 'COUNTRYLANE RED'
- 7 STEEL PANEL LAP SIDING (5.25" EXPOSURE, 26 GA)
- 'VICWEST', SERIES: 'MELLARA CLASSIC WOODS', COLOUR: 'MOUNTAIN CEDAR 18-272'
- 8 CORRUGATED METAL (VERTICAL) 76" PROFILE
- 'VICWEST', COLOUR: 'GALVANNEAL'
- 9 BRICK - STACK BOND, TEXTURE: 'SMOOTH'
- 'MULTITAL MATERIALS', COLOUR: 'BURGUNDY', MORTAR COLOUR: 'MEDIUM GRAY'
- 10 BRICK - RUNNING BOND, TEXTURE: 'SMOOTH'
- 'MULTITAL MATERIALS', COLOUR: 'IMPERIAL GRAY', MORTAR COLOUR: 'MEDIUM GRAY'
- 11 CEMENT BOARD FASCIA BOARD, TEXTURE: 'SMOOTH'
- 'JAMES HARDIE', COLOUR: 'MIDNIGHT BLACK'
- 12 CEMENT BOARD FASCIA BOARD, TEXTURE: 'SMOOTH'
- 'JAMES HARDIE', COLOUR: 'NIGHT GRAY'
- 13 CEMENT BOARD FASCIA BOARD, TEXTURE: 'SMOOTH'
- 'JAMES HARDIE', COLOUR: 'PEARL GRAY'
- 14 EPS SILICO, TEXTURE: 'FINISH'
- 'DRI-VITE', COLOUR: 'MATCH CEMENT BOARD MIDNIGHT BLACK'
- 15 ALUMINUM/GLASS PATIO PRIVACY SCREEN
- COLOUR: 'BLACK POWDER COATED W/ PRIVACY GLASS'
- 16 ALUMINUM GLAZED SYSTEM
- COLOUR: 'BLACK, POWDER COATED'
- 17 WINDOW
- COLOUR: 'BLACK EXT / WHITE INT'
- 18 ALUMINUM/GLASS BRICKERY FINING
- COLOUR: 'BLACK, POWDER COATED'
- 19 ALUMINUM GUARD/RAILING
- COLOUR: 'BLACK, POWDER COATED'
- 20 CONCRETE WALL
- COLOUR: 'CLEAR SEALER'
- 21 CONCRETE WALL, STAMPED CONCRETE - BRICK PATTERN
- COLOUR: 'PAINTED TO MATCH 'MULTITAL MATERIALS BURGUNDY'
- 22 MECHANICAL EQUIPMENT SCREEN
- COLOUR: 'CLEAR ANODIZED'

NOTES
1. ALL CLADDING MATERIALS SHOWN RETURN AT BUILDING PERMITTER REVISIONS ONLY

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Renderings (as provided by the applicant)



mary street elevation



main entry



ontario avenue elevation

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City of Chilliwack

Bylaw No. 5335

A bylaw to amend the “Zoning Bylaw 2020, No. 5000”

The Council of the City of Chilliwack in open meeting assembled enacts as follows:

1. This bylaw may be cited as **“Zoning Bylaw Amendment Bylaw 2023, No. 5335”**.
2. “Zoning Bylaw 2020, No. 5000” is hereby amended by rezoning properties described as:
 - (1) PID: 003-987-990, Lot 10 Block 20 Division “A” New Westminster District Plan 1737 (9132 Mary Street); and,
 - (2) PID: 001-717-677, Lot 9 Block 20 Division “A” New Westminster District Plan 1737 (9146 Mary Street);from an RC (Commercial Conversion) Zone to an R6 (Mid Rise Apartment) Zone.

Received first and second reading on the 5th day of September, 2023.

Public hearing held on the

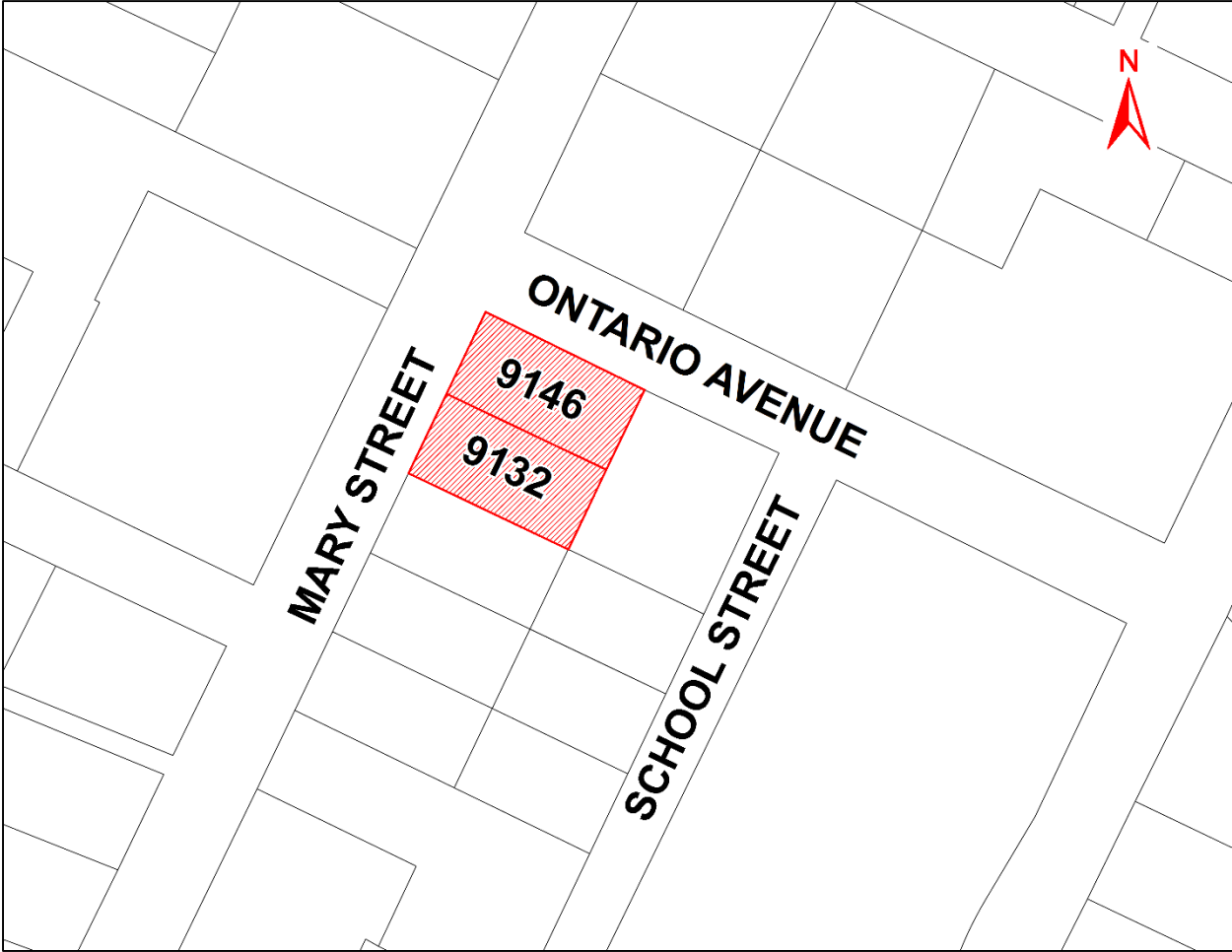
Received third reading on the

Received adoption on the

.....
Mayor

.....
Corporate Officer

“Zoning Bylaw Amendment Bylaw 2023, No. 5335”





CITY OF CHILLIWACK
NOTICE OF PUBLIC HEARING
Tuesday, September 26, 2023 at 6:30 pm
Council Chambers
8550 Young Road, Chilliwack, BC V2P 8A4
www.chilliwack.com

TAKE NOTICE that the Council of the City of Chilliwack will hold a Public Hearing, as noted above, on the following items:

- 1. ZONING BYLAW AMENDMENT BYLAW 2023, No. 5336 (RZ001566)**
- 2. DEVELOPMENT VARIANCE PERMIT (DVP01315)**

Location: 45745, 45751 Alder Avenue and 45740, 45744, 45754 Webb Avenue

Applicant: Luteyn Architecture Ltd.

Purpose: To rezone the subject properties from an R1-A (Urban Residential) Zone and R5 (Low Rise Apartment) Zone to an R6 (Mid Rise Apartment) Zone, to facilitate the construction of an apartment development, within the subject properties, as shown on the map below.

A concurrent Development Variance Permit application has been submitted to vary the following Zoning Bylaw standards:

- Increase lot coverage for a parkade of 3m in height from 50% to 65%;
- Waive the requirement for a loading stall for each apartment building to be provided on site;
- Reduce the setback requirements within the proposed R6 Zone for a parkade over 3m in height as follows:
 - Front (Webb Avenue) and rear (Alder Avenue) from 6.0 to 4.5m;
 - Exterior side (Kosumi Street) from 6.0 to 3.0m for the majority of the building and from 6.0m to 2.3m for two decorative projections;
 - Interior side (west) from 6.0 to 1.3m;
- Reduce the setback requirements within the proposed R6 Zone for an apartment (containing 5 or more dwelling units) as follows:
 - Front (Webb Avenue) and rear (Alder Avenue) from 6.0 to 4.3m for the roof over the entryway; and,
 - Front (Webb Avenue) and rear (Alder Avenue) from 6.0 to 3.3m for the stairs along the north property line;
- Waive the requirement for a storage locker to be provided in a centralized location in favour of providing a storage area within each residential unit.

Location Map



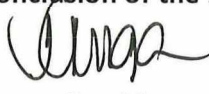
Please review the instructions below in regard to the participation options for the Public Hearing:

1. Written submissions, **including your full name and address**, to the Legislative Services Department at 8550 Young Road, Chilliwack, BC V2P 8A4 by email to clerks@chilliwack.com **no later than 4:00 pm on Monday, September 25, 2023.**
2. Participate in person at the City of Chilliwack, Council Chambers, located at 8550 Young Road, Chilliwack, BC.

All submissions will be recorded and form part of the official record of the meeting. The Council meeting will be broadcast live on the City of Chilliwack website via the following link: www.chilliwack.com/live for viewing by the public.

The proposed bylaw and permit will be provided via email upon request between the hours of 8:30 am and 4:30 pm, Monday through Friday, excluding holidays, from **Wednesday, September 13, 2023 to Tuesday, September 26, 2023**, both inclusive, by the Planning Department at 604-793-2906 or planning@chilliwack.com.

Please note that no further information or submissions can be considered by Council after the conclusion of the Public Hearing.


Jacqueline Morgan, CMC
Corporate Officer

**REGULAR COUNCIL
SEPTEMBER 26, 2023
PH No. 11.3.3
45745 and 45751 ALDER AVENUE and
45740, 45744, 45754 WEBB AVENUE**

From:
To: [Clerks Dept Email](#)
Subject: Public Hearing submission re RZ001566, DVP01315 [EXTERNAL]
Date: September 25, 2023 10:58:33 AM
Attachments: [dbraatenwebbstdevelopmentlettersept2023.docx](#)

Please see attached written submission regarding development on Webb Ave.

RE = Zoning bylaw amendment bylaw 2023, No 5336 (RZ001566)

Thank you!

-Danny Braaten
#106 45786 Webb Ave

Sept 25th / 2023

Re: ZONING BYLAW AMENDMENT BYLAW 2023, No. 5336 (RZ001566)

-> Development variance permit for properties 457451 45751 Alder Ave, and 45740, 45744, 45754 Webb Ave.

To whom it may concern,

My name is Danny and I live in the Webb South building, on a ground floor unit overlooking Kosumi ave, looking right at this proposed development area.

I'm writing to propose an alternative use for these properties that I think might be more pleasant for this neighborhood and the people living in it. I recognize that I am only one person, and to be frank, the possibility of success for this proposal is slim... but I would like to go ahead and put it forth in the interest of food for thought if nothing else.

I have walked around the block and I can observe approximately 25+ trees that will be impacted by this by my count from the road. That includes what appear to be 10 Fir trees that are quite tall, 3 large maples, 12 trees I don't know the name of, and 2 "Xmas" style trees. I am not a tree expert, but I would love to see these preserved as we are surrounded by a "concrete jungle" in this area and it is nice to have atleast some green space.

I have 2 different scenarios that I have brainstormed, that I think would be nice for this neighbourhood:

- 1) My first choice would be no buildings, make a large park using these lots.**
- 2) Apartment building that leaves enough room to accommodate a small park along Kosumi, using the lots of 45754 Webb, and half of 45751 Alder, roughly from the road to the tree line, building behind the trees to have them act as a natural border or sound barrier.**

I am an HIV Outreach Worker and I definitely know there is a need for housing, affordable rental housing especially. But I am also conscious of things like mental health and well being that are impacted by the constant barrage of things like traffic noise, billboards, advertisements etc that you see in an urban setting. Having a nice park in this neighborhood would provide a sense of balance between housing and recreation. It would give us a place to sit and relax, to make a sense of community, and to give the children a place to play. I will also point out that this neighborhood has train tracks, and a dog park that is gravel and not grass. It would be nice to see more green!

Please consider this option, and if nothing else, imagine it for a moment before dismissing it, as I think we can all agree that even if this is an unlikely dream scenario, it sure is nice to picture if for only a moment. Thank you for taking the time to read this.

Sincerely yours,


**-Danny Braaten
#106 45786 Webb Ave.**

AGENDA ITEM NO: 7.9

MEETING DATE: September 5, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Luteyn Architecture Ltd.
Rezoning, Development Variance Permit
& Development Permit / 45745 & 45751
Alder Avenue & 45740, 45744 & 45754
Webb Avenue DATE: August 28, 2023

DEPARTMENT: Planning Department
RZ001566, DVP01315 & DP001640 PREPARED BY:  Stacy Johnson/mb

1. SUMMARY OF ISSUE:

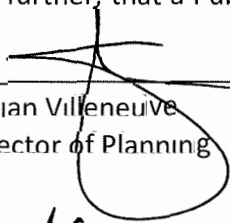
The applicant requests to rezone the subject properties from an R1-A (Urban Residential) Zone and R5 (Low Rise Apartment) Zone to an R6 (Mid Rise Apartment) Zone to facilitate the construction of an apartment development.

A concurrent Development Variance Permit application has been submitted to vary Zoning Bylaw standards as detailed within the report.

As the property is within Development Permit Area No. 5 (Urban Corridor), a Development Permit for “form and character” is required and further described within the report.

2. RECOMMENDATION:

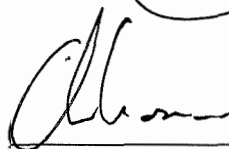
Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5336”, which proposes to rezone property located at 45745 & 45751 Alder Avenue & 45740, 45744 & 45754 Webb Avenue from an R1-A (Urban Residential) Zone and R5 (Low Rise Apartment) Zone to an R6 (Mid Rise Apartment) Zone, be given first and second reading; and further, that a Public Hearing be called for September 26, 2023. (RZ001566)



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman
Chief Administrative Officer

**STAFF REPORT ON REZONING APPLICATION RZ001566, DEVELOPMENT VARIANCE PERMIT APPLICATION
DVP01315 & DEVELOPMENT PERMIT APPLICATION DP001640**

PREPARED BY: Stacy Johnson DATE: August 28, 2023
POSITION: Senior Planner DEPARTMENT: Planning Department

1. DEFINITION OF ISSUE:

The applicant requests to rezone the subject properties from an R1-A (Urban Residential) Zone and R5 (Low Rise Apartment) Zone to an R6 (Mid Rise Apartment) Zone to facilitate the construction of an apartment development.

The applicant has submitted a concurrent Development Variance Permit application (DVP01315) that requests the following departures to Zoning Bylaw standards:

- Increase lot coverage for a parkade of 3m in height from 50% to 65%;
- Waive the requirement for a loading stall for each apartment building to be provided on site;
- Reduce the setback requirements within the proposed R6 Zone for a parkade over 3m in height as follows:
 - Front (Webb Avenue) and rear (Alder Avenue) from 6.0 to 4.5m;
 - Exterior side (Kosumi Street) from 6.0 to 3.0m for the majority of the building and from 6.0m to 2.3m for two decorative projections;
 - Interior side (west) from 6.0 to 1.3m;
- Reduce the setback requirements within the proposed R6 Zone for an apartment (containing 5 or more dwelling units) as follows:
 - Front (Webb Avenue) and rear (Alder Avenue) from 6.0 to 4.3m for the roof over the entryway; and
 - Front (Webb Avenue) and rear (Alder Avenue) from 6.0 to 3.3m for the stairs along the north property line;
- Waive the requirement for a storage locker to be provided in a centralized location in favour of providing a storage area within each residential unit.

As the property is within Development Permit Area No 5 (Urban Corridor), a Development Permit for “form and character” has been submitted for concurrent review.

2. PROPOSAL:

In summary, the proposal includes:

- 108 units (68 small apartment units, 40 regular) within two 5-storey buildings;
- A modern building design with a complementary colour scheme;
- 813 m² total common amenity area (690m² required);
- Ample landscaping, including the provision of 78 trees (32 are required as per the Tree Management Bylaw); and,
- 140 off-street parking (133 stalls required).

3. REZONING:

The proposed rezoning to the R6 Zone will result in a 6-storey apartment complex with a similar massing and design to the existing apartment developments within the Alder/Webb Avenue area. As such, the proposal is in keeping with the redevelopment trend in the area as well as the Official Community Plan designation of “Apartment/Townhouse” as per the Alder Neighbourhood Plan.

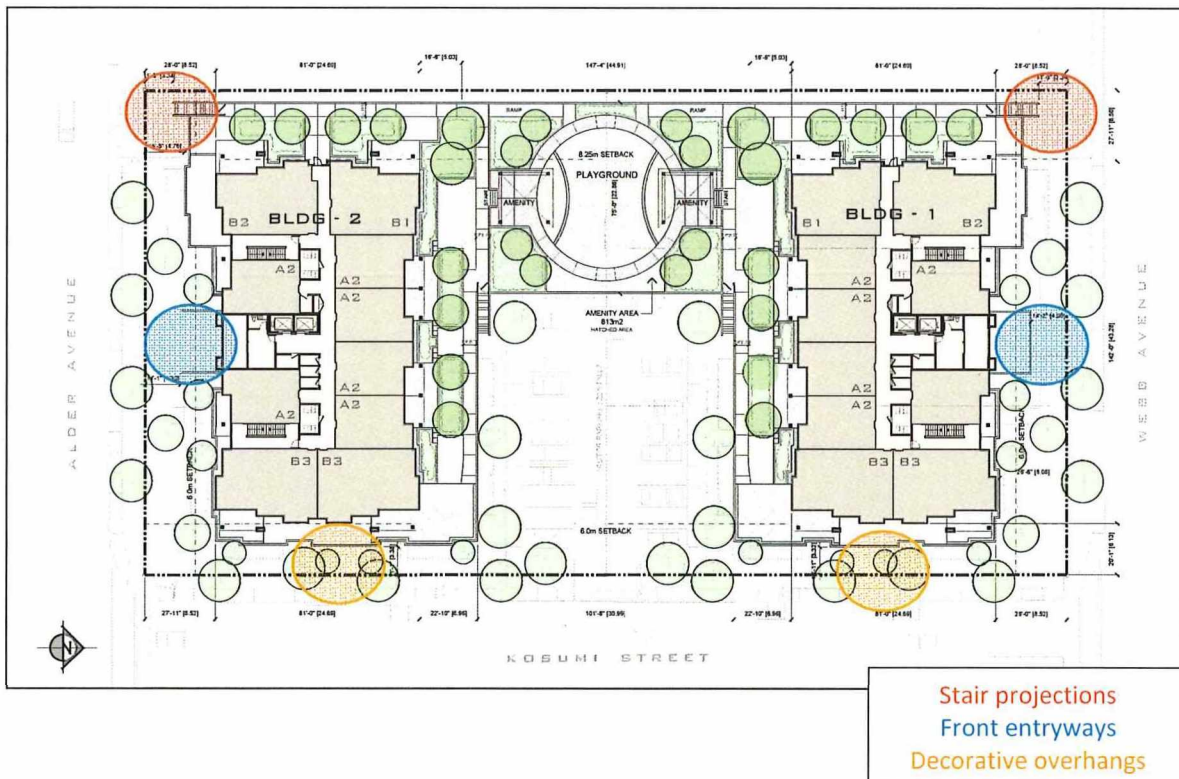
Final lot layout must comply with City Bylaws and include connection to the storm mains on Alder Avenue and Webb Avenue and underground BC Hydro connection.

4. DISCUSSION REGARDING VARIANCES:

Overall, the proposed development is a high-quality addition to the area. The design of the building and site is visually appealing and will be architecturally consistent with the existing residential developments within the surrounding area. A discussion in relation to the proposed variances is provided below.

Setbacks

The applicant requests to reduce the setbacks for the parkade on all sides as well as for the front entryways, stair projections and decorative overhangs from the parkade wall, as shown on the site plan and elevations below.



Building 1 Elevations

North



Stair projections
Front entryways
Decorative overhangs

East



Stair projections
Front entryways
Decorative overhangs

The proposed reductions to the front and exterior side lot line setbacks meet the Design Guidelines for DPA 5 as the development includes emphasized front entrances, incorporation of different building materials and colours, and the use of landscape planter boxes to create a stepped appearance. The proposed building articulation and landscape details minimize the massing of the proposed parkade and create a street-oriented and pedestrian-friendly frontage.

The parkade wall is approximately 4.5m in height. The applicant submits that the increased height (over 3m, as per the Zoning Bylaw) allows for architectural articulations. Further, the applicant has submitted a Geotechnical Assessment Report, prepared by GeoWest Engineering, that identifies difficulties in lowering the parkade due to high water table.

The requested reduced ISLL setback along the west elevation is anticipated to impact the adjacent properties, including a single detached dwelling and a church, due to the height of the parkade wall. There is a 1.8m tall timber fence proposed along the property line, which is anticipated to soften the impact of the height of the wall along with the varied use of colours along the parkade wall and the fencing on top of the parkade.

Lot Coverage

The applicant requests to increase the total lot coverage for the parkade from 50% to 65% to accommodate the required off-street parking within a secure facility on site. As a result of the reduced setbacks, as detailed above, the lot coverage for the parkade has increased accordingly and as such a variance is required to facilitate this design. The residential footprint of the apartment tower has a proposed lot coverage of 31%, well under the 50% maximum and will have 6m setbacks on all sides, with the exception of the building entrances and stairway projections. As such, the impact of the increased lot coverage will be minimized by the stepping back of the residential portion of the development.

Off-Street Loading

As there is on-street parking available along all three road frontages which can be utilized for oversized vehicles, including delivery trucks and moving vans, a separate on-site loading bay was deemed to be unnecessary in this instance. The City’s Engineering Department has reviewed the proposed site plan and is supportive of the request in this instance given the amount of on-street parking available. As such, the proposed variance to waive the provision of an off-street loading space is not anticipated to impact the overall function of the site or surrounding area.

5. DEVELOPMENT PERMIT CONSIDERATIONS:

As demonstrated by the attached checklist evaluation for DPA 5, the proposed apartment development generally complies with the Urban Corridor Development Design Guidelines. A summary of the DPA 5 guidelines can be found below. For information, a copy of the proposed site plan, landscape plan and colour elevations are attached.

Summary and CPTED Review

In support of the application, the applicant has also submitted a CPTED (Crime Prevention Through Environmental Design) report prepared by *AMR Systems Ltd.* A summary of the CPTED assessment is shown in the table below:

CPTED Elements	Recommendations	
	✓ included in the design	✗ not included in the design
Natural Access Control	<ul style="list-style-type: none"> ✗ Stamped or textured pavers from the front entrance to the sidewalk will provide additional natural access control from the front* ✓ Glazing within front entrance lobby and parkade walls allow users to see out. ✗ Signage should be visible from the street and include the name and address of the building.* 	
Natural Surveillance	<ul style="list-style-type: none"> ✓ Apartment units have a view of the street and the internal visitor parking and common amenity area. ✓ The use of spandrel windows, bevels, building articulations a, glazing and brick creates a visually appealing design that draws the eye to the 	

	<p>top of the building.</p> <ul style="list-style-type: none"> ✓ Variations in texture and colour to deter graffiti and vandalism. ✗ All doors that open onto the public space areas of the building should have a window in the door or sidelights beside it so users can see before entering. * ✗ A non-climbable lockable gate at the base of the stairs to prevent loitering and unwanted users from obtaining access to the main level deck.*
Territoriality	<ul style="list-style-type: none"> ✓ Buildings are at the back of sidewalk with connecting pathways ✓ Landscaping along the three street fronts provides an inviting and welcoming street front to visitors and occupants of the building.
Maintenance	<ul style="list-style-type: none"> ✓ Repair any damage or vandalism to the building or property in a timely manner.** ✓ Landscaping should include ground-cover shrubs around the building which do not grow taller than the underside of any windowsill, and which are located at least 2 ft (0.6m) from all entrances.** ✓ Trim any large vegetation (i.e., trees) to maintain sightline of 6 feet under the canopy.**
<p>* Included as a condition within the draft Development Permit. ** All landscaping and building maintenance will be at the discretion of the strata once the building is occupied</p>	

6. DESIGN REVIEW AND ADVISORY COMMITTEE:

The Design Review Advisory Committee (DRAC) reviewed the subject Development Permit application and associated variances on August 8, 2023, and made the following recommendations:

That the Design Review Advisory Committee supports DP001640 and recommend Council approve the application subject to the following conditions:

- *provide signage that is visible from the street and includes the name and address of the building,*
- *provide stamped or textured pavers from the front entrances to the sidewalk;*
- *all doors that open onto the public space areas of the building should have a window in the door or sidelights beside it so users can see before entering;*
- *a non-climbable lockable gate be provided at the base of the stairs;*
- *that non-combustible cladding and soffits be provided within the balconies;*
- *that a detailed lighting plan be submitted, prior to the issuance of a Building Permit, to ensure adequate lighting is provided for all walkways, parking areas and elevations of the building;*
- *that all utility equipment be screened from public view through installation of landscaping fencing, or vinyl wrapping; and,*
- *that an irrigation system be included into the landscaped areas within the site.*

The applicant was present and agreed to the conditions as recommended by the DRAC.

7. FACTORS:

7.1 2040 Official Community Plan (OCP) / Land Use / Community Engagement

Official Community Plan: “Apartment/Townhouse” within the Alder Neighbourhood Plan.

Land Use: Single detached dwellings within the R1-A and R5 Zones. The applicant has indicated that the houses on the properties are currently occupied by tenants and has provided information in the attached ‘Schedule A’ detailing how the site will be maintained throughout the redevelopment process.

Community Engagement: The applicant held an open house at Carman United Church on August 23rd from 9:30am – 11:30am. They hand delivered invitations to all neighboring properties. The applicant indicates that there was positive feedback received from the attendees and there was no opposition – attendees were pleased with the design and level entry parkade. At the time of report writing, no written correspondence has been received from the public regarding the proposal.

7.2 Neighbourhood Character

The subject properties are located within a transitioning area of the Alder Neighbourhood which has seen the construction of a number of similar apartment developments within the past few years.

North: Commercial development within the CS1 (Service Commercial) and apartment building, currently under construction, within the R6 (Mid Rise Apartment) Zone.

South: An apartment building in the R6 Zone.

East: Apartment buildings within the R5 (Low Rise Apartment) Zone and R6 Zones.

West: A single detached dwelling, commercial development in the CS1 Zone and a church in the P1 (Civic Assembly) Zone.

Although the neighbouring property at 45737 Alder Avenue has not been included within this proposal, the applicant has provided two redevelopment scenarios for this property to demonstrate that 45737 Alder Avenue will retain redevelopment potential independent of the current proposal. It is expected that development that is in keeping with the current “Apartment/Townhouse” designation (i.e.: 4-plex apartment within the R5 Zone) could be possible in the future on this lot alone. As such, the applicant has demonstrated that the proposed development will integrate well into

the surrounding area while ensure redevelopment potential of neighbouring lots is preserved.

7.3 Technical Issues:

Floodplain: The properties are located outside of the floodplain.

Watercourses: There are no known watercourses within, or in the immediate vicinity of, the subject properties.

Geotechnical Issues: The properties are not subject to any known geotechnical hazards or earthquake related risks. The applicant provided a Geotechnical Assessment Report, prepared by GeoWest Engineering July 12, 2023, which evaluated the suitability of the site for a below grade parkade, which identifies difficulties in lowering the parkade due to the high-water table in the area

7.4 Conditions of Issuance:

Staff support the requested variances as proposed by the applicant and recommend approval of the draft DVP and DP, subject to DRAC's recommended conditions.

8. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that "Zoning Bylaw Amendment Bylaw 2023, No 5336", which proposes to rezone properties located at 45745 & 45751 Alder Avenue & 45740, 45744 & 45754 Webb Avenue from an R1-A (Urban Residential) Zone and R5 (Low Rise Apartment) Zone to an R6 (Mid Rise Apartment) Zone, be given first and second reading; and further, that a Public Hearing be called for September 26, 2023. (RZ001566)

Substantiation:

The requested rezoning is considered to be in keeping with the overall vision of the Official Community Plan to provide greater density and affordable housing options within close proximity to various services. In addition, the proposed development will be consistent with the form and character of the surrounding apartment developments located along Alder Avenue and Webb Avenue.

The requested variances to setbacks and lot coverage serve to improve the overall function of the site and provide adequate, secure parking facilities for future residents. By including varied colours and heights to the parkade wall as well as landscape beds along the perimeter of the site, the overall impact of the variances to the parkade will be mitigated with the resulting design meeting the intent of the Design Guidelines for DPA 5. The requested variance to waive the loading space onsite is considered minor in nature with little impact to both the surrounding area and future tenants of the development.

The development is also consistent with the Design Guidelines for Development Permit Area No. 5 (Urban Corridor) by creating visually appealing frontages through the use of varied building

materials and a complementary colour scheme. The overall massing is also consistent with the apartment development in the surrounding area thereby integrating seamlessly into the neighbourhood.

9. DEVELOPMENT PERMIT AREA NO. 5 DESIGN GUIDELINE CHECKLIST:

Design Guidelines		Yes/No	Comments
Character of Buildings			
1	Buildings, structures architecturally coordinated, compatible in design with surrounding properties & streets	Yes	The proposed development has a modern architectural design which is consistent with the design of the other apartment buildings which have recently been constructed within the surrounding area
2	Façade and Roof Articulation to soften massing	Yes	The design provides visual interest along the building façades by using varied rooflines, building articulation and textures to create an engaging facade
3 & 4	Exterior finish / materials	Yes	The proposal uses a variety of attractive and quality building materials including: brick veneer, hardie panel, shake, board and batten, trims and siding, asphalt shingle roof, concrete trims, vinyl & storefront windows/railings and timber accents
5	Muted colours, compatible with surrounding development	Yes	Green or red, brick, onyx, taupe, beige and black The colours complement each other and surrounding development
Siting			
6	Orientation of main façade to street, building sited near back of sidewalk	Yes	The main entrances to each of the apartments is oriented to the street and includes a pedestrian pathway connection to the front entrance in addition to bicycle parking The requested street-facing lot line variances will bring the proposed development close to the street
7	Garbage receptacles in rear yard; screened from road	Yes	Garbage facilities are located within the underground parkade
8	Outdoor storage screened	N/A	No outdoor storage proposed.
Parking & Access			
9	At rear / side of building	Yes	Parking is accessible between the two buildings and does not dominate the first impression, however, pedestrians accessing the visitor parking at the rear of the building must walk around the building to reach the main entrance.
10	Design promotes safe & efficient vehicle movements	Yes	A pedestrian pathway has been included along the perimeter of the above ground parking area to create a clear pedestrian access. In addition, the parking layout in the parkade allows for ease of vehicle movement by providing a simple circular maneuvering aisle to manage traffic flow

Landscaping			
11	Meets Zoning Bylaw standards	Yes	All Zoning Bylaw standards have been met
12	Retention & integration of existing mature plantings in landscape plan; internal sidewalk links to public sidewalk in landscaping area	No	No existing plantings proposed to be preserved
13	Screening of parking areas visible from street	Yes	All resident parking is located within the internal garage and visitor parking is broken up by landscaping
Signage			
14	Architecturally coordinated with overall building design	N/A	No sign proposed A condition has been included within the draft permit to provide signage that is visible from the street and includes the name and address of the building,
15	Meets Sign Bylaw standards, Fascia signs max of 2m ² per linear metre of building wall	N/A	
External Lighting			
16	Oriented to illuminate building form & parking areas	No	A condition has been included in the draft permit that requires a detailed lighting plan be submitted, prior to the issuance of a Building Permit, to ensure adequate lighting is provided for all walkways, parking areas and elevations of the building,

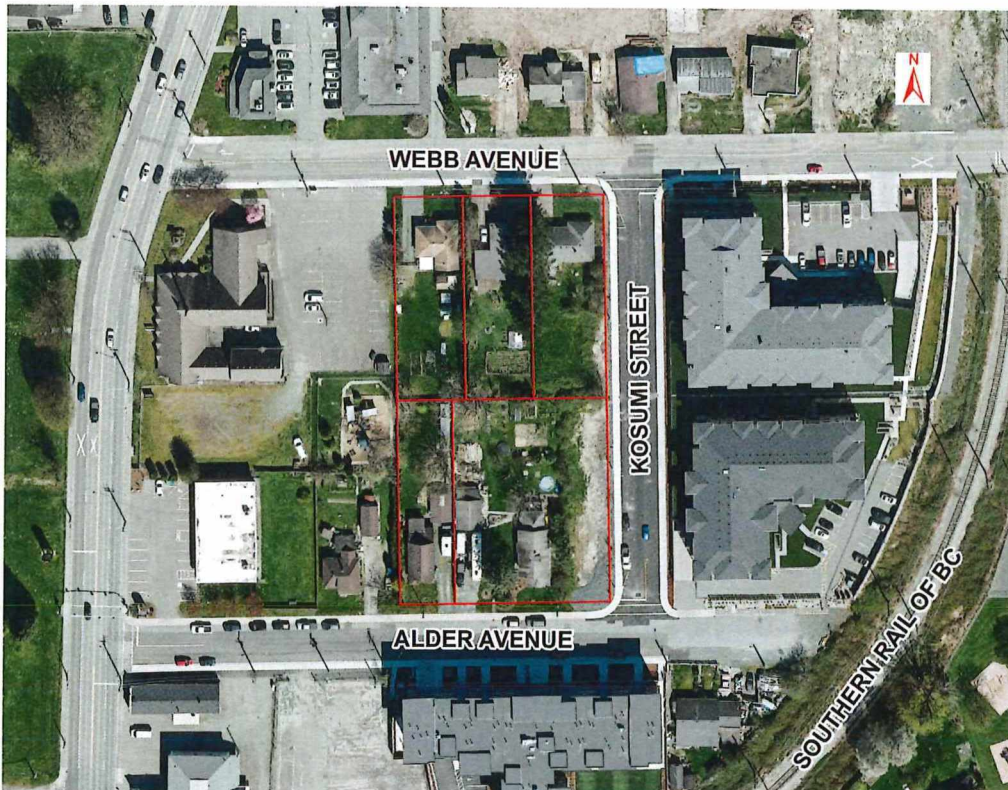
10. SOURCES OF INFORMATION:

- Rezoning Application (RZ001566) – October 19, 2021
- Development Permit Application (DP001633) – October 31, 2022
- Development Variance Permit Application (DVP01315) – October 31, 2022
- Development Application Review Team (DART) Minutes – November 25, 2021 & February 28, 2023
- CPTED Report, prepared by *AMR Systems Ltd.* – October 6, 2022
- Geotechnical Assessment Report – GeoWest Engineering – July 12, 2023

Location Map



Orthophoto



Schedule A Applicant's Property Maintenance Plan

The owner has touched base with all the tenants to let them know that they will be given 4 months notice in October of this year. Once they are moved out they will demolish the homes. The plan is to start construction spring of 2024.



SCHEDULE "A"

CITY OF CHILLIWACK

DEVELOPMENT VARIANCE PERMIT NO. DVP01315

To: Luteyn Architecture Ltd
10765 Reeves Road
Chilliwack BC V2P 6H4

Thiessen Enterprises Ltd
(Inc No BC0137638)
6841 Vedder Road
Chilliwack BC V2R 4E1

1. This Development Variance Permit is issued subject to compliance with all of the Bylaws of the City of Chilliwack applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies only to those lands within the City of Chilliwack described below, to facilitate the development of an apartment complex, and does not apply to any additions or subsequent replacement of any and all buildings and structures and other development thereon:

Address:

45745 Alder Avenue
002-957-191
Lot 5 District Lot 267 Group 2 New Westminster
District Plan 3664

45751 Alder Avenue
031-051-120
Lot 2 District Lot 267 Group 2 New Westminster
District Plan EPP98914

45740 Webb Avenue
010-021-469
Lot "B" District Lot 267 Group 2 New Westminster
District Plan 14818

45744 Webb Avenue
010-021-558
Lot "A" District Lot 267 Group 2 New Westminster
District Plan 14818

45754 Webb Avenue
031-051-111
Lot 1 District Lot 267 Group 2 New Westminster
District Plan EPP98914

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3. In accordance with the provisions of Section 498 of the *Local Government Act* the following section(s) of "Zoning Bylaw 2020, No. 5000" are varied as stated:

Section 8.12(5)(a) within the R6 (Mid Rise Apartment) Zone is varied by increasing lot coverage for a parkade of 3m in height from 50% to 65%;

Section 8.12(7)(b) within the R6 (Mid Rise Apartment) Zone is varied by decreasing the front lot line setback (Webb Avenue) from 6m to 4.5m for the parkade and from 6m to 4.3m for the roof over the entryway and 6m to 3.3m for stairs;

Section 8.12(7)(b) within the R6 (Mid Rise Apartment) Zone is varied by decreasing the rear lot line setback (Alder Avenue) from 6m to 4.5m for the parkade and from 6m to 4.3m for the roof over the entryway and 6m to 3.3m for stairs;

Section 8.12(7)(b) within the R6 (Mid Rise Apartment) Zone is varied by decreasing the exterior side lot line setback (Kosumi Street) from 6m to 3m for the building and from 6m to 2.3m for decorative projections;

Section 8.12(7)(b) within the R6 (Mid Rise Apartment) Zone is varied by decreasing the interior side lot line setback from 6m to 1.3m;

Section 4.08(6)(g) Amenity Area Standards is waived to remove the requirement to provide a storage locker in a centralized location in favour of providing a storage locker within each residential unit; and,

Section 5.02 Minimum Off-Street Loading Requirements is waived to remove the requirement to provide a loading stall on-site.

4. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and the plans and information contained within the application. The following condition applies:

a) that the development be in accordance with the plans found in Schedule "A";

5. Pursuant to Section 504 of the *Local Government Act*, if the permittee does not substantially start any construction permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

6. This Permit is not a Building Permit.

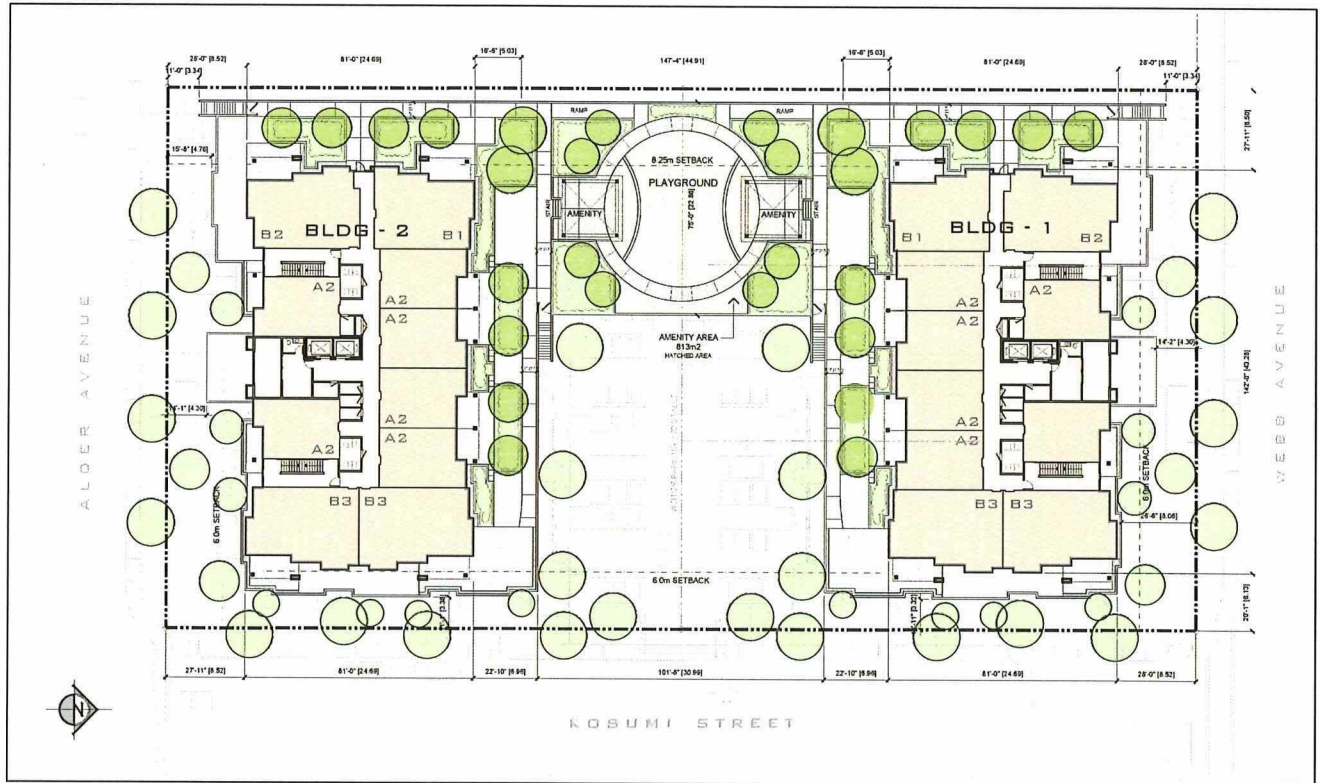
APPROVED BY COUNCIL ON THE ___ DAY OF ___, 2023.

ISSUED THIS ___ DAY OF ___, 2023

CORPORATE OFFICER

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Site Plan



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CITY OF CHILLIWACK

DEVELOPMENT PERMIT NO. DP001640, 2023

(Portion of Development Permit Area No. 5 of the Official Community Plan)

To: Luteyn Architecture Ltd
10765 Reeves Road
Chilliwack BC V2P 6H4

Thiessen Enterprises Ltd (Inc No Bc0137638)
6841 Vedder Road
Chilliwack Bc V2r 4e1

1. This Development Permit applies to the following property:

Address:

45745 Alder Avenue

002-957-191

Lot 5 District Lot 267 Group 2 New Westminster
District Plan 3664

45751 Alder Avenue

031-051-120

Lot 2 District Lot 267 Group 2 New Westminster
District Plan EPP98914

45740 Webb Avenue

010-021-469

Lot "B" District Lot 267 Group 2 New Westminster
District Plan 14818

45744 Webb Avenue

010-021-558

Lot "A" District Lot 267 Group 2 New Westminster
District Plan 14818

45754 Webb Avenue

031-051-111

Lot 1 District Lot 267 Group 2 New Westminster
District Plan EPP98914

2. Development of the subject property shall be substantially in conformance to the following:

- Development shall be in accordance with the approved site plan and elevations attached with Schedule "A";
- provide signage that is visible from the street and includes the name and address of the building;

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- provide stamped or textured pavers from the front entrances to the sidewalk;
- all doors that open onto the public space areas of the building should have a window in the door or sidelights beside it so users can see before entering;
- a non-climbable lockable gate be provided at the base of the stairs;
- that non-combustible cladding and soffits be provided within the balconies;
- that a detailed lighting plan be submitted, prior to the issuance of a Building Permit, to ensure adequate lighting is provided for all walkways, parking areas and elevations of the building;
- that all utility equipment be screened from public view through installation of landscaping fencing, or vinyl wrapping;
- that an irrigation system be included into the landscaped areas within the site; and,
- Specifications of Development Permit Area No. 5 (Urban Corridor) of the City of Chilliwack Official Community Plan.

N.B. The above technical information is retained on file in the Planning Department.

1. This Development Permit is not a Building Permit and does not constitute approval of any proposed subdivision.
2. Pursuant to Section 504 of the *Local Government Act*, if the permittee does not substantially start any construction permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

APPROVED BY COUNCIL ON THE ___ DAY OF ___, 2023.

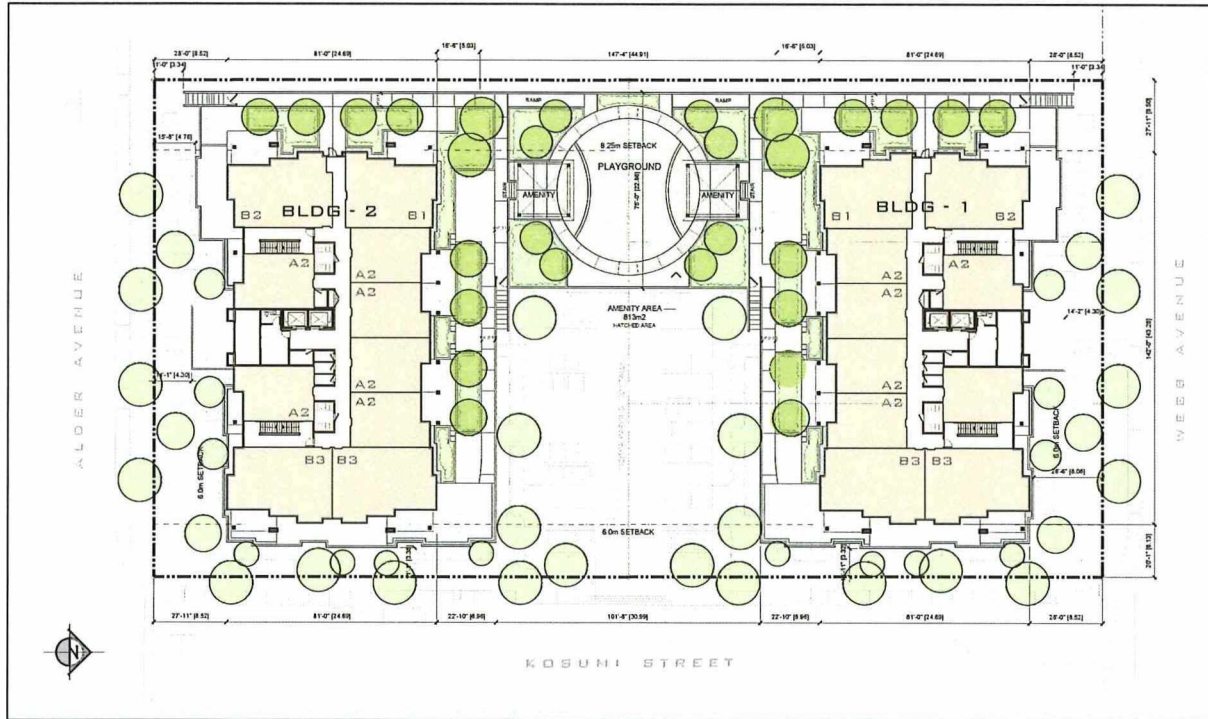
ISSUED THIS ___ DAY OF ___, 2023.

CORPORATE OFFICER

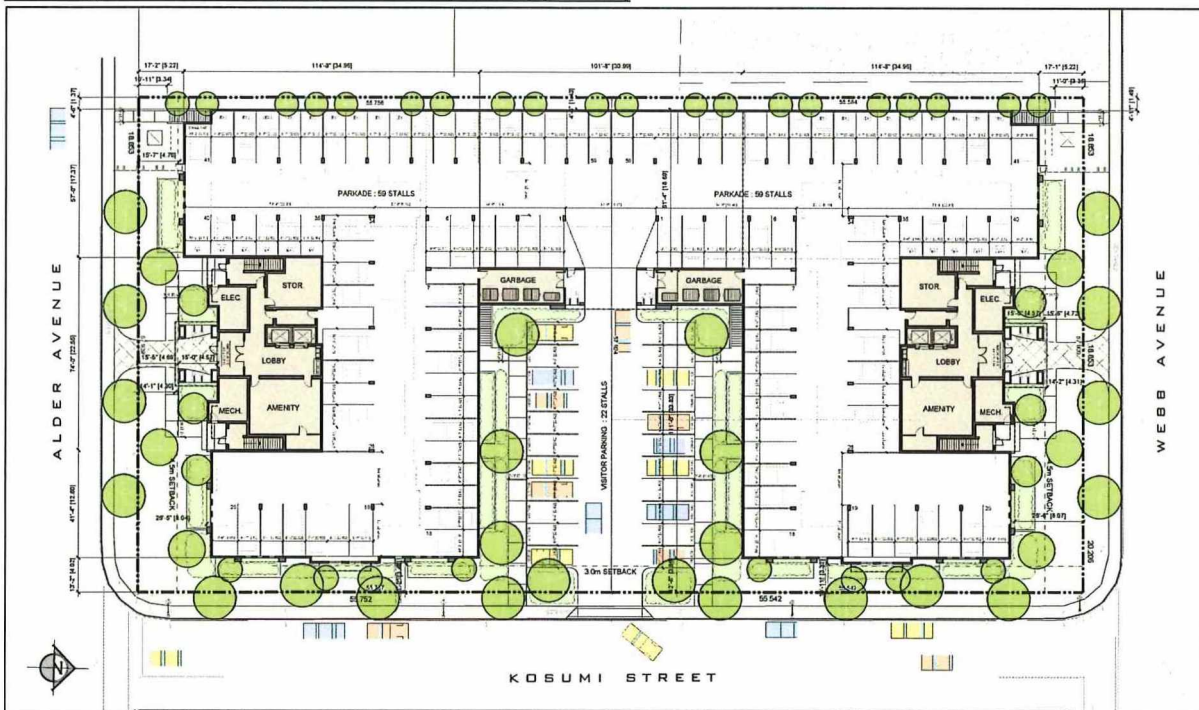
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Schedule "A"

Site Plan (as provided by the applicant)

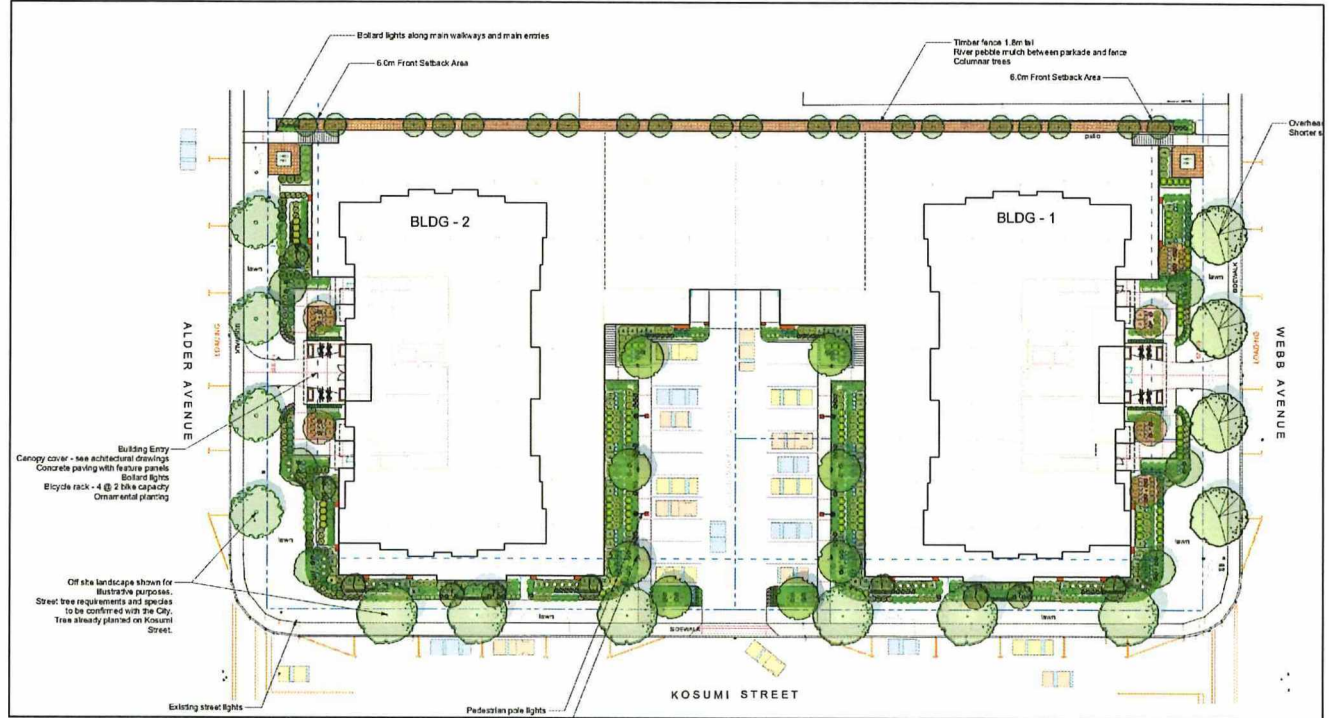


Parking/Parkade Plan (as provided by the applicant)

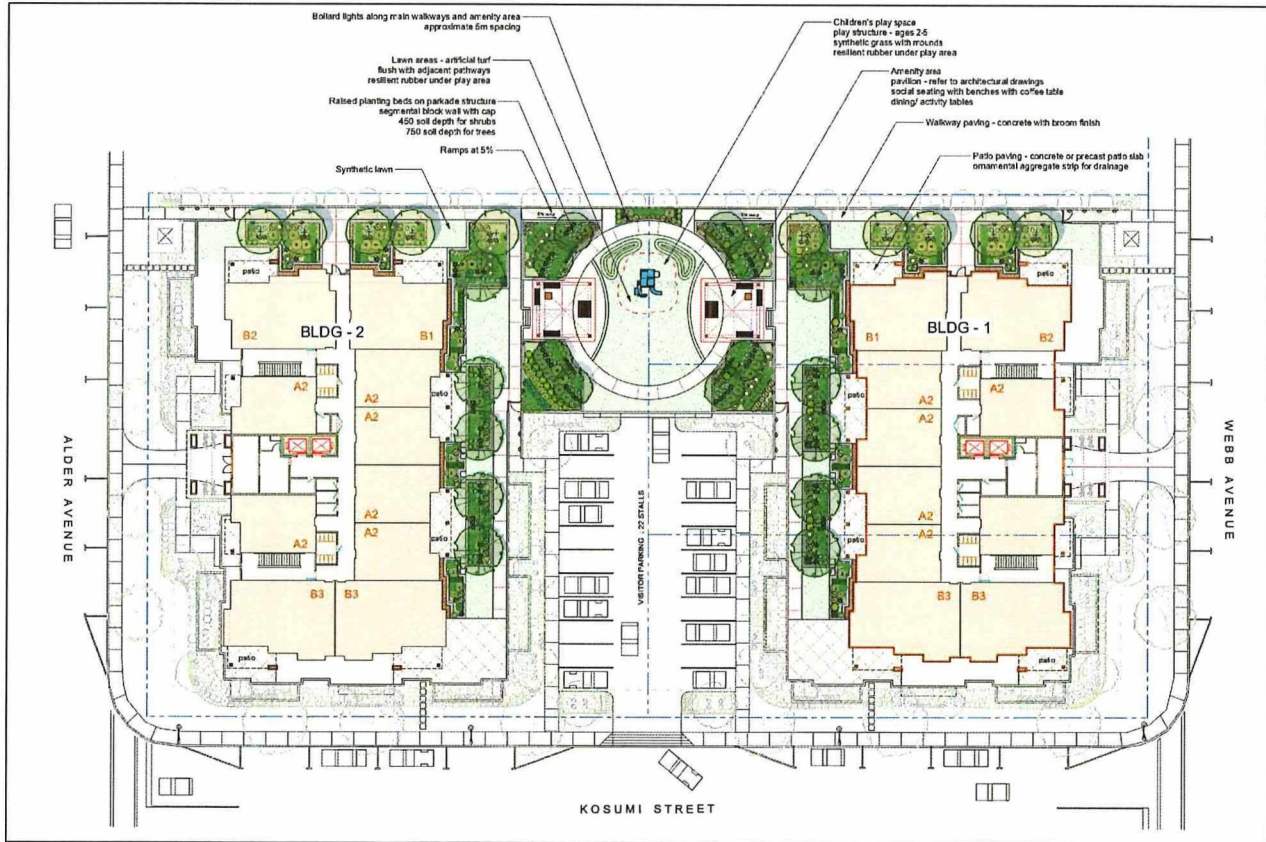


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Ground Level Landscape Plan



Common Amenity/1st Storey Landscaping



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Landscape Plan – Details

1 Typical Landscape Materials
Scale = 20mm

2 Furnishings
Scale = Not to scale

3 LED Lighted Bollard
Scale = Not to scale

4 Synthetic Lawn on Rooftop
Scale = 100mm

5 Play Equipment
Scale = Not to scale

PLANT LIST - Webb Abbot Apartments

SP. NO.	SYMBOL	PLANT NAME	COMMON NAME	SIZE	QTY
1	1	Redwood	Redwood	10' x 12'	1
2	2	Redwood	Redwood	10' x 12'	1
3	3	Redwood	Redwood	10' x 12'	1
4	4	Redwood	Redwood	10' x 12'	1
5	5	Redwood	Redwood	10' x 12'	1
6	6	Redwood	Redwood	10' x 12'	1
7	7	Redwood	Redwood	10' x 12'	1
8	8	Redwood	Redwood	10' x 12'	1
9	9	Redwood	Redwood	10' x 12'	1
10	10	Redwood	Redwood	10' x 12'	1
11	11	Redwood	Redwood	10' x 12'	1
12	12	Redwood	Redwood	10' x 12'	1
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96	96	Redwood	Redwood	10' x 12'	1
97	97	Redwood	Redwood	10' x 12'	1
98	98	Redwood	Redwood	10' x 12'	1
99	99	Redwood	Redwood	10' x 12'	1
100	100	Redwood	Redwood	10' x 12'	1

Proposed Elevations – Building 1



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East



South




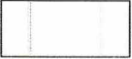



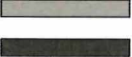





West



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Materials and Colours – Building 1

	BRICK VENEER COLOUR : CRIMSON CREEK BY : HEBRON BRICK		HARDIE BOARD & BATTEN / TRIMS COLOUR : ARTIC WHITE BY : JAMES HARDIE-COLOUR PLUS
	HARDIE PANEL / TRIMS / SIDING COLOUR : FOSSIL - AF-65 BY : BENJAMIN MOORE		HARDIE PANEL COLOUR : ARTIC WHITE BY : JAMES HARDIE-COLOUR PLUS
	HARDIE PANEL / TRIMS / SIDING COLOUR : BLEEKER BEIGE - HC-80 BY : BENJAMIN MOORE		ASPHALT SHINGLE ROOF COLOUR : MOIRE BLACK BY : LANDMARK - CERTAINTEED
	HARDIE SHAKE / TRIMS / SIDING COLOUR : FAIRVIEW TAUPE - HC-85 BY : BENJAMIN MOORE		CONCRETE / TRIMS : AF-710 SECRET BY B.M.
	HARDIE TRIMS / GUTTERS COLOUR : ARTIC WHITE BY : JAMES HARDIE-COLOUR PLUS		VINYL & STOREFRONT WINDOWS / RAILINGS : BLACK
			TIMBER ACCENTS / FENCE : HC-41 BY B.M.

Proposed Elevations – Building 2

North



East



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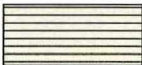
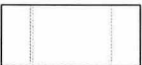







South



West



Materials and Colours – Building 2

	BRICK VENEER COLOUR : ONYX SMOOTH BY: HEBRON BRICK		HARDIE BOARD & BATTEN / TRIMS COLOUR : ARTIC WHITE BY : JAMES HARDIE-COLOUR PLUS
	HARDIE PANEL / TRIMS / SIDING COLOUR : FOSSIL - AF-65 BY : BENJAMIN MOORE		HARDIE PANEL COLOUR : ARTIC WHITE BY : JAMES HARDIE-COLOUR PLUS
	HARDIE PANEL / TRIMS / SIDING COLOUR : BLEEKER BEIGE - HC-80 BY : BENJAMIN MOORE		ASPHALT SHINGLE ROOF COLOUR : MOIRE BLACK BY : LANDMARK - CERTAINTeed
	HARDIE SHAKE / TRIMS / SIDING COLOUR : AVON GREEN - HC-125 BY : BENJAMIN MOORE		CONCRETE / TRIMS : AF-710 SECRET BY B.M.
	HARDIE TRIMS / GUTTERS COLOUR : ARTIC WHITE BY : JAMES HARDIE-COLOUR PLUS		VINYL & STOREFRONT WINDOWS / RAILINGS : BLACK
			TIMBER ACCENTS / FENCE : HC-41 BY B.M.

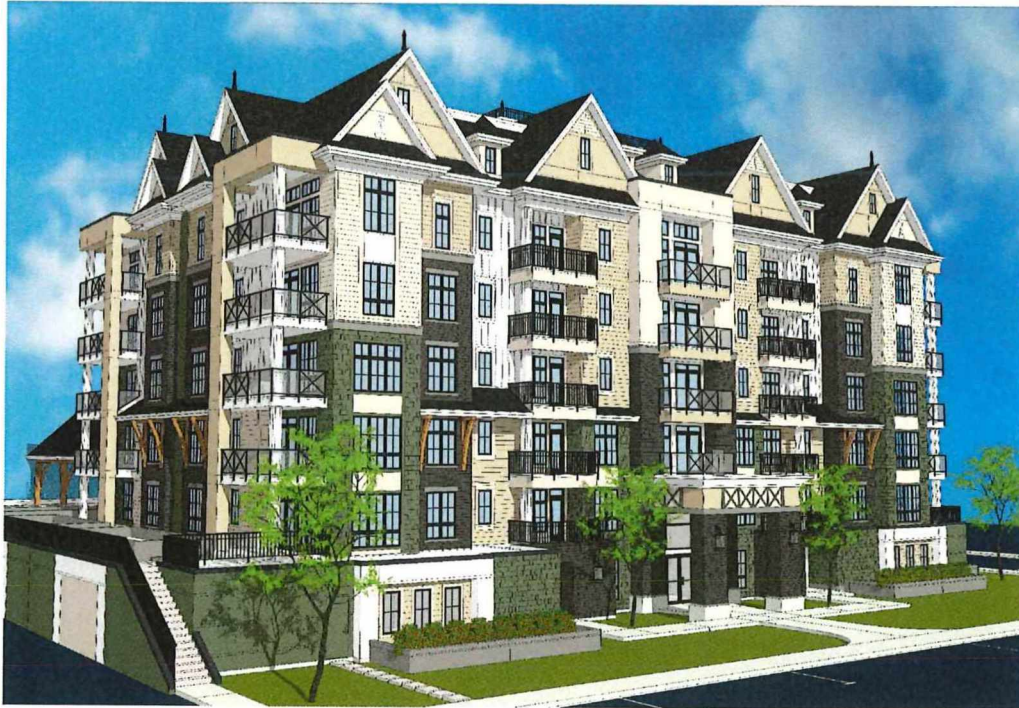
DRAFT

Renderings

Building 1



Building 2



DRAFT

City of Chilliwack

Bylaw No. 5336

A bylaw to amend the “Zoning Bylaw 2020, No. 5000”

The Council of the City of Chilliwack in open meeting assembled enacts as follows:

1. This bylaw may be cited as **“Zoning Bylaw Amendment Bylaw 2023, No. 5336”**.
2. “Zoning Bylaw 2020, No. 5000” is hereby amended by rezoning properties described as:
 - (1) PID: 010-021-469, Lot “A” District Lot 267 Group 2 New Westminster District Plan 14818
(45740 Webb Avenue);
 - (2) PID: 010-021-558, Lot “B” District Lot 267 Group 2 New Westminster District Plan 14818
(45744 Webb Avenue);
 - (3) PID: 031-051-111, Lot 1 District Lot 267 Group 2 New Westminster District Plan EPP98914
(45754 Webb Avenue);
 - (4) PID: 002-957-191, Lot 5 District Lot 267 Group 2 New Westminster District Plan 3664
(45745 Alder Avenue); and,
 - (5) PID: 031-051-120, Lot 2 District Lot 267 Group 2 New Westminster District Plan EPP98914
(45751 Alder Avenue);from an R1-A (Urban Residential) Zone and R5 (Low Rise Apartment) Zone to an R6 (Mid Rise Apartment) Zone.

Received first and second reading on the 5th day of September, 2023.

Public hearing held on the

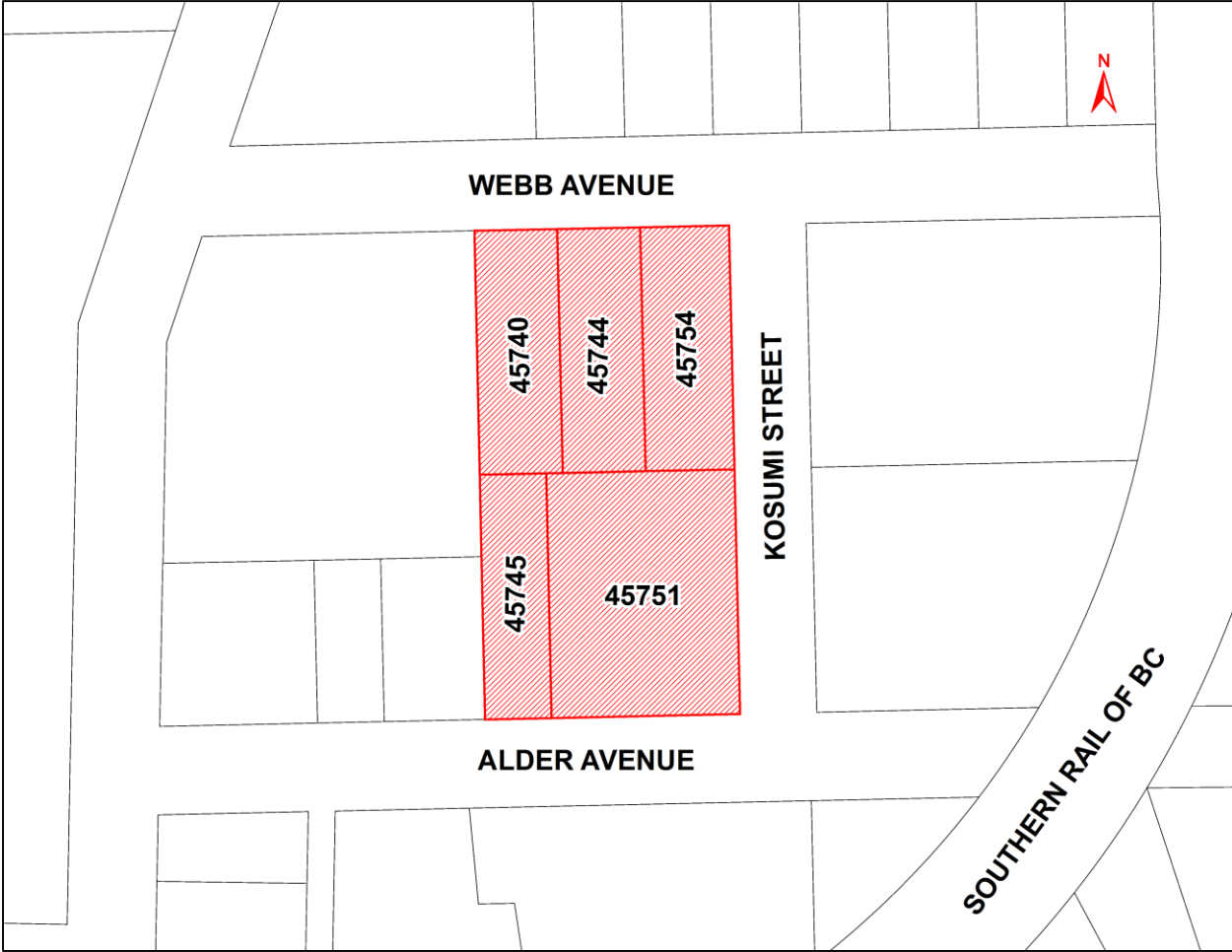
Received third reading on the

Received adoption on the

.....
Mayor

.....
Corporate Officer

“Zoning Bylaw Amendment Bylaw 2023, No. 5336”





CITY OF CHILLIWACK
NOTICE OF PUBLIC HEARING
Tuesday, September 26, 2023 at 6:30 pm
Council Chambers
8550 Young Road, Chilliwack, BC V2P 8A4
www.chilliwack.com

TAKE NOTICE that the Council of the City of Chilliwack will hold a Public Hearing, as noted above, on the following item:

1. ZONING BYLAW AMENDMENT BYLAW 2023, No. 5340 (RZ001683)

Location: 46485 Uplands Road

Applicant: Jesse Rayner, JCR Design Ltd.

Purpose: To rezone the subject property, as shown on the map below, from an SR (Suburban Residential) Zone to an R3 (Small Lot Residential) Zone to facilitate a future subdivision.

Location Map



Please review the instructions below in regard to the participation options for the Public Hearing:

1. Written submissions, **including your full name and address**, to the Legislative Services Department at 8550 Young Road, Chilliwack, BC V2P 8A4 or by email to clerks@chilliwack.com **no later than 4:00 pm on Monday, September 25, 2023.**
2. Participate in person at the City of Chilliwack, Council Chambers, located at 8550 Young Road, Chilliwack, BC.

All submissions will be recorded and form part of the official record of the meeting. The Council meeting will be broadcast live on the City of Chilliwack website via the following link: www.chilliwack.com/live for viewing by the public.

This proposed bylaw will be provided via email upon request between the hours of 8:30 am and 4:30 pm, Monday through Friday, excluding holidays, from **Wednesday, September 13, 2023 to Tuesday, September 26, 2023**, both inclusive, by the Planning Department at **604-793-2906** or planning@chilliwack.com.

Please note that no further information or submissions can be considered by Council after the conclusion of the Public Hearing.


Jacqueline Morgan, CMC
Corporate Officer



JCR DESIGN Ltd. EST. 2003

201 – 45269 Keith Wilson Rd, Chilliwack, BC V2R 5S1
Ph: (604) 858-0031 email: office@jcrdesign.ca

July 12, 2023

Dear Homeowner,

We are proposing a rezoning application at 46485 Uplands Rd from SR to R3 to facilitate a future 3 lot subdivision.

We are holding an open house at our office on Wednesday, August 2, 2023 from 9:00 am to 3:00 pm. Please feel free to come by and we will answer any questions that you may have regarding the rezoning application. If you wish to book an appointment for us to come meet with you, please call the office at the number below.

Attached is a site plan showing the proposed rezoning and a Public Engagement Petition. Please feel free to fill out the petition and send directly to Joty Rai with the City of Chilliwack, rai@chilliwack.com and to clerks@chilliwack.com.

If you have any questions regarding the rezoning application, please call my office at (604) 858-0031.

Thank you,

for/ S. Ross
Jesse Rayner
Owner

Date Received: Aug 3, 2023
Received From: Shelley Ross - JCR
Folder Number: R21683
Subject Property: 46485 Uplands
Council Date: TBD

1 of 4

REZONING: PUBLIC ENGAGEMENT SUMMARY

Property Address(es): 46485 Uplands Rd

Application Contact Information: JCR Design Ltd, 201 – 45269 Keith Wilson Rd, Chilliwack, BC V2R 5S1

Purpose: The purpose of this application to rezone from SR to R3 to allow for a future 3 lot subdivision

Public Engagement Letters Mailed – July 13, 2023

Open House held August 2, 2023

The above-required application number, property address, applicant contact information, and purpose statement must be included on each page of the summary chart

Name	Address	Method of Contact	Comments/Responses
Homeowner	5812 Promontory Rd	Mail	No response
Homeowner	46462 Uplands Rd	Mail	No response
Homeowner	46481 Uplands Rd	Mail	No response
Homeowner	46495 Uplands Rd	Mail	No response
Homeowner	46477 Uplands Rd	Mail	No response
Homeowner	46477 B Uplands Rd	Mail	No response
Homeowner	46486 Uplands Rd	Mail	No response
Homeowner	46530 Uplands Rd	Mail	No response

Date Received: Aug 3, 2023
 Received From: Shelley Ross - JCR
 Folder Number: RZ-1683
 Subject Property: 46485 Uplands
 Council Date: TBD 40 p4

The public engagement summary will be submitted to the City of Chilliwack, to be included within the public record, for the above-noted application. By providing personal information on this document, you are providing your consent to permit all information provided therein to be viewed by the public.

AGENDA ITEM NO: 7.10

MEETING DATE: September 5, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Jesse Rayner, JCR Design Ltd.
Rezoning / 46485 Uplands Road DATE: August 22, 2023


DEPARTMENT: Planning Department
RZ001683 PREPARED BY: Joty Rai / cc

1. SUMMARY OF ISSUE:

The applicant wishes to rezone the subject property from an SR (Suburban Residential) Zone to an R3 (Small Lot Residential) Zone to facilitate a future subdivision.

2. RECOMMENDATION:


Recommendation that "Zoning Bylaw Amendment Bylaw 2023, No. 5340", which proposes to rezone property located at 46485 Uplands Road from an SR (Suburban Residential) Zone to an R3 (Small Lot Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for September 26, 2023. (RZ001683)



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman
Chief Administrative Officer

STAFF REPORT ON REZONING APPLICATION RZ001683

PREPARED BY: Joty Rai DATE: August 22, 2023
POSITION: Planner I DEPARTMENT: Planning

1. DEFINITION OF ISSUE:

The applicant wishes to rezone the subject property from an SR (Suburban Residential) Zone to an R3 (Small Lot Residential) Zone to facilitate a future subdivision.

Once the Bylaw has been to Public Hearing, staff recommend that the Bylaw be held at third reading pending the issuance of Development Permits under Development Permit Area No. 2 (Hillside and Upland Areas) and Development Permit Area No. 8 (Hillside Development) to address geotechnical and environmental concerns.

2. PROPOSAL:

The proposal is to rezone the subject property from an SR Zone to an R3 Zone to facilitate a future 3-lot subdivision. As shown on the attached conceptual site plan, the proposal meets the minimum required lot area and dimensions of the R3 Zone.

Final lot layout must comply with City Bylaws and include storm and sanitary sewer extensions and on-site stormwater management. Urban half road frontage improvements complete with sidewalk, curb, gutter, and LED streetlighting, are also required to support urbanization, and future buildings must be sprinklered. Additionally, 1.25m of road dedication is required along Uplands Road. The requirements of the Tree Management Bylaw and Land Development Bylaw will apply at time of subdivision.

The applicant has not committed to a specific design for the single detached dwellings to be constructed at this time; however, building height is limited to 10m within the proposed R3 Zone.

3. FACTORS:

3.1 2040 Official Community Plan (OCP) / Land Use / Community Engagement

Official Community Plan: "Comprehensive Development Area". The proposal is consistent with this designation.

Land Use: Single detached dwelling (to be demolished at time of redevelopment). The applicant has indicated that the property is currently occupied by tenants and has provided information in the attached 'Schedule A' detailing how the site will be maintained throughout the redevelopment process.

Community Engagement: The applicant mailed an information package on July 13, 2023 to neighbours within 30m of the subject property requesting submission of questions or concerns in relation to the proposed rezoning application. The applicant also held an open house on August 2, 2023 from 9:00am-3:00pm. No residents attended the meeting or responded to the information package. A copy of the engagement summary has been included within the public record.

3.2 Neighbourhood Character

The subject property is located within the Promontory neighbourhood in an area that is experiencing ongoing redevelopment in the form of single detached dwellings and townhomes. As such, the property is surrounded by lots within a variety of residential zones including the RR (Rural Residential) Zone, R1-A (Urban Residential) Zone, R3 Zone and R4 (Low Density Multi-Unit Residential) Zone. In addition, *Johnston Packers* is located to the east of the subject property within the M6 (Special Industrial) Zone. The property is also within walking distance to Uplands Park and the Thornton Creek Natural Area.

The proposed rezoning is consistent with the OCP designation and the City's Infill Development Policy, which support infill development in this location to accommodate future growth. The required road dedication and urban frontage improvements will ensure the creation of a safe and inviting streetscape.

3.3 Technical Issues:

Floodplain: The subject property is not located within the floodplain.

Watercourses: There are no known watercourses within, or in the immediate vicinity of, the subject property.

Geotechnical: The subject property is identified to contain "significant" geotechnical hazards. As such, it is recommended that the application be held at third reading pending the issuance of Development Permits under Development Permit Area No. 2 (Hillside and Upland Areas) and Development Permit Area No. 8 (Hillside Development) to address any geotechnical and environmental concerns.

4. RECOMMENDATION & SUBSTANTIATION:**Recommendation:**

Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5340”, which proposes to rezone property located at 46485 Uplands Road from an SR (Suburban Residential) Zone to an R3 (Small Lot Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for September 26, 2023. (RZ001683)

Substantiation:

The proposal is anticipated to complement the ongoing redevelopment in the neighbourhood and will provide appropriately scaled housing options to accommodate future growth. Furthermore, the associated streetscape improvements will support a safe and inviting pedestrian environment

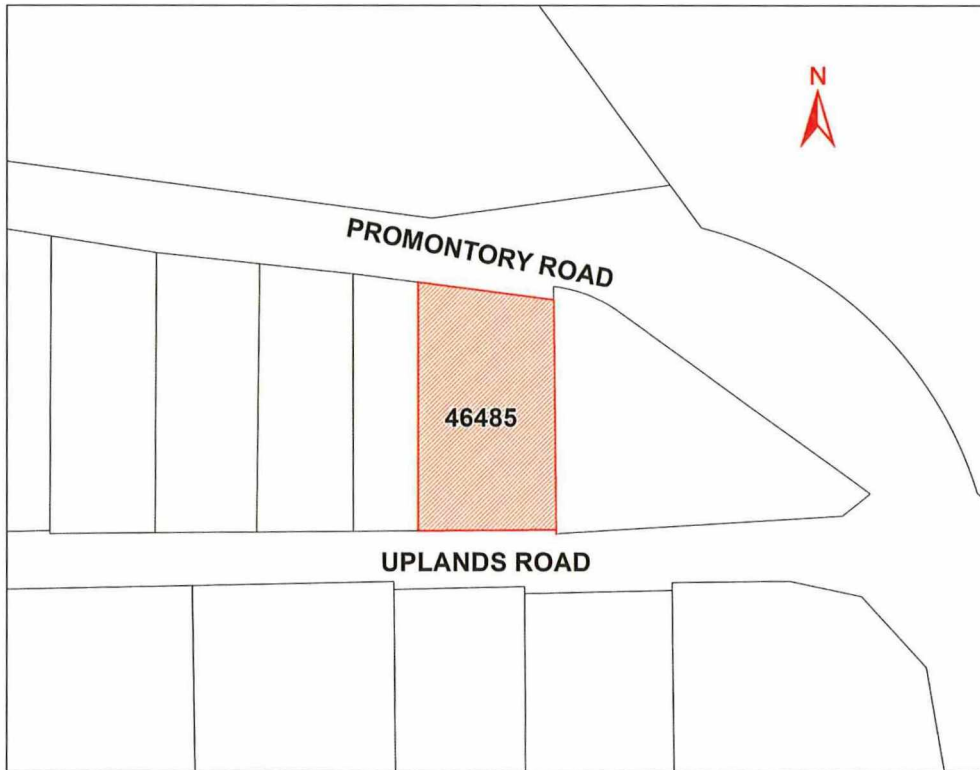
5. SOURCES OF INFORMATION:

- Rezoning Application (RZ001683) – October 31, 2022
- Development Application Review Team (DART) Minutes – December 15, 2022

Site Photo:



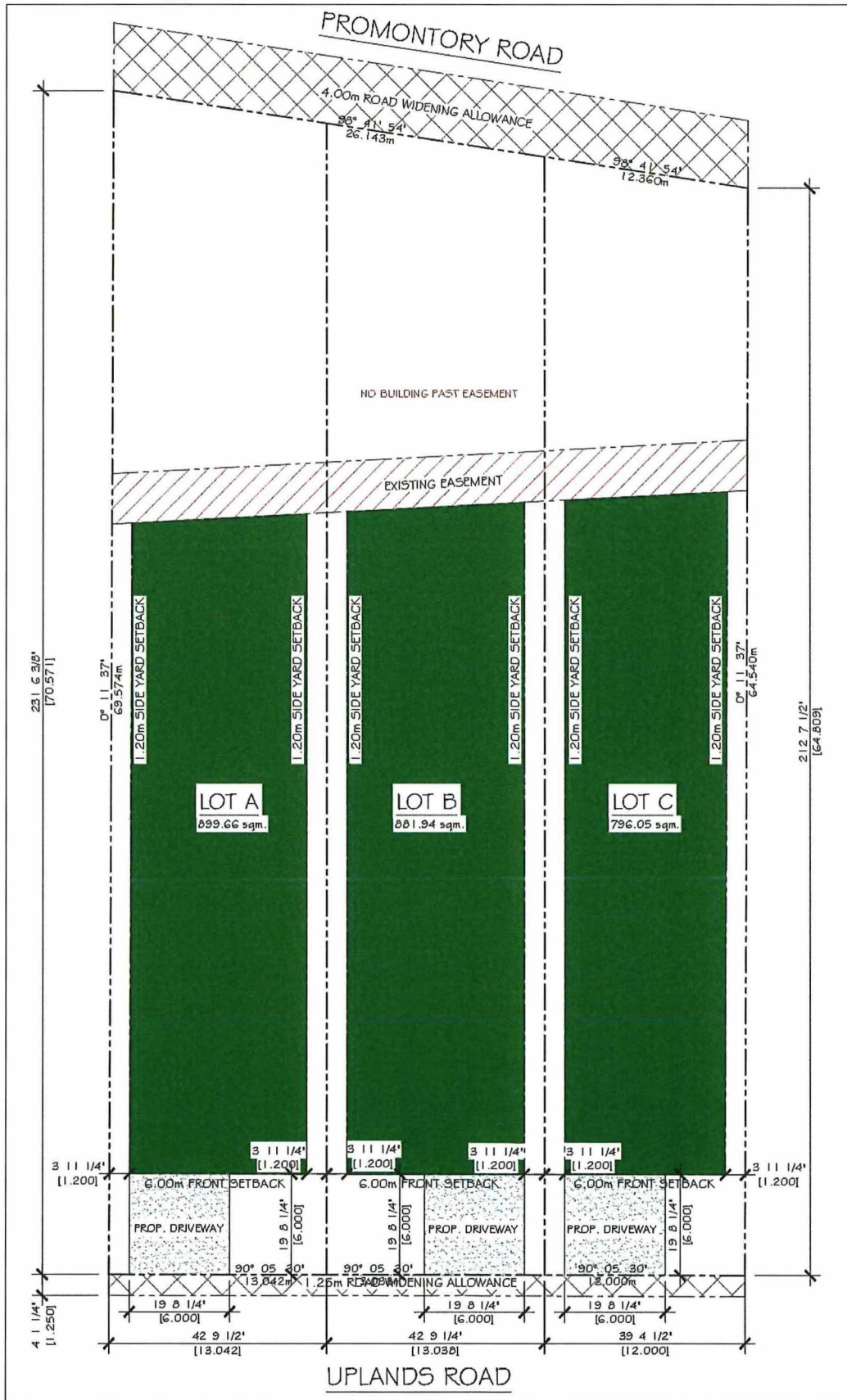
Location Map



Orthophoto



Conceptual Site Plan (as provided by the applicant)



Schedule A Applicant's Property Maintenance Plan



JCR DESIGN Ltd. EST. 2003

201 – 45269 Keith Wilson Rd, Chilliwack, BC V2R 5S1

Ph: (604) 858-0031 email: office@jcrdesign.ca

August 17, 2023

46485 Uplands Rd
Maintenance Plan

I spoke with our client and the maintenance plan is as follows:

The property currently has a tenant living at the property. The owner lives at the property next door and will continue to look after all the property maintenance as required.

After the rezoning is complete, the owners will apply for subdivision and demolition permit. Once the PLA and demolition permit are issued, shortly before excavation is to begin, a fence will be put in place to secure the area being worked on. Any work will be done Monday to Saturday between the hours of 7:00 am and 9:00 pm. The fence will remain in place until the foundations are poured. The property and sidewalks will be kept clean of all debris and snow. There will be a rubbish container on site at all times. Any weeds/grass/trees that require maintenance will be done on a regular basis. The contractor will ensure that there will be minimal smoke and dust emission.

City of Chilliwack

Bylaw No. 5340

A bylaw to amend the “Zoning Bylaw 2020, No. 5000”

The Council of the City of Chilliwack in open meeting assembled enacts as follows:

1. This bylaw may be cited as **“Zoning Bylaw Amendment Bylaw 2023, No. 5340”**.
2. “Zoning Bylaw 2020, No. 5000” is hereby amended by rezoning property described as PID: 026-797-739, Lot 1 Section 8 Township 26 New Westminster District Plan BCP25843, from an SR (Suburban Residential) Zone to an R3 (Small Lot Residential) Zone.

Received first and second reading on the 5th day of September, 2023.

Public hearing held on the

Received third reading on the

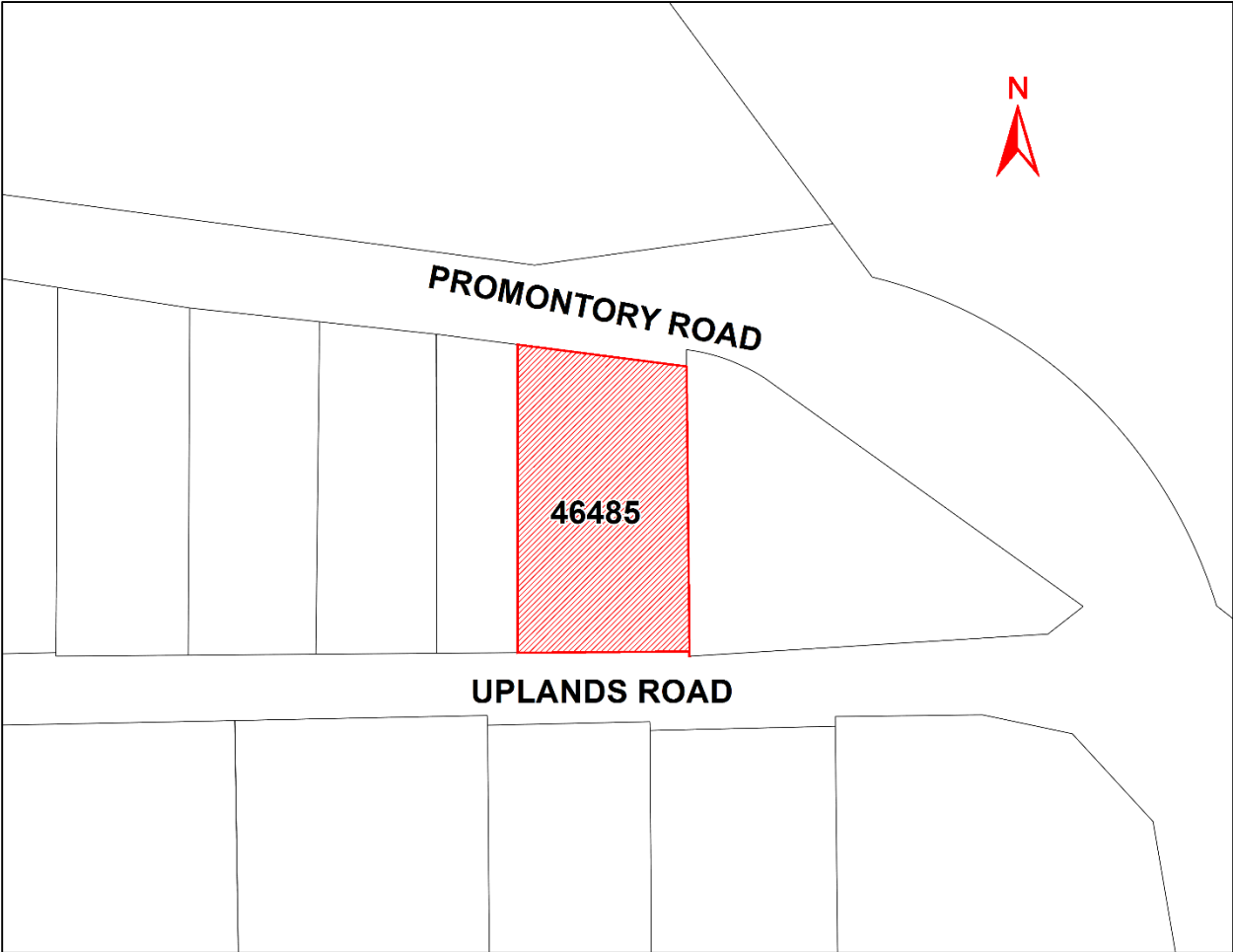
Received adoption on the

.....
Mayor

.....
Corporate Officer

NOTE: This bylaw refers to property located at 46485 Uplands Road.

“Zoning Bylaw Amendment Bylaw 2023, No. 5340”





CITY OF CHILLIWACK
NOTICE OF PUBLIC HEARING
Tuesday, September 26, 2023 at 6:30 pm
Council Chambers
8550 Young Road, Chilliwack, BC V2P 8A4
www.chilliwack.com

TAKE NOTICE that the Council of the City of Chilliwack will hold a Public Hearing, as noted above, on the following items:

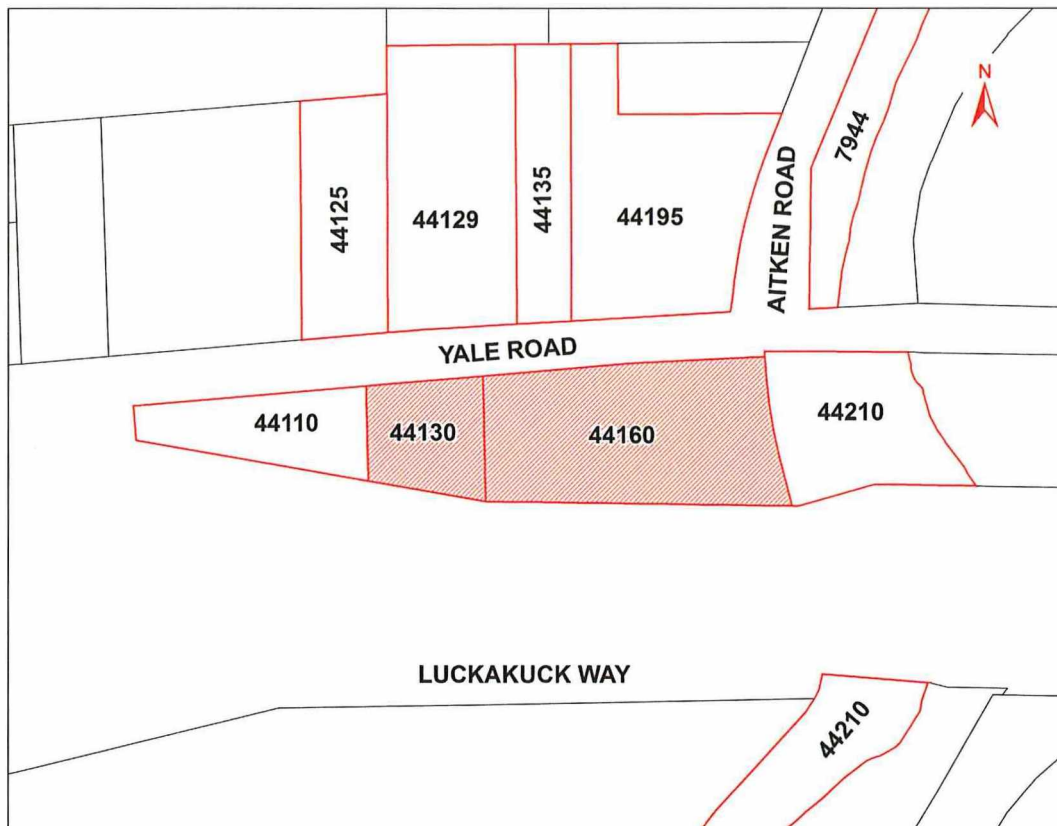
1. **OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT BYLAW 2023, No. 5342 (RZ001693)**
2. **ZONING BYLAW AMENDMENT BYLAW 2023, No. 5343 (RZ001693)**

Location: 44130 and 44160 Yale Road

Applicant: Precision Building Design Associates Ltd. (Inc No BC0442027)

Purpose: To amend the 2040 Official Community Plan designation of the subject properties from "General Industrial" to "Mixed Commercial and Industrial" and rezone the properties from an M2 (Service Industrial) Zone to a CSM (Service Commercial Industrial) Zone, to permit vehicle oriented commercial uses on the properties, as shown on the map below.

Location Map



Please review the instructions below in regard to the participation options for the Public Hearing:

1. Written submissions, **including your full name and address**, to the Legislative Services Department at 8550 Young Road, Chilliwack, BC V2P 8A4 or by email to clerks@chilliwack.com **no later than 4:00 pm on Monday, September 25, 2023**.
2. Participate in person at the City of Chilliwack, Council Chambers, located at 8550 Young Road, Chilliwack, BC.

All submissions will be recorded and form part of the official record of the meeting. The Council meeting will be broadcast live on the City of Chilliwack website via the following link: www.chilliwack.com/live for viewing by the public.

The proposed bylaws will be provided via email upon request between the hours of 8:30 am and 4:30 pm, Monday through Friday, excluding holidays, from **Wednesday, September 13, 2023 to Tuesday, September 26, 2023**, both inclusive, by the Planning Department at **604-793-2906** or planning@chilliwack.com.

Please note that no further information or submissions can be considered by Council after the conclusion of the Public Hearing.


Jacqueline Morgan, CMC
Corporate Officer

August 8, 2023

Stacy Johnson
Senior Planner
City of Chilliwack
8550 Young Road
Chilliwack, BC V2P 8A4

Dear Stacy,

Re: 44130 - 44160 Yale Road West Properties

It is good to see local companies such as Southern Irrigation and Mountainview Harley-Davidson experiencing success in Chilliwack. CEPCO places an important priority in supporting local businesses that are seeking opportunities to grow and expand in our community.


With Southern Irrigation building a beautiful new facility on Industrial Way, I understand that it has created an opportunity for Mountainview Harley-Davidson to purchase the current Southern Irrigation location at 44130-44160 Yale Road West. This potential move will enable them to develop a flag ship retail location that attracts people from all over the region.

These Yale Road West properties are currently zoned M2 and have an industrial designation in the Official Community Plan (OCP). CEPCO realizes that for Mountainview Harley-Davidson to relocate to these properties a rezoning and OCP amendment is required. We also realize that the supply of industrial property in Chilliwack is limited, a fact that caused CEPCO to work closely with the City of Chilliwack in developing the current Industrial Land Use Policy.

That said, CEPCO does support the required rezoning and OCP amendment for these properties from industrial to commercial. The current Yale Road West corridor has a mix of light/service industrial and commercial zones, with many of the businesses along the highway frontage more commercial in nature. From a planning perspective we feel supporting commercial uses on the south side of Yale Road West makes sense, and the Southern Irrigation building/properties are an appropriate location for this to occur.

Thank you for allowing CEPCO to express our support for the continued growth of both Southern Irrigation and Mountainview Harley-Davidson in Chilliwack. Please let me know if you have any questions.

Sincerely,



Brian Coombes
President

Cc: Chuck Stam, Precision Building Design

Date Received: August 10, 2023
Received From: CEPCO
Folder Number: RZ001693
Subject Property: 44130-44160 Yale Road
Council Date: August 15, 2023

AGENDA ITEM NO: 7.11

MEETING DATE: September 5, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Precision Building Design Associates Ltd.
Rezoning / 44130 & 44160 Yale Road DATE: August 28, 2023

DEPARTMENT: Planning Department
RZ001693 PREPARED BY: Stacy Johnson / mb

1. SUMMARY OF ISSUE:

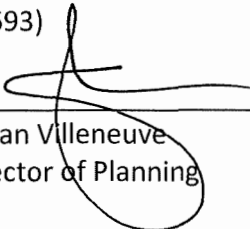
The applicant requests to amend the 2040 Official Community Plan designation of the subject properties from “General Industrial” to “Mixed Commercial and Industrial” and rezone the properties from an M2 (Service Industrial) Zone to a CSM (Service Commercial Industrial) Zone to permit vehicle oriented commercial uses on the properties.

Once the Bylaw has been to Public Hearing, staff recommend that Council hold the application at Third Reading pending approval from the Ministry of Transportation and Infrastructure.

2. RECOMMENDATION:

Recommendation that “Official Community Plan Bylaw Amendment Bylaw 2023, No. 5342 which proposes to amend the designation of the subject properties from “General Industrial” to “Mixed Commercial and Industrial”, be given first and second reading; and further, that a Public Hearing be called for September 26, 2023. (RZ001693);


Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5343”, which proposes to rezone properties located at 44130 & 44160 Yale Road from an M2 (Service Industrial) Zone to an CSM (Service Commercial Industrial) Zone, be given first and second reading; and further, that a Public Hearing be called for September 26, 2023. (RZ001693)



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman
Chief Administrative Officer

STAFF REPORT ON REZONING APPLICATION RZ001693

PREPARED BY: Stacy Johnson DATE: August 28, 2023

POSITION: Senior Planner DEPARTMENT: Planning Department

1. DEFINITION OF ISSUE:

The applicant requests to amend the 2040 Official Community Plan designation of the subject properties from “General Industrial” to “Mixed Commercial and Industrial” and rezone the properties from an M2 (Service Industrial) Zone to a CSM (Service Commercial Industrial) Zone to permit vehicle oriented commercial uses on the properties.

Once the Bylaws have been to Public Hearing, staff recommend that Council hold the application at Third Reading pending approval from the Ministry of Transportation and Infrastructure.

2. PROPOSAL:

The applicant requests to amend the 2040 Official Community Plan designation and rezone the subject properties to permit vehicle oriented commercial uses on the site to accommodate the relocation of *Mountainview Harley-Davidson*.

Final lot layout and any future development must comply with City Bylaws and include urban frontage improvements, should a new building be constructed in the future. A Tenant Improvement Building Permit and a Waste Discharge Permit may be required for any change in use of the building. Restoration of the riparian area within the adjacent City property (44160 Yale Road) is required and an updated Licence of Occupation will be necessary should the new owner/tenant wish to continue to use this area for additional parking.

3. DISCUSSION:

As per the City of Chilliwack Industrial Land Policy, Policy Directive No. G-34 (“the Policy”), amendments to Official Community Plan’s industrial land use designations to permit non-industrial land uses and rezoning of properties to the CSM (Service Commercial Industrial) Zone will not be supported. The Policy was endorsed by Council in August, 2019 in order to maintain industrial lands for industrial use, promote the development of business parks which are attractively designed, increase industrial development capacity to meet long term employment needs and implement land use intensification strategies to improve land use efficiency.

Though the current proposal is inconsistent with the Policy direction, the resulting change in use will achieve the goals of the Policy by providing long term employment within the community through the expansion and relocation of *Mountainview Harley-Davidson* and ensure the efficient use of land by repurposing the existing building, which is designed for a mixture of retail, storage and display. The proposed land use is also considered to be consistent with the mix of commercial

and industrial developments found along the Yale Road West corridor. As such, the proposed OCP amendment and rezoning is considered to be in keeping with the prevailing land uses and character of the surrounding area.

In addition to the above, the following characteristics of the Yale Road West corridor impact the suitability of the subject property and surrounding area for use as productive industrial land and can be considered in support of the proposed OCP amendment and rezoning:

- The south side of the Yale Road West corridor between Lickman Road and Evans Road has 32 relatively small parcels with an approximate total area of 11 hectares, which feature shallow depth and prominent highway exposure, which may limit the development of typical industrial developments that generally require areas for large buildings and truck movements; and,
- Approximately 1/3 of this area is currently zoned CSM with a mix of commercial and industrial uses, including automobile and recreation vehicle sales.

Given the unique existing and possible future use of this area, a potential staff recommendation to Council is to complete a future assessment of this corridor through a broader review of industrial land availability, and making updates to the OCP and Industrial Land Policy to bring clarity to supportable land uses in the area. As an interim measure, existing site conditions and highway exposure create a suitable location for mixed commercial and industrial uses such as vehicle sales, automotive repair, mini-storage warehouse, etc. or the relocation of existing businesses within this corridor, which can be supported through case-by-case review of applications and corresponding OCP amendments.

In addition to the site-specific supporting rationale outlined above, the applicant has provided a letter from Chilliwack Economic Partners Corporation (CEPCO) in support of the application which has been included as part of the public record and is attached as “Schedule A” for information.

4. FACTORS:

4.1 2040 Official Community Plan (OCP) / Land Use / OCP Pre-consultation

Official Community Plan: “General Industrial” as designated within the Official Community Plan. An amendment to the current designation to “Mixed Commercial and Industrial” is requested and detailed within Section 3: Discussion of this report.

Land Use: Service industrial use and associated open storage.

OCP Pre-consultation: On August 15, 2023 Council directed staff to not consult with any outside agencies.

4.2 Neighbourhood Character

The subject properties are located between Highway 1 and Yale Road, surrounded by properties within the M2 Zone. Though the properties within the immediate area are within the M2 Zone, there are a number of properties within the CSM Zone on relatively small parcels within the area, as discussed above.

4.3 Technical Issues:

Floodplain: The properties are located within the protected floodplain and are subject to the Floodplain Regulation Bylaw.

Watercourses: *Atchelitz Creek*, a Class “A” watercourse, is located within the adjacent, City-owned property at 4210 Yale Road. As part of this application, a new Licence of Occupation is required from the City for the new tenant to make use of a portion of this property for parking. Before a new Licence of Occupation will be granted, remediation of the existing parking area within the riparian setback is required, under the guidance of a Qualified Environmental Professional, and the installation of riparian fencing to protect the riparian setback area is required.

Geotechnical: There are no known geotechnical hazards within or around the subject properties.

5. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that “Official Community Plan Bylaw Amendment Bylaw 2023, No. 5342 which proposes to amend the designation of the subject properties from “General Industrial” to “Mixed Commercial and Industrial”, be given first and second reading; and further, that a Public Hearing be called for September 26, 2023. (RZ001693);

Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5343”, which proposes to rezone properties located at 44130 & 44160 Yale Road from an M2 (Service Industrial) Zone to an CSM (Service Commercial Industrial) Zone, be given first and second reading; and further, that a Public Hearing be called for September 26, 2023 (RZ001693)

Substantiation:

Though an amendment to the OCP designation of the subject properties to the “Mixed Commercial Industrial” designation is not currently supported by the Policy, the existing site conditions and highway exposure create a suitable location for mixed commercial and industrial uses such as vehicle sales along the Yale Road West corridor. With the endorsement of CEPCO for the proposed departure from the Policy and the resulting creation of employment opportunities in the community, the requested amendment is supportable in this instance.

The proposed rezoning to the CSM Zone is considered to be in keeping with the mix of commercial and industrial uses, including automobile and recreation vehicle sales along the Yale Road West

corridor, and will allow for the relocation of an existing business to a location that is considered to be in keeping with the surrounding area and allow for highway exposure for the proposed use.

Should additional redevelopment proposal be submitted for sites within this area a potential future review of industrial land availability and the Yale Road West corridor in relation to the OCP objectives and Industrial Land Policy may be warranted to bring clarity to supportable future land uses in the area.

6. SOURCES OF INFORMATION:

- Rezoning Application (RZ001693) – March 3, 2023
- Development Application Review Team (DART) Minutes – March 2, 2023

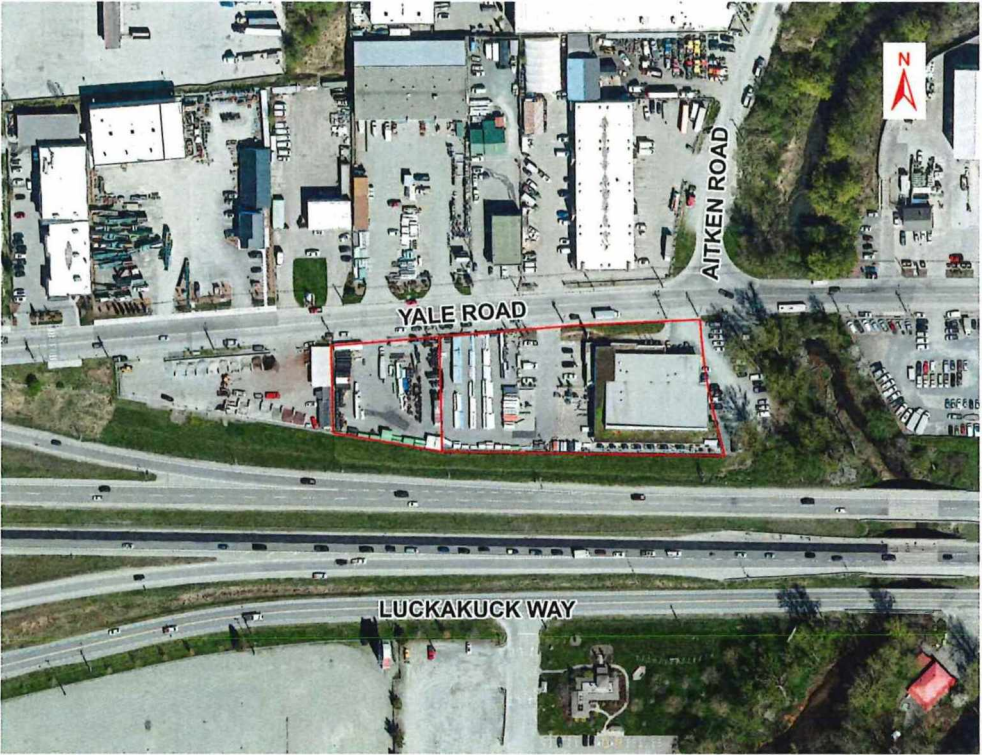
Attachments

- “Schedule A” – Letter of Support from Chilliwack Economic Partners Corporation – August 8, 2023

Location Map



Orthophoto



“Schedule A”

Letter of Support from Chilliwack Economic Partners Corporation –
August 8, 2023



Attracting and Facilitating Economic Growth

Chilliwack Economic
Partners Corporation
46115 Yale Road
Chilliwack, B.C.
V2P 2P2 Canada

info@businessinchilliwack.com
businessinchilliwack.com
lifeinchilliwack.com
604-792-7839

August 8, 2023

Stacy Johnson
Senior Planner
City of Chilliwack
8550 Young Road
Chilliwack, BC V2P 8A4

Dear Stacy,

Re: 44130 - 44160 Yale Road West Properties

It is good to see local companies such as Southern Irrigation and Mountainview Harley-Davidson experiencing success in Chilliwack. CEPCO places an important priority in supporting local businesses that are seeking opportunities to grow and expand in our community.

With Southern Irrigation building a beautiful new facility on Industrial Way, I understand that it has created an opportunity for Mountainview Harley-Davidson to purchase the current Southern Irrigation location at 44130-44160 Yale Road West. This potential move will enable them to develop a flag ship retail location that attracts people from all over the region.

These Yale Road West properties are currently zoned M2 and have an industrial designation in the Official Community Plan (OCP). CEPCO realizes that for Mountainview Harley-Davidson to relocate to these properties a rezoning and OCP amendment is required. We also realize that the supply of industrial property in Chilliwack is limited, a fact that caused CEPCO to work closely with the City of Chilliwack in developing the current Industrial Land Use Policy.

That said, CEPCO does support the required rezoning and OCP amendment for these properties from industrial to commercial. The current Yale Road West corridor has a mix of light/service industrial and commercial zones, with many of the businesses along the highway frontage more commercial in nature. From a planning perspective we feel supporting commercial uses on the south side of Yale Road West makes sense, and the Southern Irrigation building/properties are an appropriate location for this to occur.

Thank you for allowing CEPCO to express our support for the continued growth of both Southern Irrigation and Mountainview Harley-Davidson in Chilliwack. Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Coombes".

Brian Coombes
President

Cc: Chuck Stam, Precision Building Design

City of Chilliwack

Bylaw No. 5342

A bylaw to amend the “Official Community Plan Bylaw 2014, No. 4025”

The Council of the City of Chilliwack in open meeting assembled enacts as follows:

1. This bylaw may be cited as **“Official Community Plan Bylaw Amendment Bylaw 2023, No. 5342”**.
2. “Official Community Plan Bylaw 2014, No. 4025”, is hereby further amended by redesignating properties described as:
 - (1) PID: 003-154-301, Lot 2 District Lot 271 Group 2 New Westminster District Plan 62742
(44130 Yale Road); and;
 - (2) PID: 028-188-187, Lot 1 District Lot 271 Group 2 New Westminster District Plan EPP5630
(44160 Yale Road);

from “General Industrial” to “Mixed Commercial and Industrial”.

Received first and second reading on the 5th day of September, 2023.

Public hearing held on the

Received third reading on the

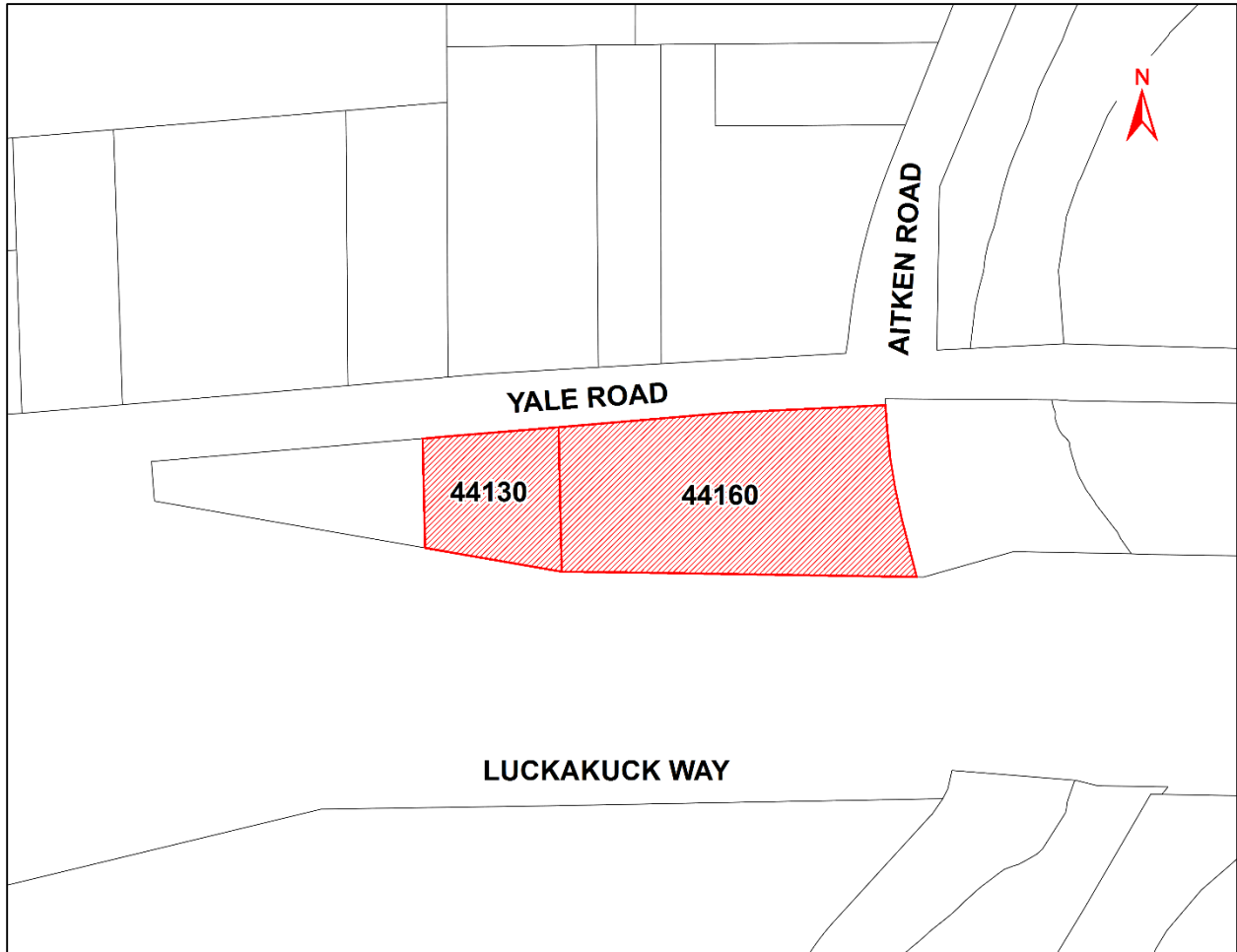
Consultation Process considered by Council on the 15th day of August, 2023.

Received adoption on the

.....
Mayor

.....
Corporate Officer

“Official Community Plan Bylaw Amendment Bylaw 2023, No. 5342”



City of Chilliwack

Bylaw No. 5343

A bylaw to amend the “Zoning Bylaw 2020, No. 5000”

The Council of the City of Chilliwack in open meeting assembled enacts as follows:

1. This bylaw may be cited as **“Zoning Bylaw Amendment Bylaw 2023, No. 5343”**.
2. “Zoning Bylaw 2020, No. 5000” is hereby amended by rezoning properties described as:
 - (1) PID: 003-154-301, Lot 2 District Lot 271 Group 2 New Westminster District Plan 62742
(44130 Yale Road); and;
 - (2) PID: 028-188-187, Lot 1 District Lot 271 Group 2 New Westminster District Plan EPP5630
(44160 Yale Road);from an M2 (Service Industrial) Zone to a CSM (Service Commercial Industrial) Zone.

Received first and second reading on the 5th day of September, 2023.

Public hearing held on the

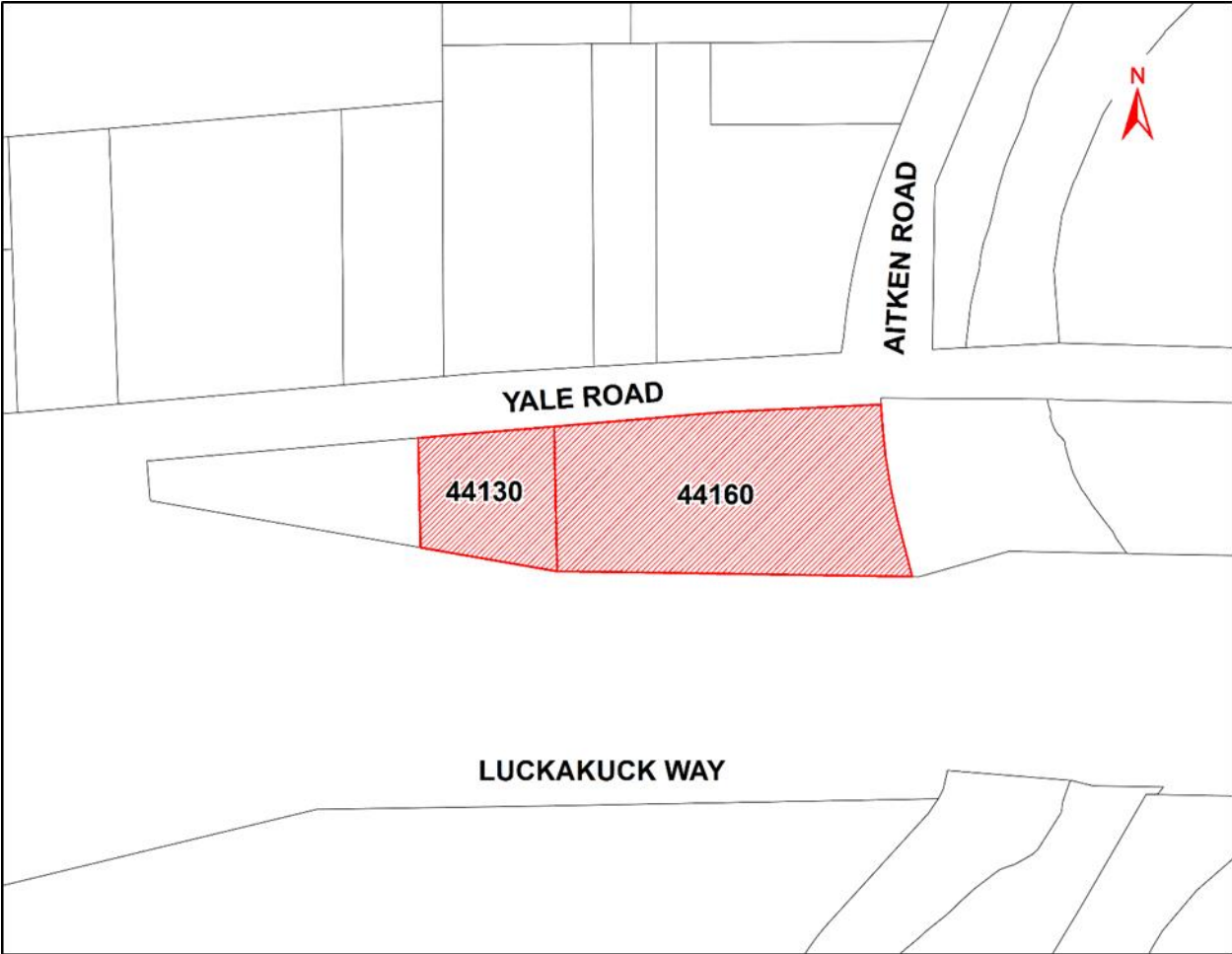
Received third reading on the

Received adoption on the

Mayor

Corporate Officer

“Zoning Bylaw Amendment Bylaw 2023, No. 5343”



AGENDA ITEM NO: 11.3.6

MEETING DATE: September 26, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Karl Gibson & Moon Ja Kim
Temporary Use Permit / 101 - 45300
Luckakuck Way DATE: September 7, 2023

DEPARTMENT: Planning Department
TUP00216 PREPARED BY:  Krista Desormeaux / cc

1. SUMMARY OF ISSUE:

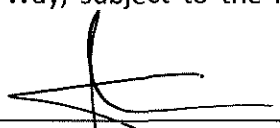
The applicant wishes to permit food processing within the CS1 (Service Commercial) Zone to manufacture sauce for wholesale in association with the existing sushi restaurant within the subject property. As the CS1 Zone does not permit this use, a Temporary Use Permit (TUP) is required.

After three years, a renewal of the TUP will be required to continue to use the site for an additional three years. Once the proposed Temporary Use Permit has been to Public Hearing, staff recommend that Council approve Temporary Use Permit TUP00216 with respect to property located at 101 - 45300 Luckakuck Way.

A TUP can be renewed only once. After which, rezoning or relocation to an appropriate zone is recommended or a new TUP application must be submitted.

2. RECOMMENDATION:

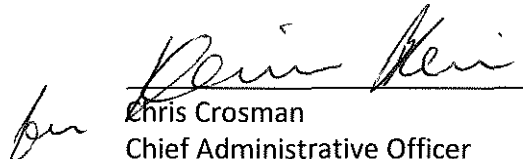
Recommendation that, Council approve the issuance of Temporary Use Permit (TUP00216), with respect to property located at 101 - 45300 Luckakuck Way, subject to the recommendations as stipulated within the draft Temporary Use Permit.



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman
Chief Administrative Officer

STAFF REPORT ON TEMPORARY USE PERMIT TUP00216

PREPARED BY: Krista Desormeaux DATE: September 7, 2023
POSITION: Planner I DEPARTMENT: Planning

1. DEFINITION OF ISSUE:

The applicant wishes to permit food processing within the CS1 (Service Commercial) Zone to manufacture sauce for wholesale in association with the existing sushi restaurant within the subject property. As the CS1 Zone does not permit this use, a Temporary Use Permit (TUP) is required.

After three years, a renewal of the TUP will be required to continue to use the site for an additional three years. Once the proposed Temporary Use Permit has been to Public Hearing, staff recommend that Council approve Temporary Use Permit TUP00216 with respect to property located at 101 – 45300 Luckakuck Way.

A TUP can be renewed only once. After which, rezoning or relocation to an appropriate zone is recommended or a new TUP application must be submitted.

2. PROPOSAL:

The applicant requests to permit a food processing operation in association with the existing business, *Hana Sushi*, within the subject property. The applicant intends to continue operation of the sushi restaurant and produce sauce for wholesale on a small scale under a separate business name and licence. A recommended condition has been included within the draft TUP to ensure that the food processing business use must always be ancillary to a restaurant use in order to ensure the scale of the industrial use reflects the commercial character of the surrounding area. The applicant has indicated that, at a future date, they intend to find an industrial location that permits food processing as a principle use to relocate the sauce manufacturing portion of the business.

3. FACTORS

3.1 2040 Official Community Plan (OCP) / Land Use

OCP: "General Commercial" as designated within the Sardis Neighbourhood Plan.

Land Use: Multi-tenant commercial building.

3.2 Neighborhood Character

The subject property is located in the Sardis Neighbourhood within the predominantly commercial area along Luckakuck Way. Adjacent parcels to the north, east, and west are commercial uses within

the CS1 and C2 (Local Commercial) Zones. Residential areas within the R5 (Low Rise Apartment) Zone and the R1-A (Urban Residential) Zone are located to the south and southwest of the property.

3.3 Technical Considerations

Floodplain: The subject property is located within the protected floodplain and is subject to the Floodplain Regulation Bylaw.

Watercourses: There are no watercourses within the immediate vicinity of the property.

Geotechnical Issues: The property is not subject to any known geotechnical hazards or earthquake related risks.

3.4 Conditions of Issuance of Temporary Use Permit

Staff support the requested use as proposed by the applicant and recommend approval of the draft Temporary Use Permit subject to the following conditions:

1. The business use of the lands is limited to food processing for sauce production;
2. The food processing use must always be ancillary to a restaurant use; and,
3. A City of Chilliwack Business Licence is required for the business operations.

4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that Council approve the issuance of Temporary Use Permit (TUP00216), with respect to property located at 101 - 45300 Luckakuck Way, subject to the recommendations as stipulated within the draft Temporary Use Permit.

Substantiation:

The use of the property for food processing is supportable in this instance given the small scale of the operation and the fact that it will be ancillary to a restaurant. As such, the operation of a food processing business is not anticipated to impact either the subject property or surrounding area.

Location Map



Ortho Photo





CITY OF CHILLIWACK
NOTICE OF PUBLIC HEARING
Tuesday, September 26, 2023 at 6:30 pm
Council Chambers
8550 Young Road, Chilliwack, B.C. V2P 8A4
www.chilliwack.com

TAKE NOTICE that the Council of the City of Chilliwack will hold a Public Hearing, as noted above, on the following item:

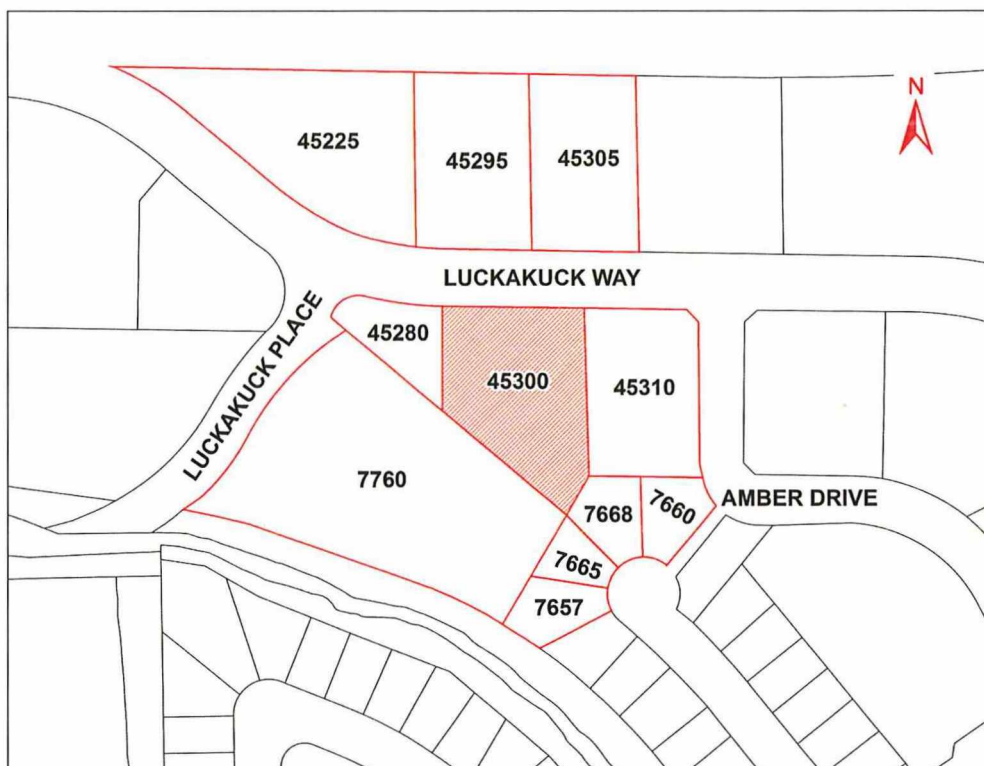
1. TEMPORARY USE PERMIT (TUP00216)

Location: 101 - 45300 Luckakuck Way

Applicant: Karl Gibson and Moon Ja Kim

Purpose: To permit food processing within the CS1 (Service Commercial) Zone to manufacture sauce for wholesale in association with the existing sushi restaurant within the subject property, as shown on the map below. As the CS1 Zone does not permit this use, a Temporary Use Permit (TUP) is required.

Location Map



Please review the instructions below in regard to the participation options for the Public Hearing:

1. Written submissions, **including your full name and address**, to the Legislative Services Department at 8550 Young Road, Chilliwack, BC V2P 8A4 or by email to clerks@chilliwack.com **no later than 4:00 pm on Monday, September 25, 2023.**
2. Participate in person at the City of Chilliwack, Council Chambers, located at 8550 Young Road, Chilliwack, BC.

All submissions will be recorded and form part of the official record of the meeting. The Council meeting will be broadcast live on the City of Chilliwack website via the following link: www.chilliwack.com/live for viewing by the public.

This proposed permit will be provided via email upon request between the hours of 8:30 am and 4:30 pm, Monday through Friday, excluding holidays, from **Wednesday, September 13, 2023 to Tuesday, September 26, 2023**, both inclusive, by the Planning Department at **604-793-2906** or planning@chilliwack.com.

Please note that no further information or submissions can be considered by Council after the conclusion of the Public Hearing.


Jacqueline Morgan, CMC
Corporate Officer



CITY OF CHILLIWACK

TEMPORARY USE PERMIT NO. TUP00216

To: Karl Gibson & Moon Ja Kim
101 - 45300 Luckakuck Way
Chilliwack, BC V2R 3C7

Platinum Key Investments Corp
(Inc No. BC1171593)
17089 102A Avenue
Surrey, BC V4N 3L1

1. WHEREAS Section 493 of *the Local Government Act* permits the issuance of Temporary Use Permits; and WHEREAS the Council of the City of Chilliwack in an open meeting assembled is prepared to issue such a permit on the terms and conditions set out below.
2. IT IS HEREBY RESOLVED that a Temporary Use Permit be issued as affecting the following:

Parcel Identifier No. 015-498-492

Legal Description: LOT 5 EXCEPT: FIRSTLY: PART SUBDIVIDED BY PLAN 84630; SECONDLY: PART SUBDIVIDED BY PLAN LMP4936, DISTRICT LOTS 78 AND 259 GROUP 2 NEW WESTMINSTER DISTRICT PLAN 83468

Address: 101 - 45300 Luckakuck Way

3. General Intent of Permit

To permit food processing within the CS1 (Service Commercial) Zone to allow the manufacture of sauce for wholesale within the subject property.

4. Validity of Permit

Three calendar years from the date of issuance of this Permit.

5. Renewal of Permit

In accordance with Section 497(2), this permit may be renewed once only, following application to and at the pleasure of the Council of the City of Chilliwack, following observance of due procedure.

DRAFT

6. **Terms and Conditions of Permit**

1. The business use of the lands is limited to food processing for sauce production.
2. The food processing use must always be ancillary to a restaurant use.
3. A City of Chilliwack Business Licence is required for the business operations.
4. Two months before the expiration date of this Permit the applicant shall indicate to the Director of Planning their intention to either cease the business activity or to apply for a further three-year permit.
5. For sake of clarity, this Permit constitutes a temporary Official Community Plan designation for a Temporary Use area.

APPROVED BY COUNCIL ON THE ___ DAY OF _____, 2023.

ISSUED THIS ___ DAY OF _____, 2023.

CORPORATE OFFICER

DRAFT

AGENDA ITEM NO: 11.4

MEETING DATE: September 26, 2023

STAFF REPORT - COVER SHEET

SUBJECT: Public Information Listing Date: September 21, 2023

DEPARTMENT: Clerk's Prepared by: Jacqueline Morgan

PIM No. 11.4.1. "Development Variance Permit DVP01335"

Development Variance Permit DVP01355 for properties located at 45624 and 45632 Wellington Avenue.

Public engagement package received from:

- Azure Properties, Applicant, received September 13, 2023.
-

PIM No. 11.4.2. "Development Variance Permit DVP01367"

Development Variance Permit DVP01367 for property located at 48200 Briteside Road.

AGENDA ITEM NO: 11.4.1

MEETING DATE: September 26, 2023

STAFF REPORT – COVER SHEET

SUBJECT: 1365242 BC Ltd.
Development Variance Permit &
Development Permit / 45624 & 45632
Wellington Avenue DATE: September 14, 2023

DEPARTMENT: Planning Department
DVP01335 & DP001667 PREPARED BY:  Adam Roberts / cc

1. SUMMARY OF ISSUE:


The applicant is seeking to vary Zoning Bylaw standards, which are detailed further in this report, to facilitate the construction of a new apartment building on the subject properties.

The applicant is seeking approval of the 'form and character' of a new apartment development within the subject properties. As the properties are within Development Permit Area No. 6 (Infill Development), a Development Permit is required.

2. RECOMMENDATION:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01335 with respect to properties located at 45624 and 45632 Wellington Avenue, subject to the recommendations as stipulated within the draft Development Variance Permit.

Recommendation that Council approve the issuance of Development Permit DP001667 with respect to properties located at 45624 and 45632 Wellington Avenue, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Permit.



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman
Chief Administrative Officer

**STAFF REPORT ON DEVELOPMENT VARIANCE PERMIT DVP01335 &
DEVELOPMENT PERMIT DP001667**

PREPARED BY: Adam Roberts DATE: September 14, 2023
POSITION: Planner III DEPARTMENT: Planning Department

1. DEFINITION OF ISSUE:

The applicant is seeking to vary the following standards within the Zoning Bylaw and R5 (Low Rise Apartment) Zone to facilitate the construction of a new apartment building on the subject properties:

- reduce the minimum interior side lot line setback from 6.75m to 6m for the 4th storey and from 7.5m to 6m for the 5th storey;
- increase the maximum lot coverage from 50% to 86% for an off-street parking structure;
- waive the requirement for a common amenity area to be located more than 5m from a window serving a dwelling unit;
- waive the requirement for a private amenity area to have a minimum dimension of 3m for eight ground-oriented units; and,
- waive the requirement to provide an off-street loading space.

The applicant is seeking approval of the 'form and character' of a new apartment development within the subject properties. As the properties are within Development Permit Area No. 6 (Infill Development), a Development Permit is required.

2. PROPOSAL:

In summary the proposal includes:

- 5-storey building (1 above-ground parkade with 4 residential floors above);
- 48 units (32 small unit apartments and 16 standard apartment units);
- 58 off-street parking spaces including 10 visitor parking spaces (58 are required);
- 60 bicycle parking spaces (60 are required); and,
- 11 trees (11 trees are required).

The final lot layout must comply with City Bylaws and include urban frontage improvements including barrier curb, sidewalk, LED streetlighting. The requirements of the Tree Management (Land Development) Bylaw and Floodplain Regulation Bylaw apply to the development.

3. DISCUSSION REGARDING VARIANCES:

Overall, the design of the building and site is visually appealing and constitutes a high-quality addition to the area. A discussion in relation to the proposed variances is provided below.

Interior Side Lot Line Setbacks

The applicant requests a reduction to the minimum interior side lot line (ISLL) setbacks along the north and south property lines. The R5 Zone requires an ISLL setback to increase by 0.75m per storey beyond the third storey. Considering this, an ISLL setback of 6.75m is required for the 4th storey and 7.5m for the 5th storey. As shown below, the applicant requests to reduce these setbacks to maintain a consistent building design from the 1st through 5th storeys.



To mitigate the impact of the requested variances, the applicant has provided significant articulation in the building’s façades, in combination with the use of various materials and colours. This results in a building form that appears as a series of modules thereby reducing the impact of the overall massing of the building. The private amenity areas of each unit are partially recessed into the building face, which limits any overlooking into neighbouring properties and further breaks up the massing of the building by providing variety in depth.

Lot Coverage

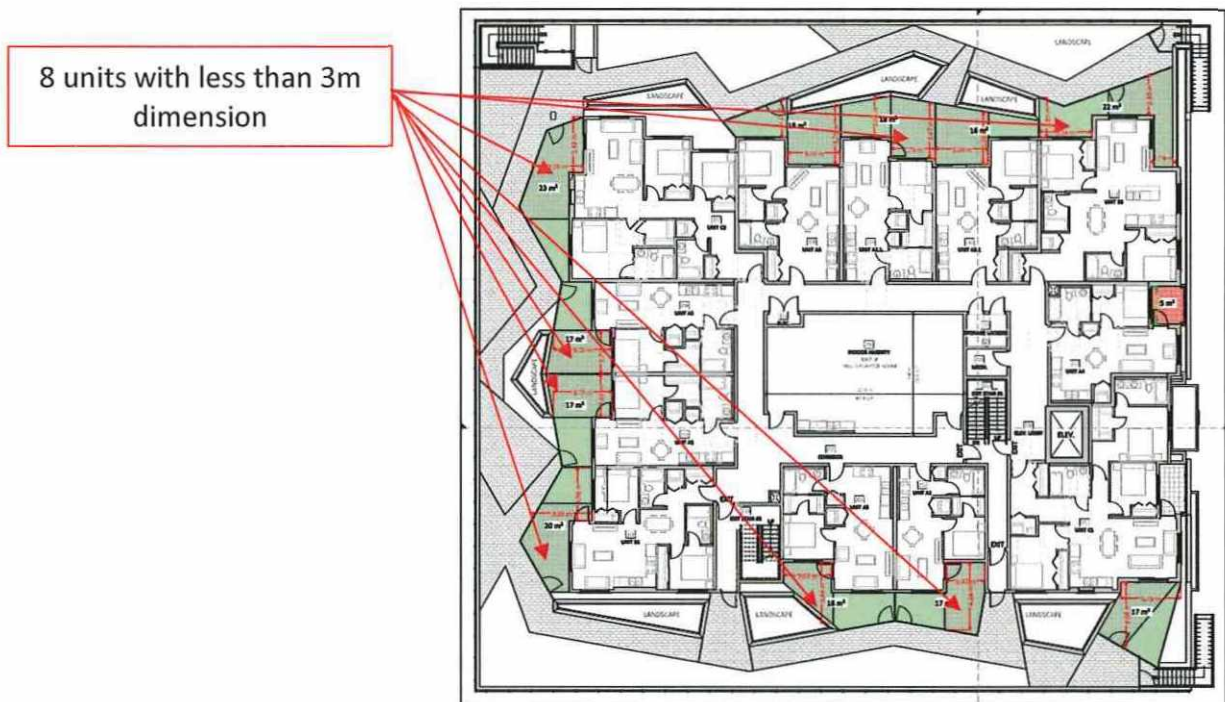
The applicant requests an increase to the maximum permitted lot coverage from 50% to 86% for the above-ground parkade. As shown on the attached landscape plan, substantial landscaping has been provided along the Wellington Avenue frontage. In addition, the applicant proposes a green wall along the north, south and west parkade walls to break up and soften the wall adjacent to neighbouring properties.

Private Amenity Areas

The applicant is requesting variances related to the ground-oriented private amenity areas that are located adjacent to the common amenity area. The Zoning Bylaw requires an outdoor amenity area to be located 5m from a window serving a dwelling unit. Given the siting of the units adjacent to the

amenity area, and constraints related to the size of the site, the 5m setback is not met. As such, the applicant has provided planters with substantial landscaping between the dwelling unit windows and common amenity area to ensure the privacy of the impacted units is preserved.

The Zoning Bylaw also requires ground-oriented dwelling units to have a private amenity space with a minimum dimension of no less than 3m. This means a 3m x 3m rectangle must fit within the patio area. As shown below, eight private amenity areas do not meet this requirement given the irregular shape caused by the surrounding common amenity area. Despite this, all amenity spaces exceed 15m² in area. As these amenity spaces exceed the minimum area required and are located within close proximity to the common amenity area, it is anticipated the future residents of these units will be able to easily access the common area to utilize the amenities provided within that space (lounging seating, hammocks, games tables and play areas).



Off-street Loading Space

The applicant requests to waive the requirement to provide an off-street loading space in favour of an on-street loading space on Wellington Avenue. The Engineering Department has confirmed a designated loading space on Wellington Avenue is acceptable in this location.

For the reasons discussed above, the requested variances are deemed supportable in this instance.

4. DEVELOPMENT PERMIT CONSIDERATIONS:

As demonstrated by the attached checklist evaluation for DPA 6, the proposed development substantially complies with the Infill Development Design Guidelines. A copy of the proposed site

plan, landscape plan and colour elevations are attached within the draft Development Permit for information.

Summary and CPTED Review

In support of the application, the applicant has submitted a CPTED (Crime Prevention Through Environmental Design) report prepared by *AMR Systems*. The report concluded that the proposed development will be a positive activity generator for the area and will be compatible with surrounding development. A summary of the CPTED assessment is shown in the table below:

CPTED Elements	Recommendations	
	✓ included in the design	* not included in the design
Natural Access Control	<ul style="list-style-type: none"> ✓ Vehicle and pedestrian access are directly from Wellington Avenue which promotes natural access control. ✓ Glazing for all entrances is encouraged and has been included as a recommended condition. 	
Natural Surveillance	<ul style="list-style-type: none"> ✓ Windows and decks on all 4 elevations promotes natural surveillance and “eyes on the street”. ✓ The second storey amenity area will further promote natural surveillance of the area. 	
Territoriality	<ul style="list-style-type: none"> ✓ Gates, well-lit signage and landscaping are utilized to ensure the transition from public to private space is clearly defined. ✓ The private amenity areas that overlook the City sidewalk will further enhance ownership and territoriality of the space. 	
Maintenance	<ul style="list-style-type: none"> ✓ The vegetation on the site should be maintained to provide long sightlines from the street and ensure public and private spaces are well defined. Any damage or vandalism should be repaired within a timely manner.* 	

* Future strata to maintain vegetation and ensure sightlines are not obstructed.

5. DESIGN REVIEW AND ADVISORY COMMITTEE:

The application was reviewed by the Design Review Advisory Committee (DRAC) on September 12, 2023. Based on this, the following recommendation was made:

That the Design Review Advisory Committee supports DP001667 and recommend Council approve the application subject to the following conditions:

1. *that a detailed lighting plan be submitted, prior to the issuance of a Building Permit, to ensure adequate lighting is provided for all walkways, parking areas and elevations of the building;*

2. *that glazing, in the form of side lights or glazed doors, be provided for all entrances into and out of stairwells, exits and communal spaces;*
3. *that a well-lit complex sign be provided along Wellington Avenue;*
4. *that all utility equipment be screened from public view through installation of landscaping fencing, or vinyl wrapping;*
5. *that an irrigation system be included into the landscaped areas within the site;*
6. *that a coded gate be provided at the entrances to the lobby, parking area and amenity area;*
7. *that non-combustible cladding and soffits be provided within the balconies;*
8. *that a rubberized tile surface be included within the playground areas to ensure site safety and accessibility;*
9. *that additional shade or trees be provided within the south side of the common amenity area, specifically surrounding the playground area, to ensure year-round use; and,*
10. *that protection measures be taken during construction to ensure the mature tree located on the property to the east is maintained throughout the redevelopment process.*

The applicant was present at the meeting and has confirmed the conditions will be addressed at time of Building Permit application.

6. FACTORS:

6.1 2040 Official Community Plan (OCP) / Land Use / Public Engagement

OCP: “Residential 3 – Low Rise Apartment” as designated within the Downtown Land Use and Development Plan within the 2040 Official Community Plan.

Land Use: Each property contains a single detached dwelling, and a detached ancillary building is located on 45624 Wellington Avenue (to be demolished).

Public Engagement: The applicant hand-delivered an information package on September 12, 2023 to neighbours within 30m of the subject properties requesting submission of questions or concerns in regard to the proposed variances. The applicant received support from five neighbours and opposition from two at time of consultation. The neighbours were left with a handout which included an engagement survey. A copy of the engagement package has been included within the public record.

6.2 Neighbourhood Character

The subject properties are located in an established area within the downtown neighbourhood and are immediately surrounded by single detached dwellings within the R2 (Urban Residential Transition) Zone. The surrounding area is comprised solely of residential uses within a variety of residential zones.

6.3 Technical Issues

- Floodplain: The subject properties are located within the protected floodplain and subject to the Floodplain Regulation Bylaw.
- Watercourses: There are no known watercourses within or in the immediate vicinity of the subject properties.
- Geotechnical Issues: The properties are not subject to any known geotechnical hazards or earthquake related risks.

6.4 Conditions of Issuance

Staff support the requested variances as proposed by the applicant and recommend approval of the draft DVP and DP, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Variance Permit and Development Permit.

7. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01335 with respect to properties located at 45624 and 45632 Wellington Avenue, subject to the recommendations as stipulated within the draft Development Variance Permit.

Recommendation that Council approve the issuance of Development Permit DP001667 with respect to properties located at 45624 and 45632 Wellington Avenue, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Permit.

Substantiation:

The requested variances are supportable and are not anticipated to significantly impact neighbouring properties or the neighbourhood as a whole given the proposed siting and articulation of the building's façade.

The proposed apartment development meets the intent of the Design Guidelines for Development Permit Area No. 6 through the use of extensive landscaping, building articulation and varied design features that are expected to create an appealing streetscape.

8. DEVELOPMENT PERMIT AREA NO. 6 DESIGN GUIDELINE CHECKLIST:

Design Guidelines		Yes/No	Comments
1.1	Landscaping & building materials		
	Preserve existing trees where possible	No	<ul style="list-style-type: none"> No existing trees are retained.
	Utilize tree species & vegetation common to area	Yes	<ul style="list-style-type: none"> Tree species are consistent with the Tree Management Bylaw.
	Use varied building materials (i.e. combinations of wood, brick, rock, etc.)	Yes	<ul style="list-style-type: none"> The proposed exterior finishes for the buildings include materials such as: horizontal cement board siding with 6-inch exposure (pearl gray and arctic white), cement board panel siding (boothbay blue, night gray, arctic white and iron gray), cement board shakes (evening blue), brick (covington), stone retaining wall (mountain tan) and white aluminum privacy screens and railings
2.1	Building shape & form		
	Provide visual variety in building form, shape & character	Yes	<ul style="list-style-type: none"> Roof articulation, building projections, recesses, balconies, and the incorporation of a variety of materials and modern detailing, create a visually appealing design.
	Avoid large expanses of blank façade	Yes	<ul style="list-style-type: none"> The design avoids large expanses of blank façade by using a large variety of materials, colours and building articulation.
	Use a variety of complementary colors	Yes	<ul style="list-style-type: none"> The proposed exterior finishes include a variety of colours that complement each other. A copy of the colour and material list is attached
3.1	Physically integrate development with adjacent development		
	Shared access, consolidate open space, etc	N/A	<ul style="list-style-type: none"> As the property is adjacent to a single detached homes, shared access or open space is not possible.
3.2	Scale, mass & form is sensitive to adjacent properties		
	Height not to exceed more than 8m above adjacent historically significant home	N/A	<ul style="list-style-type: none"> There are no significant historical buildings adjacent to the site
	Use articulation, vary materials and colors to provide visual relief	Yes	<ul style="list-style-type: none"> A complementary colour scheme with diverse building materials, and building articulation in both the façade and roofline, serves to create visually appealing development.
	Series of modules fit together	Yes	<ul style="list-style-type: none"> Roof articulation and varying architectural treatments create a design where the building appears as a series of units or modules that fit together
	Differentiate between pedestrian-level commercial/upper level residential development	N/A	<ul style="list-style-type: none"> No commercial development proposed
	Complement existing size, mass, and scale of surrounding development	Yes	<ul style="list-style-type: none"> The proposed building has been designed in a comprehensive manner and respects the existing character of the area by using articulation and a variety of materials along all four elevations.
	Consideration of views from adjacent developments	Partial	<ul style="list-style-type: none"> Given the proposed building height of 17.4m, views that are currently experienced by adjacent properties will inevitably be impacted. Given the proposed setbacks of 6m and use of various materials and articulation, impacts to views from neighbouring properties are expected to be minimized

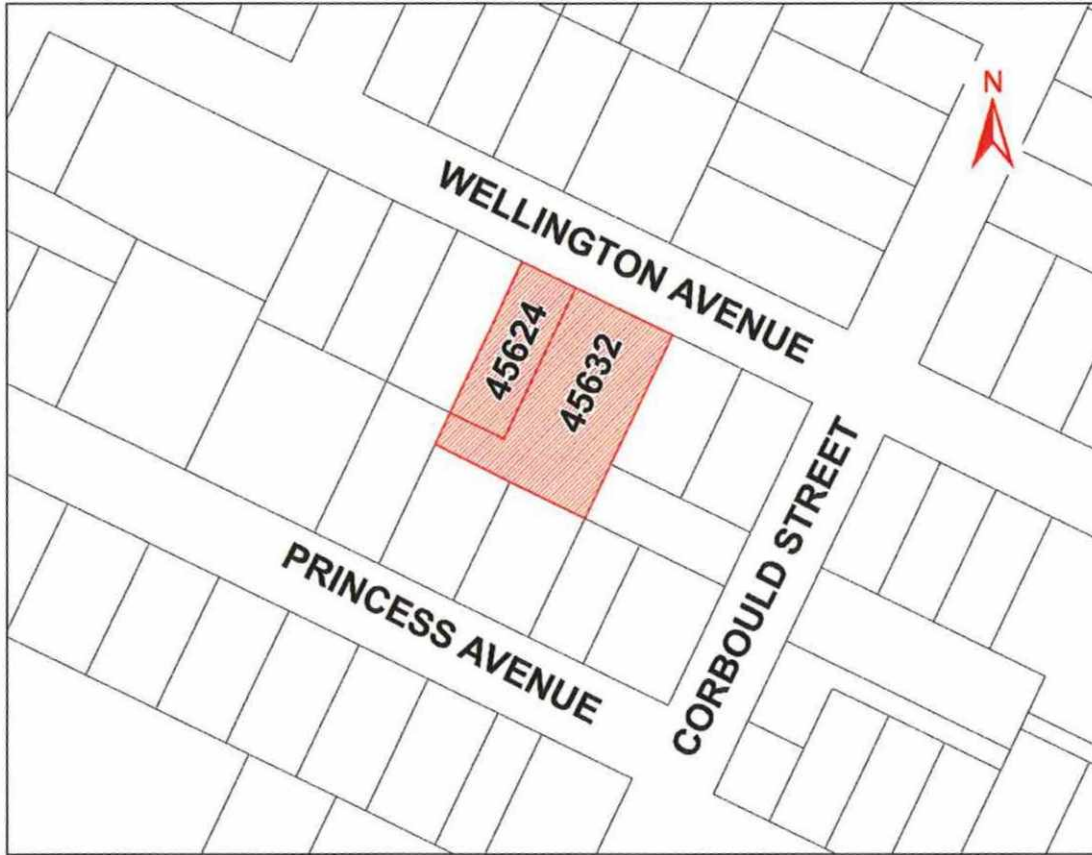
4.1	Maximize a positive impact on the street		
	Preserve & integrate existing natural features where possible	N/A	<ul style="list-style-type: none"> No existing natural features to be preserved.
	Orient development towards street	Yes	<ul style="list-style-type: none"> The proposed building is oriented towards Wellington Avenue and includes a welcoming entrance with extensive landscaping
	Locate development close to & parallel to street	Yes	<ul style="list-style-type: none"> Same as above
	Consider impact of sun, wind & shadows on site	Yes	<ul style="list-style-type: none"> The proposed development includes a common amenity area on top of the proposed parkade along the three adjacent property lines. The siting of the amenity area will ensure a majority of the space receives sunlight year-round as the south-facing areas are not obstructed by the building
4.2	Locate mechanical equipment and service areas out of public view		
	Locate or screen mechanical and operational equipment from the view of tenants and from the street	Yes	<ul style="list-style-type: none"> It is recommended that all utility equipment be screened from public view through a combination of landscaping, fencing or vinyl wrapping. The proposed site plan includes vinyl wrapping on the PMT which is surrounded by landscaping.
5.1	Entrances into the development must be highly visible, easy to find and logical in location.		
	Emphasize vehicle entrance through additional landscaping, tree planting, appropriate signage & lighting	Yes	<ul style="list-style-type: none"> The pedestrian entrance is clearly defined by extensive landscaping and signage. It is recommended that a lighting plan be submitted prior to the issuance of a Building Permit to ensure adequate lighting is provided throughout the development.
	Define pedestrian & vehicle corridors	Yes	<ul style="list-style-type: none"> The proposal includes pedestrian and vehicle access that is clearly marked/defined.
5.2	Parking areas must be adequate in size, efficient in layout and safe in location & design		
	Parking areas are visually secured all day	Yes	<ul style="list-style-type: none"> All parking is located within the secured parkade (see attached parkade plan for summary of parkade security and access control).
	Provide parking areas that are easily accessible but do not dominate the user's first impression of the site	Yes	<ul style="list-style-type: none"> Easily accessible parking for both visitors and residents will be provided within the secured parkade.
	Avoid the provision of parking in the front yard	Yes	<ul style="list-style-type: none"> Same as above.
	Adequate concealed underground parking	Yes	<ul style="list-style-type: none"> The parkade wall is treated with a green wall to mitigate the impact of the parkade adjacent to neighbouring properties. Along the Wellington Avenue frontage, brick siding used in the upper stories is brought to the ground level to mask the parkade. The parkade wall is also partially screened by landscape planters along Wellington Avenue.
	Avoid large expanses of contiguous parking	Yes	<ul style="list-style-type: none"> Large expanses of parking are avoided as all parking is provided within the parkade
	Use landscaping to soften the impact of parking area	Yes	<ul style="list-style-type: none"> Substantial landscaping is proposed throughout the development, specifically along the street frontage. As all parking is provided within the parkade, screening with landscaping is not required.

6.1	Building entrances must be highly visible, attractive and inviting to the pedestrian		
	Clearly identify and orient the primary pedestrian entrance to the street	Yes	<ul style="list-style-type: none"> The main entrance is clearly defined through the use of landscaping and signage.
	Provide separate ground-level entrances for commercial and residential developments	N/A	<ul style="list-style-type: none"> Commercial uses are not proposed
	Provide a suitable transition from public (street) to semi-private to private (entrance) through scale, detail, and sense of enclosure	Yes	<ul style="list-style-type: none"> The proposed landscaping planters and outdoor front entrance area provide a suitable transition between public, semi-private and private space.
6.2	Enhance the pedestrian experience by providing interest at the street level		
	Set back building facades to create amenity areas that interact with the street	Yes	<ul style="list-style-type: none"> The building face is setback 6m from the street where substantial landscaping and outdoor entrance area interact with the City sidewalk All units that face the street include large outdoor patios that overlook and interact with the public space
	Use various materials and design techniques to create through-visibility or transparency, (e.g. windows, see-through landscaping and fencing, etc.) at ground level	Yes	<ul style="list-style-type: none"> Low level landscaping and glazing in the lobby and on the first residential storey is provided
	Have a pedestrian oriented building base of 1 to 3 storeys that is distinct from upper storey developments	Yes	<ul style="list-style-type: none"> The use of brick grounds the first three stories of the building to create a pedestrian oriented base.
	Provide architectural detail to capture pedestrian attention	Yes	<ul style="list-style-type: none"> The building articulation, glazing, variety of building materials/colours, and the incorporation of landscaping serve to capture pedestrian attention
6.3	Design outdoor spaces to provide a sanctuary for its occupants		
	Create useable, accessible & highly visible on-site people places & amenity areas (i.e. paths, courtyards, upper level decks, playgrounds, etc.)	Yes	<ul style="list-style-type: none"> The development includes a 687m² outdoor common amenity area complete with seating areas, games tables and play areas, which are easily accessible to residents
	Accommodate the year-round use of outdoor spaces by considering environmental conditions (e.g. sun angles and prevailing winds)	Yes	<ul style="list-style-type: none"> Private amenity areas include balconies that may be used on a year-round basis. The proposed development includes an outdoor common amenity, most of which will benefit from sunlight year-round.

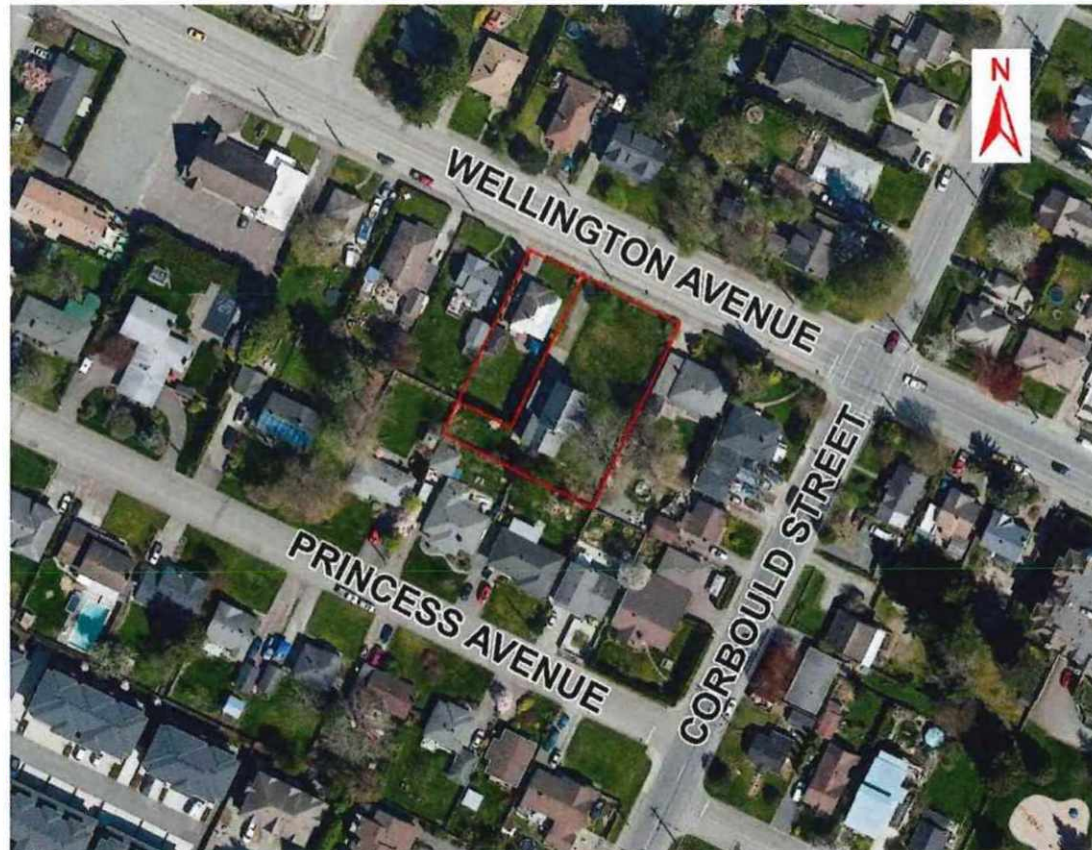
8. SOURCES OF INFORMATION:

- Development Permit Application (DP001667) – January 23, 2023
- Development Variance Permit Application (DVP01335) – January 23, 2023
- Development Application Review Team (DART) Minutes – March 30, 2023
- CPTED Report, prepared by *AMR Systems* – January 23, 2023

Location Map



Ortho Photo





**CITY OF CHILLIWACK
NOTICE OF PUBLIC INFORMATION MEETING**

Tuesday, September 26, 2023 at 6:30 pm

Council Chambers

8550 Young Road, Chilliwack BC V2P 8A4

www.chilliwack.com

TAKE NOTICE that the Council of the City of Chilliwack will hold a Public Information Meeting, as noted above, on the following item:

1. DEVELOPMENT VARIANCE PERMIT (DVP01335)

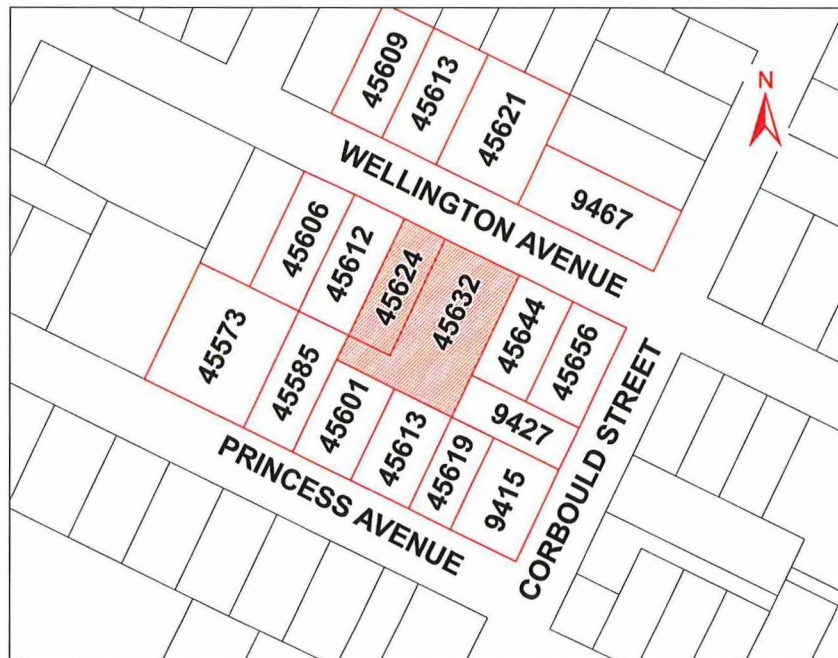
Location: 45624 and 46532 Wellington Avenue

Applicant: 1365242 BC Ltd.

Purpose: To vary the following standards within the Zoning Bylaw, to facilitate the construction of an apartment, within the subject properties, as shown on the map below:

- reduce the minimum interior side lot line setback from 6.75m to 6m for the 4th storey and from 7.5m to 6m for the 5th storey;
- increase the maximum lot coverage from 50% to 86% for an off-street parking structure;
- waive the requirement for a common amenity area to be located more than 5m from a window serving a dwelling unit;
- waive the requirement for a private amenity area to have a minimum dimension of 3m for eight ground-oriented units; and,
- waive the requirement to provide an off-street loading space.

Location Map



Please review the instructions below in regard to the participation options for the Public Information Meeting:

1. Written submissions, **including your full name and address**, to the Legislative Services Department at 8550 Young Road, Chilliwack, BC V2P 8A4 or by email to clerks@chilliwack.com **no later than 4:00 pm on Monday, September 25, 2023.**
2. Participate in person at the City of Chilliwack, Council Chambers, located at 8550 Young Road, Chilliwack, BC.

All submissions will be recorded and form part of the official record of the meeting. The Council meeting will be broadcast live on the City of Chilliwack website via the following link: www.chilliwack.com/live for viewing by the public.

This proposed permit will be provided via email upon request between the hours of 8:30 am and 4:30 pm, Monday through Friday, excluding holidays, from **Wednesday, September 13, 2023 to Tuesday, September 26, 2023**, both inclusive, by the Planning Department at **604-793-2906** or planning@chilliwack.com.

Please note that no further information or submissions can be considered by Council after the conclusion of the Public Information Meeting.


Jacqueline Morgan, CMC
Corporate Officer

Date Received: September 13/23
 Received From: Azure Properties
 Folder Number: DVP01335 + DP001667
 Subject Property: 45624+45632 Wellington Avenue
 Council Date: September 26/23 pg. 1 of 3

September 2023

UPCOMING DEVELOPMENT ENGAGEMENT



QUALITY HOUSING!

- Designed with heritage and community character in mind
- Aligns with current OCP zoning
- Variety of housing options for families, young adults & seniors
- Ample parking in underground parkade with no variances
- Project expected at council September 26th or October 10th



Experienced Builders and Architects

Azure has partnered with Keystone Architecture to bring housing to Chilliwack's vibrant and growing downtown community. Combined, the two groups have experience creating thousands of homes across the Lower Mainland. Each of our projects are designed with meticulous detail to increase livability and provide exceptional quality.



Environmental Sustainability

The midrise high-density building makes an effective use of municipal services and facilitates an economies of scale in the delivery of mass. Water efficient landscaping will also aid in storm water management.



Contact Us

Please contact us using one of the options below to share your support for our project. Our staff would love to hear from you!

Azure Properties Group
www.azureproperties.group
info@azureproperties.group



Engagement Survey Above

Date Received: September 13, 2023
 Received From: Azure Properties

Folder Number: WP01335 + 2 pages
 Page 1 of 6
 Subject Property:
 Council Date:

Application Number: 22-106

Development Application: Public Engagement Summary

Property Address(es): 45624 & 45632 Wellington Avenue, Chilliwack, BC

Applicant Contact Information: Keystone Architecture 604-850-0577

Purpose: The purpose of this application is to inform the public about an upcoming development in their neighbourhood, with an optional survey for further engagement

The above-required application number, property address, applicant contact information, and purpose statement must be included on each page of the summary chart

Name	Address	Method of Contact	Support	Oppose	Comments/Responses
N/A	9467 Corbould St	Door Knock x2			No Answer - Left Newsletter
N/A	45621 Wellington Ave	Door Knock			Spoke through Door Cam - Left Newsletter
N/A	45613 Wellington Ave	Door Knock	✓		Pro-Development Pro Design
N/A	45609 Wellington Ave	Door Knock x2			No Answer - Left Newsletter
N/A	45606 Wellington Ave	Door Knock			Renter opted to provide Newsletter to Owner
N/A	45612 Wellington Ave	Door Knock	✓		Pro Design Appreciate Change Pro More Neighbours
Gregory	45573 Princess Ave	Door Knock	✓		Pro Development Businesses downtown need more people for success
Kim McEwen	45644 Wellington Ave	Door Knock		✓	Doesn't want neighbourhood to change Tenant would like to stay
Mike Borden	45656 Wellington Ave	Door Knock	✓		No issue with new development
					Tenant only wants Developers to be accountable to promises such as low income housing
Cheryl Walker	9427 Corbould St	Door Knock	✓		7 year tenant - We need more housing/affordable rentals and better neighbours
					Worried about construction noise impacting autistic son

Subject Property: 45624+45632 Wellington Avenue
 Council Date: September 26, 2023
 page 2 of 3

This summary will be submitted to the City of Chilliwack, to be included within the public record, for the above-noted application. By providing personal information on this document you are providing your consent to permit all information provided therein to be viewed by the public.

Date Received:

September 13, 2023

Received From:

Azure Properties

Folder Number:

DP01635 + DP01667

Subject Property:

Council Date:

Application Number: 22-106

Development Application: Public Engagement Summary

Property Address(es): 45624 & 45632 Wellington Avenue, Chilliwack, BC

Applicant Contact Information: Keystone Architecture 604-850-0577

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Name	Address	Method of Contact	Support	Oppose	Comments/Responses
N/A	9467 Corbould St	Door Knock x2			No Answer - Left Newsletter
N/A	45621 Wellington Ave	Door Knock x2			No Answer - Left Newsletter
N/A	45613 Wellington Ave	Door Knock x2			No Answer - Left Newsletter
N/A	45609 Wellington Ave	In-person Visit			No Soliciting Sign - Left Newsletter
Shelsey Pascuzzo	45585 Princess Ave	Door Knock	✓	✓	Oppose this project due to loss of privacy and noise with new residents
					Supports new builds in Chilliwack, needed by City
					Wishes City had plan to develop all projects at once
					Moving to Alberta end of the month

Subject Property: 45624 + 45632 Wellington Avenue

Council Date:

September 26, 2023

page 3 of 3

This summary will be submitted to the City of Chilliwack, to be included within the public record, for the above-noted application. By providing personal information on this document you are providing your consent to permit all information provided therein to be viewed by the public.

From: [Virginia Reemeyer](#)
To: [Clerks Dept Email](#)
Subject: Variance Permit (DVP01335) Wellington Ave [EXTERNAL]
Date: September 22, 2023 5:49:44 PM

To Whom It May Concern

I (Virginia Reemeyer) purchased my house 45619 Princess Ave. in early 2005. I started operating a daycare from my house shortly after moving in. I have spent a lot of money over the years on my house and the property. I now have a beautiful backyard for the children to play in. As a single person I rely on my business to pay my bills.

I am worried the apartment building that is being proposed will negatively impact my business. Building so close to my home and business will cause unrelenting noise while it is being built. The children and I will have no way to escape the loud noises. The children and I can not wear earplugs or noise cancelling headphones. Increasing the size of the apartment will add more construction time, making us listen to constant noise and also make it closer to my property. The noise will disrupt the children's afternoon nap.

All of the other houses in and around my neighbourhood are all single or two level detached homes. Having a 5 storey apartment will look out of place and also make our backyards visible to many people in the apartment building. I am not sure how my daycare families would feel knowing that people can stare down at their children while at daycare.

The property has large walnut trees that is home to raccoons and squirrels. Cutting them down to make the apartment bigger is leaving them without a home.

Virginia Reemeyer



SCHEDULE "A"

CITY OF CHILLIWACK

DEVELOPMENT VARIANCE PERMIT NO. DVP01335

To: 1365242 BC Ltd.
8136 192 Street
Surrey, BC V4N 5S9

1. This Development Variance Permit is issued subject to compliance with all of the Bylaws of the City of Chilliwack applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies only to those lands within the City of Chilliwack described below, to facilitate the construction of a new apartment development, and does not apply to any additions or subsequent replacement of any and all buildings and structures and other development thereon:

Parcel Identifier No. 011-438-363
Legal Description: PARCEL "A" (REFERENCE PLAN 13883) LOT 4 DIVISION "A" NEW WESTMINSTER DISTRICT PLAN 9917
Address: 45624 Wellington Avenue

Parcel Identifier No. 023-057-190
Legal Description: LOT 4 EXCEPT: PARCEL "A" (REFERENCE PLAN 13883); DIVISION "A" NEW WESTMINSTER DISTRICT PLAN 9917
Address: 45632 Wellington Avenue

3. In accordance with the provisions of Section 498 of the *Local Government Act* the following section(s) of "Zoning Bylaw 2020, No. 5000" are varied as stated:

Section 8.11(7)(g) within the R5 (Low Rise Apartment) Zone is varied by reducing the minimum interior side lot line setback from 6.75m to 6m for the 4th storey;

Section 8.11(7)(g) within the R5 (Low Rise Apartment) Zone is varied by reducing the minimum interior side lot line setback from 7.5m to 6m for the 5th storey;

Section 8.11(5)(a) within the R5 (Low Rise Apartment) Zone is varied by increasing the maximum permitted lot coverage from 50% to 86%;

DRAFT

Section 4.08(6)(e)(i)(C)(III) Regulations Applicable to Specific Zones is varied by waiving the requirement for the common amenity area to be setback 5m from a window serving a dwelling unit;

Section 4.08(6)(g)(iii) Regulations Applicable to Specific Zones is varied by waiving the requirement for a private amenity area to have a minimum dimension of 3m for eight ground-oriented units; and,

Section 5.02(6)(g)(iii) Minimum Off-Street Loading Space Requirements is varied by waiving the requirement to provide an off-street loading space.

4. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and the plans and information contained within the application. The following condition applies:
 - a) that the development be in accordance with the plans found in Schedule "A".
5. Pursuant to Section 504 of the *Local Government Act*, if the permittee does not substantially start any construction permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.
6. This Permit is not a Building Permit.

APPROVED BY COUNCIL ON THE ____ DAY OF ____, 2023.

ISSUED THIS ____ DAY OF _____, 2023.

CORPORATE OFFICER

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Schedule "A"

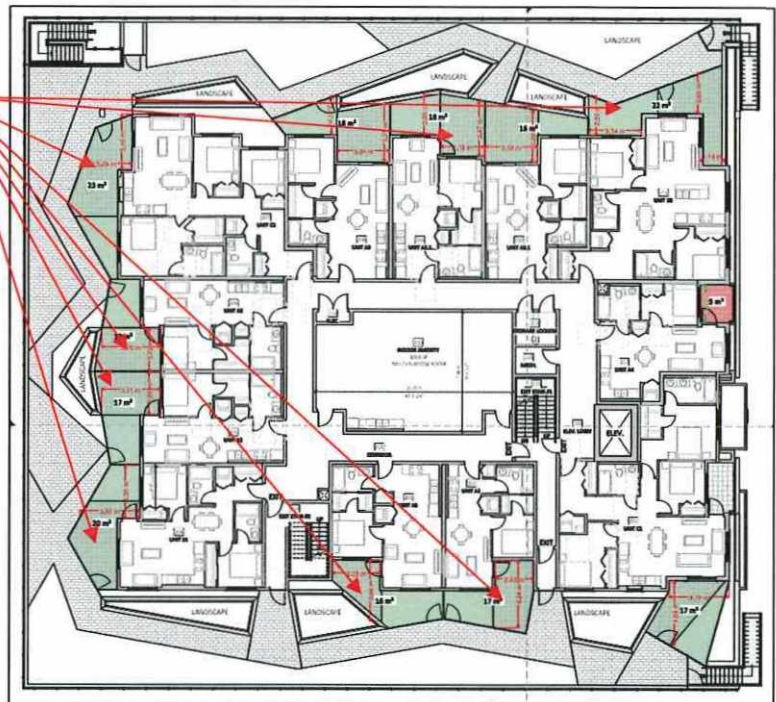
East Elevation (as provided by the applicant)

Reduce setback to 6m for 4th and 5th storeys on interior side lot lines



Private Amenity Areas (as provided by the applicant)

8 units with less than 3m dimension



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CITY OF CHILLIWACK

DEVELOPMENT PERMIT NO. DP001667

(Portion of Development Permit Area No. 6 of the Official Community Plan)

To: 1365242 BC Ltd.
8136 192 Street
Surrey, BC V4N 5S9

1. This Development Permit applies to the following property:

Parcel Identifier No. 011-438-363
Legal Description: PARCEL "A" (REFERENCE PLAN 13883) LOT 4 DIVISION "A" NEW WESTMINSTER DISTRICT PLAN 9917
Address: 45624 Wellington Avenue

Parcel Identifier No. 023-057-190
Legal Description: LOT 4 EXCEPT: PARCEL "A" (REFERENCE PLAN 13883); DIVISION "A" NEW WESTMINSTER DISTRICT PLAN 9917
Address: 45632 Wellington Avenue

2. Development of the subject property shall be substantially in conformance to the following:

- Development shall be in accordance with the approved site plan and elevations attached within Schedule "A";
- That a detailed lighting plan be submitted, prior to the issuance of a Building Permit, to ensure adequate lighting is provided for all walkways, parking areas and elevations of the building;
- That glazing, in the form of side lights or glazed doors, be provided for all entrances into and out of stairwells, exits and communal spaces;
- That a well-lit complex sign be provided along Wellington Avenue;
- That all utility equipment be screened from public view through installation of landscaping fencing, or vinyl wrapping;
- That an irrigation system be included into the landscaped areas within the site;
- That a coded gate be provided at the entrances to the lobby, parking area and amenity area;

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- That non-combustible cladding and soffits be provided within the balconies;
- That a rubberized tile surface be included within the playground areas to ensure site safety and accessibility;
- That additional shade or trees be provided within the south side of the common amenity area, specifically surrounding the playground area, to ensure year-round use;
- That protection measures be taken during construction to ensure the mature tree located on the property to the east is maintained throughout the redevelopment process; and,
- Specifications of Development Permit Area No. 6 (Infill Development Form and Character) of the City of Chilliwack Official Community Plan.

N.B. The above technical information is retained on file in the Planning Department.

3. This Development Permit is not a Building Permit and does not constitute approval of any proposed subdivision.
4. Pursuant to Section 504 of the *Local Government Act*, if the permittee does not substantially start any construction permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

APPROVED BY COUNCIL ON THE ____ DAY OF ____, 2023.

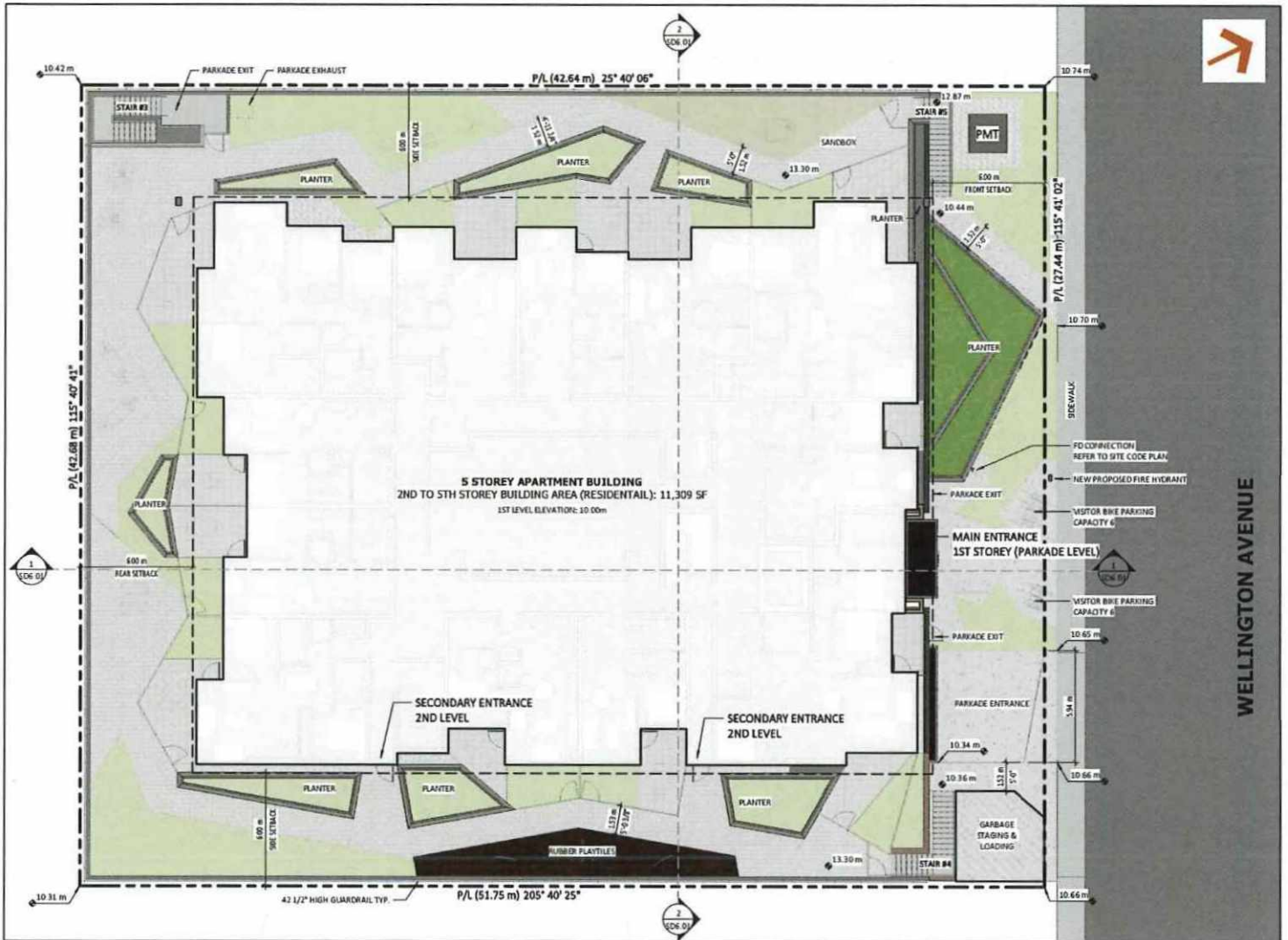
ISSUED THIS ____ DAY OF ____, 2023.

CORPORATE OFFICER

DRAFT

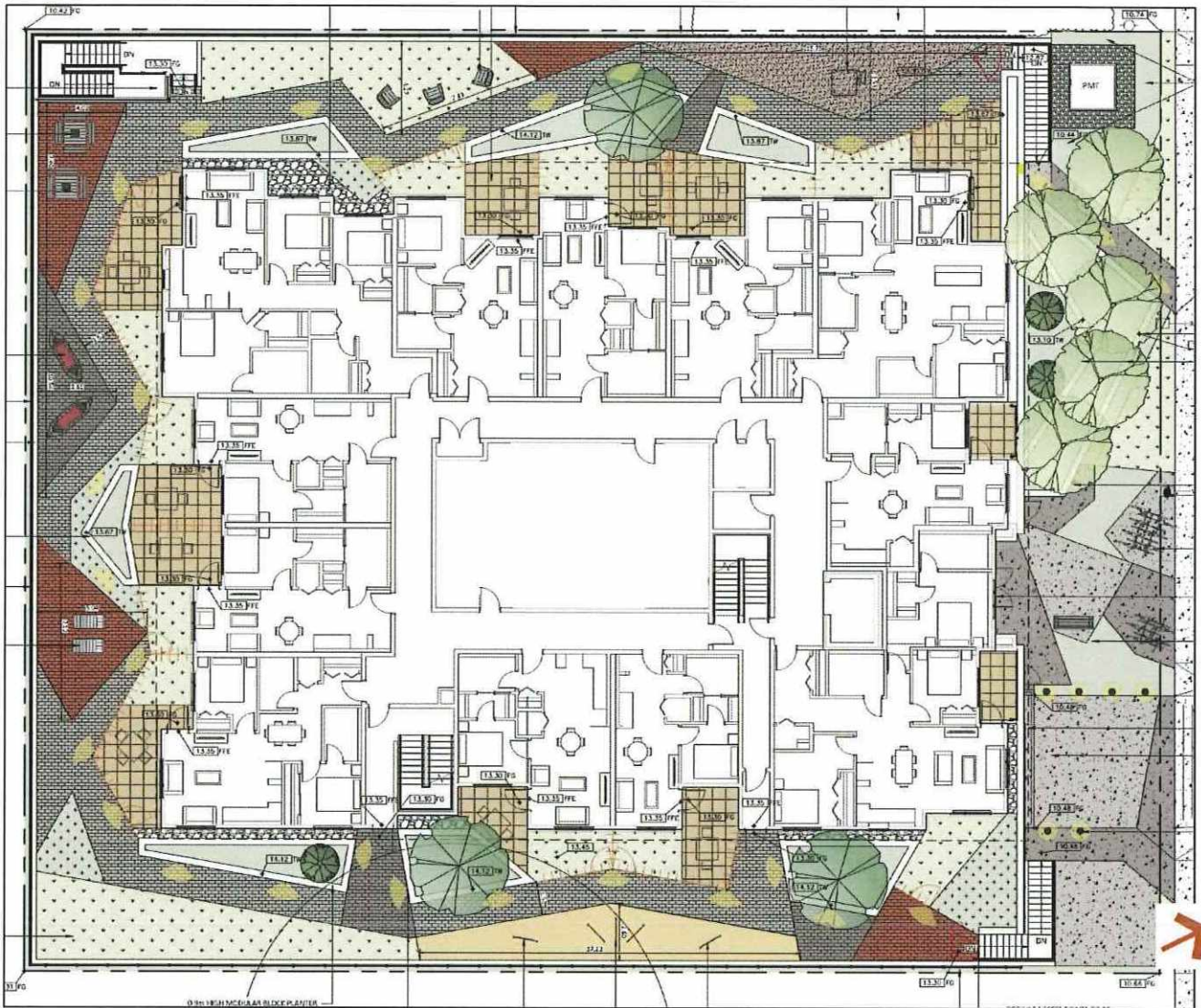
Schedule "A"

Site Plan (as provided by the applicant)

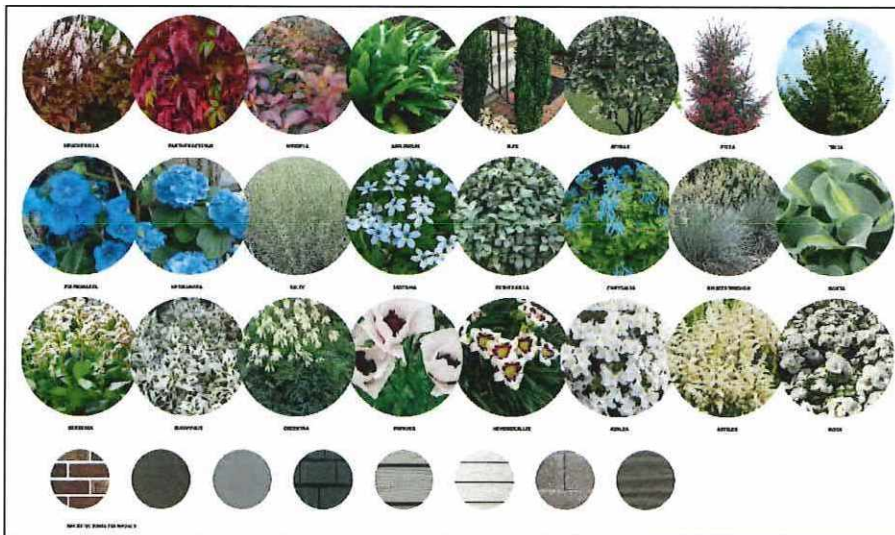


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Landscape Plan (as provided by the applicant)



Plant List



DRAFT

Elevations (as provided by the applicant)

North



East



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Elevations (cont.)

South



West



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Colours and Materials (as provided by the applicant)

The image shows an architectural elevation of a building facade with various material callouts. The building has multiple stories with windows and a central entrance area labeled 'AZURE'. The elevation is divided into sections by vertical lines labeled A through M. On the left, there are horizontal level markers: 300' - 0" (297'-0 1/2"), 270' - 0" (267'-0 1/2"), 240' - 0" (237'-0 1/2"), 210' - 0" (207'-0 1/2"), 180' - 0" (177'-0 1/2"), and 150' - 0" (147'-0 1/2").

Material Legend:

1. BRICK - COVINGTON
2. CEMENT BOARD PANEL - BOOTHBAY BLUE
3. CEMENT BOARD PANEL - NIGHT GRAY
4. CEDAR TRIM - WHITE WASH
5. CEDAR TRIM - SPARKLING
6. SHINGLES - EVENING BLUE
7. LAP SIDING - ARCTIC WHITE
8. CEMENT BOARD PANEL - PEARL GRAY
9. STONE BLOCK - MOUNTAIN TAN

Notes:

1. ALL MATERIALS SHALL BE INSTALLED ACCORDING TO MANUFACTURER'S INSTRUCTIONS.
2. ALL MATERIALS SHALL BE INSTALLED ACCORDING TO MANUFACTURER'S INSTRUCTIONS.
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18. ALL MATERIALS SHALL BE INSTALLED ACCORDING TO MANUFACTURER'S INSTRUCTIONS.
19. ALL MATERIALS SHALL BE INSTALLED ACCORDING TO MANUFACTURER'S INSTRUCTIONS.
20. ALL MATERIALS SHALL BE INSTALLED ACCORDING TO MANUFACTURER'S INSTRUCTIONS.

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Renderings (as provided by the applicant)



DRAFT

AGENDA ITEM NO: 11.4.2

MEETING DATE: September 26, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Benjamin Meeres
Development Variance Permit / 48200 DATE: September 14, 2023
Briteside Road


DEPARTMENT: Planning
DVP01367 PREPARED BY: Stacy Johnson / cc

1. SUMMARY OF ISSUE:

The applicant is seeking to increase the maximum permitted height for a rural ancillary building within the AU (Agricultural Upland) Zone from 6m to 6.9m to legitimize an existing building on the subject property.

2. RECOMMENDATION:

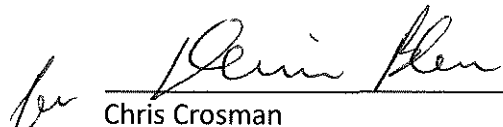
Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01367 with respect to property located at 48200 Briteside Road, subject to the recommendations as stipulated within the draft Development Variance Permit.



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman
Chief Administrative Officer

4. FACTORS:

4.1 Zoning/2040 Official Community Plan (OCP) Designation/Land Use

Current Zone: AU (Agricultural Upland) Zone

OCP Designation: "Agriculture" as designated within the 2040 OCP

Existing Land Uses: A principle dwelling (approx. 315m²), an agricultural storage building, a garden suite (approx. 27m²) and 85% of the land is used to raise and graze 4-10 beef cattle, mostly Scottish Highland.

4.2 Neighbourhood Character

The subject property is located at the southern boundary of the Ryder Lake neighbourhood and the City of Chilliwack municipal boundary. The surrounding properties (within the City of Chilliwack) are between 3.6ha (9ac) and 6.07ha (15ac), located in the ALR and are zoned AU and AS (Agricultural Small Lot).

4.3 Technical Issues

Floodplain: The subject property is located outside of the floodplain.

Watercourses: The property is not affected by any known watercourses.

Geotechnical Issues: The property is located in an area mapped as having significant and potential geohazard areas. The Building Permit review will ensure that geotechnical considerations are addressed.

4.4 Conditions of Issuance

Staff support the requested variance as proposed by the applicant and recommend approval of the draft Development Variance Permit subject to the following condition being met:

- That the development be in accordance with the plans found in Schedule "A".

5. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

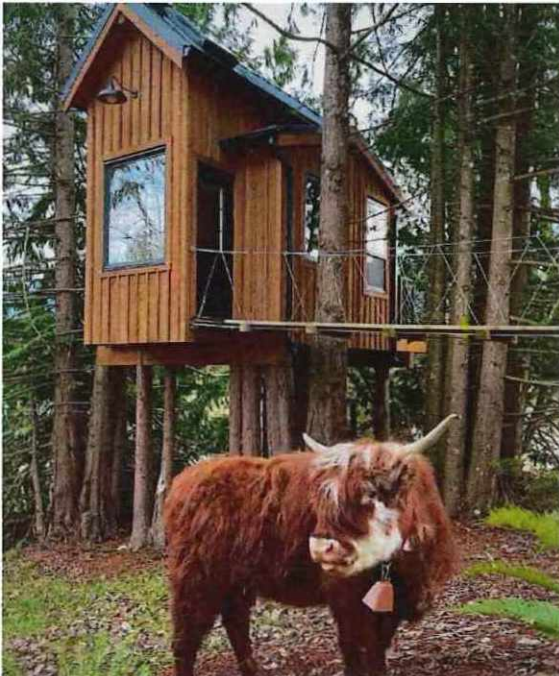
Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01367 with respect to property located at 48200 Briteside Road, subject to the recommendations as stipulated within the draft Development Variance Permit.

Substantiation:

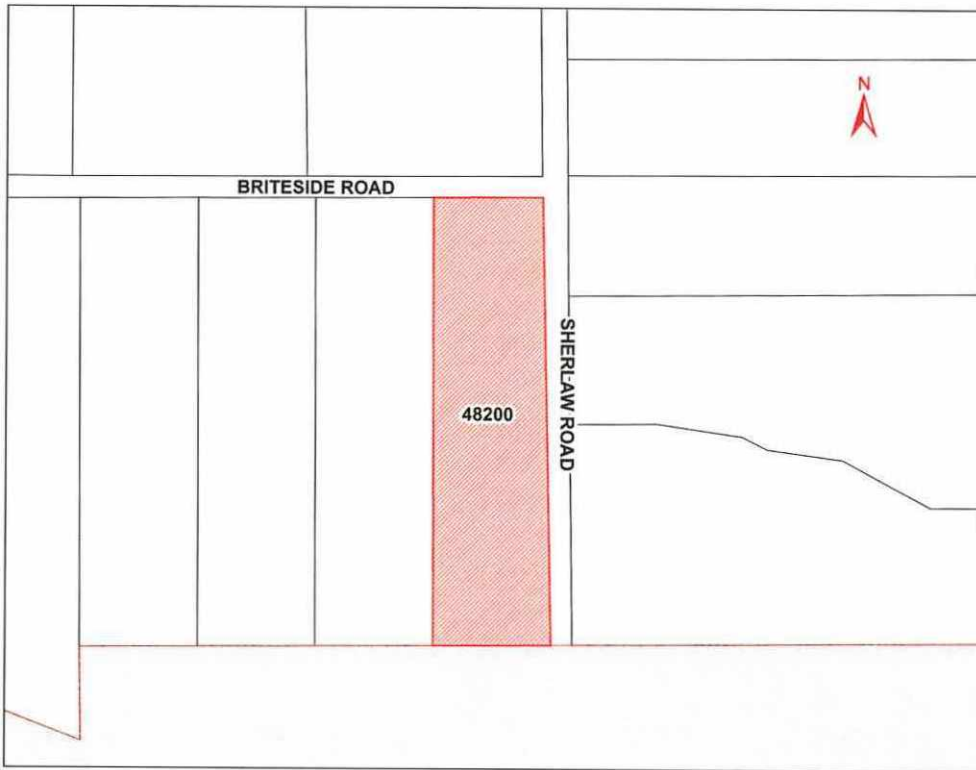
The requested increase to the maximum permitted building height for a rural ancillary building within this property is considered minor due to the small size of the building relative to the size of the property. Given that the ancillary building is approximately 15m² in area and is intended to be used for storage, the retention of this building is not anticipated to have an impact on the surrounding area.

6. SOURCES OF INFORMATION:

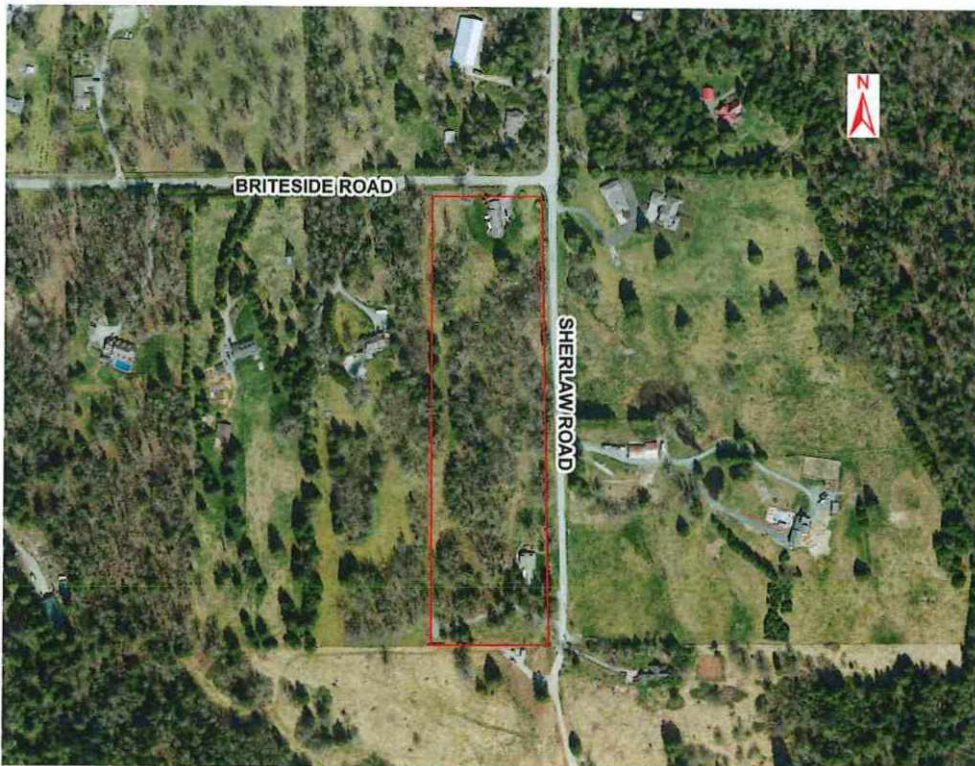
- Development Variance Permit Application (DVP01367) – June 2, 2023
- Building Permit Application (BP034481) – Garden Suite – April 12, 2023
- Building Permit Application (BP034681) – Storage Building – July 18, 2023
- ALR Application (ALR00931) – February 10, 2022

Site Photo

Location Map



Orthophoto





**CITY OF CHILLIWACK
NOTICE OF PUBLIC INFORMATION MEETING**

Tuesday, September 26, 2023 at 6:30 pm

Council Chambers

8550 Young Road, Chilliwack BC V2P 8A4

www.chilliwack.com

TAKE NOTICE that the Council of the City of Chilliwack will hold a Public Information Meeting, as noted above, on the following item:

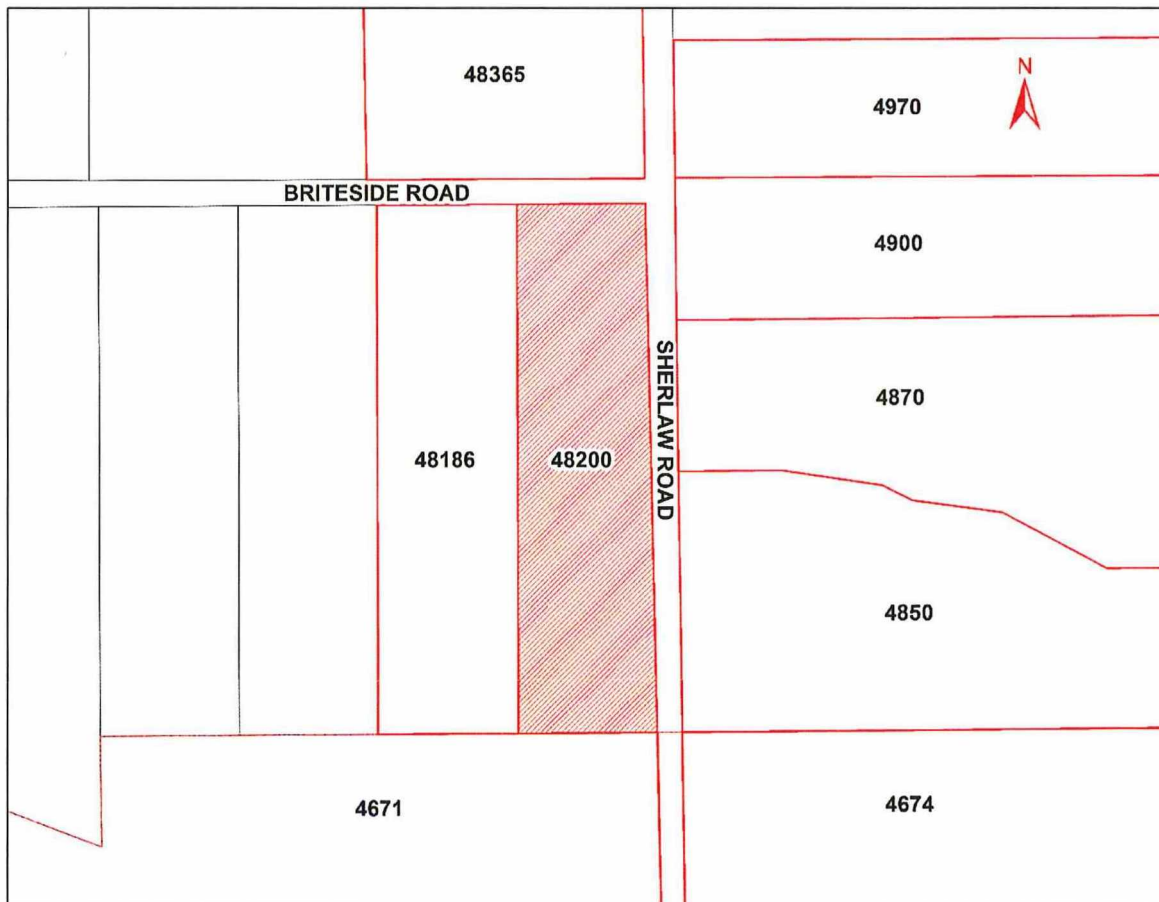
1. DEVELOPMENT VARIANCE PERMIT (DVP01367)

Location: 48200 Briteside Road

Applicant: Benjamin Meeres

Purpose: To increase the maximum permitted height for a rural ancillary building within the AU (Agricultural Upland) Zone from 6m to 6.9m, to legitimize an existing building on the subject property, as shown on the map below.

Location Map



Please review the instructions below in regard to the participation options for the Public Information Meeting:


1. Written submissions, **including your full name and address**, to the Legislative Services Department at 8550 Young Road, Chilliwack, BC V2P 8A4 or by email to clerks@chilliwack.com **no later than 4:00 pm on Monday, September 25, 2023.**
2. Participate in person at the City of Chilliwack, Council Chambers, located at 8550 Young Road, Chilliwack, BC.

All submissions will be recorded and form part of the official record of the meeting. The Council meeting will be broadcast live on the City of Chilliwack website via the following link: www.chilliwack.com/live for viewing by the public.

This proposed permit will be provided via email upon request between the hours of 8:30 am and 4:30 pm, Monday through Friday, excluding holidays, from **Wednesday, September 13, 2023 to Tuesday, September 26, 2023**, both inclusive, by the Planning Department at **604-793-2906** or planning@chilliwack.com.

Please note that no further information or submissions can be considered by Council after the conclusion of the Public Information Meeting.



 Jacqueline Morgan, CMC
Corporate Officer



SCHEDULE "A"

CITY OF CHILLIWACK

DEVELOPMENT VARIANCE PERMIT NO. DVP01367

To: Joe Meeres
48162 Briteside Road
Chilliwack, BC V4Z 1H2

Benjamin Meeres
48200 Briteside Road
Chilliwack, BC V4Z 1H2

1. This Development Variance Permit is issued subject to compliance with all of the Bylaws of the City of Chilliwack applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies only to those lands within the City of Chilliwack described below, to legitimize an existing ancillary building, and does not apply to any additions or subsequent replacement of any and all buildings and structures and other development thereon:

Parcel Identifier No. 003-217-931
Legal Description: LOT 4 DISTRICT LOT 738 GROUP 2 NEW
WESTMINSTER DISTRICT PLAN 62985
Address: 48200 Briteside Road

3. In accordance with the provisions of Section 498 of the *Local Government Act* the following section(s) of "Zoning Bylaw 2020, No. 5000" are varied as stated:

Section 6.02(7)(i) within the AU (Agricultural Upland) Zone is varied by increasing the maximum permitted height for rural ancillary buildings from 6m to 6.9m.

4. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and the plans and information contained within the application. The following conditions apply:

a) that the development be in accordance with the plans found in Schedule "A";

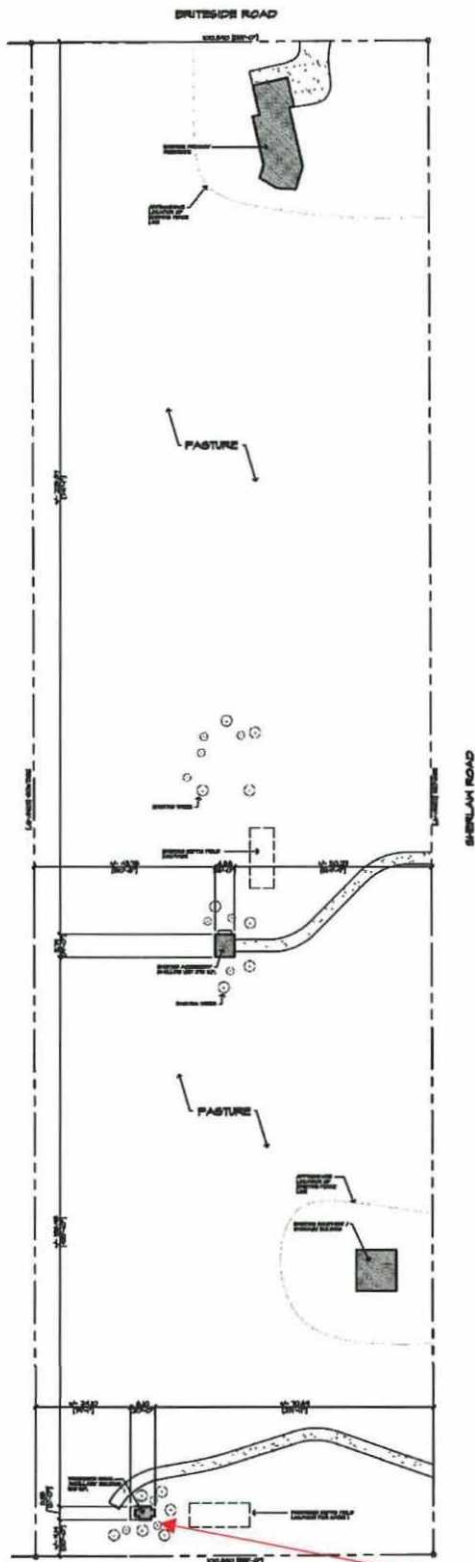
5. Pursuant to Section 504 of the *Local Government Act*, if the permittee does not substantially start any construction permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.
6. This Permit is not a Building Permit.

APPROVED BY COUNCIL ON THE ___ DAY OF ___, 2023.
ISSUED THIS ___ DAY OF ___, 2023.

CORPORATE OFFICER

DRAFT

Site Plan (as provided by the applicant)

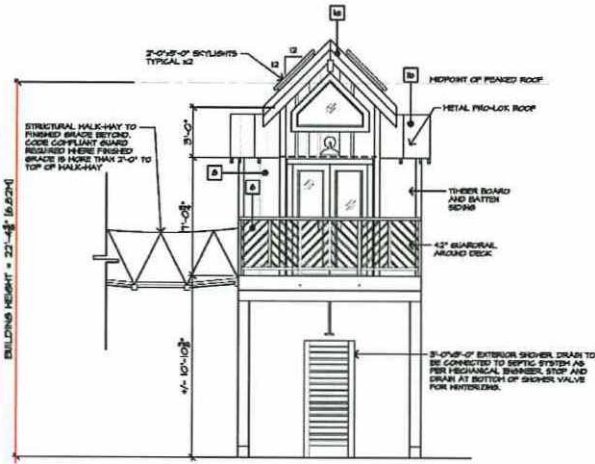


15m² ancillary building approved for 6.9m building height

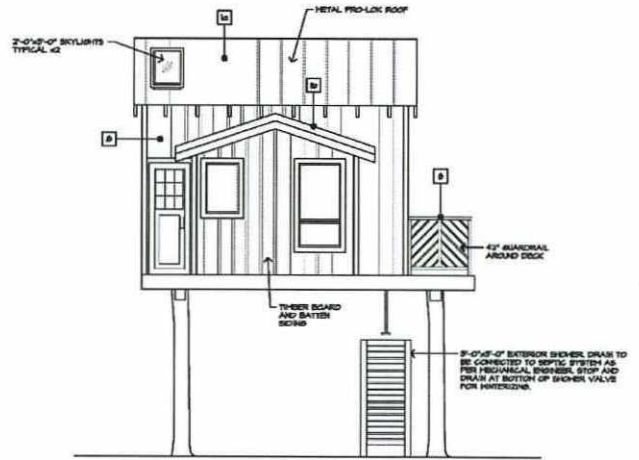
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Elevations (as provided by the applicant)

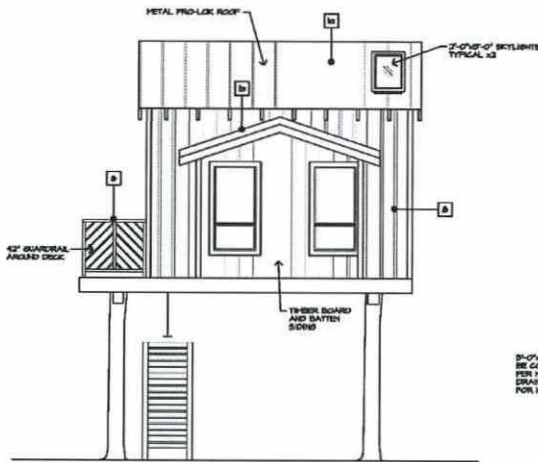
6.9m building height



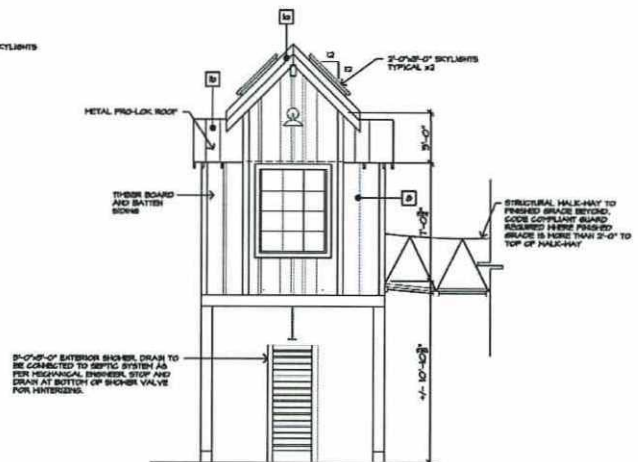
WEST ELEVATION
SCALE: 1/4"=1'-0"



NORTH ELEVATION
SCALE: 1/4"=1'-0"



SOUTH ELEVATION
SCALE: 1/4"=1'-0"



EAST ELEVATION
SCALE: 1/4"=1'-0"

DRAFT

AGENDA ITEM NO: 12.1

MEETING DATE: September 26, 2023

STAFF REPORT - COVER SHEET

SUBJECT: Applications from Public Hearing Date: September 21, 2023

DEPARTMENT: Clerk's Prepared by: Jacqueline Morgan

1. SUMMARY OF ISSUE:

"Zoning Bylaw Amendment Bylaw 2023, No. 5334", which proposes to rezone properties located at 6538 and 6548 Fern Street, from an R1-A (Urban Residential) Zone to an R4-B (Low Density Multi-Unit Secondary Suite) Zone, has been to Public Hearing and is now presented for Council's consideration.

Council may choose to:

- (1) Allow the application to proceed by giving the bylaw third reading and adoption;
- (2) Deny the application;
- (3) Refer the application back to staff.

Development Variance Permit DVP001365 for said properties, which proposes to vary the following Zoning Bylaw standards:

- To reduce the front lot line setback within the proposed R4-B Zone from 6m to 5.5m;
- To reduce the rear lot line setback within the proposed R4-B Zone from 6m to 4m;
- To reduce the minimum common amenity area space requirement from 210m² to 145m²;
- To waive the requirement that a common amenity area have a minimum contiguous area of 200m² and minimum dimension of 6m; and,
- To permit a carport to be considered an unenclosed parking space,

to facilitate a future 11-unit townhouse development, has been to Public Hearing and is now presented for Council's consideration.

Council may choose to:

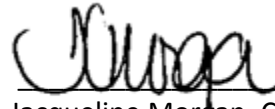
- (1) Approve the application;
- (2) Amend the application;
- (3) Refer the application back to staff;
- (4) Deny the application.

2. RECOMMENDATION:

That "Zoning Bylaw Amendment Bylaw 2023, No. 5334" with respect to properties located at 6538 and 6548 Fern Street be given third reading. (RZ001573)

That "Zoning Bylaw Amendment Bylaw 2023, No. 5334" with respect to properties located at 6538 and 6548 Fern Street be adopted. (RZ001573)

That Council approve the issuance of Development Variance Permit DVP001365 with respect to properties located at 6538 and 6548 Fern Street, subject to the recommendations as stipulated within the draft Development Variance Permit.

A handwritten signature in black ink, appearing to read "Jacqueline Morgan", written over a horizontal line.

Jacqueline Morgan, CMC
Corporate Officer

AGENDA ITEM NO: 12.2

MEETING DATE: September 26, 2023

STAFF REPORT - COVER SHEET

SUBJECT: Applications from Public Hearing Date: September 20, 2023

DEPARTMENT: Clerk's Prepared by: Jacqueline Morgan

1. SUMMARY OF ISSUE:

"Zoning Bylaw Amendment Bylaw 2023, No. 5335", which proposes to rezone properties located at 9132 and 9146 Mary Street, from an RC (Commercial Conversion) Zone to an R6 (Mid Rise Apartment) Zone, has been to Public Hearing and is now presented for Council's consideration.

Council may choose to:

- (1) Allow the application to proceed by giving the bylaw third reading and adoption;
- (2) Deny the application;
- (3) Refer the application back to staff.

Development Variance Permit DVP01322 for said properties, which proposes to vary the following Zoning Bylaw standards:

- reduce the front lot line setback from 6m to 3.3m for an off-street parking structure;
- reduce the exterior side lot line setback from 4.5m to 1m for an off-street parking structure;
- reduce the minimum interior side lot line setback from 6.75m to 6m for the 4th storey and from 7.5m to 6m for the 5th storey;
- waive the requirement for portions of the common amenity area to have a minimum dimension of 6m;
- waive the requirement for a private amenity area to have a minimum dimension of 3m for five ground-oriented units;
- waive the requirement for a common amenity area to be located more than 5m from a window serving a dwelling unit;
- reduce the minimum private amenity area space to less than 15m² for two ground-oriented units;
- increase the maximum lot coverage from 50% to 82% for an off-street parking structure; and,
- waive the requirement to provide an off-street loading space,

to facilitate a future apartment development, has been to Public Hearing and is now presented for Council's consideration.

Council may choose to:

- (1) Approve the application;
- (2) Amend the application;
- (3) Refer the application back to staff;
- (4) Deny the application.

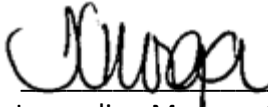
2. RECOMMENDATION:

That "Zoning Bylaw Amendment Bylaw 2023, No. 5335" with respect to properties located at 9132 and 9146 Mary Street be given third reading. (RZ001687)

That "Zoning Bylaw Amendment Bylaw 2023, No. 5335" with respect to properties located at 9132 and 9146 Mary Street be adopted. (RZ001687)

That, subject to public representation, Council approve the issuance of Development Variance Permit DVP01322 with respect to properties located at 9132 and 9146 Mary Street, subject to the conditions as stipulated within the draft Development Variance Permit.

That, subject to public representation, Council approve the issuance of Development Permit DP001649 with respect to properties located at 9132 and 9146 Mary Street, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Permit.



Jacqueline Morgan, CMC
Corporate Officer

AGENDA ITEM NO: 12.3

MEETING DATE: September 26, 2023

STAFF REPORT - COVER SHEET

SUBJECT: Applications from Public Hearing Date: September 21, 2023

DEPARTMENT: Clerk's Prepared by: Jacqueline Morgan

1. SUMMARY OF ISSUE:

"Zoning Bylaw Amendment Bylaw 2023, No. 5336", which proposes to rezone properties located at 45745 and 45751 Alder Avenue and 45740, 45744 and 45754 Webb Avenue, from an R1-A (Urban Residential) Zone and an R5 (Low Rise Apartment) Zone to an R6 (Mid Rise Apartment) Zone, has been to Public Hearing and is now presented for Council's consideration.

Council may choose to:

- (1) Allow the application to proceed by giving the bylaw third reading and adoption;
- (2) Deny the application;
- (3) Refer the application back to staff.

Development Variance Permit DVP01315, for said properties, which proposes to vary the following Zoning Bylaw standards:

- Increase lot coverage for a parkade of 3m in height from 50% to 65%;
- Waive the requirement for a loading stall for each apartment building to be provided on site;
- Reduce the setback requirements within the proposed R6 Zone for a parkade over 3m in height as follows:
 - Front (Webb Avenue) and rear (Alder Avenue) from 6.0 to 4.5m;
 - Exterior side (Kosumi Street) from 6.0 to 3.0m for the majority of the building and from 6.0m to 2.3m for two decorative projections; and,
 - Interior side (west) from 6.0 to 1.3m;
- Reduce the setback requirements within the proposed R6 Zone for an apartment (containing 5 or more dwelling units) as follows:
 - Front (Webb Avenue) and rear (Alder Avenue) from 6.0 to 4.3m for the roof over the entryway;
 - Front (Webb Avenue) and rear (Alder Avenue) from 6.0 to 3.3m for the stairs along the north property line; and,
- Waive the requirement for a storage locker to be provided in a centralized location in favour of providing a storage area within each residential unit,

to facilitate the construction of an apartment development, has been to Public Hearing and is now presented for Council's consideration.

Council may choose to:

- (1) Approve the application;
- (2) Amend the application;
- (3) Refer the application back to staff; or,
- (4) Deny the application.

2. RECOMMENDATION:

That "Zoning Bylaw Amendment Bylaw 2023, No. 5336" with respect to properties located at 45745 and 45751 Alder Avenue and 45740, 45744 and 45754 Webb Avenue be given third reading. (RZ001566)

That "Zoning Bylaw Amendment Bylaw 2023, No. 5336" with respect to properties located at 45745 and 45751 Alder Avenue and 45740, 45744 and 45754 Webb Avenue be adopted. (RZ001566)

That, subject to public representation, Council approve the issuance of Development Variance Permit DVP01315 with respect to properties located at 45745 and 45751 Alder Avenue and 45740, 45744 and 45754 Webb Avenue, subject to the conditions as stipulated within the draft Development Variance Permit.

That Council approve the issuance of Development Permit DP001640 with respect to properties located at 45745 and 45751 Alder Avenue and 45740, 45744 and 45754 Webb Avenue, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Permit.



Jacqueline Morgan, CMC
Corporate Officer

AGENDA ITEM NO: 12.4

MEETING DATE: September 26, 2023

STAFF REPORT - COVER SHEET

SUBJECT: Bylaws from Public Hearing Date: September 20, 2023

DEPARTMENT: Clerk's Prepared by: Jacqueline Morgan

1. SUMMARY OF ISSUE:

"Zoning Bylaw Amendment Bylaw 2023, No. 5340", which proposes to rezone property located at 46485 Uplands Road, from an SR (Suburban Residential) Zone to an R3 (Small Lot Residential) Zone, has been to Public Hearing and is now presented for Council's consideration.


Council may choose to:

- (1) Allow the application to proceed by giving the bylaw third reading;
- (2) Deny the application;
- (3) Refer the application back to staff.

As per the Staff Report dated August 22, 2023, Staff recommend the Application be held at third reading pending the issuance of Development Permits under Development Permit Area No. 2 (Hillside and Upland Areas) and Development Permit Area No. 8 (Hillside Development), to address geotechnical and environmental concerns.

2. RECOMMENDATION:

That "Zoning Bylaw Amendment Bylaw 2023, No. 5340" with respect to property located at 46485 Uplands Road be given third reading. (RZ001683)



Jacqueline Morgan, CMC
Corporate Officer

AGENDA ITEM NO: 12.5

MEETING DATE: September 26, 2023

STAFF REPORT - COVER SHEET

SUBJECT: Bylaws from Public Hearing Date: September 21, 2023

DEPARTMENT: Clerk's Prepared by: Jacqueline Morgan

1. SUMMARY OF ISSUE:

“Official Community Plan Bylaw Amendment Bylaw 2023, No. 5342”, which proposes to redesignate properties located at 44130 and 44160 Yale Road, from “General Industrial” to “Mixed Commercial and Industrial”; and,

“Zoning Bylaw Amendment Bylaw 2023, No. 5343”, which proposes to rezone properties located at 44130 and 44160 Yale Road, from an M2 (Service Industrial) Zone to a CSM (Service Commercial Industrial) Zone, have been to Public Hearing and are now presented for Council’s consideration.

Council may choose to:

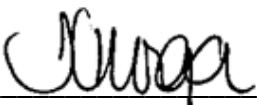
- (1) Allow the application to proceed by giving the bylaw third reading;
- (2) Deny the application;
- (3) Refer the application back to staff.

As per the Staff Report dated August 28, 2023, Staff recommend the Application be held at third reading pending approval from the Ministry of Transportation and Infrastructure.

2. RECOMMENDATION:

That “Official Community Plan Bylaw Amendment Bylaw 2023, No. 5342” with respect to properties located at 44130 and 44160 Yale Road be given third reading. (RZ001693)

That “Zoning Bylaw Amendment Bylaw 2023, No. 5343” with respect to properties located at 44130 and 44160 Yale Road be given third reading. (RZ001693)



Jacqueline Morgan, CMC
Corporate Officer

AGENDA ITEM NO: 13.1

MEETING DATE: September 26, 2023

STAFF REPORT - COVER SHEET

SUBJECT: Application Reports Date: September 22, 2023

DEPARTMENT: Legislative Services Prepared by: Jacqueline Morgan

1. SUMMARY OF ISSUE:

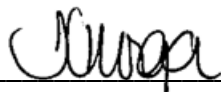
Temporary Use Permit TUP0216, which proposes to permit food processing within the CS1 (Service Commercial) Zone to manufacture sauce for wholesale in association with the existing sushi restaurant within the subject property, has been to a Public Hearing and is now presented for Council's consideration.

Council may choose to:

- (1) Approve the permit as presented;
- (2) Approve the permit, with amendments;
- (3) Deny the application; or,
- (4) Refer the application back to staff.

2. RECOMMENDATION:

That Council approve the issuance of Temporary Use Permit TUP0216 with respect to property located at 101-45300 Luckakuck Way, subject to the recommendations as stipulated within the draft Temporary Use Permit.



Jacqueline Morgan, CMC
Corporate Officer

AGENDA ITEM NO: 13.2

MEETING DATE: September 26, 2023

STAFF REPORT - COVER SHEET

SUBJECT: Application Reports Date: September 20, 2023

DEPARTMENT: Legislative Services Prepared by: Jacqueline Morgan

1. SUMMARY OF ISSUE:

Development Variance Permit DVP01335, which proposes to vary the following Zoning Bylaw standards:

- reduce the minimum interior side lot line setback from 6.75m to 6m for the 4th storey and from 7.5m to 6m for the 5th storey;
- increase the maximum lot coverage from 50% to 86% for an off-street parking structure;
- waive the requirement for a common amenity area to be located more than 5m from a window serving a dwelling unit;
- waive the requirement for a private amenity area to have a minimum dimension of 3m for eight ground-oriented units; and,
- waive the requirement to provide an off-street loading space,

to facilitate the construction of a new apartment building, located at 45624 and 45632 Wellington Avenue, has been to a Public Information Meeting and is now presented for Council's consideration.

As the properties are within Development Permit Area No. 6 (Infill Development), a Development Permit is required for the approval of the 'form and character' of a new apartment development.

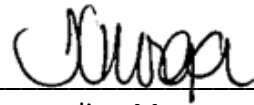
Council may choose to:

- (1) Approve the permit as presented;
- (2) Approve the permit, with amendments;
- (3) Deny the application; or,
- (4) Refer the application back to staff.

2. RECOMMENDATION:

That, subject to public representation, Council approve the issuance of Development Variance Permit DVP01335 with respect to properties located at 45624 and 45632 Wellington Avenue, subject to the recommendations as stipulated within the draft Development Variance Permit. (DVP01335)

That Council approve the issuance of Development Permit DP001667 with respect to properties located at 45624 and 45632 Wellington Avenue, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Permit. (DP001667)



Jacqueline Morgan, CMC
Corporate Officer

AGENDA ITEM NO: 13.3

MEETING DATE: September 26, 2023

STAFF REPORT - COVER SHEET

SUBJECT: Application Reports Date: September 20, 2023

DEPARTMENT: Legislative Services Prepared by: Jacqueline Morgan

1. SUMMARY OF ISSUE:

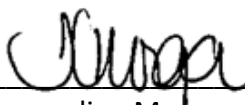
Development Variance Permit DVP01367, which proposes to increase the maximum permitted height for a rural ancillary building within the AU (Agricultural Upland) Zone from 6m to 6.9m, to legitimize an existing building with respect to property located at 48200 Briteside Road, has been to a Public Information Meeting and is now presented for Council's consideration.

Council may choose to:

- (1) Approve the permit as presented;
- (2) Approve the permit, with amendments;
- (3) Deny the application; or,
- (4) Refer the application back to staff.

2. RECOMMENDATION:

That, subject to public representation, Council approve the issuance of Development Variance Permit DVP01367 with respect to property located at 48200 Briteside Road, subject to the recommendations as stipulated within the draft Development Variance Permit. (DVP01367)



Jacqueline Morgan, CMC
Corporate Officer