

AGENDA ITEM NO: 11.4.1

MEETING DATE: August 6, 2024

STAFF REPORT – COVER SHEET

SUBJECT: Randy Lindhout
Development Variance Permit / 50590 DATE: July 17, 2024
Yale Road

DEPARTMENT: Planning Department
DVP01035 PREPARED BY: Joty Rai / cc


1. SUMMARY OF ISSUE:

The applicant wishes to vary the following standards within the R1-A Zone to facilitate a panhandle subdivision:

- To reduce the minimum required lot width from 20m to 6.4m for proposed "Lot 2" to facilitate a panhandle access strip; and,
- To reduce the interior lot line setback (ISLL) from 1.2m to 1.1m to retain the existing home on proposed "Lot 1".

2. RECOMMENDATION:

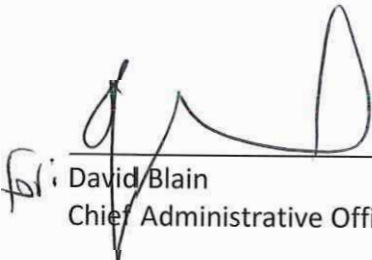
Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01035 with respect to property located at 50590 Yale Road, subject to the recommendations as stipulated within the draft Development Variance Permit. (Presentation)



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



David Blain
Chief Administrative Officer

The requested reduction to lot width is necessary to facilitate a panhandle access strip and the requested reduction to the ISLL setback is required to retain the existing home.

3. DISCUSSION:

Due to the rural nature of the surrounding area and the existing long and narrow lot configuration, redevelopment potential of the subject property is limited. As the property has a lot width of approximately 28.7m, a conventional two-lot subdivision would not be possible without consideration of a variance to lot width. To resolve this issue, access is provided by a uniform 6m wide panhandle, which is consistent with City development standards for panhandle subdivisions and will result in residential parcels of approximately 0.2ha and 0.4ha, which are similar in size and use to those in the area. As such, the proposed panhandle lot design is considered an appropriate option for redevelopment of the subject property.

The proposed ISLL setback variance will allow for retention of the existing home on proposed "Lot 1", sited next to the panhandle access strip of proposed "Lot 2". The panhandle area is subject to registration of a shared access easement agreement at time of subdivision, which will prohibit the construction of buildings or structures in this area to allow for the construction of a single 6m access driveway. As the ISLL which is requested to be varied is adjacent to this panhandle access, the variance is not anticipated to impact the future neighbouring lot.

Additionally, a covenant on proposed "Lot 1" will be required at time of subdivision to establish a shared area for waste collection for both lots. The proposed waste container easement and shared access easement have been included as recommended conditions within the draft Development Variance Permit.

4. FACTORS:

4.1 2040 Official Community Plan (OCP) / Land Use

Official Community Plan: "Low Density Residential"

Land Use: Single detached dwelling and three detached ancillary buildings (sheds). The single detached dwelling and one of the ancillary buildings are to be retained on proposed "Lot 1".

4.2 Neighbourhood Character

The subject property is located within the Rosedale neighbourhood, a rural area containing a variety of zoning and uses as described below:

North & South: Agricultural properties containing single detached dwellings and agricultural operations within the AL (Agricultural Lowland) and AS (Agricultural Small Lot) Zones.

West: Single detached dwellings within the AL and R1-A Zones, and, a Mobile Home Park within the CS2 (Tourist Commercial) Zone.

East: Single detached dwellings within the RR and R1-A Zones, an agricultural operation and dwelling within the AL Zone, and Rosedale Traditional Community School which is within the P1 (Civic Assembly) Zone.

4.3 Technical Issues

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

Watercourses: Dunville Creek, a “Class A” watercourse with a 30m riparian setback, is located adjacent to the south property line. Any future buildings and structures must be located outside of the riparian area. Should development be proposed in this area, a Development Permit Area No. 3 (Riparian) will be required to address environmental concerns.

Geotechnical: The subject property is 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 Development Variance Permit subject to the following conditions being met:

- that the development be in accordance with the plans found in Schedule “A”.
- that restrictive covenants be registered on title at time of subdivision to address the following:
 - to establish a shared access easement over the panhandle; and,
 - to facilitate a waste container easement on proposed “Lot 1”.

5. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01035 with respect to property located at 50590 Yale Road, subject to the recommendations as stipulated within the draft Development Variance Permit.

Substantiation:

As the subject property is within a rural neighbourhood that contains single detached dwellings on a variety of lot sizes and orientations, the proposal is considered to be consistent with and complementary to the existing neighbourhood. Additionally, the recommended conditions within the draft permit ensure the functionality of the future lots.

6. SOURCES OF INFORMATION:

- Development Variance Permit Application (DVP01035) – December 13, 2018
- Rezoning Application (RZ001330) – December 13, 2018
- Development Application Review Team (DART) Minutes – May 25, 2023

Location Map



Orthophoto





**City of Chilliwack
Notice of Public Information Meeting
Council Chambers
8550 Young Road, Chilliwack BC V2P 8A4**

When: Tuesday, August 6, 2024 at 4:00 PM

Watch: The live council meeting broadcast at Chilliwack.com/live

Development Variance Permit Application (DVP01035)

Location: 50590 Yale Road

Applicant: Randy Lindhout

Purpose: To reduce the minimum required lot width and interior lot line setback (ISLL) within the proposed R1-A (Urban Residential) Zone, to facilitate a panhandle subdivision, within the subject property, as shown on the included map.



How to share your feedback:



Attend the Public Information Meeting in person (8550 Young Road)



Mail or email our Legislative Services Department:

Mail: 8550 Young Road, Chilliwack BC V2P 8A4

Email: clerks@chilliwack.com

- Submissions will be accepted until 4:00 PM on August 5, 2024. Any submissions received after this time will not be considered by Council.
- Please include your name and address.
- **All mail and emails, including your name and address, will be recorded and form part of the official record.**

Contact our Planning Department between Wednesday, July 24, 2024 and Tuesday, August 6, 2024 for a copy of the proposed permit at planning@chilliwack.com or 604-793-2906.

Jacqueline Morgan, CMC
Corporate Officer



SCHEDULE "A"

CITY OF CHILLIWACK

DEVELOPMENT VARIANCE PERMIT NO. DVP01035

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 two-lot subdivision, and, does not apply to any additions or subsequent replacement of any and all buildings and structures and other development thereon:

Parcel Identifier No. 027-155-196
Legal Description: LOT 1 DISTRICT LOT 451 GROUP 2 NEW
WESTMINSTER DISTRICT PLAN BCP31614
Address: 50590 Yale Road

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

Section 8.01(3)(b) within the R1-A (Urban Residential) Zone is varied by reducing the minimum lot width from 20m to 6.0m.

Section 8.01(7)(c) within the R1-A (Urban Residential) Zone is varied by reducing the minimum interior lot line setback from 1.2m to 1.1m.

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,
 - b) that restrictive covenants be registered on title at time of subdivision to address the following:
 - a. to establish a shared access easement over the panhandle; and,
 - b. to facilitate a waste container easement on proposed "Lot 1".
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.

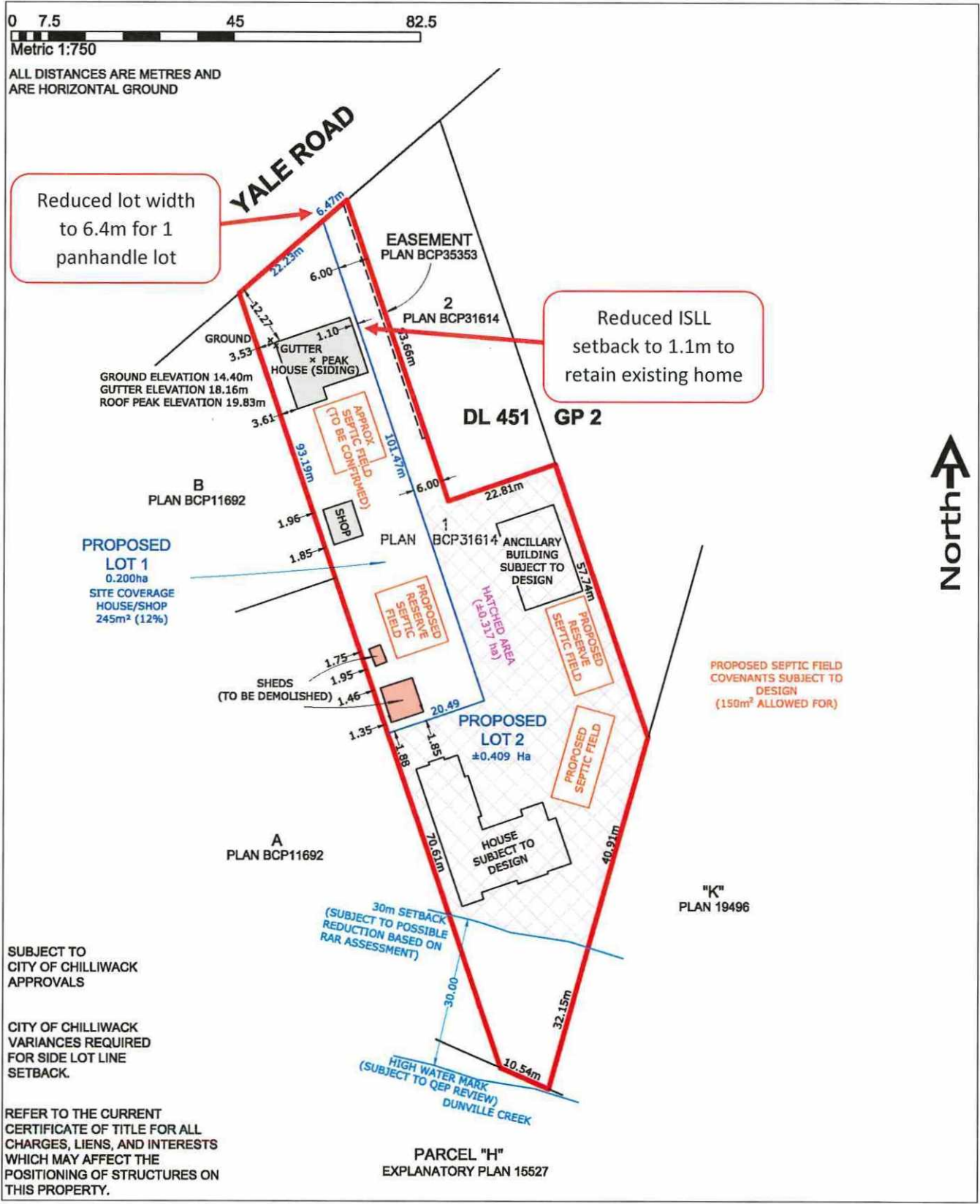
APPROVED BY COUNCIL ON THE ___ DAY OF ___, 2024.

DRAFT

ISSUED THIS ___ DAY OF ___, 2024

CORPORATE OFFICER

Proposed Site Plan (as provided by the applicant)



SUBJECT TO CITY OF CHILLIWACK APPROVALS

CITY OF CHILLIWACK VARIANCES REQUIRED FOR SIDE LOT LINE SETBACK.

REFER TO THE CURRENT CERTIFICATE OF TITLE FOR ALL CHARGES, LIENS, AND INTERESTS WHICH MAY AFFECT THE POSITIONING OF STRUCTURES ON THIS PROPERTY.

DRAFT