

AGENDA ITEM NO: 7.4

MEETING DATE: July 16, 2024

STAFF REPORT – COVER SHEET

Precision Building Design Associates Ltd.
Development Permit /
46068 & 46074 Fourth Avenue and
SUBJECT: 9011 & 9023 Nowell Street DATE: July 9, 2024

Planning Department
DEPARTMENT: RZ001708 PREPARED BY:  Adam Roberts / mb


1. SUMMARY OF ISSUE:

At the June 18, 2024 meeting of Council, an application to amend the 2040 Official Community Plan (OCP) designation of the subject properties from “Residential 1 - Downtown Single Family” to “Urban Quarter” as per the Downtown Land Use and Development Plan and to rezone the properties from an R1-A (Urban Residential) Zone to a C9 (Mid Rise Apartment Commercial) Zone to facilitate a mixed-use commercial and residential development was referred back to staff to provide further clarification concerning the number of storeys to be constructed, ownership structure of the units and construction timelines. The applicant has responded as detailed in the attached report. A copy of the original staff report dated June 7th is also attached for additional background information.

2. RECOMMENDATION:

Recommendation that “Official Community Plan Bylaw Amendment Bylaw 2024, No. 5396” which proposes to amend the Official Community Plan designation of the subject properties from “Residential 1 - Downtown Single Family” to “Urban Quarter” as per the Downtown Land Use and Development Plan, be denied.

Recommendation that “Zoning Bylaw Amendment Bylaw 2024, No. 5397”, which proposes to rezone the subject properties from an R1-A (Urban Residential) Zone to a C9 (Mid Rise Apartment Commercial) Zone, be denied.



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



David Blain
Chief Administrative Officer

STAFF REPORT ON REZONING APPLICATION RZ001708

PREPARED BY: Adam Roberts DATE: July 8, 2024

POSITION: Planner III DEPARTMENT: Planning Department

1. BACKGROUND:

In response to Council's request for clarification regarding building height, ownership, and construction timelines, the applicant provided the following response:

- The applicant intends to construct the building as proposed at a height of 7-storeys (24.5m). As such, they have agreed to register a restrictive covenant on title to limit future development of the property to the maximum height and density as outlined in the C9 Zone (250 du/ha and 25m height). As part of the covenant, the applicant has also agreed to include a requirement that frontage improvements be completed from the subject properties to Young Road along Fourth Avenue as agreed upon at the Design Review Advisory Committee meeting;
- The applicant has confirmed the building will be stratified with individual units to be sold rather than maintained as a rental development as the financing for the project is contingent on the units being sold once constructed; and,
- The applicant intends to submit a Building Permit application within a year of Development Permit issuance should Council approve the application. The applicant has confirmed construction will commence once an appropriate level of pre-sales has been completed.

2. OPTIONS:

Option A: Deny the application as presented (staff recommendation)

The proposed OCP amendment and rezoning remain inconsistent with the goals and objectives of the Downtown Land Use and Development Plan and depart from the ongoing single-family and infill development occurring in the area, as further described within the staff report dated June 7, 2024.

Option B: Support the application with a voluntary Restrictive Covenant

Suggested Recommendation, to be *held at 3rd Reading pending registration of a restrictive covenant:

That "Official Community Plan Bylaw Amendment Bylaw 2024, No. 5396" which proposes to amend the Official Community Plan designation of the subject properties from "Residential 1 - Downtown Single Family" to "Urban Quarter" as per the Downtown Land Use and Development Plan, be given first and second reading; and further, that a Public Hearing be called for August 6, 2024.

That “Zoning Bylaw Amendment Bylaw 2024, No. 5397”, which proposes to rezone the subject properties from an R1-A (Urban Residential) Zone to a C9 (Mid Rise Apartment Commercial) Zone, be given first and second reading; and further, that a Public Hearing be called for August 6, 2024.

**Should the application be supported, it is recommended the application be held at third reading pending registration of the covenant to restrict height and density and to secure frontage improvements along Fourth Avenue.*

Option C: Support the application as originally proposed by the applicant

The proposal, as presented in the staff report dated June 7, 2024, would be supported without a voluntary restrictive covenant regarding height, density, and frontage improvements.

Suggested Recommendation:

That “Official Community Plan Bylaw Amendment Bylaw 2024, No. 5396” which proposes to amend the Official Community Plan designation of the subject properties from “Residential 1 - Downtown Single Family” to “Urban Quarter” as per the Downtown Land Use and Development Plan, be given first and second reading; and further, that a Public Hearing be called for August 6, 2024.

That “Zoning Bylaw Amendment Bylaw 2024, No. 5397”, which proposes to rezone the subject properties from an R1-A (Urban Residential) Zone to a C9 (Mid Rise Apartment Commercial) Zone, be given first and second reading; and further, that a Public Hearing be called for August 6, 2024.

3. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that “Official Community Plan Bylaw Amendment Bylaw 2024, No. 5396” which proposes to amend the Official Community Plan designation of the subject properties from “Residential 1 - Downtown Single Family” to “Urban Quarter” as per the Downtown Land Use and Development Plan, be denied.

Recommendation that “Zoning Bylaw Amendment Bylaw 2024, No. 5397”, which proposes to rezone the subject properties from an R1-A (Urban Residential) Zone to a C9 (Mid Rise Apartment Commercial) Zone, be denied.

Substantiation


While the applicant has provided additional information concerning building height, density, tenure, and construction timelines, the overall proposal remains inconsistent with the Official Community Plan as detailed in the staff report dated June 7, 2024.

AGENDA ITEM NO: _____

MEETING DATE: June 18, 2024

STAFF REPORT – COVER SHEET

Precision Building Design Associates Ltd.
Development Permit /
46068 & 46074 Fourth Avenue and
SUBJECT: 9011 & 9023 Nowell Street DATE: June 7, 2024

Planning Department
DEPARTMENT: RZ001708 PREPARED BY:  Adam Roberts / cc

1. SUMMARY OF ISSUE:

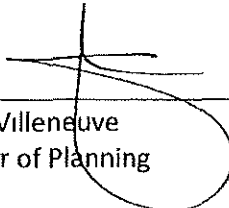
The applicant requests to amend the 2040 Official Community Plan (OCP) designation of the subject properties from "Residential 1 - Downtown Single Family" to "Urban Quarter" as per the Downtown Land Use and Development Plan and to rezone the properties from an R1-A (Urban Residential) Zone to a C9 (Mid Rise Apartment Commercial) Zone to facilitate a mixed-use commercial and residential development.

As detailed within the Staff Report, staff are not supportive of the proposed change in land use. As a result, staff recommend that Council deny the proposed amendment Bylaws, with respect to properties located at 46068 and 46074 Fourth Avenue and 9011 and 9023 Nowell Street.

2. RECOMMENDATION:

Recommendation that "Official Community Plan Bylaw Amendment Bylaw 2024, No. 5396" which proposes to amend the Official Community Plan designation of the subject properties from "Residential 1 - Downtown Single Family" to "Urban Quarter" as per the Downtown Land Use and Development Plan, be denied.

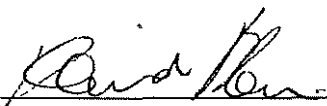
Recommendation that "Zoning Bylaw Amendment Bylaw 2024, No. 5397", which proposes to rezone the subject properties from an R1-A (Urban Residential) Zone to a C9 (Mid Rise Apartment Commercial) Zone, be denied.



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



David Blain
Chief Administrative Officer

STAFF REPORT ON REZONING APPLICATION RZ001708

PREPARED BY: Adam Roberts DATE: June 7, 2024
POSITION: Planner III DEPARTMENT: Planning Department

1. BACKGROUND:

The applicant has submitted Development Variance Permit and Development Permit applications to approve the form and character of the proposed mixed-use development and vary setbacks, parking and EV charging standards. If the rezoning application is approved by Council, these applications will be brought forward at a future date for Council consideration.

2. PROPOSAL:

As shown on the attached conceptual site plan and elevations, the proposal includes the following:

- 1 storey at-grade parkade with a 9-level car elevator;
- 1 at-grade commercial unit;
- 6 residential floors above the at-grade parkade/commercial unit (24.5m height);
- 64 units (18 small unit apartments and 46 standard apartment units);
- 96 parking spaces (98 spaces are required); and,
- 18 trees (13 are required).

Should the DCP amendment and rezoning be approved the final lot layout and future development must comply with City Bylaws and include urban frontage improvements, reconstruction of the rear lane and extension of the storm main. The requirements of the Tree Management (Land Development) Bylaw and Floodplain Regulation Bylaw apply to the development. A restrictive covenant will also be required to advise future residents of the potential disruption that may occur from the surrounding active industrial operations (i.e., noise, traffic, light, etc.) as the development is in close proximity to a large industrial area.

3. DISCUSSION:

Land Use Considerations:

The proposed OCP amendment and rezoning application is not supported in this instance as the mixed-use development does not align with the goals and objectives of the Downtown Land Use and Development Plan (DLUDP), and is better suited within existing under-developed land in the core area of downtown. The DLUDP land uses and policies focus commercial and higher density mixed-use development within the core area to ensure there is a sensitive transition between lower and higher density development. The mixed-use development, as proposed, detracts from the "Urban Quarter"

land use goals of concentrated density, and precludes more appropriate ground-oriented infill housing in this area.

Given the existing housing form in the vicinity, and ground oriented infill development already occurring successfully along this street, staff are supportive of development that can be achieved under the current land use designation, including housing in the form of small lot single detached dwellings, coach houses, duplexes, row houses or a combination of these under the new Small-Scale Multi-Unit Housing (SSMUH) provisions. This context, combined with the DLUDP goals and objectives, confirms the land use designation of “Residential 1 - Downtown Single Family” remains the most appropriate for this area. This designation supports a modest increase in density that is integrated with the existing character of the area, and more appropriate given the proximity to existing industrial uses to the east.

In addition to the significant departure to the residential character in the area, the proposed increase in density is likely to exacerbate potential land use conflicts generated from the close proximity of existing industrial uses to the subject properties. As such, the proposed development is considered incompatible with the adjacent industrial area, and if approved, it is expected that conflict will occur between the existing industrial businesses and future residential tenants which will necessitate ongoing bylaw enforcement intervention.

Should the OCP amendment be approved, the “Urban Quarter” land use designation permits a building height of up to 18 storeys with a maximum density of 370du/ha. Although a 7-storey building with a maximum density of 250du/ha is permitted within the proposed C9 Zone, should the application be approved, and an alternative redevelopment proposal consistent with the “Urban Quarter” designation be brought forward at a future date, an 18-storey tower would be considered an appropriate built form. As such, if approved, the proposed OCP amendment will constitute a significant departure to the character and built form within the surrounding area and will create a precedent to expand higher density uses into existing lower density areas throughout the downtown leading to future land use conflicts as well as uncertainty within the development community as to appropriate locations for higher density redevelopment.

Provincial Legislative Context:

Recently, the Provincial government passed legislation in an attempt to increase overall housing supply and create more affordable housing options throughout BC. Two such changes include regulations related to Small-Scale Multi-Unit Housing (SSMUH) and the creation of Transit-Oriented Areas (TOAs). The SSMUH legislation was established as a means to provide more affordable and attainable housing in a range of built forms to accommodate the needs of various household configurations. Although mixed-use or apartment developments, such as the subject proposal, increase housing supply and are generally more affordable, this built form on its own does not meet the needs of a broad range of residents in Chilliwack. As such, densification focused on the construction of apartments while neglecting alternative built forms such as single family homes with accessory dwelling units, duplexes and rowhouses (as supported by the “Residential 1” designation) is a restricted approach to address housing in the community that may not result in the desired outcome of diverse housing options in the long term.

The TOA legislation introduced by the Province specifically increased building height and waived residential parking in areas close to frequent transit to encourage the construction of higher density residential development in areas with access to transit. Although a TOA exists within downtown Chilliwack where the relaxation on parking applies, all areas outside of the TOA are expected to comply with City zoning requirements in relation to the provision of off-street parking in order to ensure development can manage itself without overburdening the limited available on street parking. As the subject properties are not located within 400m of the downtown Chilliwack bus exchange, they do not qualify for increased building height or parking relaxations, although the applicant has requested a reduction to overall parking through a separate Development Variance Permit application.

Official Community Plan Update:

In addition to the site-specific considerations detailed above, the City has recently begun an update of the 2040 Official Community Plan which will include an in-depth review of land use designations throughout the community. This review will help determine where residential development should occur and what form that development should take based on factors such as neighbourhood characteristics and recent legislative changes. As part of this review, the City will assess appropriate locations for higher density development, such as the proposed mixed-use building, and infill development such as small lot single detached dwellings, coach houses, duplexes and townhouses. Considering higher density development in this location in advance of the OCP review presumes the outcome of the review, predetermines higher density in this location, and sets a precedent for supporting OCP amendment applications in other low density areas across the City. As such, the proposed site specific OCP amendment to permit mixed-use development on the subject properties is premature in advance of this comprehensive review of city-wide residential development and as such, staff are not supportive of the proposal.

The applicant is aware that staff are not supportive of the proposed change in land use, and has requested that the application be forwarded to Council. The applicant is aware that staff's recommendation to Council is to deny the OCP amendment and rezoning application.

4. FACTORS:

4.1 2040 Official Community Plan (OCP) / Land Use / Community Engagement / OCP Pre-consultation

Official Community Plan: "Residential 1 - Downtown Single Family" as designated within the Downtown Land Use and Development Plan. The proposal is not consistent with this designation. An amendment to the current designation to "Urban Quarter" is requested and detailed above.

Land Use: All 4 lots are currently vacant and have been fenced to secure the site from trespass.

Community Engagement: The applicant delivered a letter to properties within 30m of the subject properties with a description of the proposal and their contact information. At the time this report was written, one email was sent

to both the applicant and the City, and has been included in the public record.

OCP Pre-consultation: On June 4, 2024, Council directed staff to not consult with any outside agencies.

4.2 Neighbourhood Character

The subject properties are located within downtown Chilliwack to the north of CN Rail and east of Young Road. The existing land use in the area is comprised of industrial properties to the east and single detached dwellings to the north, south and west. Future redevelopment in the area is expected to be consistent with the “Residential 1” designation as per the Downtown Land Use and Development Plan including single detached dwellings, duplexes, and rowhouses. As such, the proposed higher density mixed-use development is inconsistent with the existing and future character of the surrounding area.

The specific uses in the surrounding area are as follows:

East: Industrial buildings within the M1 (Light Industrial) Zone

North & West: Single detached dwellings within the R1-A Zone

South: Single detached dwellings within the M1-A (Residential Light Industrial) Zone

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

5. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that “Official Community Plan Bylaw Amendment Bylaw 2024, No. 5396” which proposes to amend the Official Community Plan designation of the subject properties from “Residential 1 - Downtown Single Family” to “Urban Quarter” as per the Downtown Land Use and Development Plan, be denied.

Recommendation that “Zoning Bylaw Amendment Bylaw 2024, No. 5397”, which proposes to rezone the subject properties from an R1-A (Urban Residential) Zone to a C9 (Mid Rise Apartment Commercial) Zone, be denied.

Substantiation:

The proposed OCP amendment and rezoning is inconsistent with the goals and objectives of the Downtown Land Use and Development Plan and departs from the ongoing single-family and infill development occurring within the area. This location is considered to be more appropriate for ground-oriented infill development such as single detached dwellings, duplexes, and rowhouses given the properties’ distance to the downtown core, and existing lower density residential and industrial land uses in the surrounding area. The proposal detracts from the “Urban Quarter” land use goals of concentrated density, and precludes more appropriate ground-oriented infill housing in this area which is necessary to provide varied housing types for residents in the community. In addition, considering higher density development in this location is premature in advance of the City’s comprehensive review of city-wide residential development through the upcoming OCP process as it presumes the outcome of the review, predetermines higher density in this location, and sets a precedent for supporting OCP amendment applications in other low density areas across the City.

The applicant is aware that staff’s recommendation to Council is to deny the OCP amendment and rezoning application as proposed and has requested to proceed without staff support.

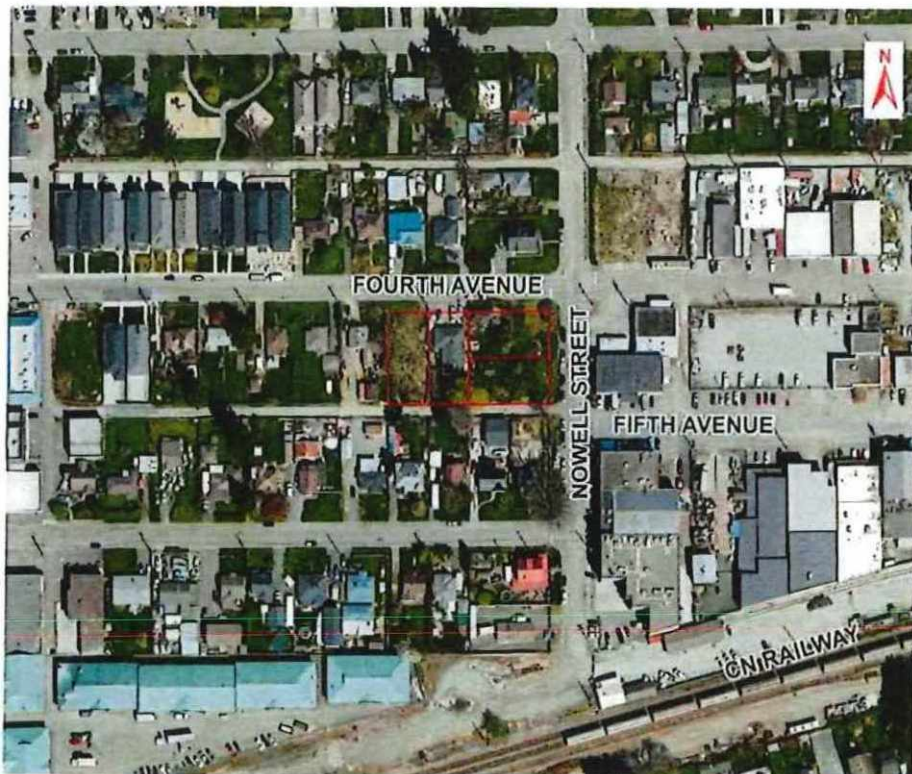
6. SOURCES OF INFORMATION:

- Development Application Review Team (DART) minutes – June 22, 2023
- Development Permit Application DP001695 – April 17, 2023
- Rezoning Application RZ001708 – April 17, 2023
- Development Variance Permit Application DVP01433 – May 23, 2024
- Crime Prevention Through Environmental Design (CPTED) Report, prepared by *AMR Systems* – April 6, 2023

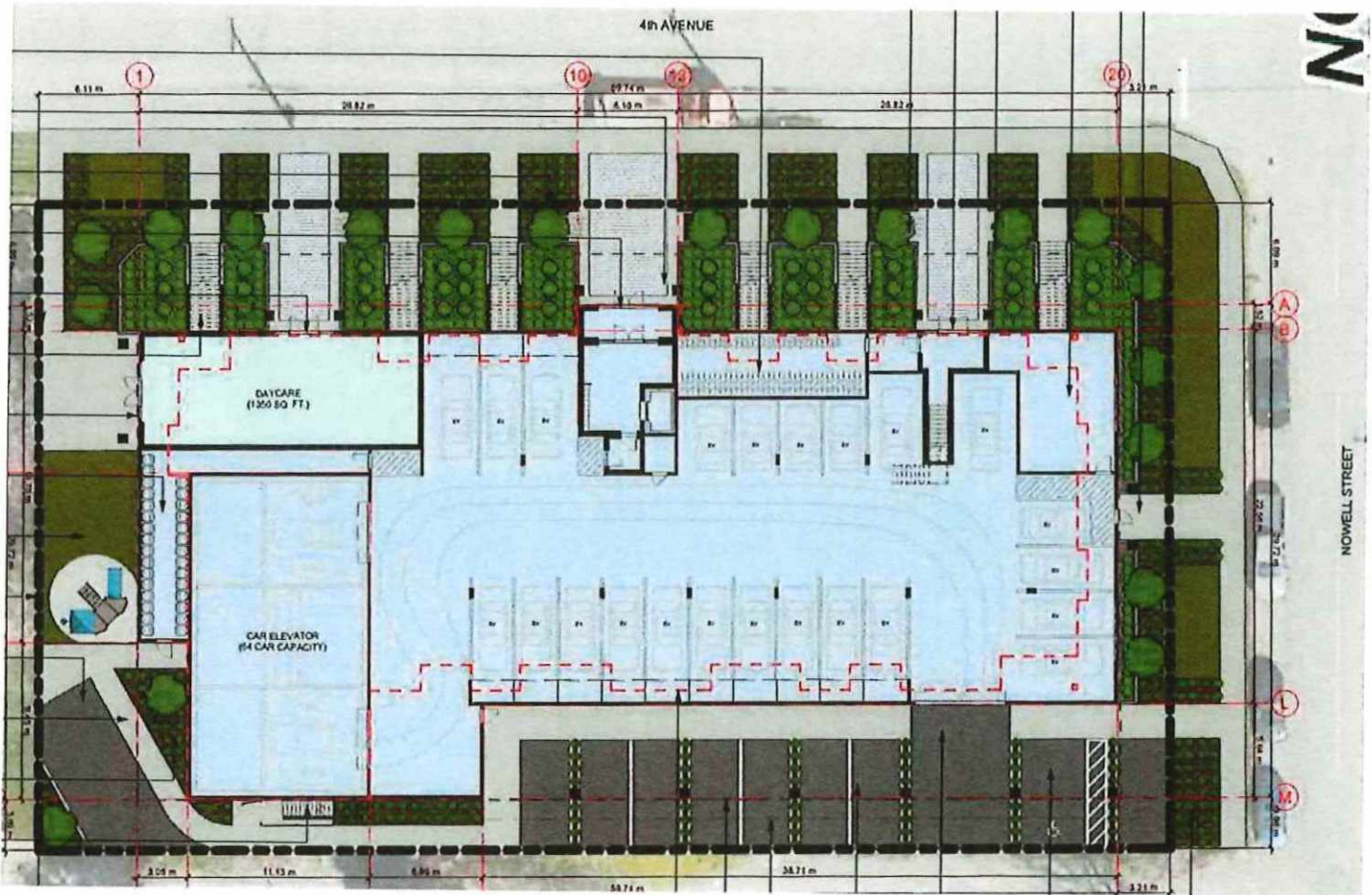
Location Map



Ortho Photo



Proposed Site Plan (as provided by the applicant)



Proposed Renderings (as provided by the applicant)





**City of Chilliwack
Notice of Public Hearing
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

**OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW 2024, NO. 5396
ZONING BYLAW AMENDMENT BYLAW 2024, NO. 5397 (RZ001708)**

Properties: 46068 and 46074 Fourth Avenue
9011 and 9023 Nowell Street

Applicant: Precision Building Design Associates Ltd.

Purpose: To amend the 2040 Official Community Plan designation of the subject properties from "Residential 1 - Downtown Single Family" to "Urban Quarter" and to rezone the properties from an R1-A (Urban Residential) Zone to a C9 (Mid Rise Apartment Commercial) Zone to facilitate a mixed-use commercial and residential development, as shown on the included map.



How to share your feedback:



Attend the Public Hearing 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 bylaws at planning@chilliwack.com or 604-793-2906.

Jacqueline Morgan, CMC
Corporate Officer

Benz, Melissa

From: Roberts, Adam
Sent: June 10, 2024 8:58 AM
To: Benz, Melissa
Subject: FW: Fourth and Nowell application [EXTERNAL]

Hi Melissa,

Can you please send this email to Legislative Services to include in the public record for RZ001708?

Regards,



Adam Roberts (he/him) | Planner III | Planning Department
P: 604.793.2960 | F: 604.793.2285 | E: roberts@chilliwack.com
City of Chilliwack | 8550 Young Road, Chilliwack, BC, Canada V2P 8A4 | www.chilliwack.com

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.

Date Received: June 7, 2024
Received From: Coletta Holmes
Folder Number: RZ001708
Subject Property: 46068 + 46074 Fourth Ave,
9011 + 9023 Nowell St.
Council Date: July 2, 2024
Pg. 1 of 3

From: Coletta Holmes
Sent: June 7, 2024 11:07 PM
To: Roberts, Adam <roberts@chilliwack.com>
Subject: Re: Fourth and Nowell application [EXTERNAL]

Hello Adam,

Thank you for your call earlier this week and for an explanation of the process. As I said, this is not a case of not in my backyard rather "does this make sense for the neighbourhood?".

The application concerns me for two reasons:

1)The owner's lack of transparency with the initial correspondence and lack of consideration to neighbours to date leading to a lack of confidence with a building project.

With respect to transparency, the original letter made no reference to an application to amend the 2040 Official Community Plan, rather "the rezoning process". There is a significant difference between the two processes and a change to the OCP is likely to have the greatest impact given the province's recent changes to building, bylaws and rezoning. Further, the site plan was too small to read setbacks or other specifics, even with a magnifying glass. As I personally sit on a committee reviewing site plans for a new build, I know that architects normally provide plans meant to be read with ease.

As to the lack of consideration, the owner has made no efforts to maintain the property through yard work, repairs to fencing or removal of trash that has been dumped. Neighbours have had to act as security for the property advising trespassers that police will be called. This position had to be taken after multiple fires and illegal activity including hiding stolen property, prostitution, and drug sales, prior to the fence being installed. Another example is the recent yard work. Though an attempt was made to clear the property with a weed eater, the job was too big and abandoned after a

few hours. The following day, the entire property was sprayed with some type of chemical that killed all foliage within hours. This includes Japanese Knotweed which has a specific protocol. No notice was provided to neighbours to protect children or animals.

2) Current traffic and population challenges.

The plan shows 60 parking spots in the garage and 10 outside. This is a 130 unit building and we know from every other development that many units have more than one vehicle to park. Though the site plan does not clearly show access to the parking garage from the lane, this is the only access point based on the image provided. The garage and parking lot is directly behind our property so we have first hand knowledge of the traffic patterns and challenges. This is a two-way, single lane, gravel laneway. Very regularly, residents are forced to back up in one direction to make a path for someone coming from the other direction.

Another problematic traffic concern is Fourth Avenue East to Nowell, Nowell Street South to the train tracks, and Fifth Avenue West to Young Road. Very regularly, from 3 am to 3 pm Monday to Friday, semi trucks and refrigerator trucks for MVM create a gridlock as one truck waits for the next to leave the loading dock. Semis stop on Nowell blocking access to the lane and/or Fifth Avenue East and West of Nowell Street. CN, Telus, Search and Rescue, Tri V and residents have all had to turn around and travel an entire block just to access their home or business. Street parking will be limited, especially during the day due to employee parking of several businesses. This will likely mean parking around the corner and down the block, impacting current resident parking. To add another 100+ vehicles to this isn't reasonable, nor is it fair to current residents to have the laneway turned into a thoroughfare.

As to population challenges, it would be very important to know what type of housing this will be - owner occupied strata units, rental units or supportive housing. There is no mention of the intended use and though I've requested additional information from the contact provided on the information letter, there has been no response.

In closing, we have lived on Fifth Avenue for 31 years and in that time, made many calls to bylaw and RCMP. A review of these will show this has always been about safety and advocacy, not our comfort - much as we'd like that. With every neighbouring property now owned by investors, my husband and I are likely to be the only ones submitting concerns. While it is very disheartening, I hope that the reasons, rather than the number of complaints, will be the rationale for turning down the application.

Yours truly,

Stephen and Coletta Holmes
46073 Fifth Avenue
Chilliwack V2P 1M6

Date Received: June 7, 2024
Received From: Coletta Holmes
Folder Number: R200 1708
Subject Property: 46068 + 46074 Fourth Ave,
9011 + 9023 Nowell St.
Council Date: July 2, 2024
pg. 2 of 3

From: Roberts, Adam <roberts@chilliwack.com>
Sent: May 31, 2024 4:04 PM
To:
Subject: RE: Fourth and Nowell application [EXTERNAL]

Hi Coletta,

I wanted to reach out to introduce myself as the file manager for this application.

Would you like your email to be included within the public record for Council consideration?

Feel free to give me a call if you have any questions about the application.

Regards,



Adam Roberts (he/him) | Planner III | Planning Department
 P: 604.793.2960 | F: 604.793.2285 | E: roberts@chilliwack.com
 City of Chilliwack | 8550 Young Road, Chilliwack, BC, Canada V2P 8A4 | www.chilliwack.com

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.

From: Coletta Holmes
Sent: May 30, 2024 10:09 PM
To: Stam, Chuck (External) <chuck@precisionbuildingdesign.com>
Cc: Villeneuve, Gillian <villeneuve@chilliwack.com>
Subject: Fourth and Nowell application [EXTERNAL]

Received your letter today. Disappointed at the lack of engagement prior to the letter or sign and the limited information provided in your correspondence.

The site plan, even with a magnifying glass is too small to read. Please provide the following details:

1. Total number units
2. Rental or strata - why a daycare unless subsidized or supportive housing?
3. Setback from lane
4. Location of entry point to garage and parking
5. Total number parking spots
6. Traffic management plan if lane will be used
7. Traffic management plan for intersection of Fourth and Nowell
8. Landscape plans for rear of building
9. Plan to protect/preserve trees on laneway properties of Fifth Avenue when excavation begins
10. Plan to provide privacy to Fifth Avenue neighbours
11. Plan for you to engage with Fifth Avenue residents prior to public hearings

With none of the above provided in your letter, we are also curious as to how the architect and/or contractor and/or owner plan to establish a Good Neighbour Agreement and demonstrate a project that "respects the overall character of the neighbourhood" - language used by city staff for a Mary Street rezoning application.

Coletta and Stephen Holmes
 46073 Fifth Avenue

Date Received: June 7, 2024
Received From: Coletta Holmes
Folder Number: R2001708
Subject Property: 46008 + 46074 Fourth Ave.,
 9011 + 9023 Nowell St.
Council Date: July 2, 2024
 Pg. 3 of 3

REGULAR COUNCIL
AUG 6 2024
PH No. 11.3.1
46068 & 46074 FOURTH AVE
9011 & 9023 NOWELL ST

To: City of Chilliwack, Planning Department

From: Residents of Fourth and Fifth Avenue, Chilliwack

Date: August 1, 2024

Re: Official Community Plan Bylaw Amendment Bylaw 2024, No. 5396
Zoning Bylaw Amendment Bylaw 2024, No. 5397 (RZ001708)

We, residents of Fourth and Fifth Avenue, Chilliwack are writing regarding Precision Building Design Associates Ltd.'s application for an amendment to the 2040 Official Community Plan designation of properties at 46048 and 46074 Fourth Avenue and 90911 and 9023 Nowell Street from Residential 1-Downtown Single Family to Urban Quarter and to rezone the properties from an R1-A (Urban Residential) Zone to a C9 (Mid Rise Apartment Commercial) Zone.

As tenants and owners of Fourth and Fifth Avenue, we anticipate a significant impact to us, especially to residents whose homes back onto the lane between Fourth and Fifth and homes opposite the North and South entrance/exit of the lane that is parallel to Young Road.

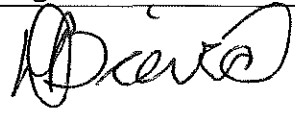

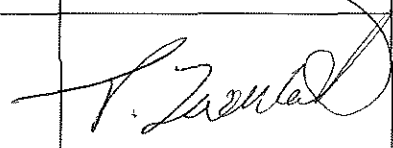
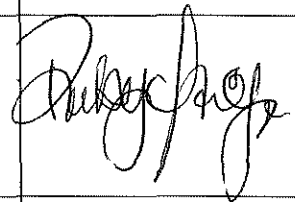
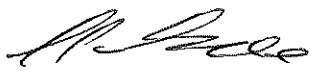
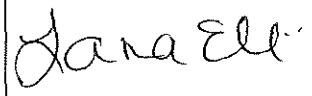




Despite being zoned M1A on Fifth Avenue, both streets, between Young Road and Nowell Street are residential properties. The idea of mixed commercial and residential use isn't new to us. Yes, we like being close to BeNanna's and the breakfast restaurants but know the challenges. With industrial, light industrial and commercial properties on Fourth Ave, Fifth Ave, Nowell Street and Young Road the noise and busyness is not that of a typical neighbourhood. The traffic and parking are a problem, especially close to Young and Nowell, much more so than in a regular mixed use neighbourhood. One minute, kids are learning to ride their bikes and the next, a semi truck in a hurry is heading down the middle of the road. Fourth and Fifth are often a holding lot for taxis, parking lot for the businesses on Young between Alexander and Third Avenue and Nowell Street is the parking lot for employees at the moving company and Mid Valley Meats. Yes, there is still room for visitor parking but not for another 100 or so apartment building residents. And without traffic controls, that is too many personal and commercial vehicles for one corner of the neighbourhood. If this building was even 2 blocks north and one block west, there would be little commercial traffic.

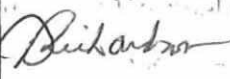





Also, we've heard that the appeal of this building is to be close to jobs in the industrial area, and to not need vehicles. Not a single resident of Fourth or Fifth Avenue walks to work.

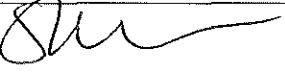

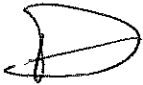
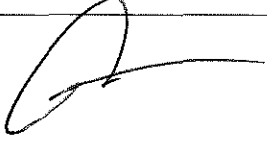

There are many more concerns that we have individually as we are all impacted differently, but this is the shared concern that we are sharing with you.

We urge you to vote no to the amendment to the 2040 OCP, to the first reading, second reading and final vote.

Signed,

| Name | Address | Phone | Signature |
|---------------------|-----------------------|-------|---|
| Darrellann Boird | 46061 Fifth | |  |
| Katrina Ryan | 46022 S. Fifth Ave | |  |
| TERRI ZAZULAK | 46033 FIFTH AVE | |  |
| Ruby Langan | 46030 FIFTH AVE | |  |
| ReB Service | 46030 FIFTH AVE | |  |
| Lana Ell | 46010 Fifth Ave | |  |
| John Ell | 46010 Fifth Ave | |  |
| Daytama Ingram | 46045 Fifth Ave | |  |
| Walter Almashush | 46045 Fifth Ave | |  |
| Alex Letebvre | 46046 Fifth Av | |  |

| Name | Address | Phone | Signature |
|----------------------|--------------------|-------|--|
| DEBBIE RICHARDSON | 46046 Fifth Ave | |  |
| Jessie Ingram | 46045 Fifth Ave | |  |
| Terry Thompson | 46044 Fifth Ave | |  |
| JOAK IRVING | 46085 5th Ave | |  |
| Vanessa DaSilva | 46085 5th Ave | |  |
| Roger Pakech | 46080 5th Ave | |  |
| | | | |
| | | | |
| | | | |
| | | | |

| Name | Address | Phone | Signature |
|---------------------|--------------------------------|-------|---|
| Stacy McCallum | 46034 Fourth Ave V2P-1N1 | |  |
| Corbin Culpepper | 46024 Fourth Ave V2P 1N1 | |  |
| Dan Truong | 46020 Fourth Ave V2P 1N1 | |  |
| APT VALENZUELA | 46027 FOURTH AVE | |  |
| Buela Lol | 46010 Fourth Ave | |  |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

City of Chilliwack
8550 Young Road
Chilliwack BC
V2P 8A4

August 2, 2024

Attention:
Mayor and Council
Planning Department
City of Chilliwack Councillors
Bylaw Enforcement
Building Department

We are writing with respect to the notice of public hearing for: Official Community Plan Bylaw Amendment Bylaw 2024, No. 5396, Zoning Bylaw Amendment Bylaw 2024, No. 5397 (RZ001708)

We reside at 46073 Fifth Avenue, Chilliwack, BC, V2P 1M6 a family home backing onto the laneway shared with 46048 and 46074 Fourth Avenue and 9011 Nowell Street. The entire length of this two directional, single lane is bordered by residences on the south of Fourth Avenue and north of Fifth Avenue.

I, Coletta, have supported many applications under the Housing First task team of Chilliwack Healthier Community and similar Supportive Housing applications in the area. Sadly, to have so many locations within such a small neighbourhood has had a very negative impact on the area and we and our neighbours have lost our sense of personal and property safety and security. It was the right decision at the time, given the information and problem we had but we've now learned that if you build it, they will come.

This concept has also proven true with the extensive development in Promontory, Garrison, Vedder and Downtown Chilliwack and the challenges are many; traffic congestion, traffic accidents, pedestrian and cyclist accidents ongoing road improvements and increasing demand for police, fire and ambulance. Obviously these issues will happen anywhere that there is growth however the purpose of an Official Community Plan is to look ahead, consider in advance the infrastructure and potential concerns. The proposal for an amendment to the 2040 Official Community Plan designation of properties at 46048 and 46074 Fourth Avenue and 9011 Nowell Street from Residential 1- Downtown Single Family to Urban Quarter and to rezone the properties from an R1-A (Urban Residential) Zone to a C9 (Mid Rise Apartment Commercial) Zone is not based on future planning but a property owner's land assembly and desire to build. This is not about building affordable homes or addressing the housing crisis, this is a business opportunity.

The amendment of the 2040 Official Community Plan and the Zoning Bylaw Amendment is a significant deviation from the OCP but worse yet, it opens the City of Chilliwack to setting a precedent. A precedent that could pave the way to buildings that are far bigger. Recent comments from Council in discussions about this project have been directed at the Province's mandates for increased housing and the Province taking the power of municipalities away, but a proposal like this, is giving away the City's power to have communities that are planned well in advance.

There is no question that densification is needed and this area is good for accessibility with transit and a walkable neighbourhood but this particular proposal at this particular location is very poor planning.

The entrance to the garage and parking is off a single wide, two directional laneway. The lane itself is often blocked by a resident unloading or a vehicle from the opposite direction as it is not wide enough to pass. The parking garage access point, across from a current single family dwelling, is closest to Nowell Street where traffic is regularly blocked or backed up due to semi-trucks loading and waiting to unload at several of the industries on Fifth Avenue and Nowell Street. Monday through Friday from 6 am to 3 pm, Nowell Street from Fourth Avenue to the south end is the parking lot for the employees of those businesses. Fourth Avenue and Fifth Avenue are the thoroughfare for CN, Mid Valley Meats, Telus, Search and Rescue and all the smaller industrial businesses in the area. Fourth Avenue and Fifth Avenue at Young Road are the detour for train traffic. Drivers travelling South will make a left turn on either of these to get to Nowell, then Williams to First to limit encountering stop signs. Drivers travelling North on Young turn right at Fifth and Fourth to bypass the traffic lights of Young Road. Nowell and Williams Streets have no stop signs from the train tracks to First Avenue, making both of these the preferred routes for all drivers who are avoiding traffic waits but also for testing a vehicles performance. More than once a speeding driver has lost control at Fifth and Nowell. At the West end of the laneway, the lane T's leading drivers out to Fourth or Fifth Avenue, neither of which have stop signs either. With the proximity to Young Road and the detours noted above traffic turning from Young onto Fourth and Fifth don't expect that two car lengths away, vehicles are exiting the lane and this creates near misses as well.

The full measure of the current traffic issues and potential issues of a new build cannot be captured in a letter or provided with a few minutes at the public hearing. The length of time between the notice and the meeting did not provide enough time for us to provide video and photo evidence, though we have several short clips of vehicles passing trucks into oncoming traffic on Nowell Street and semis blocking driveways and the lane. But we shouldn't have to provide this, this should be the City's obligation in considering a proposal like this.

Finally, we are specifically concerned with the property owners lack of respect or consideration for any neighbours to date. There has been no care to the property, we have had to be the watchful eye for fires and for trespassers. We have had to provide trespassers with safety warnings after heavy duty pesticides were applied when weed eaters and lawnmowers wouldn't work on the 18"+ high grass and shrubs.

We hope you will look more deeply into this application, the dangers of a garage fire when the access is a car elevator and a laneway, the traffic implications current land and consider the City of Chilliwack's Official Community Plan's methodology of planning communities' years in advance.

Regards,

Steve and Coletta Holmes

A handwritten signature in black ink, appearing to read "Steve and Coletta Holmes", written over the typed name.

From:
To: [Clerks Dept Email](#)
Subject: Zoning Bylaw Amendment Bylaw 2024, No.5397 (RZ001708) [EXTERNAL]
Date: August 3, 2024 1:50:14 PM

Re: 46068 and 46074 Fourth Avenue
and 9011 and 9023 Nowell Street

Dear Sir/Madam;

I am writing to you to express my strong opposition to the proposed housing development in our neighbourhood. I urge you to disapprove the rezoning for this proposed development. It is too large for our area and not in character of our existing homes. I have lived in my rancher on Third Avenue for 18 years and have enjoyed having a private backyard, this development would ruin my privacy and my sons, he has social anxiety and only goes in the front yard if he has to go out, however he is comfortable in our backyard. The idea of a 7 story, 80 foot high apartment building behind us is not helping his mental health at all.

Our park on Third Avenue is actually used by families and children to play in and have picnics in. Our neighbourhood worked with the city to remove dense brush etc., to help prevent the drug use that was going on in our park. There are a lot of children that ride their electric scooters and bicycles in our neighbourhood to get to the park. This development would increase traffic and as it is I witness numerous vehicles run the stop sign at Third Avenue and Nowell Street.

Nowell Street between Fourth Avenue and Fifth Avenue is full of vehicles parked there on the roadway as they work in the businesses in the area. Where would they park during the construction? and afterwards although the developer claims there will be 96 parking spaces for the commercial unit and 64 apartment units.

The developer says the units will be sold and not rented, however, I am sure they can say what they want and changes could be made to allow rentals which would bring in low income residents which could increase crime rates and other social effects leading to concerns about the impact this development would have on our safety in our homes and the park and a decrease in property values. However, I do realize the need for affordable housing, but this project is not the right fit for our neighbourhood.

Sincerely,
Teresa Clarke
46080 Third Avenue

From:
To: [Clerks Dept Email](#)
Subject: Development planned for corner of Fourth Ave and Nowell St. [EXTERNAL]
Date: August 5, 2024 2:18:25 PM

As a long time resident of this neighbourhood on Fifth Avenue I have concerns regarding the scope of the planned 7 story building that is being presented to city council on Tuesday. Some of my concerns have already been submitted to City by letter on Friday. I would like to add to this. As this is a large building, how are the water and sewer issues being addressed?

As previously mentioned in the letter submitted in Friday I have real concerns about the excess resident and visitor parking for sio many units. We already have issues with both street and vehicles blocking and restricting access particularly the alley. Am worried about clear access for emergency and first responders.

I am not opposed to the development of this neighbourhood but feel that the existing infrastructure at this location does not and cannot support a development of this size. I sincerely hope that you take the concerns of this neighbourhood seriously.

Terressa Zazulak.

46033 Fifth Ave.

From:
To: [Clerks Dept Email](#)
Subject: Public Hearing August 6 2024 for 46068 & 46074 Fourth Avenue and 9011& 9023 Nowell Street [EXTERNAL]
Date: August 5, 2024 3:58:04 PM
Attachments: [email to precision.docx](#)
[2nd letter to precision.docx](#)
[IMG 8627.PNG](#)
[IMG 8629.PNG](#)

Hello,

Re: Official Community Plan Bylaw Amendment Bylaw 2024, No. 5396, Zoning Bylaw Amendment Bylaw 2024, No. 5397 (RZ001708)

I apologize for the late submission in consideration of tomorrow's Public Hearing. This has been a frustrating process as most information has been gathered through my efforts and community contacts, not the property owner nor applicant. Hearings like this in the summer time create an additional challenge.

I first became aware of the application in late May when a letter was delivered to my home at the end of May. On, May 30th, I emailed (see attached) the contact person noted and the planning department and the City of Chilliwack but received no response from the applicant. I did have a reply from Adam Roberts who explained the process to me. I watched the council meetings that followed and based on additional information, was able to find some answers to my questions.

Following the second council meeting, I decided it best to reach out to the applicant a second time, by telephone. He had not received my email which he later confirmed was in his junk folder. As he was leaving on holidays, he was not able to meet with me until July 31st. I sent a follow up email (attached) with my concerns however I did not have any additional information until the meeting date. This left little time for me to share the conversation with neighbours who were also concerned. I prepared a hurried letter which was hand-delivered to Legislative Services on Friday, August 2, 2024. At that time, I was notified that I could email until 4:00 pm today.

In addition to the emails I wrote to Precision Design Associates, I am attaching photos taken over time. Image 8629 shows vehicles passing trucks into the oncoming lane. Had I known I'd need to provide evidence of the problem, I would have kept photos of some of the accidents at 5th and Nowell. While some of the trucks have the same company logo, these are not all from the same day and time. These will give a small glimpse into the traffic concerns I mentioned in my letter to the City of Chilliwack and the applicant.

From: Coletta Holmes

Sent: May 30, 2024 10:08 PM

To: chuck@precisionbuildingdesign.com <chuck@precisionbuildingdesign.com>

Cc: villeneuve@chilliwack.com <villeneuve@chilliwack.com>

Subject: Fourth and Nowell application

Received your letter today. Disappointed at the lack of engagement prior to the letter or sign and the limited information provided in your correspondence.

The site plan, even with a magnifying glass is too small to read. Please provide the following details:

1. Total number units
2. Rental or strata - why a daycare unless subsidized or supportive housing?
3. Setback from lane
4. Location of entry point to garage and parking
5. Total number parking spots
6. Traffic management plan if lane will be used
7. Traffic management plan for intersection of Fourth and Nowell
8. Landscape plans for rear of building
9. Plan to protect/preserve trees on laneway properties of Fifth Avenue when excavation begins
10. Plan to provide privacy to Fifth Avenue neighbours
11. Plan for you to engage with Fifth Avenue residents prior to public hearings

With none of the above provided in your letter, we are also curious as to how the architect and/or contractor and/or owner plan to establish a Good Neighbour Agreement and demonstrate a project that “respects the overall character of the neighbourhood” - language used by city staff for a Mary Street rezoning application.

Coletta and Stephen Holmes
46073 Fifth Avenue

From: Coletta Holmes

Sent: July 19, 2024 1:06 PM

To: chuck@precisionbuildingdesign.com <chuck@precisionbuildingdesign.com>

Subject: Meeting request

Hi Chuck,

Thank you for taking my call.

The week of the 29th, I will be available on the 31st or 1st after 1 pm.

I would also like to add some context and background for you here, in preparation for our conversation.

As a former Executive Director with Chilliwack and District Seniors' Resources Society, I participated in Chilliwack Healthier Community's Housing First task team for years, advocating for all forms of housing and support services.

Many of these, including the RAN proposal that was declined at this location, were not best for my family, driving more individuals in need into my neighbourhood yet I still wrote letters of support and showed up at public hearings recognizing the need as greater than my comfort.

As the only owner-occupied residence that backs onto the subject property, my husband and I have had to be guardians so to speak as fires were built and abandoned, encampments started, stolen items stored and drugs traded. More recently we've watched as very strong pesticides have been applied without any notices posted then have had to go to the homeless individuals trespassing to warn them for their safety. It has been a tremendous responsibility over the years with zero interaction from the owners, so it is hard to put the owners' interests ahead of ours.

I do not support a 7 story project however, it is unlikely that my voice will be heard as council didn't agree with their own staff on this project. There are obvious reasons - the OCP, the zoning, preserving some starter homes and more affordable single-family dwellings. But there is a much bigger problem-traffic, parking, access and safety.

Since the project was announced I have paid much more attention and watched as semi trucks blocked lane access at Nowell while waiting to load. I've seen vehicles detour semis on the wrong side of the road on Nowell Street. With a lane that t's, vehicles from three directions face off to figure out who will back up to leave the lane. It is a single wide, two direction laneway that already has a lot of traffic. And yes, I am very bothered that the access point is directly behind my back yard.

I have spoken to a developer I know and he commented that we will be landlocked by this project. Assemblies for townhouses are not an option for the zoning on Fifth. I will never get out of town landlords to stand with me in any type of application for an OCP amendment here.



Yes, progress and housing are needed. Yes the province has forced the hand of municipalities - but not here. Council has an option. I have no choice but to advocate for my neighbourhood, for starter homes, for safety and infrastructure and for my own family as this project will literally take cash in the form of equity, away from us.

I look forward to discussing this further.

Regards,

Coletta Holmes







City of Chilliwack

Bylaw No. 5396

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 2024, No. 5396”.
2. “Official Community Plan Bylaw 2014, No. 4025”, is hereby amended by redesignating properties described as:
 1. PID: 012-373-001, Lot 13 Block 31 Division E New Westminster District Plan 1797 (46068 Fourth Avenue);
 2. PID: 005-197-911, Lot 14 Block 31 Division “E” New Westminster District Plan 1797 (46074 Fourth Avenue);
 3. PID: 011-245-891, Lot “B” Division “E” New Westminster District Plan 7593 (9011 Nowell Street); and,
 4. PID: 011-245-875, Lot “A” Division “E” New Westminster District Plan 7593 (9023 Nowell Street);

from “Residential 1 – Downtown Single Family” to “Urban Quarter”.

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

Consultation Process considered by Council on the 4th day of June, 2024.

Received adoption on the

Mayor

Corporate Officer

DRAFT

“Official Community Plan Bylaw Amendment Bylaw 2024, No. 5396”



DRAFT

City of Chilliwack

Bylaw No. 5397

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 2024, No. 5397"**.
2. "Zoning Bylaw 2020, No. 5000" is hereby amended by rezoning properties described as:
 1. PID: 012-373-001, Lot 13 Block 31 Division E New Westminster District Plan 1797 (46068 Fourth Avenue);
 2. PID: 005-197-911, Lot 14 Block 31 Division "E" New Westminster District Plan 1797 (46074 Fourth Avenue);
 3. PID: 011-245-891, Lot "B" Division "E" New Westminster District Plan 7593 (9011 Nowell Street); and,
 4. PID: 011-245-875, Lot "A" Division "E" New Westminster District Plan 7593 (9023 Nowell Street);from an R1-A (Urban Residential) Zone to a C9 (Mid Rise Apartment Commercial) 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

DRAFT

"Zoning Bylaw Amendment Bylaw 2024, No. 5397"



DRAFT