

AGENDA ITEM NO: 7.6

MEETING DATE: August 20, 2024

STAFF REPORT – COVER SHEET

SUBJECT: OTG Developments
Rezoning / 8614 Nixon Road &
8725 Veronika Place DATE: August 9, 2024

DEPARTMENT Planning Department
RZ001733 PREPARED BY: Adam Roberts / mb

1. SUMMARY OF ISSUE:


The applicant requests to amend the 2040 Official Community Plan designation of portions of 8614 Nixon Road from "Rural Hillside" and "Environmental Conservation" to "Residential - Low-Density" as per the Eastern Hillside Comprehensive Area Plan, and rezone portions of 8614 Nixon Road and 8725 Veronika Place from an SR (Suburban Residential) Zone to an R3 (Small Lot Residential) Zone to facilitate a future subdivision.

Once the Bylaws have been to Public Hearing, staff recommend that the Bylaws be held at third reading pending the issuance of a Development Permit under Development Permit Area No. 3 (DPA 3 – Riparian Areas) to address environmental considerations

2. RECOMMENDATION:

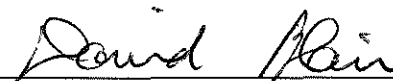
Recommendation that "Official Community Plan Bylaw Amendment Bylaw, 2024, No 5428", which proposes to redesignate portions of property located at 8614 Nixon Road, from "Rural Hillside" and "Environmental Conservation" to "Residential - Low-Density" as per the Eastern Hillside Comprehensive Area Plan; be given first and second reading; and further, that a Public Hearing be called for September 3, 2024.

Recommendation that "Zoning Bylaw Amendment Bylaw 2024, No. 5429", which proposes to rezone portions of properties located at 8614 Nixon Road and 8725 Veronika Place 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 3, 2024.


for Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation


David Blain
Chief Administrative Officer

STAFF REPORT ON REZONING APPLICATION RZ001733

PREPARED BY: Adam Roberts DATE: August 9, 2024

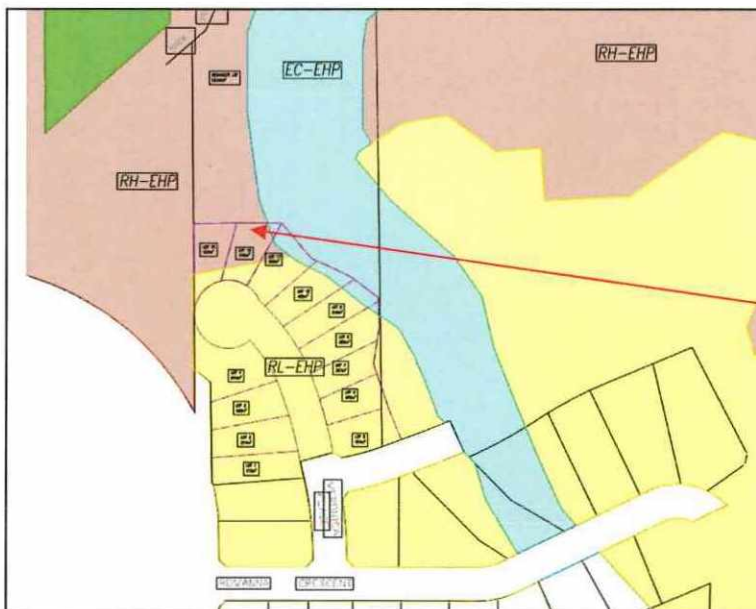
POSITION: Planner III DEPARTMENT: Planning Department

1. PROPOSAL:

The applicant requests to amend the 2040 Official Community Plan designation of portions of 8614 Nixon Road from "Rural Hillside" and "Environmental Conservation" (EC) to "Residential - Low-Density" (RL) as per the Eastern Hillside Comprehensive Area Plan (EHCAP), and rezone portions of 8614 Nixon Road and 8725 Veronika Place from an SR (Suburban Residential) Zone to an R3 (Small Lot Residential) Zone to facilitate a future 13-lot subdivision.

The applicant wishes to rezone portions of the subject properties to facilitate smaller lots than would be permitted under the current SR Zone (a reduction of the minimum lot area from 650m² to 350m²). As portions of the lots within the proposed subdivision are outside of the existing "Residential – Low-Density" designation of the EHCAP, an OCP amendment is required to align the RL designation with the proposed subdivision boundary. As the properties are within Development Cell 3 within the EHCAP, should the application be approved, the Cell 3 boundary will also be amended to align with the updated RL designated area.

The site plan below illustrates the proposed subdivision layout (shown in pink) in relation to the current OCP designations for the subject properties. If approved, the OCP designation and zoning will be updated to be consistent with the proposed property lines thereby eliminating the possibility of split designated properties which will create consistency in the development and avoid any confusion regarding appropriate land use in the future.



Proposed subdivision does not fully align with current RL designation

At this time, the current “Environmental Conservation” area within the EHCAP aligns with the existing 15m riparian protection area designated to all Class B watercourses, specifically in this location for Allan Creek. As the applicant intends to reduce the riparian area to 10m through the Development Permit Area No. 3 (Riparian Areas) application process, a concurrent amendment to the OCP designation to reflect the updated riparian area is requested. As such, it is recommended the application be held at third reading pending the issuance of a Development Permit for DPA 3 to formalize the reduced setback should it be approved.

As the subject properties are within Development Cell 3 of the EHCAP, they are subject to the maximum unit allocation of 100 units for the entire cell area. At this time, 69 lots have been created within Cell 3, and as such, 18 units will remain for future subdivision should the proposed 13 lots be created.

The final lot layout must comply with City Bylaws and include connection to City water and sewer services. The proposed road must be constructed to the DR-5 standard and include adequate turning radius within the cul-de-sac. A 6m right-of-way is required along Allan Creek for maintenance and a trail will be required through the development as identified in the Trail Network Plan. The Tree Management (Land Development) Bylaw and Land Development Bylaw apply.

2. FACTORS:

2.1 2040 Official Community Plan (OCP) / Land Use / Community Engagement / OCP Pre-consultation

Official Community Plan: “Residential – Low-Density”, “Rural Hillside”, and “Environmental Conservation” as designated in the Eastern Hillside Comprehensive Area Plan within the Official Community Plan. The applicant is proposing to re-align the current designations to facilitate the proposed subdivision as detailed above.

Land Use: Both lots are currently vacant.

Community Engagement: The applicant mailed a consultation letter to neighbouring properties within 30m of the subject properties to inform them of the proposed rezoning and OCP amendment on July 24, 2024 with a deadline to respond on August 7, 2024. As a result, the applicant was contacted by two neighbours through email. One neighbour opposed the application with concerns regarding the environmental impact of the proposed development. The second neighbour requested general information about the future lot sizes, building design, parking and built form. The applicant responded to the first email with background information about the ongoing redevelopment of the area and confirmation that Qualified Environmental Professional has been hired to assess environmental impacts. Although the applicant stated their intent to respond to the second email, to date of this report, confirmation that a response has been completed has not

been provided. A copy of the engagement summary has been included as part of the official record.

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.

2.2 Neighbourhood Character

The subject properties are located within the Eastern Hillside neighbourhood in an area that is currently experiencing ongoing development in the form subdivisions with single detached dwellings.

East: Bare land within the RH (Rural Hillside) and RS-GSA (Geologically Sensitive Area) Zones.

West: Single detached dwellings within the R3 Zone.

South: Single detached dwellings within the SR Zone.

North: Hack-brown Road and Highway 1.

2.3 Technical Issues:

Floodplain: 8614 Nixon Road is located within an alluvial fan, and 8725 Veronika Place is located partially within an alluvial fan and outside of the floodplain. As the proposed subdivision is within an alluvial fan area it is subject to the Floodplain Regulation Bylaw.

Watercourses: Allan Creek, a Class B watercourse runs from south to north through the subject properties. The applicant has applied for a Development Permit for DPA 3 (Riparian Areas) to reduce the setback to the watercourse from 15m to 10m. As such, it is recommended that the application be held at third reading pending the issuance of a Development Permit under DPA 3 to formalize the reduced riparian area setback, including approval from the Province.

Geotechnical Issues: The subject properties are mapped as having “significant” and “potential” geotechnical hazards. In support of the application, the applicant has submitted a geotechnical assessment prepared by *GeoWest Engineering Ltd.* dated February 9, 2023 as part of a Development Permit for DPA 2 (Hillside and Upland Areas).

3. RECOMMENDATION & SUBSTANTIATION:**Recommendation:**

Recommendation that “Official Community Plan Bylaw Amendment Bylaw, 2024, No. 5428”, which proposes to redesignate portions of property located at 8614 Nixon Road, from “Rural Hillside” and “Environmental Conservation” to “Residential - Low-Density” as per the Eastern Hillside Comprehensive Area Plan; be given first and second reading; and further, that a Public Hearing be called for September 3, 2024.

Recommendation that “Zoning Bylaw Amendment Bylaw 2024, No. 5429”, which proposes to rezone portions of properties located at 8614 Nixon Road and 8725 Veronika Place 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 3, 2024.

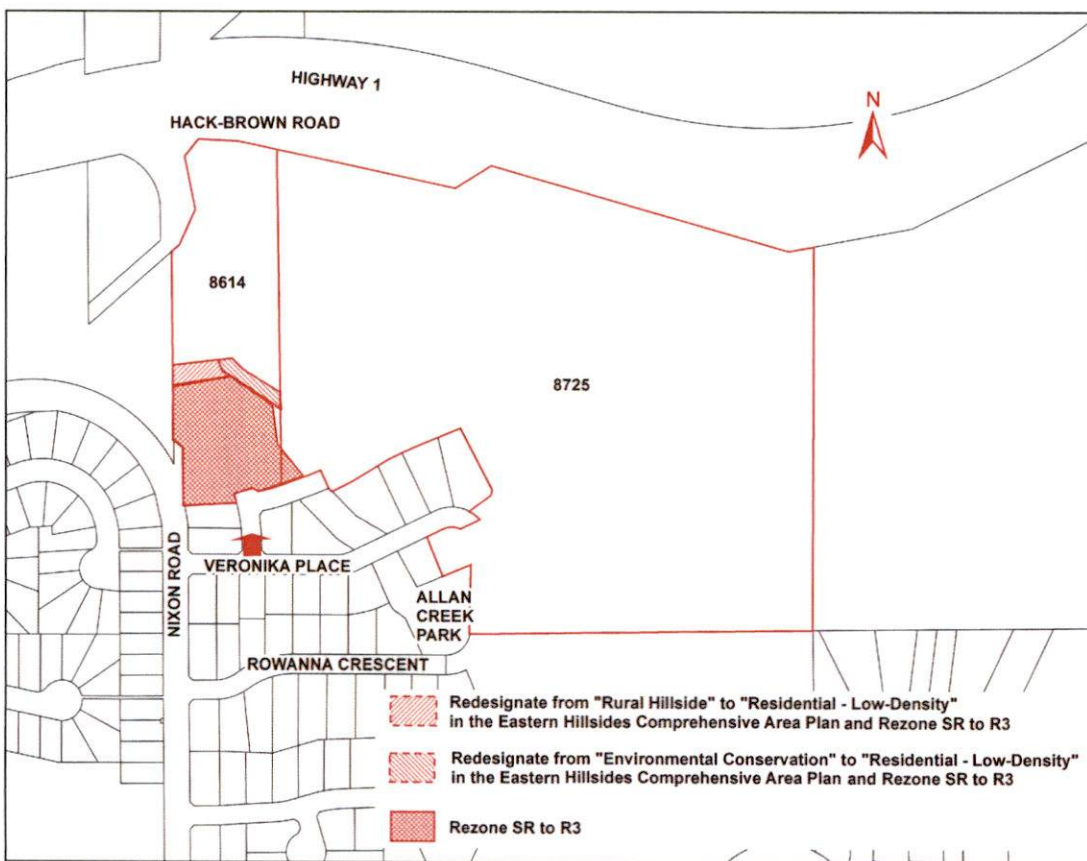
Substantiation:

The proposal is consistent with the unit allocation for Development Cell 3 within the Eastern Hillside Comprehensive Area Plan and does not increase density or alter the current development pattern in the area. The requested rezoning and OCP amendment will prevent the creation of split-designated properties and ensure consistency between the OCP designation and zoning of the proposed properties and the boundary of Development Cell 3. The proposed development is anticipated to complement the neighbourhood and contribute to the ongoing development of the area.

4. SOURCES OF INFORMATION:

- Rezoning Application (RZ001733) – August 23, 2023
- Development Application Review Team (DART) Minutes – December 7, 2023
- Development Permit Application DP001752 – August 31, 2023
- Development Permit Application DP001861 – July 17, 2024

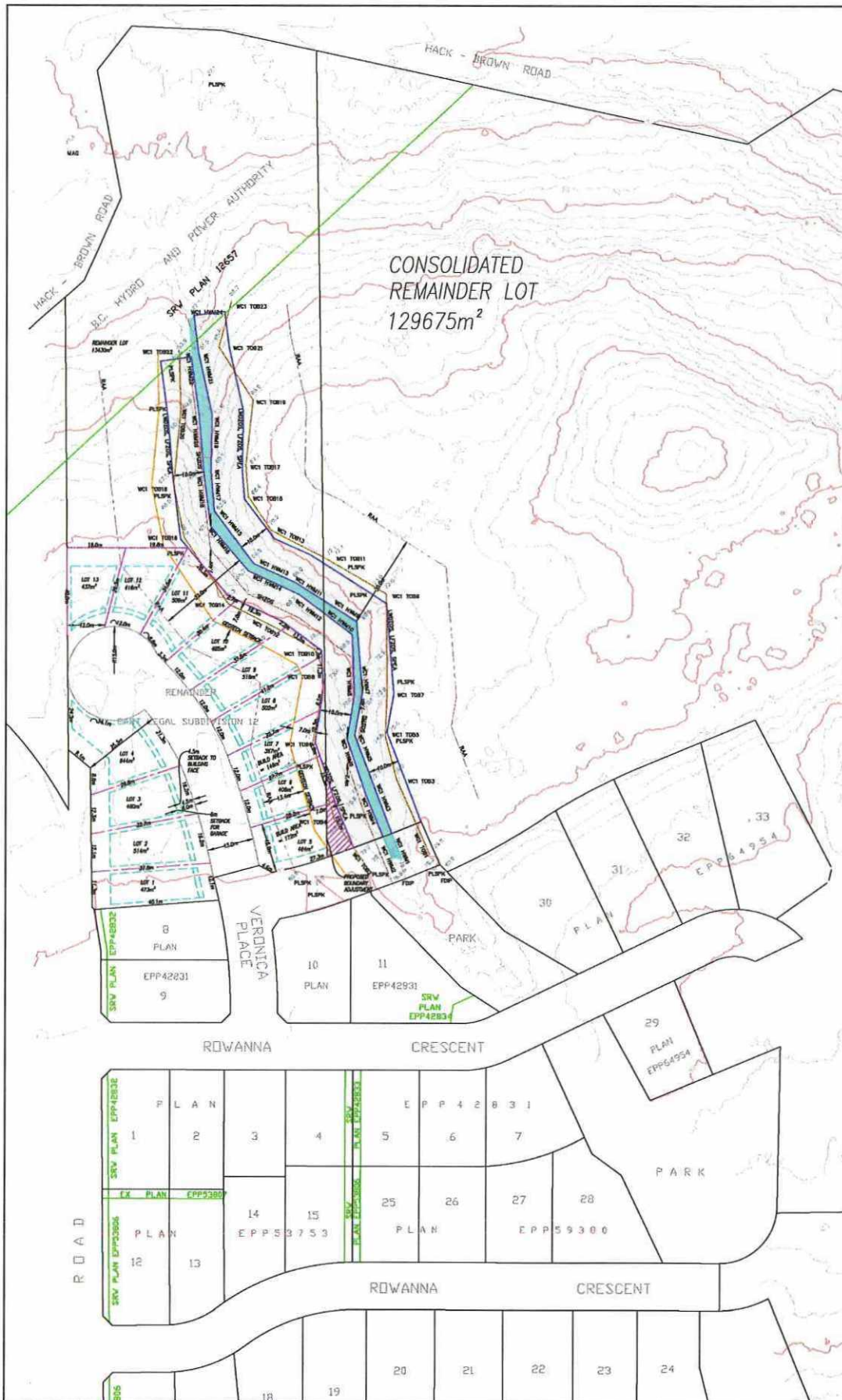
Location Map



Ortho Photo



Conceptual Site Plan (as provided by the applicant)



Schedule A – Community Engagement



604.316.9405
Unit 201 - 45269 Keith Wilson Rd
Chilliwack, BC, V2R 5S1
www.otgdevelopments.com

July 24, 2024

Our File No. 22-124

To Whom it May Concern,

Re: 8614 Nixon Road and 8725 Veronika Place, Chilliwack, B.C. – Proposed Official Community Plan and Zoning Amendment

On behalf of the owners of the above neighbouring properties, OTG Developments Ltd has submitted an application to the City of Chilliwack which proposes an OCP Amendment and Rezoning for portions of the above-mentioned properties. The proposed OCP Amendment and Rezoning applications are to facilitate a future R3 Zoned thirteen (13) lot, fee simple subdivision largely contained within the property located at 8614 Nixon Road and a remainder lot approximately 12.96ha in area comprised of consolidated surplus lands.



Figure 1 - Location Map

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"A plan without action is a dream,
an action without a plan is a nightmare."





OTG is writing to you to seek any comments or concerns with respect to the proposed development. It is our goal to provide you with sufficient information to fully understand the details of the application.

OCP Amendment

The OCP Amendment application seeks to redesignate portions of **8614 Nixon Road** as follows:

- To redesignate a portion of the property from Rural Hillside (RH) to the Low Density Residential (RL) designation; and,
- To redesignate a portion of the property from Environmental Conservation (EC) to Low Density Residential (RL).

The above listed amendments to the OCP are to realign the land use designation mapping to more accurately reflect the developable vs non-developable portions of 8614 Nixon Road based on recently completed Environmental and Geotechnical assessments. There are no proposed changes to the current OCP designations of 8725 Veronika Road.

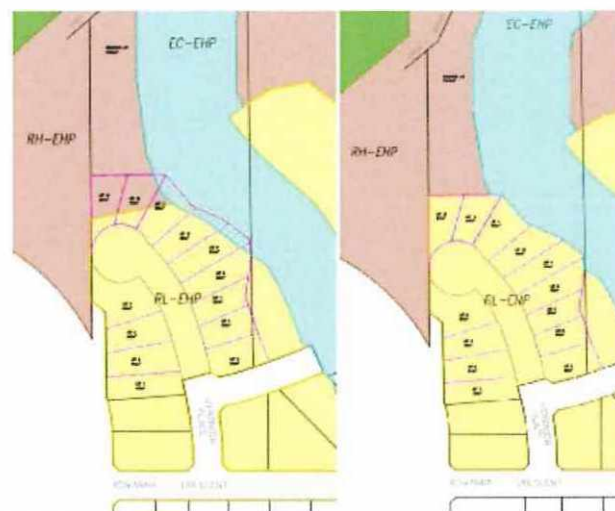


Figure 2 – Existing & Proposed OCP Maps

604 316 9405

Unit 207 - 45269 Keith Wilson Rd Chilliwack, BC, V2R 5S1

www.otgdevelopments.com



Rezoning

The application proposes to rezone portions of the Subject Properties as follows:

8614 Nixon Road

- To rezone portions of the property from the Suburban Residential (SR) Zone to the Low Density Residential (R3) Zone; and,
- To rezone portions of the property from the Suburban Residential (SR) Zone to the Remnant Area (RS-REM) Zone.

8725 Veronika Road

- To rezone a portion of the property from the Suburban Residential (SR) Zone to the Low Density Residential (R3) Zone.



Figure 3 – Existing & Proposed Zoning Maps



Future Subdivision

The proposed Rezoning and OCP Amendment applications are to facilitate a future R3 Zoned thirteen (13) lot, fee simple subdivision largely contained within the property located at 8614 Nixon Road and a remainder lot approximately 12.96ha in area comprised of consolidated surplus lands.

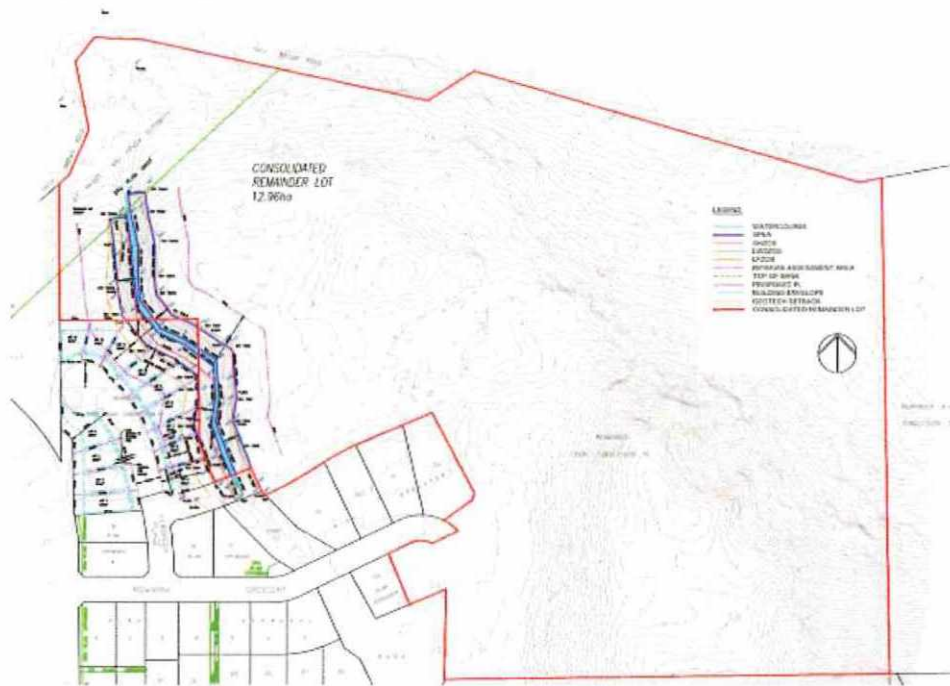


Figure 4 – Overview Subdivision Plan with Remainder Lot

As noted, OTG is seeking any comments or concerns with respect to the proposed development. **Please note that all feedback must be received by no later than August 7, 2024.**



If you require any additional information, please don't hesitate to contact the undersigned. Alternatively, if you would like to voice any comments or concerns, please use the following methods:

Mail: OTG Developments Ltd., 201 - 45269 Keith Wilson Road, Chilliwack, B.C. V2R 5S1

Email: shannon@otgdevelopments.com

Regards,

A handwritten signature in black ink, appearing to read "Shannon", written over a horizontal line.

Shannon Webb
Senior Planner / Project Manager
P: (250) 686.5793
E: shannon@otgdevelopments.com

City of Chilliwack

Bylaw No. 5428

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. 5428”**.
2. “Official Community Plan Bylaw 2014, No. 4025”, is hereby amended by redesignating portions of property described as PID: 015-640-027, That Part of Legal Subdivision 12 Lying to the East of a Line Parallel to and 23 Chains and 92 Links to the West of the East Boundary of the West Half of Section 27 of Section 27 Township 2 Range 29 West of the Sixth Meridian New Westminster District to Which the Registrar has Assigned the Distinguishing Number “Three” Except: Firstly: Part Highway on Statutory Right of Way Plan 51034A; Secondly: Part Highway on Statutory Right of Way Plan 86836; Thirdly: Part Highway on Statutory Right of Way Plan 21995; Fourthly: Plan EPP42831; and Fifthly Plan EPP53753, as shown on Schedule “A” attached hereto and forming part of this bylaw, from “Rural Hillside” and “Environmental Conservation” to “Residential-Low-Density”.

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

Consultation Process considered by Council on the 6th day of August, 2024.

Received adoption on the

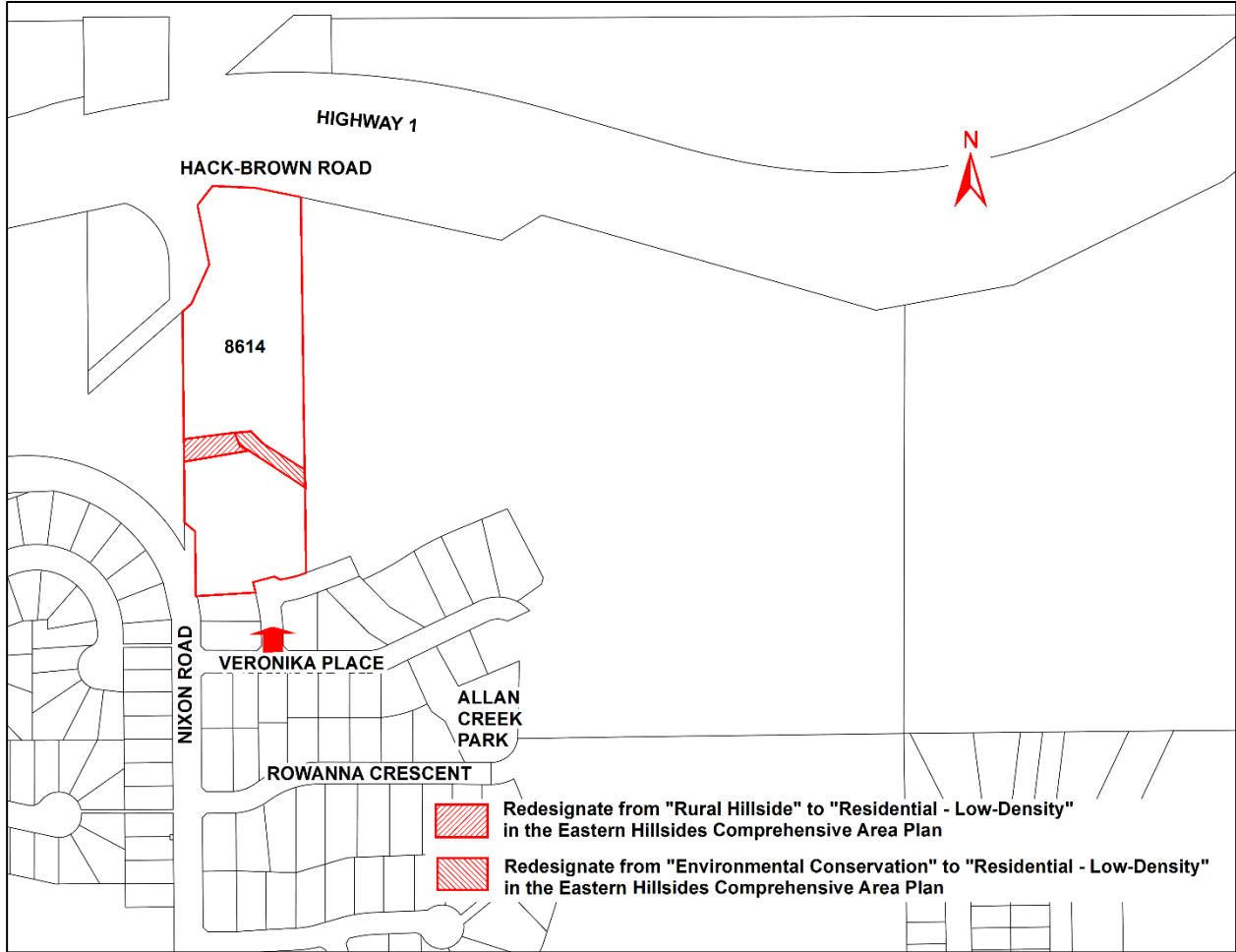
.....
Mayor

.....
Corporate Officer

This bylaw refers to portions of property located at 8614 Nixon Road.

DRAFT

**“Official Community Plan Bylaw Amendment Bylaw 2024, No. 5428”
Schedule “A”**



DRAFT

City of Chilliwack

Bylaw No. 5429

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. 5429”**.
2. “Zoning Bylaw 2020, No. 5000” is hereby amended by rezoning portions of properties described as:
 1. PID: 015-640-027, That Part of Legal Subdivision 12 Lying to the East of a Line Parallel to and 23 Chains and 92 Links to the West of the East Boundary of the West Half of Section 27 of Section 27 Township 2 Range 29 West of the Sixth Meridian New Westminster District to Which the Registrar has Assigned the Distinguishing Number “Three” Except: Firstly: Part Highway on Statutory Right of Way Plan 51034A; Secondly: Part Highway on Statutory Right of Way Plan 86836; Thirdly: Part Highway on Statutory Right of Way Plan 21995; Fourthly: Plan EPP42831; and Fifthly Plan EPP53753 (8614 Nixon Road); and,
 2. PID: 015-639-886, Legal Subdivision 11 Section 27 Township 2 Range 29 West of the Sixth Meridian New Westminster District Except: Plans 86836, 21995, EPP26547, EPP42831, EPP53753, EPP59380, and EPP64954 (8725 Veronika Place);

from an SR (Suburban Residential) Zone to an R3 (Small Lot Residential) Zone.

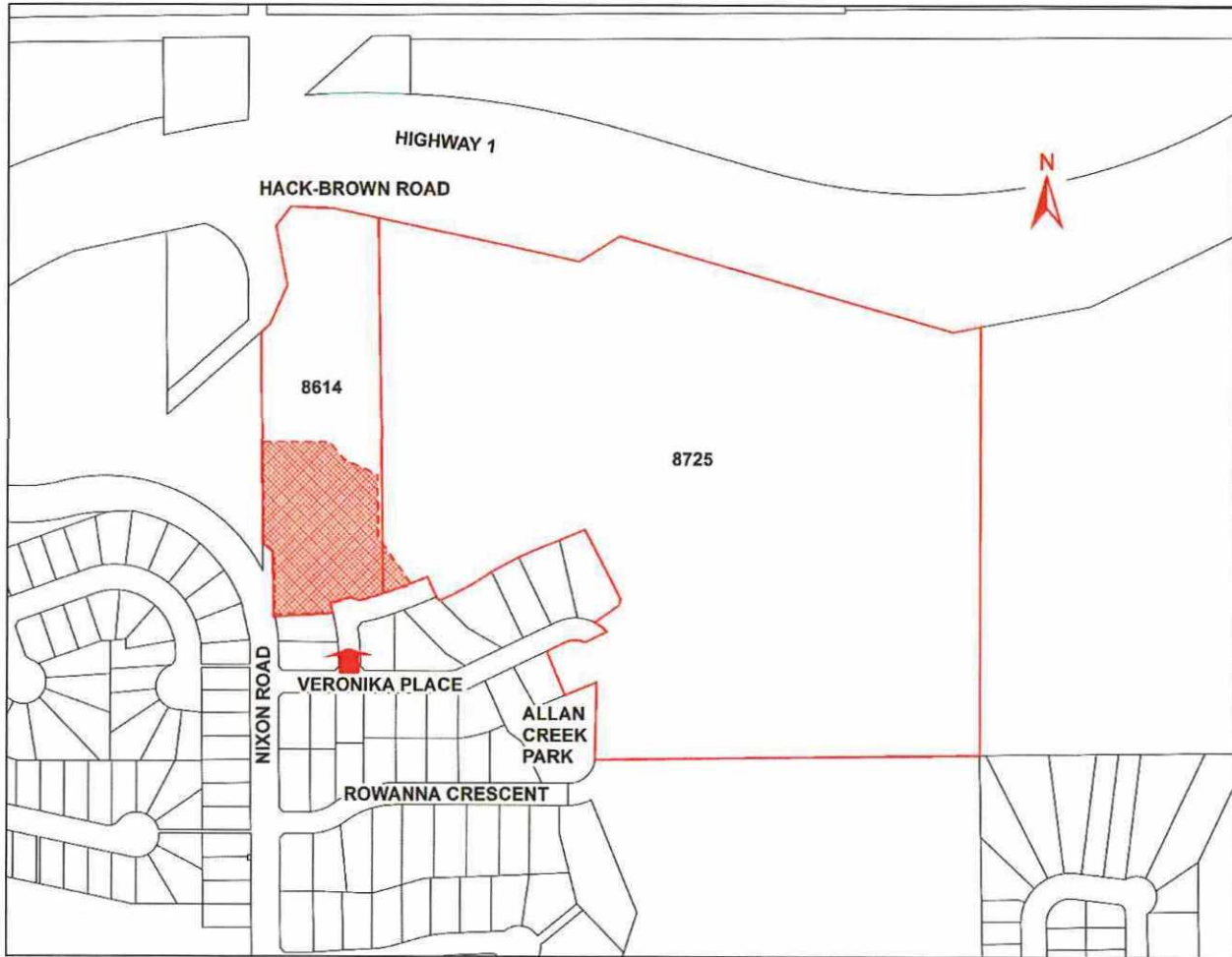
Received first and second reading on the
Public hearing held on the
Received third reading on the
Received adoption on the

DRAFT

Mayor

Corporate Officer

“Zoning Bylaw Amendment Bylaw 2024, No. 5429”



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