

AGENDA ITEM NO: 7.8

MEETING DATE: August 20, 2024

STAFF REPORT – COVER SHEET

SUBJECT: Harpreet Singh
Rezoning / 46005 Stevenson Road DATE: August 2, 2024

DEPARTMENT: Planning Department
RZ001701 PREPARED BY: Joty Rai / cc

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 and R3 (Small Lot Residential) Zone to facilitate a future subdivision.

Staff recommend that the bylaw be held at third reading pending registration of a voluntary restrictive covenant limiting the density to one single detached dwelling with an accessory dwelling unit (ADU) only per lot.

2. RECOMMENDATION:

Recommendation that "Zoning Bylaw Amendment Bylaw 2024, No. 5432", which proposes to rezone property located at 46005 Stevenson Road from an R1-A (Urban Residential) Zone to an R1-C (Urban Infill) Zone and R3 (Small Lot Residential) Zone, be given first and second reading.

Recommendation that "Zoning Bylaw Amendment Bylaw 2024, No. 5432", which proposes to rezone property located at 46005 Stevenson Road from an R1-A (Urban Residential) Zone to an R1-C (Urban Infill) Zone and R3 (Small Lot Residential) Zone, be given third reading.



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



David Blain
Chief Administrative Officer

STAFF REPORT ON REZONING APPLICATION RZ001701

PREPARED BY: Joty Rai DATE: August 2, 2024
POSITION: Planner I DEPARTMENT: Planning Department

1. BACKGROUND

Through Bill 44, the Province made substantial changes to municipal procedures related to zoning and approvals for residential development, including a prohibition on public hearings for rezoning applications which are consistent with the Official Community Plan designation. As such, a public hearing is not permitted for this application under the Local Government Act. Properties within 30m of the subject property will be provided a notice of the application in accordance with the City's Public Hearing/Public Information Meeting Procedural Bylaw and provincial legislation. As part of the notification process, any written submissions received will be presented in an information package to Council.

2. PROPOSAL:

The proposal is to rezone the subject property from an R1-A Zone to an R1-C Zone and an R3 Zone to facilitate a future 5-lot subdivision. As shown on the attached conceptual plan, detailed plan, and site assessment plan, the proposal meets the minimum required lot area and dimensions of the R1-C and R3 Zones, and the requirements of the City's R1-C (Urban Infill) Rezoning Policy No. G-35.

As a result of the recent amendments to the Zoning Bylaw to address Provincial small-scale multi-unit housing legislation changes, the subject property and future subdivided lots will be permitted to include up to 4 units per lot. However, the applicant has volunteered to register a restrictive covenant for the subject property to limit density and built form to no more than one single detached dwelling and accessory dwelling unit (ADU) in the form of a secondary suite per lot. These provisions are consistent with the existing restrictions within the R1-C Zone and the R3 Zone. If approved, the proposed redevelopment will be limited to 2 units per lot, or 10 potential units cumulatively on the subject property. Staff recommend the application be held at third reading pending registration of the voluntary restrictive covenant limiting density and built form as detailed above.

Final lot layout must comply with City Bylaws and include urban half road frontage improvements complete with barrier curb, gutter, sidewalk, bike lane and LED Streetlighting. The proposal is also subject to 5% park land dedication or cash in lieu at time of subdivision application. The requirements of the Tree Management (Land Development) Bylaw and Land Development Bylaw will apply at time of subdivision.

Although the property is not serviced by a rear lane, the proposed rear strata road functions as internal access, and as such, a 12m long and 4m wide driveway is not required for the R1-C lots. At this time, the applicant has not committed to a specific design for the single detached dwellings to

be constructed at the time of redevelopment; however, building height within the proposed R1-C and R3 Zones is limited to 10m.

3. FACTORS/BACKGROUND:

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

Official Community Plan: “Urban Residential” as designated in the Sardis Neighbourhood Plan within the Official Community Plan (OCP). The proposal is consistent with this designation.

Land Use: Single detached dwelling and a detached garage (both to be demolished at time of subdivision approval). The applicant has indicated that the house on the property is currently occupied by tenants and will remain tenanted throughout the development process.

Community Engagement: The applicant has conducted independent public engagement with neighbouring properties. The applicant advised that on July 2, 2024, they mailed out letters to properties within 30m of the subject property. The letters explained the proposal and invited feedback. A copy of the engagement summary has been included in the information package presented to Council (Schedule A).

At the time of submission of the engagement summary, the applicant had not received any responses from neighbouring properties. However, as of the date of this report, the applicant has since received feedback regarding privacy concerns from one neighbour. The applicant is working to address the concerns directly with the neighbour.

3.2 Neighbourhood Character

The subject property is located within a neighbourhood in Sardis which is experiencing ongoing development. The property is surrounded by single detached dwellings within the R1-A, R1-C, and R3 Zones as well as a duplex within the R1-B (Urban Duplex) Zone. The subject property is also within walking distance to Sardis Elementary and multiple parks, including Sardis Park.

The proposed rezoning is consistent with the “Urban Residential” OCP designation of the subject property and the City’s Infill Development Policy, both which support infill development to accommodate future growth and increased housing options at an appropriate scale. The required urban half road frontage improvements will ensure a safe and inviting streetscape and the proposed driveways ensure the provision of adequate off-street parking.

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

4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that “Zoning Bylaw Amendment Bylaw 2024, No. 5432”, which proposes to rezone property located at 46005 Stevenson Road from an R1-A (Urban Residential) Zone to an R1-C (Urban Infill) Zone and R3 (Small Lot Residential) Zone, be given first and second reading.

Recommendation that “Zoning Bylaw Amendment Bylaw 2024, No. 5432”, which proposes to rezone property located at 46005 Stevenson Road from an R1-A (Urban Residential) Zone to an R1-C (Urban Infill) Zone and R3 (Small Lot Residential) Zone, be given third reading.

Substantiation:

The proposed rezoning is consistent with the City’s OCP designation, Infill Development Policy and the ongoing low-density residential development in the area. As such, the proposal is expected to complement the neighbourhood and provide additional housing options at an appropriate scale.

5. SOURCES OF INFORMATION:

- Rezoning Application (RZ001701) – February 28, 2023
- Development Application Review Team (DART) Minutes – November 9, 2023

Attachments

- Schedule A – Applicant’s Engagement Summary Materials

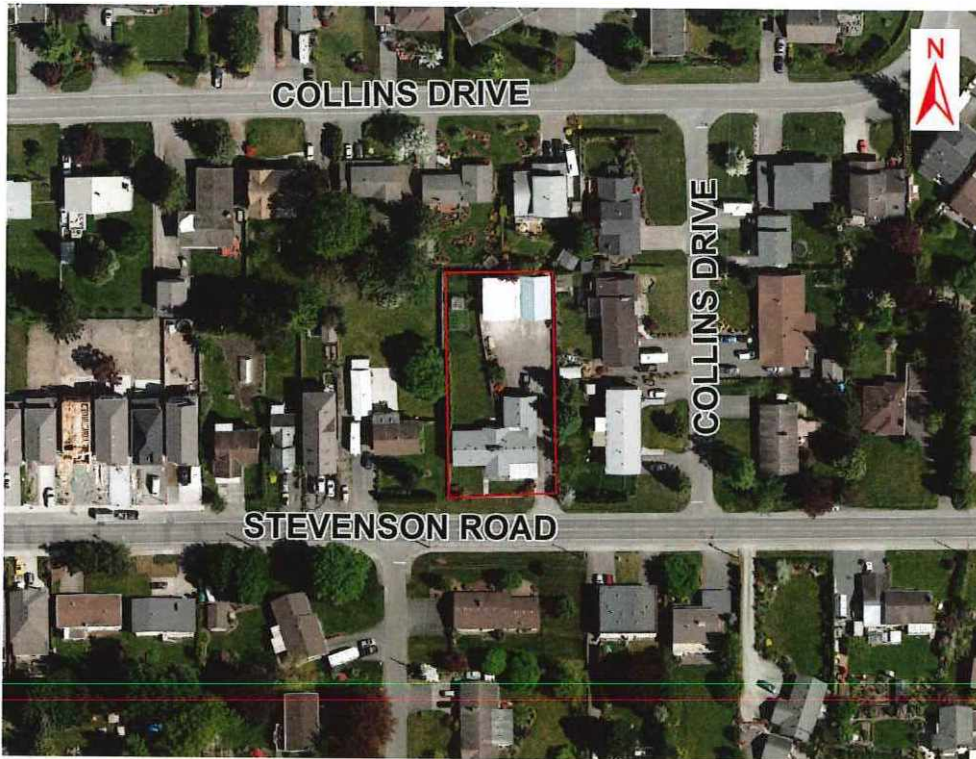
Site Photo



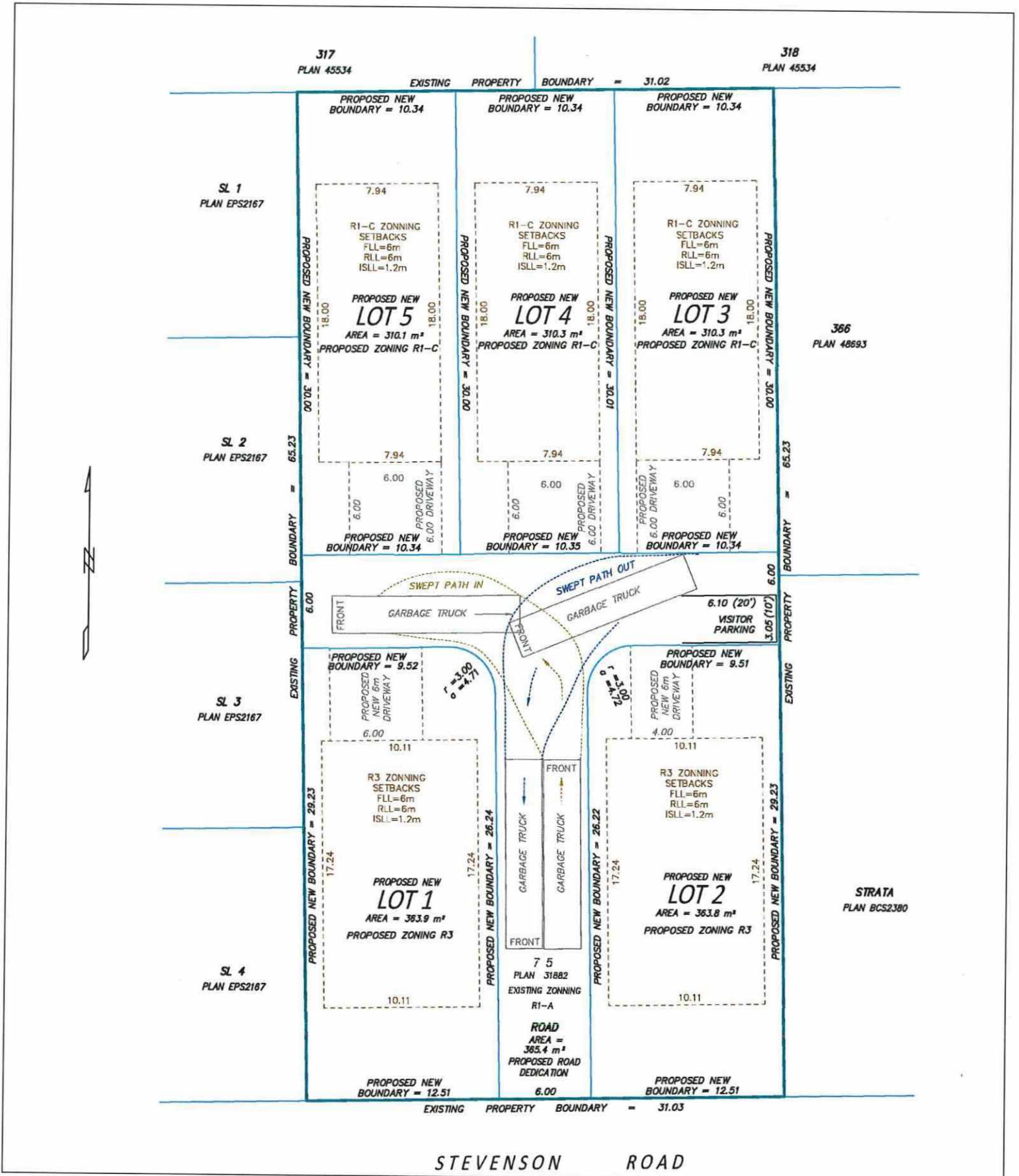
Location Map



Orthophoto



Conceptual Site Plan (as provided by the applicant)



Detailed Site Plan (as provided by the applicant)



Schedule A - Applicant's Engagement Summary Materials

RZ001701- Pre-Notification Letter to Rezone Property located at
46005 Stevenson Rd, V2R 2G2, Chilliwack BC

Dear Owner/Occupant,

We hope you are doing well.

We, the owners of the property at 46005 Stevenson Rd., V2R 2G2, Chilliwack, BC, are reaching out to engage with you about an application we have submitted to the City of Chilliwack to rezone this property from its current zoning of R1-A (Urban Residential) to R1-C and R3 (Urban Infill Zone).

The site being proposed to be rezoned will help initiate future subdivision, in full accordance with the requirements of Zoning By-Law 2020 No.5000 and will comply with the City's Infill Development Policy. In addition, it has been confirmed with the city that no variance is required.

We are mailing you this letter hoping to receive any input you may have. Our goal is to engage with our neighbors and surrounding properties early on, to help improve communication and build long-lasting relationships. This also helps provide an opportunity to communicate, address, and clarify any concerns or comments that you may have.

Please contact us (via email or responding back to this letter) by July 12th, 2024, if you have any questions about this application. We would be happy to address any clarifications that may be needed.

We have also attached the site location map for your reference. We look forward to hearing from you.

Harpreet Singh

Schedule A - Applicant's Engagement Summary Materials (cont'd)

Page ___ of ___

Application Number: RZ001701

Development Application: Public Engagement Summary

Property Address(es): 46005 Stevenson Rd Chilliwack V2R 2G2

Applicant Contact Information: 7782417689

Purpose: The purpose of this application is to rezone the subject property from R1-A to R1-c and R3 facilitate a future subdivision

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
	45990 Collins Drive	Mail	<input type="checkbox"/>	<input type="checkbox"/>	No comments received
	46000 Collins Drive	Mail	<input type="checkbox"/>	<input type="checkbox"/>	No comments received
	46010 Collins Drive	Mail	<input type="checkbox"/>	<input type="checkbox"/>	No comments received
	46020 Collins Drive	Mail	<input type="checkbox"/>	<input type="checkbox"/>	No comments received
	46031 Collins Drive	Mail	<input type="checkbox"/>	<input type="checkbox"/>	No comments received
	1-46037 Collins Drive	Mail	<input type="checkbox"/>	<input type="checkbox"/>	No comments received
	2-460037 Collins Drive	Mail	<input type="checkbox"/>	<input type="checkbox"/>	No comments received
	1-45995 Stevenson Rd	Mail	<input type="checkbox"/>	<input type="checkbox"/>	No comments received
	2-45995 Stevenson Rd	Mail	<input type="checkbox"/>	<input type="checkbox"/>	No comments received
	3-45995 Stevenson Rd	Mail	<input type="checkbox"/>	<input type="checkbox"/>	No comments received
	4-45995 Stevenson Rd	Mail	<input type="checkbox"/>	<input type="checkbox"/>	No comments received
	46030,46010 Stevenson Rd	Mail	<input type="checkbox"/>	<input type="checkbox"/>	No comments received

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.

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Meeting date: Aug. 20th, 2024

Rezoning/46005 Stevenson Road

RZ0011701

We are the tenants of 2-46037 Collins Drive, Stacey Dumas and Travis Burns. We have lived here for over 3 years. The planned development as written will reduce the enjoyment of our home.

I am asking you to adopt the following recommendations to mitigate the impact of this development on us and our neighbours.

a) All proposed building heights reduced to match the surrounding homes.

The building heights proposed in this plan will block sunlight, decrease privacy and block mountain views.

Block Sunlight: We garden. We have tomatoes, peppers, blueberries(just starting) and cucumbers in our yard. As we lost old trees, but have replaced them with trees recommended by Minter Gardens. These trees require sunlight to grow. Both these actions reduce carbon foot print, Trees absorb heat, clean our air and provide homes for wildlife. Tall buildings will not allow for this.

Sunlight provides enjoyment. It improves well-being and is essential for health. Reduction in sunlight in our backyard will impact our well-being.

Mountain Views: When I sit on my deck I can see the mountains. The redevelopment height proposed will block 70% to 80% of this view(photo-induced). This reduces the value of our home and the enjoyment of our backyard. The value of a mountain view is so important in Chilliwack that real estate agents include this as a feature in their listings.

Decrease Privacy:

The proposed heights of buildings will impact my privacy and QOL.

Lawnmowers, renovations, dogs, kids, cars, music, are all common noise sources that will be increased, decreasing the peace and tranquillity of the area. Sightlines, window placements, and the proximity of new structures will also decrease my privacy.

NOTE: My proposed height reduction still allows the developer to increase height.

b) Include 8-foot fencing along the property line and a new hedge on the developer's side.

The existing hedging proposed is old, and dying. It has no visual appeal and does not fully block the space between the properties. Furthermore, is overgrown. The hedge does not provide privacy now, and as they are over 15 years old, will not grow to provide privacy in the future. Updated privacy and noise reduction needs to be put in place. I am suggesting an 8 foot solid fence with new hedges that are draught resistant added to the current plan.

Agenda Item No: 7.8

Meeting date: Aug. 20th, 2024

Rezoning/46005 Stevenson Road

RZ0011701

We are the owner/occupants of 1-46037 Collins Drive, John Lees and Alberta(Allie) MacKay. We have lived here for over 15 years. Our house is our largest investment and **our home**. The planned development as written will reduce both the value and enjoyment of our home.

I am asking you to adopt the following recommendations to mitigate the impact of this development on us and our neighbours. I have included all the emails I have exchanged with the developer. John attempted to speak with Harpreet too. Unfortunately, we were unable to engage Harpreet with our concerns. In-person, Harpreet made it clear he could apply for 10 homes. We are concerned this will happen in the future.

The property being proposed for development has been on the MLS for 110 days. I am worried about how a sale will impact decisions made and urge the city council to aid me in reducing the impact this development will have on us.

a) All proposed building heights reduced to match the surrounding homes.

The building heights proposed in this plan will block sunlight, decrease privacy and block mountain views.

Block Sunlight: We garden. We have tomatoes, peppers, blueberries(just starting) and cucumbers in our yard. When we lost old trees we replaced them with trees recommended by Minter Gardens. These trees require sunlight to grow. Trees absorb heat, clean our air and provide homes for wildlife. Tall buildings will not allow for this.

Sunlight provides enjoyment. It improves well-being and is essential for health. Reduction in sunlight in our backyard will impact our well-being.

Mountain Views: When I sit on my deck I can see the mountains. The redevelopment height proposed will block 70% to 80% of this view(photo-induced). This reduces the value of our home and the enjoyment of our backyard. The value of a mountain view is so important in Chilliwack that real estate agents include this as a feature in their listings.

Decrease Privacy:

The proposed heights of buildings will impact my privacy and QOL.

I already am experiencing the effects of the infill in the Sardis neighbourhood from the 45995 Steveson development. Lawnmowers, renovations, dogs, kids, cars, music, are all common

noise sources have increased, decreasing the peace and tranquillity of the area. Sightlines, window placements, and the proximity of new structures will also decrease my privacy.

NOTE: My proposed height reduction still allows the developer to increase height.

b) Include 8 foot fencing between properties

The plan changed to include fencing for noise reduction and privacy. Style should be decided between all parties and at 100% developers' costs.

The existing hedging proposed in the plan is old and dying due to heat. It has no visual appeal and does not fully block the space between the properties. Furthermore, it is overgrown. The hedge does not provide privacy now, and as they are over 15 years old, will not provide privacy in the future(see photos below).

Updated privacy and noise reduction needs to be put in place. An 8-foot solid fence with new hedges that are draught-resistant need to be added to the current plan.

c)That developers consider the old roses, quince and other trees that are along the property line and provide a plan to protect them.

Over the years work has gone in to beautify the property. Developers have not provided plans or worked with us to save trees, roses or bushes that span both property lines. Conversation leading to an agreed plan would mitigate future problems.

d)Tree on plan missing. Need to be replaced.

The 3 stamps for trees on the plan placed on property 366 plan 48693 are not there. Only one is. Please see the photo below. This part of the plan needs to be updated with more trees.

e) Not enough parking for needs of development due to lack of local on-street parking.

The current infill rate does not allow for enough parking. Even with parking added on Steveson, it will not meet the demands of 5 families. There is no parking on the surrounding streets. Nor across the street on Stevenson. People park daily in the bike lanes in this section. More families will only increase congestion and the problem.

d) Carriage homes can be added to the property and are a better solution to the housing crisis and more environmentally friendly.

There is no reason to demolish the home. It has been on the market for 110 days, 3-45995 Stevenson, right beside this house has been on the market for 130 days. And 46075 Stevenson has been on the market for 173 days. The housing supply in Chilliwack has increased, and time on MLS has increased. (see attachment). The infill By-Law used to create this plan does not consider the current climate of Chilliwack housing.

The current plan does not consider long-term implications. Currently, we have one house behind us that provides a home for 2 families. Built in 1973, it is structurally sound and was recently renovated to include a suite. Under the current plan, the tenants will eventually be displaced.

The house that will be torn down will be replaced by structures that will be more expensive to rent. This rental unit **currently** has the benefits of privacy, space, a backyard, lots of parking, areas to garden etc. (generally preferred by families). The plan shows no plans to replace the rental properties with these benefits. Furthermore, it does not guarantee any rentals. There is a suggestion of the possibility of suites.

By adopting this plan families end up with fewer options often raising children in suites(aka basements), with little outdoor space. **Suites will not replace the type of housing torn down.**

As we look at having the best plan forward, keep the existing house on Lot 1 and 2, but add lots 3, 4, 5. Increase the housing, but not evict current tenants.

We appreciate you considering our concerns with this development plan.

Sincerely,

Allie Mackay and John Lees.

Appendix:

Photos of dying, overgrown hedges.



Shows space and esthetic of current hedging.



Photo of missing trees next door



Allie MacKay

RZ001701

5 messages

Allie MacKay

Thu, Jul 18, 2024 at 4:01 PM

To:

Hello Harpreet,

I am the owner of 2-46037 and co-owner of 1-46037 Collins Drive. I received your letter on July 15th. The date for feedback is listed as July 12th. I would appreciate more time in the future.

I have contacted the city. They were unable to provide me with any more information on your plans for the property. I need more information to provide proper feedback.

Second, I am aware you own two properties. I want to confirm we are talking about the right one. The one behind me was renovated recently to allow for 2 tenants. This is the property shown on the maps. Is this the one you plan on taking down additional replacing it with 5 homes?

Regards,
Allie

Harp Sagoo

Fri, Jul 19, 2024 at 10:20 AM

To: Allie MacKay

Hi Allie,

Thank you for your time and attention.

This letter, we mailed on July 2nd, is regarding property address 46005 Stevenson Rd.

There'll be bare strata lot subdivision, same concept as 45995 Stevenson Rd.

Currently it's under Re zoning process with city of Chilliwack.

Let me know if you have any questions, I'll be more than happy to assist you.

Thank you

Harpreet

[Sent from Yahoo Mail for iPhone](#)

[Quoted text hidden]

Allie MacKay

Fri, Jul 19, 2024 at 4:47 PM

To: Harp Sagoo

Hi,

If you can forward me your building plans it would be great. I would like to verify heights and lot sizes. I would also like to compare your plan for trees with the cities requirements. As well as parking. I would also like to know what your plan is for between my house and yours. I would prefer to see the official plans as they are your commitments to the city.

Emailing me this information really means nothing. You could email something totally different to the city and I would not be the wiser.

Lastly, you mentioned this project was the same as the one beside it. I noticed of MLS listing for this property mentions five houses with suites.

I would like to understand your plan for development.

Thank you,
Allie

[Quoted text hidden]

Allie MacKay

Fri, Aug 2, 2024 at 12:57 PM

To: Harp Sagoo

Good afternoon,

I noticed the rezoning sign is going up. I have not received any more information. Can you please provide me with what you are requesting from the city?

Warmly,

Allie

[Quoted text hidden]

Harp Sagoo

Fri, Aug 2, 2024 at 3:54 PM

To: Allie MacKay

Hi Allie,

At this time we are rezoning the subject property from an R1-A (Urban Residential) Zone to an R1-C (Urban Infill) Zone and R3 (Small Lot Residential) Zone to facilitate a future subdivision of five strata lots.

All lot sizes and setbacks are as per zoning requirements and we have not applied any variance.

You can easily find this information at following link:

<https://www.chilliwack.com/main/attachments/Files/377/ZBA%205000%20%2D%20Zoning%20Bylaw%202020dczn5xnslhph%2Epdf#page124>

I hope it ll definitely help you to find all your concerns regarding setbacks ,lot sizes ,parking requirements etc.

Regards,

Harpreet

Sent from Yahoo Mail for iPhone

[Quoted text hidden]

City of Chilliwack

Bylaw No. 5432

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. 5432”**.
2. “Zoning Bylaw 2020, No. 5000” is hereby amended by rezoning property described as PID: 006-706-738, Lot 75 District Lot 267 Group 2 New Westminster District Plan 31882, from an R1-A (Urban Residential) Zone to an R1-C (Urban Infill) Zone and 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 46005 Stevenson Road.

DRAFT

“Zoning Bylaw Amendment Bylaw 2024, No. 5432”



DRAFT