

AGENDA ITEM NO: 11.4.1

MEETING DATE: March 11, 2025

STAFF REPORT – COVER SHEET

SUBJECT: Luteyn Architecture Ltd
Development Variance Permit &
Development Permit / 9547 & 9563
Woodbine Street DATE: February 24, 2025

DEPARTMENT: Planning
DVP01455 & DP001870 PREPARED BY:  Sean Roufousse / mb

1. SUMMARY OF ISSUE:

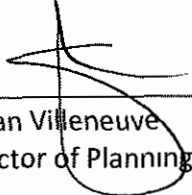
The applicant is seeking to vary Zoning Bylaw standards related to lot coverage and setbacks for a parkade, setbacks for an apartment building, location of storage lockers, and landscaping to facilitate an apartment development, including an above ground parkade, within the subject properties.

The applicant is seeking approval of the form and character of a new apartment building within the subject properties. As the properties are within Development Permit Area No. 6 (Infill Development), a Development Permit is required.

2. RECOMMENDATION:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01455 with respect to properties located at 9547 and 9563 Woodbine Street, subject to the recommendations as stipulated within the draft Development Variance Permit. (Presentation)

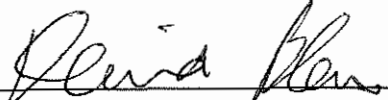
Recommendation that Council approve the issuance of Development Permit DP001870 with respect to properties located at 9547 and 9563 Woodbine Street, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Permit. (Presentation)



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



David Blain
Chief Administrative Officer

STAFF REPORT ON DEVELOPMENT VARIANCE PERMIT DVP01455 & DEVELOPMENT PERMIT DP001870

PREPARED BY: Sean Roufousse DATE: February 24, 2025
POSITION: Planner I DEPARTMENT: Planning Department

1. BACKGROUND

In May 2008, the subject properties were successfully rezoned from the R1-A (Urban Residential) Zone to the R5 (Low Rise Apartment) Zone to facilitate the construction of a 78-unit multi-unit apartment development.

2. PROPOSAL

In summary the proposal includes:

- A 4-storey residential building with an above-ground parkade;
- 78 apartment units (63 small units);
- 86 total off-street parking spaces including 16 visitor parking spaces (86 required);
- 21 trees (21 required); and,
- 675m² of outdoor common amenity area (540m² required).

A separate a Development Variance Permit (DVP01455) application has also been submitted to vary the following Zoning Bylaw standards:

- Increase lot coverage from 50% to 56% to facilitate a parkade;
- Reduce the width of the required landscaping strip between a public highway and outdoor parking area from 2m to 0.9m;
- Allow for storage lockers to be included within 7 apartment units; and,
- Reductions in the following setbacks:
 - Residential Building Setbacks:
 - Front Lot Line (FLL) from 6m to 5.6m
 - South Interior Side Lot Line (ISLL) setback from 6.75 to 6.2m for the 4th storey
 - Balconies and Architectural Features Setbacks:
 - Rear Lot Line (RLL) setback from 4.5m to 3.1m
 - 1st storey
 - South and north ISLL setbacks from 5.4m to 3.2m and 4.4m, respectively.
 - 2nd & 3rd storey
 - RLL setback from 4.5m to 3.1m
 - South ISLL setback from 5.4m to 5.1m
 - 4th storey
 - South ISLL setback from 6.15m to 5.1m
 - Parkade Setbacks (height greater than 3m)

- RLL and north ISLL from 6m to 0.6m
- South ISLL from 6m to 2m
- FLL from 6m to 5.2m

3. DISCUSSION REGARDING PROPOSED VARIANCES:

Increase Lot Coverage

The applicant seeks to increase the maximum lot coverage for the proposed parkade from 50% to 56% to accommodate the required residential parking within a secure space on the property. The requested increase is considered minor in nature with the resulting site layout including ample open space and landscaping along the frontage which minimizes the scale and massing of the structure from Woodbine Avenue.

Landscaping

The applicant requests to waive the requirement that a 2m wide landscaping strip be provided between a public highway and vehicle use area for a small area in the southeast corner of the site where a utility equipment (PMT) is required to be located. As there is a significant buffer, including street trees and a grass surface within the City boulevard which serves as additional landscaping in this space, the proposed variance is considered supportable in this instance.

Storage Lockers

The applicant requests to permit storage lockers in 7 individual apartment units rather than within a centralized storage area. The provision of storage within a unit is anticipated to provide greater security and accessibility for future residents. In addition, the storage areas within each unit meet the minimum area and dimensions required.

Building Setbacks

The applicant seeks to reduce the FLL setback from 6m to 5.6m for a small portion of the building to accommodate the L-shaped building design and angled northern property line. The design guidelines for Development Permit Area No. 6 (Infill) (DPA6) support the placement of development close to and parallel with the street.

Further, the applicant seeks to reduce the stepping back requirement along the southern lot line for the 4th storey from 6.75m to 6.2m. As only a small portion of the building is adjacent to the south property line, the proposed variance is considered minor in nature and is unlikely to impact the adjacent property.

Architectural Features and Balconies Setback

The applicant seeks to reduce the setbacks for building projections and balconies to the rear and side of the site, as shown on the site plan below.

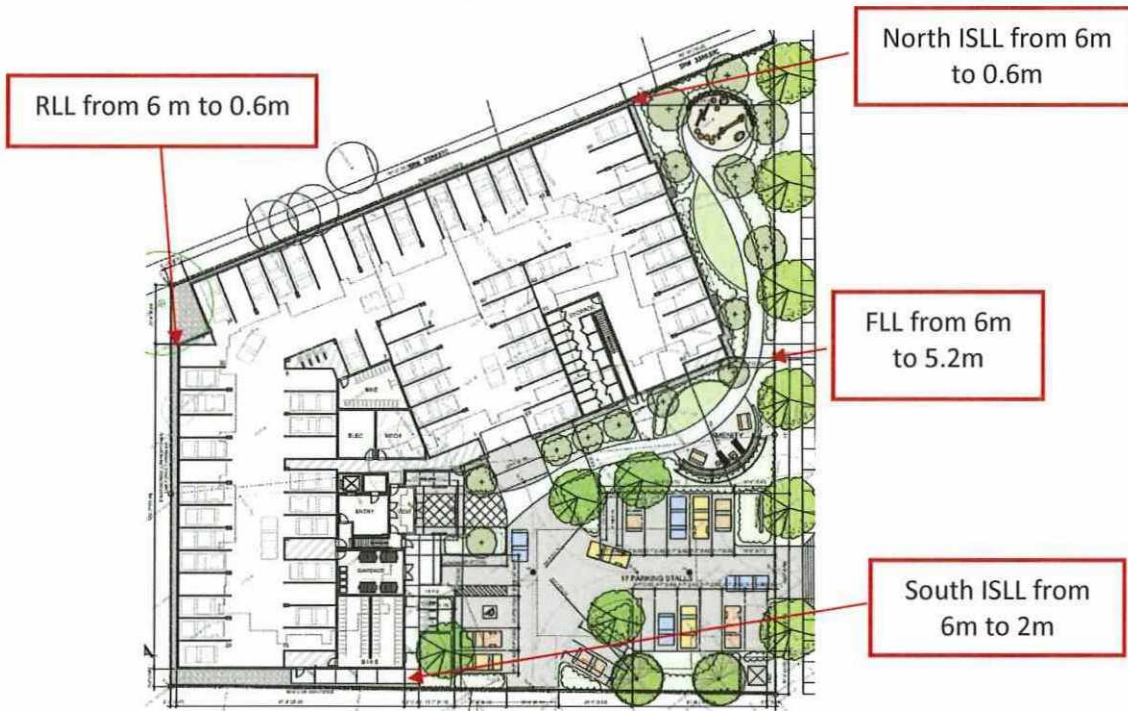
The variances are considered supportable in this instance as the reduced setbacks allows for larger balconies for use by future residents and creates greater building articulation which results in a more visually appealing design. Although the proposal includes a number of variances to facilitate each projection, they are minor in nature and the resulting design that is consistent with the design guidelines for DPA 6.



Parkade Setbacks

The applicant requests a reduction to the minimum setbacks along all property lines for the proposed above-ground parkade to maximize the building envelope on site, as shown on the site plan below. Considering the parkade exceeds 3m in height along the north, south and west property lines, it is subject to an increased setback of 6m (0m would apply if the parkade were less than 3m in height). To mitigate the impact of the parkade wall on neighbouring properties, the applicant proposes to

include a consistent colour pallet for the parkade design and include a 2m tall fence to soften the appearance of the wall and create greater separation between the development and adjoining properties. In addition, landscaping is proposed along Woodbine Avenue to soften the impact of the parkade height and create a more visually appealing streetscape. As the DPA 6 Design Guidelines aim to bring development close to the street and the walls facing adjacent neighbours will be softened through the use of fencing, the requested variances are considered supportable in this instance.



For the reasons discussed above, the requested variances are deemed supportable in this instance.

4. DEVELOPMENT PERMIT CONSIDERATIONS:

Overall, the design of the building and site is visually appealing and constitutes a high-quality addition to the area. As demonstrated by the attached checklist evaluation for DPA6, the proposed development substantially complies with the Infill Development Design Guidelines and reflects the form and character of the surrounding area. A copy of the proposed site plan, landscape plan and colour elevations are attached within the draft permits.

Summary and CPTED Review

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

CPTED Elements	Recommendations	
	✓ included in the design	✗ not included in the design
Natural Access Control	✓ Clear access control to the lobby entrance and enclosed parking area.	

	<ul style="list-style-type: none"> ✓ Development signage visible from the street, including the name and address of the building. ✓ Architectural appeal with a range of textures, materials, and green space to differentiate private property from the public realm.
Natural Surveillance	<ul style="list-style-type: none"> ✓ Maximized use of glass in the lobby space for clear sightlines. ✓ Adequate lighting for all communal spaces, including parking areas.* ✓ Balconies and windows to provide additional “eyes on the street.” ✓ The use of windows, bevels, building articulations, and glazing creates a visually appealing building, drawing the eye from the street.
Territoriality	<ul style="list-style-type: none"> ✓ Landscaping with a mixture of trees, shrubs, and grass to depict ownership and prevent overgrowth. ✓ Visually pleasing product with landscaping between the building/external parking area and the public sidewalk. ✓ Well-maintained development to promote ownership and deter unwanted users and negative activity.
Maintenance	<ul style="list-style-type: none"> ✓ Prompt repair of any damage or vandalism to prevent a sense of disorder and decay. ✓ Utilization of strata fees or professional property management to maintain the property.
<p>*Submission of a lighting plan is included as a recommended condition of the draft Development Permit.</p>	

5. DESIGN REVIEW ADVISORY COMMITTEE:

The Design Review Advisory Committee (DRAC) reviewed the subject Development Permit application and associated variances on February 18, 2025, and made the following recommendations:

That the Design Review Advisory Committee supports DP001870 and recommend Council approve the application subject to the following conditions:

- *That a detailed lighting plan be submitted, prior to the issuance of a Building Permit, to ensure adequate lighting is provided for all walkways, parking areas, and elevations of the building;*
- *That all utility equipment be screened from public view through installation of landscaping fencing, or vinyl wrapping;*
- *That an irrigation system be included into the landscaped areas within the site; and;*
- *That non-combustible cladding and soffits be provided within the balconies.*

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

6. FACTORS:

6.1 2040 Official Community Plan (OCP) / Land Use / Community Engagement

OCP: “Residential 2 – Medium Density Townhouses” as designated in the Downtown Land Use and Development Plan within the Official Community Plan.

Land Use: Both 9547 and 9563 Woodbine Street contain single detached dwellings to be demolished at time of development.

Community Engagement: The applicant has committed to conducting engagement with neighboring properties. If an engagement summary is received, it will be recorded and form part of the official record.

6.2 Neighbourhood Character

The subject properties are located within a residential area of downtown Chilliwack fronting onto Woodbine Street. The area is comprised primarily of single detached dwellings and townhomes in a variety of zones including:

North: Single detached dwellings in the R1-A (Urban Residential) Zone

West: Townhouses in the R5 and R4 (Low Density Multi-Unit Residential) Zones and single detached dwellings in the R1-A Zone.

East: Townhouses in the R4-A (Medium Density Multi-Unit Residential) Zone, an empty lot in the R5 Zone and single detached dwellings in the R1-A Zone.

South: Townhouses in the R5 Zone and single detached dwellings in the R1-A Zone.

The subject properties are also within walking distance of Chilliwack Secondary and Chilliwack Middle Schools and Kinsmen Park on Portage.

6.3 Technical Issues

Floodplain: The subject properties are located within the protected floodplain and are subject to the Floodplain Regulation Bylaw.

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

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

6.4 Conditions of Issuance

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

7. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01455 with respect to properties located at 9547 & 9563 Woodbine Street, subject to the recommendations as stipulated within the draft Development Variance Permit. (Presentation)

Recommendation that Council approve the issuance of Development Permit DP001870 with respect to properties located at 9547 and 9563 Woodbine Street, subject to the recommendations of the Design Review Advisory Committee and the conditions as stipulated within the draft Development Permit. (Presentation)

Substantiation:

The requested variances are supportable in this instance and are not anticipated to impact neighbouring properties or function of the site.

The proposed apartment development is consistent with the Design Guidelines for Development Permit Area No. 6 through the use of extensive landscaping, visually appealing building design and pedestrian connectivity throughout the site.

8. DEVELOPMENT PERMIT AREA NO. 6 DESIGN GUIDELINE CHECKLIST:

Design Guidelines		Yes/No	Comments
1.1	Landscaping & building materials		
	Preserve existing trees where possible	No	No trees will be maintained through the course of the development.
	Utilize tree species & vegetation common to area	Yes	Various tree species and vegetation align with the Tree Management Bylaw.
	Use varied building materials (i.e. combinations of wood, brick, rock, etc.)	Yes	Building materials vary between thin brick, vertical metal siding, concrete, hardie panel, steel, and various wood trims.
2.1	Building shape & form		
	Provide visual variety in building form, shape & character	Yes	Building form, shape and character varies and maintains the interest of onlookers.
	Avoid large expanses of blank façade	Yes	The building façades are varied and offer diverse architectural elements.

	Use a variety of complementary colors	Yes	Variety of complementary colors are used
3.1	Physically integrate development with adjacent development		
	Shared access, consolidate open space, etc.	No	As the surrounding properties are primarily single detached dwellings, shared access is not possible
3.2	Scale, mass & form is sensitive to adjacent properties		
	Height not to exceed more than 8m above adjacent historically significant home	N/A	No adjacent historically significant home.
	Use articulation, vary materials and colors to provide visual relief	Yes	The development consists of varying materials and color to provide visual relief.
	Series of modules fit together	Yes	Building designs are cohesive and naturally fit together.
	Differentiate between pedestrian-level commercial and upper level residential development	N/A	No commercial is proposed as part of this development
	Complement existing size, mass, and scale of surrounding development	No	This building is the first apartment building in the general area, and is surrounded by single detached dwellings and townhouses. Therefore, matching the mass, and size of nearby development is not possible
	Consideration of views from adjacent developments	No	Given the proposed building height of 17.5m, and the neighbouring buildings are 1-2 storeys, views that are currently experienced by neighbouring properties may be impacted
4.1	Maximize a positive impact on the street		
	Preserve & integrate existing natural features where possible	N/A	The site is primarily flat
	Orient development towards street	Yes	The development overall and front entrance specifically are oriented towards the street.
	Locate development close to & parallel to street	Yes	A variance to reduce the front lot line setback has been included in the proposal to bring the development closer to the street.
	Consider impact of sun, wind & shadows on site	Yes	The L-shaped nature of the building prevents any unit from being entirely in the shade.
4.2	Locate mechanical equipment and service areas out of public view		
	Locate or screen mechanical and operational equipment from the view of tenants and from the street	Yes	A condition has been included in the draft Development Permit to screen any utility equipment from view, or wrap it in decorative film
5.1	Entrances into the development must be highly visible, easy to find and logical in location.		
	Emphasize vehicle entrance through additional landscaping, tree planting, appropriate signage & lighting	Yes	Vehicle entrance is emphasized through landscaping and tree planting
	Define pedestrian & vehicle corridors	Yes	Pedestrian paths are provided and are well defined.
5.2	Parking areas must be adequate in size, efficient in layout and safe in location and design		
	Parking areas are visually secured all day	Yes	The parking lot at the front of the development visually secures parking all day

	Provide parking areas that are easily accessible but do not dominate the user's first impression of the site	Partial	The parking area located at the front of the site is easily accessible and is partially screened by the L shaped building design; however, this area is clearly visible from the street.
	Avoid the provision of parking in the front yard	Partial	The majority of the parking is provided within a secure parade located beneath the apartment building; however, a surface parking lot has been included to the front of the site. The strategic use of landscaping and the layout of the building on site serve to screen the parking area from view and minimize the impact of the parking on the overall streetscape along Woodbine Avenue.
	Adequate conceal underground parking	Partial	The proposed height of the parking garage makes it challenging to conceal the parking structure. That considered, a fence along the rear of the property and landscaping will hide much of the parking wall.
	Avoid large expanses of contiguous parking	Yes	Most resident parking is located within the shared garage therefore the parking outside is limited.
	Use landscaping to soften the impact of parking area	Yes	Substantial landscaping including trees and shrubs is proposed throughout the development to soften the visual impact of vehicle parking areas.
	6.1 Building entrances must be highly visible, attractive and inviting to the pedestrian		
	Clearly identify and orient the primary pedestrian entrance to the street	Yes	The primary pedestrian entrance is oriented towards the street and covered by a large entrance area.
	Provide curbed sidewalk with minimum 1.5m width connecting public road or sidewalk to each dwelling unit or building	Yes	Pedestrian walkways are at least 1.5m wide
	Provide separate ground-level entrances for commercial and residential developments	N/A	No commercial uses are associated with this development
	Provide a suitable transition from public (street) to semi-private to private (entrance) through scale, detail, and sense of enclosure	Yes	The proposed front landscaping area provides a suitable transition between public, semi-private and private space
	6.2 Enhance the pedestrian experience by providing interest at the street level		
	Set back building facades to create amenity areas that interact with the street	Yes	Amenity areas have been provisioned, fronting the street.
	Use various materials and design techniques to create through-visibility or transparency, (e.g. windows, see-through landscaping and fencing, etc.) at ground level	Yes	The proposed design incorporates a variety of textures, colours and materials as part of the façade treatment to help soften the transitional zone, including trees and landscaping.
	Have a pedestrian oriented building base of 1 to 3 storeys that is distinct from upper storey developments	Yes	The building has varied treatments to help differentiate the top two floors from the bottom two floors
	Provide architectural detail to capture pedestrian attention	Yes	The building articulation, large windows, variety of building materials and colours, and incorporation of landscaping serve to capture pedestrian attention
	6.3 Design outdoor spaces to provide a sanctuary for its occupants		
	Create useable, accessible and highly visible onsite people places and amenity areas (e.g. paths, courtyards, upper level decks, playground areas, etc.)	Yes	Various amenity features including pathways and play areas along the front lot line have been provided for the benefit of residents.

<p>Accommodate the year-round use of outdoor spaces by considering environmental conditions (e.g. sun angles and prevailing winds)</p>	<p>Yes</p>	<p>Amenity areas in the form of benches and play areas are oriented to receive sufficient light through the winter months, and partial shade during hot summer days. Trees and the building itself aid in reducing wind from the north, east and west.</p>
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9. SOURCES OF INFORMATION:

- Development Variance Permit Application (DVP01455) – August 15, 2024
- Development Permit Application (DP001870) – August 15, 2024
- Development Application Review Team (DART) Minutes – October 3, 2024

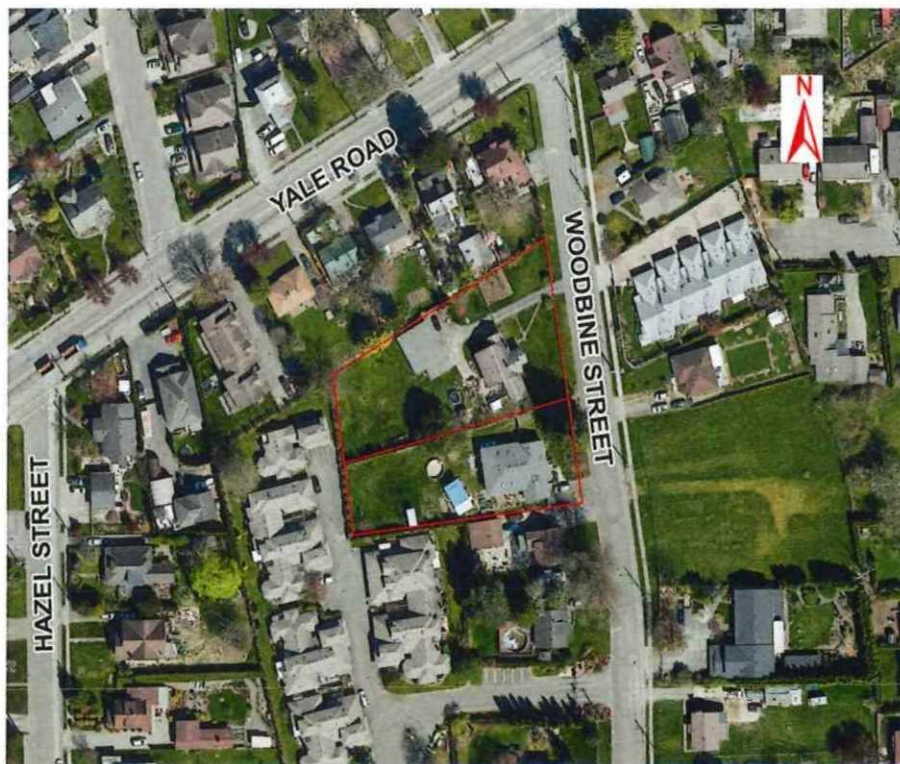
Site Photos



Location Map



Ortho Photo





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

When: Tuesday, March 11, 2025 at 4:00 PM

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

Development Variance Permit (DVP01455)

Locations: 9547 and 9563 Woodbine Street

Applicant: Luteyn Architecture Ltd.

Purpose: To vary Zoning Bylaw standards related to lot coverage and setbacks for a parkade; setbacks for an apartment building; location of storage lockers; and, landscaping, to facilitate an apartment development including an above ground parkade within the subject properties, as shown on the included map.



How to share your feedback:



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



Mail or email our Legislative Services Department:

Mail: 8550 Young Road, Chilliwack BC V2P 8A4

Email: clerks@chilliwack.com

- Submissions will be accepted until 4:00 PM on March 10, 2025. 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, February 26, 2025 and Tuesday, March 11, 2025 for a copy of the proposed permit at planning@chilliwack.com or 604-793-2906.

Jacqueline Morgan, CMC
Corporate Officer

REGULAR COUNCIL
MARCH 11 2025
PIM No. 11.4.1
9547 & 9563 WOODBINE ST

From: Howard Kerster
Sent: March 10, 2025 3:26 PM
To: Mayor <mayor@chilliwack.com>
Subject: Re: Building 5 story apartments [EXTERNAL]

You don't often get email from
URGENT - To the Mayor of Chilliwack

Im replying to an email correspondence that started back in July 2024 in regards to developing the property behind my house on Woodbine Street in Chilliwack.

Please see the attached letters that will be presented in the council meeting on Tuesday March 11, 2025 in regards to the proposed variance changes.

I have also attached pictures of the project being constructed at 9284 Hazel Street, Chilliwack BC that is a comparison build to what is being proposed here and has been designed by the same architect.

I wanted you to have all this information before the meeting.

I do apologize for the late correspondence, but we (neighbours included) were only notified of this meeting through mail, on Thursday afternoon, March 6, 2025 at 3:00pm

if there is anything you would like to discuss with me before the meeting, please feel free to contact

me at or at

thank you for your time.

Howard Kerster



Virus-free. www.avg.com

On Tue, Jul 30, 2024 at 6:26 PM

wrote:

Thank you Mr. Mayor for your response and concern. I will go to social media and voice my concerns on the NDP, in my opinion communist rule and definitely not voting NDP in the October election. Again I thank you for your response and if there's anything I can do please do not hesitate to call on me. Howard Kerster

Sent from my Galaxy

----- Original message -----

From: Mayor <mayor@chilliwack.com>
Date: 2024-07-30 4:15 p.m. (GMT-08:00)
To:
Subject: RE: Building 5 story apartments

Hi Howard,

Thank you for your email and sharing your concerns regarding the Province's recent legislation mandating housing development within Chilliwack. I speak on behalf of Council when I say we are also very unhappy with the many changes the Province is forcing municipalities to make. The Province will no longer allow Council to hear from members of the community about residential development that impacts them nor is the Province giving us time to manage the impact growth has on our infrastructure. Be assured, Council continues to advocate for a more sensible, comprehensive approach to increasing the housing supply and we consider taking away the voice of our residents on matters that directly impact their neighbourhoods to be undemocratic.

With respect to the specific apartment development you are concerned about, I asked our Planning Department if they had any additional information that I could share with you. I understand from the Planning team that the properties at 9563 and 9547 Woodbine Street were rezoned to the R5 (Low Rise Apartment) Zone in 2008. While further applications to develop an apartment at this location have not yet been received, the zoning would permit an apartment. To build an apartment on these properties, a development permit application would be necessary to address the overall form and character of the development and ensure the design meets zoning

standards. This application would be subject to review and recommendation of the Design Review Advisory Committee and ultimately, Council's consideration for approval. Should a development permit be approved, the applicant could then proceed with a building permit application.

The rezoning for the Woodbine properties was completed several years ago, and in light of the recent changes in Provincial legislation, opportunities for public input into residential rezonings are limited. However, the Province has also required municipalities to update their Official Community Plans by December 2025 and there will be opportunities for public and stakeholder participation that will be communicated and advertised throughout the community. I encourage you to stay connected through the City's communications methods on our website, social media, and local newspaper. If you have additional questions about the OCP review process, please connect directly with Reuben Koole, Manager of Long Range Planning, at koole@chilliwack.com or 604.793.1891.

In the meantime, should you have any further questions about development and land uses in your neighbourhood, please reach out to Erin Leary, Manager of Development Planning, at leary@chilliwack.com or 604.793.2835.

Howard, thanks again for your email and I hope you continue your efforts to connect directly with our Provincial representatives with your concerns about the new housing statutes.

Sincerely,

Ken Popove | Mayor | Administration

P: 604.793.2900 | E: mayor@chilliwack.com

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

Sent: July 28, 2024 2:54 PM

To: Mayor <mayor@chilliwack.com>

Subject: Building 5 story apartments

The following message was sent to you through www.chilliwack.com:

Date: July 28, 2024 2:54 PM

From: Howard Kerster

To: @ Email the Mayor and Councillors (council@chilliwack.com)

Dear Mr Mayor, I am deeply disturbed to hear that their is a great possibility of a few 5 story apartments going into my neighbourhood. One of which is slotted for my back

yard.

I spoke to the city planning office and was told that nothing was submitted yet, but saw and talked to crew doing core samples on the proposed property and my fears were confirmed.

This was attempted once before approximately 20 years ago and was invited to attend a meeting meet to voice my concerns. The project was cancelled for The reason that The sewer system would not handle a 3 story building. Now there is two 72 unit building 5 stories each proposed across the street from each other with no improvements made to the sewer system, so how can it handle it now?

What concerns me the most is that I contacted the MLA for chilliwack Don Coulter and spoke to his assistant as he was recovering from eye surgery. I was told that the city would not have a meeting for us to voice are concerns and that are voices and concerns would not be heard by them either. Basicly we will do what we want and the city of Chiiliwack will do what it's told by the NDP government. I sorry I didn't realize that we had become a Communist country and I should basicly shut up and take it. I was then told in the future that I too would be forced out of my home to provide high density housing, was this a threat?

I moved to Chiiliwack for the small town feel and the beautiful views, both of which are being taken away from me and others.

I do understand that homes must be built but believe that in a single family home neighbourhoods, single family homes or low level condominiums would be the replacement not giant sore thumbs towering over surrounding homes .

I'm pretty sure that you Mr Mayor would not appreciate having a large apartment building built in your back yard and being told shut up and take it.

This situation really concerns me and hope you really understand how I and others feel. I hope you and I ,not a assistant can discuss this situation before ground is broken. This is a one on one man to man truthful heartfelt discussion.

I will be contacting Mr. Coulter, when he has recovered from his surgery and Mr. Eby but pretty sure my concerns will fall on deaf ears that's if I'm allowed to speak or if their still in power after Oct. Election.

Thank you for listening and hope to talk one on one.

Howard Kerster

Presentation to Townhall Council Meeting

Subject: Opposition to Variance Request – 46454 Yale Road, Chilliwack BC

Submitted by: Leah Baynes-Bettger, Full-Time REALTOR

On Behalf of: Howard Kerster, Property Owner

Honorable Mayor and Members of the Council,

I appreciate the opportunity to present this letter on behalf of Howard Kerster, the owner of 46454 Yale Road, Chilliwack. My name is Leah Baynes-Bettger, and I have been a full-time REALTOR for over 35 years, specializing in residential property sales throughout Greater Vancouver and the Fraser Valley. This letter serves to formally express concerns regarding the proposed development adjacent to Mr. Kerster's property and the requested variance that would significantly impact his home and its future resale value.

Background & Variance Request

The developer of the neighboring property is planning a four-story (17.8 meter height) residential building. Directly behind Mr. Kerster's backyard, a two-story concrete parkade wall is proposed. Initially, the site plan indicated a setback of 18 feet (6 meters) from the property line. However, the developer is now seeking a variance to reduce this setback to just 2 feet.

Concerns and Potential Impacts

This requested variance poses several significant concerns that will negatively impact Mr. Kerster's property, its enjoyment, and its future value:

1. **Loss of Natural Light:** The close proximity of a two-story concrete wall will block sunlight, significantly reducing the amount of natural light reaching the backyard.
2. **Loss of Privacy:** The towering structure will impose on the privacy of Mr. Kerster's home, making it feel enclosed and exposed.
3. **Increased Noise and Congestion:** Higher density developments bring increased traffic, noise pollution, and other disturbances that negatively impact the livability of the surrounding homes.
4. **Strain on Infrastructure:** The added density will contribute to greater demand on local roads, utilities, and services, further affecting the neighborhood's quality of life.

5. **Sewer Easement Concerns:** There is a sewer easement that runs along the fence between the two properties. The weight and proximity of the new structure may pose a risk to the integrity of this infrastructure.
6. **Negative Impact on Property Value:** Studies consistently show that high-density developments—especially those featuring imposing concrete walls—negatively affect the marketability and resale value of adjacent single-family homes.

Professional Observations and Recommendations

Based on my professional experience, properties that directly abut a large concrete wall face considerable resale challenges. Buyers perceive such conditions as undesirable, leading to lower demand and ultimately, lower sale prices.

To ensure fairness, I strongly recommend that:

- A professional property evaluation / appraisal be conducted on Mr. Kerster's home prior to the development commencing.
- A second evaluation be conducted after the structure is built.
- Should a measurable loss in property value be determined, appropriate compensation should be provided by the developer and/or the city.

Conclusion

I respectfully urge the council to reconsider granting this variance due to its significant negative impacts on existing homeowners. Allowing this change will not only diminish Mr. Kerster's property value but will also set a concerning precedent for future developments in the community.

Thank you for your time and consideration. I appreciate your commitment to making decisions that serve the best interests of all residents in Chilliwack.

Respectfully submitted,

Leah Baynes-Bettger

Full-Time REALTOR

Royal LePage West R.E.S. Cell

www.leahbaynes-bettger.ca

March 9, 2025

Good afternoon, Mayor, members of the City Council, and neighbours,

My name is Howard Kerster, and I am here to voice my strong opposition to the proposed variance change for the property adjacent to mine on Yale Road.

While I want to be clear that I am not opposed to the development of this property, I am deeply concerned about what is being built, the significant variance reduction being requested, and the long-term impact this could have on our community.

The proposal to reduce the setback variance from 6 meters to a mere 0.6 meters, is deeply concerning. This is a dramatic reduction of 5.4864 meters, or roughly 18 feet, and it is entirely out of character with the surrounding area. I respectfully ask the Council to carefully consider the severe and negative impact this change will have, not only on my property but on the entire neighborhood.

Firstly, the proposed concrete above-ground parkade wall being built just 1 foot 11 inches from my property line is unacceptable. This structure, essentially on a near zero-lot line basis, will drastically affect my property value. I have spoken with a real estate professional and legal council who estimate that the impact on my property value could be upwards of \$100,000. Is the city or the developer prepared to compensate me and other affected homeowners for this significant loss in value?

This proposal is a conscious effort to infringe upon my legal right to quiet enjoyment of my property. The substantial reduction in setback will not only obstruct my view but also expose me to increased noise, reduced privacy, and loss of natural light. Additionally, the prolonged construction period will create a significant nuisance from ongoing construction noise, further impacting our quality of life. This is effectively a constructive expropriation of my rights as a property owner, and it places the city in a vulnerable position for future litigation. I ask: is the city willing to open itself up to potential legal challenges from homeowners who will suffer direct, quantifiable losses?

Traffic congestion is another major concern. Increased density from this development will undoubtedly generate more vehicle traffic on Yale Road, which also has a determining factor in the loss of property value. However, city infrastructure improvements such as controlled intersections and

crosswalks often take considerable time to be approved and implemented. What happens in the meantime? Will our neighborhood streets become clogged with vehicles that do not belong to residents? I ask for a clear and direct answer from the city on how traffic congestion and parking overflow will be addressed in real-time, not years down the line.

Another critical issue that has not been adequately addressed is sewage infrastructure. With such a drastic increase in density, how does the city plan to manage sewage access in the event of a blockage or failure in the area? I have seen no clear plan or mitigation strategy from the city or the developer addressing this fundamental concern.

I also want to address the lack of planned visual landscaping along the parkade section that backs onto Yale Road properties. City staff has stated that there will be enough open space and landscaping to minimize visual impacts. However, no such landscaping appears to be designated for the parkade wall — the area where the variance is most extreme. How does the city expect to minimize visual impact when there is no confirmed plan for barrier landscaping? This oversight alone is unacceptable.

I am asking the Council to act in the best interest of the current residents and homeowners who have built their lives in this neighborhood. Allowing a near zero-lot line variance is unprecedented and grossly unfair to adjacent property owners. The reduction from 6 meters to 0.6 meters fundamentally changes the character of our neighborhood, devalues our properties, strips away our privacy, and exposes us to increased noise and traffic.

Additionally, I would like to point out that my property has a paramount, Government of Canada properly licensed radio station, which will not only be affected by the proximity of the development but will also expose the tenants in such proximity to potential interference or disruption with RF energy. This statement serves as actual and constructive notice to both the developer and the city of their liability for consequent damages in potential litigation.

I respectfully request that Council deny this variance change. Approving it will not only erode the integrity of our neighborhood but also expose the city to liability and legal challenges. Protecting existing homeowners should always be a top priority.

Thank you for your time and consideration.





SCHEDULE "A"

CITY OF CHILLIWACK

DEVELOPMENT VARIANCE PERMIT NO. DVP01455

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

Parcel Identifier No. 000-617-172
Legal Description: LOT "B" DIVISION K NEW WESTMINSTER DISTRICT PLAN 12126
Address: 9547 Woodbine Street

Parcel Identifier No. 005-252-059
Legal Description: LOT 3 EXCEPT: PART SUBDIVIDED BY PLAN 72891 DIVISION "K"
NEW WESTMINSTER DISTRICT PLAN 6697
Address: 9563 Woodbine Street

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

Section 4.08 (6)(g) Amenity Area Standards is varied by permitting storage lockers to be located within 7 individual apartments rather than in a conveniently located and directly accessible location;

Section 4.09 (2)(a)(ii)(A) Landscaping is varied by reducing the required width for a landscape strip between an outdoor area for vehicular use from 2m to 0.9m;

Section 8.11(5)(a) within the R5 (Low-Rise Apartment) Zone is varied by increasing the maximum permitted lot coverage from 50% to 56% for the parkade;

Section 8.11(7)(a) within the R5 (Low-Rise Apartment) Zone is varied by reducing the Front Lot Line (FLL) setback from 6m to 5.6m for a portion of the building;

Section 8.11(7)(g) within the R5 (Low-Rise Apartment) Zone is varied by reducing the south Interior Side Lot Line (ISLL) Setback from 6.75m to 6.2m for the 4th storey;

Section 8.11(7)(b) within the R5 (Low Rise Apartment) Zone is varied by reducing the Rear Lot Line (RLL) setback from 4.5m to 3.1m for balconies and other architectural features on all storeys;

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Section 8.11(7)(b) within the R5 (Low Rise Apartment) Zone is varied by reducing the north ISLL setback from 6m to 4.4m for balconies and other architectural features on the 2nd and 3rd storeys;

Section 8.11(7)(b) within the R5 (Low Rise Apartment) Zone is varied by reducing the south ISLL setbacks from 6m to 3.2m for balconies and other architectural features on the 2nd and 3rd storeys;

Section 8.11(7)(b) within the R5 (Low Rise Apartment) Zone is varied by reducing the RLL setback from 6m to 3.1m for balconies and other architectural features on the 2nd and 3rd storeys;

Section 8.11(7)(f) within the R5 (Low Rise Apartment) Zone is varied by reducing the South ISLL setback from 6m to 5.1m for the 2nd and 3rd storeys;

Section 8.11(7)(f) within the R5 (Low Rise Apartment) Zone is varied by reducing the South ISLL stepping back requirement from 6.75m to 5.1m to facilitate balconies and other architectural features on the 4th storey;

Section 8.11(7)(e) within the R5 (Low Rise Apartment) Zone is varied by reducing the FLL setback from 6m to 5.2m for an above ground parkade;

Section 8.11(7)(e) within the R5 (Low Rise Apartment) Zone is varied by reducing the north ISLL setback from 6m to 0.6m for an above ground parkade;

Section 8.11(7)(e) within the R5 (Low Rise Apartment) Zone is varied by reducing the south ISLL setback from 6m to 2m for an above ground parkade; and,

Section 8.11(7)(e) within the R5 (Low Rise Apartment) Zone is varied by reducing the RLL setbacks from 6m to 0.6m for an above ground parkade.

4. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and the plans and information contained within the application. The following condition applies.
 - a) that the development be in accordance with the plans found in Schedule "A".
5. Pursuant to Section 504 of the *Local Government Act*, if the permittee does not substantially start any construction permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.
6. This Permit is not a Building Permit.

APPROVED BY COUNCIL ON THE ___ DAY OF ___, 2025.

ISSUED THIS ___ DAY OF ___, 2025

CORPORATE OFFICER

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Site Plans (as provided by the applicant)



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CITY OF CHILLIWACK

DEVELOPMENT PERMIT NO. DP001870

(Portion of Development Permit Area No. 6 of the Official Community Plan)

1. This Development Permit applies to the following property:

Parcel Identifier No. 000-617-172
Legal Description: LOT "B" DIVISION K NEW WESTMINSTER DISTRICT PLAN 12126
Address: 9547 Woodbine Street

Parcel Identifier No. 005-252-059
Legal Description: LOT 3 EXCEPT: PART SUBDIVIDED BY PLAN 72891 DIVISION "K" NEW WESTMINSTER DISTRICT PLAN 6697
Address: 9563 Woodbine Street

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

- Development shall be in accordance with the approved site plan and elevations attached with Schedule "A";
- That a detailed lighting plan be submitted, prior to the issuance of a Building Permit, to ensure adequate lighting is provided for all walkways, parking areas, and elevations of the building;
- That all utility equipment be screened from public view through installation of landscaping fencing, or vinyl wrapping;
- That an irrigation system be included into the landscaped areas within the site;
- That non-combustible cladding and soffits be provided within the balconies; and,
- Specifications of Development Permit Area No. 6 (Infill Development Form and Character) of the City of Chilliwack Official Community Plan.

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

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

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APPROVED BY COUNCIL ON THE ___ DAY OF ___, 2025.

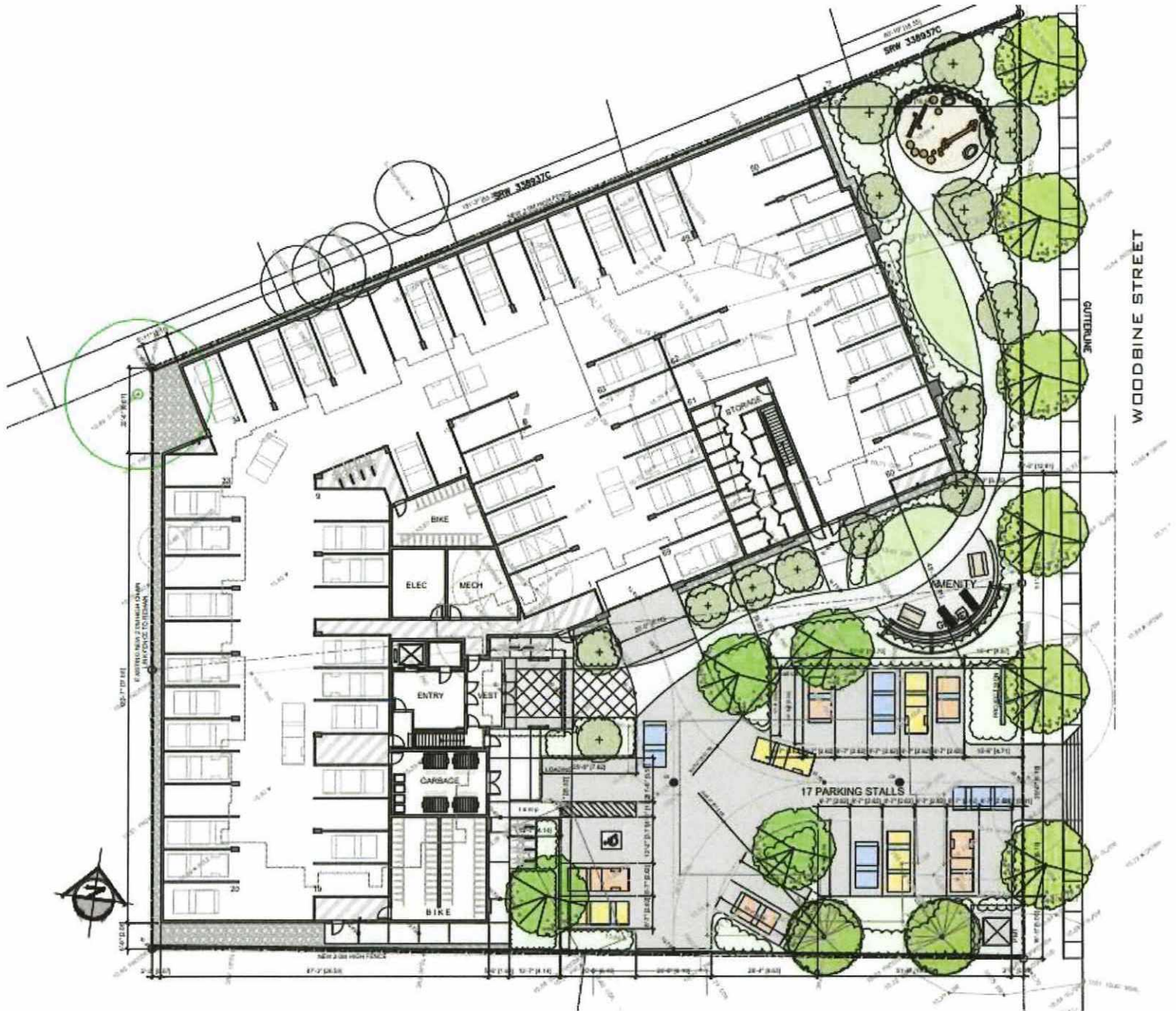
ISSUED THIS ___ DAY OF ___, 2025.

CORPORATE OFFICER

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Schedule "A"

Site Plans (as provided by the applicant)



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East Elevation:



3 WOODBINE STREETScape
A5.1 EXTERIOR MATERIALS - PAVED DRIVE, PAVED PAVIL, PAVED TRUNK, PERI-FRONTED
METAL CLADDING (UP OF WALLS, GLASS AND FLOOR) BRASS, PAINTED CONCRETE.



1 WOODBINE STREETScape
A5.0 EXTERIOR MATERIALS - PAVED DRIVE, PAVED PAVIL, PAVED TRUNK, PERI-FRONTED
METAL CLADDING (UP OF WALLS, GLASS AND FLOOR) BRASS, PAINTED CONCRETE.

North Elevation:



5 NORTH ELEVATION
A5.2 EXTERIOR MATERIALS - PAVED DRIVE, PAVED PAVIL, PAVED TRUNK, PERI-FRONTED
METAL CLADDING (UP OF WALLS, GLASS AND FLOOR) BRASS, PAINTED CONCRETE.

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Landscape Plan

play area with wood nature play elements
 Logs, log rounds, and boulders
 Cedar or Doug Fir, bark and hazards removed
 Various sizes / lengths, interesting shapes as available
 Play surface - engineered wood fibre mulch
 boulder retaining edge
 Galvanized spikes and/or bolts for secure assembly.

Street trees - proposed
 lawn boulevard
 as acceptable to the City

lawn
 informal play and socializing

building above

Columnar trees close to building

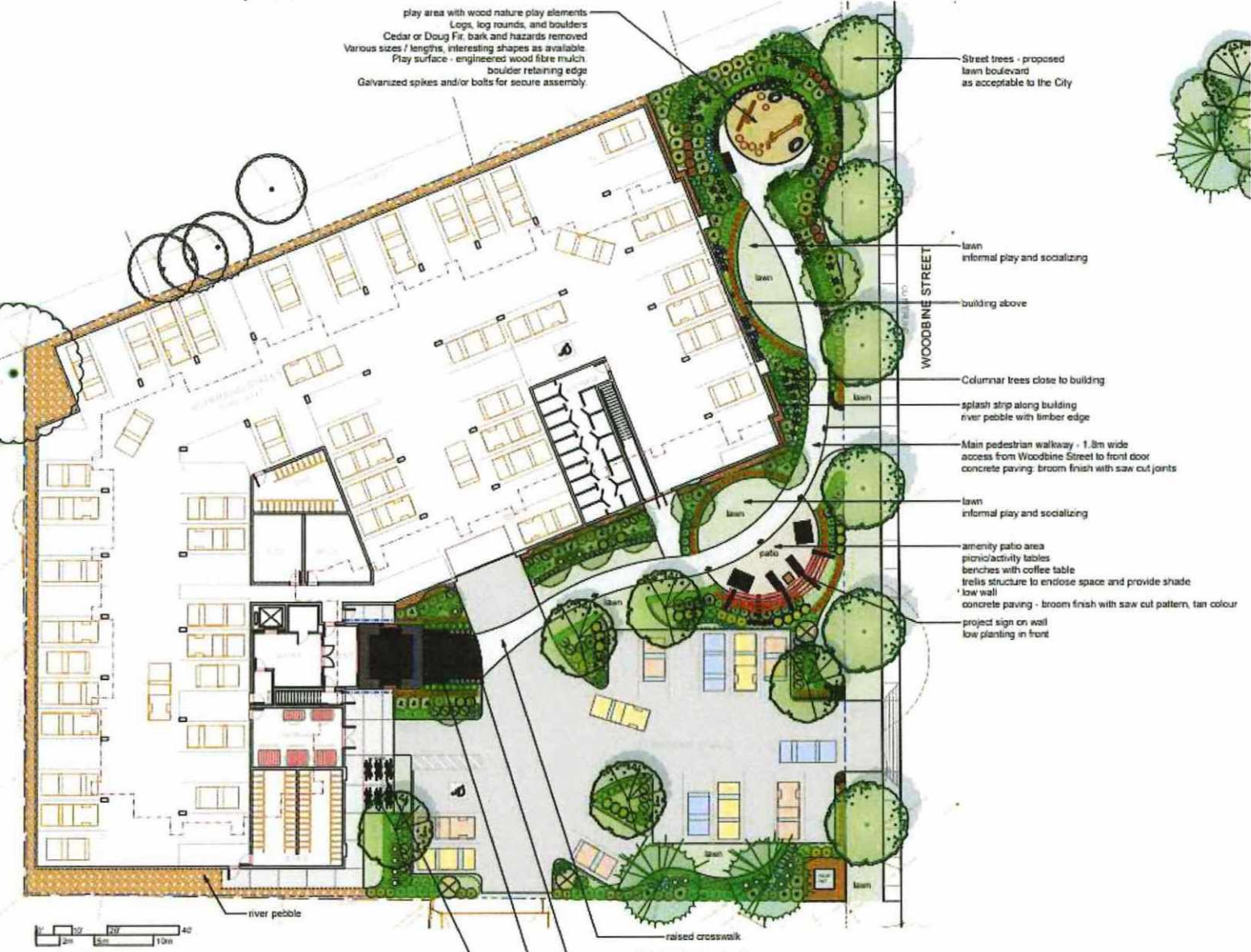
splash strip along building
 river pebble with timber edge

Main pedestrian walkway - 1.8m wide
 access from Woodbine Street to front door
 concrete paving, broom finish with saw cut joints

lawn
 informal play and socializing

amenity patio area
 picnic/activity tables
 benches with coffee table
 trellis structure to enclose space and provide shade
 low wall
 concrete paving - broom finish with saw cut pattern, tan colour

project sign on wall
 low planting in front

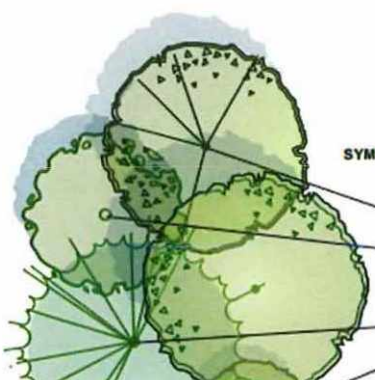


1 Landscape Plan
 1 : 175

PLANT LIST - Woodbine Apartments

August 12, 2024

SYMBOL QTY.	BOTANICAL NAME	COMMON NAME	SIZE	SPACING
5	<i>Acer x Freeman Autumn Blaze</i>	Autumn Blaze Maple	6cm Cal, WB 2.0m Std.	
5	<i>Acer rubrum Scarlet Sentinel</i>	Scarlet Sentinel Red Maple	6cm Cal, WB low branching	
6	<i>Nyssa sylvatica</i>	Blackgum	6cm Cal, WB	
	- proposed street tree - to be confirmed with City		2.0m Std.	
2	<i>Picea mariana</i>	Serbian Spruce	2.0m tall, cont.	
9	<i>Quercus palustris Pringreen</i>	Green Pillar Pin Oak	6cm Cal, WB	



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Landscape Details



Play area with wood nature play elements
Cedar or Doug Fir, bark and hazards removed
Various sizes / lengths, interesting shapes as available.
Galvanized spikes and/or bolts for secure assembly.

Play surface
Engineered wood fibre mulch, as available from
play equipment suppliers.

Nature Play Inspiration

nls



Planter Box
Prefabricated metal, painted
24" x 72" x 24" tall



Bike Rack
2 capacity
Concrete pad 450 x 900 x 100 thick



Bench seating



Coffee table



Table and bench seating
Synthetic wooden slats and dark grey metal frame.
As manufactured by Wishbone Site Furnishings or alternate.
Secure to concrete paving with SS anchor bolts.



LED Lighted Bollard

Bollard - LED light with louvers - 6"ø x 42" tall or equivalent
When set in planters, cut to max height of 42" above paving
All metal to be painted dark grey
Refer to electrical drawings

1 Furnishings

Not to scale

Renderings



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