

AGENDA ITEM NO: 7.14.

MEETING DATE: June 21, 2022

STAFF REPORT – COVER SHEET

SUBJECT: City of Chilliwack
Text Amendments – Garden Suites, AL
Zone Water Requirements & Minor
Amendments DATE: June 7, 2022

DEPARTMENT: Planning & Strategic Initiatives
RZ001631 PREPARED BY: Adam Roberts / kk

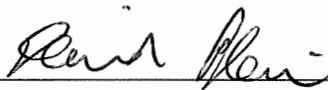
1. SUMMARY OF ISSUE:

As Zoning Bylaw 2020, No. 5000 has been in force for nearly 2 years certain implementation issues have been identified. As such, text amendments in relation to formatting and inconsistency amongst zone standards are being brought forward for Council consideration. In addition, amendments to the definition of Garden Suite and removal of the requirement that boundary adjustments in the AL (Agricultural Lowland) Zone be connected to a community water system are being proposed for Council consideration.

Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to text amendments to the Zoning Bylaw for Garden Suites, AL Zone Water Requirements and minor text amendments.

2. RECOMMENDATION:

Recommendation that “Zoning Bylaw Amendment Bylaw 2022, No. 5225”, which proposes to complete text amendments for Garden Suites, AL Zone water requirements and to resolve implementation concerns within Zoning Bylaw 2020 No. 5000, be given first and second reading; and further, that a Public Hearing be called for July 5, 2022. (RZ001631)



David Blain
Director of Planning & Engineering

3. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

Supports recommendation.



Peter Monteith
Chief Administrative Officer

STAFF REPORT ON REZONING APPLICATION RZ001631

PREPARED BY: Adam Roberts DATE: June 7, 2022
POSITION: Planner I DEPARTMENT: Planning & Strategic Initiatives

1. DEFINITION OF ISSUE:

As Zoning Bylaw 2020, No. 5000 has been in force for nearly 2 years certain implementation issues have been identified. As such, text amendments in relation to formatting and inconsistency amongst zone standards are being brought forward for Council consideration. In addition, amendments to the definition of Garden Suite and removal of the requirement that boundary adjustments in the AL (Agricultural Lowland) Zone be connected to a community water system are being proposed for Council consideration.

2. PROPOSAL:

2.1 Text Amendments Regarding Garden Suites

The definition of Garden Suite within the Zoning Bylaw includes a maximum Gross Floor Area (GFA) of 100m². It has come to staff's attention that, as definitions cannot be varied, the GFA of a Garden Suite can not be increased through the Development Variance Permit process. For comparison, as the definition of Coach House does not include a maximum GFA, variance applications are possible to increase the overall size for Coach Houses. As such, in order to ensure a consistent approach to the possible size of Accessory Dwelling Units (ADUs) within the City, text amendments in regards to the definition of Garden Suite and the General Provisions associated with Accessory Dwelling Units are proposed. The specific amendments include:

- Remove the maximum GFA of 100m² from the definition of Garden Suite.
- Include a maximum GFA of 100m² for Garden Suites within General Provisions (Section 4.06 – Accessory and Ancillary Uses) of the Zoning Bylaw.
 - This will allow for variance applications to be processed to increase the total GFA for Garden Suites on a case-by-case basis, much like the current process available for Coach Houses.
- Remove the maximum height requirement from the Garden Suite definition as each zone has specific height requirements for ADUs.

2.2 Text Amendments Regarding AL (Agricultural Lowland) Zone Community Water Requirements

Currently, the AL Zone permits a minimum lot area of 1.0ha for approved boundary adjustments that are served by a community water system. Prior to August, 2020, Zoning Bylaw 2001, No. 2800 did not require parcels subject to boundary adjustments to be connected to community water. As such, the proposed amendment will remove this requirement thereby permitting boundary adjustments in the AL Zone if they continue to allow for the more efficient use of agricultural land or better utilization of farm buildings but are not connected to a community water system.

2.3 Text Amendments Regarding Formatting and Implementation Considerations

Since Zoning Bylaw 2020, No. 5000 was adopted in August, 2020, a variety of minor errors have been identified. As such, City staff will be completing a series of text amendments over the coming months to the Zoning Bylaw to correct issues that are inherent with the implementation of any new Bylaw. At this time, the minor amendments proposed are as follows:

1. Include Minor Utility in the definition of Utility Service as it is intended to be included within this use;
2. Include “cantilevered decks” in the Ancillary Structures section of the Lot Coverage definition as the definition currently does not consider a deck that is only supported on one side;
3. Include boats and Recreational Vehicles in the definition of Vehicle Storage Compound as the storage of these items is currently not considered in the Zoning Bylaw;
4. Remove “seasonal use” from the definition of Park Model Trailer as park model trailers are considered Accessory Dwelling Units suitable for year-round use;
5. Amend the Electric Vehicle Charging Station section so that “240 volts” is no longer referenced in brackets next to Level 2 as Level 2 chargers deliver a range of voltages;
6. Clarify the small car standard to not permit small car parking in relation to Single Detached Dwellings, Duplexes and Accessory Dwelling Units;
7. Amend the R4-B (Low Density Multi-Unit Secondary Suite) Zone to remove “minimum lot area” and replace with “minimum lot depth”; and,
8. Remove Apartment as a permitted use in the R8 (Supportive Housing) Zone as the zone is intended for supportive housing facilities and not standalone apartment developments which do not provide supports for at-risk people.

A copy of the proposed Amendment Bylaw detailing the proposed text amendments is attached for information.

3. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that “Zoning Bylaw Amendment Bylaw 2022, No. 5225”, which proposes to complete text amendments for Garden Suites, AL Zone water requirements and to resolve implementation concerns within Zoning Bylaw 2020 No. 5000, be given first and second reading; and further, that a Public Hearing be called for July 5, 2022. (RZ001631)

Substantiation:

The proposed amendments will allow the Gross Floor Area of a Garden Suite to be varied, where appropriate, through a Development Variance Permit application. In addition, the amendments will permit boundary adjustments, on properties within the AL Zone, that allow for the more efficient use of agricultural land or better utilization of farm buildings but are not connected to a community water system. The proposed minor text amendments are necessary to improve the clarity, consistency and implementation of the Zoning Bylaw for both staff, the development community, and the general public.

4. SOURCES OF INFORMATION:

- Rezoning Application (RZ001631) – May 4, 2022
- Development Application Review Team (DART) Minutes – May 26, 2022