

AGENDA ITEM NO: 7.10

MEETING DATE: February 7, 2023

**STAFF REPORT – COVER SHEET**

SUBJECT: JCR Design Ltd (BC1089662)  
Rezoning / 5800 Jinkerson Road DATE: January 17, 2023

DEPARTMENT: Planning Department  
RZ001666 PREPARED BY:  Seamus McConville / tr


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**1. SUMMARY OF ISSUE:**

The applicant wishes to rezone the subject property from an SR (Suburban Residential) Zone to an R1-A (Urban Residential) Zone to facilitate a future subdivision. Once the Bylaw has been to Public Hearing, staff recommend that that the application be held at 3<sup>rd</sup> Reading pending the issuance of a Development Permit Area No. 2 (Hillside and Upland Areas) to address geotechnical and environmental considerations.


**2. RECOMMENDATION:**

Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5278”, which proposes to rezone the subject property from an SR (Suburban Residential) Zone to an R1-A (Urban Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for February 21, 2023. (RZ001666)

  
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Gillian Villeneuve  
Director of Planning

**3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:**

Supports recommendation.

  
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Chris Crosman  
Chief Administrative Officer

## STAFF REPORT ON REZONING APPLICATION RZ001666

PREPARED BY: Seamus McConville DATE: January 17, 2023

POSITION: Planner I DEPARTMENT: Planning Department

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### 1. DEFINITION OF ISSUE:

The applicant wishes to rezone the subject property from an SR (Suburban Residential) Zone to an R1-A (Urban Residential) Zone to facilitate a future subdivision. Once the Bylaw has been to Public Hearing, staff recommend that that the application be held at 3<sup>rd</sup> Reading pending the issuance of a Development Permit Area No. 2 (Hillside and Upland Areas) to address geotechnical and environmental considerations.

### 2. PROPOSAL:

The applicant wishes to rezone the subject property to facilitate a two-lot subdivision. As demonstrated by the attached conceptual site plan, the property is able to meet the minimum dimensions requirements of the proposed R1-A Zone despite the irregular lot shape.

Final lot layout must comply with City bylaws and include a storm main extension to service the future lots at time of subdivision. Applicable requirements of the Tree Management (Land Development) Bylaw will need to be met, as required at time of subdivision.

As the property is located within Development Permit Area (DPA) No. 2 (Hillside & Upland Areas) a Development Permit application to address geotechnical and environmental concerns has been submitted for review.

### 3. FACTORS:

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

**Official Community Plan:** "Comprehensive Development Area" as designated within the 2040 Official Community Plan.

**Land Use:** Single detached dwelling (to be retained.)

The applicant has indicated that the house on the property will be retained as part of the subdivision, with the owner continuing to reside in the home. Written comment on how the site will be maintained and secured throughout the subdivision process has been provided, attached to this report as "Schedule A."

**Community Engagement** In January 2023, the applicant mailed an engagement package to the surrounding properties, as well as held an open house to solicit

feedback as it related to the proposal. As of the date of this report, no responses or feedback has been received from the surrounding neighbourhood. A copy of the applicant's neighbourhood engagement proceedings has been submitted for the public record.

### 3.2 Neighbourhood Character

The property is located within a residential area in the Promontory Neighbourhood. Neighbouring lots to the north and west contain single detached dwellings and duplexes in the RR (Rural Residential,) SR (Suburban Residential) and R1-B (Urban Duplex Residential) Zones. To the east and south lie single detached dwellings within the CD-3 (Comprehensive Development 3) Zone. Amenities including Pirie Brook Natural Area and Jinkerson Park are located within close proximity to the site.

The proposed rezoning is considered appropriate as it is consistent with the residential uses within the neighborhood and is unlikely to have an impact on the surrounding area.

### 3.3 Technical Issues:

**Floodplain** The property is not located within the floodplain area.

**Watercourses:** Pirie Brook, a Class E watercourse with a 30m riparian setback is located along the eastern property line. The applicant has applied for Development Permit 3 (Riparian Areas) to evaluate the riparian area to potentially reduce this setback. The riparian area associated with Pirie Brook only impacts proposed "Lot 2" as shown on the conceptual site plan.

Despite this encumbrance, proposed "Lot 2" meets the lot area requirements of the R1-A Zone, with all current and future structures sited well outside of the existing 30m setback.

**Geotechnical:** The property is located within the "high" geotechnical risk area, as the lot is affected by steep slopes. In accordance with the City of Chilliwack Hillside Standards Policy, the applicant has submitted a geohazard and geotechnical assessment report, prepared by Tetron Engineering on October 12, 2022, in support of the proposal.

An application for DPA No. 2 has been submitted for review to address any environmental and geotechnical concerns. Staff recommend that the rezoning application be held at 3<sup>rd</sup> Reading pending approval of the required Development Permit.

**4. RECOMMENDATION & SUBSTANTIATION:****Recommendation:**

Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5278”, which proposes to rezone the subject property from an SR (Suburban Residential) Zone to an R1-A (Urban Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for February 21, 2023. (RZ001666)

**Substantiation:**

The proposal offers a modest increase in density in keeping with recently constructed residential developments in the surrounding area, continuing the trend of urban development in the Promontory Neighbourhood. Despite the hillside and riparian encumbrances which effect the property, the proposed lots have sufficient area to accommodate a useable building envelope while respecting Zoning Bylaw standards such as building setbacks and parking.

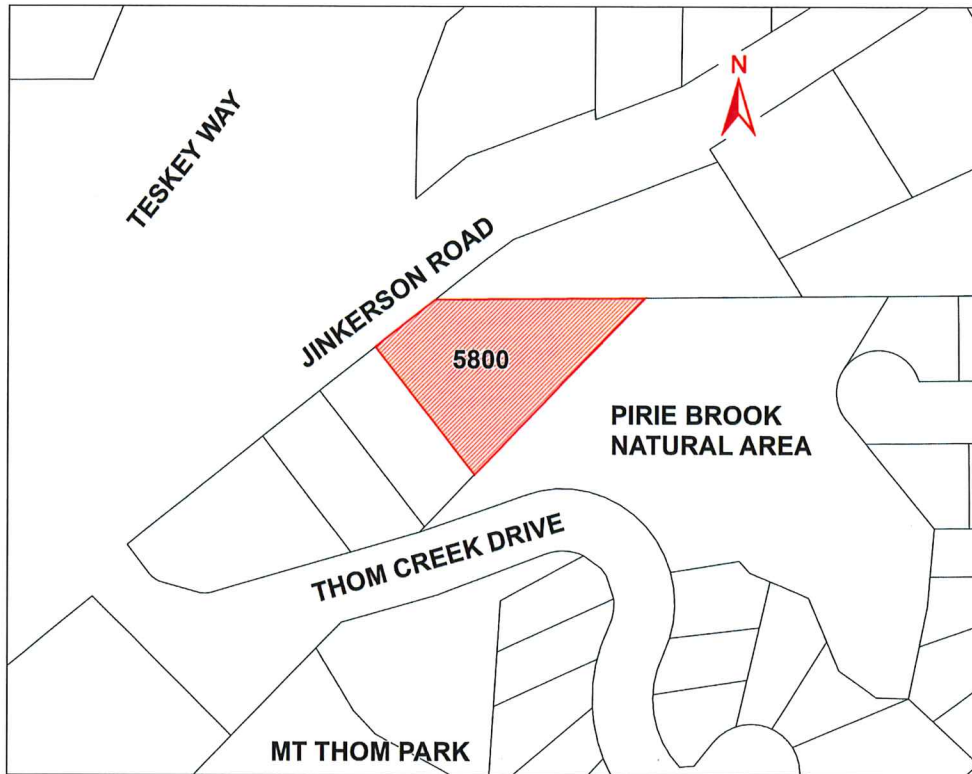
**5. SOURCES OF INFORMATION:**

- Rezoning Application (RZ001666) – August 25, 2022
- Development Application Review Team (DART) Minutes – November 10, 2022
- Development Permit application (DP001634) – October 24, 2022
- Development Permit application (DP001635) – October 24, 2022

**Attachments**

- “Schedule A” – Property Owner’s Redevelopment and Maintenance Intentions – December 2022.

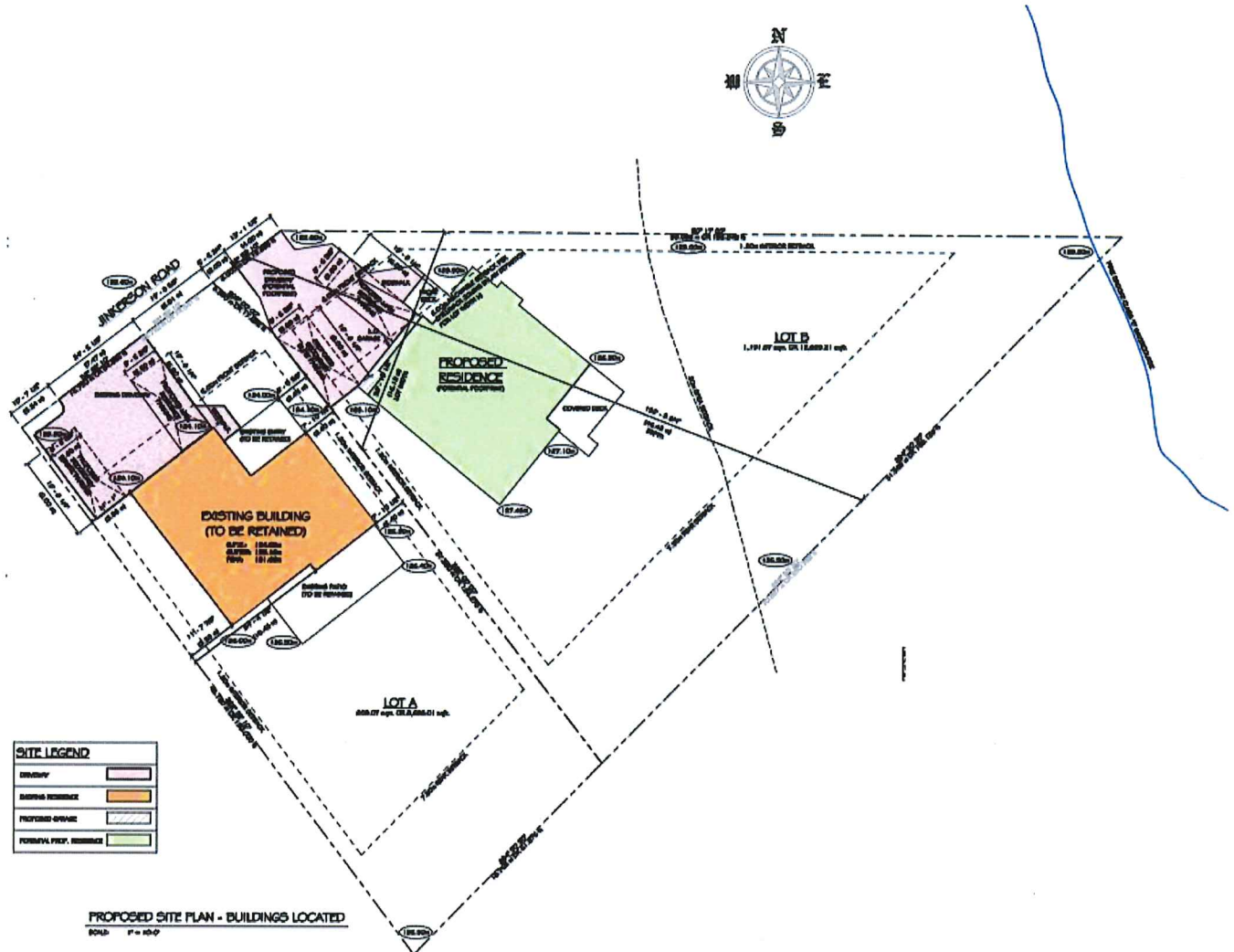
Location Map



Orthophoto



**Conceptual Site Plan (as provided by the applicant)**



## “Schedule A”

### Property Owner’s Redevelopment and Maintenance Intentions



JCR DESIGN Ltd. EST. 2003

201 – 45269 Keith Wilson Rd, Chilliwack, BC V2R 5S1  
Ph: (604) 858-0031 email: [office@jcrdesign.ca](mailto:office@jcrdesign.ca)

December 5, 2022

5800 Jinkerson Rd  
Maintenance Plan

I spoke with our client and the maintenance plan is as follows:

The homeowner is living on site and currently maintains all the yard work, snow removal, etc. Once a PLA is issued, shortly before excavation is to begin, a fence will be put in place to secure the area being worked on. Any work will be done Monday to Saturday between the hours of 7:00 am and 9:00 pm. The fence will remain in place until the foundation is poured. The property and sidewalks will be kept clean of all rubbish and snow. There will be a rubbish container on site at all times. Any weeds/grass/trees that require maintenance will be done on a regular basis. The contractor will ensure that there will be minimal smoke and dust emissions.