

AGENDA ITEM NO: 7.3

MEETING DATE: February 21, 2023

STAFF REPORT – COVER SHEET

SUBJECT: JCR Design Ltd (BC1089662)
RZ001406 / 46193 Strathcona Road &
10195 Williams Road DATE: February 1, 2023

DEPARTMENT: Planning Department
RZ001406 PREPARED BY: Seamus McConville / tr

1. SUMMARY OF ISSUE:

The applicant wishes to rezone the subject properties from an R1-A (Urban Residential) Zone to an R3 (Small Lot Residential) Zone to facilitate a future subdivision.


This application was previously considered by Council at a Public Hearing on April 20, 2021. In response to concerns raised by the public, the application was referred back to staff to further review the yield of the proposed bare land strata subdivision. The applicant has amended the proposal to reduce the number of proposed lots from 9 to 8, increase the number of visitor parking stalls from 6 to 9 and is volunteering to register a restrictive covenant to limit the height of future proposed single detached dwellings to 8.5m (2 storeys).

As the conceptual site plan has been revised to address public concerns, Council is now requested to consider the calling of a new Public Hearing for March 7, 2023.

Once the Bylaw has been to Public Hearing, staff recommend that Council hold the Bylaw at third reading pending registration of a restrictive covenant limiting the building height of residential construction to 8.5m (2 storeys) with respect to properties located at 46193 Strathcona Road and 10195 Williams Road.

2. RECOMMENDATION:


Recommendation that a Public Hearing for “Zoning Bylaw Amendment Bylaw 2021, No. 5068”, which proposes to rezone properties located at 46193 Strathcona Road and 10195 Williams Road from an R1-A (Urban Residential) Zone to an R3 (Small Lot Residential) Zone, be called for March 7, 2023. (RZ001406)



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman
Chief Administrative Officer

STAFF REPORT ON REZONING APPLICATION RZ001406

PREPARED BY: Seamus McConville DATE: February 1, 2023
POSITION: Planner I DEPARTMENT: Planning

1. DEFINITION OF ISSUE:

The applicant wishes to rezone the subject properties from an R1-A (Urban Residential) Zone to an R3 (Small Lot Residential) Zone to facilitate a future subdivision.

This application was previously considered by Council at a Public Hearing on April 20, 2021. In response to concerns raised by the public, the application was referred back to staff to further review the yield of the proposed bare land strata subdivision. The applicant has amended the proposal to reduce the number of proposed lots from 9 to 8, increase the number of visitor parking stalls from 6 to 9 and is volunteering to register a restrictive covenant to limit the height of future proposed single detached dwellings to 8.5m (2 storeys).

As the conceptual site plan has been revised to address public concerns, Council is now requested to consider the calling of a new Public Hearing for March 7, 2023.

Once the Bylaw has been to Public Hearing, staff recommend that Council hold the Bylaw at third reading pending registration of a restrictive covenant limiting the building height of residential construction to 8.5m (2 storeys) with respect to properties located at 46193 Strathcona Road and 10195 Williams Road.

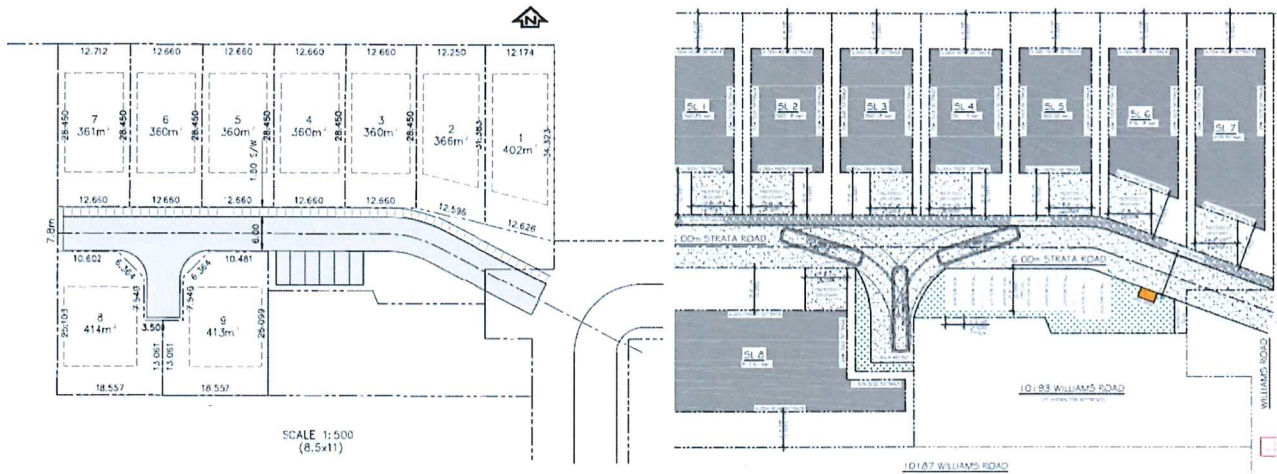
2. PROPOSAL:

The applicant requests to rezone the subject property to the R3 Zone to facilitate a future 8-lot subdivision. In response to concerns of scale and community impact, the applicant has amended the proposal to remove a lot, increase visitor parking and voluntarily restrict building height for the future homes to 2 storeys to ensure the development integrates into the community. Based on the revised conceptual site plan provided, the proposal is expected to meet the minimum development standards of the Zoning Bylaw. The requirements of the Floodplain Regulation Bylaw, Tree Management (Land Development) Bylaw and Land Development Bylaw will apply at time of subdivision.

For information, a comparison of the previous and current conceptual site plans is provided below and a copy of the staff report from April 20, 2021 is attached to this report.

Previous Site Plan – April 2021

Current Site Plan – November 2022



3. FACTORS

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

OCP Designation: “Residential 1 – One and Two Family Housing” as designated within the Chilliwack Proper & Fairfield Island Neighbourhoods Plan within the 2040 Official Community Plan.

Land Use: A single detached dwelling within each property (to be demolished). The applicant has noted that the homes on the properties will continue to be rented until time of development, with the landlord and tenants conducting property maintenance as required. Further comment on the applicant’s plan for development can be found attached to this report as “Schedule A”.

Community Engagement: Since the last Public Hearing, the applicant has conducted two rounds of community engagement; one in November 2022 and one in February 2023. Both packages have been submitted for the public record with a summary provided below.

November 2022: The applicant sent a letter to properties within a 30m radius of the subject properties and held an Open House November 2, 2022. During the Open House, four concerns were received in response, including retention of the existing hedging, provision of parking, height of the houses and drainage. The applicant noted the concerns regarding the existing hedging but did not comment on retention, confirmed overall parking numbers, explained height requirements as they relate to Flood Construction Level (FCL) as well as the proposed voluntary height covenant, and discussed how the civil design will resolve drainage concerns.

In response to this round of engagement, 43 petitions of opposition were received from the surrounding neighbourhood. The main concerns within the petitions included overshadowing of existing homes, decreased privacy and view obstruction. A full list of concerns from the neighbourhood can be found in the submitted petition package.

February 2023: The applicant issued a letter advising of the proposal to properties within a 100m radius of the subject properties, and held an Open House February 8, 2023. From this round of engagement, three enquiries were received, noting concerns regarding the scale of redevelopment, availability of electricity to the neighbourhood, drainage and sidewalk/stop sign placement. The applicant took note of the concerns on the scale of the proposal and electricity but did not comment further. The applicant discussed the project's civil design and how it would ensure appropriate drainage, as well as sidewalk and stop sign provision in the development at the Open House.

3.2 Neighbourhood Character

The subject properties are within a residential area on Fairfield Island, surrounded by a mix of mature and recently redeveloped single detached dwellings. The properties are within close proximity to amenities including Strathcona Elementary School, Gwynne Vaughan Park and Fairfield Park.

The development proposes the creation of 8 units, representing a modest increase to density in the area. Similar "pocket style" strata development in the R3 Zone are located nearby at 46238 Strathcona Road and 10166 Williams Road, with 5 and 6 units respectively. As such, the proposal is consistent with the redevelopment pattern seen in the surrounding area.

The proposed R3 Zone is consistent with the "Residential 1 – One and Two Family Housing" designation of the Chilliwack Proper & Fairfield Island Neighbourhoods Plan and the City's Infill Development Policy (Policy), which supports the development of additional residential units to accommodate greater density at an appropriate scale. The Plan and Policy aim to provide a mix of housing types, green streetscapes, functional amenity space and increased walkability, where it can be achieved without altering the fundamental form or functionality of the surrounding neighbourhood. As the existing neighbourhood is predominantly characterized by a mix of well-maintained one-and-a-half and two-storey single detached dwellings, the future development of new single detached dwellings will maintain the built form and provide additional housing options in the immediate area. In addition, in order to ensure the development integrates well into its surroundings, the applicant has proposed a voluntary restrictive height covenant to limit the height to 8.5m (two stories).

3.3 Technical Considerations:

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

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

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

4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that a Public Hearing for “Zoning Bylaw Amendment Bylaw 2021, No. 5068”, which proposes to rezone properties located at 46193 Strathcona Road and 10195 Williams Road from an R1-A (Urban Residential) Zone to an R3 (Small Lot Residential) Zone, be called for March 7, 2023. (RZ001406)

Substantiation:

The proposal is in keeping with the Official Community Plan designation for this area and will result in a modest increase in density while preserving the single-family character of the neighbourhood. As the immediate area is already host to small lot strata developments, the proposal emulates these established developments. In addition, the restricted height covenant will ensure the height of the future dwellings is limited; therefore, allowing the proposed development to integrate into the neighbourhood.

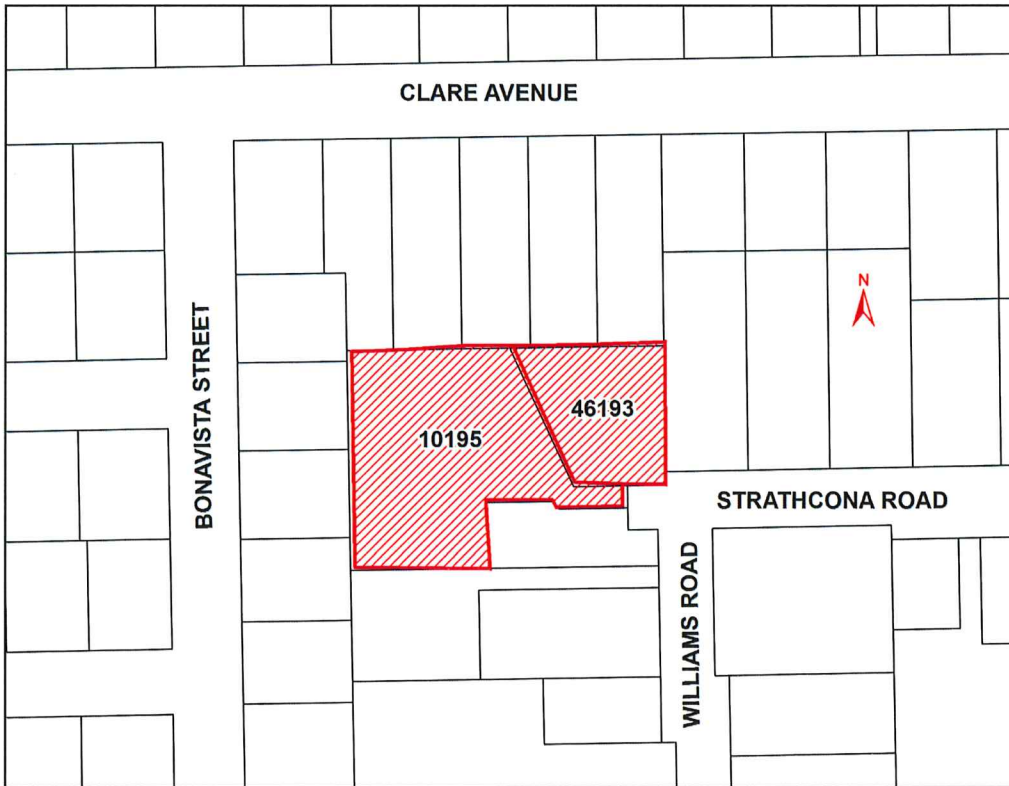
5. SOURCES OF INFORMATION:

- Rezoning Application RZ001406 – January 29, 2020.
- Development Application Review Team (DART) Minutes – March 26, 2020.

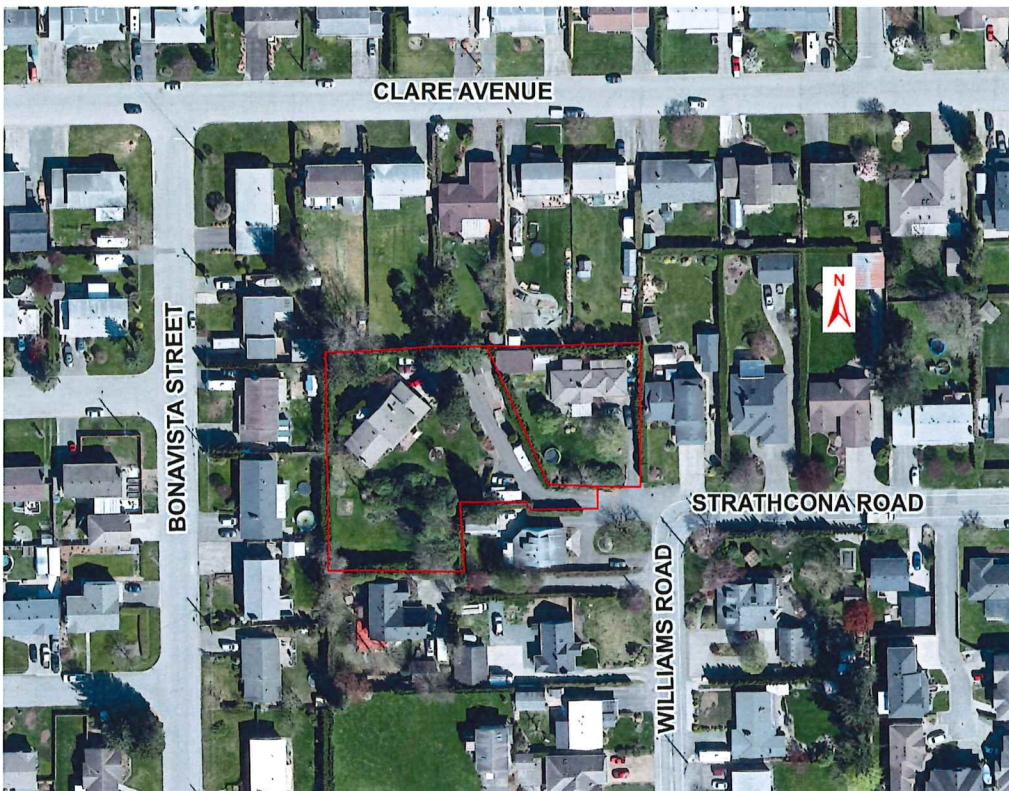
Attachments

- “Schedule A” – Property Owner’s Redevelopment and Maintenance Intentions – January 2023.
- Staff Report on Rezoning RZ001406 – April 20, 2021.

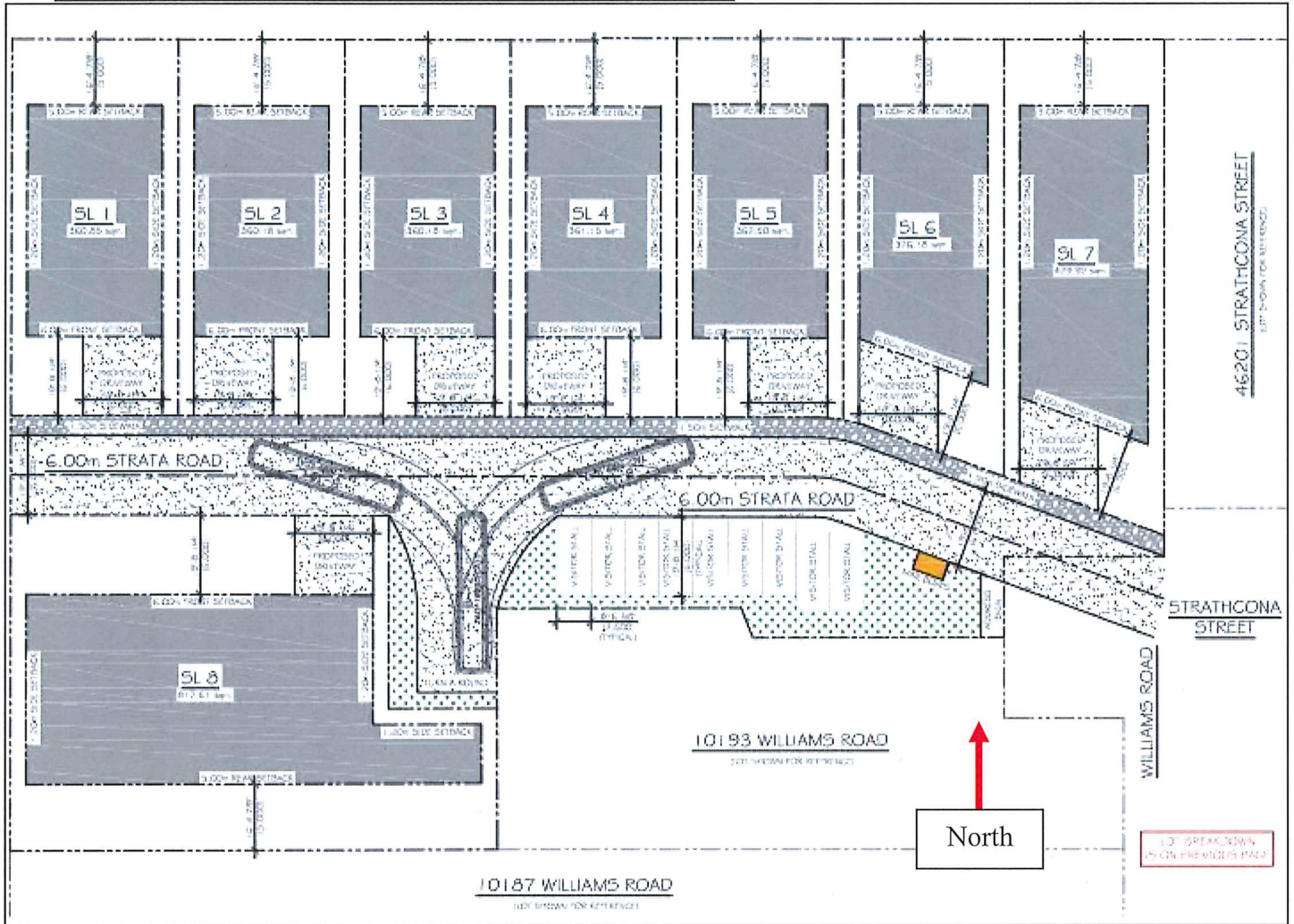
Location Map



Orthophoto



Updated Conceptual Site Plan (as provided by the applicant)



Site photo of 46193 Strathcona Road & 10195 Williams Road



Schedule A – Property Owner’s Redevelopment and Maintenance Intentions



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

January 24, 2023

10195 Williams St & 46193 Strathcona Rd
Maintenance Plan

The homes on the property currently being rented. The renters along with the homeowners ensure that all maintenance and upkeep is being done.

The owners of the properties want to wait until they see what the market will be doing in the next couple of years before they decide if they will be doing any demolition or building on the property. The homes will continue to be rented and the property maintenance and upkeep will be maintained.

AGENDA ITEM NO: 7-I-1

MEETING DATE: April 6, 2021

STAFF REPORT – COVER SHEET

SUBJECT: Caleb Westeringh
RZ001406 / 46193 Strathcona Road &
10195 Williams Road DATE: March 22, 2021

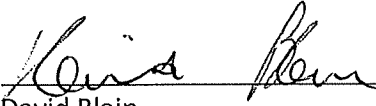
DEPARTMENT: Planning & Strategic Initiatives
RZ001406 PREPARED BY: Seamus McConville / tt

1. SUMMARY OF ISSUE:

The applicant wishes to rezone the subject properties from an R1-A (Urban Residential) Zone to an R3 (Small Lot Residential) Zone to facilitate a future subdivision. Once the Bylaw and all submissions from the public have been reviewed by Council, staff recommend that Council give third reading and adoption to the Bylaw with respect to properties located at 46193 Strathcona Road and 10195 Williams Road.

2. RECOMMENDATION:


Recommendation that "Zoning Bylaw Amendment Bylaw 2021, No. 5068", which proposes to rezone properties located at 46193 Strathcona Road and 10195 Williams Road from an R1-A (Urban Residential) Zone to an R3 (Small Lot Residential) Zone, be given first and second reading; and further, that notice be issued requesting written submissions for Council's consideration at the April 20, 2021 Regular Meeting of Council. (RZ001406)



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 RZ001406

PREPARED BY: Seamus McConville DATE: March 15, 2021

POSITION: Planner I DEPARTMENT: Planning & Strategic Initiatives

1. DEFINITION OF ISSUE:

The applicant wishes to rezone the subject properties from an R1-A (Urban Residential) Zone to an R3 (Small Lot Residential) Zone to facilitate a future subdivision. Once the Bylaw and all submissions from the public have been reviewed by Council, staff recommend that Council give third reading and adoption to the Bylaw with respect to properties located at 46193 Strathcona Road and 10195 Williams Road.

2. PROPOSAL:

The requested rezoning is to facilitate a new 9-lot bareland strata subdivision within the subject properties, with access occurring via a strata road utilizing the existing panhandle driveway. All proposed lots meet the minimum dimension requirements of the proposed R3 Zone as demonstrated on the attached conceptual site plan. Although visitor parking is not required for the development as there are less than 10 units proposed, the applicant has provided six parking stalls for visitors to compensate for the lack of on street parking and to provide better functionality for the development.

3. FACTORS/BACKGROUND:

3.1 2040 Official Community Plan (OCP) / Land Use

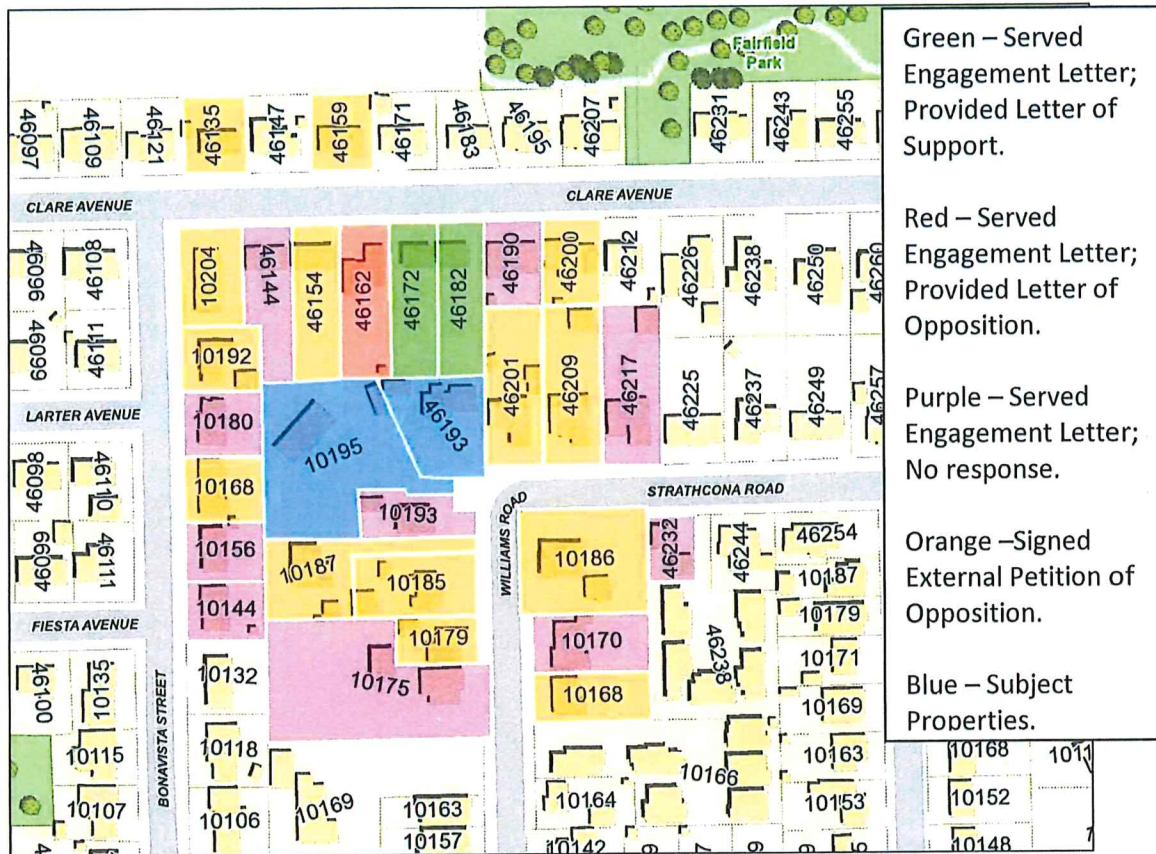
OCP Designation: "Residential 1 – One and Two Family Housing" as designated within the Chilliwack Proper & Fairfield Island Neighbourhoods Plan.

Land Use: Single detached dwellings (to be demolished).

Public Engagement: As outlined within the Neighbourhood Plan, applicants are required to engage with residents during the rezoning application process by informing them of the proposal and addressing their concerns. On February 2, 2021, the applicant circulated an information letter to neighbouring properties and received two responses in support of the application, two response of concern and one response of opposition as of the date of this report. A copy of the engagement summary is found in Appendix A and copies of the letters have been included as part of the public record.

Separate to the applicant’s engagement process, a Petition of Opposition was received February 22, 2021 with 29 responses from concerned residents from nearby properties and others in the Fairfield Island Neighbourhood. A copy of the petition of opposition has been included as part of the public record. The map below outlines the engagement process instigated by the applicant and the responses received to date.

Map Summary of Public Engagement



3.2 Neighbourhood Character

The subject properties are within a residential area on Fairfield Island, surrounded by a mix of mature and recently redeveloped single detached homes. The properties are within a 400m radius of Strathcona Elementary School, 150m of Fairfield Park and 235m of Gwynne Vaughn Park. As the properties are in close proximity to parks, an on-site amenity space is not necessary, in accordance with the Infill Development Policy guidelines.

The development proposes the creation of 9 units, representing a modest increase to density in the area. Similar “pocket style” strata development in the R3 Zone exist nearby at 46238 Strathcona Road and 10166 Williams Road, with 5 and 6 units respectively. As such, the proposal is consistent with the redevelopment pattern seen in the surrounding area.

The proposed R3 Zone is consistent with the “Residential 1 – One and Two Family Housing” designation of the Chilliwack Proper & Fairfield Island Neighbourhoods Plan and the City’s Infill Development Policy (Policy), which supports the development of additional residential units to accommodate greater density at an appropriate scale. The Plan and Policy aim to provide a mix of housing types, green streetscapes, functional amenity space and increased walkability, where it can be achieved without altering the fundamental form or functionality of the surrounding neighbourhood. As the existing neighbourhood is predominantly characterized by a mix of well-maintained one-and-a-half and two-storey single detached homes, the future development of new single detached homes will maintain the built form and desired density for the local area.

As the neighbourhood is predominantly characterized by a mix of mature and recently redeveloped one and two-storey single detached dwellings and duplexes, the future development of additional single detached dwellings within the newly proposed lots will maintain the built form and desired density of the area. However, ground entry homes with living quarters above will likely be constructed in order to comply with the Flood Construction Level (FCL), creating a height differentiation with some of the surrounding lots. Both the existing R1-A Zone and proposed R3 Zone allow for a maximum height of 10m.

2.3 TECHNICAL CONSIDERATIONS:

- Floodplain: The subject properties are located within the protected floodplain and are subject to the regulations of the Floodplain Regulation Bylaw.
- Watercourses: There are no known watercourses within, or in the immediate vicinity of, the subject properties.
- Geotechnical Issues: The properties are not subject to any known geotechnical hazards or earthquake related risks.

4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that “Zoning Bylaw Amendment Bylaw 2021, No. 5068”, which proposes to rezone properties located at 46193 Strathcona Road and 10195 Williams Road from an R1-A (Urban Residential) Zone to an R3 (Small Lot Residential) Zone, be given first and second reading; and further, that notice be issued requesting written submissions for Council’s consideration at the April 20, 2021 Regular Meeting of Council. (RZ001406)

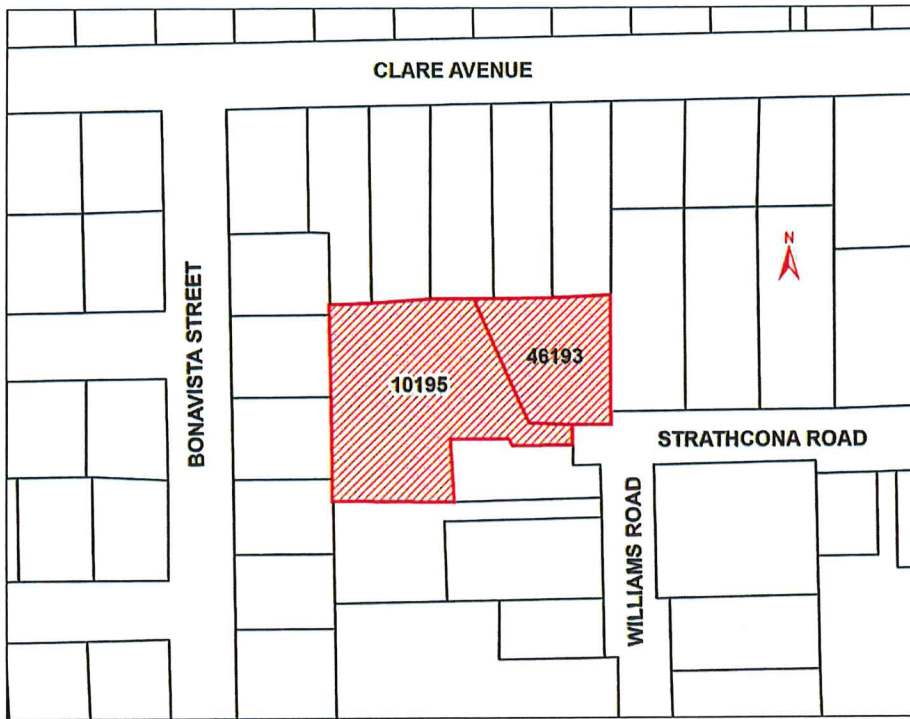
Substantiation:

The proposal is in keeping with the Official Community Plan designation for this area and will result in a modest increase in density while preserving the single-family character of the neighbourhood. In addition, the proposed site layout is consistent with recent redevelopment in the area and as such, is anticipated to integrate well into the community.

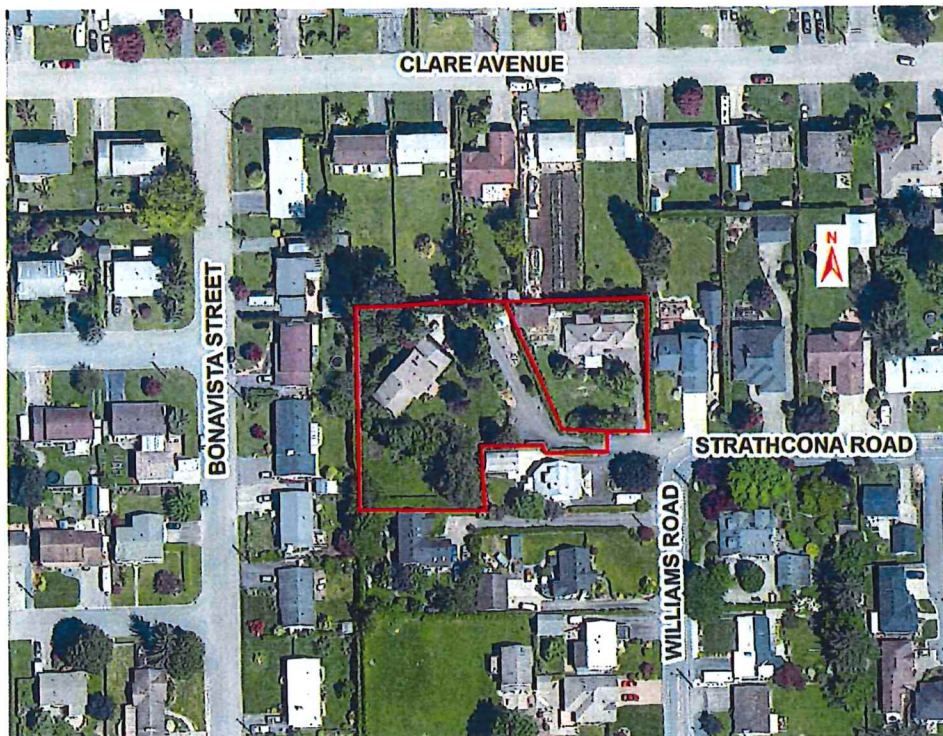
5. SOURCES OF INFORMATION:

- Rezoning application RZ001406 – January 29, 2020.
- Development Application Review Team (DART) Minutes – March 26, 2020.

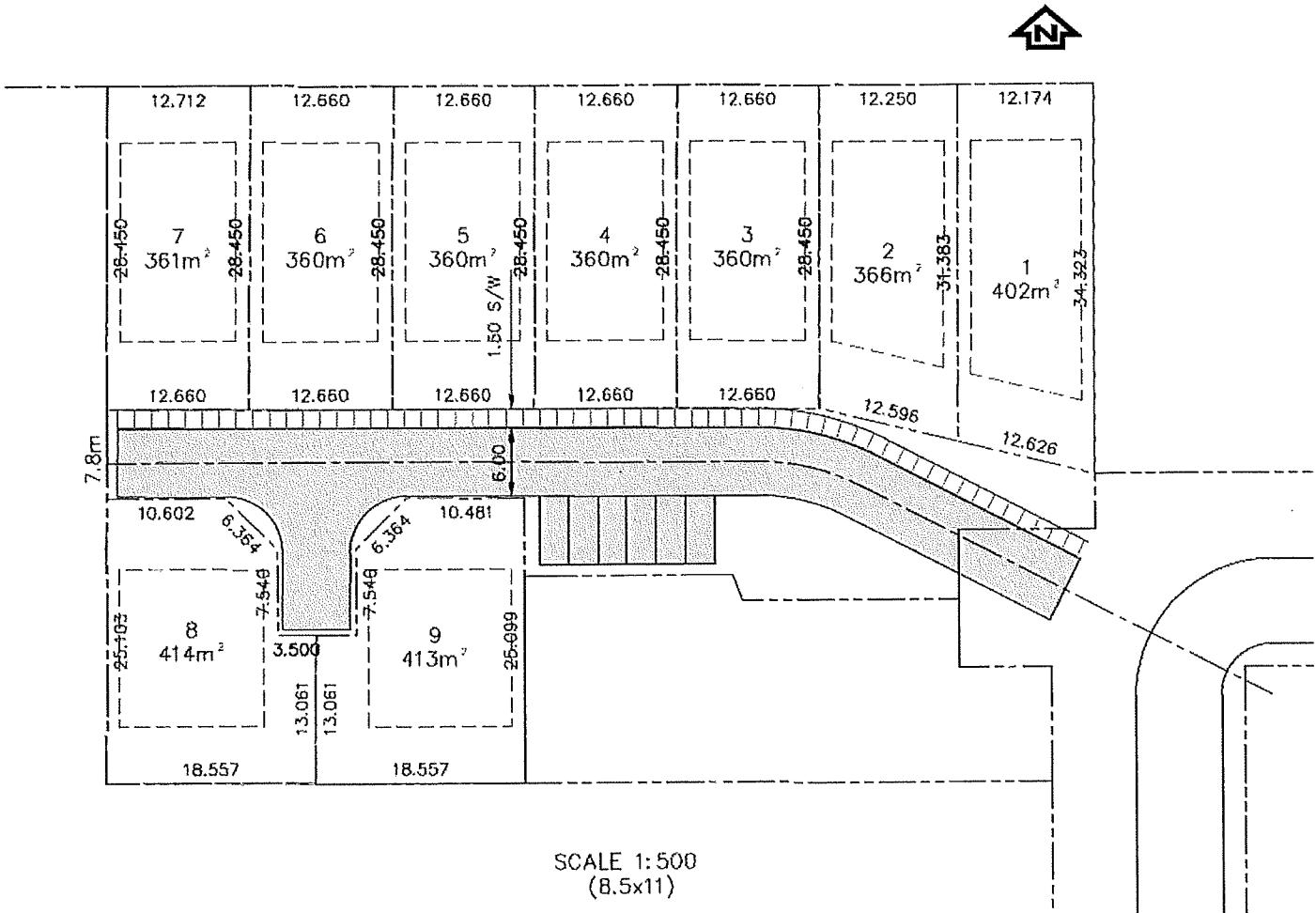
Location Map



Orthophoto



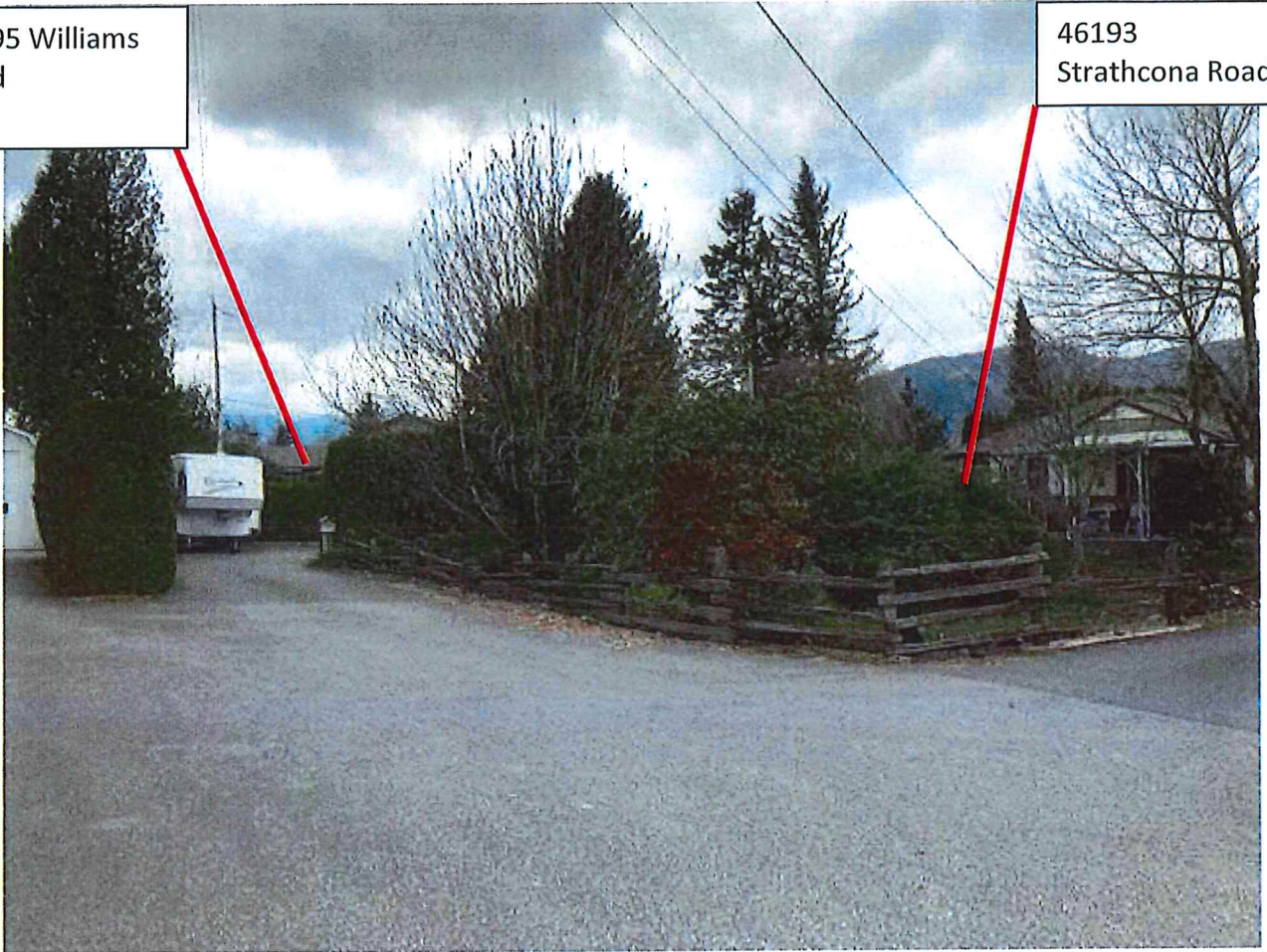
Conceptual Site Plan (as provided by the applicant)



Site photo of 46193 Strathcona Road & 10195 Williams Road

10195 Williams
Road

46193
Strathcona Road



Appendix A – Community Engagement Package

Initial Letter To Neighbours

Page 1 of 2

To: The neighbours of 10195 Williams Road and 46193 Strathcona Road

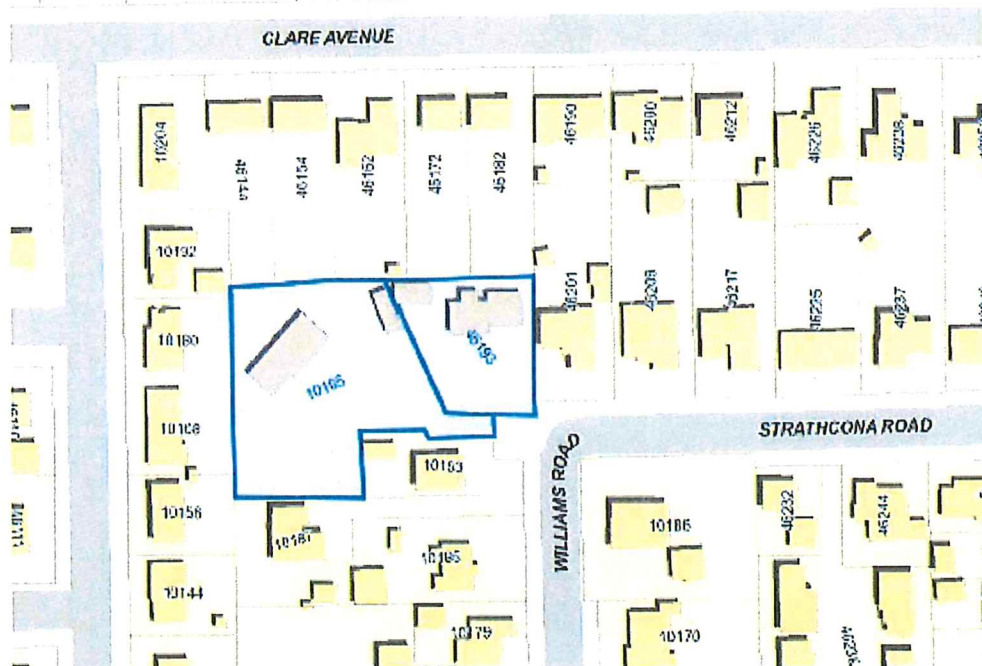
Date: January 28, 2021

Dear neighbour,

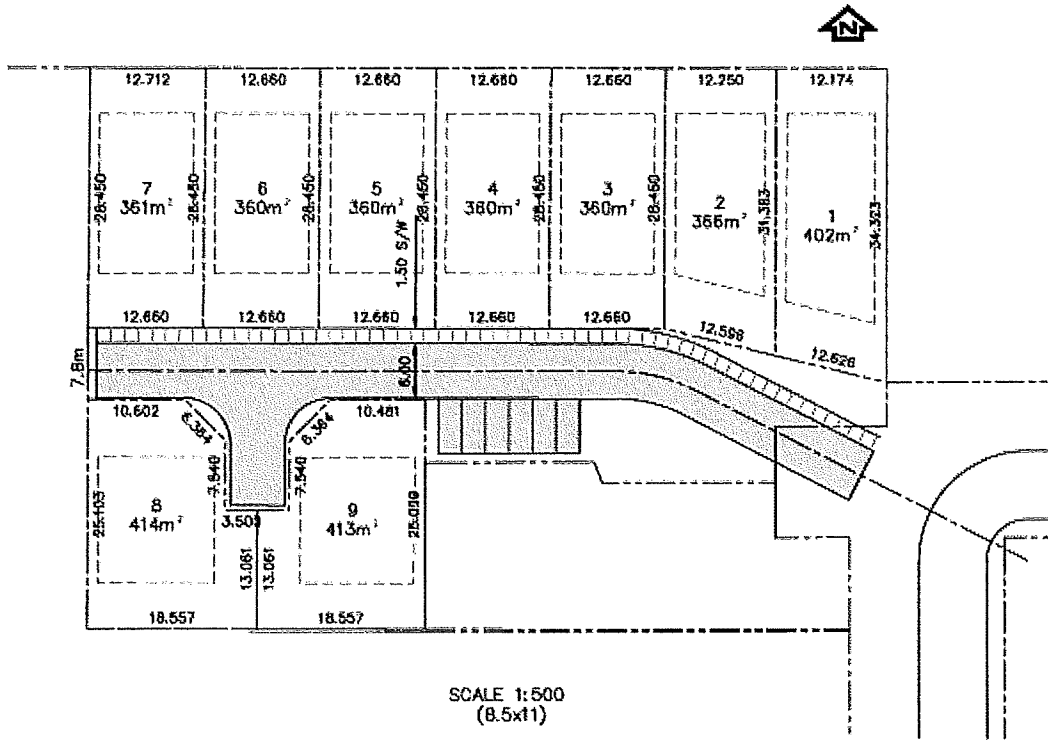
You are receiving this letter because we are applying to the City of Chilliwack to rezone the properties at 10195 Williams Road and 46193 Strathcona Road from R1-A to R3 and amalgamate them to facilitate a future bareland strata subdivision with 9 units in accordance with the City's long term plan for the Fairfield Island Neighbourhood. I've attached a conceptual site plan for your review. The end product will be relatively similar to the developments at 10100 Williams Road and 10082 Williams Road. If you have any questions, comments, or concerns about the proposal feel free to contact me via phone or email.

Caleb Westeringh
-Developer's Agent for 1105783 B.C. Ltd.

Subject Properties



Proposed Concept Plan



List of Addresses Served With Letters

Williams / Strathcona mailing list – February 2, 2021

10193 Williams Rd

10187 Williams Rd

10186 Williams Rd

10185 Williams Rd

10179 Williams Rd

10175 Williams Rd

10170 Williams Rd

10168 Williams Rd

46232 Strathcona Rd

46217 Strathcona Rd

46209 Strathcona Rd

46201 Strathcona Rd

46190 Clare Avenue

46182 Clare Avenue

46172 Clare Avenue

46162 Clare Avenue

46154 Clare Avenue

46144 Clare Avenue

10204 Bonavista Street

10192 Bonavista Street

10180 Bonavista Street

10168 Bonavista Street

10144 Bonavista Street

10156 Bonavista Street

Summary of Engagement From Applicant**McConville, Seamus**

From: Caleb Westeringh
Sent: March 11, 2021 3:40 PM
To: McConville, Seamus
Subject: Re: Engagement with Neighbours for RZ#1406
Attachments: Williams-Strathcona mailing list – February 2, 2021.pdf

Hi Seamus,

The letters were mailed and we used prepaid stamps so I don't have a receipt. I had our administrator, Cindy Cooper, send them the first week of February. Here is the list of addresses that we mailed them too.

Regards,

Homelife Advantage Realty Ltd
604-798-3699
wbrealestate.ca



On Mar 11, 2021, at 8:53 AM, McConville, Seamus <mcconville@chilliwack.com> wrote:

Good Morning Caleb,

Thank you for the email. I've received your summary report of the information and comments received. If possible, can you provide me the list of who you served with letters, date and time of service as well as confirm when the letters were sent?

I also completed the site inspection yesterday with no issues, and gathered the information I needed for my report.

I will be providing you with signage information early next week, in anticipation of this file going to council.

If anything else comes up, please feel free to email back or call me at 604-793-2963.

Cheers,

<image001.jpg>

Seamus McConville | Planner I | Planning & Strategic Initiatives

P: 604.793.2963 | F: 604.793.2285 | E: mconville@chilliwack.com

City of Chilliwack | 8550 Young Road, Chilliwack, BC, Canada V2P 8A4 | www.chilliwack.com

From: Caleb Westeringh <

Sent: March 10, 2021 3:00 PM

To: McConville, Seamus <mconville@chilliwack.com>

Subject: Engagement with Neighbours for RZ#1406

Hi Seamus,

Letters were sent out middle of February. I have not gone door to door to speak with neighbours due to the social distancing in place but I have met with a few that were comfortable meeting. These 5 neighbours all directly border the subject properties.

Here are my conversations with them:

L. Clarence(Hap) Palmer - 46182 Clare Ave, Chilliwack

Supports development

"Hi Caleb,

Thanks for meeting with myself and Jessie, it was a pleasure to meet you.

The information package you shared with us gave us some great insight about your team, and what the current market is like.

You mentioned not developing the properties behind us this year, and asked us if we could write your team a support letter.

We're glad to write a support letter for the development behind us, in return we're hoping you would consider a couple things.

The hedge and fence that separates our properties is in quite the state of neglect and disrepair.

We're hoping your team could clean that up as a gesture of good faith.

You mentioned the city would require you to install fence panels, when you begin the redevelopment. Possibly the clean up and fencing could be done this year?

The second item is to ask if you could get your team of surveyors in, to mark the devising lines of our properties.

Both Jessie and myself are interested to hear if your team can come up with any ideas regarding our properties, we look forward to your reply, thanks." - Emailed March 7, 2021.

Developers reply:

"Hi Hap,

I can guarantee you that the fence panels will be put in and the hedges will either be removed or cleaned up, as to when I cannot say. Demolishing those houses may damage the fence so we don't want to put the cart before the horse so to speak. Perhaps text me a picture and we'll do what we can do to clean it up and maintain it for the time being so it's not an eye sore to you and Jesse?

Let me talk to my surveyors and see when we can make that happen and if now is a good time. Our development is in such a preliminary phase that we don't know the exact layout of it yet. Lot lines could change slightly once we get to finalizing the details" - March 9th, 2021.

2. Jesse Reimer(Rhymer) - 46172 Clare Ave, Chilliwack

Supports development. Met with him and Hap Palmer at the same time. They had originally approached the developers to see if they would buy their properties and amalgamate them to create a larger development.

3. Diane Murphy, 10187 Williams Road

Wouldn't say where she supported or not but realizes that change is coming to Fairfield Island. 4 of her surrounding neighbours have sold in the last year. Initially approached the developers to see if they were interested in buying her property as well.

4. Harv Esau , 46201 Strathcona Road

Primary concern was leaving part of the bordering hedging in place or replacing it and was wondering what style of buildings would be built.

5. 46162 Clare Ave, Mrs. L Rabisi:

Opposes.

"I live on clare ave 46162 I am very opposed to your plans of your subdivision onWilliams -strathcona road . My backyard will be on the border with two of your seven planned houses My neighbours and I will loose all our privacy in our homes and yards not to mention the noise levels !! live here for 31 years and choose to do so for the privacy and quietness which this neighborhood has to offer.I oppose this silently planned subdivision of yours.And I know my neighbours also oppose this." - Email from February 16, 2021.

Agent for Developers Reply:

"Hi Mrs. Rabisi,

I appreciate your concern and thank you for taking the time to send this email. We are working with the City of Chilliwack to mitigate these concerns and try and keep impacts on the existing residents to a minimum. A few ways we are doing this is by installing screening to provide privacy and adopting a tree planting plan as well as following all the guidelines set out by the city for building setbacks. We want to be entirely transparent with the neighbours so please don't hesitate to ask any questions. If you'd like an example of what we are proposing I'd suggest driving by 10100 Williams Road across from Gwynne Vaughan Park." - Email from February 16, 2021.

I trust the site inspection went well today?

Warm Regards,

Caleb Westeringh
Homelife Advantage Realty Ltd
604-798-3699
wbrealestate.ca
<image002.png>