

AGENDA ITEM NO: 7.6

MEETING DATE: May 16, 2023

**STAFF REPORT – COVER SHEET**

SUBJECT: Rezoning Policy for R1-C (Urban Infill) Zone DATE: May 5, 2023

DEPARTMENT: Planning PREPARED BY: Reuben Koole / Erin Leary / tr

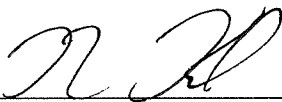
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**1. SUMMARY OF ISSUE:**

Staff have created a rezoning policy that requires more detailed development information at the time of application for R1-C (Urban Infill) rezoning applications. This approach will support preventing some infill properties from becoming vacant nuisances through redevelopment, and instead encourage applicants to invest in completing the development of the property. By using this policy, the City can ensure the approach is equitably applied to all applications, and create a process that is more efficient for staff, streamlined and consistent for developers, and transparent for residents.

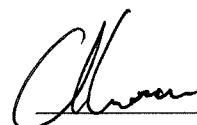
**2. RECOMMENDATION:**

That Council approve Policy Directive No. G-35 R1-C (Urban Infill) Rezoning Process.

*for*   
\_\_\_\_\_  
Gillian Villeneuve  
Director of Planning

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

Supports recommendation.

  
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Chris Crosman, CAO

## STAFF REPORT ON REZONING POLICY FOR R1-C (Urban Infill) Zone

PREPARED BY: Reuben Koole / Erin Leary DATE: May 5, 2023  
Managers of  
Long Range Planning and  
POSITION: Development Planning DEPARTMENT: Planning

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### 1. DEFINITION OF ISSUE:

Staff have created a rezoning policy that requires more detailed development information at the time of application for R1-C (Urban Infill) rezoning applications. This approach will support preventing some infill properties from becoming vacant nuisances through redevelopment, and instead encourage applicants to invest in completing the development of the property. By using this policy, the City can ensure the approach is equitably applied to all applications, and create a process that is more efficient for staff, streamlined and consistent for developers, and transparent for residents.

### 2. BACKGROUND:

There are approximately 120 vacant homes in Chilliwack Proper, which can become a significant neighbourhood concern. This is due to the deterioration of the structure and yard, property damage, unauthorized occupancy, and perceived crime and public safety issues, among other factors.

Chilliwack is also known for being business and development friendly, and the rezoning process can be completed relatively quickly and inexpensively compared to other cities in the Lower Mainland, with high rates of approval. In some cases, this can lead to land owners securing rezoning and not proceeding with new development for some time, which may result in properties becoming a vacant nuisance in the interim.

On a case-by-case basis, Planning staff have begun requesting rezoning applicants to provide a maintenance plan describing their efforts to secure and maintain the property through the development process.

### 3. CURRENT CONTEXT:

#### **Infill development**

Infill development takes a variety of forms in Chilliwack, generally within low density land use designations of the Official Community Plan (OCP) that are dominated by single detached dwellings. This includes rebuilding houses, subdividing large lots, and rezoning to increase density. This type of housing creation in the urban area is important for meeting future housing needs as the community grows due to land constraints related to Provincial restrictions (Agricultural Land Reserve), and geotechnical and environmental limitations (hillsides).

### **Municipal rezoning practices**

There are a wide range of rezoning practices among municipalities in British Columbia, with most requiring extensive information to be provided with a rezoning application, including the following:

- letter proposal (project description, rationale, owner consent, etc.)
- professionally prepared plans (drafted or surveyed site plan, elevations, setbacks, building envelopes, rights-of-way, building designs, landscaping, etc.)
- site assessments and surveys (trees, environmental areas, watercourses, etc.)
- data tables (existing and proposed zone compliance, variance identification, development data summary, etc.)
- concurrent applications (subdivisions, development permits, etc.)

### **Chilliwack rezoning**

In comparison, Chilliwack’s application for rezoning is minimal, only requiring the name and address of the applicant and owner, the property address, and a brief description of the purpose of the application. However, staff are beginning to request additional information on an ad-hoc basis with more complex rezoning applications, such as when a rezoning proposal is requesting a significant number of zoning variances. In these cases, staff will request a concurrent, related application (such as a development permit) to provide the rationale in support of the variances being requested.

Urban infill rezoning applications are generally not complex, and therefore applicants are not requested to provide more development information. There are approximately 110 parcels in the urban area (including Chilliwack Proper, Sardis, and Vedder) that have been historically rezoned to R1-C and not subdivided. This is likely due, in part, to the relative ease of completing a rezoning, and some of these rezoned properties may become vacant nuisances.

## **4. DISCUSSION:**

### **Rezoning Policy for R1-C**

Staff have created a rezoning policy requiring more detailed development information at the time of application for R1-C (Urban Infill) rezoning applications. This approach will support preventing some infill properties from becoming vacant nuisances, and instead encourage applicants to invest in completing the development of the property. By using this policy, the City can ensure the approach is equitably applied to all applications, and avoid the case-by-case negotiation that becomes inefficient for staff, inconsistent for developers, and unclear for residents.

Detailed development information includes:

- Zone compliance table (with variances identified)
- Concept and Detailed plans (prepared by a professional identifying road dedication, setbacks, easements, driveways, buildings, building envelopes, etc.)
- Site assessment plan (environmental areas, watercourses, utilities, etc)

This policy helps address development issues early, ensures applicants demonstrate an increased intent to follow through with their proposal and complete the development, and streamlines future subdivision applications, alleviating the need for a second Development Application Review Team (DART) review.

### **Affordable Housing and Development Advisory Committee**

The draft policy was presented and discussed at the April 26, 2023 meeting of the Affordable Housing and Development Advisory Committee, and they made the following unanimous recommendation:

*That the Affordable Housing and Development Advisory Committee support the recommendation to Council, for a new Policy Directive, that will require more detailed development information for R1-C (Urban Infill) Rezoning applications.*

### **Implementation**

Following the approval of the policy by Council, it will be applied to new R1-C rezoning applications. Existing applications will be able to proceed to Council in accordance with the current approach, and staff estimate this applies to 33 in-stream applications.

In the review process of R1-C development applications, the current approach is to consider rezoning apart from other potential applications. This means an applicant proceeds through DART once for rezoning, and then a second time for the subdivision following the rezoning adoption. With the additional development application detail provided at the time of rezoning, review comments can be provided on the entirety of the proposal, including the future subdivision. This enables the subdivision application to be processed without a second DART review, decreasing the application timeline (assuming the applicant's subdivision aligns with the plans reviewed at the time of rezoning).

Following Council's approval of the policy, staff will update and prepare the necessary application forms to implement the new process.

## **5. RECOMMENDATION & SUBSTANTIATION:**

### **Recommendation**

That Council approve Policy Directive No. G-35 R1-C (Urban Infill) Rezoning Process.

### **Substantiation**

Staff have created a rezoning policy and application process that includes more detailed development plans at the rezoning stage of an R1-C (Urban Infill) application in order to help address the issue of vacant homes in the community. Through the policy, an equitable approach to rezoning applications for R1-C (Urban Infill) can be implemented, and create a process that is more efficient for staff, streamlined and consistent for developers, and transparent for residents.

**6. SOURCES OF INFORMATION:**

- Municipal websites and application forms (Abbotsford, Mission, Maple Ridge, Pitt Meadows, Kelowna, Victoria)
- Affordable Housing and Development Advisory Committee (AHDC) discussion and minutes – April 26, 2023
- Development Application Review Team (DART) minutes – May 4, 2023

Attachments

Schedule A: Policy Directive No. G-35 R1-C (Urban Infill) Rezoning Process

## **POLICY DIRECTIVE NO. G-35**

SUBJECT:  R1-C (Urban Infill) Rezoning Process

APPROVAL DATE: \_\_\_\_\_ LAST REVIEW DATE: \_\_\_\_\_

REFERENCES: Development Approval Information Bylaw; Policy Directive No. G-32 (Infill Development); Land Development Bylaw; Official Community Plan; Public Hearing/Public Information Meeting Procedural Bylaw; Zoning Bylaw.

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### **A. PURPOSE / GOAL:**

The purpose of this policy is to outline the criteria that may be considered by City Council as part of a rezoning application to allow for an urban infill development. This policy is intended to guide applicants and City Staff as part of the application process, but is not intended to fetter Council's discretion when dealing with individual applications.

This policy was established in response to Council's desire to see more detailed and specific information provided with rezoning applications, to encourage further development following rezoning, and to clearly describe the application expectations.

This policy establishes expectations to ensure R1-C (Urban Infill) rezoning applications:

1. are equitably reviewed to a consistent standard;
2. identify and address development issues early in the application process;
3. demonstrate the intent to pursue subdivision immediately following, or concurrent with, rezoning; and,
4. streamline future subdivision applications.

### **B. DEFINITIONS:**

DART: Development Application Review Team

Professional: A certified person who prepares survey quality technical plans and documents to support an application, and may include a draftsman, surveyor, architect, engineer, or similar.

### **C. POLICIES:**

#### Pre-application

1. Before submitting a rezoning application, applicants should review the City's land use planning policies to determine R1-C infill development on the property is supportable (review the Official Community Plan, Neighbourhood Plan, and Infill Development Policy, where applicable). Contact the City's Planning Department for assistance with this review, and with identifying technical factors from other Departments.

Application requirements

2. All applications are required to comply with applicable bylaws and requirements such as the Development Approval Information Bylaw and Public Hearing / Public Information Meeting Procedural Bylaw, among others.
3. All applications are required to include the information set out in Appendix A with the rezoning application, as established or amended by the Director of Planning, including:
  - i. relevant Zone Compliance Tables for the proposed new R1-C (Urban Infill) lots and any remainder of the parent property; and,
  - ii. a complete Application Checklist with required plans prepared by a Professional.

Rezoning considerations

4. Applicants must undertake all of the standard processes required for a rezoning application, including neighbourhood engagement.
5. Proposals must align with the Official Community Plan's growth management approach and Infill Development Policy.
6. Proposals to enable future subdivisions that result in the following conditions will not be supported:
  - i. lot widths greater than 12m; and,
  - ii. variances below the minimum lot width requirement of 10m.
7. A Section 219 covenant may be registered on title to demonstrate and secure an applicant's commitment to the demolition of any pre-existing structures on the properties.
8. Proposals that do not meet this policy would be brought to Council for consideration with a staff recommendation to deny the application.
9. Following rezoning adoption, future subdivision applications that align with the subdivision plans submitted at the time of rezoning would not require a second DART review. Any proposed changes may require additional information or a second DART review.

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Chief Administrative Officer

APPENDIX A

**R1-C Rezoning – Zone Compliance Table for the R1-C (Urban Infill) lot(s)**

	Proposed Urban Infill Lot – project information	Zoning Standard for the Urban Infill Lot (see R1-C Zone)	Calculate Variance (if required)
Zoning		R1-C	NA
Lot Area		300m <sup>2</sup> (interior) 360m <sup>2</sup> (corner)	Not supported
Lot Width		10m (interior) 12m (corner)	Not supported
Lot Depth		30m	
Density		1 Structure for Principal Use	NA
Lot Coverage of Urban Ancillary Uses (m <sup>2</sup> )		45m <sup>2</sup>	
Setbacks (Residential Use): Front Lot Line  Rear Lot Line  Interior Side Lot Line Exterior Side Lot Line		6m (garage) 4.5m (building) 6m (garage) 5m (building) 1.2m 4.5m	
Setbacks (Urban Ancillary Uses): Front Lot Line Rear Lot Line Interior Side Lot Line Exterior Side Lot Line		6m 1m 1m 4.5m	
Building Height (Residential Use)		8.5m	Not supported
Building Height (Urban Ancillary Uses)		4m	
Accessory Dwelling Unit (circle)	Yes   No	Secondary Suite	NA

*Note: all information in the table must include metric (imperial system may also be provided).*

Refer to the City's Zoning Bylaw ([www.chilliwack.com/zoning](http://www.chilliwack.com/zoning)) for definitions of terms listed in this Table.



APPENDIX A

**R1-C Rezoning – Zone Compliance Table for the Parent Property (Existing Parcel Remainder) – if applicable**

	Parent Property / Existing Parcel Remainder	Zoning*	Calculate Variance (if required)
Zoning			NA
Lot Area			NA
Lot Width			
Lot Depth			
Density			NA
Lot Coverage of Urban Ancillary Uses (m <sup>2</sup> )			
Setbacks (Residential Use): Front Lot Line  Rear Lot Line  Interior Side Lot Line Exterior Side Lot Line			
Setbacks (Urban Ancillary Uses): Front Lot Line Rear Lot Line Interior Side Lot Line Exterior Side Lot Line			
Building Height (Residential Use)			
Building Height (Urban Ancillary Uses)			
Accessory Dwelling Unit			NA

*Note: all information in the table must include metric (imperial system may also be provided).*

*\*Specify if parent property/existing parcel remainder will remain in the current zone or if this is a request to rezone to another zone.*

Refer to the City's Zoning Bylaw ([www.chilliwack.com/zoning](http://www.chilliwack.com/zoning)) for definitions of terms listed in this Table.

## APPENDIX A

### R1-C Rezoning – Application Submission Requirements

The applicant is required to use this as a checklist and submit with the application package

#### 1. General requirements

The Concept Plan, Detailed Plan, and Site Assessment Plan must:

- Be prepared by a Professional and certified in compliance with any applicable professional association standards;
- Be scaled to 1:200 or 1:100, with metric dimensions, and include a North arrow;
- Include a legend and title block that identifies the project name (if any), civic address, applicant and contact information, date of plans, and plan revisions; and,
- Include measurements based on definitions and standards of the City's Zoning Bylaw.

#### 2. Specific requirements

The Concept Plan must include:

- Parcel size and dimensions showing all property lines;
- Road dedication requirements (easement, statutory right of way or dedication);
- Size and location of all proposed buildings and structures, clearly showing proposed variances (if any); and,
- Proposed driveway locations and vehicular access, showing dimensions and grades.

The Detailed Plan must include:

- Parcel size and dimensions showing all property lines;
- Road dedication requirements (easement, statutory right of way or dedication);
- Size and location of all proposed and retained buildings and structures, clearly showing proposed variances (if any);
- Proposed driveway locations and vehicular access, showing dimensions and grades;
- Proposed parking layout, showing dimensioned depth and width of parking stalls;
- Location, size, and species of existing and new/proposed trees, and any measures to protect existing trees;
- Location of buildings on adjacent parcels; and,
- Any easements and utility corridors on the parcel.

The Site Assessment Plan must include:

- Site assessment of any existing natural features (rock outcrops, watercourses, grades, environmental areas, etc.);
- Size and location of all existing buildings and structures on the property, clearly dimensioned and labeled;
- Existing driveway locations and vehicular access, showing dimensions and grades; and,
- All existing or proposed infrastructure (utility pipes and poles, fire hydrants, etc.) on the subject property and in the adjacent City right-of-way.