

AGENDA ITEM NO: 7.2

MEETING DATE: October 24, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Parveen Aggarwal
Rezoning / 45470 Bernard Avenue DATE: October 5, 2023

DEPARTMENT: Planning Department
RZ001684 & DVP01317 PREPARED BY:  Stella Xiao / cc

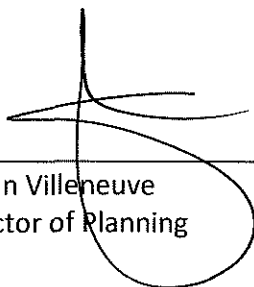
1. SUMMARY OF ISSUE:

The applicant wishes to rezone the subject property from an R1-A (Urban Residential) Zone to an R1-B (Urban Duplex Residential) Zone to facilitate a future duplex development. Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to the property located at 45470 Bernard Avenue.

A concurrent Development Variance Permit application has been submitted to reduce the rear lot line setback within the proposed R1-B (Urban Duplex Residential) Zone from 7.5m to 6.0m.

2. RECOMMENDATION:

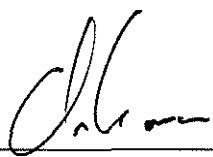
Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5348”, which proposes to rezone property located at 45470 Bernard Avenue from an R1-A (Urban Residential) Zone to an R1-B (Urban Duplex Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for November 7, 2023. (RZ001684)



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman
Chief Administrative Officer

**STAFF REPORT ON REZONING APPLICATION RZ001684 AND DEVELOPMENT VARIANCE PERMIT
APPLICATION DVP01317**

PREPARED BY: Stella Xiao DATE: October 5, 2023
POSITION: Planner I DEPARTMENT: Planning

1. DEFINITION OF ISSUE:

The applicant wishes to rezone the subject property from an R1-A (Urban Residential) Zone to an R1-B (Urban Duplex Residential) Zone to facilitate a future duplex development. Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to the property located at 45470 Bernard Avenue.

A concurrent Development Variance Permit application has been submitted to reduce the rear lot line setback within the proposed R1-B (Urban Duplex Residential) Zone from 7.5m to 6.0m.

2. PROPOSAL:

The proposal is to rezone the subject property from an R1-A Zone to an R1-B Zone to facilitate the future development of a duplex. The subject property meets the minimum lot width, depth, and area standards of the proposed R1-B Zone.

Final lot layout must comply with City bylaw and include frontage improvements complete with LED streetlighting on both streets, barrier curb and sidewalk on Bernard Avenue, as well as half-road paving on Crescent Drive. The proposed duplex must be sprinklered and the Floodplain Regulation Bylaw, Land Development Bylaw, and Tree Management Bylaw apply to future development of the property.

As the subject property is not served by a rear lane, the proposed duplex includes two driveways of 6m length and 6m width, with one access off of Bernard Avenue and a second access connecting to Crescent Drive to provide adequate off-street parking and green front yard space in accordance with the City's Infill Development Policy, as demonstrated within the attached site plan. The applicant has not committed to a specific design for the future duplex; should the proposed rezoning be approved, building height within the proposed R1-B Zone is limited to 10m or approximately 3 storeys, which is consistent with the R1-A Zone of neighbouring properties.

3. DISCUSSION REGARDING VARIANCE:

The applicant requests to reduce the rear lot line setback by 1.5m to facilitate construction of a duplex on the subject property. Overall, the requested rear lot line (RLL) setback variance is supportable as it is minor in nature and adequate amenity space will be provided. In comparison, both the R1-C (Urban Infill) and R3 (Small Lot Residential) Zones require a 5m RLL setback, which is considered

sufficient to provide an on-site private amenity area and adequate separation distance between properties with redeveloped single detached houses on small lots. As the proposed 6m RLL setback is in excess of the requirement for redevelopment of similarly sized lots for single detached dwellings, the reduction is considered appropriate in this instance.

While the requested RLL setback variance will result in reduced amenity space at the rear of the site, the larger setbacks along both Crescent Drive and Bernard Avenue will provide additional green space on the property. In addition, the proximity of the subject property to a number of parks also compensates for the reduced amenity space potential. The applicant has also confirmed that no additional variances will be sought to accommodate the proposed duplex redevelopment.

4. FACTORS:

4.1 2040 Official Community Plan (OCP) / Land Use / Community Engagement

Official Community Plan: “Residential 1– One and Two Family Housing” as designated in the Chilliwack Proper & Fairfield Island Neighbourhoods Plan within the Official Community Plan (OCP). The proposal is consistent with this designation.

Land Use: Single Detached Dwelling (to be demolished at time of redevelopment).

Community Engagement: The applicant conducted independent community engagement for the application prior to the anticipated date of first and second reading. According to the applicant, a letter was mailed to neighbouring properties on August 31st, 2023 to explain the proposal and request further input. 4 of the letters were returned by the residents. The property owner also attempted to contact the southern neighbour at 45470 Crescent Drive in person on September 21st, 2023, with no response. As of the date of this report, no other response from neighbouring properties has been received. For information, a copy of the public engagement package as submitted by the applicant is included within the public record.

4.2 Neighbourhood Character

The property is situated within the Townsend (west) Neighbourhood and, with the exception of Bernard Elementary School within the P1 (Civic Assembly) Zone to the north, is immediately surrounded by single detached dwellings in the R1-A Zone. The current building stock within the vicinity includes a mixture of medium-density residential development combined with single detached dwellings and a duplex. The property is within walking distance to several parks (Stewart Park, Lazenby Park, Carmel Park, Meadowbrook Park, Apple Tree Park, and Creekside Park), schools (Bernard Elementary, St. Mary’s Catholic, A.D. Rundle Middle, and Imagine High School), community amenities (Chilliwack General Hospital and Chilliwack Landing Leisure Centre), and the Yale Road commercial corridor.

The proposed rezoning is consistent with the “Residential 1 – One and Two Family Housing” designation of the Chilliwack Proper and Fairfield Island Neighbourhoods Plan and the intent of City’s Infill Development Policy, which support infill development to accommodate future growth and increased housing options at an appropriate scale. The required urban frontage improvements will ensure a safe and inviting streetscape along both Bernard Avenue and Crescent Drive. Two 6m x 6m driveways are proposed with one from each road frontage, ensuring that adequate off-street parking is provided in accordance with the Infill Development Policy. As the subject property is within a neighbourhood that has begun experiencing infill development, the proposed rezoning is considered to be consistent with and complementary to the existing neighbourhood.

4.3 Technical Issues:

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

4.4 Conditions of Issuance

Staff support the requested variance as proposed by the applicant and recommend approval of the draft DVP.

5. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5348”, which proposes to rezone property located at 45470 Bernard Avenue from an R1-A (Urban Residential) Zone to an R1-B (Urban Duplex Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for November 7, 2023. (RZ001684)

Substantiation:

The proposed rezoning is consistent with the residential character of the neighbourhood and the City’s OCP and Infill Development Policy, and is not expected to impact the surrounding area. Furthermore, the requested variance to the rear lot line setback is not expected to have any impacts due to its minor nature and provision of sufficient amenity space elsewhere on site.

6. SOURCES OF INFORMATION:

- Rezoning Application (RZ001684) – November 3, 2022
- Development Variance Permit Application (DVP01317) – November 3, 2022
- Development Application Review Team (DART) Minutes – February 23, 2023

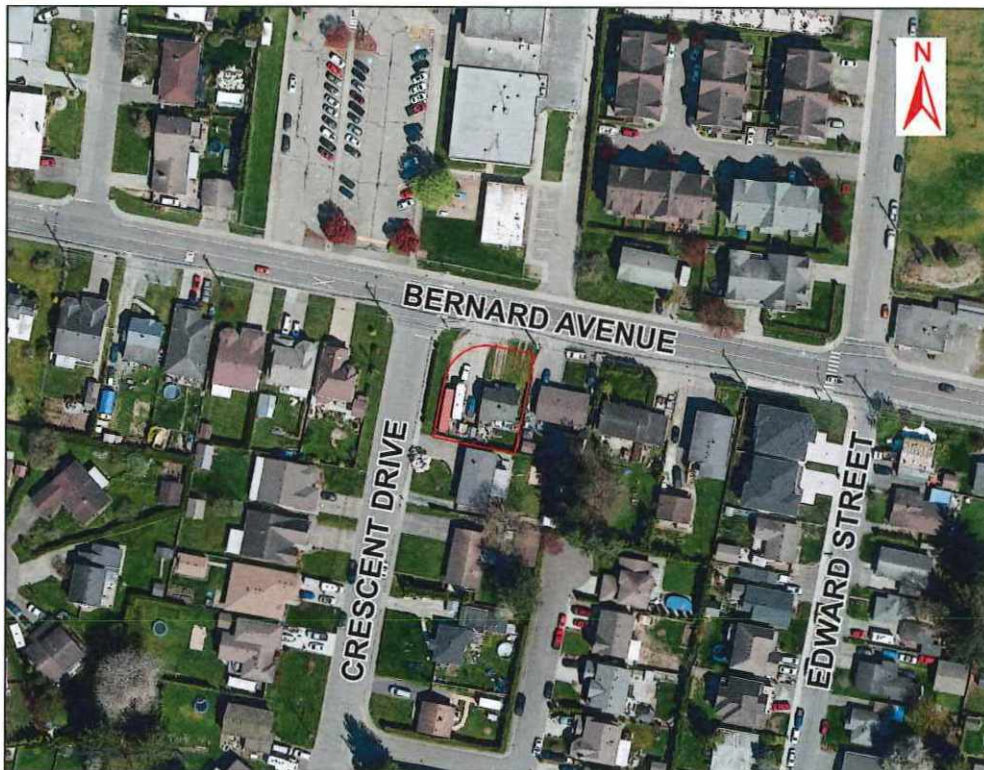
Site Photo



Location Map



Orthophoto



Conceptual Site Plan (as provided by the applicant)

