

AGENDA ITEM NO: 7.8

MEETING DATE: November 7, 2023

STAFF REPORT – COVER SHEET

SUBJECT: James David Hipwell
Rezoning / 46750 Hudson Road DATE: October 18, 2023


DEPARTMENT: Planning Department
RZ001671 PREPARED BY: Stella Xiao / mb

1. SUMMARY OF ISSUE:

The applicant wishes to rezone the subject property from an R3 (Small Lot Residential) Zone to an R4 (Low Density Multi-Unit Residential) Zone to facilitate a future townhouse development. Once the Bylaw has been to Public Hearing, staff recommend that Council hold the application at third reading pending issuance of a Development Permit under Development Permit Area 2 (Hillside and Upland Areas) and Development Permit Area 3 (Riparian Area) with respect to the property located at 46750 Hudson Road.

2. RECOMMENDATION:

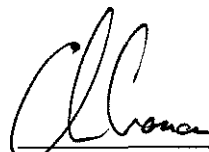
Recommendation that "Zoning Bylaw Amendment Bylaw 2023, No. 5326", which proposes to rezone property located at 46750 Hudson Road from an R3 (Small Lot Residential) Zone to an R4 (Low Density Multi-Unit Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for November 21, 2023. (RZ001671)



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman
Chief Administrative Officer

STAFF REPORT ON REZONING APPLICATION RZ001671

PREPARED BY: Stella Xiao DATE: October 18, 2023

POSITION: Planner I DEPARTMENT: Planning Department

1. DEFINITION OF ISSUE:

The applicant wishes to rezone the subject property from an R3 (Small Lot Residential) Zone to an R4 (Low Density Multi-Unit Residential) Zone to facilitate a future townhouse development. Once the Bylaw has been to Public Hearing, staff recommend that Council hold the application at third reading pending issuance of a Development Permit (DP) under Development Permit Area (DPA) 2 (Hillside and Upland Areas) and DPA 3 (Riparian Area) with respect to the property located at 46750 Hudson Road.

2. PROPOSAL:

The proposal is to rezone the subject property from an R3 Zone to an R4 Zone to facilitate construction of a future townhouse development. A conceptual site plan was submitted demonstrating a viable townhouse site design and layout that complies with Zoning Bylaw standards. The conceptual plan includes:

- 17 townhouse units located within 6 buildings;
- 38 off-street parking spaces, including 1 resident space within the garage for each townhouse unit and 4 visitor spaces (35 resident spaces and 3 visitor parking spaces are required); and,
- A 240m² common amenity area (a 235m² common amenity area is required).

The proposal meets the minimum required lot area and dimensions of the R4 Zone and no variances have been identified. As the conceptual plan is based on a 10m riparian setback currently under review within the DP 3 application, the proposed density and subsequent Zoning Bylaw requirements for parking, common amenity space, and landscaping may be subject to change. A DP application for DPA 6 (Infill) is required to approve the form and character and final site layout prior to redevelopment. At time of DP 6 application, it is expected that the development will comply with all applicable Design Guidelines and Zoning Bylaw requirements. In addition, should slopes exceed 20% within the area to be developed, a DP for DPA 8 (Hillside Development) will be required to be reviewed concurrently with the form and character to ensure the new townhouse development positively contributes to the hillside character and seamlessly integrates with the hillside context. The requirements of the Tree Management (Land Development) Bylaw and Land Development Bylaw will apply at time of Development Permit and Building Permit applications.

3. FACTORS:

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

Official Community Plan: “Comprehensive Development Area” as designated in the 2040 Official Community Plan (OCP). The proposal is consistent with this designation.

Land Use: The property is currently occupied by a single detached dwelling, a detached shop/garage, and a detached shed (to be demolished).

Community Engagement: The applicant has advised that on April 21, 2023, letters detailing the proposal were delivered to residents within 30m of the subject property requesting responses to be sent by email. Seven responses were received with concerns regarding tree removal along *Lefferson Creek*, a wildlife review, the potential for increased traffic, the sufficiency of off-street parking, and building height.

The applicant responded to all concerns via email, providing assurance that trees within 10m of the creek will not be removed, a Riparian Area Report (RAR) report has been completed and reviewed local wildlife as part of the process, and parking and building height would be provided in accordance with the City’s Zoning Bylaw regulations.

The DP 2 and DP 3 will also address concerns raised by residents regarding tree and wildlife protection. It is recommended that the rezoning application be held at third reading pending the City’s review of the Qualified Environmental Professional reports associated with the DP 2 and DP 3 applications and issuance of the DPs.

3.2 Neighbourhood Character

The subject property is located within the Promontory neighbourhood in an area that is experiencing ongoing redevelopment in the form of both single detached dwellings and townhouses. As such, the property is surrounded by lots within a variety of residential zones including the SR (Suburban Residential) Zone, R3 Zone and R4 Zone. Furthermore, the property is within walking distance to Walker Creek Natural Area.

The requested rezoning is consistent with the OCP designation and Infill Development Policy, which support infill development in this location in order to accommodate future growth and increased housing options at an appropriate scale. As the subject property is within a neighbourhood that is experiencing ongoing infill development, the proposed rezoning is considered to be consistent with and complementary to the existing neighbourhood.

3.3 Technical Issues:

- Floodplain: The subject property is not located within the floodplain.
- Watercourses: The City of Chilliwack 2040 Official Community Plan identifies a Class “B” watercourse, *Lefferson Creek*, running along the southern portions of the property.
- A concurrent DP for DPA 3 has been submitted and is currently under review at time of report writing. As such, it is recommended that the application be held at third reading pending issuance of the DP 3.
- Geotechnical Issues: The subject property is mapped as having “significant” and “potential” geotechnical hazards.
- In support of the proposal, the applicant has submitted a geotechnical assessment prepared by Statlu Environmental Consulting Ltd. dated September 26, 2023. It is recommended that the application be held at third reading pending the issuance of a DP 2 (Hillside and Upland Areas).
- Furthermore, a DP 8 (Hillside Development) may be required to be reviewed concurrently with the DP 6 (Infill) to ensure coordination between the design of any retaining walls and the overall site.

4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5326”, which proposes to rezone property located at 46750 Hudson Road from an R3 (Small Lot Residential) Zone to an R4 (Low Density Multi-Unit Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for November 21, 2023. (RZ001671)

Substantiation:

The requested rezoning is consistent with the City’s OCP designation and is anticipated to complement the ongoing redevelopment in the neighbourhood, support a safe and inviting pedestrian environment, and provide a range of housing options while respecting the character of the surrounding area.

5. SOURCES OF INFORMATION:

- Rezoning Application (RZ001671) – September 7, 2022
- Development Application Review Team (DART) Minutes – September 29, 2022

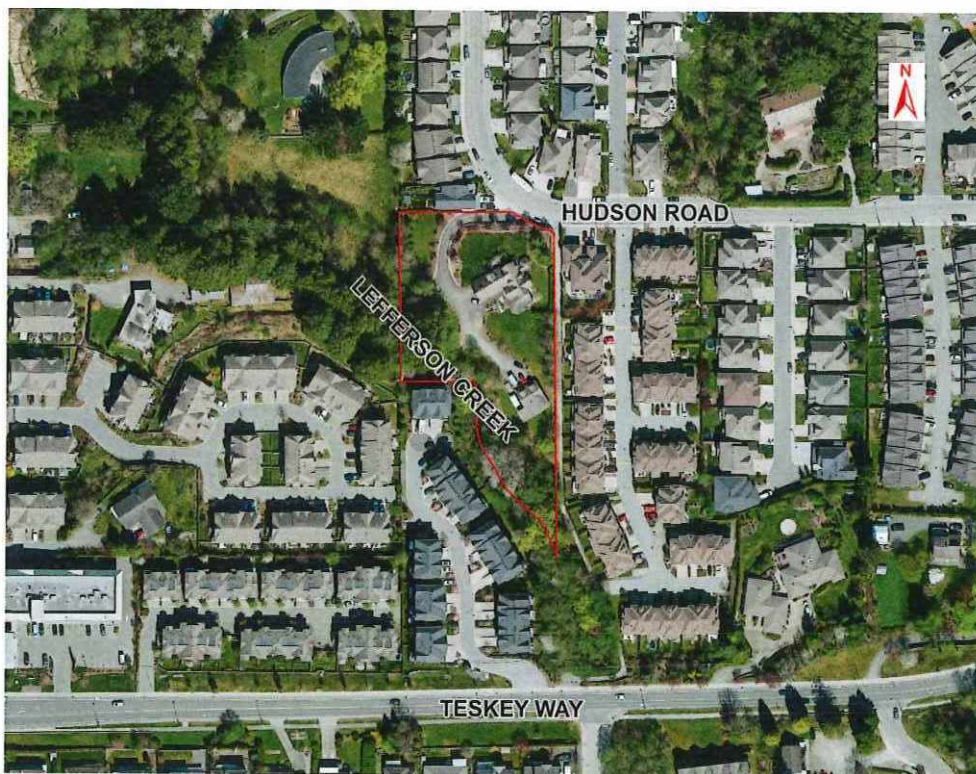
Site Photos



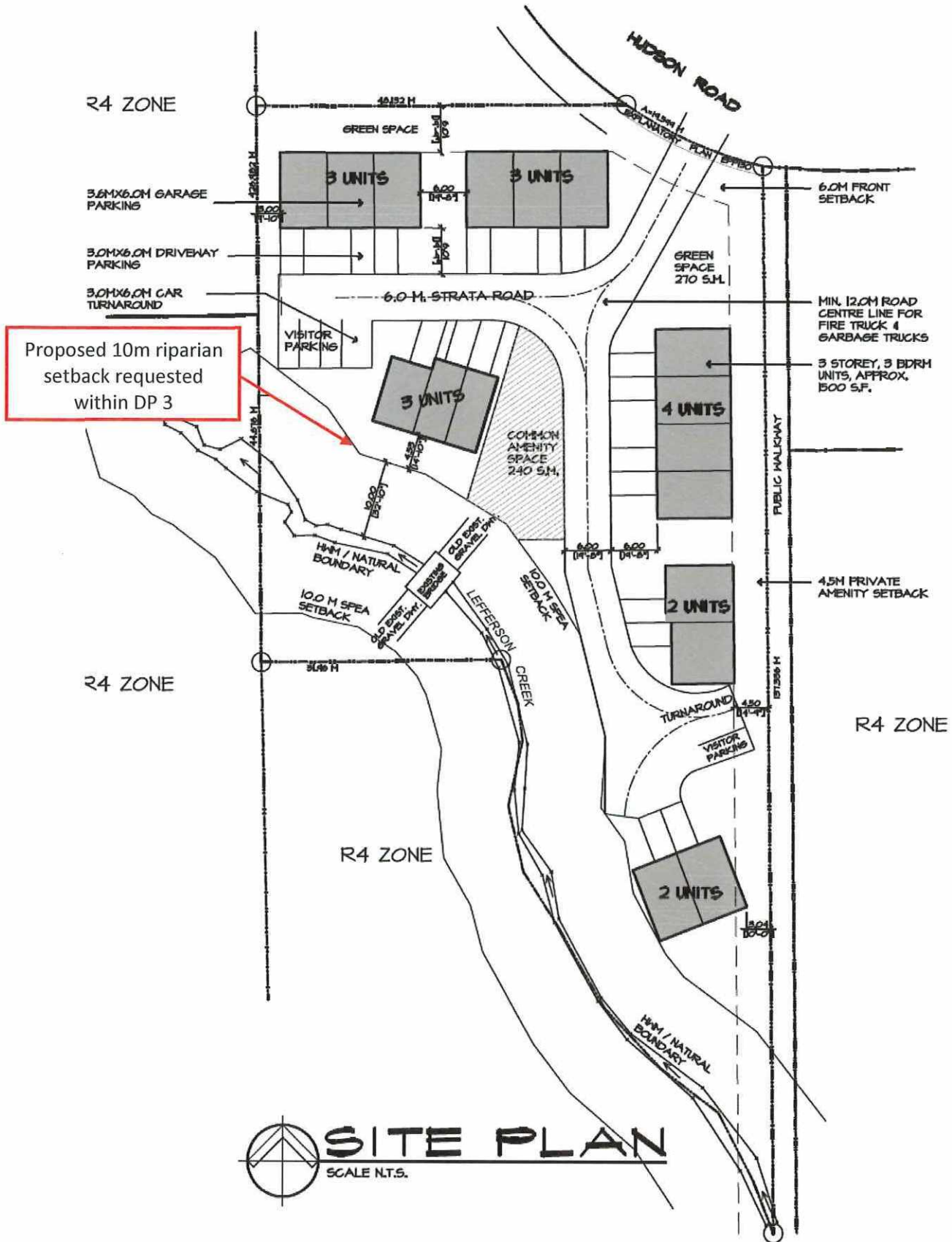
Location Map



Orthophoto



Conceptual Site Plan (as provided by the applicant)



City of Chilliwack

Bylaw No. 5326

A bylaw to amend the “Zoning Bylaw 2020, No. 5000”

The Council of the City of Chilliwack in open meeting assembled enacts as follows:

1. This bylaw may be cited as **“Zoning Bylaw Amendment Bylaw 2023, No. 5326”**.
2. “Zoning Bylaw 2020, No. 5000” is hereby amended by rezoning property described as PID: 027-225-551, Lot 1 Section 8 Township 26 New Westminster District Plan EPP45, from an R3 (Small Lot Residential) Zone to an R4 (Low Density Multi-Unit Residential) Zone.

Received first and second reading on the

Public hearing held on the

Received third reading on the

Received adoption on the

Mayor

Corporate Officer

NOTE: This bylaw refers to property located at 46750 Hudson Road.

DRAFT

“Zoning Bylaw Amendment Bylaw 2023, No. 5326”



DRAFT