

AGENDA ITEM NO: 7.9

MEETING DATE: November 7, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Mohit Kumar
Rezoning / 45151 Roseberry Road DATE: October 5, 2023


DEPARTMENT: Planning Department
RZ001710 PREPARED BY: Stella Xiao / mb

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 45151 Roseberry Road.

2. RECOMMENDATION:

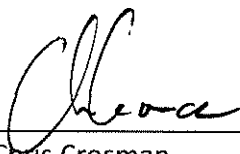
Recommendation that "Zoning Bylaw Amendment Bylaw 2023, No. 5362", which proposes to rezone property located at 45151 Roseberry Road from an R1-A (Urban Residential) Zone to an R1-B (Urban Duplex Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for November 21, 2023. (RZ001710)



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



Chris Crosman
Chief Administrative Officer

STAFF REPORT ON REZONING APPLICATION RZ001710

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 45151 Roseberry Road.

2. BACKGROUND:

Previously, the applicant applied to rezone the subject property to an R1-C (Urban Infill) Zone and vary the minimum required lot width of the R1-C Zone from 10m to 9.9m to facilitate a two-lot subdivision. Council denied the request in December 2022 in alignment with staff's recommendation of non-support.

At time of the previous application, staff identified the alternative option to rezone the property to the R1-B Zone, wherein a variance to minimum lot width would not be required, and the proposal would remain consistent with the 2040 Official Community Plan (OCP) land use designation. The applicant has since submitted the current application for consideration.

3. PROPOSAL:

The proposal is to rezone the subject property from an R1-A Zone to an R1-B Zone to facilitate a future duplex development. As shown on the attached conceptual site plan, the subject property well exceeds the minimum lot area and minimum lot depth for the R1-B Zone. Although the subject property does not meet the minimum lot width of 20m for the R1-B Zone, the applicant has demonstrated a usable building envelope without requiring setback reductions. As the proposal does not include subdivision a variance to the minimum lot width is not required in order to consider rezoning.

Final lot layout must comply with City Bylaws, including frontage improvements with sidewalks and LED streetlighting, sanitary sewer connections to each duplex unit, and removal of the existing septic system including holding tanks. As there is no City storm main in the area, an on-site stormwater management system is required. The requirements of the Tree Management Bylaw and Land Development Bylaw will apply at time of Building Permit application.

Since the property is not serviced by a rear lane, a 12m long and 6m wide shared driveway is proposed to maximize on-street parking and account for the smaller lot width. While this driveway

design does not meet the City's Infill Development Policy, staff recommended providing a shared driveway access to maximize on-street parking and front yard amenity space in consideration of the smaller lot width. In this instance, the intention of the Policy to provide adequate on-site parking while retaining useable on-site amenity space are achieved. At this time, the applicant has not committed to a specific design for the proposed duplex building; however, building height within the proposed R1-B Zone is limited to 10m, or approximately three storeys.

4. FACTORS:

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

Official Community Plan: "Low Density Residential" as designated within the 2040 Official Community Plan.

Land Use: Single detached dwelling and detached ancillary building (to be demolished at time of redevelopment). The applicant has indicated that the house on the property is currently occupied and has provided details of how the site will be maintained throughout the redevelopment process, attached as "Schedule A".

Community Engagement: The applicant mailed an information package on September 10, 2023 to neighbours within 30m of the subject property requesting submission of questions or concerns in relation to the proposed rezoning application. As of the date of this report, no responses have been received. A copy of the engagement summary has been included within the public record.

4.2 Neighbourhood Character

The subject property is located within the Vedder neighbourhood in an area that is primarily comprised of two-storey dwellings within the R1-A Zone. Various amenities are within walking distance, including schools (Watson Elementary School, Tyson Elementary School, and Mount Slesse Middle School), parks (Balmoral Park and Watson Glen Park), community buildings (Sardis Library and Sardis Sports Complex) and a commercial centre at the corner of Tyson Road and Watson Road.

4.3 Technical Issues:

Floodplain: The subject property is not located within the floodplain.

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.

- Aquifers:** The subject property is located within Development Permit Area 1 (Municipal Watersheds and Aquifers for Drinking Water) and forms part of the Sardis-Vedder Aquifer Capture Zone. Therefore, a Development Permit is required at time of Building Permit application to ensure community water sources and supplies are protected against contamination, flow reduction and quality degradation. Any basement excavation must be supervised by a Geotechnical Engineer.
- Statutory ROW:** The property contains a Statutory Right-of-Way (ROW) located within the northern portion of the property where high voltage powerlines exist overhead. As such, future buildings may not be sited within the designated ROW (see conceptual site plan for approximate ROW location).

5. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5362”, which proposes to rezone property located at 45151 Roseberry Road 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 21, 2023. (RZ001710)

Substantiation:

The proposed rezoning is consistent with the residential character of the neighbourhood and the 2040 Official Community Plan, which supports duplex development to accommodate future growth and increased housing options. Although some stipulations of the Infill Development Policy are not met by the proposed driveway design, the intent of the Policy is achieved in providing ample front yard amenity space and sufficient off-street parking while maximizing the availability of on-street parking. Given the provision of frontage improvements, the proposed development is anticipated to support a safe and inviting streetscape.

6. SOURCES OF INFORMATION:

- Rezoning Application (RZ001587) – January 4, 2022
- Development Variance Permit Application (DVP01290) – August 9, 2022
- Rezoning Application (RZ001710) – April 18, 2023
- Development Application Review Team (DART) Minutes – May 11, 2023

Attachments

- “Schedule A” – Property Owner’s Site Maintenance Plan – October 5, 2023

Site Photo



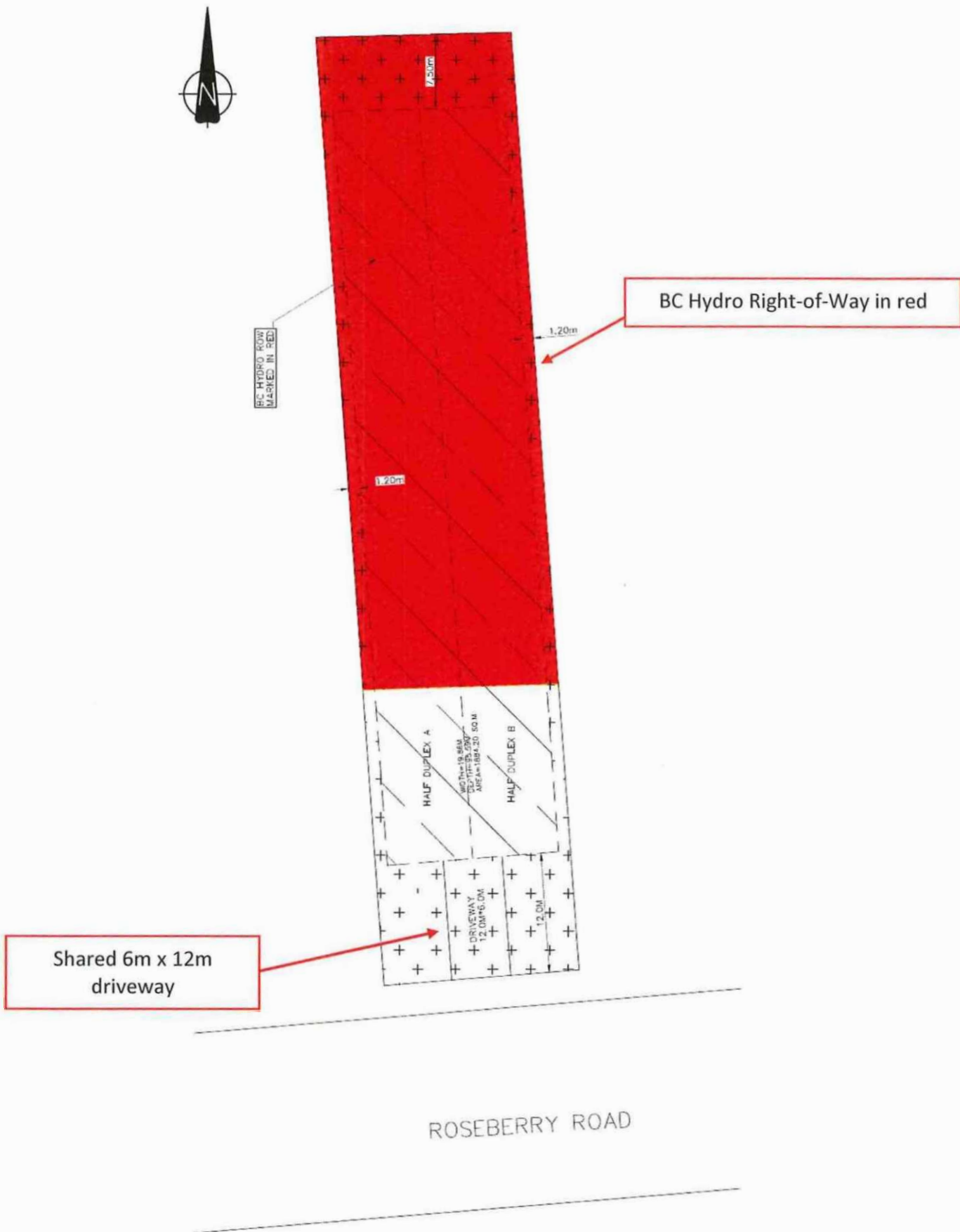
Location Map



Orthophoto



Conceptual Site Plan (as provided by the applicant)



Schedule "A"

October 5, 2023

Hi Stella;

The property management plan do not change from last submission. The tenants will live in property until the demolition permit is released.

Please acknowledge.

Kind Regards;

Mohit

City of Chilliwack

Bylaw No. 5362

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. 5362”**.
2. “Zoning Bylaw 2020, No. 5000” is hereby amended by rezoning property described as PID: 005-931-690, Lot 277 Section 12 Township 23 New Westminster District Plan 45147, from an R1-A (Urban Residential) Zone to an R1-B (Urban Duplex 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 45151 Roseberry Road.

DRAFT

“Zoning Bylaw Amendment Bylaw 2023, No. 5362”



DRAFT