

AGENDA ITEM NO: 7.11

MEETING DATE: November 7, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Neil Robertson
Rezoning / 45495 Luckakuck Way (a
portion of) DATE: October 17, 2023

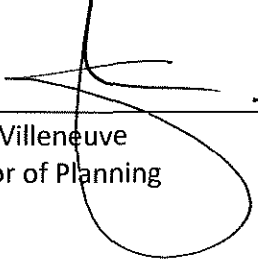
DEPARTMENT: Planning Department
RZ001660 PREPARED BY: Stacy Johnson / mb

1. SUMMARY OF ISSUE:

The applicant wishes to rezone a portion of the subject property from a C4 (Shopping Centre) Zone to a C2 (Local Commercial) Zone to facilitate a future subdivision and the construction of a new commercial building. Once the Bylaw has been to Public Hearing, staff recommend that Council hold the application at third reading pending approval of the Bylaw by the Ministry of Transportation and Infrastructure (MoTI) and registration of a covenant permitting access over/through the site for the benefit of both BC Transit and 45585 Luckakuck Way (Cottonwood Mall).

2. RECOMMENDATION:

Recommendation that "Zoning Bylaw Amendment Bylaw 2023, No. 5364", which proposes to rezone a portion of the property located at 45495 Luckakuck Way from a C4 (Shopping Centre) Zone to a C2 (Local Commercial) Zone, be given first and second reading; and further, that a Public Hearing be called for November 21, 2023. (RZ001660)



Gillian Villeneuve
Director of Planning

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

Supports recommendation.



Chris Crosman
Chief Administrative Officer

STAFF REPORT ON REZONING APPLICATION RZ001660

PREPARED BY: Stacy Johnson DATE: October 17, 2023
POSITION: Senior Planner DEPARTMENT: Planning Department

1. DEFINITION OF ISSUE:

The applicant wishes to rezone a portion of the subject property from a C4 (Shopping Centre) Zone to a C2 (Local Commercial) Zone to facilitate a future subdivision and the construction of a new commercial building. Once the Bylaw has been to Public Hearing, staff recommend that Council hold the application at third reading pending approval of the Bylaw by the Ministry of Transportation and Infrastructure (MoTI) and registration of a covenant permitting access over/through the site for the benefit of both BC Transit and 45585 Luckakuck Way (Cottonwood Mall).

2. PROPOSAL:

The proposal is to rezone a portion of the property (approximately 2400m²) to facilitate a subdivision to create a new commercial lot. As the existing C4 Zone requires a minimum lot area of 4ha, rezoning is required to permit subdivision. A conceptual site plan for a proposed restaurant is attached demonstrating that the requirements of the proposed C2 Zone are met within the proposed property boundary; though, the plan is conceptual and is subject to change at the time of Development Permit. Although the proposed C2 Zone permits mixed-use development, the applicant intends to construct a single storey commercial building.

The minimum required number of parking stalls for the existing *Canadian Tire* store will still be met within the remainder of the site once the portion of the property and associated parking lot area has been subdivided, based on the conceptual site plan provided.

Final lot layout must comply with City Bylaws and include reciprocal access between *Canadian Tire* (45495 Luckakuck Way) and the proposed property, to be completed at time of subdivision. The rezoning application is recommended to be held at third reading pending registration of a covenant to allow Cottonwood Mall and BC Transit access over the entire site, which will be maintained on both the parent property and newly created lot at time of subdivision.

As the subject property is located within 800m of an intersection of a controlled access highway, the rezoning application is required to be held at third reading pending approval of the Bylaw by MoTI.

FACTORS:**2.1 2040 Official Community Plan (OCP) / Land Use / Public Engagement**

- Official Community Plan: “Sardis Commercial Core” as designated in the Sardis Neighbourhood Plan.
- Land Use: *Canadian Tire*. The area subject to rezoning is currently utilized for parking.
- Public Engagement: The applicant sent letters to properties within 30m (457 residences and 116 businesses) on May 16th, 2023. At the time of writing, the applicant has received feedback from two residents. A copy of the applicant’s engagement package has been included within the public record.

2.2 Neighbourhood Character:

The subject property is located within Sardis, south of Highway 1, adjacent to *Cottonwood Mall* on the corner of Vedder Road and Luckakuck Way. *Canadian Tire* was recently constructed within the subject property. The immediate area is predominately commercial with residential areas located to the south. The proposed commercial development is in keeping with the surrounding area and will continue the existing development pattern of similar sized commercial development along the north side of Luckakuck Way.

2.3 Technical Issues:

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

3. RECOMMENDATION & SUBSTANTIATION:**Recommendation:**

Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5364”, which proposes to rezone a portion of the property located at 45495 Luckakuck Way from a C4 (Shopping Centre) Zone to a C2 (Local Commercial) Zone, be given first and second reading; and further, that a Public Hearing be called for November 21, 2023. (RZ001660)

Substantiation:

The requested rezoning is supportable as the proposal is consistent with the existing commercial development in the area and the Official Community Plan designation, and is not anticipated to have any impacts on the surrounding properties.

Further, the subsequent redevelopment of this portion of the property is anticipated to provide an improved streetscape along Luckakuck Way by bringing development closer to the street and breaking up the existing, large parking area.

5. SOURCES OF INFORMATION:

- Rezoning Application (RZ001660) – August 3, 2022
- Development Application Review Team (DART) Minutes – November 3, 2023

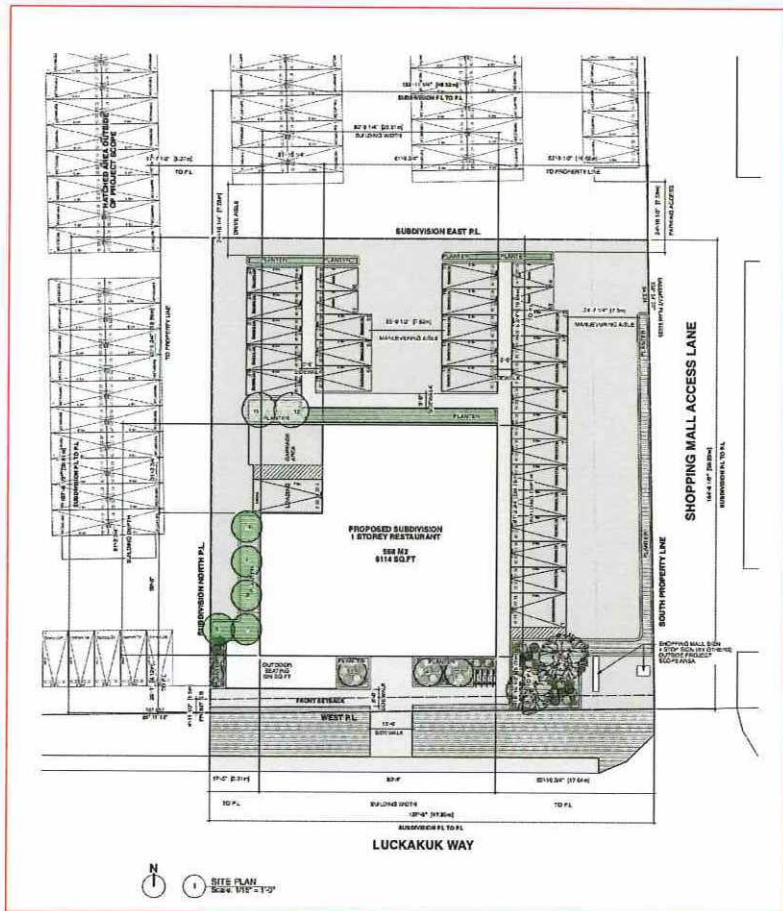
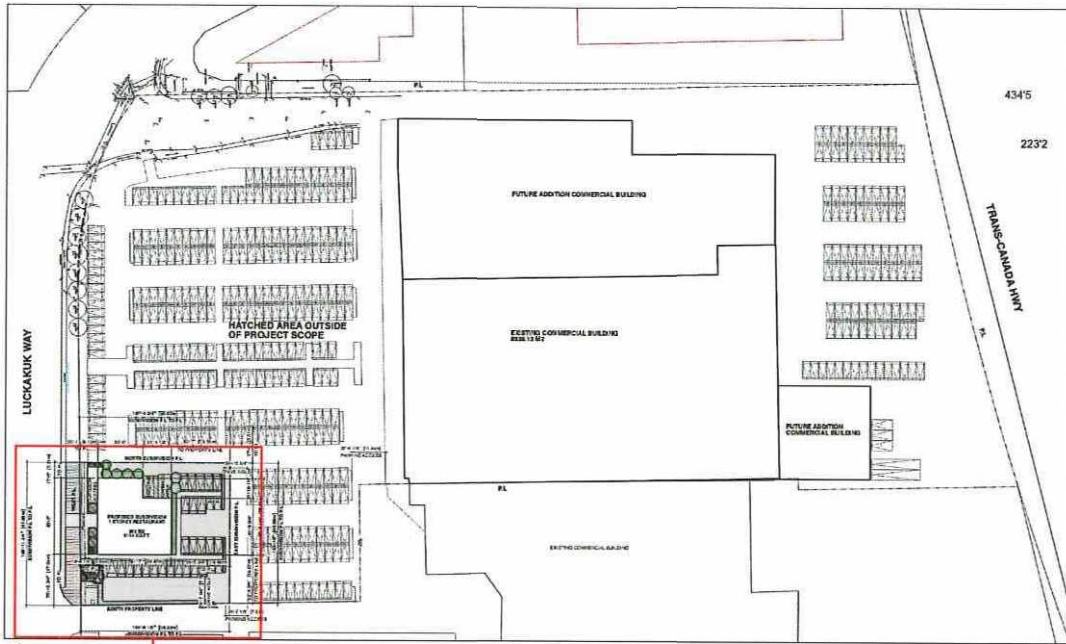
Location Map



Orthophoto



Conceptual Site Plan (as provided by the applicant)



City of Chilliwack

Bylaw No. 5364

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. 5364”**.
2. “Zoning Bylaw 2020, No. 5000” is hereby amended by rezoning a portion of property described as PID: 005-841-062, Lot 26 District Lots 259 and 266 Group 2 New Westminster District Plan 45019, as shown on Schedule “A” attached hereto and forming part of this Bylaw, from a C4 (Shopping Centre) Zone to a C2 (Local Commercial) Zone.

Received first and second reading on the
Public hearing held on the
Received third reading on the
Received adoption on the

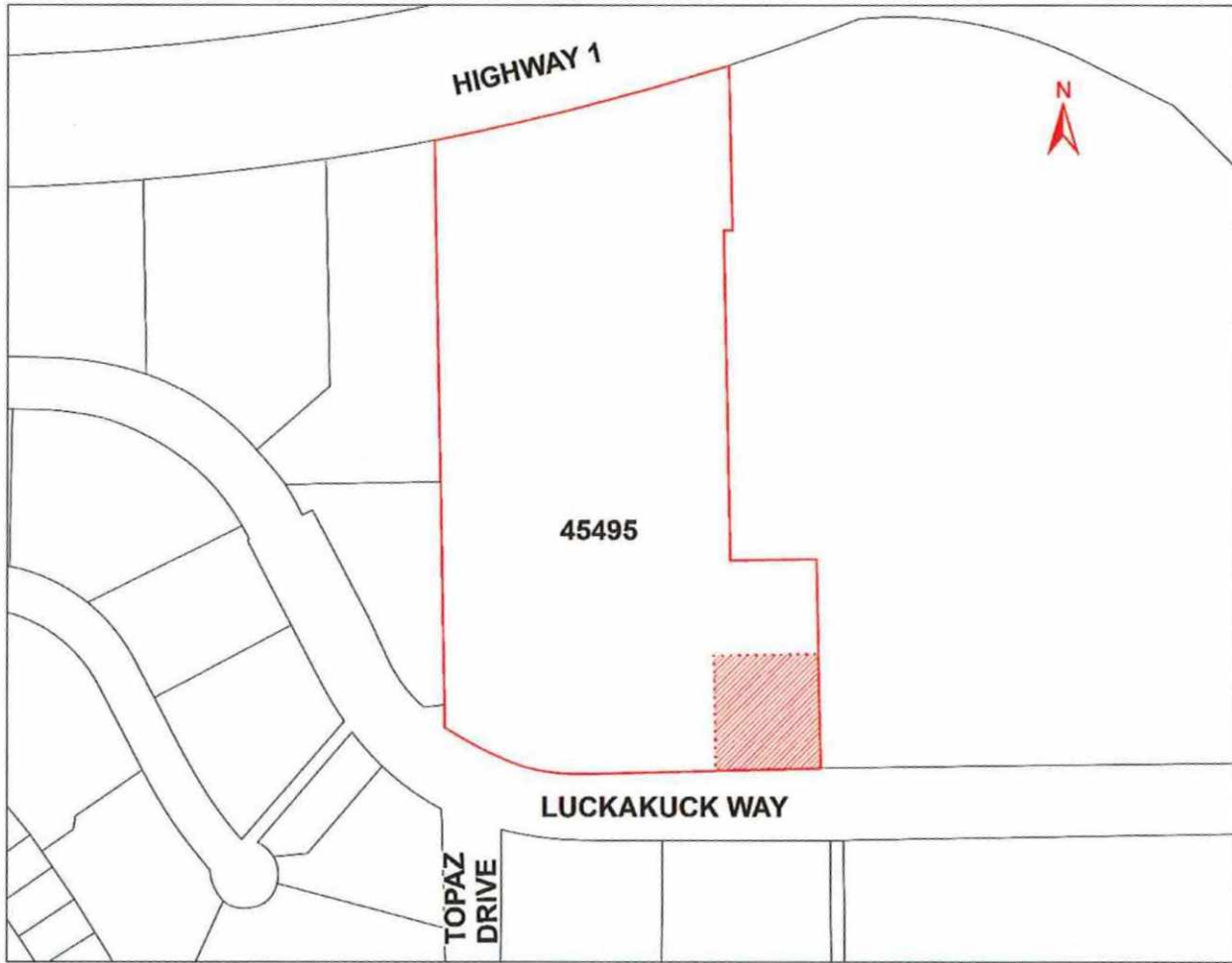
Mayor

Corporate Officer

NOTE: This bylaw refers to a portion of property located at 45495 Luckakuck Way.

DRAFT

**“Zoning Bylaw Amendment Bylaw 2023, No. 5364”
Schedule “A”**



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