

AGENDA ITEM NO: 7.14

MEETING DATE: September 26, 2023

**STAFF REPORT – COVER SHEET**

City of Chilliwack  
Rezoning & Development Variance  
SUBJECT: Permit / 46195 Fifth Avenue DATE: September 12, 2023

Planning Department  
DEPARTMENT: RZ001580 & DVP01374 PREPARED BY: Stacy Johnson / cc  


**1. SUMMARY OF ISSUE:**


The applicant requests to amend the 2040 Official Community Plan (OCP) designation of the subject property from "Industrial" to "Civic/Institutional" as per the Downtown Land Use and Development Plan and to rezone the subject property from an M1 (Light Industrial) Zone to a P1 (Civic Assembly) Zone to facilitate the development of a new facility for Chilliwack Search and Rescue. Once the Bylaws have been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaws with respect to the property located at 46195 Fifth Avenue.

A concurrent Development Variance Permit application has been submitted to vary Zoning Bylaw standards as detailed within the report.

**2. RECOMMENDATION:**

Recommendation that "Official Community Plan Bylaw Amendment Bylaw 2023, No. 5354 which proposes to amend the designation of property located at 46195 Fifth Avenue from "Industrial" to "Civic/Institutional" as specified in the Downtown Land Use and Development Plan, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023. (RZ001580);

Recommendation that "Zoning Bylaw Amendment Bylaw 2023, No. 5355", which proposes to rezone property located at 46195 Fifth Avenue from an M1 (Light Industrial) Zone to a P1 (Civic Assembly) Zone, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023. (RZ001580)

  
Gillian Villeneuve  
Director of Planning

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

Supports recommendation.

  
Chris Crosman  
Chief Administrative Officer

**STAFF REPORT ON REZONING RZ001580 &  
DEVELOPMENT VARIANCE PERMIT DVP01374 APPLICATIONS**

PREPARED BY: Stacy Johnson DATE: September 12, 2023  
POSITION: Senior Planner DEPARTMENT: Planning Department

---

**1. DEFINITION OF ISSUE:**

The applicant requests to amend the 2040 Official Community Plan (OCP) designation of the subject property from "Industrial" to "Civic/Institutional" as per the Downtown Land Use and Development Plan and to rezone the subject property from an M1 (Light Industrial) Zone to a P1 (Civic Assembly) Zone to facilitate the development of a new facility for Chilliwack Search and Rescue. Once the Bylaws have been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaws with respect to the property located at 46195 Fifth Avenue.

A separate Development Variance Permit (DVP01374) application has been submitted to vary the following Zoning Bylaw standards:

- Waive all interior landscaping requirements for the parking areas;
- Waive the requirements to provide a landscape strip or sidewalk between a parking stall and a fence or a building; and,
- Waive the requirement to pave a portion of the property in the area identified for a future addition until such time it is constructed.

**2. PROPOSAL:**

The applicant requests to amend the 2040 Official Community Plan designation and rezone the subject property to recognize the existing use of the property for Chilliwack Search and Rescue and to facilitate the construction of a new building to continue the operation. In summary, the proposal includes:

- A new 1098m<sup>2</sup> building, single storey with mezzanine, and a 1429m<sup>2</sup> future addition;
- 32 parking stalls (32 required as per Zoning Bylaw, including future addition);
- Sufficient landscaping along the front setback and within the overall site, including 3 trees (City projects are exempt from the requirements of the Tree Management Bylaw).



As the property is owned by the City, a Development Permit for form and character is not required; however, to ensure City initiated projects meet a high standard of design as detailed within the applicable Design Guidelines, the form and character of City projects are to be reviewed by the Design Review Advisory Committee. As such, the form and character of the proposed addition has been evaluated in relation to the Design Guidelines for Development Permit Area No. 7 (Industrial) and was reviewed by the Design Review Advisory Committee at the meeting on August 8, 2023. The Committee supported the development as proposed.

### **3. OCP AMENDMENT & REZONING DISCUSSION:**

The requested OCP amendment and rezoning will legitimize the existing, longstanding use of the property by Search and Rescue and permit the reconstruction and further expansion of the existing building to better serve residents of Chilliwack. Though the requested proposal will result in a loss of industrial land, Search and Rescue has been located at this property for over 30 years and provides an important service to the community. Therefore, allowing for the reconstruction and expansion of the existing use within this property is supportable in this location.

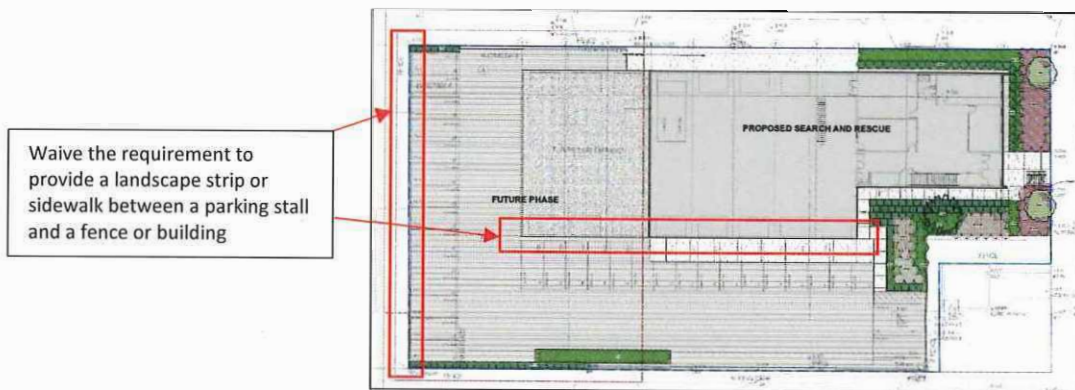
### **4. VARIANCE DISCUSSION:**

Overall, the design of the building and site is visually appealing and constitutes a high-quality addition to the area. A discussion regarding the requested variances is provided below and the site plans are included within the attached draft Schedule A for information.

#### Parking Area Landscaping

The applicant requests to waive the requirement to provide landscaping within the parking area. As the parking area will only be accessed by Search and Rescue staff, and is not open to the public, this area will be secured by view obscuring fencing thereby limiting the visual impact of the reduction to landscaping. In addition, as the total overall site and front landscaping requirements have been met, the request is considered supportable.

The applicant also requests to waive the requirement to provide a landscape strip or sidewalk between a parking stall and a fence or building for the parking area along the southern portion of the building and the western property line, as highlighted below. In order to accommodate the minimum required parking for the development and provide adequate maneuvering for the proposed use of the site, a variance to waive the requirement for a landscape or sidewalk between a parking space and building is required. With the current site design, it is impractical to provide this requirement along the south building elevation as the building includes bay doors that provide egress for the vehicles and equipment stored in the building. Should a landscape bed or sidewalk be required in this location, vehicle access through the bay doors would be blocked. Given the proposed layout and that there will be limited pedestrian movement through the site as it is not accessible to the public, the request is considered supportable.



### Paving

The applicant requests to waive the requirement to pave the area designated for the future addition. The site is currently paved but it is anticipated that through preparation for construction of the new building, the paving in this portion of the property will be damaged. Instead of replacing the pavement after the new building is complete, in the interim, before the proposed addition is constructed, the applicant requests to leave that portion of the site unfinished. The applicant has confirmed that the remainder of the site and parking area will be paved. Given the cost associated with completing paving for the entire property and with the proposed addition anticipated to be completed in the future, the retention of that portion of the property as unfinished is considered supportable.

## 5. FACTORS:

### 5.1 2040 Official Community Plan (OCP) / Land Use / OCP Pre-consultation

Official Community Plan: "Industrial" as per the Downtown Land Use and Development Plan as designated within the Official Community Plan. An amendment to the OCP designation to "Civic/Institutional" is proposed and further detailed in Section 3 of this report.

Land Use: Search and Rescue building.

OCP Pre-consultation: As considered appropriate under Section 475 of the *Local Government Act* and at the direction of Council, OCP pre-consultation with outside agencies was not deemed to be necessary as the proposed amendment is not anticipated to lead to any impacts on the interests of these organizations.

### 5.2 Neighbourhood Character

The subject property is located within an established light industrial area, surrounded by properties within the M1 (Light Industrial) Zone.

### 5.3 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 within or within the area surrounding the subject property.
Geotechnical:	There are no known geotechnical hazards within or around the subject property.

### 5.4 Conditions of Issuance

Staff support the requested variances as proposed by the applicant and recommend approval of the draft DVP, subject to the following recommended conditions:

- that the development be in accordance with the plans found in Schedule “A”; and,
- that only the portion of the property designated for future expansion is permitted to remain unpaved until such time that the future expansion of the building is constructed. The remainder of the parking and maneuvering areas are required to be paved.

## 6. RECOMMENDATION & SUBSTANTIATION:

### Recommendation:

Recommendation that “Official Community Plan Bylaw Amendment Bylaw 2023, No. 5354 which proposes to amend the designation of property located at 46195 Fifth Avenue from “Industrial” to “Civic/Institutional” as specified in the Downtown Land Use and Development Plan, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023. (RZ001580);

Recommendation that “Zoning Bylaw Amendment Bylaw 2023, No. 5355”, which proposes to rezone property located at 46195 Fifth Avenue from an M1 (Light Industrial) Zone to a P1 (Civic Assembly) Zone, be given first and second reading; and further, that a Public Hearing be called for October 10, 2023. (RZ001580)

### Substantiation:

The requested OCP amendment and rezoning will legitimize an existing use within the property and permit the reconstruction and further expansion of a building that houses Chilliwack Search and Rescue. As the property has been occupied by an institutional use for the past 30 years and the expansion of Search and Rescue constitutes a significant benefit for Chilliwack residents, the proposal is considered supportable in this instance.

The requested variances are supportable in this location given the intended use and function of the building and the overall improvement the reconstruction will bring to the surrounding area. The redevelopment of the site will provide a visually appealing front entrance, complete with extensive landscaping, with the remainder of the site/parking area screened from view with no public access to the site.

**7. SOURCES OF INFORMATION:**

- Rezoning Application (RZ001580) – November 22, 2021
- Development Variance Permit Application (DVP01374) – July 24, 2023
- Development Application Review Team (DART) Minutes – July 29, 2021
- Development Permit Application (DP001686) – March 16, 2023



Location Map



Ortho Photo

