CITY OF CHILLIWACK
Regular Meeting of Council
8550 Young Road
Chilliwack, BC V2P 8A4
March 5, 2019 3:00 pm

Agenda Listing

1. Call to Order

2. Delegations/Hearings

   (1) Rick Green, former Mayor of the Township of Langley and Lee Lockwood, are in attendance to provide Council with a presentation on the “Community Rail South of the Fraser on the InterUrban Corridor”.

   (2) Petra Hardy, Chair, Chilliwack Social Research and Planning Council (CSRPC), is in attendance to provide Council with an update on recent and planned research projects undertaken by the CSRPC to support program development on priority social issues in Chilliwack.

   (3) Megan Reid, Chilliwack Child and Youth Prevention Committee and Chilliwack District Parent Advisory Committee, and Nadine Willis, Parent Representative, Chilliwack District Parent Advisory Committee, are in attendance to provide Council with a presentation on “Child Proofing Porn”.

3. Adoption of Minutes

   3-1 Recommendation that the Minutes of the Special Regular Meeting of Council held December 12, 2018 and the Minutes of the Regular Meeting of Council held February 19, 2019 be adopted as circulated.

4. Business Arising

5. Consent Agenda – Bylaws/Agreements/Minutes of Committee Meetings

   5-1 Recommendation that the following bylaw be adopted:
   “Solid Waste Management Bylaw 2019, 4660”

   Recommendation that the Minutes of the Design Review Advisory Committee Meeting held February 11, 2019 be received for information.

6. Monthly/Quarterly Reports
7. **Department Reports**

7-B-1 **Recommendation that Council refer the proposed changes and additions to “Highway and Traffic Bylaw 2004, No. 3023” as contained within the Staff Report dated February 4, 2019, to the Transportation Advisory Committee for comment.** [Page 59]

7-B-2 **Recommendation that Council accept the proposal for the design and construction of “2019 Utilities Upgrades” from the lead proponent, Timbro Contracting (A Partnership) / Onsite Engineering Ltd., in the amount of $3,850,200.00 (plus applicable taxes); and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.** [Page 74]

7-B-3 **Recommendation that Council approve the submission of grant funding application for the Design and Construction of an Organic Food Waste Receiving and Pre-Processing Station and Digester #4, at the Wastewater Treatment Plant, under Federal/Provincial Green Infrastructure – Climate Change Mitigation – CleanBC Communities Fund.** [Page 81]

7-C-1 **Recommendation that Council award the tender for one “Backhoe Loader” to Finning (Canada) in the amount of $180,650.00 (plus applicable taxes); and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.** [Page 85]

7-C-2 **Recommendation that Council award the tender for one “4x2 Garbage Packer” to Fort Fabrication and Welding Ltd., in the amount of $139,238.00 (plus applicable taxes); and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.** [Page 87]

7-D-1 **Recommendation that Council award the tender for the City Hall Sprinkler System to Elite Fire Sprinkler Ltd., in the amount of $139,654.00 (plus applicable taxes); and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.** [Page 89]

7-F-1 **Recommendation that Council set the date and time for the “2019 Parcel Tax Roll Review Panel” as March 19, 2019 at 2:30 pm.** [Page 90]

7-H-1 **Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4663”, which proposes to rezone a portion of property located at 45965 Higginson Road from an R1-A (One Family Residential) Zone to an R1-D (Infill Small Lot One Family Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for March 19, 2019. (RZ001292)** [Page 93]
7. **Department Reports** (continued)

7-H-2  
Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4664”, which proposes to rezone property located at 46066 Southlands Crescent from an R1-A (One Family Residential) Zone to an R3 (Small Lot One Family Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for March 19, 2019. (RZ001314)

7-H-3  
Recommendation that Council direct staff to not pre-consult with Provincial and Federal agencies or First Nations with respect to an application which proposes to redesignate property located at 8395 Chilliwack Mountain Road, from “Comprehensive Development Area” to “General Industrial”. (RZ001282)

7-H-4  
Recommendation that, subject to a Section 219 covenant being entered into, as outlined in the Staff Report dated February 19, 2019, Council grant a “Site Specific Exemption” for the 20-bed recovery facility located at 45456 Yale Road, in accordance with the relevant Provincial enactments and “Floodplain Regulation Bylaw 2018, No. 4519” and Schedule “B” of said Bylaw.

8. **Motion to Adjourn to a Closed Session. Regular Meeting to Reconvene at 7:00 pm**

9. **Meeting Reconvened**

10. **Delegations/Hearings**

10-1  
Delegation

10-2  
Section 57 Hearing / Section 74 Hearing / Unsightly Premises Hearing

10-3  
Public Hearing

**PH-1**  
“Zoning Bylaw Amendment Bylaw 2019, No. 4654”  
(RZ001310)  
(7449 Leary Crescent)

**PH-2**  
“Zoning Bylaw Amendment Bylaw 2019, No. 4655”  
(RZ001315)  
(a proposed text amendment to the CD-21 [Comprehensive Development-21] Zone)

Email of comment received from:  
- Bob Fitzsimmons, dated February 23, 2019
10. Delegations/Hearings

10-3 Public Hearing (continued)

PH-3 “Zoning Bylaw Amendment Bylaw 2019, No. 4656” (RZ001333)
(a proposed text amendment to the CD-27 [Comprehensive Development-27] Zone)

Email of comment received from:
  • Bob Fitzsimmons, dated February 23, 2019

PH-4 “Official Community Plan Bylaw Amendment Bylaw 2019, No. 4657” (OCP00038)
(a proposed text amendment to the 2040 Official Community Plan, Downtown Land Use and Development Plan, Alder Neighbourhood Plan and Chilliwack Proper and Fairfield Island Neighbourhoods Plan)

“Zoning Bylaw Amendment Bylaw 2019, No. 4658”
(a proposed text amendment to the R5 [Medium Density Multi-Family Residential] Zone and R6 [High Density Multi-Family Residential] Zone)

PH-5 “Temporary Use Permit TUP00135” (TUP00135)
(45111 Stevenson Road)

Consultation package containing five signatures of support received from:
  • Mike, Sherry, and Mackenzie Heggs, 45111 Stevenson Road, received January 30, 2019

PH-6 “Temporary Use Permit TUP00136” (TUP00136)
(42116 Yarrow Central Road)

10-4 Public Information Meeting

PI-1 “Development Variance Permit DVP01015” (DVP01015)
(9603 Broadway)

PI-2 “Development Variance Permit DVP01025”
(7098, 7121, 7129, 7136, 7137, 7144, 7145, 7152, 7169, and 7202 Tahoma Place)

*Public Information Meeting has been cancelled at the request of staff*

PI-3 “Development Variance Permit DVP01039”
(42260 Elizabeth Avenue)

Email of comment received from:
  • Steve and Twyla Lessard, 4491 Kehler Street, dated February 27, 2019
10. **Delegations/Hearings**

10-4 **Public Information Meeting** (continued)

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<th>PI-4</th>
<th>“Development Variance Permit DVP01045”</th>
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<th>PI-5</th>
<th>“Development Variance Permit DVP01058”</th>
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11. **Clerk’s Reports**

11-A-1 **(Bylaw)** Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4654” with respect to property located at 7449 Leary Crescent be given third reading.

   Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4654” with respect to property located at 7449 Leary Crescent adopted. (RZ001310)

11-A-2 **(Bylaw)** Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4655” with respect to a proposed text amendment to the CD-21 (Comprehensive Development-21) Zone be given third reading.

   Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4655” with respect to a proposed text amendment to the CD-21 (Comprehensive Development-21) Zone be adopted. (RZ001315)

11-A-3 **(Bylaw)** Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4656” with respect to a proposed text amendment to the CD-27 (Comprehensive Development-27) Zone be given third reading.

   Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4656” with respect to a proposed text amendment to the CD-27 (Comprehensive Development-27) Zone be adopted. (RZ001333)
11. **Clerk’s Reports** (continued)

11-A-4  
(Bylaw)  
Recommendation that “Official Community Plan Bylaw Amendment Bylaw 2019, No. 4657” with respect to a proposed text amendment to the 2040 Official Community Plan, Downtown Land Use and Development Plan, Alder Neighbourhood Plan and Chilliwack Proper and Fairfield Island Neighbourhoods Plan be given third reading.

Recommendation that “Official Community Plan Bylaw Amendment Bylaw 2019, No. 4657” with respect to a proposed text amendment to the 2040 Official Community Plan, Downtown Land Use and Development Plan, Alder Neighbourhood Plan and Chilliwack Proper and Fairfield Island Neighbourhoods Plan be adopted. (OCP00038)

Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4658” with respect to a proposed text amendment to the R5 (Medium Density Multi-Family Residential) Zone and R6 (High Density Multi-Family Residential) Zone be given third reading.

Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4658” with respect to a proposed text amendment to the R5 (Medium Density Multi-Family Residential) Zone and R6 (High Density Multi-Family Residential) Zone be adopted. (OCP00038)

12. **Application Reports**

12-A-1  
(PLAN)  
Recommendation that, Council approve the issuance of Temporary Use Permit TUP00135” with respect to property located at 45111 Stevenson Road, subject to the recommendations as stipulated within the draft Temporary Use Permit.

12-A-2  
(PLAN)  
Recommendation that, Council approve the issuance of Temporary Use Permit TUP00136” with respect to property located at 42116 Yarrow Central Road, subject to the recommendations as stipulated within the draft Temporary Use Permit.

12-A-3  
(PLAN)  
Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01015 with respect to property located at 9603 Broadway.

12-A-4  
(PLAN)  
Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01039 with respect to property located at 42260 Elizabeth Avenue.

12-A-5  
(PLAN)  
Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01045 with respect to property located at 50227 Sienna Avenue.
12. **Application Reports** (continued)

12-A-6 (PLAN) Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01058 with respect to property located at 6899 Evans Road.

13. **Items Deferred**

14. **Other Business**

14-1 Decisions Referred from Closed Session

14-2 Additional Items

- (A-1) Administration
- (B-1) Engineering
- (C-1) Operations
- (D-1) Recreation and Culture
- (E-1) Fire Department
- (F-1) Finance
- (G-1) Corporate Services
- (H-1) Planning and Strategic Initiatives
- (I-1) Development and Regulatory Enforcement Services
- (J-1) Information Technology

15. **Mayor’s Report**

16. **Councillors’ Reports**

17. **Public Questions**

18. **Adjournment**
1. SUMMARY OF ISSUE:

Rick Green, former Mayor of the Township of Langley and Lee Lockwood, are in attendance to provide Council with a presentation on the “Community Rail South of the Fraser on the InterUrban Corridor”.

2. RECOMMENDATION:

That the delegation Rick Green, former Mayor of the Township of Langley and Lee Lockwood be received.

3. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

Supports recommendation.
1. SUMMARY OF ISSUE:

Petra Hardy, Chair, Chilliwack Social Research and Planning Council (CSRPC), is in attendance to provide Council with an update on recent and planned research projects undertaken by the CSRPC to support program development on priority social issues in Chilliwack.

2. RECOMMENDATION:

That the delegation Petra Hardy, Chair, Chilliwack Social Research and Planning Council, be received.

3. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

Supports recommendation.
1. **SUMMARY OF ISSUE:**

Megan Reid, Chilliwack Child and Youth Prevention Committee and Chilliwack District Parent Advisory Committee, and Nadine Willis, Parent Representative, Chilliwack District Parent Advisory Committee, are in attendance to provide Council with a presentation on “Child Proofing Porn”.

2. **RECOMMENDATION:**

That the delegation Megan Reid, Chilliwack Child and Youth Prevention Committee and Chilliwack District Parent Advisory Committee, and Nadine Willis, Parent Representative, Chilliwack District Parent Advisory Committee be received.

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

Supports recommendation.
AGENDA ITEM NO: 3-1

MEETING DATE: March 5, 2019

STAFF REPORT - COVER SHEET

SUBJECT: Adoption of Minutes  Date: February 25, 2019

DEPARTMENT: Clerk's  Prepared by: Jacqueline Morgan

1. SUMMARY OF ISSUE:

Minutes of the Special Regular Meeting of Council held December 12, 2018 and the Minutes of the Regular Meeting of Council held February 19, 2019, for adoption.

2. RECOMMENDATION:

That the Minutes of the Special Regular Meeting of Council held December 12, 2018 and the Minutes of the Regular Meeting of Council held February 19, 2019, be adopted as circulated.

Jacqueline Morgan, Corporate Officer
MINUTES of the Special Meeting of the Seventh Council of the City of Chilliwack held at the Coast Chilliwack Hotel, 45920 First Avenue, Chilliwack, BC, on Wednesday, December 12, 2018, at 8:30 am.

PRESENT: All members of Council.

In addition, the following members of staff were present:

P.D. Monteith, Chief Administrative Officer
C.S. Crosman, Deputy Chief Administrative Officer
D. Blain, Director of Planning & Engineering
J. Kooistra, Director of Corporate Services
G. Savard, Director of Finance
I. Josephson, Fire Chief
R. Mulligan, Director of Recreation & Culture
G. MacPherson, Director of Operations
E. Leidekker, Director of Information Technology
J. Leggatt, Communications Manager
B. Massie, Superintendent, RCMP
D. Lee, Inspector, RCMP, Operations
S. Vrolyk, Staff Sergeant, RCMP
T. Alsip, Recording Secretary

Mayor Popove was Chair and called the Meeting to order at 8:30 am.

Consent Agenda

Lum ) That the Minutes of the Design Review Advisory Committee Meeting
Westeringh held November 13, 2018, be received for information.

Carried unanimously

Mayor Popove called for questions from the public. None were received.

Lum ) That in accordance with Sections 90(1)(c), (e), (f), (g), (i), (j), (k), (l) and
Attrill ( 90(2)(b) of the Community Charter, Council hold a closed meeting.

Carried unanimously

On a motion of Councillor Shields, and seconded by Councillor Attrill, the meeting adjourned at 8:32 am.

Mayor

Corporate Officer
MINUTES of the Eighth meeting held by the Seventh Council of the City of Chilliwack in the Council Chambers, City Hall on February 19, 2019 at 3:00 pm.

PRESENT: All members of Council, with the exception of Councillors Attrill and Shields.

In addition, the following members of staff were present:

P.D. Monteith, Chief Administrative Officer
J. Morgan, Corporate Officer
D. Blain, Director of Planning and Engineering
C.S. Crosman, Deputy Chief Administrative Officer
G. Savard, Director of Finance
G. MacPherson, Director of Operations
R. Mulligan, Director of Recreation and Culture
E. Leidekker, Director of Information Technology
G. Schipper, Manager of Building and Regulatory Enforcement
K. Stanton, Manager of Long Range Planning
G. Villeneuve, Manager of Development Planning
C. Marleau, Manager of Leisure Development
T. Friesen, Manager of Environmental Services
K. Jefford, Manager of Transportation and Drainage
J. Koczur, Deputy Director of Operations
F. Van Nynatten, Assistant Manager of Environmental Services
M. Sikora, Social Development Coordinator
J. Leggatt, Communications Manager
C. Weston, Assistant Manager of Bylaw Enforcement
D. Alling, Administrative Assistant
B. Johnson, IT Support Technician
J. McMurray, Recording Secretary

Mayor Popove was Chair and called the meeting to order at 3:00 pm.

Delegations/Hearings

Charlie Fortin, President, Chilliwack Museum and Historical Society, was in attendance to introduce Shawna Maurice, recently hired as the Executive Director for the Society.

Adoption of Minutes

Westeringh ) That the Minutes of the Regular Meeting of Council held February 5, 2019, be adopted as circulated.
Kloot ( Carried unanimously
City of Chilliwack Council Minutes – February 19, 2019

Consent Agenda

Mercer ) That the following bylaw be adopted:
Westeringh ( "Housing Agreement Bylaw 2019, No. 4650"

That the following Committee Minutes be received for information:

• Public Safety Advisory Committee Meeting held October 10, 2018;
• Chilliwack Parks and Trails Advisory Committee Meeting held January 24, 2019;
• Agricultural and Rural Advisory Committee Meeting held January 29, 2019; and,
• Design Review Advisory Committee Meeting held January 30, 2019.

Carried unanimously

Department Reports

Mercer ) That Council receive for information the Terms of Reference and Membership
Kloot ( Listing for the Heritage Advisory Committee, as set out in the Staff Report dated
Westeringh ( February 13, 2019.

Carried unanimously

The Manager of Environmental Services provided Council with a presentation on the proposed
"Solid Waste Management Bylaw and Curbside Update".

Kloot ) That "Solid Waste Management Bylaw 2019, No. 4660" be given first and
Westeringh ( second reading.

Carried unanimously

Lum ) That "Solid Waste Management Bylaw 2019, No. 4660" be given third reading.
Kloot ( Carried unanimously

Lum ) That the Minutes of the Transportation Advisory Committee Meeting held
Mercer ( January 24, 2019 be received for information; and further, that Council direct Staff
to continue with the current practice of following the Transportation Association
of Canada guidelines, with respect to the application of school and playground
zones and areas, consistent with Policy Directive No. F-7 “Warrants for
Installation of Traffic Control Devices”.

Carried unanimously

Kloot ) That Council award the tender for one “4x4 General Use Tractor” to Avenue
Westeringh ( Machinery Corporation, in the amount of $123,296.00 (plus applicable taxes); and
further, that the Mayor and Corporate Officer be authorized to sign any necessary
documentation.

Carried unanimously
Department Reports (continued)

Lum ) That Council approve the request from Chilliwack Community Services for
Westeringh ( funding under the Community Development Initiatives Funding Policy, in the
amount of $76,871.00 for 2019 to 2022 inclusive, for incremental youth program
funding; and further, that Council direct Staff to work with Chilliwack Community
Services and the Chilliwack Child and Youth Committee to establish a Youth
Advisory Committee.

Carried unanimously

Lum ) That “Zoning Bylaw Amendment Bylaw 2019, No. 4654”, which proposes to
Kloot ( rezone property located at 7449 Leary Crescent from an R1-A (One Family
Residential) Zone to an R3 (Small Lot One Family Residential) Zone, be given
first and second reading; and further, that a Public Hearing be called for March 5,
2019. (RZ001310)

Carried unanimously

Westeringh ) That “Zoning Bylaw Amendment Bylaw 2019, No. 4655”, a proposed text
Kloot ( amendment to the CD-21 (Comprehensive Development-21) Zone, be given first
and second reading; and further, that a Public Hearing be called for March 5,
2019. (RZ001315)

Carried unanimously

Westeringh ) That “Zoning Bylaw Amendment Bylaw 2019, No. 4656”, a proposed text
Lum ( amendment to the CD-27 (Comprehensive Development-27) Zone, to facilitate a
mixed use development including residential and commercial uses within
properties located at 46128 Yale Road, 46037 Princess Avenue, 9280 and 9298
Young Road, be given first and second reading; and further, that a Public Hearing
be called for March 5, 2019. (RZ001333)

Carried unanimously

Lum ) That “Official Community Plan Bylaw Amendment Bylaw 2019, No. 4657”, a
Westeringh ( proposed text amendment to the 2040 Official Community Plan; Downtown Land
Use and Development Plan; Alder Neighbourhood Plan; and, Chilliwack Proper
and Fairfield Island Neighbourhoods Plan, be given first and second reading; and
further, that a Public Hearing be called for March 5, 2019. (OCP00038)

Carried unanimously

Kloot ) That “Zoning Bylaw Amendment Bylaw 2019, No. 4658”, a proposed text
Lum ( amendment to the R5 (Medium Density Multi-Family Residential) Zone and R6
(High Density Multi-Family Residential) Zone, be given first and second reading;
and further, that a Public Hearing be called for March 5, 2019. (OCP00038)

Carried unanimously
City of Chilliwack Council Minutes – February 19, 2019

Department Reports (continued)

Lum ) That application ALR00317 for “Homesite Severance” within the Agricultural
Westeringh ( Land Reserve with respect to property located at 9705 Banford Road, be
forwarded to the Agricultural Land Commission without support.

Carried unanimously

The Manager of Long Range Planning provided Council with a presentation on the “Seniors’
Housing Study”

Kloot ) That Council receive the “Seniors’ Housing Study” presentation for information.
Lum ( Carried unanimously

Lum ) That, in accordance with Section 90(1)(c), (e), (i) and (k) of the Community,
Westeringh Charter Council hold a Closed Meeting.

Carried unanimously

The regular meeting adjourned at 3:35 pm and reconvened at 7:00 pm.

PRESENT: All members of Council with the exception of Councillors Attrill and Shields.

In addition, the following members of staff were in attendance:

C.S. Crosman, Deputy Chief Administrative Officer
J. Morgan, Corporate Officer
G. Villeneuve, Manager of Development Planning
G. Schipper, Manager of Building and Regulatory Enforcement
D. Ailing, Administrative Assistant
B. Johnson, IT Support Technician
J. McMurray, Recording Secretary

The Corporate Officer announced that the Public Information Meeting regarding DVP01025 with
respect to properties located at 7098, 7121 and 7129 Tahoma Place has been cancelled at the
request of Staff.

Section 57 Show Cause Hearing – 42194 Keith Wilson Road

Show Cause Hearing with respect to building permit requirements for the premises located at
42194 Keith Wilson Road.

Lum ) That, Council hereby directs, pursuant to Section 57 of the Community Charter,
Kloot ( notice be filed on title with the Registrar of the BC Land Title and Survey
Authority with respect to deficiencies arising from building permit requirements
for the premises located at 42194 Keith Wilson Road.

Carried unanimously
Public Hearing

“Official Community Plan Bylaw Amendment Bylaw 2019, No. 4647”
“Zoning Bylaw Amendment Bylaw 2019, No. 4648” (RZ001323)

Public Hearing on “Official Community Plan Bylaw Amendment Bylaw 2019, No. 4647”, which proposes to redesignate property located at 44970 Keith Wilson Road from “Federal” to “Institutional and Civic Use”; and, “Zoning Bylaw Amendment Bylaw 2019, No. 4648”, which proposes to rezone properties located at 44990, 45032, and 45070 Caen Avenue and 5373 Tyson Road from an RSV3 (Special Jurisdiction Reserve) Zone to a P6 (University Village) Zone and property located at 44970 Keith Wilson Road from an RSV3 (Special Jurisdiction Reserve) Zone to a P6 (University Village) Zone and a C5 (Night Club/Neighbourhood Pub) Zone.

Shawn Anderson, 46332 Topley Avenue, commented that the address referenced as 5373 Tyson was actually 1150 Korea Road and that the properties are Federally owned. He also questioned whether the current uses, such as the RCMP training facility, will still be allowed to continue once rezoned and voiced his concerns about the long term use being at risk and the impact on the new school once it is open.

Benjamin Gross, 5352 Tyee Lane, asked about the reference to a “University Village”; if there was a conceptual plan available to view; and, if it would include residences; shops; and, a liquor establishment.

Lum Kloot

That the representations with respect to “Official Community Plan Bylaw Amendment Bylaw 2019, No. 4647” and “Zoning Bylaw Amendment Bylaw 2019, No. 4648”, be received for information; and further, that “Official Community Plan Bylaw Amendment Bylaw 2019, No. 4647” and “Zoning Bylaw Amendment Bylaw 2019, No. 4648” be referred for Council’s further consideration following the close of the Public Hearing.

Carried unanimously

“Zoning Bylaw Amendment Bylaw 2019, No. 4649” (RZ001290)

Public Hearing on “Zoning Bylaw Amendment Bylaw 2019, No. 4649”, which proposes to rezone property located at 45889 Lake Drive from an R1-A (One Family Residential) Zone to an R1-D (Infill Small Lot One Family Residential) Zone.

Email of opposition received from:

- Randy Howe, 45936 Lake Drive, dated February 17, 2019.

Jessie Rayner, JCR Design, 45425 Luckakuck Way, Applicant, commented on the canvassing process that was undertaken advising the majority of comments received were about privacy; requests for higher fencing; and, children’s safety during the construction process. He suggested the neighbours contact either the Bylaw Department or himself directly if any concerns arise.
City of Chilliwack Council Minutes – February 19, 2019

Public Hearing (continued)

“Zoning Bylaw Amendment Bylaw 2019, No. 4649” (RZ001290) (continued)

Westeringh ) That the representations with respect to “Zoning Bylaw Amendment Bylaw 2019, Kloot No. 4649” be received for information; and further, that “Zoning Bylaw Amendment Bylaw 2019, No. 4649” be referred for Council’s further consideration following the close of the Public Hearing.

Carried unanimously

“Official Community Plan Bylaw Amendment Bylaw 2019, No. 4651”
“Zoning Bylaw Amendment Bylaw 2019, No. 4652”
“Zoning Bylaw Amendment Bylaw 2019, No. 4653” (RZ001276)

Public Hearing on “Official Community Plan Bylaw Amendment Bylaw 2019, No. 4651”, which proposes to redesignate property located at 42910 Vedder Mountain Road from “Rural” to “Comprehensive Development Area”; “Zoning Bylaw Amendment Bylaw 2019, No. 4652”, a proposed text amendment to create a new CD-29 (Comprehensive Development-29) Zone; and, “Zoning Bylaw Amendment Bylaw 2019, No. 4653”, which proposes to rezone property located at 42910 Vedder Mountain Road from an RSV1 (Limited Use Reserve) Zone to a CD-29 (Comprehensive Development-29) Zone.

Consultation package received from:
- Darren Clayton, 42910 Vedder Mountain Road, dated January 26, 2019.

Correspondence received from:
- Susann Glenn-Rigny, MCIP, RRP, OUQ, Senior Officer, Community Planning and Development, CN Law Department, received February 11, 2019.

Letters of support received from:
- Ernie Kliever, President, Director of Advocacy, Fraser Valley Mountain Biker’s Association, two letters received July 12, 2018.

Mark Redl, 42950 Vedder Mountain Road, voiced his support of the application.

Darren Clayton, 45663 Elizabeth Drive, Cultus Lake, Developer, was in attendance to answer any questions of Council. He advised there were two public consultation meetings scheduled and the main issue brought up was traffic. He confirmed a traffic management plan will be addressed at the time of subdivision.

Kloot ) That the representations with respect to “Official Community Plan Bylaw Amendment Bylaw 2019, No. 4651”; “Zoning Bylaw Amendment Bylaw 2019, No. 4652”; and, “Zoning Bylaw Amendment Bylaw 2019, No. 4653”, be received for information; and further, that “Official Community Plan Bylaw Amendment Bylaw 2019, No. 4651”; “Zoning Bylaw Amendment Bylaw 2019, No. 4652”; and, “Zoning Bylaw Amendment Bylaw 2019, No 4653” be referred for Council’s further consideration following the close of the Public Hearing.

Carried unanimously
City of Chilliwack Council Minutes – February 19, 2019

Public Information Meeting

Development Variance Permit DVP01022

Public Information Meeting on Development Variance Permit DVP01022 with respect to property located at 9384 Fletcher Street, which proposes to vary the front lot line and exterior side lot line setbacks from 6m to 2m and to vary the minimum rear lot line setback from 6m to 5m, to facilitate the construction of a four unit apartment building.

There were no representations with respect to Development Variance Permit DVP01022.

Lum  That Development Variance Permit DVP01022 be referred for Council’s further consideration following the close of the Public Information Meeting.

Carried unanimously

Development Variance Permit DVP01052

Public Information Meeting on Development Variance Permit DVP01052 with respect to properties located at 7136, 7146, and 7158 Maitland Avenue and 45540 Wells Road, which proposes to vary the interior side lot line (south) setback from 4.5m to 2.75m for proposed Building “D” in association with a future townhouse complex.

Email of opposition received from:

- Bev Neufeldt, 45529 Wells Road, Dated February 16, 2019.

Email of concern received from:


Jessie Rayner, JCR Design, 45425 Luckakuck Way, Applicant, was in attendance to answer any questions of Council. He advised a fence will be installed on the top of the retaining wall along the common property line, making it higher than normal, providing extra screening; and, the roof decks will be pulled back from the rear of the building.

Kevin Nichol, 5794 Sumas Prairie Road, Developer, commented on the status of the Pearson Home, advising they have not been successful in moving the home as the structure is very poor. There has been some interest from the community in obtaining parts of the house for memorabilia therefore, they are scheduling open houses for those that might want to acquire anything before it is demolished in a couple of weeks.

Mercer  That the representations with respect to Development Variance Permit DVP01052 be received for information; and further, that Development Variance Permit DVP01052 be referred for Council’s further consideration following the close of the Public Information Meeting.

Carried unanimously
City of Chilliwack Council Minutes – February 19, 2019

Clerk’s Reports

Kloot, Westeringh

That “Official Community Plan Bylaw Amendment Bylaw 2019, No. 4647” with respect to property located at 44970 Keith Wilson Road be read a third time. (RZ001323)

Carried unanimously

Lum, Westeringh

That “Official Community Plan Bylaw Amendment Bylaw 2019, No. 4647” with respect to property located at 44970 Keith Wilson Road be adopted. (RZ001323)

Carried unanimously

Lum, Kloot

That “Zoning Bylaw Amendment Bylaw 2019, No. 4648”, with respect to properties located at 44990, 45032, and 45070 Caen Avenue, 5373 Tyson Road, and 44970 Keith Wilson Road, be read a third time. (RZ001323)

Carried unanimously

Mercer, Kloot

That “Zoning Bylaw Amendment Bylaw 2019, No. 4648”, with respect to properties located at 44990, 45032, and 45070 Caen Avenue, 5373 Tyson Road, and 44970 Keith Wilson Road, be adopted. (RZ001323)

Carried unanimously

Lum, Westeringh

That “Zoning Bylaw Amendment Bylaw 2019, No. 4649”, with respect to property located at 45889 Lake Drive, be read a third time. (RZ001290)

Carried unanimously

Kloot, Mercer

That “Zoning Bylaw Amendment Bylaw 2019, No. 4649”, with respect to property located at 45889 Lake Drive, be adopted. (RZ001290)

Carried unanimously

Lum, Kloot

That “Official Community Plan Bylaw Amendment Bylaw 2019, No. 4651” with respect to property located at 42910 Vedder Mountain Road be read a third time. (RZ001276)

Carried unanimously

Lum, Mercer

That “Zoning Bylaw Amendment Bylaw 2019, No. 4652”, with respect to a proposed text amendment to create a new CD-29 (Comprehensive Development-29) Zone, be read a third time. (RZ001276)

Carried unanimously

Kloot, Westeringh

That “Zoning Bylaw Amendment Bylaw 2019, No. 4653”, with respect to property located at 42910 Vedder Mountain Road, be read a third time. (RZ001276)

Carried unanimously
Application Reports

Lum 

That, subject to public representation, Council approve the issuance of Development Variance Permit DVP01022 with respect to property located at 9384 Fletcher Street.

Carried unanimously

Kloot 

Lum 

That, subject to public representation, Council approve the issuance of Development Variance Permit DVP01052 with respect to properties located at 7136, 7146 and 7158 Maitland Avenue and 45540 Wells Road.

Carried unanimously

Additional Item

Lum 

That, Council approve the issuance of Development Permit DP001053 with respect to properties located at 7136, 7146 and 7158 Maitland Avenue and 45540 Wells Road, subject to the recommendations of the Design Review Advisory Committee and the conditions as set out within the draft Development Permit.

Carried unanimously

Councillors' Reports

Councillor Mercer commented on the Upper Fraser Valley Bar Watch Committee; Design Review Advisory Committee and Public Safety Advisory Committee Meetings; the luncheon with the Honourable Francois-Philippe Champagne, Minister of Infrastructure and Communities; and the “Open Mosque Day” at the Chilliwack Islamic Center.

Councillor Kloot commented on the Design Review Advisory Committee and Public Safety Advisory Committee Meetings; the luncheon with the Honourable Francois-Philippe Champagne and his interview with 89.5 The Drive on Valentine’s Day.

Councillor Westeringh attended the Chilliwack Public Arts Advisory Committee Meeting; retirement for Glen Ringdal, President of the Chilliwack Chiefs Hockey Club; and, met with staff to discuss the Affordable Housing and Development Advisory Committee.

Councillor Lum spoke on his attendance at the Regional Corporate Services Meeting at the Fraser Valley Regional District; the Public Safety Advisory Committee Meeting; the luncheon with the Honourable Francois-Philippe Champagne; and the Chilliwack Innovation Meeting.

Mayor’s Report

Mayor Popove advised that this week is Heritage Week in Chilliwack and, on behalf of Laura Reid, Chilliwack Heritage Society, invited the community to check out the archival photographs that are located at Twin Rinks; the new Chilliwack Curling Rink; Yarrow Community Hall; Chilliwack Downtown Business Improvement Association/Chilliwack Economic Partners Corporation Office; and, the Chilliwack Branch of the Fraser Valley Regional Library.
Mayor Popove called for questions from the public. None were received.

On a motion of Councillor Lum, and seconded by Councillor Westeringh, the meeting adjourned at 7:52 pm.

..........................................................
Mayor

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Corporate Officer
AGENDA ITEM NO: 5-1
MEETING DATE: March 5, 2019

STAFF REPORT - COVER SHEET

SUBJECT: CONSENT AGENDA - Bylaws
Date: February 26, 2019
DEPARTMENT: Clerk’s
Prepared by: Jacqueline Morgan

1. SUMMARY OF ISSUE:
   Consent Agenda items for Council’s consideration.

2. RECOMMENDATION:
   That the following bylaw be adopted:
   
   “Solid Waste Management Bylaw 2019, No. 4660”

   That the Minutes of the Design Review Advisory Committee Meeting held February 11, 2019
   be received for information.

   Jacqueline Morgan,
   Corporate Officer
City of Chilliwack

Bylaw No. 4660

A bylaw to regulate the collection of garbage, recyclables and compostable waste and the use of waste disposal sites, transfer facilities, and recycling depots within the City of Chilliwack

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

1. This bylaw may be cited as “Solid Waste Management Bylaw 2019, No. 4660”.

2. “Solid Waste Management Bylaw 2017, No. 4330” and amendments thereto are hereby repealed.

INTERPRETATION

3. In this bylaw:

   “Asbestos Waste” means any waste or discarded material that contains 0.5% or more asbestos by weight, or any vermiculite insulation;

   “Asbestos Waste Disposal Procedures” means the procedures developed by the City of Chilliwack, specifying conditions that must be met to dispose of Asbestos Waste at the Bailey Sanitary Landfill;

   “Bailey Sanitary Landfill” means the landfill owned by the City of Chilliwack located at 5940 and 6150 Matheson Road, Chilliwack, BC;

   “Bi-weekly” means once every 2 weeks;

   “Bylaw Enforcement Officer” means a person appointed by Council as a bylaw enforcement officer for the City of Chilliwack, by name of office or otherwise;

   “Blue Bin” means a 121 litre plastic Container provided or sold to the Owner or Occupier of a Dwelling Unit by the City for Mixed Recyclables, which Container is not required to participate in the Collection Service;

   “Clear Bag” means a clear plastic bag, used for storing shredded paper at residences and at curbside;

   “Clear Blue Bag” means a clear plastic bag, blue in colour, used for storing shredded paper at residences and at curbside;

   “Collection Day” means a day scheduled for the collection of Garbage, Recyclables and/or Compostable Waste in accordance with a schedule established, published and distributed by the City;

   “Collection Service” means the system established under this bylaw by the City of Chilliwack for the collection of Garbage, Mixed Recyclables, Glass Packaging and Compostable Waste from a residence or Dwelling Unit;
INTERPRETATION (continued)

"Compostable Waste" or "Compostables" means Food Waste, Food-Soiled Paper, Wooden Food Utensils, and Yard Waste;

"Compostable Waste Transfer Station" means the transfer station for Compostable Waste owned by the City of Chilliwack located at the Bailey Sanitary Landfill;

"Container" means a receptacle used for temporary storage of Garbage, Recyclables, or Compostable Waste, and includes cans, bags, Green Carts, Blue Bins, Grey Bins, carts supplied by private haulers, bundles, and bins whether owned by residents, the City, or another person, and used for the Collection Service, private collection, at the Recycling Depots or at Municipal Sites;

"Curbside Collection Guide" means the annual guide produced by the City of Chilliwack that provides information and requirements regarding the Collection Service;

"Director" means the Director of Planning and Engineering of the City of Chilliwack, their deputy and persons designated by Council to act in the place of them;

"Duplex" means a residential building consisting of 2 Dwelling Units, whether those units are strata-titled or not;

"Dwelling Unit" means 1 or more habitable rooms for the residential accommodation of only 1 person or 1 family including accessory dwelling units, containing or providing only one cooking facility unless an additional cooking facility is licenced as Accessory Home Occupation use;

"Food Services and Processing Sector Property" means any commercial property that processes or prepares and serves food including, but not limited to: restaurants, grocery stores, food stores that sell produce or uncooked meats, hotels or other tourist or traveler accommodations with kitchens, golf courses with restaurant or banquet services, amusement facilities with restaurant services, and food processing plants, but does not include convenience stores, gas stations, bed and breakfasts, care homes, or institutional properties;

"Food Waste" includes fruits, vegetables, meat, fish, bones, dairy products, eggs, egg shells, pasta, rice, flour, bread, coffee grounds, coffee filters, paper tea bags, fats, oils, lards, jams, jellies, condiments, and other materials approved by the Director;

"Food-Soiled Paper" includes paper napkins, facial tissues, paper packaging, paper take-out containers, newspaper and/or other paper products used for the purpose of lining Green Carts, and other materials approved by the Director;

"Garbage" means all materials discarded as waste, but not including Recyclables, Yard Waste, Compostable Waste from residences on the Collection Service, Compostable Waste from Food Services and Processing Sector Property, or materials prohibited by this bylaw from being disposed of as Garbage;

"Glass Packaging" means glass packaging bottles and jars, but does not include window glass, windshield glass, headlight glass, plate glass, mirrors, ceramics, light bulbs, insulators, Pyrex®, or other similar products;

"Green Cart" means 80 litre, 120 litre, 240 litre, or 360 litre plastic container provided to a Dwelling Unit by the City’s Collection Service provider for Compostable Waste;
INTERPRETATION (continued)

“Green Depot” means the clean wood and Yard Waste drop-off facility owned or operated by the City of Chilliwack and located in Chilliwack, BC;

“Grey Bin” means a 27 litre plastic Container provided or sold to the Owner or Occupier of a Dwelling Unit by the City for Glass Packaging;

“Hazardous Waste” means chemical, biological, or bacteriological material or waste that is or may become explosive, radioactive, corrosive, flammable, reactive, toxic, or infectious and all substances now or hereafter included in the definition of hazardous waste as defined in the Environmental Management Act Hazardous Waste Regulation BC, as amended;

“Kraft Bag” means a double-ply biodegradable paper bag specifically manufactured to store Yard Waste;

“Mixed Recyclables” means material defined in the packaging and printed paper stewardship plan under the Recycling Regulation, BC, as amended, but excluding Glass Packaging, foam packaging, plastic film, and other flexible plastic packaging;

“Multi-family Dwelling” means a residential mobile home park, an apartment building, condominium building, or any other residential building containing more than two Dwelling Units except attached residential buildings on separate fee simple parcels;

“Municipal Sites” means sites that are owned or operated by the City of Chilliwack, including but not restricted to the City of Chilliwack’s Operations Centre, City Hall, Cultural Centre, Leisure Centres, Libraries, Evergreen Hall, Twin Rinks, and Yarrow Community Hall;

“Occupier” means an Owner who occupies a property, a person who has signed a lease or rental agreement to occupy a property for residential purposes, or a person who otherwise occupies residential property as a tenant without a signed agreement;

“Owner” means the person or persons, including a corporation or company, who is liable under the Local Government Act, Community Charter, BC, as amended, or successor legislation to pay real property taxes;

“Private Hauler” means a company or sole proprietorship, with a Chilliwack business licence issued by the City, for hauling, transporting or removing Garbage, Recyclables, or Compostable Waste to an approved disposal facility;

“Privately-Owned and Operated Depot” means a location not provided by or on behalf of the City, where a person can drop off Recyclables, which may be part of a stewardship plan under the Recycling Regulation, BC, as amended;

“Recyclables” means scrap metal, motor vehicle bodies, propane tanks, White Goods, gypsum wallboard, Mixed Recyclables, Glass Packaging, and any other product included in an approved stewardship plan under the Recycling Regulation, BC, as amended;
INTERPRETATION (continued)

"Recycling Depot" means a location provided by or on behalf of the City, where a person can drop off Recyclables;

"Single Family Dwelling" means a detached or attached residential building on a separate fee simple parcel, a detached residential building in a strata-titled development, or a mobile or manufactured home located on a separate fee simple parcel;


"Suspect Asbestos Waste" means waste materials that pre-date 1990 and may contain asbestos, as identified in the Asbestos Waste Disposal Procedures;

"Tag-a-bag" means a City approved, perforated tag that sticks onto an extra bag of Garbage or Yard Waste;

"Waste Disposal Site" means those City designated sites listed in Schedule “A”;

"White Goods" means stoves, refrigerators, freezers, washers, dryers, dishwashers, microwave ovens, air conditioning units, and other similar appliances;

"Wooden Food Utensils" means toothpicks, popsicle sticks, stir sticks, skewers, chop sticks, and other materials made of compostable wood, bamboo, or other plant-derived material, but not biodegradable plastic or other material; and

"Yard Waste" means house plants, weeds, plants, leaves, grass, hedge and plant clippings, lawn edgings, twigs and branches up to 150 millimetres (6 inches) in diameter and other materials approved by the Director, but does not include items listed in Section 89 of this Bylaw.

ESTABLISHMENT OF SERVICE

4. The City establishes the service of collection and disposal or processing of Garbage, Recyclables and Compostable Waste.

5. The solid waste management service established by the City of Chilliwack includes:

(1) curbside collection of Garbage, Mixed Recyclables, Glass Packaging and Compostable Waste, subject to the terms of this Bylaw;

(2) collection of Garbage, Mixed Recyclables, Glass Packaging and/or Compostable Waste at all Municipal Sites;

(3) collection of Garbage, Mixed Recyclables and Glass Packaging in municipal street-side containers;

(4) management of the Bailey Sanitary Landfill including the Compostable Waste Transfer Station;

(5) management of the Green Depot; and,

(6) provision of Recycling Depots.
PROHIBITIONS

6. No Owner or Occupier of real property shall cause, allow or permit any Garbage, Recyclables, Compostable Waste, refuse or other noxious, offensive, unwholesome or discarded matter to collect, accumulate or remain on the real property, unless it is securely contained in a waste Container or receptacle equipped with a close-fitting lid or cover.

7. No Owner or Occupier of real property shall cause, allow or permit any carcass in whole or part, offal or viscera to remain, accumulate or collect on real property.

8. No person shall deliver, place, bury or dump, or cause or allow to be delivered, placed, buried or dumped, any Garbage, Compostable Waste, Recyclables, refuse or other noxious, offensive, unwholesome or discarded matter anywhere in the City other than at a Waste Disposal Site, Recycling Depot or Privately-Owned or Operated Depot.

9. No person shall transport any Garbage, Compostable Waste, Recyclables, refuse or other noxious, offensive, unwholesome or discarded matter without securing the materials in a manner which will ensure that all of the materials will reach the designated Waste Disposal Site, Recycling Depot or Privately-Owned or Operated Depot. All materials transported shall be secured in a closed container or by a tarping method.

10. No person shall deliver, place or dump or cause or allow to be delivered, placed or dumped, any residential, commercial or industrial Garbage, Compostable Waste or Recyclables into a municipal street side container.

11. No person shall burn or cause or allow to be burned any Recyclables, Garbage, refuse or other noxious, offensive, unwholesome or discarded matter anywhere in the City, including the combustion of waste oil.

12. No person shall cause, allow or permit any Recyclables or Yard Waste to be discarded as Garbage.

13. No person receiving Collection Service shall cause, allow or permit any Recyclables or Compostable Waste to be discarded as Garbage.

14. No person shall interfere with, threaten, or in any way obstruct any of the City’s employees, contractors, or agents while the City’s employees, contractors, or agents are engaged in the provision of the Collection Service.

INDUSTRIAL, COMMERCIAL AND INSTITUTIONAL SECTOR

15. No Owner or Occupier of commercial, industrial or institutional property shall cause, allow or permit any Recyclables or Yard Waste to be discarded as Garbage.

16. No Owner or Occupier of a Food Services and Processing Sector Property shall cause, allow or permit any Recyclables or Compostable Waste to be discarded as Garbage.
NOTICE TO REMOVE GARBAGE

17. Where an Owner or Occupier of real property has caused, allowed or permitted any Garbage, including but not limited to Compostable Waste, other putrescible waste, or discarded materials identified in Subsections 82(1) to (6), (9), (10), (13), (14), and (15) to accumulate or remain on the real property in contravention of Section 6, the Director or the Bylaw Enforcement Officer may cause a notice in writing to be delivered to an Owner or Occupier of real property requiring the removal of Garbage, Compostable Waste and any discarded materials identified in Subsections 82(1) to (6), (9), (10), (13), (14), and (15), within 48 hours of receipt of such notice.

18. Notice to an Owner or Occupier may be hand delivered, left in the mail box, dropped through the mail slot, or taped to the front door of the residence on the property which is the subject of the notice.

19. Where a notice is given pursuant to this Bylaw and, in the opinion of the Bylaw Enforcement Officer, the Garbage, Compostable Waste or discarded materials identified in Subsections 82(1) to (6), (9), (10), (13), (14), and (15) has not been removed:
   (1) within the time specified on the notice; or
   (2) in the manner specified in the notice; or
   (3) sufficiently to satisfy the requirements of the notice;

   the City may, by its employees, agents or contractors, enter the real property and remove the Garbage, Compostable Waste or other material in the manner the Bylaw Enforcement Officer considers necessary and appropriate and charge the cost of the work to the Owner of the real property.

20. Where in contravention of Section 6 a waste Container provided by a Private Hauler results in litter, unauthorized use, or other nuisances, the Owner, Occupier, or Private Hauler must in accordance with a notice under Section 17 place locks on a Container, change the location of the Container, require a secure enclosure for the Container, increase the size of the Container, more frequently collect Garbage, Recyclables, or Compostable Waste from the Property, or change the mode of collection.

21. Any charges incurred pursuant to Sections 19 and 20 shall be due and payable upon receipt of notice from the City and any such charges remaining unpaid as of December 31 of that year shall be added to and form part of the taxes payable on the real property as taxes in arrears.

COLLECTION SERVICE

22. Only Garbage, Mixed Recyclables, Glass Packaging and Compostable Waste generated within the City of Chilliwack are eligible for Collection Service under this Bylaw unless otherwise permitted under this Bylaw.
COLLECTION SERVICE (continued)

23. The Collection Service shall serve Owners or Occupiers of:

   (1) Single Family Dwellings and Duplexes; and,

   (2) Multi-family Dwelling complexes that have approved applications for service.

24. The Collection Service for each Single Family Dwelling or Dwelling Unit within a Duplex comprises collection of the following materials generated from that property:

   (1) two Containers of Garbage Bi-weekly with a maximum volume of 121 litres and weighing no more than 25 kilograms;

   (2) one Green Cart of Compostable Waste weekly with a maximum volume of either 80 litres (maximum weight of 50 kilograms), 120 litres (maximum weight of 55 kilograms), 240 litres (maximum weight of 100 kilograms) or 360 litres (maximum weight of 150 kilograms);

   (3) ten Kraft Bags of Yard Waste and/or bundles of branches weekly with each Kraft Bag or bundle having a maximum weight of 15 kilograms. Bundles must be no more than 1.25 metres in length with a diameter of no more than 600 millimetres;

   (4) unlimited amounts of Mixed Recyclables weekly. Each Container of Mixed Recyclables or bag of shredded paper shall not exceed 121 litres or 25 kilograms; and

   (5) unlimited amounts of Glass Packaging Bi-weekly, which must be placed in 27 litre Grey Bins that shall not exceed 25 kilograms each.

25. Multi-family Dwelling Units in complexes, which have been approved for the Collection Service, shall be serviced in accordance with the same Container size and weight restriction as the service level for each Single Family Dwelling or Duplex.

26. Owners or Occupiers of Multi-Family Dwelling complexes, commercial buildings, institutions, industrial sites and any buildings other than Single Family Dwellings and Duplexes shall make their own arrangements for the removal and disposal of Garbage, Recyclables, and Compostable Waste, except for Multi-Family Dwelling complexes that have approved applications for service under this Bylaw.

27. Owners or strata councils of all Multi-Family Dwelling complexes that are not served by the Collection Service shall contract with a Private Hauler, licensed in Chilliwack, for recycling services. Recyclables to be collected shall, at a minimum, include those defined in this Bylaw as Mixed Recyclables. Contracts must be provided to the City for verification upon request.

28. Owners or strata councils of all Multi-Family Dwelling complexes that are not served by the Collection Service shall provide adequate space dedicated for the storage and collection of, at a minimum, Garbage, Mixed Recyclables, and Compostable Waste Containers. The size of each commercial Container for Garbage, Mixed Recyclables and Compostable Waste shall not be smaller than 3 cubic yards. For complexes greater
COLLECTION SERVICE (continued)

than 30 units the minimal size of each Container for Garbage and Recycling shall be equal to the number of units multiplied by 0.08 cubic yards. The size of the Container can be proportionally reduced with increased frequency of collection over once weekly. The size of the Garbage Container may be proportionally reduced if Compostable Waste is collected in a separate Container. The requirement for dedicated Container space may be waived if the Owners or strata councils provide curbside collection service for each residence in the complex, with adequate access for collection vehicles.

EXEMPTIONS FROM SERVICE

General Exemptions

29. An Owner of a Single Family Dwelling, Dwelling Unit in a Multi-Family complex approved for Collection Service under this Bylaw, or Duplex may apply in writing to the Director for an exemption from the Collection Service for that building or Dwelling Unit.

30. If an applicant under Section 29 complies with Section 33, the Director shall only grant an exemption from the Collection Service if:

(1) in the opinion of the Director the Collection Service cannot reasonably and practically be provided to that building, by reason of inadequate access or otherwise; or,

(2) the building has been rendered uninhabitable by fire or natural disaster or is under demolition. Proof of fire or natural disaster destruction, or demolition will be required.

31. An exemption under Section 30 (1) continues until the Director notifies the Owner of the building that in their opinion the property can reasonably and practically be provided with the Collection Service.

32. An exemption under Section 30 (2) continues until the building is repaired or reconstructed and is granted an occupancy permit or final approval.

33. Any application for an exemption from the Collection Service shall be in the form attached to this Bylaw as Schedule “B” and shall include:

(1) the civic address of the property on which the dwelling in respect of which the exemption is sought is located;

(2) the name and address of the Owner of the dwelling in respect of which the exemption is sought;

(3) if the exemption is sought under Section 30 (1), a description by the applicant of the conditions the applicant believes prevent the service from being reasonably and practically provided to the dwelling; and,

(4) if the exemption is sought under Section 30 (2), documentation verifying the fire, natural disaster or demolition and the date of the incident.
APPLICATIONS FOR COLLECTION SERVICE

34. When the Owner of a newly constructed Single-Family Dwelling or Duplex is granted an occupancy permit or final approval, the Owner must immediately apply to the City for the Collection Service. In the event the Owner does not apply for Collection Service, the City will provide a 120 litre Green Cart, a Blue Bin, and a Grey Bin, and charge the applicable fee for Collection Service as set out in Schedule “F”.

INCLUSION OF MULTI-FAMILY DWELLINGS IN COLLECTION SERVICE

35. The Owner or Strata Council of a Multi-Family Dwelling complex may make application in the form of Schedule “D” for Collection Service for a minimum of six months, if:

   (1) each unit Owner or Occupier within the complex has been notified that they will receive individual unit service as per the Collection Service and be charged Collection Fees as outlined in Schedule “F.”

   (2) the property is a strata complex, and the application is accompanied by a waiver, in the form of Schedule “C”; or,

   (3) the property is not a strata complex and road access is provided and maintained by the City.

36. Notwithstanding anything else in this bylaw, if the Owner or Strata Council of a Multi-Family Dwelling complex has applied for and been granted Collection Service pursuant to Section 35 of this Bylaw, then the Owner or Occupier of each Dwelling Unit in that Multi-Family Dwelling complex shall be eligible to apply for an exemption pursuant to Section 30(2) of this Bylaw as if the Owner or Occupier of each Dwelling Unit was an Owner of a Single Family Dwelling or Duplex.

COLLECTION FREQUENCY

37. The Collection Service is such that Mixed Recyclables and Compostable Waste will be collected weekly, and Garbage and Glass Packaging will be collected Bi-weekly.

38. There will be no regularly scheduled Collection on Saturdays, Sundays or Statutory Holidays except Remembrance Day. Collection for those residences whose pickup falls on a Statutory Holiday will be assigned an alternate pickup day.

39. Collection Service will be in accordance with the schedule indicating collection days for specific colour-coded areas of the City (or other way of designating different collection areas), which will be distributed to residents, and which will vary to allow for Statutory Holidays, as indicated on the schedule.

40. Despite the schedule of days for the Collection Service, the Director may make alternate collection arrangements where weather conditions or other circumstances will not permit collection on the day or days scheduled.
COLLECTION PROCEDURES

41. Every person shall ensure that Garbage, Mixed Recyclables, Glass Packaging and Compostable Waste are stored and placed in a sanitary manner, and in a way that will not injure persons handling them. A Container shall not be used and may not be collected if it is broken, hazardous, unsanitary, or dangerous to persons handling it.

42. No person shall place wet waste in any Container of Garbage unless it is drained of excess moisture and wrapped in waterproof material.

43. No person shall put or place liquid, rainwater or other free water or snow in, or allow it to run into or accumulate in any Container.

44. If the Container is a can or bin for Garbage or Mixed Recyclables, the Owner or Occupier shall keep the Container, at all times, securely covered with watertight covers. The cover or lid shall not be tied, latched, strapped, or hinged to the can or bin. Plastic bags for Garbage and shredded paper shall be securely fastened.

45. Every Owner or Occupier shall at all times, keep a Green Cart securely closed with the locking mechanism engaged.

46. No person shall place or store Garbage, Mixed Recyclables, Glass Packaging or Compostable Waste in front of or behind another person’s property without the permission of that person.

47. No person shall place Garbage, Mixed Recyclables, Glass Packaging or Compostable Waste in another person’s Container without the permission of that person.

48. No person shall fill a Container above the top of the Container. No person shall fill a plastic bag for Garbage or shredded paper in such a way that the plastic ties cannot be securely fastened or the bag cannot be securely tied.

49. Every Owner or Occupier, as applicable, shall place all Garbage, Mixed Recyclables, Glass Packaging and Compostable Waste which an Owner or Occupier chooses to have collected and disposed of by the City under this Bylaw at curbside for collection before 7:00 am on the designated Collection Day unless otherwise notified in writing. No person shall place Garbage, Mixed Recyclables, Glass Packaging and Compostable Waste at the curb any earlier than 6:00 pm the day prior to the designated Collection Day. All emptied Containers shall be removed from the curb within 18 hours of collection.

50. Every Owner or Occupier must place all Garbage, Mixed Recyclables, Glass Packaging and Compostable Waste in full view of and within two metres of the street serving the premises and access to the Containers shall not be obstructed by parked vehicles. The Director may designate lane pick-up or another location where the Director considers this appropriate.

51. Every Owner or Occupier of premises shall clean up any Garbage, Mixed Recyclables, Glass Packaging or Compostable Waste which escape onto neighbouring properties, the highway, street, lane or public way from their waste put out for collection by end of the Collection Day.
CONTAINERS

52. The City’s Collection Service provider will loan every Owner of a property on the Collection Service a Green Cart to use for Compostable Waste.

53. The standard Green Cart size is 120 litres. Other Green Cart sizes available are 80 litres, 240 litres and 360 litres. Collection service for additional Green Carts may be purchased, and the collection charges for additional Green Carts will remain in effect for a minimum of one year.

54. Once in every two-year period, the Owner of a property on the Collection Service may change the size of the Green Cart without incurring a Green Cart exchange fee. If more than one size exchange is requested in the two-year period, the Green Cart exchange fee will be applied. The first two-year period shall commence on May 1, 2017 and end on April 30, 2019. Residents also receive a free Green Cart size exchange upon moving to a new residence.

55. The Owner of the property is responsible for the cleaning, care and safe-keeping of the Green Cart and shall at all times securely store the Green Cart on the property, except when the Green Cart is placed at the curb for collection as per Section 49.

56. Green Carts shall remain the property of the City’s Collection Service provider and shall remain on the parcel to which they were issued and the City or the Collection Service provider shall have the right to inspect, alter, remove and replace the Green Carts from time to time.

57. The Owner or Occupier of the property shall notify the City if a Green Cart is damaged or stolen. If a Green Cart is stolen or damaged due to the neglect of an Owner or Occupier (including, for certainty, where the Owner or Occupier fails to securely store the Green Cart as per Section 55), the Owner will reimburse the City for the cost of replacing or repairing the Green Cart pursuant to Schedule “F”.

58. The City will loan every Owner of a property on the Collection Service one Blue Bin that may be used for Mixed Recyclables. The Owner or Occupier of the property may choose to use a different Container for Mixed Recyclables.

59. The City will loan every Owner of a property on the Collection Service one Grey Bin to use for Glass Packaging. Blue Bins and Grey Bins loaned to the Owner of a property shall remain the property of the City and shall remain on the parcel to which they were issued.

60. The Owner of the property is responsible for the cleaning, care and safe-keeping of the Blue Bin and Grey Bin. The Owner or Occupier of a property on the Collection Service may purchase additional or replacement Blue Bins and Grey Bins from the City, pursuant to the rates established in Schedule “F”. If a Blue Bin or Grey Bin is damaged by the City’s collection contractor, the City will provide a replacement Blue Bin or Grey Bin at no cost to the Owner or Occupier.
RECYCLABLES COLLECTION

61. Every person who uses the Collection Service shall sort out Recyclables from their residential Garbage and Compostable Waste and place those materials in separate Containers of a type acceptable for collection, or into designated bins at the Recycling Depots or other Privately-Owned and Operated Depots.

62. Every person who uses the Collection Service shall place Mixed Recyclables for collection in a Blue Bin or other Container with a lid, clearly identified with a City approved sticker. Clear Blue Bags or Clear Bags may only be used for shredded paper.

63. Every person who uses the Collection Service shall place Mixed Recyclables in excess of a single Container in additional Blue Bins or clearly identified Containers at the curb, or into designated bins at the Recycling Depots or other Privately-Owned and Operated Depots.

64. Every person who uses the Collection Service shall place all Glass Packaging for collection in a Grey Bin.

65. Every person who uses the Collection Service shall place Glass Packaging in excess of a single Grey Bin in additional Grey Bins at the curb, or into designated bins at the Recycling Depots or other Privately-Owned and Operated Depots.

66. Every person who uses the Collection Service shall place Recyclables for collection at the curb so as to include only Mixed Recyclables and Glass Packaging. Containers with Mixed Recyclables shall not contain Glass Packaging, other Recyclables, Garbage or Compost. Grey Bins with Glass Packaging shall not contain Mixed Recyclables, other Recyclables, Garbage or Compost.

67. Every person who uses the Collection Service shall prepare Mixed Recyclables for collection at curbside in the manner outlined in the Curbside Collection Guide as amended from time to time.

68. Every person who uses the Collection Service shall prepare Glass Packaging for collection by removing any lids and contents prior to placing the clean Glass Packaging in a Grey Bin.

69. Owners or Occupiers of a property shall not place any Recyclables into a Container of Garbage. Owners or Occupiers of a property shall not place any Recyclables into a Green Cart, unless the Recyclables are also Compostable Waste approved for inclusion in the Green Cart.

COMPOSTABLE WASTE COLLECTION

70. Every person who uses the Collection Service shall sort out Compostable Waste from their residential Garbage and Recyclables and place those materials in the Green Cart for collection, into designated areas at the Compostable Waste Transfer Station or Green Depot, or process the materials on their own private property through backyard composting or agricultural operations. Yard Waste may also be placed in Kraft Bags and branches may be placed out in bundles for collection.
COMPOSTABLE WASTE COLLECTION (continued)

71. No person on the Collection Service shall place Compostable Waste in plastic bags, even if the bags are compostable plastic or biodegradable plastic.

72. Food Waste, Food-Soiled Paper and Wooden Food Utensils may be commingled with Yard Waste in the Green Cart.

73. A person who places Yard Waste at the curb for collection may place the Yard Waste in the Green Cart, in Kraft Bags or tied in bundles. Bundles must be tied using compostable materials, such as cotton string or twine.

74. A person who places Compostable Waste in a Green Cart for curbside collection must position the Compostable Waste in such a manner that it can be easily removed from the Green Cart using the semi-automated cart tipper. Compostable Waste placed in the Green Cart must fit within the Green Cart, allowing the Green Cart to be securely closed.

75. Any Yard Waste in excess of the limits specified in Section 24 shall only be collected if an authorized Tag-a-bag is clearly placed on the Yard Waste.

76. Persons may dispose of Compostable Waste by using the Green Depot (for Yard Waste only), Compostable Waste Transfer Station, curbside service, or their own private property for composting or agricultural processing. All composting must be done in a manner that minimizes the generation of odours, the attraction of animals, or creates a nuisance. No composting or disposal shall be conducted within 30 metres of a watercourse or on City owned property or Crown Land.

TAG-A-BAGS FOR GARBAGE AND YARD WASTE COLLECTION

77. If a property receives the Collection Service and the Owner or Occupier wishes to place one or more additional Containers or bags of Garbage or one or more additional Kraft Bags or bundles of Yard Waste for collection then the Owner or Occupier shall securely attach to each additional Container bag, Kraft Bag or bundle, a prepaid, unexpired Tag-a-bag. Excess Garbage or Yard Waste will not be collected unless marked with a Tag-a-bag.

78. Tag-a-bag service is not available for properties that have been accepted for an exemption.

79. Each Garbage Tag-a-bag is valid for one Container or bag of Garbage with a maximum volume of 121 litres and weighing no more than 25 kilograms.

80. Each Yard Waste Tag-a-bag is valid for one Kraft Bag or bundle not to exceed 15 kilograms in weight.

81. The City may issue up to 26 Garbage Tag-a-Bag stickers per year for residents with documented medical conditions that result in additional Garbage.
RESTRICTED AND PROHIBITED MATERIALS CURBSIDE

82. No person may place any of the following in curbside Garbage, Mixed Recyclables or Glass Packaging for collection by the City:

(1) Hazardous Waste;
(2) bio-medical waste, sharps or infectious materials;
(3) flammable, combustible or oxidizing materials;
(4) materials that are on fire or above a temperature of 65.5°C;
(5) any explosive substance, object or mechanism;
(6) carcasses, offal, viscera;
(7) trees, tree stumps, logs, land-clearing debris, timbers or fence posts;
(8) materials originating from industrial and/or agricultural operations;
(9) semi-solid or liquid waste including raw sewage, septic tank sludge, parking lot pumping or grease trappings;
(10) uncontained dog excrement or other animal waste (double-bagged pet waste is permitted in Garbage provided the waste was generated by residential pets on the same property);
(11) construction and/or demolition materials;
(12) dirt, rocks, cement, or asphalt;
(13) Recyclables, other than properly sorted Mixed Recyclables and Glass Packaging;
(14) Compostable Waste in Garbage, Mixed Recyclables, or Glass Packaging;
(15) Garbage mixed with Compostable Waste or Recyclables;
(16) any single container or item, material or structure exceeding any of the following: a volume of 1 cubic metres, a length of 1.25 metres, and/or the volume or weight limits specified in the Bylaw for Garbage, Compostable Waste, Mixed Recyclables, and Glass Packaging; or,
(17) waste materials not identified as acceptable for landfilling pursuant to any permit or certificate issued by the BC Ministry of Environment.

83. Curbside Compostable Waste shall not include:
(1) loose soils or rocks;
(2) Garbage or Recyclables, unless the Recyclables are also Compostable Waste;
(3) plastics including compostable plastics or biodegradable plastics, or synthetic fibres;
(4) wood or tree limbs over 150 millimetres in diameter;
(5) bundles of branches larger than 1.25 metres in length or 600 millimetres in diameter or weighing more than 15 kilograms;
(6) Kraft Bags of Yard Waste weighing more than 15 kilograms;
RESTRICTED AND PROHIBITED MATERIALS CURBSIDE (continued)

(7) Hazardous Waste or soil contaminated with Hazardous Waste;
(8) flammable, combustible or oxidizing materials;
(9) materials that are on fire or above a temperature of 65.5°C;
(10) any explosive substance, object or mechanism;
(11) animal waste, carcasses, offal or viscera;
(12) painted or stained wood, or wood treated with creosote or petroleum derivatives, etc.;
(13) semi-solid or liquid waste including raw sewage, septic tank sludge, parking lot pumping or grease trappings;
(14) any item with a length that prevents the lid of the Green Cart from being securely closed;
(15) waste materials not identified as acceptable for composting pursuant to any permit or certificate issued by the BC Ministry of Environment; or,
(16) invasive plants requiring special disposal.

RIGHT TO REFUSE WASTE AT DISPOSAL SITES

84. Any load or portion of load of Garbage delivered to the Bailey Sanitary Landfill found to contain any quantity of Recyclables or Yard Waste as defined in this Bylaw, or other materials accepted for recycling at the Bailey Sanitary Landfill shall be subject to the surcharge set out in Schedule “E”.

85. No person may deliver any of the following for disposal at the Bailey Sanitary Landfill unless authorized by the Director. If authorized, the applicable fees as set out in Schedule “E” of this Bylaw may be applied.

(1) Hazardous Waste except Asbestos Waste that meets the requirements of the Asbestos Waste Disposal Procedures;
(2) Soil contaminated with Hazardous Waste;
(3) bio-medical waste, sharps or infectious materials;
(4) flammable, combustible or oxidizing materials;
(5) materials that are on fire or above a temperature of 65.5°C;
(6) any explosive substance, object or mechanism;
(7) carcasses, manure, offal or viscera or agricultural or commercial sources of animal excrement;
(8) trees, tree stumps, logs, land-clearing debris, timbers or fence posts;
(9) wood treated with creosote, petroleum derivatives, etc.;
(10) concrete containing rebar;
(11) materials originating from industrial and/or agricultural operations;
RIGHT TO REFUSE WASTE AT DISPOSAL SITES (continued)

(12) industrial or commercial spools;

(13) semi-solid or liquid waste including raw sewage, septic tank sludge, waste water sludge, parking lot pumping or grease trappings;

(14) Recyclables;

(15) Yard Waste and clean construction wood;

(16) any single item of waste, material or structure exceeding a volume of 2 cubic metres;

(17) other materials banned by the regional district through the Fraser Valley Regional District’s Solid Waste Management Plan;

(18) other materials which may be designated by the BC Ministry of Environment when alternative disposal becomes available;

(19) waste materials not identified as acceptable for landfilling pursuant to any permit or certificate issued by the BC Ministry of Environment; or

(20) invasive plants requiring special disposal, unless authorized by the Director in advance.

86. Any load or portion of load of Compostable Waste delivered to the Compostable Waste Transfer Station found to contain any quantity of Garbage or Recyclables as defined in the Bylaw, shall be subject to the surcharges set out in Schedule “E”, unless the Recyclables are also Compostable Waste.

87. No person may deliver any of the following for disposal at the Compostable Waste Transfer Station unless authorized by the Director. If authorized, the applicable fees as set out in Schedule “E” of this Bylaw may be applied.

(1) Semi-solid or liquid waste including but not limited to raw sewage, septic tank sludge, waste water sludge, parking lot pumping or grease trappings;

(2) loose soils or rocks;

(3) Garbage or Recyclables, unless the Recyclables are also Compostable Waste;

(4) plastics or synthetic fibres;

(5) wood or tree limbs over 360 millimetres in diameter;

(6) Hazardous Waste or soil contaminated with Hazardous Waste;

(7) flammable, combustible or oxidizing materials;

(8) materials that are on fire or above a temperature of 65.5°C;

(9) any explosive substance, object or mechanism;

(10) animal waste, carcasses, offal or viscera excluding loads containing mixed manure and used animal bedding;

(11) painted or stained wood, or wood treated with creosote or petroleum derivatives, etc.;
RIGHT TO REFUSE WASTE AT DISPOSAL SITES (continued)

(12) any single item of waste, material or structure exceeding a volume of 2 cubic metres;

(13) waste materials not identified as acceptable for composting pursuant to any permit or certificate issued by the BC Ministry of Environment; or

(14) invasive plants requiring special disposal, unless authorized by the Director in advance.

88. Any load or portion of load of Yard Waste or other green waste delivered to the Green Depot found to contain any quantity of Garbage, Recyclables, or Food Waste as defined in the Bylaw, shall be subject to the surcharges set out in Schedule “E”.

89. No person may deliver any of the following for disposal at the Green Depot unless authorized by the Director. If authorized, the applicable fees as set out in Schedule “E” of this Bylaw may be applied.

(1) Semi-solid or liquid waste including but not limited to raw sewage, septic tank sludge, waste water sludge, parking lot pumping or grease trappings;

(2) Food Waste;

(3) loose soils or rocks;

(4) Garbage or Recyclables;

(5) plastics or synthetic fibres;

(6) Hazardous Waste or soil contaminated with Hazardous Waste;

(7) flammable, combustible or oxidizing materials;

(8) materials that are on fire or above a temperature of 65.5°C;

(9) any explosive substance, object or mechanism;

(10) animal waste, carcasses, offal or viscera excluding loads containing mixed manure and used animal bedding;

(11) painted or stained wood, or wood treated with creosote or petroleum derivatives, etc.;

(12) any single item of waste, material or structure exceeding a volume of 2 cubic metres;

(13) waste materials not identified as acceptable for composting pursuant to any permit or certificate issued by the BC Ministry of Environment; or

(14) invasive plants requiring special disposal, unless authorized by the Director in advance.

90. Despite Sections 85, 87 and 89, the City may also refuse to accept any material at any Waste Disposal Site, Municipal Sites or Recycling Depot or other recycling site which, in the opinion of the City employee, agent or contractor working at that site:
RIGHT TO REFUSE WASTE AT DISPOSAL SITES (continued)

(1) contravenes any federal, provincial or municipal regulation or guideline for waste disposal;
(2) poses a danger or potential danger to human life, animals or the environment; or
(3) causes operational disruptions.

91. No person shall deposit, or cause or allow to be deposited, any Garbage, Compostable Waste, refuse or other discarded matter at any Waste Disposal Site:

(1) without paying the applicable fees as set out in Schedule “E” of this Bylaw. The Director has the authority to waive disposal fees at the Bailey Sanitary Landfill for material required to construct roads or for cover material;
(2) except as directed by an employee, agent or contractor of the City and in an area specified and marked by signs; or
(3) which originates from outside of the Fraser Valley Regional District. The Director has the authority to restrict the delivery of materials to Waste Disposal Sites from areas within the Fraser Valley Regional District but outside the City of Chilliwack.

92. No person shall trespass or loiter in or upon any Waste Disposal Site or Recycling Depot, or park a vehicle at any site except in the course of disposing of waste or Recyclables.

93. No person being the owner of, or in care and control of, any animal shall allow the animal in or upon any Waste Disposal Site unless the animal is confined within a motor vehicle.

RECYCLING PROCEDURES AT BAILEY SANITARY LANDFILL

94. Every person delivering, placing or disposing of any Recyclables at the Bailey Sanitary Landfill shall deposit such materials in the designated areas for recycling. All latching or locking devices must be removed from White Goods and doors and/or lids cannot be made to remain closed. At no time shall these materials be placed in the Garbage bins or at the active face. Failure to place materials in their designated areas shall result in the surcharge set out in Schedule “E”.

SCAVENGING

95. No person shall collect, take, remove, salvage or convert to their own use Garbage, Recyclables, Yard Waste, discarded matter or any other material from any curbside collection location, Recycling Depot, Container or Waste Disposal Site, unless the person is:

(1) the person who initially placed the material for collection;
(2) an employee or agent of the City, or,
(3) an employee or member of an organization or corporation, which has been duly authorized by the City to carry out the collection of Garbage, Recyclables and Compostable Waste in the City.
RECYCLING DEPOTS

96. Recyclables to be deposited at the Municipal Sites and Recycling Depots must conform to Recyclables preparation for curbside collection.

97. Recycling Depots shall only be used for the containment and temporary storage of residential Recyclables. All other uses, in particular dumping of Garbage, are prohibited.

98. Recyclables shall be placed in the applicable Container at the Recycling Depots.

99. No person shall damage or deface in any manner whatsoever any bins, signage, or other property or appurtenances at Municipal Sites and Recycling Depots.

100. Recycling Depot operators and Privately-Owned and Operated Depot operators shall not allow the site to become unsafe, untidy, unsightly or unsanitary and must not allow or permit Recyclables to be visible to the outside public, above the height of the fence surrounding the site.

ADMINISTERING THE BYLAW

101. The Director is permitted to administer this Bylaw, and supervise, control and direct the Collection Service and operations at the Bailey Sanitary Landfill, including restricting the quantities and types of Asbestos Waste and other materials accepted at the Bailey Sanitary Landfill.

RIGHT OF ENTRY

102. The Director may enter at all reasonable times upon any property subject to the provisions of this Bylaw for the purposes of ascertaining whether the regulations, directions or provisions contained in this Bylaw are being obeyed.

FEES AND BILLING

103. Every Owner of a Single Family Dwelling within the City and every Owner of a Dwelling Unit within a Duplex within the City is required to pay the applicable fee for the Collection Service as set out in Schedule “F”, unless the Owner has an exemption from use of and payment for the Collection Service under this Bylaw.

104. Where a building is assessed commercial with residential living quarters, the Owner of the residential Dwelling Unit is required to pay the applicable fee for the Collection Service as set out in Schedule “F,” unless the Owner has an exemption from use of and payment for the Collection Service under this Bylaw.

105. In the event of a property assessment conflict, the City will inspect the property to determine applicable fees.

106. Every Owner of a Multi-family Dwelling that has an approved application for the Collection Service must pay the applicable fees, as set out in Schedule “F”, whether or not the Owner chooses to utilize the Collection Service. If the Multi-family Dwelling
FEES AND BILLING (continued)

that has an approved application for service is stratified, then every Owner of a strata unit within the Multi-family must pay the applicable fees, as set out in Schedule “F”, whether or not the Owner chooses to utilize the Collection Service.

107. If an Owner applies or subscribes for the Collection Service, the service shall begin and the fee for the service shall begin on the first day of the week after the Owner subscribes for the service.

108. If an Owner is entitled to an exemption from the Collection Service, the fee for the Collection Service will cease on the first day of the week after the exemption is granted.

109. If an Owner or Occupier requests a Green Cart size exchange or an additional Green Cart, the applicable fee for it will commence on the first day of the week after the new Green Cart is delivered to the property.

110. Fees shall be billed quarterly in respect of the three preceding months, and are due and payable within 45 days from the date of the billing.

111. No adjustments to billing will be provided in response to a loss of service due to inclement weather.

112. Payment of fees by an Owner will be considered consent of Collection Service received unless contested within 45 days from the date of billing. Withdrawal of this consent will not result in reimbursement of fees paid.

113. The Owner of a real property is responsible for the payment of all accounts in arrears.

114. Any fee or charge as set out in Schedule “F” of this Bylaw shall be subject to interest if unpaid after the due date as stated on the quarterly invoice. Interest shall be at the rate as prescribed from time to time by the Lieutenant Governor in Council under Section 11(3) of the Taxation (Rural Area) Act.

115. Any fee or charge imposed by this Bylaw which is unpaid on December 31 is deemed to be taxes in arrears and may be collected in the same manner and with the same remedies as ordinary taxes on the property.

RIGHTS OF SUSPENSION

116. The City may discontinue the Collection Service to any Dwelling Unit where an Owner or Occupier of the Dwelling Unit does not comply with a provision of this Bylaw.

117. At least 5 days before discontinuing the Collection Service under Section 117, the City will hand-deliver to the Dwelling Unit and mail to the registered Owner(s), at their address(es) as shown in the most recent property assessment records, a notice setting out the nature of the non-compliance. The notice will stipulate the date upon which the Collection Service will be discontinued and provide an opportunity for the persons affected to make representations to Council.
HEALTH ACT PROVISIONS

118. Nothing contained in this Bylaw shall be construed as prohibiting any Owner or Occupier of real property from disposing of waste in any manner permitted pursuant to the Health Act.

OFFENCE AND PENALTY

119. A person who violates any of the provisions of this bylaw shall upon summary conviction, be liable to pay a penalty of not more than $2,000.00.

120. A separate offence shall be deemed to occur on each day that the offence occurs or continues.

121. Every person who violates any provision of this Bylaw, or who suffers or permits any act or thing to be done in violation of any provision of this Bylaw, or who neglects to or refrains from doing anything required to be done by any provision of this Bylaw, is guilty of an offence against this Bylaw and is liable to the penalties imposed under this Bylaw.

122. Every person who commits an offence against this Bylaw shall be liable upon summary conviction to a fine or to imprisonment, or to both a fine and imprisonment, not exceeding the maximum allowed by the Offence Act, in force from time to time.

SEVERABILITY

123. If any portion of this Bylaw is held invalid by a Court of competent jurisdiction, then that invalid portion shall be severed and the remainder of this Bylaw shall be deemed to have been adopted without the severed portion.

Received first and second reading on the 19th day of February, 2019.
Received third reading on the 19th day of February, 2019.
Received adoption on the

______________________________
Mayor

______________________________
Corporate Officer
### List of Schedules

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<th>Schedule</th>
<th>Description</th>
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<tr>
<td>Schedule “B”</td>
<td>Application for Exemption from Curbside Collection</td>
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<tr>
<td>Schedule “C”</td>
<td>Waiver Release and Indemnity</td>
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<td>Schedule “D”</td>
<td>Application for Collection from Multi-Family Building</td>
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<tr>
<td>Schedule “E”</td>
<td>Disposal Fees at Bailey Sanitary Landfill, Compostable Waste Transfer Station and the Green Depot</td>
</tr>
<tr>
<td>Schedule “F”</td>
<td>Collection Fees</td>
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</tbody>
</table>
SCHEDULE “A”

CITY WASTE DISPOSAL SITES

1. Bailey Sanitary Landfill and Compostable Waste Transfer Station – 5940 and 6150 Matheson Road
   Accepts general Garbage, Compostable Waste, refuse and waste as set out in Schedule “E” of this Bylaw.

2. Green Depot
   Accepts Yard Waste, clean construction or demolition wood waste, and other similar materials as set out in Schedule “E” of this Bylaw.
# SCHEDULE "B"

**APPLICATION FOR EXEMPTION FROM CURBSIDE COLLECTION**

<table>
<thead>
<tr>
<th>Field</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>DATE</td>
<td></td>
</tr>
<tr>
<td>OWNER(S) NAME(S) (please print)</td>
<td></td>
</tr>
<tr>
<td>COMPANY NAME (if applicable)</td>
<td></td>
</tr>
<tr>
<td>CIVIC ADDRESS OF PROPERTY REQUESTING EXEMPTION</td>
<td>(Unit, Street)</td>
</tr>
<tr>
<td>OWNER(S) ADDRESS (if different):</td>
<td>(Unit, Street)</td>
</tr>
<tr>
<td></td>
<td>(City, Postal Code)</td>
</tr>
<tr>
<td>DAYTIME TELEPHONE NUMBER:</td>
<td></td>
</tr>
<tr>
<td>HOME TELEPHONE NUMBER (if different):</td>
<td></td>
</tr>
<tr>
<td>EMAIL ADDRESS:</td>
<td></td>
</tr>
</tbody>
</table>

Exemptions will not be issued prior to the date the application is received by the City.

**REASON FOR EXEMPTION** (check one and attach documentation)

- [ ] Service cannot reasonably and practically be provided to the building, by reason of inadequate access or otherwise. Please attach an explanation indicating why the service cannot be provided. Photographic evidence must also be attached.

- [ ] The building/accessory dwelling unit is uninhabitable due to fire, natural disaster or demolition. Documentation must be attached. Date of incident: ____________________________

I certify and declare that the above-indicated facts are true.

Signature of Owner(s)

---

Return form with accompanying documentation to:
Director of Planning & Engineering, City of Chilliwack, 8550 Young Road, Chilliwack, BC, V2P 8A4, by fax to: 604.793.2756 or email to curbside@chilliwack.com
SCHEDULE "C"

WAIVER
RELEASE AND INDEMNITY

BETWEEN:

City of Chilliwack
(the "City")

AND:

The Owners, Strata Plan , on behalf of the Strata Lot Owners
(the "Strata Corporation")

WHEREAS:

1. The Strata Corporation wishes to obtain Garbage, Recyclables and Compostable Waste collection service from the City pursuant to City of Chilliwack Solid Waste Management Bylaw, in force from time to time. (the “Services”).

2. The Services are not available to the Strata Corporation or to strata lots within the area included in the Strata Plan unless the Strata Corporation enters into an agreement with the City in the form of this Agreement.

NOW THEREFORE in consideration of the City making the Services available in respect of the strata lots and other lands within the Strata Plan (the receipt and sufficiency of which consideration are hereby acknowledged), the Strata Corporation covenants and agrees with the City as follows:

(1) The Strata Corporation releases the City, and any person engaged to provide the Services, from any claim or liability whatsoever for any damage to any common property or death or bodily injury caused directly or indirectly as a result of the use of that common property by the City or that person in connection with the provision of the Services.

(2) The Strata Council shall indemnify the City, and any person engaged to provide the Services, from and against any loss, damage or expense that is suffered or incurred by the City or that person in connection with any claim of any kind made against the City or that person arising out of any damage to common property or death or bodily injury resulting in whole or in part from the provision of the Services.

Executed by THE OWNERS, STRATA PLAN NO. on behalf of the Strata Lot Owners, by its authorized signatory(ies) this day of , .

Name

Name
SCHEDULE “D”

APPLICATION FOR COLLECTION
FROM MULTI-FAMILY BUILDING

DATE: __________________________

NAME(S) OF OWNERS OR IN CASE OF STRATA, NAME OF STRATA CORPORATION AS APPLICANT ON BEHALF OF STRATA LOT OWNERS: __________________________

CIVIC ADDRESS OF PROPERTY: ____________________________________________

TYPE OF COMPLEX:
- Non-Strata Multi-family dwelling? _______ Describe type (e.g., tri-plex, apartment building, mobile home) ____________________________
- Strata Complex? _________________
  If yes, describe type (e.g., townhouse, condominium building) ____________________________
- If strata, is the road in front of the units common property? ____________________________
- If not strata, is road access provided and maintained by the City? ____________________________

NUMBER OF UNITS IN COMPLEX: __________________________

TELEPHONE NUMBER: __________________________

I certify that the above-indicated facts are true and I have the authority to make this application.

______________________________
SIGNATURE (on behalf of applicant)

For office use:

Site visit completed: __________________________

Approval granted: __________________________

By: __________________________

Date: __________________________
## SCHEDULE “E”
### DISPOSAL FEES AT BAILEY SANITARY LANDFILL, COMPOSTABLE WASTE TRANSFER STATION AND GREEN DEPOT

#### 1. Disposal Fees at Bailey Sanitary Landfill and Compostable Waste Transfer Station

<table>
<thead>
<tr>
<th>Type of Material</th>
<th>Fee</th>
<th>Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Garbage, Compostable Waste or Scrap Metal (minimum charge)</td>
<td>$5.00</td>
<td>per load</td>
</tr>
<tr>
<td>Garbage, Compostable Waste or Scrap Metal (up to 5 tonnes per load)</td>
<td>$93.00</td>
<td>per metric tonne</td>
</tr>
<tr>
<td>Garbage, Compostable Waste or Scrap Metal (weighing more than 5 tonnes per load)</td>
<td>$88.00</td>
<td>per metric tonne</td>
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<tr>
<td>Garbage, Compostable Waste or Scrap Metal (rate adjustment for account holders that deliver at least 300 metric tonnes in a calendar month)</td>
<td>$84.00</td>
<td>per metric tonne</td>
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<tr>
<td>Garbage, Compostable Waste or Scrap Metal (rate adjustment for account holders that deliver at least 400 metric tonnes in a calendar month)</td>
<td>$78.00</td>
<td>per metric tonne</td>
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<tr>
<td>Clean Soil, Rocks, Sod and Small Concrete (less than 30 cm in any dimension) (analytical results may be required for soil)</td>
<td>$30.00</td>
<td>per metric tonne</td>
</tr>
<tr>
<td>Gypsum not including Asbestos Waste (without prohibited contamination)</td>
<td>$158.00</td>
<td>per metric tonne</td>
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<tr>
<td>Asbestos Waste originating from within the City of Chilliwack (minimum charge)</td>
<td>$20.00</td>
<td>per load</td>
</tr>
<tr>
<td>Asbestos Waste originating from within the City of Chilliwack</td>
<td>$180.00</td>
<td>per metric tonne</td>
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</table>
**DISPOSAL FEES AT BAILEY SANITARY LANDFILL,**
**COMPOSTABLE WASTE TRANSFER STATION AND GREEN DEPOT**

<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
<th>Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asbestos Waste originating from outside the City of Chilliwack</td>
<td>$25.00</td>
<td>per load</td>
</tr>
<tr>
<td>(minimum charge)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Asbestos Waste originating from outside the City of Chilliwack</td>
<td>$215.00</td>
<td>per metric tonne</td>
</tr>
<tr>
<td>Permitted Special Waste Surcharge Not Including Asbestos Waste (Waste Mgt. Branch, Min. of Environment)</td>
<td>$200.00</td>
<td>per manifest/load</td>
</tr>
<tr>
<td>Mixed Loads with greater than 10% Gypsum</td>
<td>$158.00</td>
<td>per metric tonne</td>
</tr>
<tr>
<td>Surcharge for Garbage Loads Containing Recyclable Materials or Yard Waste (Less than 50%)</td>
<td>$100.00</td>
<td>per load</td>
</tr>
<tr>
<td>Surcharge for Garbage Loads Containing Recyclable Materials or Yard Waste (2nd offense within 6 month period)</td>
<td>$300.00</td>
<td>per load</td>
</tr>
<tr>
<td>Surcharge for Garbage Loads Containing Greater than 50% Recyclable Materials or Yard Waste</td>
<td>$300.00</td>
<td>per load</td>
</tr>
<tr>
<td>Surcharge for Compostable Waste Loads Containing more than 5% Garbage or other non-Compostable Waste</td>
<td>$300.00</td>
<td>per load</td>
</tr>
<tr>
<td>Surcharge for Failing to Place Materials in Designated Areas for Disposal or Recycling</td>
<td>$20.00</td>
<td>per item</td>
</tr>
<tr>
<td>Surcharge for Disposing of Asbestos Waste, Suspect Asbestos Waste, or Other Hazardous Waste as Garbage or Drywall, Including Falsifying or Failing to Provide Documentation in Accordance with the Asbestos Waste Disposal Procedures</td>
<td>$500.00</td>
<td>per load plus cost of clean-up by abatement company, if required</td>
</tr>
<tr>
<td>Special Handling Surcharge</td>
<td>$200.00</td>
<td>per load</td>
</tr>
</tbody>
</table>

*all fees above rounded up to the nearest $0.25 where applicable*
### SCHEDULE “E” (continued)

**DISPOSAL FEES AT BAILEY SANITARY LANDFILL, COMPOSTABLE WASTE TRANSFER STATION AND GREEN DEPOT**

#### 2. Disposal Fees at Green Depot

(Prices are subject to tax in addition to the designated prices)

<table>
<thead>
<tr>
<th>Type of Material</th>
<th>Fee</th>
<th>Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clean Wood Materials and Yard Waste (minimum charge)</td>
<td>$5.00</td>
<td>per load</td>
</tr>
<tr>
<td>Clean Wood Materials and Yard Waste</td>
<td>$60.00</td>
<td>per metric tonne</td>
</tr>
<tr>
<td>Materials or invasive plants requiring special handling (minimum charge)</td>
<td>$7.50</td>
<td>per load</td>
</tr>
<tr>
<td>Materials or invasive plants requiring special handling (subject to $7.50 flat rate for loads up to 100 kg)</td>
<td>$75.00</td>
<td>per metric tonne</td>
</tr>
<tr>
<td>Clean Wood Materials and Yard Waste larger than 360 mm in diameter (minimum charge)</td>
<td>$10.00</td>
<td>per load</td>
</tr>
<tr>
<td>Clean Wood Materials and Yard Waste larger than 360 mm in diameter</td>
<td>$120.00</td>
<td>per metric tonne</td>
</tr>
<tr>
<td>Surcharge for loads containing Garbage, Recyclables, or Food Waste (less than 20%)</td>
<td>$20.00</td>
<td>per load</td>
</tr>
<tr>
<td>Surcharge for loads containing Garbage, Recyclables, or Food Waste (between 20% and 50%)</td>
<td>$100.00</td>
<td>per load</td>
</tr>
<tr>
<td>Surcharge for loads containing Garbage, Recyclables, or Food Waste (less than 50%) (2nd offence within 6 month period)</td>
<td>$300.00</td>
<td>per load</td>
</tr>
<tr>
<td>Surcharge for loads containing Garbage, Recyclables, or Food Waste (greater than 50%)</td>
<td>$300.00</td>
<td>per load</td>
</tr>
</tbody>
</table>

*all fees above rounded up to the nearest $0.25 where applicable*
SCHEDULE "F"

COLLECTION FEES

1. There shall be imposed upon the Owner of each Single Family Dwelling, upon the Owner of each Dwelling Unit within a Duplex, upon the Owner of a Multi-family Dwelling that has been approved for the Collection Service, or if the Multi-family Dwelling is stratified, upon the Owner of each strata lot within the Multi-family Dwelling a fee as follows:

   (1) for Collection Service of two Containers of Garbage Bi-weekly, one 80 litre Green Cart collected weekly, unlimited Mixed Recyclables collected weekly and unlimited Glass Packaging collected Bi-weekly
       $21.00 per month

   (2) for Collection Service of two Containers of Garbage Bi-weekly, one 120 litre Green Cart collected weekly, unlimited Mixed Recyclables collected weekly and unlimited Glass Packaging collected Bi-weekly
       $21.64 per month

   (3) for Collection Service of two Containers of Garbage Bi-weekly, one 240 litre Green Cart collected weekly, unlimited Mixed Recyclables collected weekly and unlimited Glass Packaging collected Bi-weekly
       $22.27 per month

   (4) for Collection Service of two Containers of Garbage Bi-weekly, one 360 litre Green Cart collected weekly, unlimited Mixed Recyclables collected weekly and unlimited Glass Packaging collected Bi-weekly
       $22.90 per month

   (5) for Collection Service of two Containers of Garbage Bi-weekly, one 80 litre Green Cart collected weekly, unlimited Mixed Recyclables collected weekly and unlimited Glass Packaging collected Bi-weekly from Dwellings that received Seniors’ Bi-weekly Collection Service as of November 1, 2016 and did not subscribe to Yard Waste Collection in 2016
       $15.90 per month
### Collection Fees (continued)

<table>
<thead>
<tr>
<th>Number</th>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>(6)</td>
<td>for Collection Service of two Containers of Garbage Bi-weekly, one 120 litre Green Cart collected weekly, unlimited Mixed Recyclables collected weekly and unlimited Glass Packaging collected Bi-weekly from Dwellings that received Seniors’ Bi-weekly Collection Service as of November 1, 2016 and did not subscribe to Yard Waste Collection in 2016</td>
<td>$16.50 per month</td>
</tr>
<tr>
<td>(7)</td>
<td>for Collection Service of two Containers of Garbage Bi-weekly, one 240 litre Green Cart collected weekly, unlimited Mixed Recyclables collected weekly and unlimited Glass Packaging collected Bi-weekly from Dwellings that received Seniors’ Bi-weekly Collection Service as of November 1, 2016 and did not subscribe to Yard Waste Collection in 2016</td>
<td>$17.10 per month</td>
</tr>
<tr>
<td>(8)</td>
<td>for Collection Service of two Containers of Garbage Bi-weekly, one 360 litre Green Cart collected weekly, unlimited Mixed Recyclables collected weekly and unlimited Glass Packaging collected Bi-weekly from Dwellings that received Seniors’ Bi-weekly Collection Service as of November 1, 2016 and did not subscribe to Yard Waste Collection in 2016</td>
<td>$17.70 per month</td>
</tr>
<tr>
<td>(9)</td>
<td>for Each Yard Waste Tag-a-bag (max weight of 15 kgs)</td>
<td>$1.75 each</td>
</tr>
<tr>
<td>(10)</td>
<td>for Each Garbage Tag-a-bag (max weight of 25 kgs)</td>
<td>$2.00 each</td>
</tr>
<tr>
<td>(11)</td>
<td>for weekly collection of additional Green Carts:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>80 litre Green Cart</td>
<td>$6.00 per month</td>
</tr>
<tr>
<td></td>
<td>120 litre Green Cart</td>
<td>$6.60 per month</td>
</tr>
<tr>
<td></td>
<td>240 litre Green Cart</td>
<td>$7.20 per month</td>
</tr>
<tr>
<td></td>
<td>360 litre Green Cart</td>
<td>$7.80 per month</td>
</tr>
<tr>
<td>(12)</td>
<td>for Green Cart Exchange Fee</td>
<td>$25.00 each</td>
</tr>
</tbody>
</table>
## SCHEDULE “F”

### COLLECTION FEES (continued)

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Actual Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>(13)</td>
<td>for Green Cart repair</td>
<td></td>
</tr>
<tr>
<td>(14)</td>
<td>for Green Cart replacement:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>80 litre Green Cart</td>
<td>$85.10 each</td>
</tr>
<tr>
<td></td>
<td>120 litre Green Cart</td>
<td>$85.95 each</td>
</tr>
<tr>
<td></td>
<td>240 litre Green Cart</td>
<td>$96.25 each</td>
</tr>
<tr>
<td></td>
<td>360 litre Green Cart</td>
<td>$104.05 each</td>
</tr>
<tr>
<td>(15)</td>
<td>for Blue Bin purchase</td>
<td>$21.00 each</td>
</tr>
<tr>
<td>(16)</td>
<td>for Grey Bin purchase</td>
<td>$4.00 each</td>
</tr>
</tbody>
</table>
1. **CALL TO ORDER**

Councillor Kloot was Chair and called the meeting to order at 3:30 pm.

2. **ADOPTION OF AGENDA**

Moved / ) That the Agenda for the Design Review Advisory Committee meeting of Monday, February 11, 2019, be adopted as circulated.

Seconded ( Carried unanimously

3. **ADOPTION OF MINUTES**

Moved / ) That the Minutes for the Design Review Advisory Committee meeting of Wednesday, January 30, 2019 be adopted as circulated.

Seconded ( Carried unanimously
4. NEW BUSINESS / FOLLOW UP

Committee Orientation – Development Permit Areas & Design Guidelines

The Manager of Development Planning provided a ‘committee orientation’ of the Development Permit Areas and Design Guidelines for information.

5. DEVELOPMENT PERMIT APPLICATIONS

Jeff and Sherry Meloshinsky, owners and Jesse Rayner, JCR Design was present.

a) DP00970 – 8434 Chilliwack Mountain Road
At the February 5, 2019 Meeting, Council considered the “form and character” of a new industrial auto repair shop building at 8434 Chilliwack Mountain Road. It was the decision of Council to refer the proposal back to the Design Review Advisory Committee (DRAC) for further review with respect to the built form, landscaping, and overall compliance with the Design Guidelines for Development Permit Area (DPA) No. 7 (Industrial Area Form & Character).

Concerns were raised with respect to the appearance of the built form and landscaping of the proposed development. Council noted the proposed building elevations appear “boxy” and blank on the left, right, and rear façades of the building.

It was suggested that providing additional building articulation to the building design and incorporating more landscaping throughout the development may assist in ensuring that new development is more appeasing and visually enhances the streetscape and neighbourhood. Ultimately, Council determined to refer the application back to DRAC for further review and recommendation.

Discussion ensued regarding options that could improve the building’s visual impact; specifically, the right, left and rear elevations. It was suggested to incorporate a long window along the right elevation to break up the blank façade and to include contrasting trim or perhaps, timber knee braces over the windows. A suggestion was also made to provide a contrasting horizontal band of colour along the sides of the building to break up the façade and create a more visually appealing building.

Moved / Seconded: That the Design Review Advisory Committee supports DP00970 and recommends Council approve the application subject to the following conditions:

- that the right, left and rear elevations of the building’s form and character be enhanced to improve visual impact through variation of exterior materials, colour and glazing. Suggested improvements for the applicant’s consideration include:
  - incorporation of long, horizontal windows along the right elevation with either bold trim or timber knee braces framing the windows
  - provision of contrasting horizontal colour banding to break up the façade along the right and left elevations
  - additional timber knee braces above doors along the right elevation and service bay door at rear of building
- that a delineated pedestrian connection, with a minimum width of 1.2m, be provided throughout the property to provide access from the off-street parking area to the industrial building, for the safety of customers;
5. DEVELOPMENT PERMIT APPLICATIONS (continued)

- that lighting, including motion sensor lighting to support CPTED principles during dark hours and avoid conflict with nearby residences, be incorporated into all sides of the building, the pedestrian doorway entrance (west), garbage enclosure, off-street customer parking and loading area, and that a lighting plan be submitted prior to the issuance of a Building Permit;
- that bicycle parking is provided on-site in a convenient location with access to the building entrance;
- that a delineated outside employee amenity area, including a lunch/picnic table, be provided within the existing open space associated with the single-family dwelling;
- that mechanical and operational equipment, including waste containers, be screened from public view through a combination of landscaping and fencing; and,
- that black vinyl chain link fencing be installed along the frontage (behind the landscaping), as outlined in the Design Guidelines for Development Permit Area No. 7 (Industrial Area Form and Character).

Carried unanimously

Jeff and Sherry Meloshinsky and Jesse Rayner left the meeting at 4:10 pm.

6. PROJECT UPDATES / INFORMATION

7. NEXT MEETING

8. ADJOURNMENT

There being no further business, the meeting adjourned at 4:11 pm.

Councillor Chris Kloot, Chair
1. SUMMARY OF ISSUE:

With the update of the Chilliwack Transportation Plan, several changes to the current Highway and Traffic Bylaw are required in four specific areas; the Municipal Truck Route Network; the addition of an Active Transportation Regulations section; update to the Speed Limits section; and other housekeeping text amendments within the Bylaw.

2. RECOMMENDATION:

Recommendation that Council refer the proposed changes and additions to “Highway and Traffic Bylaw 2004, No. 3023”, as contained within the Staff Report dated February 4, 2019, to the Transportation Advisory Committee for comment.

3. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

Supports recommendation.
1. DEFINITION OF ISSUE:
   With the update of the Chilliwack Transportation Plan, several changes to the current Highway and Traffic Bylaw are required in four specific areas; the Municipal Truck Route Network; the addition of an Active Transportation Regulations section; update to the Speed Limits section; and other housekeeping text amendments within the Bylaw.

2. FACTORS:
   2.1 The Transportation Plan was adopted by City Council at their regular meeting on August 21, 2018.
   2.2 Requested amendments to the Municipal Truck Routes Schedule 6 to ensure it remains consistent with the Transportation Plan text.
   2.3 The addition of an Active Transportation Regulations section will support the Cycle Vision Plan where it supports the addition of a dedicated cycling section to the Bylaw. Additionally, with the increased use of low-powered vehicles in the community, an outline regarding highway use and clarification on the type of device within the Bylaw has warranted the addition of a new section. By adding a section on Pedestrian and Multi-Use Paths will add further clarification for all road users.
   2.4 Schedule 3 which outlines highway speeds is outdated. After researching 18 other BC municipal highway and traffic bylaws, only 2 indicate speed limits by road in their bylaws. The removal of Schedule 3 and amendments to text in Section 50 will update this section satisfactorily and reduce the current information conflict between the bylaw text and the posted signage roadside.
   2.5 To assist with reader clarity and enforceability, a number of text housekeeping items throughout the bylaw have been updated.

3. RECOMMENDATION & SUBSTANTIATION:
   Recommendation:
   Recommendation that Council refer the proposed changes and additions to “Highway and Traffic Bylaw 2004, No. 3023”, as contained within the Staff Report dated February 4, 2019, to the Transportation Advisory Committee for comment.
   Substantiation:
   The proposed changes to the Bylaw will address inconsistencies and establish a reference for safe road user behaviour; encourage active transportation; and better protect vulnerable road users while considering safety for all road users.
MEMO

TO: Kara Jefford, Manager of Transportation and Drainage
FROM: Samantha Piper, Public Safety Specialist
DATE: February 25, 2019
RE: Updates to the Highway and Traffic Bylaw 2004, No. 3023

It would be beneficial at this time to consider updates to the current Highway and Traffic Bylaw due in part, to the recent update of the Chilliwack Transportation Plan. The benefit of the Bylaw update is to address inconsistencies and establish a reference for safe road user behaviour; encourage active transportation; and better protect vulnerable road users while considering safety for all road users.

There are 4 main sections where updates would be beneficial include:

1.) The municipal truck route network requires revisions to Schedule 6 to ensure it remains consistent with the Transportation Plan text.
2.) The addition of an Active Transportation Regulations section will support the Cycle Vision Plan with the addition of a dedicated cycling section to the Bylaw. With the increased use of low-powered vehicles in the community, an outline regarding highway use and clarification on the type of device within the Bylaw has warranted the addition of a new section. Adding a section on Pedestrians and Multi-Use Paths will add further clarification for all road users.
3.) Schedule 3 which outlines highway speeds is outdated. After researching 18 other BC municipal highway and traffic bylaws, only 2 indicate speed limits by road in their bylaws. I would recommend removal of Schedule 3 from the Bylaw and amend Section 50 Speed Limits.
4.) Other housekeeping text amendments within the Bylaw to assist with reader clarity and enforceability.

The following updates for consideration, as they relate to the above noted, have been circulated to Engineering Staff, Bylaw Staff, the Fire Department, the Chilliwack RCMP asking for their feedback. In addition, new text recommended for the Bylaw update is in indicated in bold text throughout this memo:

1.) MUNICIPAL TRUCK ROUTES SCHEDULE 6:

- Add: Ashwell Road (Deans Avenue to Wolfe Road);
- Add: Cheam Avenue (Yale Road to First Avenue);
- Amend: Chilliwack Mountain Road (Lickman Road to Schweyey Road);
- Amend: First Avenue (Cheam Avenue to Prest Road);
- Delete: Higginson Road;
- Amend: Hodgins Avenue (Ashwell Road to Corbould Street);
Despite Section 36, a person driving a heavy truck may drive on a Highway other than a Truck Route:

(a) To obtain fuel, repairs, accommodation or food at commercial premises;
(b) To collect or deliver cargo; or
(c) To supply a service

Provided that the person takes the shortest direct accessible connection between the nearest Truck Route and the destination and then returns to the Truck Route using the same connection.

In the event that a person driving a truck has subsequent delivery or service call to make in the same area, the driver may proceed to this next destination, along Highways other than a Truck Route and then, when finished, proceed by the most direct accessible route to the nearest Truck Route.

If a heavy truck is permitted to be stored or parked in accordance with any other applicable Bylaw at a location off a Truck Route, and the heavy truck conforms with all other Highway use regulations, but is not engaged in the transport of materials or any other things to or from the premises, a person may drive the truck to and from the place where it is stored or parked and in doing so, shall drive it on the Highway forming the most direct accessible connection between the location where the truck is housed and the nearest Truck Route.

The provisions of this section shall not relieve a person in charge or control of a truck from compliance with other parking and traffic regulations.

2.) ACTIVE TRANSPORTATION REGULATIONS (add new section)

Bicycle Regulations

A person operating a Bicycle on a Highway:

(a) must dismount when using a Sidewalk, unless otherwise directed by a Traffic Control Device;
(b) must dismount to cross a Highway, unless at a Crosswalk marked with Elephants' Feet;
(c) every person operating a bicycle who crosses or intends to cross a highway as permitted
(d) at a crosswalk marked with Elephant's Feet must:
   I. enter the crosswalk from the curb or the edge of the roadway;
   II. yield to pedestrians in the crosswalk; and
   III. not ride into the path of a vehicle that is so close that it is impractical for the driver to yield the right of way.
(e) on a Highway, must ride as near as practicable to the right side of the Roadway, unless turning left or as otherwise directed by a Traffic Control Device;
(f) must not perform or engage in any acrobatic or other stunt;
(g) must not ride other than on or astride a regular seat of the Bicycle; and
(h) must not use the Bicycle to carry more persons at one time than the number for which it is designed and equipped
(i) must not ride abreast of another person operating a Bicycle on the Highway
(j) must keep at least one hand on the handlebars
(k) no person shall operate a Bicycle on a Highway between 3/4 hour after sunset and 3/4 hour before sunrise unless it has the following equipment:
   i. a lighted lamp mounted on the front and under normal atmospheric conditions capable of displaying a white light visible at least 150 metres in the direction the bicycle is pointed;
   ii. a red reflector of a make or design approved by the Insurance Cooperation of British Columbia under the Motor Vehicle Act; and
   iii. a lighted lamp, mounted and visible to the rear, displaying a red light.
(l) a bicycle operated on a Highway must be equipped with a brake that will enable the person operating the bicycle to make the braked wheels skid on dry, level and clean pavement.
(m) a person must not operate a bicycle on a Highway without due care and attention or without reasonable consideration for other persons using the Highway or on a sidewalk without due care and attention or without reasonable consideration for other persons using the sidewalk
(n) except where otherwise authorized by this Bylaw, no person shall operate a bicycle or ride as a passenger on a bicycle on a Highway unless that person is properly wearing a bicycle safety helmet that is designated as an approved bicycle safety helmet or meets the standards and specifications of an approved bicycle safety helmet pursuant to the Motor Vehicle Act.
(o) Green bicycle lanes are designated for bicycles only. Motorists will continue in their lane as normal and follow regular traffic rules; motorists are not permitted to cross into bicycle lane, unless turning into (or, out of) intersection roadways, laneways, driveways and parking after following regular traffic regulations and it is safe to do so. Vehicle parking is not permitted in any bicycle lane. People on bicycles can use the green bicycle lane to provide separation from vehicles.
(p) Green bike boxes are located after stop lines and used for cyclists to wait ahead of vehicles during a red light giving them priority through the intersection when the signal turns green. At a red light, vehicles are required to stop at the stop line behind the green bike box and must not stop in the green bike box. Vehicles are not permitted to make right turns on red lights at intersections with bike boxes. At a green light, vehicles will
proceed after cyclists through the intersection as normal. Right turns can be made following regular traffic rules by signaling and watching for oncoming vehicles, bicycles or pedestrians. Cyclists intending to turn left at a red light will move into the green bike box and stop; cyclists travelling through the intersection will stop within the green portion of the bicycle path or the right side of the bike box; right turns can be made following regular traffic rules by signaling and being aware of other cyclists and vehicles. Cyclists on a green light will proceed through the intersection as normal following regular traffic rules.

(q) A shared roadway symbol known as a Sharrow indicates where cyclists should be positioned when in a shared lane. Sharrows provide the space needed to separate cyclists from parking zones, vehicle travelling lanes and remind motorists that cyclists can utilize the same lane and should be expected on the highway. Vehicles are to share the travel lane with cyclists and only pass a bicycle when safe to do so. Cyclists should position themselves on the roadway where the Sharrow indicates while obeying the rules of the road and ensuring to leave space between bicycle and parked cars to avoid dooring.

Background/Context (not to be placed in Bylaw; only provided as background information)

Elephant’s feet marking (a series of white painted squares, typically adjacent to a pedestrian crosswalk) are devices that identify a safer crossing for cyclists. Their design and usage are defined within the Transportation Association of Canada (TAC) national guidelines and provide better awareness to motorists where people cycling cross a roadway. Their usage is typically referred to as marking a “crossbike” however the term carries no specific legal definition in the BC Motor Vehicle Act or the City’s Highway and Traffic Bylaw. There is some risk with the absence of a legal definition of Elephant’s feet. As a cyclist within a crosswalk marked with Elephant’s feet, in some cases, can be in a legally ambiguous part of the roadway; and in the unfortunate circumstance where a collision or injury occurs, it may not be straightforward how to assign legal responsibility. To avoid the ambiguity, additional signage to define right-of-way and permission for cyclists to use the crosswalk is recommended.

Green bicycle lanes create awareness for people in cars by reminding them to check for people on their bikes prior to making a turn and that cyclists are to be expected on the road and to leave them their space. Green bike lanes provide cyclists with a stronger sense of space and visibility. The solid green lanes have currently been installed at locations where cyclists and vehicles commonly interact (intersections; driveways).

Pedestrians (add under new section of Active Transportation Regulations but include existing Pedestrian sections from current Bylaw)

A pedestrian means a person afoot, or a person in a non-motorized or motorized wheelchair must not:

(a) cross a Highway contrary to the direction of a Traffic Control Device;
(b) walk on the Highway if there is a Pedestrian Facility that is reasonably passable on either side of the Highway;
(c) be on a Highway to solicit from an Occupant of a Vehicle a ride, employment or business;
(d) use a Highway without due care, attention, and reasonable consideration for other persons using the Highway.
47. The Engineer may establish pedestrian crossing upon a highway, and may establish traffic control devices to regulate the use of the pedestrian crossings.

48. Where a pedestrian crossing exists across a Highway, no pedestrian shall cross the Highway at any other place other than at the pedestrian crossing within one block or 200m of the pedestrian crossing, whichever is less. (add new text) Every pedestrian crossing a Highway at any point other than within a crosswalk shall yield the right-of-way to all vehicles on the Highway.

49. Council hereby vests in school children and others engaged in traffic safety with respect to schools, the power to require vehicles to stop at pedestrian crossing or other designated placed on a highway pursuant to the School Act, as amended, or appointment by the Chief of Police. (add new text) No driver of a vehicle shall, during normal school hours of any day on which school is regularly held, overtake and pass any moving vehicle while upon that portion of the highway within 300m of the designated school crosswalk or within a school zone. If there is no Pedestrian Facility separated from the Highway, a Pedestrian must travel only on the extreme left side of the Highway or Shoulder, facing traffic approaching from the opposite direction.

Low Powered Vehicles
The Province of British Columbia regulates the use of all motor vehicles (including low-powered) on the roadway and the sidewalk adjacent to the roadway through the Motor Vehicle Act (MVA) and the City regulates through its Highway and Traffic Bylaw. Currently, the City prohibits the engagement in any sport, amusement, exercise or occupation on any highway which may delay the passage of traffic or cause any obstruction. For clarification purposes a table outlining various vehicles and their operation would be beneficial to providing clarity on the location where each mode is permitted:
## Engineering Department

### NON-MOTORIZED

<table>
<thead>
<tr>
<th>Mode</th>
<th>Highway (roadway)</th>
<th>Sidewalk</th>
<th>Multi-Use Pathways</th>
<th>Bicycle Lanes</th>
<th>Private Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wheelchair</td>
<td>***Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>*Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Pedestrian</td>
<td>***Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>*Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Bicycle</td>
<td>Yes</td>
<td>**No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Skateboard; Longboard; Push Scooter; Rollerblades; other small wheeled transport</td>
<td>No</td>
<td>**Yes</td>
<td>*Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

### MOTORIZED

| Motorized wheelchair/mobility scooter     | ***Yes            | Yes      | Yes                | *Yes          | Yes              |
| Electric-Assisted Bike                    | Yes               | No       | Yes                | Yes           | Yes              |
| Motorized skateboard                      | No                | No       | No                 | No            | Yes              |
| Segway                                    | No                | No       | No                 | No            | Yes              |
| Hoverboard                                | No                | No       | No                 | No            | Yes              |
| Limited Speed Motorcycle                  | Yes               | No       | No                 | No            | Yes              |
| Motorbike                                 | Yes               | No       | No                 | No            | Yes              |

*where signs permit

**unless outlined in Highway and Traffic Bylaw and only if travelling at the rate of speed of pedestrians, and without interfering with or endangering any other person using the sidewalk or shared pathway

***on road edge only facing traffic; not permitted in travel lane

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### Multi-Use Pathway

A person operating a Bicycle or using small wheeled Transport on a Multi-Use Pathway:

(a) must comply with the directions or regulations appearing on any Traffic Control Device relating to the Multi-Use Pathway;

(b) must yield the right of way to any Pedestrian;

(c) must operate the Bicycle or use small wheeled transport as near as practicable to the right side, except when overtaking and passing a Pedestrian, Cyclists, or small wheeled transport user;
(d) must sound a horn or bell, or verbally notify the other users of the Multi-Use Pathway, prior to overtaking and passing any of them proceeding in the same direction; and
(e) must ride at a moderate rate of speed, and without interfering with or endangering any other person using the Multi-Use Pathway.

3. SPEED LIMITS

50. No person shall drive or operate a motor vehicle or vehicle on a Highway, at a rate of speed in excess of: (add the following new text)

a) the posted speed limit
b) 50 km/h on any Highway where there is no posted speed limit
c) 20 km/h on a lane not exceeding 8m in width
d) 40 km/h when passing within 100m of a stopped or parked service vehicles (including tow trucks) or emergency vehicles when the stopped or parked vehicle is displaying flashing amber, red or blue lights.
e) 30 km/h unless otherwise indicated by a traffic control device, in a zone where signs are posted indicating that the Highway is being repaired, widened, surveyed or marked.
f) 30 km/h between the hours of 7:30 a.m. and 5 p.m. on a day school is regularly held, where signs are displayed stating a speed limit of 30 km/h or on which the numerals “30” are prominently shown, while approaching, passing or in the vicinity (as indicated by the signs) of the school to which the signs relate.
g) 30 km/h when approaching or passing, between dawn and dusk, a public playground for children where signs are displayed stating a speed limit of 30 km/h, or on which the numerals “30” are prominently shown.

4. OTHER HOUSEKEEPING ITEMS:

TRAFFIC CONTROL DEVICES (amendment to text)
35. No person shall interfere in any way with any traffic control device, (add new) including road markings, signal, barrier, signage and delineators, whether temporary or permanent, which has been erected or placed pursuant to this Bylaw.
FOLLOWING FIRE APPARATUS AND CROSSING HOSE PROHIBITED  
(a) A driver other than that of an emergency vehicle shall not follow fire apparatus closer than one hundred fifty metres or drive or park within one hundred fifty meters of the place on the same highway on which fire apparatus has stopped due to activities related to Fire Department work.  
(b) No person shall drive a vehicle over an unprotected hose of the Fire Department when laid down on a highway or private driveway at a fire or places of activity related to Fire Department work.

INTERPRETATION

(add new) “small wheeled transport” is human-powered transportation, not including Mobility Aids, with smaller diameter wheels, including:

(a) Skateboards, foot operated scooters, roller skates, longboards, or similar devices.

(amend) “intersection” means the general area where two or more roads join or cross, within which are included the roadway and roadside facilities for traffic movements and measured from edge of pavement and or gutter flow-line. The intersection approach of an intersection leg is used by traffic approaching the intersection.

(amend) “cycle” to bicycle

(amend) “cycle path” to bicycle lane

(add new) “Heavy Truck” means a motor vehicle which:
   (a) Has a licensed gross vehicle weight in excess of 10,000 kg; or
   (b) Comprises a tractor towing one or more trailers or semi-trailers

(add new) “Traffic Control Device” means a sign, signal, line, meter, marking, space, barrier, or device, placed, painted or erected at the discretion of the Engineer, to guide, regulate, warn, direct, restrict or prohibit Traffic

(add new) “Truck Route” means a Highway, a portion of a Highway, or a series of connected Highways, designated and described as such in Schedule “6”

(add new) “pedestrian” means a person afoot, or a person in a non-motorized or motorized wheelchair.
59. STOPPING, STANDING AND PARKING
   (amend) within 5m of a fire hydrant, measured either side from the point at the curb or edge of the Highway which is closest to the hydrant

   (add new) (z) within 5m of a Canada Post Community mailbox, for any period of time exceeding 5 minutes unless otherwise directed by a Traffic Control Device, and measured either side from the point at the curb or edge of the Highway which is closest to the Canada Post Community mailbox;

   (add new) (aa) with improper or invalid number plates or validation decal;

   (amend) (x) on a paved portion of any highway for a continuous period in excess of seven days other than the zones indicated in Schedule 9 where the time limit is reduced to a period of time no longer than 72 consecutive hours.

Thank you in advance for your consideration with the proposed amendments to the Highway and Traffic Bylaw.

Sincerely,

Samantha Piper
Schedule 9 – (A) Downtown Chilliwack

TIME LIMIT PARKING ZONES – 72 CONSECUTIVE HOURS ONLY

Scale: 1:1,000
Schedule 9 – (B) Sardis

TIME LIMIT PARKING ZONES – 72 CONSECUTIVE HOURS ONLY
Schedule 9 – (C) Garrison

TIME LIMIT PARKING ZONES – 72 CONSECUTIVE HOURS ONLY
Schedule 9 – (D) Promontory

TIME LIMIT PARKING ZONES – 72 CONSECUTIVE HOURS ONLY

[Map of Promontory West Park with highlighted areas and labels for streets and houses]
1. **SUMMARY OF ISSUE:**

Design-Build proposals were received from Sandpiper Contracting LLP/ Wedler Engineering LLP and Timbro Contracting (A Partnership) / Onsite Engineering Ltd for the design and construction of 2019 Utilities Upgrades Project.

A decision to accept a proposal for the design and construction of 2019 Utilities Upgrades Project is required.

2. **RECOMMENDATION:**

Recommendation that Council accept the proposal for the design and construction of "2019 Utilities Upgrades" from the lead proponent, Timbro Contracting (A Partnership) / Onsite Engineering Ltd in the amount of $3,850,200 (plus applicable taxes); and further, that the Mayor and Clerk be authorized to sign any necessary documentation.

3. **FINANCE COMMENTS:**

Funding is allocated within the 2019 Financial Plan funded from the Water and Sewer Funds, General Revenue and the Solid Waste Capital Budget to finance this project.

4. **CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:**

Supports Recommendation.
1. DEFINITION OF ISSUE:

Design-Build proposals were received from Sandpiper Contracting LLP/ Wedler Engineering LLP and Timbro Contracting (A Partnership) / Onsite Engineering Ltd for the design and construction of 2019 Utilities Upgrades Project.

A decision to accept a proposal for the design and construction of 2019 Utilities Upgrades Project is required.

2. BACKGROUND:

2.1 The City of Chilliwack has elected to combine multiple utility upgrades into one combination project in order to realize an innovative financial and technical solution that will deliver the Project in the most efficient and cost-effective manner. The 2019 Utilities Upgrades Project involves Eleven (11) different project locations;

2.2 The proposed project involves the installation of water and sewer mains throughout Chilliwack, the installation of a Pressure Reducing Valve (PRV) and the installation of Bailey Landfill Gas Collection System Civil Works. The aim of the water main installations is to increase supply, fire flow capacity and improve water quality of the existing local area water system to meet the future demands. The aim of the sewer main replacement is to replace aging infrastructure and increase capacity to meet development and catchment area growth. The aim of the Bailey Landfill Gas Collection System Civil works is to connect the new wells to existing collection and treatment infrastructure at the site.

2.3 Project specific details are provided below:

- Project Area #1 – Lewis Avenue Water Main Replacement
  - Approximately 470 meters of 200mm diameter ductile iron water main along Lewis Avenue;

- Project Area #2 – Crestwood / Leary Water Main Replacement
  - Approximately 855 meters of 200mm diameter ductile iron water main installation along Crestwood Drive, Leary Crescent and Haig Drive;
• Project Area #3 – South Sumas (Wiltshire Street to Vedder Road) Sanitary Sewer Upgrade
  o Approximately 440 meters of 450mm diameter PVC sanitary sewer installation along South Sumas Road between Wiltshire Street and Vedder Road;

• Project Area #4a – Yale / Nowell (Young Rd and Empress Ave) Sanitary Sewer Upgrade
  o Approximately 280 meters of 450mm diameter PVC sanitary sewer installation along Nowell Street, between Empress Ave and just past Yale Road, and then west to Young Road along Laneway;

• Project Area #4b – Nowell St Storm Main Upgrade
  o Approximately 50 meters of storm and catch basin replacement;

• Project Area #5 – Jinkerson PRV Station
  o Install a new 200mm diameter PRV station at the intersection of Jinkerson Road and Skyline Drive, between the Zone 2 watermain on Jinkerson Road and the Zone 3 watermain on Skyline Drive;

• Project Area #6 – Fletcher Street (Reece/Mellard) Water Main Upgrading
  o Approximately 135 meters of 200mm diameter ductile iron water main installation along Fletcher St between Reece Avenue and Mellard Avenue;

• Project Area #7 – Mellard Avenue (Victor St and Reece Ave) Water Main Upgrading
  o Approximately 210 meters of 200mm diameter ductile iron water main installation along Mellard Ave between Victor Street and Reece Avenue;

• Project Area #8 – Cleveland Avenue (Young Rd and Victor St) Water Main Upgrading
  o Approximately 280 meters of 200mm diameter ductile iron water main installation along Cleveland Ave between Young Road and Victor Street;

• Project Area #9 – Fletcher Street (Bole/Yale) Water Main Upgrading
  o Approximately 185 meters of 200mm diameter ductile iron water main installation along Fletcher St, replacing the existing 1952 100mm Cast Iron pipe;

• Project Area #10a – Banford Road Water Main Installation
  o Approximately 200 meters of 200mm diameter ductile iron water main installation parallel to the existing 150mm ductile iron water main along Banford Road;
• Project Area #10a - Banford Road Pavement Rehabilitation works
  o Approximately 200 meters of pavement rehabilitation. The objective is to widen
    the roadway and improve pavement condition and crossfall by using a
    combination of milling and asphalt overlay.

• Project Area #11 - Bailey Landfill Gas Collection System Civil Works
  o The Bailey landfill Gas Collection System is required to capture landfill gas from
    the recently completed East Cell of the landfill, as well as supplement existing
    gas collection infrastructure in the older portion of the landfill. Nine new
    vertical gas collection wells will be installed as a separate project in advance,
    and the civil works will connect the new wells to existing collection and
    treatment infrastructure at the site.;

2.4 The attached sketches, Figures 1 and 2, identify the general locations of the proposed
works.

3. FACTORS:

3.1 Targa Contracting (2103) Ltd / CitWest Consulting Ltd., who had been invited to submit
a proposal, did not submit a proposal prior to the RFP closing deadline and therefore
they were disqualified.

3.2 Proposals were submitted in a three-envelope system, with Envelope No. 1 containing
submittal letters, Envelope No. 2 containing the financial proposal and Envelope No. 3
containing the technical proposal.

3.3 The submittal letters package was first evaluated against all the mandatory
requirements;

3.4 The technical proposals were reviewed for completeness and an approach that meets
the purpose, intent and requirements of the RFP.

3.5 The evaluation committee evaluated each technical proposal based on the following
criteria:
a. Project Management Plans;
b. Construction Management Plans; and
c. Technical Reports.

3.6 Clarifications were obtained from proponents, prior to opening the financial proposals
by the City of Chilliwack treasury department, to determine the additional cost
required to rectify design issues identified by the evaluation committee;
3.7 The table below summarizes the proposal price (excluding GST) and points awarded for technical elements:

<table>
<thead>
<tr>
<th>Proponent Name</th>
<th>Base Price</th>
<th>Adjusted Price</th>
<th>Technical Points</th>
<th>Price Points</th>
<th>Total Points</th>
<th>Ranking</th>
</tr>
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<tbody>
<tr>
<td>Timbro Contracting/Onsite Engineering</td>
<td>$3,795,400.00</td>
<td>$3,850,200.00</td>
<td>37.55</td>
<td>55.00</td>
<td>92.55</td>
<td>1</td>
</tr>
<tr>
<td>1. Onsite Engineering Ltd.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sandpiper Contracting LLP/Wedler</td>
<td>$4,344,043.00</td>
<td>$4,511,473.00</td>
<td>38.10</td>
<td>40.83</td>
<td>78.93</td>
<td>2</td>
</tr>
<tr>
<td>Engineering LLP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3.8 The technical evaluation revealed that all firms had a good understanding of the scope of work which was evident in their comprehensive reports;

3.9 Timbro Contracting / Onsite Engineering Ltd. has been deemed the lead proponent based on the highest total points;

3.10 Timbro Contracting / Onsite Engineering Ltd. has submitted a compliant proposal;

3.11 Sufficient funding for this $3,850,200 project has been provided in the current Financial Plan from the Water and Sewer Funds, General Revenue and the approved Solid Waste Capital Budget.

4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that Council accept the proposal for the design and construction of “2019 Utilities Upgrades Project” from the highest ranked proponent, Timbro Contracting / Onsite Engineering Ltd. in the amount of $3,850,200.00 (plus applicable taxes); and further, that the Mayor and Clerk be authorized to sign any necessary documentation.

Substantiation:

The proposed project will provide cost efficiency by combining road rehabilitation, water and sewer main installation, and Bailey Landfill gas collection system works throughout Chilliwack. The Water main installation works will increase supply, fire flow capacity and improve water quality of the existing local area water system to meet the future demands. The sewer main replacement will replace aging infrastructure and increase capacity to meet development and catchment area growth. The Bailey Landfill gas collection system civil works will capture landfill gas from the recently completed East Cell of the landfill, as well as supplement existing gas collection infrastructure in the older portion of the landfill. The road rehabilitation works will improve the condition of the failing roadway, drivability and safety of the users.
Figure 1: Project areas #1, #4, #6, #7, #8, #9 and #10 – Chilliwack North

Project Area #10 – Banford Road Watermain Upgrade

Project Area #4 – Yale/Nowell Sanitary Sewer Upgrade

Project Area #7 – Mellard Ave Watermain Upgrade

Project Area #6 – Fletcher St (Reece and Mellard) Watermain Upgrade

Project Area #8 – Cleveland Ave Watermain Upgrade

Project Area #9 – Fletcher St (Bole/Yale) Watermain Upgrade

Project Area #1 – Yale Road Watermain Upgrade
Figure 2: Project area #2, #3, #5 and #11 – Chilliwack South

- Project Area #2 – Crestwood/Leary Watermain Upgrade
- Project Area #3 – South Sumas Sanitary Sewer Upgrade
- Project Area #11 – Bailey Landfill Civil Works
- Project Area #5 – Jinkerson Road PRV

Scale: 1:32,000

Data accuracy not guaranteed
AGENDA ITEM NO: 7-B-3

MEETING DATE: March 05, 2019

STAFF REPORT – COVER SHEET

SUBJECT: Grant Funding Application – Green Infrastructure – Climate Change Mitigation – CleanBC Communities Fund

DATE: February 25, 2019

DEPARTMENT: Engineering

PREPARED BY: Chandra Naiduwa

1. SUMMARY OF ISSUE:

The Province of British Columbia announced provincial funding for the Canada – British Columbia Green Infrastructure – Climate Change Mitigation – CleanBC Communities Fund Program. To prepare grant funding application submission for infrastructure design and construction, Chilliwack must consider and finalize project funding application. A Council resolution is required indicating support for the project.

2. RECOMMENDATION:

That Council approve the submission of grant funding application for Design and Construction of an Organic Food Waste Receiving and Pre-Processing Station and Digester # 4 at the Wastewater Treatment Plant under Federal / Provincial Green Infrastructure – Climate Change Mitigation – CleanBC Communities Fund.

D. A. Blain, Director of Planning and Engineering

3. FINANCE COMMENTS:

Council authority is required by Provincial/Federal grant funding agencies to approve the project priority. The City has funding in place within the Financial Plan to fund the City’s 26.67% funding for the Organic Food Waste Receiving and Pre-Processing Station and Digester # 4 Project.

Glen Savard, Director of Finance

4. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

Supports recommendation.

Peter Montelth, CAO
1. DEFINITION OF ISSUE:

The Province of British Columbia announced provincial funding for the Canada – British Columbia Green Infrastructure – Climate Change Mitigation – CleanBC Communities Fund Program. To prepare grant funding application submission for infrastructure design and construction, Chilliwack must consider and finalize project funding application. A Council resolution is required indicating support for the project.

2. BACKGROUND:

2.1 The Government of Canada & the Province of British Columbia introduced the Green Infrastructure – Climate Change Mitigation – CleanBC Communities Fund in December 2018 that support the management of renewable energy, access to clean energy transportation, improved energy efficiency of buildings and the generation of clean energy.

2.2 The Canada & the Province of British Columbia have partnered on the Investing in Canada Infrastructure Program (ICIP) to fund Green; Community; Culture and Recreation; Public Transit; and Rural and Northern Communities Infrastructure. On December 18, 2018 an application intake opened for the CleanBC Communities Fund (CCF) under the Green Infrastructure – Climate Change Mitigation sub-stream of ICIP. Grant applications are to be submitted by March 27, 2019.

2.3 The Green Infrastructure – Climate Change Mitigation – CleanBC Communities Fund is an infrastructure program that will provide grant funding in the management of renewable energy, access to clean-energy transportation, improved energy efficiency of buildings or the generation of clean energy.

2.4 Staff identified two possible projects for the funding application: 1) electric vehicle charge stations for several City-owned facilities and 2) generating additional biogas (clean energy) at the Wastewater Treatment Plant (WWTP) through the anaerobic digestion of food waste. Although either project would be beneficial, the scope of the biogas project is much larger and therefore offers more significant environmental and economic benefits for the community should the funding application be successful.

2.5 All local governments throughout the province are eligible to submit only one (1) application for funding. Approved project will be cost shared 40% by the Government of Canada and 33.33% by the Province of British Columbia, with the remaining 26.67% to be funded by the local government.
2.6 The City of Chilliwack completed Biogas Feasibility Study in 2018 to determine the feasibility of introducing pre-processed food waste with Wastewater Treatment Plant (WWTP) residual solids as a means to increase biogas production and the amount of surplus or "net" biogas available which subsequently could be upgraded to the higher-value product of biomethane.

2.7 The study concluded that the introduction of organic food waste into the existing Digester will increase the total biogas volume generated by about 30% relative to the current biogas production at the existing Wastewater Treatment Plant.

2.8 The existing Digester #3 at the Wastewater Treatment Plant (WWTP) is currently reaching its capacity and therefore, Digester #4 is required to be constructed along with an Organic Food Waste Receiving and Pre-processing Station to receive organic food waste for co-digestion with WWTP residual solids at the plant.

2.9 Currently, the City collects mixed food and yard waste from residents on the curbside collection program, and the materials are composted at Net Zero Waste. As the Fraser Valley Regional District implements its regional sorting requirements for other sectors, there will be an increased need for local facilities capable of processing food waste. The proposed system would be able to accept food waste from the food services and processing sector, and process the waste to generate clean energy.

2.10 Both composting and anaerobic digestion help divert organic waste away from the landfill to reduce greenhouse gas emissions. Using anaerobic digestion to produce biogas offers the additional benefit of generating a clean, carbon neutral energy source. The renewable natural gas created through anaerobic digestion would reduce greenhouse gas emissions by displacing conventional natural gas.

2.11 The overall project cost is $9 Million. The City has funding in place within the current 10-year Capital Expenditure Plan to fund the City's portion of 26.67% for the Design & Construction of Digester #4 and the Organic Food Waste Receiving and Pre-Processing Station Project.

2.12 The City is in discussion with FortisBC to sell upgraded biogas from the current Wastewater Treatment Plant operation, to be introduced into its natural gas distribution system. The proposed project would significantly increase the amount of biogas generated at the Wastewater Treatment Plant and enhance the cost/benefit of this project.

2.13 If grant funding is approved, the projects must be completed within a period of five to six years.

2.14 Other Infrastructure grant funding programs may be announced by the Government of Canada & the Province of British Columbia in the future. Staff will bring forward project priorities lists for Council consideration when official funding announcements are made.
2.15 The City of Chilliwack submitted a grant funding application to replace the existing Inlet Works at the Wastewater treatment Plant under the Canada – British Columbia Green Infrastructure – Environmental Quality Program in August 2018 and the application is currently under review by the Ministry staff.

3. RECOMMENDATION & SUBSTANTIATION:

That Council approve the submission of grant funding application for Design and Construction of an Organic Food Waste Receiving and Pre-Processing Station and Digester # 4 at the Wastewater Treatment Plant under Federal / Provincial Green Infrastructure – Climate Change Mitigation – CleanBC Communities Fund.
1. SUMMARY OF ISSUE:

Public tenders have been received for one “Backhoe Loader” (Tender No. 2019-02); further explanation on the tenders received is contained within this staff report. A decision is required to accept the recommended tender as detailed below;

<table>
<thead>
<tr>
<th>Company</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Finning (Canada)</td>
<td>$180,650.00</td>
</tr>
<tr>
<td>Inland Kenworth Ltd.</td>
<td>$184,000.00</td>
</tr>
<tr>
<td>Brandt Tractor</td>
<td>$189,500.00</td>
</tr>
</tbody>
</table>

2. RECOMMENDATION:

Recommendation that Council award the tender for one “Backhoe Loader” to Finning (Canada) in the amount of $180,650.00 (plus applicable taxes); and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.

[Signature]
Glen MacPherson, Director of Operations

3. FINANCE COMMENTS:

Funding has been allocated within the 2019 Financial Plan, funded from the Equipment Replacement Reserve Fund.

[Signature]
Glen Savard, Director of Finance

4. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

Supports recommendation.

[Signature]
Peter Monteith, CAO
STAFF REPORT ON
TENDER 2019-02 – BACKHOE LOADER

PREPARED BY: Jake Nesbitt DATE: February 15, 2019
POSITION: Fleet Operations Manager DEPARTMENT: Operations

1. DEFINITION OF ISSUE:

Public tenders have been received for “Backhoe Loader”. A decision is required to accept the recommended tender.

2. TENDER SUBMISSION DETAILS:

<table>
<thead>
<tr>
<th>Company</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Finning (Canada)</td>
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<tr>
<td>Inland Kenworth Ltd.</td>
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</tr>
<tr>
<td>Brandt Tractor</td>
<td>$189,500.00</td>
</tr>
<tr>
<td>Rollins Machinery Limited</td>
<td>Non-compliant</td>
</tr>
</tbody>
</table>

3. RECOMMENDATION & SUBSTANTIATION:

Rollins Machinery Limited has voluntarily withdrawn their tender submission after clarification questions determined that the tender submitted by Rollins Machinery Limited is non-compliant with the tender specifications.

The tender submitted by Finning (Canada) is the lowest compliant bid and should be accepted.

Recommendation that Council award the tender for one “Backhoe Loader” to Finning (Canada) in the amount of $180,650.00 (plus applicable taxes); and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.
1. SUMMARY OF ISSUE:

Public tenders have been received for a “4x2 Garbage Packer” (Tender No. 2019-03); further explanation on the tenders received is contained within this staff report. A decision is required to accept the recommended tender as detailed below;

<table>
<thead>
<tr>
<th>Company</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fort Fabrication and Welding Ltd.</td>
<td>$139,238.00</td>
</tr>
<tr>
<td>Vimar Equipment</td>
<td>$142,964.00</td>
</tr>
<tr>
<td>Hino Central</td>
<td>$144,063.00</td>
</tr>
<tr>
<td>Rollins Machinery Limited</td>
<td>$156,400.00</td>
</tr>
</tbody>
</table>

2. RECOMMENDATION:

Recommendation that Council award the tender for one “4x2 Garbage Packer” to Fort Fabrication and Welding Ltd. in the amount of $139,238.00 (plus applicable taxes); and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.

Glen MacPherson, Director of Operations

3. FINANCE COMMENTS:

Funding has been allocated in the 2019 Financial Plan funded from General Revenue.

Glen Savard, Director of Finance

4. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

Supports recommendation.

Peter Monteith, CAO
1. DEFINITION OF ISSUE:

The approved 2019 financial plan includes funding for the acquisition of a new garbage truck (or “garbage packer”) which will enable Operations to increase service levels for downtown clean up.

Public tenders have been received for one “4x2 Garbage Packer”. A decision is required to accept the recommended tender.

2. TENDER SUBMISSION DETAILS:

<table>
<thead>
<tr>
<th>Company</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fort Fabrication and Welding Ltd.</td>
<td>$139,238.00</td>
</tr>
<tr>
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</tr>
<tr>
<td>Hino Central</td>
<td>$144,063.00</td>
</tr>
<tr>
<td>Rollins Machinery Limited</td>
<td>$156,400.00</td>
</tr>
</tbody>
</table>

3. RECOMMENDATION & SUBSTANTIATION:

The tender submitted by Fort Fabrication and Welding Ltd. is the lowest compliant bid and should be accepted.

Recommendation that Council award the tender for one “4x2 Garbage Packer” to Fort Fabrication and Welding Ltd. in the amount of $139,238.00 (plus applicable taxes); and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.
1. SUMMARY OF ISSUE:

The original part of the City Hall building is not sprinkled and to protect the asset a tender package was released for interested parties to provide pricing to sprinkle that area of the building. The tender has closed and two companies provided pricing for the work.

Elite Fire Protection Ltd. - $139,654.00  
TDN Constructors Group Inc. - $168,680.00

2. RECOMMENDATION:

Recommendation that Council award the tender for the City Hall Sprinkler System to Elite Fire Sprinkler Ltd. in the amount of $139,654.00 (plus applicable taxes); and further that the Mayor and Corporate Officer be authorized to sign any necessary documentation.

Ryan Mulligan, Director of Recreation & Culture

3. FINANCE COMMENTS:

Funding for this initiative has been allocated within the approved 2019 Financial Plan.

FR: Glen Savard, Director of Finance

4. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

Supports recommendation.

Peter Monteith, CAO
1. SUMMARY OF ISSUE:

Section 204 of the Community Charter requires local governments to convene a Parcel Tax Roll Review Panel each year. The purpose of the Panel is to hear errors or omissions regarding the Local Area Service Assessment Roll. The members of the Panel are then required to direct the Collector to make corrections as necessary.

2. RECOMMENDATION:

That Council set the date and time for the 2019 Parcel Tax Roll Review Panel as March 19, 2019 at 2:30 PM.

Glen Savard, Director of Finance

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.

Peter Monteith, CAO
1. SUMMARY OF ISSUE:

Section 204 of the Community Charter requires local governments to convene a Parcel Tax Roll Review Panel each year. The purpose of the Panel is to hear errors or omissions regarding the Local Area Service Assessment Roll. The members of the Panel are then required to direct the Collector to make corrections as necessary.

2. FACTORS:

Annual tax rates set by the City of Chilliwack are predominantly variable rates, applied against the assessed value of taxable properties. However, some special levies are charged on a different basis, either as a parcel tax, which is charged against each property at a standard uniform charge, or as a frontage or area tax, which varies between properties based on the size of the property.

The Parcel Tax Roll Review Panel, consisting of three members of Council, must meet each year should taxpayer complaints be received in writing, related to parcel taxes. Section 205(1) limits complaints that can be made to the Panel to errors or omissions in the names of the owners of the property, the actual and taxable assessment for each parcel, or the inclusion of a parcel. If such an error is found, the members of the Panel must direct the Collector to amend the assessment roll before the parcel taxes can be charged.

Several parcel taxes, as listed in the attached Schedule A, are currently charged in the City of Chilliwack.

3. RECOMMENDATION:

That Council set the date and time for the 2019 Parcel Tax Roll Review Panel as March 19, 2019, at 2:30 PM.
Local Court of Revision  
Schedule A  
Current Parcel Charge Bylaws

<table>
<thead>
<tr>
<th>Bylaw Number</th>
<th>Bylaw Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>2971</td>
<td>2003 Sanitary Sewer Construction Bylaw - Tyson / Watson</td>
</tr>
<tr>
<td>3038</td>
<td>2004 Sanitary Sewer Construction Bylaw - Lickman Road</td>
</tr>
<tr>
<td>3190</td>
<td>2005 Water Construction Authorization - Clover Drive</td>
</tr>
<tr>
<td>3191</td>
<td>2005 Sewer Construction Authorization - Clover Drive</td>
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<td>2007 Sewer Construction Authorization - Cattermole</td>
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<td>3694</td>
<td>2010 Sanitary Sewer Construction Bylaw - Tyson / Stevenson</td>
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<tr>
<td>4022</td>
<td>2014 Waterworks Construction Authorization - McConnell to Standeven Area</td>
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<tr>
<td>4045</td>
<td>2014 Business Improvement Area Bylaw</td>
</tr>
<tr>
<td>4137</td>
<td>2015 Highway Paving Authorization Bylaw - Smith Road</td>
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</table>
1. SUMMARY OF ISSUE:

The applicant wishes to rezone a portion of the subject property from an R1-A (One Family Residential) Zone to an R1-D (Infill Small Lot One Family Residential) Zone to facilitate a future subdivision. Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to property located at 45965 Higginson Road.

2. RECOMMENDATION:

Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4663”, which proposes to rezone a portion of the property located at 45965 Higginson Road from an R1-A (One Family Residential) Zone to an R1-D (Infill Small Lot One Family Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for March 19, 2019. (RZ001292)

David Blain
Director of Planning & Engineering

3. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

Supports recommendation.

Peter Monteith
Chief Administrative Officer
1. **DEFINITION OF ISSUE:**

   The applicant wishes to rezone a portion of the subject property from an R1-A (One Family Residential) Zone to an R1-D (Infill Small Lot One Family Residential) Zone to facilitate a future subdivision. Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to property located at 45965 Higginson Road.

2. **BACKGROUND / PROPOSAL:**

   The requested rezoning is to facilitate a two lot subdivision on the subject property. As shown in the conceptual site plan, the property is of sufficient size and dimensions to accommodate a subdivision under the R1-A and R1-D Zoning. As part of the proposal, the applicant intends on removing the existing single family dwelling to construct a new residence on each of the resulting lots.

   Final lot layout must comply with City Bylaws and include connection to City sewer and storm main frontage works at time of subdivision to support road urbanization and private property drainage. Urban half road frontage works, complete with high back curb and LED street lighting, is required at time of subdivision. A Geotechnical Engineer will be required to supervise any associated excavation works at time of Building Permit.

   In addition, as Higginson Road is identified as a *Future Neighbourhood Bike Route* in the Chilliwack Cycle Vision plan, curb alignment will be required at time of subdivision to accommodate future on-street bike facilities. The resulting driveways will be limited to a 4m width as per Infill Development Policies. In order to provide adequate off-street parking and ensure protection of the bike lane, the applicant has voluntarily included a parking pocket as part of the required urban frontage works along Higginson Road at time of Building Permit.

3. **FACTORS:**

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

   OCP Designation: "Low Density Residential"

   Current Land Use: Single family dwelling (to be removed at time of subdivision)
3.2 Neighbourhood Character

The subject property is located within a residential neighbourhood of Sardis. The property is situated mid-block along Higginson Road and is immediately surrounded by properties zoned R1-A on its east, west and north sides, whereas properties across the road properties are zoned either R1-A, RR (Rural Residential), OR (Outdoor Recreation) or CD-26 (Comprehensive Development – 26). The area has experienced some infill development of its larger lots as indicated by properties zoned R3 (Small Lot One Family Residential) and R1-C (One Family Residential – Accessory) located to the east. The property is also within proximity to several amenities, including Hill Park, Davis Park, Kinkora Golf Course and the Vedder Pointe plaza.

The City’s Infill Development Policies support the development of additional residential units to accommodate greater density at an appropriate scale. The policies aim to provide both a mix of housing types and the creation of more affordable housing options where it can be achieved without altering the fundamental form or functionality of the neighbourhood. As the neighbourhood is predominantly characterized by a mix of rancher-style and two-storey single family homes, the future development of new single family homes will maintain both the built form and low residential density of the area. In this instance, the applicant has given consideration to the resulting house placement to ensure it remains consistent with existing setbacks in the surrounding neighbourhood and to utilize a layout which optimizes off-street parking and front landscaping for an attractive streetscape along Higginson Road.

3.3 Technical Issues

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

4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4663”, which proposes to rezone a portion of the property located at 45965 Higginson Road from an R1-A (One Family Residential) Zone to an R1-D (Infill Small Lot One Family Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for March 19, 2019. (RZ001292)

Substantiation:

Rezoning a portion of the subject property to the R1-D Zone is consistent with its “Low Density Residential” designation and would facilitate future subdivision and redevelopment in an area with available service capacity and amenities. Furthermore, the proposal is supported by the objectives
outlined within the City’s Infill Development Policies and the OCP, which aim to provide increased density at an appropriate scale and offer a mix of affordable housing options, while also maintaining the fundamental form and functionality of the neighbourhood. In consideration of potential parking concerns, the applicant has ensured the resulting house placement optimizes off-street parking and front landscaping for an attractive streetscape along Higginson Road.

5. SOURCES OF INFORMATION:

- Development Application Review Team (DART) Minutes – September 27, 2018
- Rezoning (RZ001292) Application – August 30, 2018
Conceptual Site Plan (as provided by the applicant)

**LOT A**
- 12,142 sq ft
- 200 sq ft
- 2 stalls
- Total Proposed Parking - 4 stalls

**LOT B**
- 12,142 sq ft
- 200 sq ft
- 2 stalls
- Total Proposed Parking - 4 stalls

**HIGGINS ROAD**

**NOTES:**
- Proposed residence to have parking for two vehicles in the garage.
- Proposed residence to have parking for two vehicles in the garage.
City of Chilliwack

Bylaw No. 4663

A bylaw to amend the “Zoning Bylaw 2001, No. 2800”

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 2019, No. 4663”.

2. “Zoning Bylaw 2001, No. 2800” is hereby further amended by rezoning a portion of property described as PID: 003-273-067, Lot 62 Except: Part Subdivided by Plan 72493; District Lot 267 Group 2 New Westminster District Plan 29204, as shown on Schedule “A” attached hereto and forming part of this Bylaw, from an R1-A (One Family Residential) Zone to an R1-D (Infill Small Lot One Family 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 a portion of property located at 45965 Higginson Road.
“Zoning Bylaw Amendment Bylaw 2019, No. 4663”
Schedule “A”

BEAUFORT ROAD

IVY AVENUE

HIGGINSON ROAD

45965
1. SUMMARY OF ISSUE:

The applicant wishes to rezone the subject property from an R1-A (One Family Residential) Zone to an R3 (Small Lot One Family Residential) Zone to facilitate a future subdivision. Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to property located at 46066 Southlands Crescent.

2. RECOMMENDATION:

Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4664”, which proposes to rezone property located at 46066 Southlands Crescent from an R1-A (One Family Residential) Zone to an R3 (Small Lot One Family Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for March 19, 2019. (RZ001314)

David Blain  
Director of Planning & Engineering

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.

Peter Monteith  
Chief Administrative Officer
1. DEFINITION OF ISSUE:

The applicant wishes to rezone the subject property from an R1-A (One Family Residential) Zone to an R3 (Small Lot One Family Residential) Zone to facilitate a future subdivision. Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to property located at 46066 Southlands Crescent.

2. BACKGROUND / PROPOSAL:

The requested rezoning is to facilitate a two lot subdivision on the subject property. Although no site plan has been submitted, the property is of sufficient size and dimensions to accommodate subdivision under the proposed R3 Zone.

The final lot layout must comply with City Bylaws and include urban half road frontage works, complete with LED street lighting, at time of subdivision. As Southlands Crescent is classified as a Local Road (requiring 20m road width), road dedication of approximately 1.62m is required for future road widening at time of subdivision. The applicant has voluntarily agreed to increase the front lot line setback for the resulting driveways/garage from 4.5m to 6m to ensure adequate off-street parking is provided on-site and minimum parking space dimensions are met.

3. FACTORS:

3.1 2040 Official Community Plan (OCP) / Land Use

OCP Designation: "Low Density Residential"

Current Land Use: Single family detached dwelling (to be removed at time of subdivision).

3.2 Neighbourhood Character

The subject property is located within a mature residential neighbourhood of Chilliwack Proper and is situated on the south side of Southlands Crescent. The property is surrounded by properties zoned R1-A on its east, west and north sides, while the property backs onto a bareland strata subdivision zoned R3. The property is also within walking distance to several public amenities, such as Robertson Elementary, Skelton Park and City Hall.
The City's Infill Development Policies supports the development of additional residential units to accommodate greater density at an appropriate scale. The policies aim to provide both a mix of housing types and the creation of more affordable housing options where it can be achieved without altering the fundamental form or functionality of the surrounding neighbourhood. As the neighbourhood is predominantly characterized by a mix of mature yet well-maintained rancher-style duplexes and single family homes, the future development of new single family homes will maintain the built form and overall density of the area. However, ground entry homes with living quarters above will likely be constructed in order to comply with the Flood Construction Level (FCL), creating a height differentiation with some of the surrounding lots. Both the existing R1-A Zone and proposed R3 Zone allow for a maximum height of 10m. Given the FCL requirements, any new construction in the area is likely to maximize allowable height.

3.3 Technical Issues

Floodplain: The subject property is located within the protected floodplain, and as such, is 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. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that "Zoning Bylaw Amendment Bylaw 2019, No. 4664", which proposes to rezone property located at 46066 Southlands Crescent from an R1-A (One Family Residential) Zone to an R3 (Small Lot One Family Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for March 19, 2019. (RZ001314)

Substantiation:

Rezoning the subject property to the R3 Zone is supportable as the proposal would facilitate future subdivision and redevelopment in an area with available service capacity and public amenities. The proposal is further supported by the objectives outlined within the OCP and Infill Development Policies through the development of a wide range of housing types to address diverse family needs while not disrupting the fundamental form and functionality of the neighbourhood.

5. SOURCES OF INFORMATION:

- Rezoning Application (RZ001314) – October 23, 2018
- Development Application Review Team (DART) Minutes – November 22, 2018
City of Chilliwack

Bylaw No. 4664

A bylaw to amend the “Zoning Bylaw 2001, No. 2800”

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 2019, No. 4664”.

2. “Zoning Bylaw 2001, No. 2800” is hereby further amended by rezoning property described as PID: 010-352-139, Lot “D” District Lot 342 Group 2 New Westminster District Plan 18303, from an R1-A (One Family Residential) Zone to an R3 (Small Lot One Family 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 46066 Southlands Crescent.
"Zoning Bylaw Amendment Bylaw 2019, No. 4664"
1. **SUMMARY OF ISSUE:**

The proposal is to amend a portion of the subject property's Official Community Plan designation from "Comprehensive Development Area" to "General Industrial" and to rezone the property from an SCR (Suburban Clustered Residential) Zone to a CD-14 (Comprehensive Development) Zone and an RSV1 (Limited Use Reserve) Zone (remnant) to facilitate future industrial uses and retain the undevelopable portions in a natural state.

Under Section 475 of the Local Government Act, a local government is required to determine whether referral to provincial/federal agencies or First Nations, in addition to the Public Hearing, is appropriate. In this instance, OCP pre-consultation with provincial / federal agencies or First Nations is not considered necessary given the proposal is not anticipated to directly impact those agencies due to the location of the property.

2. **RECOMMENDATION:**

Recommendation that Council direct staff to not pre-consult with provincial and federal agencies or First Nations with respect to the subject application which proposes to redesignate the subject property located at 8395 Chilliwack Mountain Road Official Community Plan designation from "Comprehensive Development Area" to "General Industrial". (RZ001282)

David Blain
Director of Planning & Engineering

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

Supports recommendation.

Peter Monteith
Chief Administrative Officer
1. SUMMARY OF ISSUE:

BC Housing is proposing to develop the site for a 20-bed recovery facility for youth ages 13-19 years old. The subject property is located within the protected floodplain area and subject to the Floodplain Regulation Bylaw 2018, No. 4519. In order for the new building to meet the requirements of the Floodplain Bylaw, the building must be sited a minimum of 2.2m above grade.

In lieu of siting the building at grade, the applicant wishes to apply for a “Site Specific Exemption” in accordance with Provincial Guidelines and Schedule “B” of the Floodplain Regulation Bylaw 2018, No. 4519. The granting of this exemption would allow for the building to be sited at grade, subject to issuance of a building permit.

2. RECOMMENDATION:

Recommendation that, subject to a Section 219 covenant being entered into as outlined in the staff report, Council grant a “Site Specific Exemption” for the 20-bed recovery facility at 45456 Yale Road, in accordance with the relevant Provincial enactments and “Floodplain Regulation Bylaw 2018, No. 4519” and Schedule “B” of the said Bylaw.

David Blain
Director of Planning and Engineering

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.

Peter Monteith
Chief Administrative Officer
1. DEFINITION OF ISSUE:

BC Housing is proposing to develop the site for a 20-bed recovery facility for youth ages 13-19 years old. The subject property is located within the protected floodplain area and subject to the Floodplain Regulation Bylaw 2018, No. 4519. In order for the new building to meet the requirements of the Floodplain Bylaw, the building must be sited a minimum of 2.2m above grade.

In lieu of siting the building at grade, the applicant wishes to apply for a “Site Specific Exemption” in accordance with Provincial Guidelines and Schedule “B” of the Floodplain Regulation Bylaw 2018, No. 4519. The granting of this exemption would allow for the building to be sited at grade, subject to issuance of a building permit.

2. PROPOSAL:

The proposal is to provide a licensed care facility, funded by BC Housing and Fraser Health, for the treatment and recovery of teenagers with drug and alcohol addictions. The facility will provide meals, group therapy, schooling and accommodation on site. The facility will differ from unlicensed supportive recovery homes as many of the operating standards such as screening, programming, nutrition, staff competencies and staff-to-client ratios will need to meet the Community Care and Assisted Living Act requirements.

A Development Permit has been approved and issued for the proposed development and the applicant intends to submit a Building Permit application in the near future. As noted at the time of rezoning, a Section 219 Covenant is required to be registered on the title of the property indicating the reduction to flood proofing requirements.

3. BACKGROUND:

Western Geotechnical Consultants Ltd. has provided supporting documentation for this exemption (see letter attached) and indicates that the proposed floor elevation of approximately 10m for the housing will not meet the required Flood Construction Level (FCL) of 12.2m (11.6m plus 0.6m freeboard). Given the flooding risks of not meeting the FCL, the applicant suggests that consideration be given for a priority response plan.

In light of the above, it is recommended that BC Housing enter into a covenant registered on title under Section 219 of the Land Title Act with the following provisions:
i. details of what the structure is used for;
ii. acknowledgement that the structure is located on a floodplain and could be subject to damage caused by flooding;
iii. details of some required measures that reduce or mitigate the risk of flood; and,
iv. an indemnity agreement by the owner to indemnify the City from any damages with regard to the flooding of the property or flood damage to land, structures and the contents thereof as a result of the housing being at the subject location.

BC Housing acknowledges the risk associated with the request and has agreed to enter into the above noted indemnity agreement (see letter attached). As a Provincial agency they are self-insured to meet Provincial Guidelines.

4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that, subject to a Section 219 covenant being entered into as outlined in the staff report, Council grant a “Site Specific Exemption” for the 20-bed recovery facility at 45456 Yale Road, in accordance with the relevant Provincial enactments and “Floodplain Regulation Bylaw 2018, No. 4519” and Schedule “B” of the said Bylaw.

Substantiation:

The requested “Site Specific Exemption” is considered supportable as a Professional Engineer has submitted documentation in accordance with Provincial Guidelines and City of Chilliwack “Guidelines for Application for Site-Specific Exemption.” Furthermore, BC Housing has agreed to enter into an indemnity agreement to indemnify the City from any damages with regard to the flooding of the property, or flood damage to land, structures or contents.

5. SOURCES OF INFORMATION:

- Western Geotechnical Consultants Ltd. – February 6, 2019, Site Specific Exemption Application
- BC Housing – January 29, 2019, Site Specific Exemption Request
- Floodplain Regulation Bylaw 2018, No. 4519

6. ATTACHMENTS:

- Western Geotechnical Consultants Ltd. – February 6, 2019, Site Specific Exemption Application
- BC Housing – January 29, 2019, Site Specific Exemption Request
February 19, 2019

City of Chilliwack
8550 Young Road
Chilliwack, BC, V2P 8A4

Dear Mayor and Council,

Re: **Site-Specific Exemption Request for Youth Treatment Centre**
Located at 45456 Yale Road, Chilliwack, BC (the “Project”)

BC Housing is requesting a Site-Specific Exemption from the City of Chilliwack Floodplain Regulation Bylaw 2018, No. 4519 to facilitate the development of a Youth Treatment Centre located at 45456 Yale Road, Chilliwack. The site is owned by Provincial Rental Housing Corporation (“PRHC”). PRHC is the land holding corporation for provincially owned social housing. BC Housing administers activities on behalf of PRHC. BC Housing is authorized to act on its own behalf and also for PRHC.

The site is within the Fraser River flood plain and is therefore subject to the City of Chilliwack flood construction level of 11.6 meters geodetic and freeboard of 0.6 meters. This requirement would mean that the habitable spaces of all buildings must be elevated above elevation 12.2 meters geodetic. Currently the site grade is at approximate elevation of 10 meters, 2.2 meters below the required flood construction plus freeboard level.

As noted in the staff report regarding rezoning for the site, the proposed building will not be sited to meet the requirements of the Floodplain Regulation Bylaw and, as such, an engineer must be engaged to submit an application for a “Site-Specific Exemption” in order to waive/reduce the floodproofing requirements. Submission of the requested document is to follow this letter.

By way of this letter, BC Housing, as project funder and as a self-insured provincial agency, acknowledges the risk associated with the requested exemption and agrees to absolve the City of Chilliwack of any liability with respects to the flooding of the property, or flood damage to land, structures, and contents thereof, and will coordinate with the City to register a restrictive covenant under Section 219 of the Land Title Act, in accordance with the City of Chilliwack Floodplain Regulation Bylaw 2018, No. 4519.

Sincerely,

Melvin Lee
Development Manager
BC Housing
February 19, 2019  
Project No: WG1-1463

City of Chilliwack  
8550 Young Road  
Chilliwack, B.C.  
V2P 8A4

Attention: Mayor and Council

Re: Site Specific Exemption Application Request for Proposed Youth Centre – Revision 01  
45456 Yale Road, Chilliwack, B.C.

Western Geotechnical Consultants Ltd. (WesternGeo) was requested to present this letter regarding the exemption of the proposed one (1) storey youth facility centre from Floodplain Regulation Bylaw 2018, No. 4519.

It is understood that this proposed center will be located at 45456 Yale Road, Chilliwack. The current site grade is at approximate elevation of ±10 meters, 2.2 meters below the required flood construction plus freeboard level as required by City of Chilliwack's Floodplain Regulation Bylaw 2018, No. 4519.

WesternGeo reviewed the geotechnical report and the site condition to prepare this letter. It is understood that the Floodplain Regulation Bylaw 2018, No. 4519 requires the building to be built above flood construction level to protect the people living in the building in the event of flooding.

From geotechnical point of view, flood will not influence the construction procedure. Also, from WesternGeo's local experience and geotechnical point of view, flood will not influence the foundation stability. Flood plain protection can be exempted if people living in the building can make a safe exit from the building in the event of flooding.

WesternGeo is aware of that, BC Housing submitted a letter to the City of Chilliwack dated on January 29, 2019 to request site specific exemption for the Youth Treatment Centre and acknowledges the risk associated and agrees to absolve the City of Chilliwack of any liability with respects to the flooding of the property or flood damage to land, structures, and contents thereof, and will coordinate with the City to register a restrictive covenant under Section 219 of the Land Title Act, in accordance with the City of Chilliwack's Floodplain Regulation Bylaw 2018, No. 4519.

---

Contact: 20 - 3275 McCallum Road, Abbotsford, B.C. V2S 7W8 | t. 604.385.4244 | f. 604.385.4245 | e. smull@westergen.ca | www.westergen.ca
WesternGeo agrees that if the City of Chilliwack can exempt the flood protection, it will provide a suitable framework to move this project forward. The exemption of the flood protection will not influence this project from a geotechnical engineering standpoint.

Yours truly,

Western Geotechnical Consultants Ltd.

Prepared by:

Montasir Islam, M.Sc., EIT
Geotechnical Engineer in Training

CC: BC HOUSING
    Archway Construction Ltd.

Attachments: Topographic Survey by Cameron Land Surveying Ltd.
             Site Location Plan (Source: City of Chilliwack Webmap)
**MEMORANDUM**

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<tr>
<th>To:</th>
<th>Par Hajisaeid</th>
<th>Project Manager</th>
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<tr>
<td>Date:</td>
<td>February 14, 2019</td>
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<tr>
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<tr>
<td>Company:</td>
<td>Archway Construction Ltd.</td>
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<td>604 568 8129 (Ext. 105)</td>
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<td>E.</td>
<td><a href="mailto:parham@archwayconstruction.ca">parham@archwayconstruction.ca</a></td>
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<tr>
<td>Cc:</td>
<td>Melvin Lee</td>
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<td>E.</td>
<td><a href="mailto:melee@bchousing.org">melee@bchousing.org</a></td>
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<tr>
<td>From:</td>
<td>John Meng, P.Eng.</td>
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<tr>
<td>T.</td>
<td>778-877-7190</td>
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<td>604-385-4245</td>
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<tr>
<td>E.</td>
<td><a href="mailto:jmeng@westerngeo.ca">jmeng@westerngeo.ca</a></td>
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<td>Project:</td>
<td>Proposed Youth Centre, 45456 Yale Road, Chilliwack, B.C.</td>
<td></td>
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<tr>
<td>Subject:</td>
<td>Confirmation Letter for Reading Geotechnical Report</td>
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PLEASE CALL IF YOU EXPERIENCE ANY DIFFICULTIES IN RECEIVING THIS DOCUMENT.
This message is intended only for the confidential use of the individual or entity to which it is addressed. Any Distribution, copying, or disclosure is strictly prohibited. If you have received this message in error, please notify us immediately by telephone and destroy the original without making a copy. Thank you.

Western Geotechnical Consultants Ltd. reviewed the Geotechnical Report prepared by Davies Geotechnical Inc. dated on May 25, 2018. The level of effort to complete the review is summarized as follows:


2. Reviewing Revised Report 'Geotechnical Report' prepared by Davies Geotechnical Inc. dated on May 25, 2018

3. The Submitted subsurface auger hole investigation consisting of three (3) auger holes down to the depths ranging from 3.0 to 6.1 meters below the existing grade with records of cone penetration tests, subsurface soil and groundwater conditions by Davies Geotechnical Inc. dated on April 12, 2018.
We are aware of the soil conditions, comments and recommendations provide by Davies Geotechnical Inc., agree with the methodology used to assess the consequences of Soil Liquefaction, foundation design and will adopt the same design recommendations presented by Davies Geotechnical Inc.'s report.

We trust that this meets your current requirements. If you have any concerns or questions, please do not hesitate to contact us.

Kind regards,

Western Geotechnical Consultants Ltd.

John Meng, P.Eng., Ph.D.
Senior Geotechnical Engineer
ASSURANCE OF PROFESSIONAL DESIGN AND COMMITMENT FOR FIELD REVIEW

Notes  
(i) This letter must be submitted prior to the commencement of construction activities of the components identified below. A separate letter must be submitted by each registered professional of record.  
(ii) This letter is endorsed by: Architectural Institute of BC, Association of Professional Engineers and Geoscientists of BC, Building Officials’ Association of BC, and Union of BC Municipalities.  
(iii) In this letter the words in italics have the same meaning as in the British Columbia Building Code.

To: The authority having jurisdiction
      City of Chilliwack

Re: Proposed Youth Centre
        Name of Project (Print)

45456 Yale Road, Chilliwack, B.C.

The undersigned hereby gives assurance that the design of the
(components of the plans and supporting documents prepared by this registered professional of record in support of the application for the building permit as outlined below substantially comply with the British Columbia Building Code and other applicable enactments respecting safety except for construction safety aspects.)

ARCHITECTURAL  
STRUCTURAL  
MECHANICAL  
PLUMBING  
FIRE SUPPRESSION SYSTEMS  
ELECTRICAL  
GEOTECHNICAL — temporary  
GEOTECHNICAL — permanent

The undersigned hereby undertakes to be responsible for field reviews of the above referenced components during construction, as indicated on the "SUMMARY OF DESIGN AND FIELD REVIEW REQUIREMENTS" below.

CRP's Initials

February 14, 2019
The undersigned also undertakes to notify the authority having jurisdiction in writing as soon as possible if the undersigned’s contract for field review is terminated at any time during construction.

I certify that I am a registered professional as defined in the British Columbia Building Code.

Xianhong (John) Meng
Registered Professional of Record’s Name (Print)
20-3275 McCallum Road, Abbotsford, BC V2S 7W8
Address (Print)
Fax: 604-385-4245
Tel: 604-385-4244

February 14, 2019
Date

I am a member of the firm Western Geotechnical Consultants Ltd.
and I sign this letter on behalf of the firm ____________________________ (Print name of firm)

Note: The above letter must be signed by a registered professional of record, who is a registered professional. The British Columbia Building Code defines a registered professional to mean

(a) a person who is registered or licensed to practise as an architect under the Architects Act,
or
(b) a person who is registered or licensed to practise as a professional engineer under the Engineers and Geoscientists Act.
SUMMARY OF DESIGN AND FIELD REVIEW REQUIREMENTS

(Initial applicable discipline below and cross out and initial only those items not applicable to the project.)

**ARCHITECTURAL**

1.1 Fire resisting assemblies
1.2 Fire separations and their continuity
1.3 Closures, including tightness and operation
1.4 Egress systems, including access to exit within suites and floor areas
1.5 Performance and physical safety features (guardrails, handrails, etc.)
1.6 Structural capacity of architectural components, including anchorage and seismic restraint
1.7 Sound control
1.8 Landscaping, screening and site grading
1.9 Provisions for firefighting access
1.10 Access requirements for persons with disabilities
1.11 Elevating devices
1.12 Functional testing of architecturally related fire emergency systems and devices
1.13 Development Permit and conditions therein
1.14 Interior finishes, including acceptable materials, dimensions and locations
1.15 Review of all applicable shop drawings
1.16 Interior and exterior finishes
1.17 Dampproofing and/or waterproofing of walls and slabs below grade
1.18 Roofing and flashings
1.19 Wall cladding systems
1.20 Condensation control and cavity ventilation
1.21 Exterior glazing
1.22 Integration of building envelope components
1.23 Environmental separation requirements (Part 5)
1.24 Building envelope, Part 10 - ASHRAE, NECB or Energy Step Code requirements
1.25 Building envelope, testing and/or confirmation of Part 10 requirements

**STRUCTURAL**

2.1 Structural capacity of structural components of the building, including anchorage and seismic restraint
2.2 Structural aspects of deep foundations
2.3 Review of all applicable shop drawings
2.4 Structural aspects of unbonded post-tensioned concrete design and construction

**MECHANICAL**

3.1 HVAC systems and devices, including high building requirements where applicable
3.2 Fire dampers at required fire separations
3.3 Continuity of fire separations at HVAC penetrations
3.4 Functional testing of mechanically related fire emergency systems and devices
3.5 Maintenance manuals for mechanical systems
3.6 Structural capacity of mechanical components, including anchorage and seismic restraint
3.7 Review of all applicable shop drawings
3.8 Mechanical systems, Part 10 - ASHRAE, NECB or Energy Step Code requirements
3.9 Mechanical systems, testing and/or confirmation of Part 10 requirements

CRP's Initials
BRITISH COLUMBIA BUILDING CODE 2012

Schedule B - Continued

PLUMBING
4.1 Root drainage systems
4.2 Site and foundation drainage systems
4.3 Plumbing systems and devices
4.4 Continuity of fire separations at plumbing penetrations
4.5 Plumbing testing of plumbing related fire emergency systems and devices
4.6 Maintenance manuals for plumbing systems
4.7 Structural capacity of plumbing components, including anchorage and seismic restraint
4.8 Review of all applicable shop drawings
4.9 Plumbing systems, Part 10 - ASHRAE, NECB or Energy Step Code requirements
4.10 Plumbing systems, testing and/or confirmation of Part 10 requirements

FIRE SUPPRESSION SYSTEMS
5.1 Suppression system classification for type of occupancy
5.2 Design coverage, including concealed or special areas
5.3 Compatibility and relation of electrical supervision, ancillary alarm and control devices
5.4 Evaluation of the capacity of (city) water supply versus system demands and domestic demand, including pumping devices where necessary
5.5 Qualification of water, quality of water and material
5.6 Review of all applicable shop drawings
5.7 Acceptance testing of "Contractor's Material and Test Certificate" as per NFPA Standards
5.8 Maintenance program and manual for suppression systems
5.9 Structural capacity of sprinkler components, including anchorage and seismic restraint
5.10 For partial systems - confirm sprinklers are installed in all areas where required
5.11 Fire Department connections and hydrant locations
5.12 Fire hose lengths
5.13 Freeze protection measures for fire suppression systems
5.14 Functional testing of fire suppression systems and devices

ELECTRICAL
6.1 Electrical systems and devices, including high building requirements where applicable
6.2 Continuity of fire separations at electrical penetrations
6.3 Functional testing of electrical related fire emergency systems and devices
6.4 Electrical systems and maintenance manuals
6.5 Structural capacity of electrical components, including anchorage and seismic restraint
6.6 Clearances for all electrical utility equipment
6.7 Fire protection rating for emergency systems
6.8 Review of all applicable shop drawings
6.9 Electrical systems, Part 10 - ASHRAE, NECB or Energy Step Code requirements
6.10 Electrical systems, testing and/or confirmation of Part 10 requirements

GEOTECHNICAL — Temporary
7.1 Excavation
7.2 Shoring
7.3 Underpinning
7.4 Temporary construction dewatering

GEOTECHNICAL — Permanent
8.1 Bearing capacity of the soil
8.2 Geotechnical aspects of deep foundations
8.3 Compaction of engineered fill
8.4 Structural considerations of soil, including slope stability and seismic loading
8.5 Backfill
8.6 Permanent dewatering
8.7 Permanent underpinning

February 14, 2019

CRP's Initials
Public Hearing on “Zoning Bylaw Amendment Bylaw 2019, No. 4654”, which proposes to rezone property located at 7449 Leary Crescent, from an R1-A (One Family Residential) Zone to an R3 (Small Lot One Family Residential) Zone.

Email of comment received from:
• Bob Fitzsimmons, dated February 23, 2019

Public Hearing on “Zoning Bylaw Amendment Bylaw 2019, No. 4655”, a proposed text amendment to the CD-21 (Comprehensive Development-21) Zone.

Email of comment received from:
• Bob Fitzsimmons, dated February 23, 2019

Public Hearing on “Zoning Bylaw Amendment Bylaw 2019, No. 4656”, a proposed text amendment to the CD-27 (Comprehensive Development-27) Zone.

Email of comment received from:
• Bob Fitzsimmons, dated February 23, 2019

Public Hearing on “Official Community Plan Bylaw Amendment Bylaw 2019, No. 4657”, a proposed text amendment to the 2040 Official Community Plan, Downtown Land Use and Development Plan, Alder Neighbourhood Plan and Chilliwack Proper and Fairfield Island Neighbourhoods Plan; and,

Public Hearing on “Zoning Bylaw Amendment Bylaw 2019, No. 4658”, a proposed text amendment to the R5 (Medium Density Multi-Family Residential) Zone and R6 (High Density Multi-Family Residential) Zone.
PH-5
(TUP00135)  “Temporary Use Permit TUP00135”
Public Hearing on “Temporary Use Permit TUP00135”, with respect to property located at 45111 Stevenson Road (background information on this matter is contained within Agenda Item 12-A-1)
Consultation package containing five signatures of support received from:
• Mike, Sherry, and Mackenzie Heggs, 45111 Stevenson Road, received January 30, 2019

PH-6
(TUP00136)  “Temporary Use Permit TUP00136”
Public Hearing on “Temporary Use Permit TUP00136”, with respect to property located at 42116 Yarrow Central Road (background information on this matter is contained within Agenda Item 12-A-2)
PH-1

"Zoning Bylaw Amendment Bylaw 2019, No. 4654"

(7449 Leary Crescent – RZ001310)
1. SUMMARY OF ISSUE:

The applicant wishes to rezone the subject property from an R1-A (One Family Residential) Zone to an R3 (Small Lot One Family Residential) Zone to facilitate a future subdivision. Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to property located at 7449 Leary Crescent.

2. RECOMMENDATION:

Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4654”, which proposes to rezone property located at 7449 Leary Crescent from an an R1-A (One Family Residential) Zone to an R3 (Small Lot One Family Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for March 5, 2019. (RZ001310)

3. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

Supports recommendation.
1. **DEFINITION OF ISSUE:**

   The applicant wishes to rezone the subject property from an R1-A (One Family Residential) Zone to an R3 (Small Lot One Family Residential) Zone to facilitate a future subdivision. Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to property located at 7449 Leary Crescent.

2. **PROPOSAL:**

   The applicant requests to rezone the property to facilitate a 2-lot subdivision. Final lot layout must comply with City Bylaws and include urban half road frontage works, complete with LED street lighting, and an extension to the storm main, as required at time of subdivision.

3. **FACTORS:**

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

      OCP Designation: “Low Density Residential”

      Land Use: Single family dwelling to be demolished at the time of subdivision.

   3.2 **Neighbourhood Character**

      The property is located within a residential neighbourhood in Sardis, surrounded by single family homes within the R1-A Zone.

      As the neighbourhood is predominantly characterized by a mix of mature yet well-maintained cottage-style and split-level single family homes, the future development of new single family homes will maintain the built form and overall density of the area. However, ground entry homes with living quarters above will likely be constructed in order to comply with the Flood Construction Level (FCL), creating a height differentiation with some of the surrounding lots. Both the existing R1-A Zone and proposed R3 Zone allow for a maximum height of 10m. Given the FCL requirements, any new construction in the area is likely to maximize allowable height in any residential zone.
3.3 Technical Issues:

Floodplain: The property is within the protected area of the floodplain, and as such, is subject to the regulations within 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. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that "Zoning Bylaw Amendment Bylaw 2019, No. 4654", which proposes to rezone property located at 7449 Leary Crescent from an R1-A (One Family Residential) Zone to an R3 (Small Lot One Family Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for March 5, 2019. (RZ001310)

Substantiation:

The proposed rezoning to the R3 Zone to facilitate a future subdivision would create future residential lots that meet the minimum standards of the R3 Zone. The proposed rezoning is consistent with the OCP designation and will maintain the single family character of the neighbourhood while promoting infill development and the creation of affordable housing options.

5. SOURCES OF INFORMATION:

- Development Application Review Team Minutes – November 29, 2018
- Rezoning Application – RZ001310
TAKE NOTICE that the Council of the City of Chilliwack will hold a Public Hearing, as noted above, on the following item:

1. ZONING BYLAW AMENDMENT BYLAW 2019, No. 4654 (RZ001310)

Location: 7449 Leary Crescent

Applicant: Gurprem Singh Dhaliwal

Purpose: To rezone the subject property, as shown on the map below, from an R1-A (One Family Residential) Zone to an R3 (Small Lot One Family Residential) Zone to facilitate a future subdivision.
Persons who deem that their interest in the property is affected by the proposed amendment bylaw will have an opportunity to be heard at the Public Hearing or, if you are unable to attend, you may provide a written submission, **including your full name and address**, to the Corporate Services Department at 8550 Young Road, Chilliwack, BC, V2P 8A4 or by email to clerks@chilliwack.com no later than 4:00 p.m. on the date of the Public Hearing. All submissions will be recorded and form part of the official record of the Hearing.

The proposed bylaw may be inspected between the hours of 8:30 am and 4:30 pm, Monday through Friday, excluding holidays, from **Wednesday, February 20, 2019 to Tuesday, March 5, 2019**, both inclusive, in the Corporate Services Department at City Hall, 8550 Young Road, Chilliwack, BC. Please direct your enquiries to our Planning & Strategic Initiatives Department at 604-793-2906.

**Please note that no further information or submissions can be considered by Council after the conclusion of the Public Hearing.**

Jacqueline Morgan  
Corporate Officer
City of Chilliwack

Bylaw No. 4654

A bylaw to amend the “Zoning Bylaw 2001, No. 2800”

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 2019, No. 4654”.
2. “Zoning Bylaw 2001, No. 2800” is hereby further amended by rezoning property described as PID: 002-219-671, Lot “B” District Lots 279 and 38 Group 2 New Westminster District Plan 17599, from an R1-A (One Family Residential) Zone to an R3 (Small Lot One Family Residential) Zone.

Received first and second reading on the 19th day of February, 2019.
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 7449 Leary Crescent.
"Zoning Bylaw Amendment Bylaw 2019, No. 4654"
"Zoning Bylaw Amendment Bylaw 2019, No. 4655"

(a proposed text amendment to the CD-21 [Comprehensive Development-21] Zone – RZ001315)
1. SUMMARY OF ISSUE:

The applicant wishes to amend the text of the Zoning Bylaw with respect to the CD-21 (Comprehensive Development -21) Zone to facilitate the construction of an apartment building within the subject property. The proposed text amendments relate to increasing the permitted density and decreasing the minimum front lot line setback and parking, as required by the CD-21 Zone, specifically within the subject property. Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to property located at 44521 Sherry Drive.

2. RECOMMENDATION:

Recommendation that "Zoning Bylaw Amendment Bylaw 2019, No. 4655", which proposes to amend the text of the Zoning Bylaw with respect to the CD-21 (Comprehensive Development -21) Zone, be given first and second reading; and further, that a Public Hearing be called for March 5, 2019. (RZ001315)

David Blain
Director of Planning & Engineering

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.

Peter Monteith
Chief Administrative Officer
1. DEFINITION OF ISSUE:

The applicant wishes to amend the text of the Zoning Bylaw with respect to the CD-21 (Comprehensive Development -21) Zone to facilitate the construction of an apartment building within the subject property. The proposed text amendments relate to increasing the permitted density and decreasing the minimum front lot line setback and parking, as required by the CD-21 Zone, specifically within the subject property. Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to property located at 44521 Sherry Drive.

2. BACKGROUND/PROPOSAL:

The CD-21 Zone was created to facilitate the development of the Webster Road Area Plan. The Zone permits a range of housing types: one and two family residential units as well as multi-family residential units in the form of townhouses, apartment buildings and row houses.

The applicant is proposing to construct a new four storey, 52-unit apartment building within the subject property. Access to the property is located off of Sherry Drive where the driveway will also provide access to the 19-unit row house development, currently under construction, to the north via an access easement.

For information, a copy of the applicant’s Conceptual Site & Parking Plan is attached. Also attached for information is a copy of the proposed bylaw.

Final lot layout must comply with City Bylaws and include an adequate turn-around and access for waste collection vehicles, as required at time of development. As the property is located within Development Permit Area 1 – Vedder Aquafir Capture Zone, a Development Permit is required. Also, as the property is located within Development Permit Area 6 – Multi-Family Residential, a Development Permit to approve the “form and character” is required.

3. PROPOSED TEXT AMENDMENTS:

The following amendments are proposed and are specific to the subject property only:

Density

- To increase the maximum permitted density from 135 dwelling units per hectare to 156 dwelling units per hectare to facilitate an increase to the number of units from 45 to 52 units.
If the requested increase in density is approved, the additional units will be studio "small apartment" units. The applicant's rationale is the additional units will provide a more affordable product for rent and eventual sale. Incorporating a variety of apartment unit sizes is suitable to provide housing to a range of income levels and lifestyles.

Parking

- Include a parking rate of 1 stall per "small apartment" unit 57m² or less (51m² plus 6m² area for storage.

The current parking rate within the CD-21 Zone is 1.5 stalls per apartment unit. The request for a parking rate reduction for small apartment units will allow for greater flexibility with respect to off-street parking requirements. A similar parking rate is permitted within the CD-20 (Comprehensive Development - 20) Zone, which was created to support incorporation of small apartment units with a reduced parking requirement of 0.75 parking stalls per small apartment unit, given the close proximity to public amenities and frequent transit service.

As the subject property is located near public amenities but is not serviced by a frequent transit route, the proposed parking rate of 1 stall per "small apartment" instead of 0.75 stalls is appropriate.

Front Lot Line Setback

- Reduce the minimum front yard setback from 6m to 4.5m.

A reduction to the front lot line setback is supported by the Design Guidelines, which will be considered at the time of Development Permit application, to bring development close to and parallel to the street. The Conceptual Site Plan includes pedestrian connectivity to the ground floor units, which reinforce the relationship of the building to the street and provide the main connection between the private and public realm. It is anticipated that the front façade will maximize the character of the streetscape and provide an attractive view to the adjacent "Webster Park".

4. FACTORS:

4.1 2040 Official Community Plan (OCP) / Land Use

OCP Designation: "Comprehensive Development Area"; part of the Webster Road Area Plan.

Land Use: Vacant lot.

4.2 Neighbourhood Character

The subject property is located within "Webster Crossing" within the Vedder Neighbourhood. Surrounding land uses include:

North: 19-unit rowhouse development, currently under construction.
East: 10-unit townhouse complex.
South: Webster Park.
West: Single family dwelling, a temporary accessory dwelling and an ancillary building within a 5.7 hectare lot.

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.

5. RECOMMENDATION & SUBSTANTIATION:

Recommendation:
Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4655”, which proposes to amend the text of the Zoning Bylaw with respect to the CD-21 (Comprehensive Development -21) Zone, be given first and second reading; and further, that a Public Hearing be called for March 5, 2019. (RZ001315)

Substantiation:
The proposed text amendments are considered supportable as they will facilitate a development that is in keeping with the needs of the community within a location that is central to public amenities and services. The proposed amendments are also expected to result in a development that is compatible and complementary to existing surrounding land uses.

6. SOURCES OF INFORMATION:

- Development Application Review Team Minutes – December 18, 2018
- Rezoning Application - RZ001315
Conceptual Site & Parking Plan (as provided by the applicant)
TAKE NOTICE that the Council of the City of Chilliwack will hold a Public Hearing, as noted above, on the following item:

1. **ZONING BYLAW AMENDMENT BYLAW 2019, No. 4655 (RZ001315)**

   **Location:** 44521 Sherry Drive

   **Applicant:** Webster Park Investments Ltd.

   **Purpose:** To amend the text of the Zoning Bylaw with respect to the CD-21 (Comprehensive Development-21) Zone to facilitate the construction of an apartment building within the subject property, as shown on the map below. The proposed text amendments relate to increasing the permitted density and decreasing the minimum front lot line setback and parking, as required by the CD-21 (Comprehensive Development-21) Zone, specifically within the subject property.
Persons who deem that their interest in the property is affected by the proposed amendment bylaw will have an opportunity to be heard at the Public Hearing or, if you are unable to attend, you may provide a written submission, including your full name and address, to the Corporate Services Department at 8550 Young Road, Chilliwack, BC, V2P 8A4 or by email to clerks@chilliwack.com no later than 4:00 p.m. on the date of the Public Hearing. All submissions will be recorded and form part of the official record of the Hearing.

The proposed bylaw may be inspected between the hours of 8:30 am and 4:30 pm, Monday through Friday, excluding holidays, from Wednesday, February 20, 2019 to Tuesday, March 5, 2019, both inclusive, in the Corporate Services Department at City Hall, 8550 Young Road, Chilliwack, BC. Please direct your enquiries to our Planning & Strategic Initiatives Department at 604-793-2906.

Please note that no further information or submissions can be considered by Council after the conclusion of the Public Hearing.

Jacqueline Morgan
Corporate Officer
Public Hearing 5 March 2019

I would like to remind Council that if by allowing a decrease to “Front lot line set-back and Parking” and it takes away the ability to park at least a 1/2 Ton pick up or even family sized vehicle's on each dwelling apron, it will forever cause the same issues for on street parking as here where I live. (Higginson Gardens area. SouthDown and Foxglove)

Please be reminded of all the comments received in your surveys.

Bob Fitzsimmons
(e) An ADU is only permitted in association with a ONE-FAMILY RESIDENTIAL USE (single family detached dwelling).

(f) Only one ADU may be sited on a lot.

(g) As a condition of issuance of a Building Permit for an ADU, the property owner shall enter into a restrictive covenant agreement assuring the City of Chilliwack that the owner shall remain resident in either the ONE-FAMILY RESIDENTIAL unit (single family detached dwelling) or the ADU. As a condition of occupancy of the ADU, the requirement of owner residency shall be verified annually by declaration.

(h) Except in association with a ONE-FAMILY RESIDENTIAL USE, URBAN ANCILLARY USES shall be limited to:

(i) gardening and recreational activities
(ii) household storage and maintenance
(iii) keeping of pets not exceeding 3 in number
(iv) off-street parking of licensed motor vehicles in association with the Residential Use.

(i) URBAN ANCILLARY USES permitted shall be the total of those uses for the lot; not for an individual dwelling unit.

(j) Notwithstanding (3) & (4) above, where bare land strata lots are created within a strata development, the number of strata lots shall be determined on the basis of the overall strata development, while the strata lot size and dimensions shall be equivalent to the "siting area" as defined in (9) above. (AB #4015)

(k) Any structure occupied by a RESIDENTIAL USE shall not have an overall dimension of less than 6m excluding additions and projections.

(l) An OFF-STREET PARKING space for an ADU shall be on the same lot as the ONE-FAMILY RESIDENTIAL USE and freely accessible at all times.

(m) Unless specified elsewhere within the CD-21 (Comprehensive Development-21) Zone:

(i) Where a MULTI-FAMILY RESIDENTIAL apartment block is permitted within the following property:

A. PID: 030-111-358, Lot 2 Section 2 Township 23 New Westminster District Plan EPP63623 shall meet the standards below:

   I. DENSITY (maximum)
      (a) 156 du/ha
14.21 CD-21 (COMPREHENSIVE DEVELOPMENT-21) ZONE (continued)

II. SETBACKS (minimum distance to)
   (a) FLL 4.5

III. OFF STREET PARKING
   (a) 1 parking space per dwelling units less than 51m²

IV. Notwithstanding 13(a)(x) above, a small apartment may contain a maximum of 6m² storage area within the unit that shall not be included within the maximum floor area of 51m², or a separate storage locker, but not both.
City of Chilliwack

Bylaw No. 4655

A bylaw to amend the “Zoning Bylaw 2001, No. 2800”

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 2019, No. 4655”.

2. “Zoning Bylaw 2001, No. 2800” is hereby further amended in SECTION 14 COMPREHENSIVE DEVELOPMENT ZONES, Subsection 14.21 CD-21 (COMPREHENSIVE DEVELOPMENT-21) ZONE, Paragraph (16) SPECIAL REGULATIONS, by adding a new Subparagraph as follows:

“(m) Unless specified elsewhere within the CD-21 (Comprehensive Development-21) Zone:

(i) Where a MULTI-FAMILY RESIDENTIAL apartment block is permitted within the following property:

A. PID: 030-111-358, Lot 2 Section 2 Township 23 New Westminster District Plan EPP63623 shall meet the standards below:

I. DENSITY (maximum)
   (a) 156 du/ha

II. SETBACKS (minimum distance to)
   (a) FLL 4.5

III. OFF STREET PARKING
   (a) 1 parking space per dwelling units less than 51m²

IV. Notwithstanding 13(a)(x) above, a small apartment may contain a maximum of 6m² storage area within the unit that shall not be included within the maximum floor area of 51m², or separate storage locker, but not both.”

Received first and second reading on the 19th day of February, 2019.
Public hearing held on the
Received third reading on the
Received adoption on the

__________________________________________  Mayor

__________________________________________  Corporate Officer
"Zoning Bylaw Amendment Bylaw 2019, No. 4656"

(a proposed text amendment to the CD-27 [Comprehensive Development-27] Zone – RZ001333)
1. **SUMMARY OF ISSUE:**

The City is proposing to amend the text of the CD-27 (Comprehensive Development-27) Zone to facilitate a mixed use development including residential and commercial uses within the subject properties. The proposed text amendments relate to modifying the off-street parking and siting requirements for commercial uses as well as amending the private amenity area requirements with respect to future ground floor residential apartment units. Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to property located at 46128 Yale Road, 46037 Princess Avenue & 9298 Young Road, 9280 Young Road.

2. **RECOMMENDATION:**

Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4656”, which proposes to amend the text of the CD-27 (Comprehensive Development-27) Zone facilitate a mixed use development including residential and commercial uses within property located at 46128 Yale Road, 46037 Princess Avenue & 9298 Young Road, 9280 Young Road, be given first and second reading; and further, that a Public Hearing be called for March 5, 2019. (RZ001333)

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

Supports recommendation.

David Blain
Director of Planning & Engineering

Peter Monteith
Chief Administrative Officer
1. DEFINITION OF ISSUE:

The City is proposing to amend the text of the CD-27 (Comprehensive Development-27) Zone to facilitate a mixed use development including residential and commercial uses within the subject properties. The proposed text amendments relate to modifying the off-street parking and siting requirements for commercial uses as well as amending the private amenity area requirements with respect to future ground floor residential apartment units. Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw with respect to property located at 46128 Yale Road, 46037 Princess Avenue & 9298 Young Road, 9280 Young Road.

2. BACKGROUND:

The CD-27 Zone was recently adopted by Council to support redevelopment of the approximately, four acre site at Five Corners, in accordance with the recommendations of the Downtown Core Task Force Report and the Downtown Land Use and Development Plan (DLUDP).

Marketing of the site to the development community was undertaken through the release of a request for proposal (RFP) document which outlined detailed criteria for submissions. The RFP aimed to reinforce the downtown as the heart of the City by maintaining a vibrant and safe core with active retail, entertainment and civic functions and through a compact and walkable neighbourhood that provides a balance of jobs, amenities and housing that will attract residents of all ages to downtown Chilliwack. The RFP proposals were carefully reviewed and evaluated with Algra Bros. being selected as the winning proponent.

Algra Bros. has proposed a new and innovative development for the site which aims to transform the downtown into a healthy, sustainable and thriving community that promotes social and economic vitality.

The City is proposing to amend the text of the CD-27 Zone to facilitate the mixed use development as envisioned by Algra Bros including townhouses, apartments, and commercial uses. The proposed text amendments as further detailed below relate to reducing the off-street parking requirements, providing greater flexibility for the commercial uses permitted within the zone and reducing the requirements for private amenity areas associated with future ground floor apartment units only. For information a copy of the proposed amendment Bylaw is attached, which includes a copy of the proposed text amendments to the CD-27 Zone.
3. PROPOSED TEXT AMENDMENTS:

3.1 Parking:

The CD-27 Zone currently requires off-street parking to be provided for residential and commercial uses at a ratio typical of other mixed use zones. While the proposed development as envisioned by Algra Bros. has been designed to reflect these parking rates, it has been determined that the proposed development will be short upon completion using current standards. In July of 2018, a previous text amendment was supported by Council to allow a 25 space reduction for the total build out of the site, to address this parking shortfall. A further text amendment is proposed to modify this parking rate to permit a reduced parking requirement of 46 parking stalls for the commercial portion of the development only. This further reduction is to recognize the retention of historically significant buildings, the existing commercial uses and the site’s previous C3 (Town Centre Commercial) Zoning, which did not require any off-street parking spaces for commercial uses due to its close proximity to public transportation and parking areas. The residential portion of the development is to meet the parking requirements of the Zone.

The requested reduction to parking is considered supportable due to the site’s close proximity to many public amenities (including transit), the commercial core and public parking areas.

3.2 Commercial Uses:

While the CD-27 Zone currently permits a wide range of commercial uses including retail stores, offices and restaurants etc., the Zone specifically permits commercial uses only when located below multi-family residential units. The proposed text amendment is to delete this regulation from within the Zone to allow commercial uses to be independent from residential uses. The intent is to permit greater flexibility within the Zone and allow Algra Bros. to attract a wider variety of tenants for the future commercial units. The proposed inclusion of these commercial activities is considered supportable as these types of uses are in keeping with the intent of the OCP and DLUDP and are also expected to assist in creating a vibrant and active retail area.

3.3 Amenity Areas:

The CD-27 Zone currently requires private amenity areas (commonly provided in the form of balconies) to be provided for each apartment unit located above the ground floor, with a minimum area of 5m² and dimensions of not less than 1.5m. For ground floor oriented units, the Zone requires a minimum area of 15m², with dimensions of not less than 3m, in recognition of the additional space often available at ground level. The proposed apartment building; however, is intended to be located immediately adjacent to the sidewalk, with each ground unit having direct access to the street. As these units are also required to be raised above the flood construction level, there is no opportunity to meet the larger amenity area requirements.
The proposed text amendment is to include language which reduces the area and dimension requirements specifically for the ground oriented units, to allow balconies to be provided similar to those provided for the units in the floors above, as shown in the Conceptual Elevation Plan below.

**Conceptual Apartment Building Elevation**

The text amendment is supportable as it will allow the proposed apartment building to create a more active and engaging street front which is in keeping with the City's Downtown Design Guidelines.

4. **FACTORS/BACKGROUND:**

4.1 **2040 Official Community Plan (OCP)**

The subject properties are designated "Urban Quarter" in the OCP's Downtown Land Use and Development Plan. The Urban Quarter designation supports higher density, mixed use buildings, with active retail uses (shops, cafes, restaurants, etc.) fronting onto main commercial streets, and mid to high-rise apartment development above, and ground oriented townhouses along adjacent residential side streets.

The properties are located within Development Permit Area 4 (Downtown Form and Character) and future development will therefore be subject to the City's Downtown Form and Character Design Guidelines. These guidelines have been developed to create an attractive, vibrant and safe neighbourhood while also recognizing the unique character of the downtown core, and aim to create new development which complements the current form and character of downtown Chilliwack.
4.2 Neighbourhood Character

The majority of adjacent properties are zoned C3 with the exception of several properties to the south east which are zoned R2, R6 (High Density Multi-Family Residential) Zone and RC (Residential/Commercial Conversion) Zone. The existing and proposed development regulations of the CD-27 Zone are expected to facilitate development that is complementary and compatible with the existing adjacent development.

4.3 Technical Considerations

Floodplain: The subject properties are located within the protected floodplain, and as such, future development is subject to the Floodplain Regulation Bylaw.

Watercourses: There are no known watercourses within, or in the immediate vicinity of, the subject properties.

Geotechnical Issues: The properties are not subject to any known geotechnical hazards or earthquake related risks.

5. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4656”, which proposes to amend the text of the CD-27 (Comprehensive Development-27) Zone facilitate a mixed use development including residential and commercial uses within property located at 46128 Yale Road, 46037 Princess Avenue & 9298 Young Road, 9280 Young Road, be given first and second reading; and further, that a Public Hearing be called for March 5, 2019. (RZ001333)

Substantiation:

The proposed amendments to the CD-27 Zone are supportable as they will provide greater flexibility within the zone while ensuring that the future development remains compatible with the surrounding land uses and in keeping with the objectives of the OCP and DLUDP. Furthermore, the proposed amendments will provide greater certainty for the Algra Bros. development as intended.

6. SOURCES OF INFORMATION:

- Rezoning Applications RZ001144 & RZ001277
- Downtown Land Use and Development Plan
TAKE NOTICE that the Council of the City of Chilliwack will hold a Public Hearing, as noted above, on the following item:

1. **ZONING BYLAW AMENDMENT BYLAW 2019, No. 4656 (RZ001333)**

   **Locations:** 46037 Princess Avenue, 46128 Yale Road, and 9280 & 9298 Young Road

   **Applicant:** City of Chilliwack

   **Purpose:** To amend the text of the CD-27 (Comprehensive Development-27) Zone to facilitate a mixed use development including residential and commercial uses within the subject properties, as shown on the map below. The proposed text amendments relate to modifying the off-street parking and siting requirements for commercial uses as well as amending the private amenity area requirements with respect to future ground floor residential apartment units.
Persons who deem that their interest in the properties is affected by the proposed amendment bylaw will have an opportunity to be heard at the Public Hearing or, if you are unable to attend, you may provide a written submission, including your full name and address, to the Corporate Services Department at 8550 Young Road, Chilliwack, BC, V2P 8A4 or by email to clerks@chilliwack.com no later than 4:00 p.m. on the date of the Public Hearing. All submissions will be recorded and form part of the official record of the Hearing.

The proposed bylaw may be inspected between the hours of 8:30 am and 4:30 pm, Monday through Friday, excluding holidays, from Wednesday, February 20, 2019 to Tuesday, March 5, 2019, both inclusive, in the Corporate Services Department at City Hall, 8550 Young Road, Chilliwack, BC. Please direct your enquiries to our Planning & Strategic Initiatives Department at 604-793-2906.

Please note that no further information or submissions can be considered by Council after the conclusion of the Public Hearing.

Jacqueline Morgan
Corporate Officer
Public hearing 5 MAR 2019

I would remind Council that if Amending this bylaw to allow for “Modifying the off Street Parking” takes away ANY parking you may cause the same issues that are being experienced in the Small business centre at Vedder and Stevenson. Have a look there during a normal business day. There are still many businesses to come as there is still a lot of vacant square footage. The parking lot has become an issue already. I would think the owners already have experienced some issues with attempting to fill their project.

If the area is not going to cater to folks driving and parking there (or somewhere) from the get go then I guess this will not be an issue.

Better biking considerations might be a solution.

Bob Fitzsimmons
(8) SITING

(a) Commercial uses shall only be permitted in floors located below. MULTI-FAMILY RESIDENTIAL USES (apartments) may be located in floors above the first storey and shall be the only use on such floors.

(b) Parking and waste container facilities shall be located behind or under commercial and residential units so as to be screened from public areas.

(9) BUILDING HEIGHT (maximum)

(a) MULTI-FAMILY RESIDENTIAL

(i) Townhouse 13m
(ii) Apartment block 50m

(10) OFF STREET PARKING (minimum)

(a) Shall be developed in accordance with the requirements of Section 5.13 of this BYLAW

(b) Shall provide at least the following minimum number of spaces:

(i) 0.75 spaces per apartment dwelling unit less than 51m² in area
(ii) 1 space per one bedroom apartment unit
(iii) 1.5 spaces per two bedroom apartment unit
(iv) 2 spaces per townhouse unit
(v) 1 space per 40m² commercial uses
(vi) 1 bicycle parking space (type “B” parking device) per 500m² gross floor area commercial use
(vii) 6 visitor bicycle parking spaces (type “B” parking device) for each MULTI-FAMILY RESIDENTIAL building

(c) Notwithstanding the above, the total number of off street parking spaces for commercial uses for the entire CD-27 (Comprehensive Development - 27) Zone development may be reduced by a maximum of 25 45 spaces.

(11) OFF STREET LOADING

(a) Shall be developed in accordance with the requirements of Section 5.12 of this BYLAW

(b) Shall provide at least the following minimum number of spaces:

(i) 1 space per 1000m² Commercial gross floor area

(12) AMENITY AREA

(a) Shall be developed in accordance with the requirements of Section 5.02 of this BYLAW and the amenity area standards for the R4 Zone for townhouses or the R6 Zone for apartment units. Notwithstanding the above, a private amenity area of not less than 5m² in area and having
minimum dimensions of not less than 1.5m shall be provided for each ground floor oriented unit with individual external access.

(13) FENCING, SCREENING & LANDSCAPING

(a) Fencing, screening, and landscaping shall be provided in accordance with the requirements of Section 5.05 of this BYLAW.

SPECIAL REGULATIONS

(a) GENERAL COMMERCIAL USE shall specifically exclude:

(i) an amusement centre
(ii) a night club,
(iii) an Adult Entertainment Facility within 1 km of any school (as regulated by the Business Licence Bylaw, in force from time to time)
(iv) beverage container return depot
(v) a pawnbroker
(vi) a liquor store

(a) URBAN ANCILLARY USES shall be limited to:

(i) gardening and recreational activities
(ii) household storage and maintenance
(iii) keeping of household pets not exceeding 3 in number
(iv) off-street parking of licensed motor vehicles in association with the RESIDENTIAL USE

(AB#4436)
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 2019, No. 4656”.

2. “Zoning Bylaw 2001, No. 2800” is hereby further amended in SECTION 14 COMPREHENSIVE DEVELOPMENT ZONES, Subsection 14.27 CD-27 (COMPREHENSIVE DEVELOPMENT-27) ZONE, Paragraph (8) SITING, by deleting Subparagraph (a) in its entirety and renumbering the existing subparagraph accordingly.

3. Said Bylaw is hereby further amended in SECTION 14 COMPREHENSIVE DEVELOPMENT ZONES, Subsection 14.27 CD-27 (COMPREHENSIVE DEVELOPMENT-27) ZONE, Paragraph (10), Subparagraph (c), by inserting the words “for commercial uses” after the words “street parking spaces” and before the words “for the entire”; and further, by deleting the figure “25” and substituting with the figure “45” after the words “a maximum of” and before the word “spaces”.

4. Said Bylaw is hereby further amended in SECTION 14 COMPREHENSIVE DEVELOPMENT ZONES, Subsection 14.27 CD-27 (COMPREHENSIVE DEVELOPMENT-27) ZONE, Paragraph (12), Subparagraph (a) by adding the words “Notwithstanding the above, a private amenity area of not less than 5m² in area and having minimum dimensions of not less than 1.5m shall be provided for each ground floor oriented unit with individual external access.” after the words “for apartment units.”

Received first and second reading on the 19th day of February, 2019.
Public hearing held on the
Received third reading on the
Received adoption on the

__________________________________
Mayor

__________________________________
Corporate Officer
"Official Community Plan Bylaw Amendment Bylaw 2019, No. 4657"

and

"Zoning Bylaw Amendment Bylaw 2019, No. 4658"

(proposed text amendments to the 2040 Official Community Plan, the R5 [Medium Density Multi-Family Residential] Zone and the R6 [High Density Multi-Family Residential] Zone – OCP00038)
AGENDA ITEM NO:  7-H-4  
MEETING DATE:  February 19, 2019

STAFF REPORT – COVER SHEET

SUBJECT:  Text Amendments  DATE:  February 4, 2019

DEPARTMENT:  OCP00038  PREPARED BY:  Erin Leary / dp

1. SUMMARY OF ISSUE:

The City wishes to amend the text of the 2040 Official Community Plan, the Downtown Land Use and Development Plan, the Alder Neighbourhood Plan and the Chilliwack Proper and Fairfield Island Neighbourhoods Plan (the “Neighbourhood Plans”) to increase the permitted density within certain residential designations. Furthermore, to be consistent with the proposed text amendments to the “Neighbourhood Plans”, amendments to the R5 (Medium Density Multi-Family Residential) and R6 (High Density Multi-Family Residential) Zones to increase the density provision from 135du/ha to 225du/ha and from 185du/ha to 250 du/ha, respectively, have been proposed in addition to an increase to the building height in the R5 Zone from 15m to 17.5m. The intent of the proposed text amendments is to facilitate the creation of small unit apartments (51m² or less) within close proximity to transit facilities while maintaining the overall built form and scale of developments by retaining the existing lot coverage and setback provisions within the zones.

2. RECOMMENDATION:

Recommendation that

• “Official Community Plan Bylaw Amendment Bylaw 2019, No. 4657” which proposes to amend the text of the 2040 Official Community Plan, Downtown Land Use and Development Plan, Alder Neighbourhood Plan and Chilliwack Proper and Fairfield Island Neighbourhoods Plan; and,
• “Zoning Bylaw Amendment Bylaw 2019, No. 4658”, which proposes to amend the text of the R5 (Medium Density Multi-Family Residential) and R6 (High Density Multi-Family Residential) Zones;

be given first and second reading; and further, that a Public Hearing be called for March 5, 2019.

(OCP00038)

David Blain  
Director of Planning & Engineering

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.

Peter Monteith  
Chief Administrative Officer
1. DEFINITION OF ISSUE:

The City wishes to amend the text of the 2040 Official Community Plan, the Downtown Land Use and Development Plan, the Alder Neighbourhood Plan and the Chilliwack Proper and Fairfield Island Neighbourhoods Plan (the “Neighbourhood Plans”) to increase the permitted density within certain residential designations. Furthermore, to be consistent with the proposed text amendments to the “Neighbourhood Plans”, amendments to the R5 (Medium Density Multi-Family Residential) and R6 (High Density Multi-Family Residential) Zones to increase the density provision from 135du/ha to 225du/ha and from 185du/ha to 250 du/ha, respectively, have been proposed in addition to an increase to the building height in the R5 Zone from 15m to 17.5m. The intent of the proposed text amendments is to facilitate the creation of small unit apartments (51m² or less) within close proximity to transit facilities while maintaining the overall built form and scale of developments by retaining the existing lot coverage and setback provisions within the zones.

2. BACKGROUND:

A key objective of the 2040 Official Community Plan and various Neighbourhood Plans is the provision of adequate, affordable and suitable housing within Chilliwack. As a method to provide more affordable housing, the City has encouraged the development of smaller unit apartments through the use of a small unit development cost charge rate and the creation of the CD-20 (Comprehensive Development – 20) Zone which allows for increased densities and reduced parking standards. As this type of housing is increasing in popularity, and to avoid spot rezoning of each site, text amendments are proposed to allow smaller units, and thus higher densities, in areas designated for medium and high density apartment development, while maintaining the built form established in the “Neighbourhood Plans”.

3. FACTORS:

3.1 Proposal

The proposed text amendments to both the Official Community Plan and the Zoning Bylaw are intended to give developers within 400m of a bus stop on a Frequent Transit Route (with a 20 minute or better weekday service frequency) or 800m of Transit Exchange the flexibility to construct higher density developments by including small unit apartments. The proposed increase to the height within the R5 Zone to 17.5m is intended to facilitate construction of 4 storey apartment buildings (with an above ground garage). This height is consistent with the built form guidelines within the “Neighbourhood Plans”. As the changes to the Zoning Bylaw and
“Neighbourhood Plans” do not include a relaxation of lot coverage, setbacks, parking requirements, etc. the overall impact of the increased density is negligible as the built form of any new construction will mirror the existing neighbourhood.

It should be noted that the increase in density is intended to encourage the creation of affordable housing options located in close proximity to transit, and as such, development applications which request variances to parking requirements, amenity space provisions, setbacks, building heights, etc. solely required to achieve the maximum density (without the provision of small unit apartments) will not be supported.

As part of the Zoning Bylaw review currently underway, amendments to common amenity space requirements may, in the future, incorporate a sliding scale based on the number of units. This shift will result in higher density developments requiring larger common amenity areas, which is in keeping with best practices utilized by other municipalities.

3.2 Amendments to the Official Community Plan and Neighbourhood Plans

The “Neighbourhood Plans” will be amended to include a higher density allowance with the following conditions:
1. The higher density is only permitted in association with the development of small unit apartments (51m² or less in gross floor area) or congregate care; and,
2. The increased density provision associated with small unit apartments is only applicable on lots within:
   a. 400m of a bus stop on a Frequent Transit Route; or,
   b. 800m of a Transit Exchange.

3.3 Amendments to the Zoning Bylaw

The proposed text amendments to the Zoning Bylaw are as follows:

R5 (Medium Density Multi-Family Residential) Zone:
• Increase the permitted density from 135du/ha to 225 du/ha for multi-family residential uses.
  o The increased density is consistent with the existing density provision in the R5 Zone for congregate care facilities. These facilities are generally comprised of smaller apartment units with a larger indoor common amenity area.
• Increase the maximum building height for multi-family residential uses and congregate care facilities from 15m to 17.5m.
  o A height of 17.5m is necessary to construct a 4 storey apartment building with an above ground garage. This height increase is consistent with the established built form and massing guidelines as stated in the “Neighbourhood Plans”.

R6 (High Density Multi-Family Residential) Zone
• Increase the permitted density from 185 du/ha to 250 du/ha for multi-family residential uses.
4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that

- “Official Community Plan Bylaw Amendment Bylaw 2019, No. 4657” which proposes to amend the text of the 2040 Official Community Plan, Downtown Land Use and Development Plan, Alder Neighbourhood Plan and Chilliwack Proper and Fairfield Island Neighbourhoods Plan; and,
- “Zoning Bylaw Amendment Bylaw 2019, No. 4658”, which proposes to amend the text of the R5 (Medium Density Multi-Family Residential) and R6 (High Density Multi-Family Residential) Zones;

be given first and second reading; and further, that a Public Hearing be called for March 5, 2019.

Substantiation:

The City is currently pursuing different options to increase affordable housing in the community as a way to combat homelessness as well as provide opportunities for people to age in place. As such, the proposed text amendments are consistent with City objectives while ensuring the scale and massing of future developments are consistent with existing neighbourhoods by retaining the height requirements within the “Neighbourhood Plans”. Furthermore, the role of public transit is emphasized by the proposed changes by promoting higher density residential developments only in areas in close proximity to transit facilities.

5. SOURCES OF INFORMATION:

- Development Application Review Team (DART) minutes — January 31, 2019
- Official Community Plan application OCP00038
- 2040 Official Community Plan
CITY OF CHILLIWACK
NOTICE OF PUBLIC HEARING
Tuesday, March 5, 2019 at 7:00 p.m.
Council Chambers
8550 Young Road, Chilliwack, BC V2P 8A4
www.chilliwack.com

TAKE NOTICE that the Council of the City of Chilliwack will hold a Public Hearing, as noted above, on the following items:

1. OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT BYLAW 2019, No. 4657 (OCP00038)
   
   **Applicant:** City of Chilliwack
   
   **Purpose:** To amend the text of the 2040 Official Community Plan, the Downtown Land Use and Development Plan, the Alder Neighbourhood Plan and the Chilliwack Proper and Fairfield Island Neighbourhoods Plan to increase the permitted density and height within certain residential designations to facilitate the creation of small unit apartments (51m² or less) within close proximity to transit facilities while maintaining the overall built form and scale of developments.

2. ZONING BYLAW AMENDMENT BYLAW 2019, No. 4658 (OCP00038)
   
   **Applicant:** City of Chilliwack
   
   **Purpose:** To amend the text of the R5 (Medium Density Multi-Family Residential) and R6 (High Density Multi-Family Residential) Zones to increase the density provision from 135du/ha to 225du/ha and from 185du/ha to 250 du/ha, respectively, in addition to an increase to the building height in the R5 Zone from 15m to 17.5m to facilitate the creation of small unit apartments (51m² or less) within close proximity to transit facilities while maintaining the overall built form and scale of developments.
Persons who deem that their interest is affected by the proposed amendment bylaws will have an opportunity to be heard at the Public Hearing or, if you are unable to attend, you may provide a written submission, including your full name and address, to the Corporate Services Department at 8550 Young Road, Chilliwack, BC, V2P 8A4 or by email to clerks@chilliwack.com no later than 4:00 p.m. on the date of the Public Hearing. All submissions will be recorded and form part of the official record of the Hearing.

These proposed bylaws may be inspected between the hours of 8:30 am and 4:30 pm, Monday through Friday, excluding holidays, from Wednesday, February 20, 2019 to Tuesday, March 5, 2019, both inclusive, in the Corporate Services Department at City Hall, 8550 Young Road, Chilliwack, BC. Please direct your enquiries to our Planning & Strategic Initiatives Department at 604-793-2906.

Please note that no further information or submissions can be considered by Council after the conclusion of the Public Hearing.

[Signature]
Jacqueline Morgan
Corporate Officer
MEDIUM DENSITY RESIDENTIAL (RM)

DENSITY

Maximum 150 uph (units per hectare) or up to 225 uph for developments which include the provision of small unit apartments (maximum of 51 m² gross floor area) or congregate care.

Minimum 25 uph (units per hectare)

The density of 225 uph for small unit apartments is only applicable on lots within:

- 400 m of a bus stop on a frequent transit route; or,
- 800 m of a transit exchange.

INTENT

- Provide affordable housing for diverse income groups and household types: seniors, students, empty nesters, singles, small families and special needs groups.
- Accommodate density bonusing and inclusionary zoning (subsidized housing units).

APPROPRIATE LOCATIONS

The cores of Sardis-Vedder, areas in close proximity to a neighbourhood commercial centre, and locations along urban traffic corridors; in all cases, utility capacities, services and amenities such as schools and parks should be available.

DIRECT ACCESS

Collector / arterial roads

PERMITTED USES

Residential uses per recommended densities and built forms; neighbourhood oriented civic uses such as elementary schools, local churches, neighbourhood centres, parks and recreational facilities; and convenient commercial uses at suitable locations and subject to the conditions stipulated in the zoning bylaw.

FORM AND CHARACTER

Subject to Development Permit regulation regarding multi-family residential form and character.
Residential 3 - Low Rise Apartment

**Intent:** to create a mix of housing options suitable for and affordable to a range of income levels and lifestyles including singles, couples, seniors and young families.

**Appropriate Building Types:**
- Stacked town house (including back to back)
- Apartments (with ground oriented units)

**Density:** 70 – 135 UHa 155 uph (units per hectare); or up to 225 uph for developments which include the provision of small unit apartments (maximum of 51 m² gross floor area) or congregate care.

The density of 225 uph (units per hectare) for small unit apartments is only applicable on lots within:
- 400 m of a bus stop on a frequent transit route; or,
- 800 m of a transit exchange.

**Height:** Up 4 storeys

**Parking Ratio 1:1.2** 5 As per Zoning Bylaw

Residential 3a (Density Bonus)

**Intent:** Pursuant to the provisions of Section 904 of the Local Government Act, higher density up to the density allowed in the Residential 4 designation from a base density consistent with the Residential 3 designation will be considered in exchange for the provision of affordable housing or other specified social, recreational and environmental amenities consistent with the policies of this plan.
### 3.2.3 Apartment/Townhouse

**Intent:** To accommodate mixed multi-family development, in the form of apartments and townhouses, along inner streets in the Neighbourhood Plan area.

**Appropriate Building Types:** Townhouses and multi-storey apartment buildings with street-facing units on the ground floor. Orientation should be as indicated in Figure 3.1.

**Density:** 185 units/ha 200 uph (units per hectare) with townhouses provided at ground level; or up to 250 uph for developments which include the provision of small unit apartments (maximum of 51 m² gross floor area) or congregate care.

The density of 250 uph (units per hectare) for small unit apartments is only applicable on lots within:
- 400 m of a bus stop on a frequent transit route; or,
- 800 m of a transit exchange.

**Design Guidance**

**Height:** Up to 8 storeys

**Building Placement:** Buildings should be built parallel to the road right-of-way with minimal setbacks to the front lot line and exterior side lot line to allow easy access from the sidewalk to the residential units and to encourage vibrant and active streetscapes. Setbacks will only be considered where public or private amenity space or landscaping is provided to enhance the street environment.

**Active frontage:** Buildings should include active frontages facing all streets with frequent doors, windows, patios and balconies and limited blank walls, to improve security by increasing the eyes on the street. Building frontage should be continuous, with gaps between buildings kept to a minimum to maintain visual interest and street continuity.

**Parking:** Under building or underground off street parking will be encouraged. Surface off street parking, where required, should be located behind the building to maximize the building frontage on the street.
3.2.2 Apartment Residential

**Intent:** To accommodate single use, multi-family development in the form of low-rise apartments.

**Appropriate Building Types:** Multi-storey apartment buildings. Buildings should be oriented to the street as indicated in Figure 3.1.

**Density:** Up to 135 units/ha or 155 uph (units per hectare) or up to 225 uph for developments which include the provision of small unit apartments (maximum of 51 m² gross floor area) or congregate care.

The density of 225 uph (units per hectare) for small unit apartments is only applicable on lots within:
- 400 m of a bus stop on a frequent transit route; or,
- 800 m of a transit exchange.

**Design Guidance**

**Height:** Up to 4 storeys

**Building Placement:** Buildings should be built parallel to the road right-of-way with minimal setbacks to the front lot line and exterior side lot line to allow easy access from the sidewalk to the residential units and to encourage vibrant and active streetscapes. Setbacks will only be considered where public or private amenity space or landscaping is provided to enhance the street environment.

**Active frontage:** Buildings should include active frontages facing all streets with frequent doors, windows, patios and balconies and limited blank walls, to improve security by increasing the eyes on the street. Building frontage should be continuous, with gaps between buildings kept to a minimum to maintain visual interest and street continuity.

**Parking:** Under building or underground off-street parking will be encouraged. Surface off-street parking, where required, should be located behind the building to maximize the building frontage on the street.
Residential 3 – Low Rise Apartment and Attached Housing (Res-3)
Intent: to retain the medium density residential land use designation along the Yale Road / Broadway Corridor to provide opportunities for more affordable and accessible housing.

Appropriate Housing Types:
- Townhouses
- Rowhouses
- Low Rise Apartments
- Small unit apartments (maximum of 51 m² or less in gross floor area) on lots within:
  - 400 m of a bus stop on a frequent transit route;
  - or,
  - 800 m of a transit exchange.

Height: 10 m for Townhouse and Row and 17.5 m for Apartment or as identified in the Zoning Bylaw

Other land use designations to be included in the plan area are Institutional, Commercial and Park where these uses currently exist as defined below:
- Institutional uses including, but may not be restricted to educational facilities, recreational facilities, health facilities, government facilities and government administrative offices;
- Commercial uses including, but may not be restricted to, local neighbourhood commercial retail and office development; and,
- Park uses including, but may not be restricted to, publicly owned open space that may or may not include structures or playgrounds and includes pathways and trails.
9.09 R5 (MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL) ZONE (continued)

(5) DENSITY (maximum)
(a) apartment MULTI-FAMILY 435225 du per ha (AB #3221)
(b) CONGREGATE LIVING HOUSING 225 du per ha

(6) LOT COVERAGE (maximum)
(a) RESIDENTIAL USE 50%
(b) URBAN ANCILLARY USE maximum 30m² per du or 15%, whichever is less
(c) CONGREGATE LIVING HOUSING 60%

(7) FLOOR AREA RATIO (maximum) N/A

(8) SETBACKS (minimum distance to)
(a) MULTI-FAMILY RESIDENTIAL
   (4 or fewer dwelling units) 6.0 6.0 3.0 6.0
(b) MULTI-FAMILY RESIDENTIAL
   (5 or more dwelling units) 6.0 6.0 6.0 6.0
(c) CONGREGATE LIVING HOUSING 6.0 6.0 6.0 6.0
(d) URBAN ANCILLARY USES
   (in association with a one/two-family residential use) 6.0 1.0 1.0 4.5
(e) parking structure not exceeding 3m above grade (in association with a multi-family residential) 6.0 0.0 0.0 4.5
(f) Notwithstanding (a) above, where a structure for multi-family use has a private amenity area adjacent to an ISLL, the required minimum setback to the structure shall be no less than 4.5m.
(g) Notwithstanding (b) above, the required setback to an ISLL for a one or two storey structure shall be 4.5m
(h) Notwithstanding (b) above, the required setback to an ISLL shall increase by 0.75m per storey beyond the third storey to a maximum of 9m.
(9) SITING

(a) Where more than one structure for residential use is sited on a lot or within a "strata" development, each storey of said structure shall be separated from the corresponding storey of the adjacent structure by a distance not less than the setback applicable to the orientation of the structure multiplied by a factor determined by the relative storey as follows:

<table>
<thead>
<tr>
<th>Storey</th>
<th>Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st</td>
<td>1.5</td>
</tr>
<tr>
<td>2nd</td>
<td>1.75</td>
</tr>
<tr>
<td>3rd</td>
<td>2.0</td>
</tr>
</tbody>
</table>

(10) BUILDING HEIGHT (maximum)

(a) MULTI-FAMILY RESIDENTIAL (other) (AB #3221) 15m
(b) CONGREGATE LIVING HOUSING 15m
(c) URBAN ANCILLARY USES or OFF-STREET PARKING

(i) on a lot less than 1000m² in area 4m
(ii) on a lot 1000m² or greater in area 6m

(11) OFF-STREET PARKING

(a) shall be developed in accordance with the requirements of Section 5.13 of this BYLAW;

(b) shall provide at least the following minimum number of spaces:

<table>
<thead>
<tr>
<th>Description</th>
<th>Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.5 spaces per apartment dwelling unit (AB #3221)</td>
<td></td>
</tr>
<tr>
<td>0.75 spaces per CONGREGATE LIVING HOUSING</td>
<td></td>
</tr>
<tr>
<td>1 space per five (5) dwelling units</td>
<td></td>
</tr>
</tbody>
</table>

(12) OFF-STREET LOADING (minimum)

(a) shall be developed in accordance with the requirements of Section 5.13 of this Bylaw;

(b) shall provide at least the following number of spaces:

<table>
<thead>
<tr>
<th>Description</th>
<th>Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>CONGREGATE LIVING HOUSING</td>
<td>1</td>
</tr>
</tbody>
</table>

(13) AMENITY AREA (minimum)

(a) Shall be developed in accordance with the requirements of Section 5.02 of this BYLAW:

(b) A private amenity area not less than 15m² in area and having minimum dimensions of not less than 3m shall be provided for and contiguous to each ground oriented dwelling unit.
(5) DENSITY (maximum)

(a) MULTI-FAMILY RESIDENTIAL (apartment) (AB #3221) 185250 du per ha

(b) CONGREGATE LIVING HOUSING 225250 du per ha

(6) LOT COVERAGE (maximum)

(a) RESIDENTIAL USE 50%
(b) URBAN ANCILLARY USES or covered OFF STREET PARKING 15%
(c) CONGREGATE LIVING HOUSING 60%

(7) FLOOR AREA RATIO (maximum)

(a) ONE or TWO FAMILY RESIDENTIAL 75%
(b) MULTI-FAMILY RESIDENTIAL N/A

(8) SETBACKS (minimum distance to)

(a) MULTI-FAMILY RESIDENTIAL (4 or fewer dwelling units) 6.0 6.0 3.0 6.0
(b) MULTI-FAMILY RESIDENTIAL (5 or more dwelling units) 6.0 6.0 6.0 6.0
(c) CONGREGATE LIVING HOUSING 6.0 6.0 6.0 6.0
(d) URBAN ANCILLARY USE (in association with a one or two-family residential use) 6.0 1.0 1.0 4.5
(e) parking structure not exceeding 3m above grade (in association with a multi-family residential) 6.0 0.0 0.0 4.5

(f) Notwithstanding (a) above, where a structure for multi-family use has a private amenity area adjacent to an ISLL, the required minimum setback to the structure shall be no less than 4.5m.

(g) Notwithstanding (b) and (c) above, the required setback to an ISLL shall increase by 0.75m per storey beyond the third storey level to a maximum of 9m.
City of Chilliwack

Bylaw No. 4657

A bylaw to amend the “Official Community Plan Bylaw 2014, No. 4025”

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

1. This bylaw may be cited as “Official Community Plan Bylaw Amendment Bylaw 2019, No. 4657”.

2. “Official Community Plan Bylaw 2014, No. 4025”, is hereby further amended in SECTION 5 – IMPLEMENTATION GUIDE, MEDIUM DENSITY RESIDENTIAL (RM), page 65, by deleting the section entitled DENSITY in its entirety and substituting with the following:

   “DENSITY
   Maximum 155 uph (units per hectare) or up to 225 uph for developments which include the provision of small unit apartments (maximum of 51 m² gross floor area) or congregate care.
   Minimum 25 uph (units per hectare)
   The density of 225 uph for small unit apartments is only applicable on lots within:
   • 400 m of a bus stop on a frequent transit route; or,
   • 800 m of a transit exchange.”

3. Said Bylaw is hereby further amended in OCP Schedules, Schedule D, Neighbourhood Plans, 1 Downtown Land Use and Development Plan, page 25, Residential 3 – Low Rise Apartment, by deleting the section entitled Density in its entirety and substituting with the following:

   “Density: 70 – 155 uph (units per hectare); or up to 225 uph for developments which include the provision of small unit apartments (maximum of 51 m² gross floor area) or congregate care.
   The density of 225 uph (units per hectare) for small unit apartments is only applicable on lots within:
   • 400 m of a bus stop on a frequent transit route; or,
   • 800 m of a transit exchange.”

4. Said Bylaw is hereby further amended in OCP Schedules, Schedule D, Neighbourhood Plans, 1 Downtown Land use and Development Plan, page 25, Residential 3 – Low Rise Apartment, under the heading Parking Ratio, by deleting the figure “1:1.25” and substituting it with the words “As per Zoning Bylaw”.
5. Said Bylaw is hereby further amended in OCP Schedules, Schedule D, Neighbourhood Plans, 4 Alder Neighbourhood Plan, 3.2 Land Use Designation, page 15, Section 3.2.2 Apartment Residential, by deleting the section entitled Density in its entirety and substituting with the following:

"Density: 155 uph (units per hectare) or up to 225 uph for developments which include the provision of small unit apartments (maximum of 51 m² gross floor area) or congregate care.

The density of 225 uph (units per hectare) for small unit apartments is only applicable on lots within:
- 400 m of a bus stop on a frequent transit route; or,
- 800 m of a transit exchange."

6. Said Bylaw is hereby further amended in OCP Schedules, Schedule D, Neighbourhood Plans, 4 Alder Neighbourhood Plan, 3.2 Land Use Designation, page 16, Section 3.2.3 Apartment/Townhouse, by deleting the section entitled Density in its entirety and substituting with the following:

"Density: 200 uph (units per hectare) with townhouses provided at ground level; or, up to 250 uph for developments which include the provision of small unit apartments (maximum of 51 m² gross floor area) or congregate care.

The density of 250 uph (units per hectare) for small unit apartments is only applicable on lots within:
- 400 m of a bus stop on a frequent transit route; or,
- 800 m of a transit exchange."

7. Said Bylaw is hereby further amended in OCP Schedules, Schedule D, Neighbourhood Plans, 5 Chilliwack Proper and Fairfield Island Neighbourhoods Plan, Section 5 Future Land Use, page 16, Residential 3 – Low Rise Apartment and Attached Housing (Res-3), first paragraph, under Appropriate Housing Types, by adding a new bullet as follows:

"Small unit apartments (maximum of 51 m² or less in gross floor area) on lots within:
- 400 m of a bus stop on a frequent transit route; or,
- 800 m of a transit exchange."

8. Said Bylaw is hereby further amended in OCP Schedules, Schedule D, Neighbourhood Plans, 5 Chilliwack Proper and Fairfield Island Neighbourhoods Plan, Section 5 Future Land Use, page 16, Residential 3 – Low Rise Apartment and Attached Housing (Res-3), first paragraph, under Height, by deleting the figure “15” and substituting with the figure “17.5” after the words “Rowhouse and” and before the words ‘for Apartment’.

9. Said Bylaw is hereby further amended where reference is made to the page numbers and updated to reflect the new page numbering accordingly.
Received first and second reading on the
Public hearing held on the
Received third reading on the

Consultation Process considered by Council on the 5th day of February, 2019.

Received adoption on the

______________________________
Mayor

______________________________
Corporate Officer
City of Chilliwack

Bylaw No. 4658

A bylaw to amend the “Zoning Bylaw 2001, No. 2800”

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 2019, No. 4658”.

2. “Zoning Bylaw 2001, No. 2800” is hereby further amended in SECTION 9 – RESIDENTIAL ZONES, Subsection 9.09 R5 (MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL) ZONE, Paragraph (5) DENSITY (maximum), Subparagraph (a), by deleting the figure “135” and substituting with the figure “225” after the words “MULTI-FAMILY” and before the words “du per ha”.

3. Said Bylaw is hereby further amended in SECTION 9 – RESIDENTIAL ZONES, Subsection 9.09 R5 (MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL) ZONE, Paragraph (10) BUILDING HEIGHT (maximum), Subparagraph (a) and (b), by deleting the figure “15 m” and substituting with the figure “17.5 m”.

4. Said Bylaw is hereby further amended in SECTION 9 – RESIDENTIAL ZONES, Subsection 9.10 R6 (HIGH DENSITY MULTI-FAMILY RESIDENTIAL) ZONE, Paragraph (5) DENSITY (maximum), Subparagraph (a), by deleting the figure “185” and substituting with the figure “250” before the words “du per ha”.

5. Said Bylaw is hereby further amended in SECTION 9 – RESIDENTIAL ZONES, Subsection 9.10 R6 (HIGH DENSITY MULTI-FAMILY RESIDENTIAL) ZONE, Paragraph (5) DENSITY (maximum), Subparagraph (b), by deleting the figure “225” and substituting with the figure “250” before the words “du per ha”.

Received first and second reading on the 19th day of February, 2019.
Public hearing held on the
Received third reading on the
Received adoption on the

______________________________
Mayor

______________________________
Corporate Officer
TAKE NOTICE that the Council of the City of Chilliwack will hold a Public Hearing, as noted above, on the following item:

1. **TEMPORARY USE PERMIT TUP00135**

   **Location:** 45111 Stevenson Road

   **Applicant:** MacKenzie Heggs

   **Purpose:** To permit a commercial dog breeding kennel within the R1-A (One Family Residential) Zone for a maximum of 3 adult dogs (excluding puppies) at one time within the subject property, as shown on the map below. As the commercial use is not permitted within the R1-A Zone, a Temporary Use Permit is required.
Persons who deem that their interest in the property is affected by the proposed Temporary Use Permit will have an opportunity to be heard at the Public Hearing or, if you are unable to attend, you may provide a written submission, including your full name and address, to the Corporate Services Department at 8550 Young Road, Chilliwack, BC, V2P 8A4 or by email to clerks@chilliwack.com no later than 4:00 p.m. on the date of the Public Hearing. All submissions will be recorded and form part of the official record of the Hearing.

This proposed Temporary Use Permit may be inspected between the hours of 8:30 am and 4:30 pm, Monday through Friday, excluding holidays, from Wednesday, February 20, 2019 to Tuesday, March 5, 2019, both inclusive, in the Corporate Services Department at City Hall, 8550 Young Road, Chilliwack, BC. Please direct your enquiries to our Planning & Strategic Initiatives Department at 604-793-2906.

Please note that no further information or submissions can be considered by Council after the conclusion of the Public Hearing.

Jacqueline Morgan
Corporate Officer
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
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<th>Comments/Concerns</th>
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<td>Y. Naka</td>
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<td>I believe is Vacant, I attempted x3 to come + mow lawn etc.</td>
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</table>

Date Received: Jan 30 2019
Received From: Mackenzie Heggs
Folder Number: TUP00135
Subject Property: 45111 Stevenson
Council Date: Feb 19, 2019
“Temporary Use Permit TUP00136”

(42116 Yarrow Central Road)
TAKE NOTICE that the Council of the City of Chilliwack will hold a Public Hearing, as noted above, on the following item:

1. TEMPORARY USE PERMIT TUP00136

Location: 42116 Yarrow Central Road

Applicant: Majuba Enterprises Inc.

Purpose: To permit a "One Family Residential Use" within the C2 (Local Commercial) Zone in order to bring an existing mobile home into compliance with Zoning Bylaw regulations, on the subject property, as shown on the map below. As the residential use is not permitted within the C2 Zone, a Temporary Use Permit is required.

Location Map
Persons who deem that their interest in the property is affected by the proposed Temporary Use Permit will have an opportunity to be heard at the Public Hearing or, if you are unable to attend, you may provide a written submission, including your full name and address, to the Corporate Services Department at 8550 Young Road, Chilliwack, BC, V2P 8A4 or by email to clerks@chilliwack.com no later than 4:00 p.m. on the date of the Public Hearing. All submissions will be recorded and form part of the official record of the Hearing.

This proposed Temporary Use Permit may be inspected between the hours of 8:30 am and 4:30 pm, Monday through Friday, excluding holidays, from Wednesday, February 20, 2019 to Tuesday, March 5, 2019, both inclusive, in the Corporate Services Department at City Hall, 8550 Young Road, Chilliwack, BC. Please direct your enquiries to our Planning & Strategic Initiatives Department at 604-793-2906.

Please note that no further information or submissions can be considered by Council after the conclusion of the Public Hearing.

[Signature]

Jacqueline Morgan
Corporate Officer
PI-1  “Development Variance Permit DVP01015”
Development Variance Permit DVP01015 for property located at 9603 Broadway (background information on this matter is contained within Agenda Item 12-A-3).

PI-2  “Development Variance Permit DVP01025”
Development Variance Permit DVP01025 for properties located at 7098, 7121, 7129, 7136, 7137, 7144, 7145, 7152, 7169, and 7202 Tahoma Place
*Public Information Meeting has been cancelled at the request of staff*

PI-3  “Development Variance Permit DVP01039”
Development Variance Permit DVP01039 for property located at 42260 Elizabeth Avenue (background information on this matter is contained within Agenda Item 12-A-4).

Email of comment received from:
- Steve and Twyla Lessard, 4491 Kehler Street, dated February 27, 2019

PI-4  “Development Variance Permit DVP01045”
Development Variance Permit DVP01045 for property located at 50227 Sienna Avenue (background information on this matter is contained within Agenda Item 12-A-5).

PI-5  “Development Variance Permit DVP01058”
Development Variance Permit DVP01058 for property located at 6899 Evans Road (background information on this matter is contained within Agenda Item 12-A-6).
PI-1

“Development Variance Permit DVP01015”

(9603 Broadway)
TAKE NOTICE that the Council of the City of Chilliwack will hold a Public Information Meeting, as noted above, on the following item:

1. **DEVELOPMENT VARIANCE PERMIT DVP01015**

   **Location:** 9603 Broadway

   **Applicant:** Precision Building Design Associates Ltd.

   **Purpose:** To reduce the minimum required front lot line setback from 8.44m to 6.94m (6m standard plus 2.44m supplemental) and to reduce the minimum required interior side lot line (north) setback for proposed townhouse units '7' and '8' from 4.5m to 3m, within the R4 (Low Density Multi-Family Residential) Zone, to facilitate the construction of a future townhouse development within the subject property, as shown on the map below.

   **Location Map**

   ![Location Map](image-url)
Property Owners and any tenants in occupation of lands directly affected by the permit and within 30 metres of the lands, as shown above, will have an opportunity to be heard at the Public Information Meeting, or if you are unable to attend, you may provide a written submission, including your full name and address, to the Corporate Services Department at 8550 Young Road, Chilliwack, BC, V2P 8A4 or by email to clerks@chilliwack.com no later than 4:00 p.m. on the date of the Public Information Meeting. All submissions will be recorded and form part of the official record of the Meeting.

This proposed Development Variance Permit may be inspected between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, from Wednesday, February 20, 2019 to Tuesday, March 5, 2019, both inclusive, in the Office of the Corporate Services Department at City Hall, 8550 Young Road, Chilliwack, BC. Please direct your enquiries to our Planning & Strategic Initiatives Department at 604-793-2906.

Please note that no further information or submissions can be considered by Council after the conclusion of the Public Information Meeting.

Jacqueline Morgan
Corporate Officer

Site Plan of Proposed Building (provided by applicant)
*CANCELLED*

**PI-2**

"Development Variance Permit DVP01025"

(7098, 7121, 7129, 7136, 7137, 7144, 7145, 7152, 7169 and 7202 Tahoma Place)
MEMO

TO: Jacqueline Morgan, Corporate Officer
FROM: Gillian Villeneuve, Manager of Development Planning
DATE: February 28, 2019
FILE NO: 3010-01-DVP01025
RE: Development Variance Permit – 7202 Marble Hill Road and 7098, 7121, 7129, 7136, 7137, 7144, 7145, 7152 & 7169 Tahoma Place

Staff request the Public Information Meeting for a Development Variance Permit application (DVP01025) for properties at 7202 Marble Hill Road and 7098, 7121, 7129, 7136, 7137, 7144, 7145, 7152 & 7169 Tahoma Place be cancelled.

Notification that the Public Information Meeting scheduled for March 5, 2019 has been cancelled will be distributed. Revised notices reflecting a future Public Information Meeting date will be prepared and distributed accordingly.

Gillian Villeneuve
Manager of Development Planning
GV/
CITY OF CHILLIWACK
NOTICE OF CANCELLED PUBLIC INFORMATION MEETING
Tuesday, March 5, 2019 at 7:00 p.m.
Council Chambers
8550 Young Road, Chilliwack BC V2P 8A4
www.chilliwack.com

TAKE NOTICE that the Council of the City of Chilliwack will hold a Public Information Meeting, as noted above, on the following item:

1. DEVELOPMENT VARIANCE PERMIT DVP01025

Locations: 7098, 7121, 7129, 7136, 7137, 7144, 7145, 7152, 7162 & 7202 Tahoma Place

Applicant: Westbow Construction

Purpose: To reduce the minimum off-street parking space length associated with a residential use from 6m to 4.5m within the driveway and to increase the maximum floor area ratio from 1.5 to 2.0% required within the R3-A (Small Lot Two Family Residential) Zone to facilitate the construction of a duplex, within each of the subject properties, as shown on the map below.
Property Owners and any tenants in occupation of lands directly affected by the permit and within 30 metres of the lands, as shown above, will have an opportunity to be heard at the Public Information Meeting, or if you are unable to attend, you may provide a written submission, including your full name and address, to the Corporate Services Department at 8550 Young Road, Chilliwack, BC, V2P 8A4 or by email to clerks@chilliwack.com no later than 4:00 p.m. on the date of the Public Information Meeting. All submissions will be recorded and form part of the official record of the Meeting.

This proposed Development Variance Permit may be inspected between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, from Wednesday, February 20, 2019 to Tuesday, March 5, 2019, both inclusive, in the Office of the Corporate Services Department at City Hall, 8550 Young Road, Chilliwack, BC. Please direct your enquiries to our Planning & Strategic Initiatives Department at 604-793-2906.

Please note that no further information or submissions can be considered by Council after the conclusion of the Public Information Meeting.

[Signature]
Jacqueline Morgan
Corporate Officer
"Development Variance Permit DVP01039"

(42260 Elizabeth Avenue)
TAKE NOTICE that the Council of the City of Chilliwack will hold a Public Information Meeting, as noted above, on the following item:

1. **DEVELOPMENT VARIANCE PERMIT DVP01039**

   **Location:** 42260 Elizabeth Avenue

   **Applicant:** Mr. Build Contracting

   **Purpose:** The applicant is seeking to increase the maximum permitted lot coverage for an urban ancillary building within the R1-A (One Family Residential) Zone from 75m² to 94m² to facilitate construction of a detached garage within the subject property, as shown on the map below.
Property Owners and any tenants in occupation of lands directly affected by the permit and within 30 metres of the lands, as shown above, will have an opportunity to be heard at the Public Information Meeting, or if you are unable to attend, you may provide a written submission, including your full name and address, to the Corporate Services Department at 8550 Young Road, Chilliwack, BC, V2P 8A4 or by email to clerks@chilliwack.com no later than 4:00 p.m. on the date of the Public Information Meeting. All submissions will be recorded and form part of the official record of the Meeting.

This proposed Development Variance Permit may be inspected between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, from Wednesday, February 20, 2019 to Tuesday, March 5, 2019, both inclusive, in the Office of the Corporate Services Department at City Hall, 8550 Young Road, Chilliwack, BC. Please direct your enquiries to our Planning & Strategic Initiatives Department at 604-793-2906.

Please note that no further information or submissions can be considered by Council after the conclusion of the Public Information Meeting.

Jacqueline Morgan
Corporate Officer
Good afternoon I am emailing in response to a letter I received regarding construction of a detached garage on the property of 42260 Elizabeth Ave. We are unable to attend the information meeting and have no issues or concerns regarding any construction of buildings. Our names are Steve and Twyla Lessard, Address 4491 Kehler St, Chilliwack V2R 5E3.

If you have any further questions, please feel free to email. Thanks.

Sent from my iPhone.
"Development Variance Permit DVP01045"

(50227 Sienna Avenue)
TAKE NOTICE that the Council of the City of Chilliwack will hold a Public Information Meeting, as noted above, on the following item:

1. DEVELOPMENT VARIANCE PERMIT DVP01045

   Location: 50227 Sienna Avenue

   Applicant: Westbow Construction Group

   Purpose: To reduce the minimum front lot line setback from 7.5m to 3m within the SR (Suburban Residential) Zone to facilitate the construction of a single family dwelling on the subject property, as shown on the map below.

Location Map
Property Owners and any tenants in occupation of lands directly affected by the permit and within 30 metres of the lands, as shown above, will have an opportunity to be heard at the Public Information Meeting, or if you are unable to attend, you may provide a written submission, **including your full name and address**, to the Corporate Services Department at 8550 Young Road, Chilliwack, BC, V2P 8A4 or by email to clerks@chilliwack.com no later than 4:00 p.m. on the date of the Public Information Meeting. All submissions will be recorded and form part of the official record of the Meeting.

This proposed Development Variance Permit may be inspected between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, from **Wednesday, February 20, 2019 to Tuesday, March 5, 2019**, both inclusive, in the Office of the Corporate Services Department at City Hall, 8550 Young Road, Chilliwack, BC. Please direct your enquiries to our Planning & Strategic Initiatives Department at 604-793-2906.

Please note that no further information or submissions can be considered by Council after the conclusion of the Public Information Meeting.

[Signature]

Jacqueline Morgan
Corporate Officer
PI-5

"Development Variance Permit DVP01058"

(6899 Evans Road)
TAKE NOTICE that the Council of the City of Chilliwack will hold a Public Information Meeting, as noted above, on the following item:

1. DEVELOPMENT VARIANCE PERMIT DVP01058

**Location:** 6899 Evans Road

**Applicant:** Kloot Construction

**Purpose:** To reduce the required interior side lot line setback within the AL (Agriculture Lowland) Zone from 15m to 3m to facilitate the construction of a poultry barn, on the subject property, as shown on the map below.

[Location Map]
Property Owners and any tenants in occupation of lands directly affected by the permit and within 30 metres of the lands, as shown above, will have an opportunity to be heard at the Public Information Meeting, or if you are unable to attend, you may provide a written submission, including your full name and address, to the Corporate Services Department at 8550 Young Road, Chilliwack, BC, V2P 8A4 or by email to clerks@chilliwack.com no later than 4:00 p.m. on the date of the Public Information Meeting. All submissions will be recorded and form part of the official record of the Meeting.

This proposed Development Variance Permit may be inspected between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, from **Wednesday, February 20, 2019 to Tuesday, March 5, 2019**, both inclusive, in the Office of the Corporate Services Department at City Hall, 8550 Young Road, Chilliwack, BC. Please direct your enquiries to our Planning & Strategic Initiatives Department at **604-793-2906**.

Please note that no further information or submissions can be considered by Council after the conclusion of the Public Information Meeting.

Jacqueline Morgan
Corporate Officer
1. SUMMARY OF ISSUE:

"Zoning Bylaw Amendment Bylaw 2019, No. 4654", which proposes to rezone property located at 7449 Leary Crescent, from an R1-A (One Family Residential) Zone to an R3 (Small Lot One Family Residential) Zone.

Council may choose to:

(1) Allow the application to proceed by giving the bylaw third reading and adoption;
(2) Deny the application;
(3) Refer the application back to staff.

2. RECOMMENDATION:

Recommendation that "Zoning Bylaw Amendment Bylaw 2019, No. 4654" with respect to property located at 7449 Leary Crescent be given third reading.

Recommendation that "Zoning Bylaw Amendment Bylaw 2019, No. 4654" with respect to property located at 7449 Leary Crescent be adopted. (RZ001310)

Jacqueline Morgan,
Corporate Officer
1. SUMMARY OF ISSUE:

"Zoning Bylaw Amendment Bylaw 2019, No. 4655", a proposed text amendment to the CD-21 (Comprehensive Development-21) Zone, has been to Public Hearing and is now presented for Council's consideration.

Council may choose to:

(1) Allow the application to proceed by giving the bylaw third reading and adoption;
(2) Deny the application;
(3) Refer the application back to staff.

2. RECOMMENDATION:

Recommendation that "Zoning Bylaw Amendment Bylaw 2019, No. 4655" with respect to a proposed text amendment to the CD-21 (Comprehensive Development-21) Zone be given third reading.

Recommendation that "Zoning Bylaw Amendment Bylaw 2019, No. 4655" with respect to a proposed text amendment to the CD-21 (Comprehensive Development-21) Zone be adopted. (RZ001315)

Jacqueline Morgan, Corporate Officer
AGENDA ITEM NO: 11-A-3
MEETING DATE: March 5, 2019

STAFF REPORT - COVER SHEET

SUBJECT: Bylaws from Public Hearing Date: February 25, 2019
DEPARTMENT: Clerk's Prepared by: Jacqueline Morgan

1. SUMMARY OF ISSUE:

"Zoning Bylaw Amendment Bylaw 2019, No. 4656", a proposed text amendment to the CD-27 (Comprehensive Development-27) Zone, has been to Public Hearing and is now presented for Council's consideration.

Council may choose to:

(1) Allow the application to proceed by giving the bylaw third reading and adoption;
(2) Deny the application;
(3) Refer the application back to staff.

2. RECOMMENDATION:

Recommendation that "Zoning Bylaw Amendment Bylaw 2019, No. 4656" with respect to a proposed text amendment to the CD-27 (Comprehensive Development-27) Zone be given third reading.

Recommendation that "Zoning Bylaw Amendment Bylaw 2019, No. 4656" with respect to a proposed text amendment to the CD-27 (Comprehensive Development-27) Zone be adopted. (RZ001333)

Jacqueline Morgan, Corporate Officer
SUMMARY OF ISSUE:

"Official Community Plan Bylaw Amendment Bylaw 2019, No. 4657", a proposed text amendment to the 2040 Official Community Plan, Downtown Land Use and Development Plan, Alder Neighbourhood Plan and Chilliwack Proper and Fairfield Island Neighbourhoods Plan; and,

"Zoning Bylaw Amendment Bylaw 2019, No. 4658", a proposed text amendment to the R5 (Medium Density Multi-Family Residential) Zone and R6 (High Density Multi-Family Residential) Zone, has been to Public Hearing and is now presented for Council's consideration.

Council may choose to:

(1) Allow the application to proceed by giving the bylaw third reading and adoption;
(2) Deny the application;
(3) Refer the application back to staff.

RECOMMENDATION:

Recommendation that "Official Community Plan Bylaw Amendment Bylaw 2019, No. 4657", a proposed text amendment to the 2040 Official Community Plan, Downtown Land Use and Development Plan, Alder Neighbourhood Plan and Chilliwack Proper and Fairfield Island Neighbourhoods Plan be given third reading.

Recommendation that "Zoning Bylaw Amendment Bylaw 2019, No. 4658", a proposed text amendment to the R5 (Medium Density Multi-Family Residential) Zone and R6 (High Density Multi-Family Residential) Zone be given third reading.

Recommendation that "Zoning Bylaw Amendment Bylaw 2019, No. 4658", a proposed text amendment to the R5 (Medium Density Multi-Family Residential) Zone and R6 (High Density Multi-Family Residential) Zone be adopted. (OCP00038)
1. SUMMARY OF ISSUE:

The applicant wishes to utilize the subject property for a commercial dog breeding kennel. As the R1-A Zone does not permit this use, a Temporary Use Permit is required.

After three years, a renewal of the TUP will be required to continue the use of a commercial dog breeding kennel for an additional three years. A TUP can be renewed only once. After which, rezoning or relocation to an appropriate zone is recommended; or, a new TUP application must be submitted.

2. RECOMMENDATION:

Recommendation that Council approve the issuance of Temporary Use Permit (TUP00135), with respect to property located at 45111 Stevenson Road, subject to the recommendations as stipulated within the draft Temporary Use Permit.

[Signature]
David Blain
Director of Planning & Engineering

3. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

Supports recommendation.

[Signature]
Peter Monteith
Chief Administrative Officer
1. DEFINITION OF ISSUE:

The applicant wishes to utilize the subject property for a commercial dog breeding kennel. As the R1-A Zone does not permit this use, a Temporary Use Permit is required.

After three years, a renewal of the TUP will be required to continue the use of a commercial dog breeding kennel for an additional three years. A TUP can be renewed only once. After which, rezoning or relocation to an appropriate zone is recommended; or, a new TUP application must be submitted.

2. BACKGROUND / PROPOSAL:

The proposal is to permit the operation of a small-scale commercial dog breeding business, known as Chilliwack Labradoodles, within the subject property. The business will operate Monday to Friday from 8am to 4pm with off-street parking provided within the existing driveway. The applicant has indicated that a maximum of three (3) permanent adult dogs would be permitted on the premises at any one time, excluding the resulting puppies.

The applicant indicates the dogs currently living on the premises are part of the breeding program and are currently licensed, microchipped and vaccinated. The dogs are predominantly kept in-doors except for regular outdoor breaks within the fully fenced yard for washroom and exercise purposes as reasonably needed throughout the day. Any waste created on-site is to be disposed of appropriately and taken to the landfill as needed. A copy of the draft Temporary Use Permit and site photos are attached for information.

As part of the breeding program, the applicant notes that the dogs are all female and will travel to breed. No adult male dogs are proposed to live on the premises. The adult dogs and resulting puppies will also be attending off-site training with a Certified Personal Dog Trainer, where they intend to outsource training to qualify the dogs as potential candidates for therapy or assistance purposes.

3. FACTORS

3.1 2040 Official Community Plan (OCP) / Land Use

OCP Designation: “Low Density Residential”

Current Land Use: Single family detached dwelling
3.2 Neighborhood Character

The subject property is located within the established neighbourhood of Sardis. The area is predominantly characterized by single family residential homes surrounded by large active farming operations. Immediately surrounding the subject property to the east, west and south are similarly zoned R1-A lots. A large AL (Agriculture Lowland) zoned lot within the Agricultural Land Reserve (ALR) is also located adjacent to the property's northern property line and currently utilized for field crop production.

As part of the proposal, the applicant conducted their own public consultation of neighbours within 30m of the subject property. Support for the proposal was given by five (5) neighbours, including the neighbour located immediately east of the property, while the neighbouring lot located directly west of the property is currently vacant. A copy of the applicant's public engagement summary is attached as Schedule “A” for information.

3.3 Conditions of Issuance

Staff support the requested use as proposed by the applicant and recommend approval of the draft Temporary Use Permit subject to the following conditions:

1) The business use of the land shall be specific to the operation of a small-scale commercial dog breeding business, known as Chilliwack Labradoodles, within the subject property.

2) The kennel shall consist of the keeping of a maximum of three (3) permanent female adult dogs on the premises at any one time, excluding the resulting puppies.

3) The kennel shall operate from Monday to Friday within the hours of 8:00 am to 4:00 pm.

4) The kennel shall provide adequate parking on-site for both residents and visitors.

5) A City of Chilliwack Business License is required for the commercial dog breeding kennel.

6) The keeping of pets on-site must be in compliance with the applicable Animal Control Bylaw, including but not limited to any required licensing, maintaining control of the animals, clean-up and sanitation, and control of barking dogs.

7) By way of this permit, the applicant (Mackenzie Heggs) accepts responsibility for the dogs on the subject property.

8) If the applicant is considered to be in contravention of the applicable Animal Control Bylaw, the Temporary Use Permit will be forwarded to Council for reconsideration.

9) Two months before the expiration date of this Permit, the applicant shall indicate to the Director of Planning & Strategic Initiatives their intention to either cease the business activity or to apply for a further three year permit.

10) For sake of clarity, this Permit constitutes a temporary Official Community Plan designation for a Temporary Use area.
4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that Council approve the issuance of Temporary Use Permit (TUP00135), with respect to property located at 45111 Stevenson Road, subject to the recommendations as stipulated within the draft Temporary Use Permit.

Substantiation:

The operation of a small-scale commercial dog breeding kennel for three (3) female adult dogs is supported within the subject property as the number of permanent dogs on the premises is still in keeping with the number of dogs already permitted under urban ancillary use regulations. In addition, the subject property is full fenced and backs onto a large agricultural lot, while also having only two residential neighbours immediately adjacent to the lot. The dogs that will be included within the breeding program have also already lived on-site without a record of complaint since early 2018.

5. SOURCES OF INFORMATION:

• Temporary Use Permit Application (TUP00135) – November 21, 2018
• Development Application Review Team (DART) Minutes – January 10, 2019
• Applicant’s Public Engagement Summary – Received January 30, 2019

Site Photo
**Schedule A**

**Temporary Use Permit/Public Engagement Petition**

**Property Address:** 45111 Stevenson Rd, Chilliwack, BC

**Purpose:** Small In Home Australian Labrador Breeding Program/Business

**Applicant Contact Information:** Mackenzie or Sherry Hogg

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45103 Stevenson Rd is Vacant.

45061 Stevenson Rd is Vacant; I attempted to locate & new law erected.

Date Received: Jan 30, 2019

Received From: Maker Therightage

Folder Number: TUP00135

Subject Property: 45111 Stevenson Rd

Council Date: Feb 19, 2019
WHEREAS Section 493 of the Local Government Act permits the issuance of Temporary Use Permits;
and WHEREAS the Council of the City of Chilliwack in open meeting assembled is prepared to issue
such a permit on the terms and conditions set out below.

IT IS HEREBY RESOLVED that a Temporary Use Permit be issued as affecting property at:

**Civic Address:**
45111 Stevenson Road

**Parcel Identifier:**
000-502-065

**Legal Description:**
LOT 4 DISTRICT LOT 280 GROUP 2 NEW WESTMINSTER DISTRICT PLAN 67663

**General Intent of Permit**
To permit a commercial dog breeding kennel within the subject property for a maximum of
three (3) permanent adult dogs at any one time, excluding puppies.

**Validity of Permit**
Three (3) calendar years from the date of issuance of this Permit.

**Renewal of Permit**
In accordance with Section 497(2), this permit may be renewed once only, following
application to and at the pleasure of the Council of the City of Chilliwack, following
observance of due procedure.
Terms and Conditions of Permit

1) The business use of the land shall be specific to the operation of a small-scale commercial dog breeding business, known as Chilliwack Labradoodles, within the subject property.

2) The kennel shall consist of the keeping of a maximum of three (3) permanent female adult dogs on the premises at any one time, excluding the resulting puppies.

3) The kennel shall operate from Monday to Friday within the hours of 8:00 am to 4:00 pm.

4) The kennel shall provide adequate parking on-site for both residents and visitors.

5) A City of Chilliwack Business License is required for the commercial dog breeding kennel.

6) The keeping of pets on-site must be in compliance with the applicable Animal Control Bylaw, including but not limited to any required licensing, maintaining control of the animals, clean-up and sanitation, and control of barking dogs.

7) By way of this permit, the applicant (Mackenzie Heggs) accepts responsibility for the dogs on the subject property.

8) If the applicant is considered to be in contravention of the applicable Animal Control Bylaw, the Temporary Use Permit will be forwarded to Council for reconsideration.

9) Two months before the expiration date of this Permit, the applicant shall indicate to the Director of Planning & Strategic Initiatives their intention to either cease the business activity or to apply for a further three year permit.

10) For sake of clarity, this Permit constitutes a temporary Official Community Plan designation for a Temporary Use area.

APPROVED THIS _____ DAY OF ____________________, 2019.

ISSUED THIS _____ DAY OF ____________________, 2019.

________________________________________
CORPORATE OFFICER
1. SUMMARY OF ISSUE:

The applicant wishes to permit a One Family Residential Use within the C2 (Local Commercial) Zone in order to bring an existing mobile home into compliance with Zoning Bylaw regulations. As the C2 Zone does not permit this use, a Temporary Use Permit is required.

After three years, a renewal of the TUP will be required to continue the One Family Residential Use within the subject property for an additional three years. A TUP can be renewed only once. After which, rezoning or relocation to an appropriate zone is recommended; or, a new TUP application must be submitted.

2. RECOMMENDATION:

Recommendation that Council approve the issuance of Temporary Use Permit (TUP00136), with respect to property located at 42116 Yarrow Central Road, subject to the conditions as stipulated within the draft Temporary Use Permit.

David Blain
Director of Planning & Engineering

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.

Peter Monteith
Chief Administrative Officer
1. **DEFINITION OF ISSUE:**

The applicant wishes to permit a One Family Residential Use within the C2 (Local Commercial) Zone in order to bring an existing mobile home into compliance with Zoning Bylaw regulations. As the C2 Zone does not permit this use, a Temporary Use Permit is required.

After three years, a renewal of the TUP will be required to continue the One Family Residential Use within the subject property for an additional three years. A TUP can be renewed only once. After which, rezoning or relocation to an appropriate zone is recommended; or, a new TUP application must be submitted.

2. **BACKGROUND / PROPOSAL:**

In May of 2017, Council approved the “form and character” of a mobile office building to be sited on the subject property for use as an accountant’s office. At that time, a variance was also approved to waive the paving requirement with respect to the associated parking lot. The property during that time was also occupied by an existing commercial building containing a pizza and pasta restaurant, as well as an Accessory Dwelling Unit (ADU).

In October of 2018, the City received a complaint from a local resident regarding the siting of a mobile home on the property. Upon inspection, it was determined that a mobile structure has been sited on the property without the benefit of a Siting Permit and that this structure is currently being used as a second dwelling in contravention of Zoning Bylaw regulations. As there is already an existing ADU on the property, a TUP is required to permit an additional dwelling within the property’s C2 Zoning. The owner has stated that the mobile structure is only to be used as a residence until the commercial office is needed in the future.

Should the TUP be approved by Council, a Building Permit (BP) is required for the mobile home to ensure compliance with City Bylaws and CSA Standards. As the subject property is located within the protected floodplain, the regulations outlined within the Floodplain Regulation Bylaw also apply. In addition, the subject property is not connected to City sewer services, and therefore, an engineering report will be required at time of BP application with respect to the capacity and location of the septic system(s), including current and future septic field locations in relation to the building footprints.

Should the TUP not be renewed for the residential use in the future and the use converted for commercial purposes instead, a subsequent BP application will be required to ensure compliance with BC Building Code regulations for the commercial use or removal of the structure from the property will be necessary.
3. FACTORS

3.1 2040 Official Community Plan (OCP) / Land Use

OCP Designation: “General Commercial”

Current Land Use: Commercial building containing Yarrow Pizza & Pasta, as well as an Accessory Dwelling Unit (ADU).

3.2 Neighborhood Character

The subject property is located within the Yarrow neighbourhood and is surrounded by a variety of residential, commercial and agricultural land uses. North of the subject property, located across Yarrow Central Road, are lots within the C2 and CS1 (Service Commercial) that are currently utilized for residential and agricultural purposes. South of the subject property are larger lots within the RR (Rural Residential) Zone also utilized for residential and agricultural uses, while a vacant lot within the CS1 Zone is situated to the east and residential lots within the R1-A (One Family Residential) Zone to the west.

3.3 Conditions of Issuance

Staff support the requested use as proposed by the applicant and recommend approval of the draft Temporary Use Permit subject to the following conditions:

1) The One Family Residential Use of the land shall be specific to the mobile home sited within the subject property.

2) A Building Permit (BP) is required for the siting of the mobile home to ensure compliance with CSA Standards and City Bylaws, including the Floodplain Regulation Bylaw.

3) An engineering report is required at time of Building Permit (BP) application with respect to the capacity and location of the septic system(s), including current and future septic field locations in relation to the building footprints.

4) If the applicant is considered to be in contravention of the applicable City Bylaws, the Temporary Use Permit will be forwarded to Council for reconsideration.

5) Should the TUP not be renewed for the residential use in the future, and the use converted for commercial purposes instead, a subsequent Building Permit (BP) application will be required to ensure compliance with BC Building Code regulations for the commercial use, or removal of the structure from the property will be necessary.

6) Two months before the expiration date of this Permit, the applicant shall indicate to the Director of Planning & Strategic Initiatives their intention to either cease the One Family Residential Use or to apply for a further three year permit.

7) For sake of clarity, this Permit constitutes a temporary Official Community Plan designation for a Temporary Use area.
4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that Council approve the issuance of Temporary Use Permit (TUP00136), with respect to property located at 42116 Yarrow Central Road, subject to the conditions as stipulated within the draft Temporary Use Permit.

Substantiation:

Given the current limitations with respect to City services, prolonged residential use may require significant upgrades to the existing septic systems to ensure feasibility. However, given the wide range of land uses found throughout the neighbourhood, an additional residence within the subject property and near existing commercial uses would not be considered unreasonable so long as all recommended conditions are met with respect to City Bylaws and all other applicable regulations.

Furthermore, due the temporary nature of the proposed residential use, future development opportunities would still be available as any new commercial development would still be in keeping with the City’s OCP designation.

5. SOURCES OF INFORMATION:

- Development Application Review Team (DART) Minutes – January 10, 2019
- Temporary Use Permit Application (TUP00136) – December 3, 2018
- Development Permit Application (DP000760) – Issued May 2, 2017
- Development Variance Permit Application (DVP00826) – Issued May 2, 2017
Existing commercial building operated by Yarrow Pizza & Pasta.

Existing shed and Accessory Dwelling Unit (ADU).

Mobile building proposed to be converted into a One Family Residential Use.
Proposed Site Plan and Elevations (as provided by the applicant)

Proposed Mobile Home

SITE PLAN

SCALE: 1" = 20'-0"

NOTE:
All existing site dimensions, property line lengths and existing areas are derived from information on the City of Chilliwack's website and are approximate. All dimensions to be confirmed on site.
CITY OF CHILLIWACK

TEMPORARY USE PERMIT NO. TUP00136

To: Majuba Enterprises Inc.
46050 No. 5 Road
Abbotsford, BC V3G 2T9

WHEREAS Section 493 of the Local Government Act permits the issuance of Temporary Use Permits; and WHEREAS the Council of the City of Chilliwack in open meeting assembled is prepared to issue such a permit on the terms and conditions set out below.

IT IS HEREBY RESOLVED that a Temporary Use Permit be issued as affecting property at:

Civic Address:
42116 Yarrow Central Road

Parcel Identifier:
009-706-275

Legal Description:
LOT “C” DISTRICT LOT 83 GROUP 2 NEW WESTMINSTER DISTRICT PLAN 12461

General Intent of Permit

to permit a One Family Residential Use within the C2 (Local Commercial) Zone in order to bring an existing mobile home into compliance with Zoning Bylaw regulations.

Validity of Permit

Three (3) calendar years from the date of issuance of this Permit.

Renewal of Permit

In accordance with Section 497(2), this permit may be renewed once only, following application to and at the pleasure of the Council of the City of Chilliwack, following observance of due procedure.
Temporary Use Permit

Terms and Conditions of Permit

1) The One Family Residential Use of the land shall be specific to the mobile home sited within the subject property.

2) A Building Permit (BP) is required for the siting of the mobile home to ensure compliance with CSA Standards and City Bylaws, including the Floodplain Regulation Bylaw.

3) An engineering report is required at time of Building Permit (BP) application with respect to the capacity and location of the septic system(s), including current and future septic field locations in relation to the building footprints.

4) If the applicant is considered to be in contravention of the applicable City Bylaws, the Temporary Use Permit will be forwarded to Council for reconsideration.

5) Should the TUP not be renewed for the residential use in the future, and the use converted for commercial purposes instead, a subsequent Building Permit (BP) application will be required to ensure compliance with BC Building Code regulations for the commercial use, or removal of the structure from the property will be necessary.

6) Two months before the expiration date of this Permit, the applicant shall indicate to the Director of Planning & Strategic Initiatives their intention to either cease the One Family Residential Use or to apply for a further three year permit.

7) For sake of clarity, this Permit constitutes a temporary Official Community Plan designation for a Temporary Use area.

APPROVED THIS _____ DAY OF ____________, 2019.

ISSUED THIS _____ DAY OF ____________, 2019.

________________________________________
CORPORATE OFFICER
1. SUMMARY OF ISSUE:

The applicant is seeking support for variances to the R4 (Low Density Multi-Family Residential) Zone regulations to facilitate the construction of an 8-unit townhouse complex within the subject property. The requested variances are as follows:

- to reduce the minimum required front lot line (FLL) setback from 8.44m to 6.94m (6m standard plus 2.44m supplemental); and,
- to reduce the minimum required interior side lot line (ISLL) (north) setback from 4.5m to 3m, for proposed townhouse units “7” and “8”, in association with the future townhouse complex.

2. RECOMMENDATION:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01015 with respect to property located at 9603 Broadway.

David Blain  
Director of Planning & Engineering

3. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

Supports recommendation.

Peter Monteith  
Chief Administrative Officer
1. **DEFINITION OF ISSUE:**

The applicant is seeking support for variances to the R4 (Low Density Multi-Family Residential) Zone regulations to facilitate the construction of an 8-unit townhouse complex within the subject property. The requested variances are as follows:

- to reduce the minimum required front lot line (FLL) setback from 8.44m to 6.94m (6m standard plus 2.44m supplemental); and,
- to reduce the minimum required interior side lot line (ISLL) (north) setback from 4.5m to 3m, for proposed townhouse units “7” and “8”, in association with the future townhouse complex.

2. **Background/Proposal:**

The applicant is proposing to construct an 8-unit townhouse complex within the subject property. The applicant has also applied for a Development Permit (DP) application to address “form and character” considerations, and is being reviewed concurrently.

The applicant is seeking support to reduce the minimum FLL setback from 8.44m to 6.94m (6m standard plus 2.44m supplemental). If Broadway is expanded to the full 25m width, the townhouse building will be setback 4.5m from the FLL. Due to the narrow configuration of the western portion of the lot, the applicant is also requesting that the ISLL (north) be reduced from 4.5 to 3m for proposed townhouse units “7” and “8”. The remaining portion of the building will be setback 4.5m from the ISLL (north). The proposal includes 1.5m tall chainlink fencing and vegetation along the perimeter of the future townhouse development to screen adjacent views.

**Proposed Building Facing North (provided by applicant)**

![Proposed Building Facing North (provided by applicant)](image)
A copy of the proposed Site Plan is attached in the draft Development Variance Permit (DVP).

3. Factors

3.1 2040 Official Community Plan (OCP) / Land Use

OCP Designation: “Residential 2 – Townhouses” as specified in the Downtown Land Use and Development Plan of the OCP.

Land Use: Single-family dwellings (to be demolished).

3.2 Neighbourhood Character

The subject property is located within the Chilliwack Proper neighbourhood. Surrounding properties are either within the R1-A (One Family Residential) Zone containing single-family dwellings or within the R5 (Medium Density Multi-Family Residential) Zone developed as small apartment complexes.

As per the Design Guidelines, development is encouraged to be oriented close to and parallel to street edges to maximize a positive impact on the streetscape. The requested variance to reduce the FLL setback is supportable and considered to be consistent with the Design Guidelines and in-keeping with the streetscape of the residential neighbourhood. The request to reduce the required ISLL setback (north) from 4.5m to 3m is supportable as each private amenity area meets the minimum dimension (3m) and area (15m²) requirements, thereby providing adequate private amenity space at grade for each of the units. In addition, the incorporation of horizontal building articulation, varying materials, and different colours help provide visual relief to the adjacent properties to the north.

The remainder of the townhouse development meets all other minimum multi-family residential setback requirements.

3.3 Technical Issues:

Floodplain: The subject property is located within the protected floodplain and subject to the regulations of 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.
3.4 Discussion:

Staff support the requested variances and recommend approval of the attached draft DVP with no additional conditions of issuance.

4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01015 with respect to property located at 9603 Broadway.

Substantiation:

The requested variance to reduce the FLL setback from 8.44m to 6.94m is supportable as it is considered to be consistent with the Design Guidelines and in-keeping with the streetscape of the residential neighbourhood. The request to reduce the required ISLL setback (north) from 4.5m to 3m for proposed townhouse units “7” and “8” is supportable on the basis that the private amenity area requirements, as specified by the Zoning Bylaw, will be met and that each private amenity area meets the minimum dimension and area requirements.

Through an attractive design, the proposed development is not anticipated to impact the adjacent existing or future residential developments. The proposal will comply with all other Zoning Bylaw requirements.

5. SOURCES OF INFORMATION:

- Development Application Review Team (DART) minutes – December 13, 2018
- Development Permit application DP001069
- Development Variance Permit application DVP01015
- Demolition Permits DEM01263 & DEM01264
- Rezoning application RZ001157
SCHEDULE "A"
THE CITY OF CHILLIWACK
DEVELOPMENT VARIANCE PERMIT

3090-20 (9603 Broadway) DVP01015

To: Precision Building Design Associates Ltd.
3 - 45953 Airport Road
Chilliwack BC V2P 1A3

To: 1177880 B.C. LTD., INC. NO. BC1177880
16725 – 86A Avenue
Surrey BC V4N 5E8

To: 1169480 B.C. LTD., INC. NO. BC1169480
15483 – 104th Avenue
Surrey BC V3R 1N9

To: 1161471 B.C. LTD., INC. NO. BC1161471
343-8140-128th Street
Surrey BC V3W 1R1

1. This Development Variance Permit is issued subject to compliance with all of the
   Bylaws of the City of Chilliwack applicable thereto, except as specifically varied or
   supplemented by this Permit.

2. This Development Variance Permit applies only to those lands within the City of
   Chilliwack described below and the construction of an 8-unit townhouse
   complex, and does not apply to any additions or subsequent replacement of any
   and all buildings and structures and other development thereon:

   Parcel Identifier No.: 030-641-349
   Legal Description: LOT 1 DISTRICT LOT 333 GROUP 2 NEW WESTMINSTER
                     DISTRICT PLAN EPP84926
   Address: 9603 Broadway

3. In accordance with the provisions of Section 498 of the Local Government Act the
   following section(s) of Zoning Bylaw 2001, No. 2800 are varied as stated:

   Section 9.07(8)(a) R4 (Low Density Multi-Family Residential) Zone is varied by
   reducing the minimum required front lot line setback from 8.44m to 6.94m.

   Section 9.07(8)(c) R4 (Low Density Multi-Family Residential) Zone is varied by
   reducing the minimum required interior side lot line (north) setback from 4.5m
   to 3m, for proposed townhouse units “7” and “8”.

4. The land described herein shall be developed strictly in accordance with the
   terms and conditions and provisions of this Permit and the plans and information
   contained within the application.

5. If the Permittee does not commence development permitted by this Permit
   within two years of the date of this Permit, this Permit shall lapse.
6. This Permit is not a Building Permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL ON THE __ DAY OF __, 2019.

ISSUED THIS __ DAY OF __, 2019.

________________________
CORPORATE OFFICER
Variance to reduce the FLL setback from 8.44m to 6.94m (6m standard plus 2.44m supplemental)

Variance to reduce the ISLL (north) setback from 4.5m to 3m for townhouse units "7" and "8"
1. SUMMARY OF ISSUE:

The applicant is seeking to increase the maximum permitted lot coverage for an urban ancillary building within the R1-A (One Family Residential) Zone from 75m² to 94m² to facilitate construction of a detached garage within the subject property.

2. RECOMMENDATION:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01039 with respect to property located at 42260 Elizabeth Avenue.

David Blain
Director of Planning & Engineering

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.

Peter Monteith
Chief Administrative Officer
1. **DEFINITION OF ISSUE:**

The applicant is seeking to increase the maximum permitted lot coverage for an urban ancillary building within the R1-A (One Family Residential) Zone from 75m² to 94m² to facilitate construction of a detached garage within the subject property.

2. **PROPOSAL:**

The proposed 2-car garage will be sited within the south-west corner of the rear yard with vehicle access available by way of a new driveway. As shown in the conceptual elevations provided below, the maximum building height is 5.1m.

*Conceptual Elevations (provided by applicant)*

For information, a copy of the site plan is attached in the draft Development Variance Permit (DVP).
3. FACTORS:

3.1 2040 Official Community Plan (OCP) / Land Use

OCP: “Low Density Residential”

Land Use: Single family dwelling with an attached garage. The applicant wishes to retain a 10m² shed that is located at the southwest corner of the property.

3.2 Neighbourhood Character

The subject property is located within the established neighbourhood of Yarrow, surrounded by single-family dwellings on similar-sized lots (ranging from 900m² to 2,000m²) within the R1-A Zone. Properties in the surrounding area also contain similar-sized ancillary structures. The property is enclosed by perimeter fencing and there is mature hedging on the adjacent property to the south that functions as a buffer between the proposed garage.

As the subject property is relatively large (1,360m²), a larger ancillary structure could reasonably be accommodated on-site without compromising the form and character of the residential neighbourhood. In addition, as the proposed garage will be sited along the southwestern property line and away from existing single-family dwellings in the area, the requested variance is not anticipated to negatively impact the adjacent residential properties.

3.3 Technical Issues

Floodplain: The subject property is within the protected area of the 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.

3.4 DVP Conditions of Issuance

Staff support the requested variance as proposed by the applicant and recommend approval of the draft Development Variance Permit subject to the following condition:

a) That the siting of the ancillary building be in accordance with the Site Plan attached within Schedule “A”.
4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01039 with respect to property located at 42260 Elizabeth Avenue.

Substantiation:

The requested variance to increase the maximum lot coverage for ancillary structure from 75m² to 94m² is supportable as the proposed garage will be sited along the southwest property line, away from existing residences, and screened by an existing fence and mature hedging. Furthermore, a larger ancillary structure can be reasonably accommodated on-site without compromising the existing neighbourhood character given the size of the subject property.

5. SOURCES OF INFORMATION:

- Development Variance Permit application DVP01039
This Development Variance Permit is issued subject to compliance with all of the Bylaws of the City of Chilliwack applicable thereto, except as specifically varied or supplemented by this Permit.

This Development Variance Permit applies only to those lands within the City of Chilliwack described below, and the construction of a 94m² urban ancillary structure, and does not apply to any additions or subsequent replacement of any and all buildings and structures and other development thereon:

**Parcel Identifier No.** 026-644-720  
**Legal Description:** LOT 3 DISTRICT LOT 83 GROUP 2 NEW WESTMINSTER  
**Address:** 42260 Elizabeth Avenue

In accordance with the provisions of Section 498 of the Local Government Act the following section(s) of Zoning Bylaw 2001, No. 2800 are varied as stated:

*Section 9.01(6)(c) is varied by increasing the maximum lot coverage for urban ancillary use from 75m² to 94m².*

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and the plans and information contained within the application. The following conditions applies:

a) that the siting of the ancillary building be in accordance with the Site Plan attached within Schedule “A”.

If the Permittee does not commence development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit is not a Building Permit.

**AUTHORIZING RESOLUTION PASSED BY THE COUNCIL ON THE _ DAY OF _ 2019.**

**ISSUED THIS _ DAY OF _ 2019.**

__________________________________________  
CORPORATE OFFICER
AGENDA ITEM NO: 12-A-5

MEETING DATE: March 5, 2019

STAFF REPORT – COVER SHEET

Westbow Construction
Development Variance Permit / 50227

SUBJECT: Sienna Avenue

DATE: February 15, 2019

DEPARTMENT: Planning & Strategic Initiatives

PREPARED BY: Stacy Thoreson / kk

1. SUMMARY OF ISSUE:

   The applicant is seeking to reduce the minimum front lot line setback from 7.5m to 3m within the SR (Suburban Residential) Zone to facilitate the construction of a single family dwelling.

2. RECOMMENDATION:

   Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01045 with respect to property located at 50227 Sienna Avenue.

   [Signature]
   David Blain
   Director of Planning & Engineering

3. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

   Supports recommendation.

   [Signature]
   Peter Monteith
   Chief Administrative Officer
1. DEFINITION OF ISSUE:

The applicant is seeking to reduce the minimum front lot line setback from 7.5m to 3m within the SR (Suburban Residential) Zone to facilitate the construction of a single family dwelling.

2. PROPOSAL:

The requested reduction to the front lot line setback is to accommodate an irregular lot shape and house orientation, as shown in the proposed Site Plan below. As the house is positioned on an angle to the front lot line, the western corner of the house is proposed to be sited 3m away from the property line. The requested reduction will not affect the off-street parking provided, as the proposed driveway is over 8m in length, within the subject property, at its shortest edge.

Proposed Site Plan (as provided by the applicant)
3. FACTORS:

3.1 2040 Official Community Plan (OCP) / Land Use

OCP: “No Build Area” and “Low Density Residential” as designated in the Eastern Hillsides Comprehensive Area Plan.

Land Use: Vacant lot.

3.2 Neighbourhood Character

The subject property is located within the “Elk Creek Estates” Development in the Eastern Hillsides, surrounded by newly built single family dwellings within the SR Zone. “Old Marble Hill Road Trail” runs through the north eastern portion of the subject property, protected by a Statutory Right of Way. The subject property is the last remaining lot to be developed within the cul-de-sac and, due to the lot layout and the siting of the existing adjacent home, it is anticipated that the requested variance will maintain a consistent streetscape while still providing a full driveway length.

3.3 Technical Issues

Floodplain: The subject property is located outside of the Floodplain.

Watercourses: There are no known watercourses within, or in the immediate vicinity of, the subject property.

Geotechnical Issues: The subject property is located within areas identified as having high earthquake hazard and medium slope hazard.

3.4 Conditions of Issuance

Staff support the requested variance as proposed by the applicant and recommend approval of the draft Development Variance Permit subject to the following condition:

a) that the siting of the single family dwelling be in accordance with the Site Plan attached within Schedule “A”.

4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01045 with respect to property located at 50227 Sienna Avenue.

Substantiation:

A reduction to the required front lot line setback for a portion of the proposed single family dwelling is supportable as sufficient off-street parking is provided and the orientation of the house is anticipated to maintain a consistent streetscape.
5. SOURCES OF INFORMATION:

- Development Variance Permit Application – DVP01045
Proposed Site Plan (as provided by the applicant)
SCHEDULE "A"
THE CITY OF CHILLIWACK
DEVELOPMENT VARIANCE PERMIT

3090-20 (50227 Sienna Avenue)       DVP01045

To: Westbow Construction
    7350 Barrow Road
    Chilliwack BC V2R 4J8
Promontory Ridge Estates Inc
    110 - 33973 Gladys Avenue
    Abbotsford BC V2S 2E8

1. This Development Variance Permit is issued subject to compliance with all of the
   Bylaws of the City of Chilliwack applicable thereto, except as specifically varied or
   supplemented by this Permit.

2. This Development Variance Permit applies only to those lands within the City of
   Chilliwack described below, and the construction of a single family dwelling, and
   does not apply to any additions or subsequent replacement of any and all
   buildings and structures and other development thereon:

   Parcel Identifier No. 029-979-986
   Legal Description: LOT 97 SOUTH EAST QUARTER SECTION 24 TOWNSHIP
   26 NEW WESTMINSTER DISTRICT PLAN EPP64490
   Address: 50227 Sienna Avenue

3. In accordance with the provisions of Section 498 of the Local Government Act the
   following section(s) of Zoning Bylaw 2001, No. 2800 are varied as stated:

   Section 8.08(8)(a) SR (Suburban Residential) Zone is varied by reducing the
   minimum front lot line setback from 7.5 metres to 3 metres.

4. The land described herein shall be developed strictly in accordance with the
   terms and conditions and provisions of this Permit and the plans and information
   contained within the application. The following condition applies:

   a) that the siting of the single family dwelling be in accordance with the Site
      Plan attached.

5. If the Permittee does not commence development permitted by this Permit
   within two years of the date of this Permit, this Permit shall lapse.

6. This Permit is not a Building Permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL ON THE ___ DAY OF ___, 2019.
ISSUED THIS ___ DAY OF ___, 2019.

CORPORATE OFFICER
SUMMARY OF ISSUE:

The applicant is seeking to reduce the required interior side lot line setback within the AL (Agriculture Lowland) Zone from 15m to 3m to facilitate the construction of a poultry barn.

RECOMMENDATION:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01058 with respect to property located at 6899 Evans Road.

CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.

AGENDA ITEM NO: 12-A-6
MEETING DATE: March 5, 2019
STAFF REPORT – COVER SHEET

Kloot Construction
Development Variance Permit / 6899
SUBJECT: Evans Road
DATE: February 15, 2019
DEPARTMENT: DVP01058
PREPARED BY: Stacy Thoreson / kk

David Blain
Director of Planning & Engineering

Peter Monteith
Chief Administrative Officer
1. DEFINITION OF ISSUE:

The applicant is seeking to reduce the required interior side lot line setback within the AL (Agriculture Lowland) Zone from 15m to 3m to facilitate the construction of a poultry barn.

2. PROPOSAL:

The requested setback reduction is for a portion of the building, closest to Evans Road, with the remainder of the building proposed to be sited at 6.5m from the property line, as shown in the requested Site Plan below.

The applicant submits that the separation distance is required between buildings in order to maintain "organic" status of the farm and siting the building closer to the property line will allow for the best use of farm land.

3. FACTORS:

3.1 2040 Official Community Plan (OCP) / Land Use

OCP: "Agriculture"

Land Use: Two poultry barns.
3.2 Neighbourhood Character

The subject property is surrounded by large farm properties within the AL Zone. The property to the north, adjacent to the affected property line, is owned by the same owner as the subject property. As such, the requested reduction is not anticipated to impact the adjacent property.

3.3 Technical Issues:

Floodplain: The subject property is located outside of the floodplain.

Watercourse: Atchelitz Creek, a “Class A” watercourse, is located adjacent to the rear property line. The proposed development is located outside of the required setback for riparian protection.

Geotechnical Issues: The property is not subject to any known geotechnical hazards or earthquake related risks.

3.4 Conditions of Issuance

Staff support the requested variance as proposed by the applicant and recommend approval of the draft Development Variance Permit subject to the following condition:

a) that the siting of the poultry barn be in accordance with the Site Plan attached within Schedule “A”.

4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01058 with respect to property located at 6899 Evans Road.

Substantiation:

The requested variance to reduce the interior side lot line setback for a poultry barn from 15m to 3m is supportable as the barn is located adjacent to a large vacant field that is owned by the same property owner; therefore, the proposed siting is not anticipated to negatively affect the adjacent property. Furthermore, siting the building closer to the property line is anticipated to lessen the impact on the farming operating than if the barn were to be sited elsewhere on the property.

5. SOURCES OF INFORMATION:

- Development Variance Permit Application – DVP01058
1. This Development Variance Permit is issued subject to compliance with all of the Bylaws of the City of Chilliwack applicable thereto, except as specifically varied or supplemented by this Permit.

2. This Development Variance Permit applies only to those lands within the City of Chilliwack described below, and to the construction of a poultry barn, and does not apply to any additions or subsequent replacement of any and all buildings and structures and other development thereon:

   Parcel Identifier No. 028-991-249
   Legal Description: LOT A DISTRICT LOT 76 GROUP 2 NEW WESTMINSTER DISTRICT PLAN EPP26105
   Address: 6899 Evans Road

3. In accordance with the provisions of Section 498 of the Local Government Act the following section(s) of Zoning Bylaw 2001, No. 2800 are varied as stated:

   Section 7.01(8)(d) AL (Agriculture Lowland) Zone is varied by decreasing the interior side lot line setback for an animal enclosure (exceeding 10m² in area) from 15m to 3m.

4. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and the plans and information contained within the application. The following condition applies:

   a) that the siting of the poultry barn be in accordance with the Site Plan attached.

5. If the Permittee does not commence development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

6. This Permit is not a Building Permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL ON THE ___DAY OF___, 2019.
ISSUED THIS ___DAY OF___, 2019.

________________________________________
CORPORATE OFFICER