CITY OF CHILLIWACK  
Regular Meeting of Council  

8550 Young Road  
Chilliwack, BC  V2P 8A4  
June 18, 2019  
3:00 pm

Agenda Listing

1. Call to Order

2. Delegations/Hearings

3. Adoption of Minutes

   3-1 Recommendation that the Minutes of the Regular Meeting of Council held June 4, 2019, be adopted as circulated.  

4. Business Arising

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

   5-1 Recommendation that the following bylaws be adopted:
   
   “Ancillary Liquor Service Regulation Bylaw 2019, No. 4701”;
   “Housing Agreement Bylaw 2019, No. 4703”; and,
   “Housing Agreement Bylaw 2019, No. 4705”;
   
   and further, that the Minutes of the Public Safety Advisory Committee Meeting held May 8, 2019 be received for information.

6. Monthly/Quarterly Reports

7. Departmental Reports

   7-B-1 (ENG) Recommendation that Council award the Tender for the “2019 Drainage Rehabilitation Program” to Walter’s Bulldozing 1994 Ltd., in the amount of $578,000.00 (plus applicable taxes) for basic work and provisional work; and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.  

   7-B-2 (ENG) Recommendation that Council accept the Request for Proposal for the “Hack Brown/Prest/Five Corners Design-Build Project” from the lead proponent, Jakes Construction Ltd., in the amount of $6,151,700.00 (plus applicable taxes); and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.
7. Departmental Reports (continued)

7-B-3 (ENG) Recommendation that Council award the Tender for the “2019 Rowat Avenue Storm Sewer Project” to Bervin Construction Ltd., in the amount of $120,666.67 (plus applicable taxes) for the required work; and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.

7-B-4 (ENG) Recommendation that the request from Key-West Asphalt (333) Ltd., to be re-instated to Chilliwack bidders list prior to January 10, 2022, as contained within the Staff Report dated June 4, 2019, be denied.

7-C-1 (OPS) Recommendation that “Miscellaneous Rates Bylaw Amendment Bylaw 2019, No. 4710” be given first and second reading.

7-C-2 (OPS) Recommendation that Council award the Tender for “One 750KW Generator” to Cummins Sales and Service in the amount of $203,258.00 (plus applicable taxes); and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.

7-F-1 (FIN) Recommendation that Council receive the “2018 Schedule of Remuneration and Expenses for Elected Officials” for information.

7-G-1 (C/S) Recommendation that Council receive for information the Manufacturer On-Site Store, and/or Picnic Area Endorsement Licence Application, and the Lounge and Special Event Area Application, from Farmhouse Brewing Co., to be located at 6385 Lickman Road; and further, that a Public Information Meeting be called for July 2, 2019, in order to receive public comment on the applications.

7-H-1 (PLAN) Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4706”, which proposes to rezone property located at 47386 MacSwan Drive from an R3 (Small Lot One Family Residential) Zone to an R1-A (One Family Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for July 2, 2019. (RZ001344)

7-H-2 (PLAN) Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4707”, which proposes to rezone property located at 46041 Third Avenue 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 July 2, 2019. (RZ001351)
7. **Departmental Reports (continued)**

7-H-3  Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4708”, which proposes to rezone property located at 46513 Hope River Road from an R1-A (One Family Residential) Zone to an R4 (Low Density Multi-Family Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for July 2, 2019. (RZ001342)  

7-H-4  Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4709”, which proposes to rezone properties located at 42789 Janzen Road and a portion of 42805 Janzen Road from an RR (Rural Residential) Zone to an R1-A (One Family Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for July 2, 2019. (RZ001345)  

7-H-5  Recommendation that Council approve the issuance of Development Permit DP001035 with respect to property located at 47203 Vista Place, subject to the recommendations of the Design Review Advisory Committee and the conditions as set out within the draft Development Permit.  

7-H-6  Recommendation that Council direct staff to pre-consult with Skwah First Nation with respect to an application which proposes to redesignate properties located at 9374 and 9388 Ashwell Road, from “Residential 1 – One and Two Family Housing” to “Residential 2 – Attached Housing and Narrow Lot Infill”. (RZ001352)  

7-H-7  Recommendation that Council direct staff to pre-consult with the Agricultural Land Commission with respect to an application which proposes to redesignate property located at 45506 Yale Road, from “Agri-Business Park” to “Thoroughfare Commercial”. (RZ001327)  

7-H-8  Recommendation that Council accept the Request for Proposal for the provision of consulting services for the “Sardis Neighbourhood Plan” from the lead proponent, Urban Systems Ltd., in the amount of $119,988.99 (plus applicable taxes); and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.  


7-I-1  Recommendation that Council approve the issuance of Development Permit DP001011 with respect to property located at 6605 Payne Road, subject to geotechnical and environmental issues being met.
8. Motion to Adjourn to a Closed Session. Regular Meeting to Reconvene at 7:00 pm

9. Meeting Reconvened 7:00 pm

10. Delegations/Hearings

10-1 Delegation

Dave Casey, President, Jeremy Plesman, Vice-President, Doug Fraser, former President, and Tracey Heron, Search Manager, Chilliwack Search and Rescue Society are in attendance to provide Council with a presentation on the program.

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

10-3 Public Hearing

PH-1 “Temporary Use Permit TUP00141” (TUP00141) (5048 Teskey Road)

*Public Hearing has been cancelled at the request of the applicant*

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PH-2 “Temporary Use Permit TUP00142” (TUP00142) (10537 McSween Road)

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10-4 Public Information Meeting

PI-1 “Development Variance Permit DVP01042” (44404, 44410, 44416, 44422, 44428, 44434, 44440, 44446, 44452, 44458, 44464, 44470, 44476, and 44482 Freshwater Drive)

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PI-2 “Development Variance Permit DVP01072” (45300 Luckakuck Way)

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PI-3 “Development Variance Permit DVP01073” (9594 Coote Street)

Consultation package received from:

- John Kirkhoff, Super Sheds Ltd., dated April 5, 2019

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10. **Delegations/Hearings** (continued)

10-4 Public Information Meeting (continued)

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<th>Delegations/Hearings</th>
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<td>PI-4 “Development Variance Permit DVP01075” (43400 Alameda Drive)</td>
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<td>PI-5 “Development Variance Permit DVP01076” (46325 Yale Road)</td>
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11. **Clerk’s Reports**

12. **Application Reports**

12-A-1 Recommendation that Council approve the issuance of Temporary Use Permit TUP00142 with respect to property located at 10537 McSween Road, subject to the recommendations as stipulated within the draft Temporary Use Permit. [Page 247]

12-A-2 Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01042 with respect to property located at 44404, 44410, 44416, 44422, 44428, 44434, 44440, 44446, 44452, 44458, 44464, 44470, 44476, and 44482 Freshwater Drive. [Page 253]

12-A-3 Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01072 with respect to property located at 45300 Luckakuck Way. [Page 264]

12-A-4 Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01073 with respect to property located at 9594 Coote Street. [Page 271]

12-A-5 Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01075 with respect to property located at 43400 Alameda Drive. [Page 276]

12-A-6 Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01076 with respect to property located at 46325 Yale Road. [Page 283]
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:

Minutes of the Regular Meeting of Council held June 4, 2019, for adoption.

2. RECOMMENDATION:

That the Minutes of the Regular Meeting of Council held June 4, 2019, be adopted as circulated.

[Signature]

Jacqueline Morgan, CMC
Corporate Officer
MINUTES of the Fifteenth meeting held by the Seventh Council of the City of Chilliwack in the Council Chambers, City Hall on June 4, 2019 at 3:00 pm.

PRESENT: All members of Council.

In addition, the following members of staff were present:

- P.D. Monteith, Chief Administrative Officer
- K. Stanton, Manager of Long Range Planning
- J Kooistra, Director of Corporate Services/Acting Corporate Officer
- C.S. Crosman, Deputy Chief Administrative Officer
- M. Winn, Manager of Accounting Services
- G. MacPherson, Director of Operations
- R. Mulligan, Director of Recreation and Culture
- R.E.G. Sanderson, Deputy Director of Planning and Engineering
- S/Sgt. S. Vrolyk, Upper Fraser Valley Regional Detachment, RCMP
- Supt. B. Massie, OIC, Upper Fraser Valley Regional Detachment, RCMP
- C. Carruthers, Manager of IT Operations
- G. Schipper, Manager of Building and Regulatory Enforcement
- G. Villeneuve, Manager of Development Planning
- T. Friesen, Manager of Environmental Services
- K. Jefford, Manager of Transportation and Drainage
- C. Weston, Assistant Manager of Bylaw Enforcement
- J. Koczurk, Deputy Director of Operations
- M. Sikora, Social Development Coordinator
- G. White, Manager of Land Development/Approving Officer
- C. Naiduwa, Utilities Engineer
- J. Leggatt, Communications Manager
- P.C. Friesen, Recording Secretary

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

Delegations/Hearings

Debbie Denault, Literacy Outreach Coordinator, Chilliwack Learning Community Society, and Joel Robertson-Taylor, Researcher for the Chilliwack Social Research and Planning Council, provided Council with an overview of the Secondary Research Review on Poverty in Chilliwack.

Adoption of Minutes

Mercer  ) That the Minutes of the Regular Meeting of Council held May 21, 2019, be
Knott   ( adopted as circulated.                          

Carried unanimously

Consent Agenda

Shields ) That the Minutes of the Design Review Advisory Committee Meeting held
Kloot   ( May 8, 2019 be received for information.        

Carried unanimously
City of Chilliwack Council Minutes – June 4, 2019

Department Reports

Kloot
Westeringh

That Council authorize Staff to forward Request for Proposal documents to the following selected proponents for the “Water System Asset Evaluation Study”:

1. WSP Group Canada Ltd.;
2. Urban Systems Ltd.; and,
3. ISL Engineering and Land Services.

Carried unanimously

Lum
Kloot


Carried unanimously

Lum
Knott


Carried unanimously

Knott
Mercer

That Staff be directed to consult with the Fraser Valley Regional District and local First Nations with respect to British Columbia Lottery Corporation’s proposal to add table games to Chances Chilliwack, located at 8180 Young Road.

Carried unanimously

Westeringh
Knott

That Council approve the renewal of the “Upper Fraser Valley Bylaw Notice Dispute Adjudication Registry Agreement” between the City of Chilliwack, District of Hope, District of Kent, District of Mission, Village of Harrison Hot Springs, Fraser Valley Regional District, and Cultus Lake Park for the 30-month period of July 1, 2019 to December 31, 2021; and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.

Carried unanimously

Kloot
Knott

That “Zoning Bylaw Amendment Bylaw 2019, No. 4696”, which proposes to rezone a portion of property located at 8810 Young Road from a CSM (Service Commercial - Industrial) Zone to a C9 (Cannabis Retail) Zone, be denied.

(RZ001326)

Carried unanimously

Kloot
Lum

That “Ancillary Liquor Service Regulation Bylaw 2019, No. 4701” be given first and second reading.

Carried unanimously

Knott
Shields

That “Ancillary Liquor Service Regulation Bylaw 2019, No. 4701” be given third reading.

Carried unanimously

Lum
Knott

That “Business Licence Bylaw Amendment Bylaw 2019, No. 4702” be given first and second reading.

Carried unanimously
That “Business Licence Bylaw Amendment Bylaw 2019, No. 4702” be given third reading.  
Carried unanimously

Carried unanimously

That Council approve funding of $67,144.05 under the Supportive Housing Assistance Policy (Community Development Initiatives Funding Policy) and waive the amount of $512,756.57 under the “Development Cost Charges Waiver for Eligible Developments Bylaw 2010, No. 3679” for the construction of a supportive housing development located at 45890 Trethewey Avenue, as requested by the Province of British Columbia.  
Carried unanimously

That “Housing Agreement Bylaw 2019, No. 4703” be given first and second reading.  
Carried unanimously

That “Housing Agreement Bylaw 2019, No. 4703” be given third reading.  
Carried unanimously

That Council approve funding of $43,289.20 under the Supportive Housing Assistance Policy (Community Development Initiatives Funding Policy) and waive the amount of $66,671.00 under the “Development Cost Charges Waiver for Eligible Developments Bylaw 2010, No. 3679” for the construction of a supportive housing development (residential treatment) located at 45456 Yale Road, as requested by the Province of British Columbia.  
Carried unanimously

That “Housing Agreement Bylaw 2019, No. 4705” be given first and second reading.  
Carried unanimously

That “Housing Agreement Bylaw 2019, No. 4705” be given third reading.  
Carried unanimously

That Council direct Staff to include revised standards for residential parking within the “Zoning Bylaw Review Project” as contained within the Staff Report dated May 27, 2019.
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Department Reports (continued)

Westeringh: That Council support the addition of revised standards for residential parking in the following zones:

- reduce the rear lot line setback in the R3 (Small Lot One Family Residential) Zone from 6m to 5m; and,
- reduce the rear lot line setback in the R1-D (Infill Small Lot One Family Residential) Zone from 7.5m to 6m.

Carried unanimously

Original motion carried unanimously

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

Carried unanimously

The regular meeting adjourned at 3:38 pm and reconvened at 7:00 pm.

PRESENT: All members of Council, except Councillor Knott.

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

P.D. Monteith, Chief Administrative Officer
J. Kooistra, Director of Corporate Services/Acting Corporate Officer
G. Villeneuve, Manager of Development Planning
P.C. Friesen, Recording Secretary

Public Hearing

“Zoning Bylaw Amendment Bylaw 2019, No. 4695” (RZ001273)

Public Hearing on “Zoning Bylaw Amendment Bylaw 2019, No. 4695”, which proposes to rezone property located at 46769 Hudson Road from an RR (Rural Residential) Zone to an R4 (Low Density Multi-Family Residential) Zone and an RSV1 (Limited Use Reserve) Zone.

Letter of opposition received from:
- Michael and Lisa Gagne, 18-46791 Hudson Road, dated June 3, 2019.

Consultation package received from:
- Cassidy Silbernagel, Designer/Project Manager, OTG Developments Ltd., Unit 520 – 45715 Hocking Avenue, dated June 3, 2019.

Sundeep Kapoor, 5840 Jinkerson Road, voiced concern with increase in traffic; road width; density within the immediate area; parking; sewer service; and, impact on school population.
Public Hearing (continued)

"Zoning Bylaw Amendment Bylaw 2019, No. 4695" (RZ001273) (continued)

Sean Hall, Unit 38 - 46791 Hudson Road, expressed concern with parking; lack of school bus service to the development; density; impact on school population; cedar hedge removal and the impact this will have on wildlife habitat; and, voiced objection to the proposed design mailed to the affected property owners.

Corinne Janzen, Unit 1 - 46745 Hudson Road, voiced concern with the size of the proposed development; parking; road width; safety of children; and, suggested the installation of calming speed bumps within the development.

Susan Loucks, Unit 5 – 46745 Hudson Road, expressed concern with parking; increase in traffic; sight lines; and, safety of children.

Ryan Anderson, OTG Developments Ltd., 45715 Hocking Avenue, Developer, responded to the concerns raised, noting that the proposal is for 20 units; parking will be in accordance with the requirements of the zone; no variances are being requested; road dedication will improve parking and road width; habitat and traffic studies will be undertaken; no suites proposed; 12 trees will be retained on the east side of the property; there may be an opportunity to retain an additional 11 trees, subject to an arborist’s review; and, there may be potential to add more trees by way of cedar hedge rows.

Lum Westeringh

That the representations with respect to “Zoning Bylaw Amendment Bylaw 2019, No. 4695” be received for information; and further, that “Zoning Bylaw Amendment Bylaw 2019, No. 4695” be referred for Council’s further consideration following the close of the Public Hearing.

Carried unanimously

"Zoning Bylaw Amendment Bylaw 2019, No. 4697" (RZ001334)

Public Hearing on “Zoning Bylaw Amendment Bylaw 2019, No. 4697”, which proposes to rezone property located at 45459 Princess Avenue from an R1-A (One Family Residential) Zone to an R1-D (Infill Small Lot One Family Residential) Zone.

Email of opposition received from:

- Henry, Marlene, and Nellie Schiwy, 45456 Princess Avenue, dated May 26, 2019.

Rajwinder Ottal, 12833 – 65 Avenue, Surrey, BC, Applicant and Developer, stated, in response to questions from Council, that the property is currently rented and the renters will remain in the home following the rezoning process.

Shields Kloot

That the representations with respect to “Zoning Bylaw Amendment Bylaw 2019, No. 4697” be received for information; and further, that “Zoning Bylaw Amendment Bylaw 2019, No. 4697” be referred for Council’s further consideration following the close of the Public Hearing.

Carried unanimously
Public Hearing (continued)

“Zoning Bylaw Amendment Bylaw 2019, No. 4698” (RZ001321)

Public Hearing on “Zoning Bylaw Amendment Bylaw 2019, No. 4698”, which proposes to rezone property located at 45816 Reece Avenue from an R1-A (One Family Residential) Zone to an R1-D (Infill Small Lot One Family Residential) Zone.

There were no representations with respect to Bylaw No. 4698.

Westerlingh ) That “Zoning Bylaw Amendment Bylaw 2019, No. 4698” be referred for Kloot ( Council’s further consideration following the close of the Public Hearing.

Carried unanimously

“Zoning Bylaw Amendment Bylaw 2019, No. 4700” (RZ001359)

Public Hearing on “Zoning Bylaw Amendment Bylaw 2019, No. 4700”, a proposed text amendment to the P6 (University Village) Zone.

There were no representations with respect to Bylaw No. 4700.

Lum ) That “Zoning Bylaw Amendment Bylaw 2019, No. 4700” be referred for Westeringh ( Council’s further consideration following the close of the Public Hearing.

Carried unanimously

Public Information Meeting

Development Variance Permit DVP01054

Public Information Meeting on Development Variance Permit DVP01054, with respect to property located at 45370 Park Drive, which proposes to vary the lot coverage from 75m² to 114m² and the height from 6m to 7m, to facilitate the construction of a detached workshop.

Petition of support containing four signatures received from:
- Earl and Diana Olson, 45370 Park Drive, received January 23, 2019.
- Diana Olsen, 45370 Park Drive, Applicant, commented on the results of the consultation with surrounding neighbours and queried the requirement for frosted windows.

Mercer ) That the representations with respect to Development Variance Permit DVP01054 be received for information; and further, that Development Variance Permit DVP01054 be referred for Council’s further consideration following the close of the Public Information Meeting.

Carried unanimously
Public Information Meeting (continued)

Development Variance Permit DVP01057

Public Information Meeting on Development Variance Permit DVP01057, with respect to property located at 47203 Vista Place, which proposes to vary the front lot line setback from 6.0m to 3.0m; the interior side lot line setback along the northern and southern property lines from 4.5m to 3.5m; and the building separation distance from 6m to 4.5m between proposed buildings 2 and 5; 6 and 7; and, to 4.6m between proposed buildings 3 and 4; and, 5 and 6, to facilitate a townhouse development.

Councillor Westeringh withdrew from the meeting at 7:49 pm due to a potential conflict of interest as he is related to the Applicant.

Marc Fournier, 47201 Vista Place, voiced concern that the development may alter the road grade and create more dust and noise. He requested that the grade not be altered.

Mark Van Driel, 47256 Vista Place, expressed concern that the backyards of the units will be small and there appeared to be no playground proposed in the development. He also expressed concern with the lack of parking.

Dan McCan, 47223 Vista Place, voiced concern with parking; length of time for the development to complete; and, if possible, would like a timeframe for completion.

Ryan vanDeventer, 43035 Yale Road, Developer Representative, responded to the concerns raised, noting that he will meet with the residents to discuss the road grade design; rear setbacks will provide sufficient backyard space; a playground amenity area is included in the proposal; landscaping, tree replanting and allotment of parking spaces exceed requirements; unable to commit to construction timelines; privacy fencing for building #1 is being discussed with the adjacent property owner; and, 6m driveways will be provided for all units except two.

Sundeep Kapoor, 5840 Jinkerson Road, voiced concern that tree removal on the subject property has created an erosion situation and asked that a proper interim drainage plan needs to be in place during construction.

Mercer Shields ) That the representations with respect to Development Variance Permit DVP01057 be received for information; and further, that Development Variance Permit DVP01057 be referred for Council's further consideration following the close of the Public Information Meeting.

Carried unanimously by members remaining

Councillor Westeringh returned to the meeting at 8:19 pm.

Development Variance Permit DVP01062

Public Information Meeting on Development Variance Permit DVP01062, with respect to property located at 6606 Swanson Street, which proposes to vary the height from 4m to 7.15m to facilitate the construction of a detached garage.
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Public Information Meeting (continued)

Development Variance Permit DVP01062

Jessie Rayner, JCR Design Ltd., 45715 Hocking Avenue, provided an overview of the proposal.

Mercer ) That the representation with respect to Development Variance Permit Kloot DVP01062 be received for information; and further, that Development Variance Permit DVP01062 be referred for Council’s further consideration following the close of the Public Information Meeting.

Carried unanimously

Development Variance Permit DVP01067

Councillor Shields withdrew from the meeting at 8:23 pm due to a potential conflict of interest as the Applicant is related to his wife.

Public Information Meeting on Development Variance Permit DVP01067, with respect to property located at 45302 Wells Road, which proposes to vary the rear lot line setback from 6m to 4.5m, to facilitate a future subdivision while retaining an existing home.

Correspondence was received from Arne Huse, 7251 Circle Drive, dated June 4, 2019.

Jim Olsen, owner of 7256 and 7268 Richardson Avenue, voiced concern with respect to drainage and maintenance of the property, making specific reference to the unsightliness of the property and the fact the grass needs cutting.

Jeff Visscher, 5316 Wright Road, in response to questions from Council, confirmed the property will be cleaned up and that he is working with an engineer to address the drainage issues on the subject property.

Kloot ) That the representations with respect to Development Variance Permit Westeringh DVP01067 be received for information; and further, that Development Variance Permit DVP01067 be referred for Council’s further consideration following the close of the Public Information Meeting.

Carried unanimously by members remaining

Councillor Shields returned to the meeting at 8:33 pm.

Council recessed at 8:33 pm and reconvened at 8:44 pm.

Clerk’s Reports

Lum ) That “Zoning Bylaw Amendment Bylaw 2019, No. 4695”, with respect to Kloot property located at 46769 Hudson Road, be given third reading. (RZ001273)

Carried unanimously
Clerk’s Reports (continued)

Shields ) That “Zoning Bylaw Amendment Bylaw 2019, No. 4697”, with respect to property located at 45459 Princess Avenue, be given third reading. (RZ001334)

Carried unanimously

Lum ) That “Zoning Bylaw Amendment Bylaw 2019, No. 4697”, with respect to property located at 45459 Princess Avenue, be adopted. (RZ001334)

Carried unanimously

Shields ) That “Zoning Bylaw Amendment Bylaw 2019, No. 4698”, with respect to property located at 45816 Reece Avenue, be given third reading. (RZ001321)

Carried unanimously

Lum ) That “Zoning Bylaw Amendment Bylaw 2019, No. 4698”, with respect to property located at 45816 Reece Avenue, be adopted. (RZ001321)

Carried unanimously

Lum ) That “Zoning Bylaw Amendment Bylaw 2019, No. 4700”, with respect to a proposed text amendment to the P6 (University Village) Zone, be given third reading. (RZ001359)

Carried unanimously

Shields ) That “Zoning Bylaw Amendment Bylaw 2019, No. 4700”, with respect to a proposed text amendment to the P6 (University Village) Zone, be adopted. (RZ001359)

Carried unanimously

Application Reports

Lum ) That, subject to public representation, Council approve the issuance of Development Variance Permit DVP01054 with respect to property located at 45370 Park Drive.

Kloot ) That the requirement of frosted windows on the upper floor along the east elevation be removed as a condition of issuance of Development Variance Permit DVP01054 with respect to property located at 45370 Park Drive.

Carried unanimously

Original motion carried unanimously

Councillor Westeringh withdrew from the meeting at 8:48 pm due to a potential conflict of interest as he is related to the Applicant.
Application Reports (continued)

Kloot  ) That, subject to public representation, Council approve the issuance of Development Variance Permit DVP01057 with respect to property located at 47203 Vista Place.

Carried unanimously by members remaining

Councillor Westeringh returned to the meeting at 8:48 pm.

Shields  ) That, subject to public representation, Council approve the issuance of Development Variance Permit DVP01062 with respect to property located at 6606 Swanson Street.

Carried unanimously

Councillor Shields withdrew from the meeting at 8:49 pm due to a potential conflict of interest as the Applicant is related to his wife.

Lum  ) That, subject to public representation, Council approve the issuance of Development Variance Permit DVP01067 with respect to property located at 45302 Wells Road.

Westeringh  ) That the motion be amended by adding the following words:

Lum  ) “that the permit be issued subject to the installation of perimeter fencing of the subject property; and further, that the cutting of grass be maintained during construction.”

Amendment motion carried unanimously by members remaining

Original motion, as amended, carried unanimously by members remaining

Councillor Shields returned to the meeting at 8:51 pm.

Councillors’ Reports

Councillor Kloot commented on his attendance at the meetings of the Fraser Valley Regional District Board and Fraser Valley Regional Hospital Board; the Federation of Canadian Municipalities 2019 Annual Conference held in Quebec City; and, extended condolences to the family on the passing of Al Browne.

Councillor Westeringh provided comment on the Chamber Connection hosted by the Stó:lō Business Association and held at Squiala Hall; and; his attendance at the Federation of Canadian Municipalities 2019 Annual Conference held in Quebec City.

Councillor Lum noted his attendance at the Fraser Valley Regional District Board meeting; commented on the “Bike to Work Week” event; and, the 49th Annual Yarrow Days Celebration.

Councillor Mercer commented on his attendance at the meetings of the Fraser Valley Regional District Board and Fraser Valley Regional Hospital Board; the Federation of Canadian Municipalities 2019 Annual Conference held in Quebec City; the Law Enforcement Torch Run; and the RCMP Appreciation BBQ.
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Councillors’ Reports (continued)

Councillor Shields reported on his attendance at the Skowkale First Nation luncheon; Chilliwack Arts and Culture Centre Society Board meeting; Chamber Connection hosted by the Stó:lō Business Association and held at Squiala Hall; and, the Federation of Canadian Municipalities 2019 Annual Conference held in Quebec City.

Mayor’s Report

Mayor Popove commented on the ride-along with the Chilliwack RCMP and Fire Department; attendance at the Westcoast “Ride to Live” event; and, tour of St. Paul’s Hospital’s “Centre on Substance Use”.

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

On a motion of Councillor Kloot, and seconded by Councillor Lum, the meeting adjourned at 9:02 pm.

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

......................................................... Corporate Officer
1. SUMMARY OF ISSUE:

Consent Agenda items for Council's consideration.

2. RECOMMENDATION:

That the following bylaws be adopted:

- "Ancillary Liquor Service Regulation Bylaw 2019, No. 4701";
- "Housing Agreement Bylaw 2019, No. 4703"; and,
- "Housing Agreement Bylaw 2019, No. 4705".

That the Minutes of the Public Safety Advisory Committee Meeting held May 8, 2019 be received for information.

[Signature]

For: Jacqueline Morgan, CMC
Corporate Officer
City of Chilliwack

Bylaw No. 4701

A bylaw to regulate liquor businesses that are ancillary to primary businesses

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

1. This bylaw may be cited as “Ancillary Liquor Service Regulation Bylaw 2019, No. 4701”.

INTERPRETATION:

2. In this bylaw:

   “Ancillary Liquor Service” means the service of alcoholic beverages for consumption that is ancillary to a principal business on the same Business Premises;

   “Business” means the carrying on of a commercial or industrial undertaking of any kind or nature or the providing of professional, personal or other services for the purpose of gain or profit;

   “Business Premises” means a store, office, shop, enclosure or other definite area occupied or capable of being occupied by a person for the purpose of a business, except a building occupied as a residence;

   “City” means the City of Chilliwack;

   “Principal Business” means the main purpose for which a business licence under the “Business Licence Bylaw 1990, No. 1484”, as amended, was issued in respect of a Business Premises.

ANCILLARY LIQUOR SERVICE

3. A licensee who offers or provides Ancillary Liquor Service must:

   (1) only sell, or allow the sale of, liquor during the regular business hours of the Principal Business of the licensee, but in any event, must not sell, or allow the sale of, liquor after 10:00pm; and,

   (2) hold their licence in conjunction with a valid business licence for the Principal Business of the licensee.
SEVERABILITY

4. 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 4th day of June, 2019.
Received third reading on the 4th day of June, 2019.
Received adoption on the

______________________________
Mayor

______________________________
Corporate Officer
City of Chilliwack

Bylaw No. 4703

A bylaw to authorize a Housing Agreement

WHEREAS Section 483 of the Local Government Act provides that Council may enter into a Housing Agreement with an owner which may include terms and conditions agreed to regarding the occupancy of the housing units identified in the Agreement; and,

WHEREAS Council wishes to enter into such an Agreement with respect to certain housing units located in the City of Chilliwack;

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

1. This Bylaw may be cited as “Housing Agreement Bylaw 2019, No. 4703”

2. The Council of the City of Chilliwack hereby authorizes the Mayor and Corporate Officer to execute an Agreement, on behalf of the City of Chilliwack, with Provincial Rental Housing Corporation, as set out in Schedule “A”, attached hereto and forming part of this Bylaw. The land identified in the Agreement is legally described as:

   LOT 1 DISTRICT LOT 27 GROUP 2 NEW WESTMINSTER DISTRICT PLAN EPP89702

3. Upon execution of the Agreement by the Mayor and Corporate Officer and application of the seal of the City of Chilliwack, this Agreement shall be validly entered into as authorized by this Bylaw.

4. The Corporate Officer is authorized to sign and file in the Land Title Office, notices of the Agreement as required by the Local Government Act.

Received first reading and second reading on the 4th day of June, 2019.
Received third reading on the 4th day of June, 2019.
Received adoption on the

__________________________________________  Mayor

__________________________________________  Corporate Officer
CITY OF CHILLIWACK

HOUSING AGREEMENT

THIS AGREEMENT made the ___ day of ____________, 2019.

BETWEEN:

CITY OF CHILLIWACK, a Municipal Corporation having its municipal offices at 8550 Young Road, Chilliwack, B.C. V2P 8A4

(the “City”)

AND:

PROVINCIAL RENTAL HOUSING CORPORATION
1701–4555 Kingsway Avenue, Burnaby, British Columbia. V5H 4V8
(“Registered Owner”)

WHEREAS:

A. The Provincial Rental Housing Corporation (PRHC) is the current registered owner of those certain lands and premises located at 45890 Trethewey Avenue, Chilliwack, in the Province of British Columbia, legally described as:

LOT 1 DISTRICT LOT 27 GROUP 2 NEW WESTMINSTER DISTRICT PLAN
EPP89702

B. The Registered Owner has entered into an operator agreement with RainCity Housing of 616 Powell St, Vancouver, British Columbia, V6A 1H4, for a term of five years with rights to renew, to operate a development on the lands with buildings having 46 units of supportive housing for occupancy by Qualified Occupants (the “Development”);

C. Pursuant to “Development Cost Charges Waiver for Eligible Developments Bylaw 2010, No. 3679”, the City has waived the payment of development cost charges in the amount of $512,756.57 for the Development; and,

D. Section 483 of the Local Government Act, R.S.B.C. 1996, Chapter 323, as amended, authorizes the City to, by bylaw, enter into a Housing Agreement.
NOW THEREFORE in consideration of the premises herein and of the mutual covenants and agreements hereinafter set forth and contained herein and $1.00 now paid by the City to the Registered Owner (the receipt of which is hereby acknowledged), the parties hereto covenant and agree each with the other as follows:

1. **DEFINED TERMS**

   1.1 In and for the purposes of this Agreement, the following terms shall have the following meanings:

   (a) "Agreement" means this Housing Agreement and any amendments to or modifications of the same;

   (b) "Dwelling Unit" means any dwelling unit in the Development that is constructed upon the Lands and is occupied or available for occupancy by a Qualified Occupant.

   (c) "Qualified Occupant" means an individual:

      i) Who experiences homelessness or are at risk of homelessness.

   (d) "Term" shall mean the period commencing on the date of this Agreement and continuing in full force and effect for 15 years.

   1.2 The captions, section numbers and article numbers appearing in this Agreement are inserted for convenience of reference and shall in no way define, limit, construe or describe the scope of intent of this Agreement or in any way affect this Agreement.

   1.3 Words importing the singular number only shall include the plural and vice versa, words importing the masculine gender shall include the feminine and neuter gender and vice versa, and words importing persons shall include firms and corporations and vice versa.

   1.4 Unless otherwise stated, a reference in this Agreement to a numbered or lettered articles, section, paragraph or clause refers to the articles, section, paragraph or clause bearing that number or letter in this Agreement.

   1.5 The words "hereof", "herein", "hereunder" and similar expressions used in any section, paragraph or clause of this Agreement shall relate to the whole of this Agreement and not to that section, paragraph or clause only unless otherwise expressly provided.

2. **RESTRICTION ON OCCUPANCY OF DWELLING UNITS**

   2.1 The Registered Owner covenants and agrees that during the Term of this Agreement, only Qualified Occupants may occupy any dwelling unit.
3. **RESTRICTION ON ASSIGNMENT OR TRANSFER**

3.1 The Registered Owner covenants and agrees that during the Term of this Agreement, it shall not assign or transfer its interest in the Lands without the written consent of the City.

4. **ANNUAL REPORT**

4.1 The Registered Owner or the Housing Operator on behalf of the Registered Owner shall, during the Term of this Agreement, commencing on the first anniversary of the date an occupancy permit is issued for the building on the Lands and on that anniversary date annually thereafter, if requested by the City, provide to the City a report in writing confirming that the Dwelling Units are occupied as required under this Agreement.

5. **ENFORCEMENT AND REMEDIES**

5.1 If the Registered Owner fails to ensure compliance with Section 2.1 of this Agreement or fails to meet any of its other obligations under this Agreement, then it is specifically understood and agreed that the City will be entitled, but will not be obliged, to enforce this Agreement.

5.2 Without limiting Section 5.1, if the Registered Owner fails to ensure compliance with Section 2.1 of this Agreement, the Registered Owner covenants and agrees that it must pay to the City immediately a sum equal to the waived development cost charges, and this sum and the City's actual costs of collection, including all legal fees and court costs, constitute a debt due and owing to the City by the Registered Owner which may be collected by the City from the Registered Owner by any legal means available to the City.

5.3 The Registered Owner covenants and agrees that, in addition to any remedies that are available under this Agreement or at law, the City is entitled to all equitable remedies, including specific performance, injunction and declarative relief to enforce its rights under this Agreement.

5.4 The Registered Owner covenants and agrees that in any action to enforce this Agreement, the City shall be entitled to court costs on a solicitor and own client basis.

6. **LIABILITY**

6.1 The Registered Owner of the Lands indemnifies and saves harmless the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from all claims, demands, actions, damages, costs and liabilities, which all or any of them shall or may be liable for or suffer or incur or be put to by reason of or arising out of failure of the Registered Owner of the Lands to comply with the terms and conditions of this Agreement.
6.2 The Registered Owner of the Lands hereby releases and forever discharges the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from any and all claims, demands, actions, damages, economic loss, costs and liabilities which the Registered Owner of the Lands now has or hereafter may have with respect to or by reason of or arising out of the fact that the Lands are encumbered by and affected by this Agreement.

7. **NOTICE**

7.1 Any notices or other documents to be given or delivered pursuant to this Agreement will be addressed to the proper party as follows:

(a) as to the City of Chilliwack:

City of Chilliwack  
8550 Young Road  
Chilliwack, British Columbia V2P 8A4  
Attention: Corporate Officer

(b) as to the Registered Owner:

Provincial Rental Housing Corporation  
1701-4555 Kingsway Avenue  
Burnaby, British Columbia V5H 4V8  
Attention: PRHC Director(s)

or such other address as such party may direct by five business days’ notice in writing to the other parties. Any notice or other documents to be given or delivered pursuant to this Agreement will be sufficiently given or delivered if delivered to the particular party at its address set out or determined in accordance with this section and shall be deemed complete two days after the day of delivery.

7.2 It is specifically agreed that for any notice or document to be validly given or delivered pursuant to this Agreement, such notice or document must be delivered and not mailed.

8. **GENERAL**

8.1 Nothing in this Agreement:

(a) affects or limits any discretion, rights, powers, duties or obligations of the City under any enactment or at common law, including in relation to the uses or subdivision of land; or

(b) relieves the Registered Owner of the Lands from complying with any enactment, including the City’s Bylaws.
8.2 An alleged waiver by a party of any breach by another party of its obligations under this Agreement will be effective only if it is an express waiver of the breach in writing. No waiver of a breach of this Agreement is deemed or construed to be a consent or waiver of any other breach of this Agreement.

8.3 Time is of the essence of this Agreement. If any party waives this requirement, that party may reinstate it by delivering notice to the other party.

8.4 This Agreement shall be construed in accordance with and governed by the laws of the Province of British Columbia.

8.5 If a court of competent jurisdiction finds that any part of this Agreement is invalid, illegal or unenforceable, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.

8.6 Upon request by the City, the Registered Owner of the Lands will promptly do such acts and execute such documents as the City may reasonably require, in the opinion of the City, to give effect to this Agreement.

8.7 This is the entire Agreement between and among the parties concerning the subject matter of this Agreement and there are no warranties, representations, conditions or collateral agreements relating to this Agreement, except as included in this Agreement.

8.8 This Agreement shall charge and run with the lands and expire at the end of the “Term”.

8.9 This Agreement shall ensure to the benefit of and be binding upon the Registered Owner and all parties claiming through them and this Agreement shall ensure to the benefit of and be binding upon the City and its successors and assigns.

8.10 The parties agree to register on title a covenant evidencing this agreement.
IN WITNESS WHEREOF the parties hereto acknowledge that they have executed this Agreement on the reference date written above.

The Corporate Seal of the City of Chilliwack was hereunto affixed in the presence of:

__________________________________________
Mayor

__________________________________________
Corporate Officer

Executed by the above named representative of the Provincial Rental Housing Corporation in British Columbia in the presence of:

__________________________________________
Witness

__________________________________________
Print Name

__________________________________________
Address

END OF DOCUMENT
City of Chilliwack

Bylaw No. 4705

A bylaw to authorize a Housing Agreement

WHEREAS Section 483 of the Local Government Act provides that Council may enter into a Housing Agreement with an owner which may include terms and conditions agreed to regarding the occupancy of the housing units identified in the Agreement; and,

WHEREAS Council wishes to enter into such an Agreement with respect to certain housing units located in the City of Chilliwack;

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

1. This Bylaw may be cited as "Housing Agreement Bylaw 2019, No. 4705"

2. The Council of the City of Chilliwack hereby authorizes the Mayor and Corporate Officer to execute an Agreement, on behalf of the City of Chilliwack, with Provincial Rental Housing Corporation, as set out in Schedule "A", attached hereto and forming part of this Bylaw. The land identified in the Agreement is legally described as:

   LOT 2 DISTRICT LOT 265 GROUP 2 NEW WESTMINSTER DISTRICT PLAN
   EPP40425

3. Upon execution of the Agreement by the Mayor and Corporate Officer and application of the seal of the City of Chilliwack, this Agreement shall be validly entered into as authorized by this Bylaw.

4. The Corporate Officer is authorized to sign and file in the Land Title Office, notices of the Agreement as required by the Local Government Act.

Received first reading and second reading on the 4th day of June, 2019.
Received third reading on the 4th day of June, 2019.
Received adoption on the

________________________________________
Mayor

________________________________________
Corporate Officer
CITY OF CHILLIWACK

HOUSING AGREEMENT

THIS AGREEMENT made the ___ day of ____________, 2019.

BETWEEN:

CITY OF CHILLIWACK, a Municipal Corporation having its municipal offices at 8550 Young Road, Chilliwack, B.C. V2P 8A4

(the “City”)

AND:

PROVINCIAL RENTAL HOUSING CORPORATION
1701- 4555 Kingsway Avenue, Burnaby, British Columbia. V5H 4V8
(“Registered Owner”)

WHEREAS:

A. The Provincial Rental Housing Corporation (PRHC) is the current registered owner of those certain lands and premises located at 45456 Yale Rd, Chilliwack, in the Province of British Columbia, legally described as:

   LOT 2 DISTRICT LOT 265 GROUP 2 NEW WESTMINSTER DISTRICT PLAN EPP40425

B. The Registered Owner has agreed with Fraser Health Authority of 13450-102 Avenue, Surrey, British Columbia, V3T 0H1 to source and fund the purchase of lands and construction of the development and retain ownership;

C. Fraser Health Authority has agreed to provide operating funds for the development to operate the development as described in this Agreement;

D. Fraser Health Authority has agreed to partner with Pacific Community Resources Society (PCRS) on a 3 year cycle with rights to renew, to operate a development on the lands with building having 20 beds for occupancy by Qualified Occupants (the “Development”);

E. Pursuant to “Development Cost Charges Waiver for Eligible Developments Bylaw 2010, No. 3679”, the City has waived the payment of development cost charges in the amount of $66,671.00 for the Development; and,

F. Section 483 of the Local Government Act, R.S.B.C. 1996, Chapter 323, as amended from time to time, authorizes the City to, by bylaw, enter into a Housing Agreement.
NOW THEREFORE in consideration of the premises herein and of the mutual covenants and agreements hereinafter set forth and contained herein and $1.00 now paid by the City to the Registered Owner (the receipt of which is hereby acknowledged), the parties hereto covenant and agree each with the other as follows:

1. **DEFINED TERMS**

1.1 In and for the purposes of this Agreement, the following terms shall have the following meanings:

(a) "Agreement" means this Housing Agreement and any amendments to or modifications of the same;

(b) "Dwelling Unit" means any dwelling unit in the Development that is constructed upon the Lands and is occupied and/or available for occupancy by a Qualified Occupant.

(c) "Qualified Occupant" means a youth:

   i) Aged 13 – 18 that reside in the Fraser Region that self-identify as having a problematic relationship with substance use, requiring residential treatment services.

(d) "Term" shall mean the period commencing on the date of this Agreement and continuing in full force and effect for 15 years.

1.2 The captions, section numbers and article numbers appearing in this Agreement are inserted for convenience of reference and shall in no way define, limit, construe or describe the scope of intent of this Agreement or in any way affect this Agreement.

1.3 Words importing the singular number only shall include the plural and vice versa, words importing the masculine gender shall include the feminine and neuter gender and vice versa, and words importing persons shall include firms and corporations and vice versa.

1.4 Unless otherwise stated, a reference in this Agreement to a numbered or lettered articles, section, paragraph or clause refers to the articles, section, paragraph or clause bearing that number or letter in this Agreement.

1.5 The words "hereof", "herein", "hereunder" and similar expressions used in any section, paragraph or clause of this Agreement shall relate to the whole of this Agreement and not to that section, paragraph or clause only unless otherwise expressly provided.
2. **RESTRICION ON OCCUPANCY OF DWELLING UNITS**

2.1 The Registered Owner covenants and agrees that during the Term of this Agreement, only Qualified Occupants may occupy any dwelling unit.

3. **RESTRICION ON ASSIGNMENT OR TRANSFER**

3.1 The Registered Owner covenants and agrees that during the Term of this Agreement, it shall not assign or transfer its interest in the Lands without the written consent of the City.

4. **ANNUAL REPORT**

4.1 The Registered Owner or the Housing Operator on behalf of the Registered Owner shall, during the Term of this Agreement, commencing on the first anniversary of the date an occupancy permit is issued for the building on the Lands and on that anniversary date annually thereafter, if requested by the City, provide to the City a report in writing confirming that the Dwelling Units are occupied as required under this Agreement.

5. **ENFORCEMENT AND REMEDIES**

5.1 If the Registered Owner fails to ensure compliance with Section 2.1 of this Agreement or fails to meet any of its other obligations under this Agreement, then it is specifically understood and agreed that the City will be entitled, but will not be obliged, to enforce this Agreement.

5.2 Without limiting Section 5.1, if the Registered Owner fails to ensure compliance with Section 2.1 of this Agreement, the Registered Owner covenants and agrees that it must pay to the City immediately a sum equal to the waived development cost charges, and this sum and the City’s actual costs of collection, including all legal fees and court costs, constitute a debt due and owing to the City by the Registered Owner which may be collected by the City from the Registered Owner by any legal means available to the City.

5.3 The Registered Owner covenants and agrees that, in addition to any remedies that are available under this Agreement or at law, the City is entitled to all equitable remedies, including specific performance, injunction and declarative relief to enforce its rights under this Agreement.

5.4 The Registered Owner covenants and agrees that in any action to enforce this Agreement, the City shall be entitled to court costs on a solicitor and own client basis.
6. **LIABILITY**

6.1 The Registered Owner of the Lands indemnifies and saves harmless the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from all claims, demands, actions, damages, costs and liabilities, which all or any of them shall or may be liable for or suffer or incur or be put to by reason of or arising out of failure of the Registered Owner of the Lands to comply with the terms and conditions of this Agreement.

6.2 The Registered Owner of the Lands hereby releases and forever discharges the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from any and all claims, demands, actions, damages, economic loss, costs and liabilities which the Registered Owner of the Lands now has or hereafter may have with respect to or by reason of or arising out of the fact that the Lands are encumbered by and affected by this Agreement.

7. **NOTICE**

7.1 Any notices or other documents to be given or delivered pursuant to this Agreement will be addressed to the proper party as follows:

(a) as to the City of Chilliwack:

   City of Chilliwack  
   8550 Young Road  
   Chilliwack, British Columbia V2P 8A4  
   Attention: Corporate Officer

(b) as to the Registered Owner:

   Provincial Rental Housing Corporation  
   1701-4555 Kingsway Avenue  
   Burnaby, British Columbia V5H 4V8  
   Attention: PRHC Director(s)

or such other address as such party may direct by five business days' notice in writing to the other parties. Any notice or other documents to be given or delivered pursuant to this Agreement will be sufficiently given or delivered if delivered to the particular party at its address set out or determined in accordance with this section and shall be deemed complete two days after the day of delivery.

7.2 It is specifically agreed that for any notice or document to be validly given or delivered pursuant to this Agreement, such notice or document must be delivered and not mailed.
8. **GENERAL**

8.1 Nothing in this Agreement:

(a) affects or limits any discretion, rights, powers, duties or obligations of the City under any enactment or at common law, including in relation to the uses or subdivision of land; or

(b) relieves the Registered Owner of the Lands from complying with any enactment, including the City's Bylaws.

8.2 An alleged waiver by a party of any breach by another party of its obligations under this Agreement will be effective only if it is an express waiver of the breach in writing. No waiver of a breach of this Agreement is deemed or construed to be a consent or waiver of any other breach of this Agreement.

8.3 Time is of the essence of this Agreement. If any party waives this requirement, that party may reinstate it by delivering notice to the other party.

8.4 This Agreement shall be construed in accordance with and governed by the laws of the Province of British Columbia.

8.5 If a court of competent jurisdiction finds that any part of this Agreement is invalid, illegal or unenforceable, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.

8.6 Upon request by the City, the Registered Owner of the Lands will promptly do such acts and execute such documents as the City may reasonably require, in the opinion of the City, to give effect to this Agreement.

8.7 This is the entire Agreement between and among the parties concerning the subject matter of this Agreement and there are no warranties, representations, conditions or collateral agreements relating to this Agreement, except as included in this Agreement.

8.8 This Agreement shall charge and run with the lands and expire at the end of the "Term".

8.9 This Agreement shall ensure to the benefit of and be binding upon the Registered Owner and all parties claiming through them and this Agreement shall ensure to the benefit of and be binding upon the City and its successors and assigns.

8.10 The parties agree to register on title a covenant evidencing this agreement.
IN WITNESS WHEREOF the parties hereto acknowledge that they have executed this Agreement on the reference date written above.

The Corporate Seal of the City of Chilliwack was hereunto affixed in the presence of:

__________________________________________
Mayor

__________________________________________
Corporate Officer

Executed by the above named representative of the Provincial Rental Housing Corporation in British Columbia in the presence of:

__________________________________________
Witness

__________________________________________
Print Name

__________________________________________
Address

C/S

Provincial Rental Housing Corporation by its authorized signatory

END OF DOCUMENT
1. CALL TO ORDER

Councillor Bud Mercer was Chair and called the meeting to order at 8:45 am.

2. ADOPTION OF AGENDA

Moved / Seconded ) That the Agenda of the Regular Meeting of the Public Safety Advisory Committee held on Wednesday, May 8, 2019 be adopted as circulated.

Carried Unanimously

3. ADOPTION OF MINUTES

Moved / Seconded ) That the Minutes of the Regular Meeting of the Public Safety Advisory Committee held Friday, April 12, 2019 be adopted as circulated.

Carried Unanimously

4. DELEGATION

Superintendent Massie introduced one of the RCMP’s newer members, Constable Karn Dhesi to the Committee. Constable Dhesi provided some brief history regarding his background and left the meeting at 8:50 am.

5. NEW BUSINESS ITEMS
6. CURRENT ISSUES TO ADDRESS

7. ITEMS FOR INFORMATION

Vice Chair Mercer provided an update regarding the status of the membership list for the Integrated Community Safety Task Force (ICSTF).

8. GOALS AND OBJECTIVES

9. REPORTS

a) RCMP
1. May 2, 2019 - Chilliwack Fire Department attended a fire in an industrial building on Fourth Avenue and Nowell Street. Due to chemicals on the property, the Hazardous Materials (HAZMAT) Team was on site.
2. Five RCMP Members representing the Upper Fraser Valley Regional District (UFVRD) were nominated for the Alexa Team Award which is an anti-Impaired driving program. The team is named after Alexa Middelaer, a four-year-old girl from Delta, B.C., who was killed by a drunk driver in 2008.
3. Overall, crime stats were down in April compared to March; however, some property crime offences were up in April compared to March which is attributed to improved weather conditions.
4. The Sepass building on Nowell Street has expressed interest in their building becoming part of the Block Watch Program. Another consideration for the building is to become Crime Free Multi Housing. Representatives from Community Policing will work to see which program is best suited for this building.
5. A second building on Nowell Street is preparing its residency to become part of the Crime Free Multi Housing Program. The building will be conducting a security assessment and a Crime Prevention Through Environmental Design (CPTED) assessment.
6. The RCMP continues inter-agency work with the Bylaw Department, the security company, and the City of Chilliwack’s Social Development Coordinator regarding homeless issues.
7. Two new homeless camps have surfaced and occupants of these camps have been advised to leave; one camp has been served notices.
8. The RCMP and Samantha Piper, Public Safety Specialist, City of Chilliwack, are working together on a traffic plan for the community of Yarrow.
9. April 18, 2019 – project enforcement started with the Three Strikes Program along Vedder Mountain Road.
10. May 4, 2019 – A community engagement event took place at the Yarrow Fire Hall attended by the RCMP, Safer City, Commercial Vehicle Safety and Enforcement (CVSE) and ICBC.

Vice Chair Mercer provided comment regarding costs attributed to the fire at Fourth Avenue and Nowell Street. Discussion ensued regarding scene security; Inspector Lee confirmed fencing and security is still in place. The investigation and clean-up of the property continues. Vice Chair Mercer has requested staff to keep him apprised of the investigation.

Superintendent Massie left the meeting at 9:03 am.
9. REPORTS

b) Fire Department
1. May 5 - 11, 2019 - Emergency Preparedness Week; the Fire Department is providing information regarding Emergency Preparedness Week via social media as well as continuing to work with gated communities throughout the year to provide fire prevention information.
2. June 1, 2019 - Wildfire Preparedness Day will be incorporated with Yarrow Days. City of Chilliwack staff and contractors will be on hand at Fire Hall No. 3 providing fire smart information targeting the Majuba Hill area to help residents build resiliency in preparing for fires.
4. The Assistant Fire Chief would like to acknowledge the excavator operator at the Fourth Avenue/Nowell Street fire for his exceptional hard work. The Fire Department will recognize this person at a later date.
5. The Fire Chief introduced the Assistant Fire Chief/Emergency Program Coordinator, Chris Wilson to the Committee. Chris will be providing a presentation regarding the City of Chilliwack’s Emergency Plan in the Closed PSAC meeting today.

c) BIA
Kyle Williams, BIA Executive Director, acknowledged staff member Gene Martel, the BIA’s graffiti painter. Gene removes graffiti not only from buildings, but bus shelters, utility boxes and dumpsters in the downtown core. Gene was featured on the front cover of the Chilliwack Progress on May 3, 2019 regarding his work cleaning up graffiti. Gene is a valued staff member of the BIA and there is always positive feedback regarding his hard work.

d) Bylaw Department
Four vacant houses in Chilliwack have been demolished within the last month. Discussion ensued regarding the security of vacant homes.

e) ICBC
1. April - ICBC worked together with local hotels regarding the replacement of auto crime signage. ICBC is also working with the Operations Department to replace signs at trailheads along the Vedder River and has started to implement plastic signs in place of metal signs.
2. May - High Risk Driving Campaign targeted towards drivers, motorcyclists, pedestrians and cyclists.
3. May - Motorcycle Awareness month

e) School District
1. The School District has had recent challenges at the new integrated art school located at 45669 Yale Road, formerly the old UFV site. A Section 177 ‘No Trespass’ has been issued to an individual that frequents the site. The School District has noted an increase in homeless activity in the area.
2. The School District has been working with Recreation & Culture staff regarding increasing the number of outdoor activities being booked at Tyson Elementary School and Watson Elementary School after school and in the evenings and will be doing the same at other school sites to lessen the appeal for youth to hang out at these locations.
3. The School District’s Information Technology (IT) Department is currently working on a program that will enable staff to more efficiently manage the school’s Wi-Fi reports that are created through site activity from Griffin Security reports.
4. RCMP liaison officers have been of great benefit working at schools directly on both the south and north side of town and have made a noticeable difference being on site daily at the schools.
5. Graffiti - the School District has consulted with the City of Chilliwack’s Operation Department regarding how they track graffiti and the SD is looking at setting up a process to best manage graffiti.
6. Residents are parking overnight at school sites with their vehicles remaining on-site during the day; SD staff are working on signage and with a tow company.
9. REPORTS (continued)

g) Public Works
1. Dyke brushing is near completion in preparation for the freshet. Environment Canada reports that the risk of flooding this year is low.
2. April vandalism damages totaled $2,896 and graffiti removal costs were $7,685.
3. Remnants of a homeless camp located behind the BC Access Centre were removed last week.

h) Social Development
1. City of Chilliwack staff will tour the diversion program in the Hub at St Paul’s Hospital in a few weeks’ time.
2. Overdose Community Action Team (OCAT) meetings continue.
3. The Situation Table has been operating for the last three months with 16 situations involving youth and families referred to relevant services.
4. Continuing to work with stakeholders for appropriate housing.
5. A grant application is underway with respect to an opioid overdose study.
6. A temporary fee for service has been approved for a Pacific Community Resources Society (PCRS) Housing Hub.

Vice-Chair Mercer requested a brief presentation from Mike Sikora at a future PSAC meeting regarding the Situation Table.

i) Restorative Justice
Amanda Macpherson, Director of Restorative Justice, provided a brief presentation regarding youth and adult crime and recidivism. Amanda passed along special thanks to Inspector Davy Lee, Staff Sergeant Steve Vrolyk and Constable Rob Scott, Community Policing Team, in coordinating efforts to help gather statistics for this presentation.

Superintendent Massie returned to the meeting at 9:32 am.

j) Stó:lo Justice
1. Joanne Jefferson, Manager, Justice, Addiction and Mental Health, provided an update regarding a three-year grant received which will allow a designated staff member to review all bylaws throughout the territory for 19 bands that are entered into Land Code; developing and enforcing their own laws. The Honourable Steven Point is a mentor in this program and will be assisting with next steps. Additional staff will be hired to help with other justice, addiction and mental health issues.
2. Joanne is attending the World Indigenous Justice Forum next week in Quebec and will provide an update to the Committee.

k) Chamber of Commerce
No report

l) Corrections/Restorative Justice
Angus Haggarty provided comment regarding homelessness and conveyed to the Committee that there was an inspirational speaker from Seattle who came to Chilliwack last year to speak about a program aimed to help homeless people. Angus reiterated the importance of service clubs and congregations who do great work and could be of assistance.

Due to time constraints, Vice-Chair Mercer would like to have more discussion regarding Angus’ comments at the next PSAC meeting.
9. REPORTS (continued)

Vice-Chair Mercer provided comment with respect to the “Child Proofing Porn” presentation at the May 7, 2019 Council Meeting. The presentation was regarding under-aged minors accessing pornography on websites using wireless internet. Discussion ensued regarding public Wi-Fi in Chilliwack and steps to ensure proper filters are in place.

The Chamber of Commerce and the BIA expressed interest in having this presentation provided to their respective members and will reach out to the presenters.

8. FUTURE AGENDA ITEMS

9. ADJOURNMENT TO CLOSED SESSION

Moved / ) That, in accordance with Section 90 (1)(f) of the Community Charter, the Committee hold a Closed meeting.

Seconded ( 

Carried Unanimously

Councillor Mercer, Vice-Chair
AGENDA ITEM NO: 7-B-1
MEETING DATE: June 18, 2019

STAFF REPORT – COVER SHEET

SUBJECT: 2019 Drainage Rehabilitation Tender Award
DATE: June 6, 2019

DEPARTMENT: Engineering
PREPARED BY: Kara Jefford

1. SUMMARY OF ISSUE:

Five (5) tenders were received for the 2019 Drainage Rehabilitation Program. The work includes the supply of all labour, materials and equipment for the replacement of 3 storm drainage crossings and related construction work at various locations within Chilliwack.

A decision to award the tender is required.

2. RECOMMENDATION:

Recommendation that Council award the tender for the 2019 Drainage Rehabilitation Program to Walter’s Bulldozing 1994 Ltd. in the amount of $578,000.00 (plus applicable taxes) for basic work and provisional work; and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.

D. A. Blain, Director of Planning and Engineering

3. FINANCE COMMENTS:

Sufficient funds have been allocated within the approved 2019 Financial Plan for this program.

Glen Savard, Director of Finance

4. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

Supports recommendation.

Peter Monteith, CAO
1. DEFINITION OF ISSUE:

Five (5) tenders were received for the 2019 Drainage Rehabilitation Program. The work includes the supply of all labour, materials and equipment for the replacement of 3 storm drainage crossings and related construction work at various locations within Chilliwack.

The tender results are tabled below:

<table>
<thead>
<tr>
<th>Tenderer</th>
<th>Tender Price - Required Work (excluding GST)</th>
<th>Provisional Work (excluding GST)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Walter’s Bulldozing (1994) Ltd.</td>
<td>$405,000.00</td>
<td>$173,000.00</td>
</tr>
<tr>
<td>Jakes Construction Ltd.</td>
<td>$568,500.00</td>
<td>$270,000.00</td>
</tr>
<tr>
<td>Triahn Enterprises Ltd.</td>
<td>$640,000.00</td>
<td>$280,000.00</td>
</tr>
<tr>
<td>Western Watershed Designs Inc.</td>
<td>$1,075,987.00</td>
<td>$476,170.00</td>
</tr>
<tr>
<td>Timbro Construction (A Partnership)</td>
<td>$1,209,700.00</td>
<td>$626,530.00</td>
</tr>
</tbody>
</table>

A decision to award the tender is required.

2. FACTORS:

2.1 Each year the City of Chilliwack tenders culvert and storm drainage replacement work for various locations that have been identified within the Condition Inspection Program or recent Drainage Studies to ensure aging or deteriorating infrastructure is replaced.

2.2 Culvert and Storm Drainage Replacement is based on deterioration and capacity; condition assessments are completed during annual inspections. Replacement locations are determined in a “worst-first” order.

2.3 The locations and proposed replacements can be found tabled below:

<table>
<thead>
<tr>
<th>Location &amp; Watercourse</th>
<th>Proposed Replacement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rose Road – Camp Slough</td>
<td>3.05m x 1.52m concrete box culvert</td>
</tr>
<tr>
<td>Ashwell Road – Waterlily Slough</td>
<td>450mm diameter DR35 PVC storm sewer</td>
</tr>
<tr>
<td>Location &amp; Watercourse</td>
<td>Proposed Replacement</td>
</tr>
<tr>
<td>------------------------------</td>
<td>-------------------------------------------</td>
</tr>
<tr>
<td>Spruce Drive – Luckakuck Creek</td>
<td>2.4m x 1.2m concrete box culvert</td>
</tr>
</tbody>
</table>

2.4 The attached Figure 1 identifies the locations of the Culvert & Storm Drainage Replacements.

2.5 The low bidder has submitted a compliant tender.

2.6 The budget for the 2019 Drainage Rehabilitation Tender is drawn from the Storm Drainage – Drainage Rehabilitation Account in the Financial Plan.

3. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that Council award the tender for the 2019 Drainage Rehabilitation Program to Walter’s Bulldozing 1994 Ltd. in the amount of $578,000.00 (plus applicable taxes) for basic work and provisional work; and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.

Substantiation:

Walter’s Bulldozing Ltd. has successfully completed culvert replacement program in 2016 & 2017, as well as successfully completed other culvert replacement projects for the City of Chilliwack and the Ministry of Forests, Lands and Natural Resource Operations in previous years and staff have been satisfied with their work.
Figure #1

Culvert Replacement Locations:

#  LOCATION
1  Rose Road
2  Ashwell Road
P1  Spruce Drive
1. **SUMMARY OF ISSUE:**

Design-Build proposals were received from Eurovia BC Inc. and Jakes Construction Ltd. for the design and construction of the Hack Brown / Prest / Five Corners Design-Build Project.

A decision to accept a proposal for the Hack Brown / Prest / Five Corners Design-Build Project is required.

2. **RECOMMENDATION:**

Recommendation that Council accept the proposal for the Hack Brown / Prest / Five Corners Design-Build Project from the lead proponent, Jakes Construction Ltd., in the amount of $6,151,700.00 (plus applicable taxes); and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.

3. **FINANCE COMMENTS:**

Funding has been allocated within the 2019/2020 Financial Plan and in the Comprehensive Municipal Plan (CMP) for these projects, from the Roads DCC and General Fund.

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

Supports recommendation.
1. DEFINITION OF ISSUE:

Design-Build proposals were received from Eurovia BC Inc. and Jakes Construction Ltd. for the design and construction of the Hack Brown / Prest / Five Corners Design-Build Project.

A decision to accept a proposal for the Hack Brown / Prest / Five Corners Design-Build Project is required.

2. BACKGROUND:

2.1 On February 5th, 2019 the following three (3) proponents were advanced to the RFP Stage 2:

1. Eurovia BC Inc. / McElhanney Engineering Services Ltd.;
2. Jakes Construction Ltd. / ISL Engineering and Land Services Ltd.; and
3. Targa Contracting Ltd. / CitiWest Consulting Ltd.

2.2 During the RFP Stage 2 Targa Contracting Ltd. contacted the City in writing with regrets that their team would not be able to submit a proposal due to unforeseen staffing issues.

2.3 This Hack Brown / Prest / Five Corners Design-Build Project is made up of 6 different Transportation projects as described below:

1. Hackbrown / Annis Realignment
   Works include approximately 270m of Hack Brown Road rural road construction and 240m of Annis Road rural road widening. (site plan in Appendix ‘A’)

2. Prest and Chilliwack Central Roundabout
   Works include design and construction of a single-lane roundabout with road widening approaches, street lighting and drainage improvements. (site plan in Appendix ‘A’)

3. Five Corners Intersection
   Works include new traffic signal, streetlights and approximately 80m of 300mm DI water main, 700m of curb/sidewalk and 3,000 sq. m of paving. (site plan in Appendix ‘A’)

4. **Walden Street Sidewalk**
   Works include approximately 210m of curb, sidewalk and streetlighting on the west side of the road to allow for pedestrian connection from First Avenue to Walden Park. (site plan in Appendix ‘A’)

5. **Chilliwack Central Sidewalk**
   Works include approximately 180m of curb, sidewalk and streetlighting for pedestrian connection from Broadway to Highroad Academy School. (site plan in Appendix ‘A’)

6. **Webster Sidewalk**
   Works include approximately 80m of curb, sidewalk and streetlighting on the east side of the road to allow for pedestrian connection from the existing sidewalk at 5558 Webster Road to the existing sidewalk on Keith Wilson Road. (site plan in Appendix ‘A’)

3. **ANALYSIS:**

   3.1 The table below summarizes the proposal prices and points awarded for superior technical elements:

<table>
<thead>
<tr>
<th>Proponent Name</th>
<th>Base Price</th>
<th>Adjusted Price</th>
<th>Technical Points /45</th>
<th>Price Points /55</th>
<th>Total Points /100</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jakes Construction</td>
<td>$5,608,200.00</td>
<td>$5,793,900.00</td>
<td>39.4</td>
<td>55.0</td>
<td>94.4</td>
</tr>
<tr>
<td>Eurovia BC</td>
<td>$6,604,750.14</td>
<td>$6,604,750.14</td>
<td>40.5</td>
<td>43.5</td>
<td>84.0</td>
</tr>
</tbody>
</table>

   3.2 The evaluation committee ranked the RFP submittals based on information contained within the respective proposals.

   3.4 The Financial Proposals remained sealed until all rated criteria evaluations of the technical proposals were finalized and documented. The City Treasury Department provided and opened the Financial Proposals at the conclusion of the technical evaluation.

   3.5 Jakes Construction is deemed to be the lead proponent based on highest total points.

4. **FACTORS:**

   4.1 The costs are within budget amounts available for the projects in the 2019 and 2020 Financial Plan.
4.2 Provisional Item 1 – Wellington Water Service Upgrade
Proponents were asked for a price to replace existing galvanized service connection with new service (minimum of 38mm) from main to property line. The total price received from the lead proponent was $11,400.00. The price received for the Five Corners project was below the Engineer’s estimate so sufficient funds are available within the current budget to complete these works. Staff will recommend that the City accept this proposed provisional item.

4.3 Provisional Item 2 – Wellington Ave Sidewalk and Streetlighting Enhancements
Proponents were asked for a price to provide enhancements to the existing Wellington Avenue streetscape to match improvements completed on Mill Street in 2014. Improvements include new LED street lighting with hanging baskets arms and irrigation drip lines, new sidewalks with stamped brick pattern edging and tree grates. The total price received from the lead proponent was $346,400.00. The price received for the Five Corners project was below the Engineer’s estimate so sufficient funds are available within the current budget to complete these works. Staff will recommend that the City accept this proposed provisional item.

4.4 The table below shows the projected completion dates of each project as provided by the lead proponent:

<table>
<thead>
<tr>
<th>CITY OF CHILLIWACK</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hackbrown-Prest-Five Corners Project</td>
</tr>
<tr>
<td>Hackbrown-Annis Realignment</td>
</tr>
<tr>
<td>Prest &amp; Chilliwack Central Roundabout</td>
</tr>
<tr>
<td>Five Corners</td>
</tr>
<tr>
<td>Walden Sidewalk</td>
</tr>
<tr>
<td>Chilliwack Central Sidewalk</td>
</tr>
<tr>
<td>Webster Sidewalk</td>
</tr>
<tr>
<td>Jakes - substantial November 30, 2020</td>
</tr>
</tbody>
</table>

5. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that Council accept the proposal for the Hack Brown / Prest / Five Corners Design-Build Project from the lead proponent, Jakes Construction Ltd., in the amount of $6,151,700.00 (plus applicable taxes); and further, that the Mayor and Clerk be authorized to sign any necessary documentation.
Substantiation:

These road improvement projects will provide for enhanced safety, more efficient vehicular movements and increased pedestrian facilities within the road allowance now available. These projects have been combined into this larger single Design-Build project to realize economies of scale and co-ordinate road works to minimize traffic disruption.
APPENDIX 'A'
Hackbrown / Annis Realignment
APPENDIX 'A'

Prest & Chilliwack Central Roundabout
APPENDIX ‘A’
Five Corners Intersection
APPENDIX 'A'

Five Corners Intersection (Wellington portion)
APPENDIX ‘A’
Walden Sidewalk
APPENDIX ‘A’
Chilliwack Central Sidewalk
APPENDIX 'A'
Webster Sidewalk
1. SUMMARY OF ISSUE:

Eleven (11) tenders were received for the 2019 Rowat Avenue Storm Sewer Project; following evaluation, nine (9) of the tender submissions were found to be compliant. The work includes the supply of all labour, materials and equipment for the installation of approximately 210 meters of 600mm diameter storm main and related construction work on Rowat Avenue.

A decision to award the tender is required.

2. RECOMMENDATION:

Recommendation that Council award the tender for the 2019 Rowat Avenue Storm Sewer Project to Bervin Construction Ltd. in the amount of $120,666.67 (plus applicable taxes) for the required work; and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.

3. FINANCE COMMENTS:

Sufficient funds have been allocated within the approved 2019 Financial Plan for this program.

4. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.
1. DEFINITION OF ISSUE:

Eleven (11) tenders were received for the 2019 Rowat Avenue Storm Sewer Project; following evaluation, nine (9) of the tender submissions were found to be compliant. The work includes the supply of all labour, materials and equipment for the installation of approximately 210 meters of 600mm diameter storm main and related construction work on Rowat Avenue.

The tender results are tabled below:

<table>
<thead>
<tr>
<th>Tenderer</th>
<th>Tender Price - Required Work (excluding GST)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bervin Construction Ltd.</td>
<td>$120,666.67</td>
</tr>
<tr>
<td>Earthstone Excavating Ltd.</td>
<td>$161,637.75</td>
</tr>
<tr>
<td>J. Cote &amp; Son Ltd.</td>
<td>$185,000.00</td>
</tr>
<tr>
<td>Strohmaier’s Excavating Ltd.</td>
<td>$189,490.58</td>
</tr>
<tr>
<td>Mission Contractors Ltd. *</td>
<td>$193,419.60</td>
</tr>
<tr>
<td>Jakes Construction Ltd.</td>
<td>$195,500.00</td>
</tr>
<tr>
<td>Timbro Contracting (A Partnership) *</td>
<td>$199,920.00</td>
</tr>
<tr>
<td>Richco Contracting Ltd.</td>
<td>$218,000.00</td>
</tr>
<tr>
<td>Triahn Enterprises (2018) Ltd.</td>
<td>$238,095.24</td>
</tr>
<tr>
<td>Pedre Contractors Ltd.</td>
<td>$257,000.00</td>
</tr>
<tr>
<td>Canadian Landscape and Civil Services Ltd.</td>
<td>$399,800.00</td>
</tr>
</tbody>
</table>

*Non-compliant submissions

A decision to award the tender is required.

2. BACKGROUND:

2.1 The City of Chilliwack tenders drainage improvement work for various locations that have been identified as needing storm sewer infrastructure. Drainage improvement locations are determined in a "worst-first" order, as resources permit.

2.2 The proposed storm sewer work is to provide improved site drainage, off-site storm sewer servicing for a BC Housing project on Tretheway Avenue, as well as additional capacity to accommodate future development on Rowat Ave.
2.3 The locations and proposed installation can be found tabled below:

<table>
<thead>
<tr>
<th>Location</th>
<th>Proposed Installation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rowat Avenue</td>
<td>210 meters of 600mm diameter concrete storm main</td>
</tr>
</tbody>
</table>

2.4 The attached Figure 1 identifies the location of the storm main installation.

3. FACTORS:

3.1 The low bidder, Bervin Construction Ltd., submitted a compliant tender.

3.2 The budget for the 2019 Rowat Avenue Storm Sewer Tender is drawn from the Storm Drainage – Drainage Rehabilitation Account in the Financial Plan.

4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that Council award the tender for the 2019 Rowat Avenue Storm Sewer Project to Bervin Construction Ltd. in the amount of $120,666.67 (plus applicable taxes) for the required work; and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.

Substantiation:

Bervin Construction Ltd. has met all of the requirements to qualify for contract award. They have a full complement of new or near new equipment and their management and staff have significant experience in the local construction industry. Bervin Construction Ltd. has successfully completed similar construction projects within Chilliwack for the City of Chilliwack and local developers and they have been satisfied with their work.
Figure #1
Rowat Avenue Storm Main Location Map:
AGENDA ITEM NO: 7-B-4
MEETING DATE: June 18, 2019

STAFF REPORT – COVER SHEET

SUBJECT: Key-West Asphalt (333) Ltd. Request for Reinstatement to Bidders List
DATE: June 4, 2019

DEPARTMENT: Engineering
PREPARED BY: K. Jefford

1. SUMMARY OF ISSUE:

Key-West Asphalt (333) Ltd. and its predecessor companies were awarded the annual Road Rehabilitation & Shoulder Paving contract for all but two years between 2009 and 2016 and served as a sub-contractor on several design/build projects. Consistently poor product quality and safety concerns led to the decision by Council to strike Key-west Asphalt (333) Ltd. from the bidders list for a period of five (5) years at a regular Council meeting on January 10, 2017.

Key-west Asphalt (333) Ltd. has sent a letter dated May 1, 2019 to the City of Chilliwack requesting that they be permitted to bid on future projects. A decision on whether to approve this request is required.

2. RECOMMENDATION:

Recommendation that the request from Key-West Asphalt (333) Ltd. to be re-instated to Chilliwack bidders list prior to January 10, 2022, as contained in the staff report dated June 4, 2019, be denied.

[Signature]
D.A. Blain, Director of Planning and Engineering

3. FINANCE COMMENTS:

There are no budgetary impacts of this decision at this time.

[Signature]
Glen Savard, Director of Finance

4. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

Supports recommendation.

[Signature]
Peter Monteith, CAO
1. DEFINITION OF ISSUE:

Key-West Asphalt (333) Ltd. and its predecessor companies were awarded the annual Road Rehabilitation & Shoulder Paving contract for all but two years between 2009 and 2016 and served as a sub-contractor on several design/build projects. Consistently poor product quality and safety concerns led to the decision by Council to strike Key-west Asphalt (333) Ltd. from the bidders list for a period of five (5) years at a regular Council meeting on January 10, 2017.

Key-west Asphalt (333) Ltd. has sent a letter dated May 1, 2019 (attached Appendix A) to the City of Chilliwack requesting that they be permitted to bid on future projects. A decision on whether to consider this request is required.

2. Background

2.1 Key-west Asphalt (333) Ltd. won the majority of the annual Road Rehabilitation contracts for the City of Chilliwack between 2009 and 2016 under three different business names including GTB Construction Ltd. and Keywest Asphalt Ltd.

2.2 Key-west’s work raised extraordinary public and worker safety concerns, public complaints and quality issues that were summarized in staff report for the regular meeting of Council on January 10, 2017 (attached Appendix B).

2.3 City staff met with Key-west’s Operations Manager of April 15, 2019 at which time the question was raised about reinstatement to the bidders list. During questioning, City staff felt the Operations Manager lacked acknowledgement of the seriousness and ongoing nature of the safety concerns and quality issues the City experienced during the previous contracts.

2.4 City staff received the letter attached dated May 1, 2019 requesting consideration for permission to bid on future projects and listing examples of improvements the company had made to its quality and safety processes. They listed examples of successful contacts with the Ministry of Transportation and Infrastructure.

3. FACTORS:

3.1 The City has had to repave some areas that remained deficient from Key-west's work in 2016, and work done by Key-west has required increased maintenance and a shorter life span. Two examples of areas paved in the 2016 contract with Key-west have shown significant deterioration, showing a lack of quality in the workmanship and improper asphalt placement. Figure 1 shows an area on Patterson Road where the City has already incurred
significant maintenance costs. Figure 2 shows an area of Nevin Road which the City will have to re-do at significant cost.

![Figure 1: Patterson Road](image1)

![Figure 2: Nevin Road](image2)

3.2 The contractor has provided examples of two years of successful contracts with the Ministry of Transportation and Infrastructure (MOTI). Staff called the MOTI representatives and learned that Key-west showed improved quality and safety in the delivery of the 2017/18 road rehabilitation program for MOTI and is currently performing satisfactorily in the fast lane construction at Mt. Lehman Road. Traffic control on the sites has been adequate and conformed to the approved Traffic Control Plans.
4. **RECOMMENDATION & SUBSTANTIATION:**

Recommendation:

Recommendation that the request from Key-West Asphalt (333) Ltd. to be re-instated to Chilliwack bidders list prior to January 10, 2022, as contained in the staff report dated June 4, 2019, be denied.

Substantiation:

Although the Operations Manager for Key-west (333) Ltd. provided examples of quality and safety measures that the company has implemented since January 2017, insufficient time has passed to show a track record of workmanship and safety performance.
Appendix A:
Key-west Asphalt (333) Ltd. letter dated May 1, 2019
Re: Bidding on future projects
May 01, 2019

VIA EMAIL

City Of Chilliwack

Engineering Department
8550 Young Road
Chilliwack, BC V2P 8A4

Attention: David Blain, Director of Planning and Engineering

Re: Bidding on future projects

Dear Sir,

We would first like to express our appreciation to the City of Chilliwack for making the time to meet and discuss deficiency holdbacks and the possibility of Key-west Asphalt being allowed to pursue future projects.

Please accept this letter as our formal request to have our privileges reinstated with respect to bidding on future projects. Key-west Asphalt has taken and made some major changes within our organization over the past couple of years which we believe address the concerns the City had with our performance when we last worked for the City.

Listed below are the steps/ actions we have taken to prevent re-occurrence with issues given for banning us on bidding future works as well as projects completed which demonstrate our improvements.

Traffic Control:

- During the 2016 project we were utilizing Fast Lane Traffic Control services who didn’t have enough qualified and experienced personnel to handle the scope of the work
- Key-West Asphalt is now utilizing Dynasty Traffic Management to perform our traffic control.
• They have worked for us for both the City of Delta and the Ministry of Transportation and Highways.
• On our current Mt. Lehman project for Ministry of Transportation, the Ministry has stated the traffic management is one of the best in the Lower Mainland.
• In 2017 & 2018 we also completed major Highway Projects for Ministry of Transportation and Infrastructure where there were no issues with the traffic management.
• Key-west Asphalt has also had our crew foreman take TCP courses so they can better understand TMP’s to ensure implementing effective and proper traffic management.
• We are committed to providing the best possible traffic management on our projects as this ensures the safety as well as for projects to move ahead effectively and smoothly.

**Health & Safety Related Issues:**

• Over the past couple of years we have been developing and fostering a new attitude towards the safety within our management and crews.
• We have a new certified Safety officer, Vijay Talwar and trust he will be a welcomed addition to our management team.
• Key-West also believes that safety starts at the top and our management team is leading by example in this area.
• We have also invested in further training with our crew foreman and management team with Health & Safety courses to ensure the safety of the travelling public and our crews.
• Our efforts can be seen in the two high projects (2017 & 2018) we completed on Hwy 1 for the Ministry of transportation and highway where we had no incidents or complaints from Ministry.
• WCB visited our site in 2018 where we were working over 2 Km stretch and the inspector was very impressed and no formal orders or directives were written.
• In addition to above, we have been performing the snow removal job for City of Chilliwack since 2016. We haven’t encountered any sort of traffic and safety related issues.

**Quality Control:**

• Key-West Asphalt is committed to producing quality works and is aiming for zero deficiencies at the end of each of our projects.
• The two highway projects we completed in 2017 & 2018 for Ministry of Transportation were end project specifications contracts. Key-West is very proud of our performance here as we improved in our performance from 2017 to 2018. We achieved near perfect bonuses with respect to the smoothness and lack of segregation.
• Our improvement here is the result of our management team working closely with crews as well as by us investing in new and more efficient machinery (New pavers, rollers and shuttle buggy) for completing our works.
• In addition we have also added a full-time Surveyor and Quality Control Manager to our Management team.
In reviewing the above it is apparent that Key-West is definitely committed to providing a safe, efficient and quality works moving forward.

Key-West would be happy to answer any questions you may have with respect to the above.

Once the City has had a chance to review the above, they will see we have been committed to continually improving our performance level. If this is the case we would really appreciate the City granting us the permission to bid on future projects from this point on.

Sincerely,

Ricky Dhatt
Operations Manager
Cell: 604-617-0505
Ph: 604-572-0732
Email: rickydhatt@keywestasphalt.com
Appendix B:
Council Report Meeting dated January 10, 2017
Subject: Striking Key-West Asphalt (333) Ltd. from Bidders List
AGENDA ITEM NO: 7-B-1
MEETING DATE: January 10, 2017

STAFF REPORT – COVER SHEET

SUBJECT: Striking Key-West Asphalt (333) Ltd. from Bidders List
DATE: December 30, 2016

DEPARTMENT: Engineering
PREPARED BY: Rod Sanderson

1. SUMMARY OF ISSUE:

On December 20th, 2016, Council considered a report on the safety and quality performance of Key-West Asphalt (333) Ltd., and heard a delegation from the contractor. During the contractors presentation to Council several new questions were raised which are answered in this report.

A decision to strike Key-West Asphalt (333) Ltd. from the bidders list for a period of five (5) years is required.

2. RECOMMENDATION:

Recommendation that Council strike Key-West Asphalt (333) Ltd. from the Chilliwack bidders list, whether the prime or sub-contractor, for a period of five (5) years, and further that this action extend to any company that appears to be comprised of the same critical team members and equipment associated with Key-West Asphalt (333) Ltd.

D.A. Blain, Director of Planning and Engineering

3. FINANCE COMMENTS:

There are no current budgetary impacts of this decision at this time, however, there may be budgetary implications to bids received for related future projects.

Glen Savard, Director of Finance

4. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

Supports recommendation.

Peter Monteith, CAO
STAFF REPORT ON
STRIKING KEY-WEST ASPHALT (333) LTD. FROM BIDDERS LIST

PREPARED BY: Rod Sanderson        DATE: December 30, 2016
POSITION: Deputy Director of Engineering
DEPARTMENT: Engineering

1. DEFINITION OF ISSUE:

On December 20th, 2016, Council considered a report on the safety and quality performance of Key-West Asphalt (333) Ltd., and heard a delegation from the contractor. During the contractor's presentation to Council several new questions were raised which are answered in this report.

A decision to strike Key-West Asphalt (333) Ltd. from the bidders list for a period of five (5) years is required.

2. BACKGROUND:

2.1 A copy of the December 20, 2016 Council Report, item 7-B-1 is attached in Appendix A for reference.

2.2 During the delegation by Key-West Asphalt (333) Ltd. several new questions were raised, responses to each are provided.

   a) The Key-West delegation reported their asphalt plant is in Chilliwack.

   Response: Key-West has informed City staff that their asphalt material source is in their plant on Herrling Island, which is located in the FVRD between Popkum and Hope. Appendix B includes an asphalt material test result from the Valley Testing and Engineering (example) for the asphalt used on Nixon Road in 2016. In addition Key-West has access to the old Martens Asphalt plant on Vedder Mountain as a back-up supply source. All the asphalt used on Chilliwack roads in 2016 came from the Herrling Island Plant.

   b) The Key-West delegation was stunned by the December 20, 2016 report and referenced the 2016 Road Rehab Tender award staff report, dated May 4, 2016, which was included in the handout.

   Response: Chilliwack City staff were compelled to present the December 20, 2016 report because of the seriousness of the safety related failures and the frequency of quality issues by Key-West Asphalt (333) Ltd. during completion of the 2016 contract. These safety related failures on Industrial Way and on Ballam Road could have resulted in vehicle collisions. Due to the history of safety failures by Key-West Asphalt, the City of Chilliwack could be held responsible if vehicle collisions occur in the future on Key-West projects in Chilliwack.
The May 4, 2016 Council Report, recommending award to Key-West Asphalt (333) Ltd. for the 2016 Asphalt Rehab program was based on low bid and the safety and quality experiences of the three previous years. (Reference Table B in December 20, 2016 Council Report attached as Appendix A.) Although there were issues in 2015 with quality, one year of poor performance does not eliminate a Tenderer. The 2016 Asphalt Rehab Tender documents include 12 criteria that can be used to support a decision to award, (tender excerpt included in Appendix C). The December 20, 2016 report to Strike Key-West from the bidders list is in support of tender criteria (g):

"Past performance working for the Owner on the Work contemplated by the Tender or similar work."

The 2016 tender document favours the low price bid, Chilliwack was obligated to accept the low priced bid unless there was a compelling reason to not do so.

c) The Key-West delegation spoke positively about the new staff hired to improve safety performance on future projects. The December 20, 2016 handout material from Key-West Asphalt (333) Ltd. included resumes from three new staff members featured by the delegation; Mr. Ron Tazelaar, Ms. Dana Stewart, and Mr. Reggie Beaulieu.

Response: City staff reviewed the resumes provided for the new Key-West staff, but found no mention of safety system training or experience. While these three new Key-West employees may be valuable to the firm, none of them have presented evidence of the knowledge, skills and abilities to improve safety performance for Key-West Asphalt (333) Ltd. The resumes are attached in Appendix D along with the other materials handed out by the Key-West Asphalt (333) Ltd. delegation.

d) The Key-West delegation asked why the snow and ice control tender was awarded to Key-West just several weeks ago?

Response: The snow and ice tender evaluation criteria do not include traffic control on public roads or asphalt quality considerations.

e) The Key-West delegation stated that Chilliwack staff had provided Key-West with references in 2016 to assist them in securing other projects. This statement was intended to highlight inconsistency relative to the tender prohibition issue.

Response: City staff provided no written reference for Key-West in 2016. City staff received two reference seeking telephone calls in 2016, where information was provided about positive and negative aspects of Key-West work performance.
f) The Key-West delegation stated they would hire a new sub-contractor, the firm Protec, to provide traffic control services in 2017, thus improving their safety performance when performing future work.

**Response:** In previous years Key West has provided traffic control for Chilliwack projects using sub-contracted traffic control / flagging specialty firms. The use of sub-contractors has not guaranteed adequate performance. Nominating Protec as a sub-contractor for 2017 is not binding and may not improve safety performance.

3. **RECOMMENDATION & SUBSTANTIATION:**

**Recommendation:**

Recommendation that Council strike Key-West Asphalt (333) Ltd. from the Chilliwack bidders list, whether the prime or sub-contractor, for a period of five (5) years, and further that this action extend to any company that appears to be comprised of the same critical team members and equipment associated with Key-West Asphalt (333) Ltd.

**Substantiation:**

Striking Key-West from the bidders list is the recommended action to reduce the likelihood of a construction accident and to reduce the frequency of poor quality work. As an alternative, if Council wished, staff could arrange full time construction inspection, (at a cost of approximately $100,000) and modify existing tender document to give staff additional tools to control safety and quality breaches.
Appendix A
1. **SUMMARY OF ISSUE:**

Key-West Asphalt (333) Ltd. and its predecessor companies have won the annual Road Rehabilitation & Shoulder Paving contract for all but two years since 2009 and has served as a sub-contractor on several design/build projects. Consistently poor product quality and safety concerns have led to questions regarding the value being obtained from this company.

A decision to strike Key-West Asphalt (333) Ltd. from the bidders list for a period of five (5) years is required.

2. **RECOMMENDATION:**

Recommendation that Council strike Key-West Asphalt (333) Ltd. from the Chilliwack bidders list, whether the prime or sub-contractor, for a period of five (5) years, and further that this action extend to any company that appears to be comprised of the same critical team members and equipment associated with Key-West Asphalt (333) Ltd.

D.A. Blain, Director of Planning and Engineering

3. **FINANCE COMMENTS:**

There are no current budgetary impacts of this decision at this time, however, there may be budgetary implications to bids received for related future projects.

Glen Savard, Director of Finance

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

Supports Recommendation.

Peter Monteith, CAO
1. DEFINITION OF ISSUE:

Key-West Asphalt (333) Ltd. and its predecessor companies have won the annual Road Rehabilitation & Shoulder Paving contract for all but two years since 2009 and has served as a sub-contractor on several design/build projects. Consistently poor product quality and safety concerns have led to questions regarding the value being obtained from this company.

A decision to strike Key-West Asphalt (333) Ltd. from the bidders list for a period of six (6) years is required.

2. BACKGROUND:

2.1 As shown in Table “A”, Key-West Asphalt (333) Ltd. has won the majority of the annual Road Rehabilitation contracts for the City of Chilliwack since 2009 under three different business names including GTB Construction Ltd. and Keywest Asphalt Ltd.

<table>
<thead>
<tr>
<th>Year</th>
<th>Company Name</th>
<th>Bid</th>
<th>Next Lowest</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>Key-West Asphalt (333) Ltd.</td>
<td>$1,311,200</td>
<td>$1,457,829</td>
<td>$156,629</td>
</tr>
<tr>
<td>2015</td>
<td>GTB Construction Ltd.</td>
<td>$1,543,600</td>
<td>$1,693,527</td>
<td>$149,927</td>
</tr>
<tr>
<td>2014</td>
<td>Keywest Asphalt Ltd.</td>
<td>$1,234,000</td>
<td>$1,315,249</td>
<td>$81,249</td>
</tr>
<tr>
<td>2013</td>
<td>Keywest Asphalt Ltd.</td>
<td>$1,842,500</td>
<td>$1,855,590</td>
<td>$13,090</td>
</tr>
<tr>
<td>2012</td>
<td>Keywest Asphalt Ltd.</td>
<td>$1,829,494</td>
<td>$1,854,165</td>
<td>$24,671</td>
</tr>
<tr>
<td>2011</td>
<td>Low tender by others</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>2010</td>
<td>Low tender by others</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>2009</td>
<td>Keywest Asphalt Ltd.</td>
<td>$2,265,000</td>
<td>$2,349,933</td>
<td>$84,933</td>
</tr>
</tbody>
</table>

Cumulative Difference $510,499
2.2 Key-West’s work has raised extraordinary public and worker safety concerns, public complaints and quality issues as summarized in Table “B” as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Location</th>
<th>Quality/Public Issue</th>
<th>Safety Issue</th>
<th>Action/Resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>Vedder – South Sumas to Stevenson</td>
<td>Poor ride quality</td>
<td>Traffic control signs lying flat. Flagger abandoned post twice. Safety Supervisor substituted without notice.</td>
<td>Mill and pave worst sections</td>
</tr>
<tr>
<td></td>
<td>Yale – Chadsay to Royalwood</td>
<td>Poor ride quality</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ballam– McDonald to Dyke</td>
<td>Poor ride quality</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ballam– McDonald to Dyke</td>
<td>Semi-truck placed barriers without traffic control. Warned one day and the incident recurred the next.</td>
<td>Cease work order issued and City met with Key-West management. Key-West fired sub-contractor involved.</td>
<td></td>
</tr>
<tr>
<td>2015</td>
<td>Camp River Rd – Reeves to Standeven</td>
<td>Poor ride quality and segregation</td>
<td></td>
<td>Payment holdback pending repairs</td>
</tr>
<tr>
<td></td>
<td>Young – Yale to Lewis</td>
<td>Most appurtenances out of specification</td>
<td></td>
<td>Adjustments and patches made. Payment penalties.</td>
</tr>
<tr>
<td></td>
<td>Prest at Bailey</td>
<td>Illegal fire hydrant connection</td>
<td></td>
<td>Fine issued</td>
</tr>
<tr>
<td></td>
<td>Ryder Lk – Extrom to Elk View</td>
<td></td>
<td>Flagger abandoned post</td>
<td>Warning issued. Contractor vowed relief flagger would be available</td>
</tr>
<tr>
<td></td>
<td>Yale at Broadway</td>
<td>Incomplete trench compaction created dip</td>
<td></td>
<td>New asphalt milled and repaved</td>
</tr>
<tr>
<td></td>
<td>Bailey – Lindell to Prest</td>
<td>Gravel spilled into field</td>
<td></td>
<td>After long delay it was removed</td>
</tr>
<tr>
<td></td>
<td>Hawthorne</td>
<td>Segregation</td>
<td></td>
<td>Top lift repaved</td>
</tr>
<tr>
<td>2014</td>
<td>McGuire – Banford to Gibson</td>
<td>Private hose used without permission</td>
<td></td>
<td>Contractor reimbursed homeowner</td>
</tr>
<tr>
<td>2012</td>
<td>Vedder at Knight</td>
<td>Illegal fire hydrant connection</td>
<td></td>
<td>Warning issued</td>
</tr>
<tr>
<td></td>
<td>All Locations</td>
<td>Most appurtenances out of specification</td>
<td>Traffic control signs not maintained.</td>
<td>Adjustments and patching. Financial penalty.</td>
</tr>
<tr>
<td></td>
<td>All Locations</td>
<td></td>
<td>Sign inspection reports requested but inconsistently provided</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ashwell – Trutch to Hodgins</td>
<td>Illegal fire hydrant connection</td>
<td></td>
<td>Warning issued</td>
</tr>
<tr>
<td></td>
<td>Ashwell – Trutch to Hodgins</td>
<td></td>
<td>Insufficient traffic control</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ashwell – Trutch to Hodgins</td>
<td>Trespassing</td>
<td></td>
<td>Warning issued</td>
</tr>
<tr>
<td></td>
<td>Ashwell – Trutch to Hodgins</td>
<td>Flagger abandoned post</td>
<td></td>
<td>Flagger fired</td>
</tr>
<tr>
<td>2009</td>
<td>Yale at Hodgins</td>
<td>Pedestrian signal buttons blocked forcing unsafe crossings.</td>
<td></td>
<td>Attendants dispatched</td>
</tr>
<tr>
<td></td>
<td>Yale at Hodgins</td>
<td>Insufficient traffic control</td>
<td></td>
<td>Traffic control plan revised</td>
</tr>
<tr>
<td></td>
<td>Yale – RRX to East Boundary</td>
<td>Poor ride quality</td>
<td></td>
<td>Level course and top lift repaved</td>
</tr>
<tr>
<td></td>
<td>Yale – RRX to East Boundary</td>
<td>Edge of base course wavy</td>
<td></td>
<td>Warning issued</td>
</tr>
<tr>
<td></td>
<td>Yale – RRX to East Boundary</td>
<td></td>
<td>No temporary markings</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Yarrow Cent – Eckert to Community</td>
<td>No night joints – possible panic stopping or tire damage</td>
<td></td>
<td>Warning issued</td>
</tr>
<tr>
<td></td>
<td>Knight Sidewalk – Huron to Topaz</td>
<td>Safeway access blocked without notice</td>
<td></td>
<td>Warning issued</td>
</tr>
<tr>
<td></td>
<td>Brooks – Young to Broadway</td>
<td></td>
<td>Insufficient traffic control</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Warning issued</td>
<td></td>
</tr>
</tbody>
</table>
3. DISCUSSION:

3.1 Key-West Asphalt (333) Ltd. and its predecessors have generated a much higher number of safety and quality concerns than other paving companies that work for the City of Chilliwack.

3.2 Their poor traffic management practices increase the risk of crashes which may result in property damage, injury or death.

3.3 Key-West (333) safety procedure violations put the public at risk. In one recent incident, a Traffic Control Person (flagger) was absent from their post leaving motorists to guess when it was safe to enter a long single lane section adjacent to working equipment. This may have resulted in a head-on collision.

3.4 Examples of improper traffic control procedures or lack of maintenance on the 2016 projects undertaken by Key-West are illustrated in the following photos:
3.5 The following are photos of unsafe practices in previous years:

Yale at Hodgins – barricades at island blocked access to walk signal button

Ashwell at Lazenby – unmaintained work zone signs

3.6 This contractor has had to repave many areas to repair deficiencies, resulting in additional joints and areas of low compaction which will increase future maintenance costs.

3.7 Paving contracts reference MMCD specifications which stipulate that the contractor must “Ensure finished asphalt surface does not have irregularities exceeding 6 mm when checked with a 3 m straight edge placed in any direction”. Irregularities in paving done by Key-West frequently violate that standard and the public often complains about a rough ride on what should be smooth new asphalt.

3.8 Photos demonstrating poor quality workmanship are as follows:

Camp River Road - dips and bumps - 3m straigntedge

Camp River Road - dips and bumps - 3m straigntedge
Young at Bole – Patched manhole (seams will deteriorate quickly)

Hawthorne – segregation (rough surface – exposed aggregate)

Young north of Yale – dips and bumps - 3m straightedge

Yale east of Broadway – improper trench compaction

Yale near east city boundary – wavy edge
3.9 While there price competitiveness has resulted in a $510,499 cumulative savings since 2009, the physical risk to the public and long term maintenance costs may not be good value.

3.10 Poor quality road work shortens the life cycle and increases maintenance costs, putting pressure on annual operating budgets.

3.11 The critical team members of Key-West Asphalt (333) Ltd. have bid on City of Chilliwack work under at least 3 different company names and have several other subsidiary companies.

4. RECOMMENDATION:

Recommendation:

Recommendation that Council strike Key-West Asphalt (333) Ltd. from the Chilliwack bidders list, whether the prime or sub-contractor, for a period of five (5) years, and further that this action extend to any company that appears to be comprised of the same critical team members and equipment associated with Key-West Asphalt (333) Ltd.

Substantiation:

Repeated poor attention to public safety and low quality work provided by Key-West Asphalt (333) Ltd. is deemed to be too great of a risk and of poor financial value. While the quality issues are a significant concern, the primary concern is that of public safety, the actions of the contractor have created significant risk to the public's life safety, and that, while it goes without saying, the cost savings to the City are outweighed by the life safety issues.
**PROJECT NO. V8096:**
CLIENT KEYWEST ASPHALT (333) LTD.
C.C. KEYWEST ASPHALT (333) LTD.

**PROJECT ROAD, & ASPHALT REHAB. PAVING PROGRAM**
**SURFACE DENSITY & MARSHALL TESTS**
**CONTRACTOR KEYWEST ASPHALT (333) LTD.**

**ASPHALT TEST NO. 1**

**DATE TESTED:** 2016. Aug. 18  **DATE SAMPLED:** 2016. Aug. 10

**SUPPLIER:** KEYWEST
**SOURCE:** HERRLING ISL

**SPECIFICATION:** MMCD UPPER COURSE #1
**LOCATION:** NEVIN RD, NBL, STA 0+600

<table>
<thead>
<tr>
<th>MARSHALL PROPERTIES</th>
<th>ACTUAL</th>
<th>SPECIFIED LIMITS</th>
<th>SIEVE SIZES</th>
<th>PERCENT PASSING</th>
<th>GRADATION LIMITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>DENSITY (75 Blows), kg/m³</td>
<td>2637</td>
<td>75 Blows</td>
<td>3&quot;</td>
<td>75 mm</td>
<td>100.0</td>
</tr>
<tr>
<td>STABILITY, N.</td>
<td>20650</td>
<td>5500</td>
<td>2&quot;</td>
<td>50 mm</td>
<td>100.0-100.0</td>
</tr>
<tr>
<td>FLOW, 250 µm units</td>
<td>14</td>
<td>8-16</td>
<td>1 1/2&quot;</td>
<td>37.5 mm</td>
<td>89.4</td>
</tr>
<tr>
<td>ASPHALT CEMENT, % OF TOTAL MIX</td>
<td>4.62</td>
<td>4.58±0.30</td>
<td>1&quot;</td>
<td>25 mm</td>
<td>84.0-99.0</td>
</tr>
<tr>
<td>AIR VOIDS, %</td>
<td>3.3</td>
<td>3.0-5.0</td>
<td>3/4&quot;</td>
<td>19 mm</td>
<td>73.0-88.0</td>
</tr>
<tr>
<td>VOIDS IN MINERAL AGGREGATE, %</td>
<td>14.0</td>
<td>14.0</td>
<td>1/2&quot;</td>
<td>12.5 mm</td>
<td>60.3</td>
</tr>
<tr>
<td>VOID FILLED WITH ASPHALT, %</td>
<td>76.4</td>
<td>75</td>
<td>3/8&quot;</td>
<td>9.5 mm</td>
<td>50.0-68.0</td>
</tr>
<tr>
<td>RETAINED STABILITY, %</td>
<td></td>
<td></td>
<td>No. 4</td>
<td>4.75 mm</td>
<td>32.0</td>
</tr>
<tr>
<td>MAXIMUM MIX DENSITY, kg/m³</td>
<td>2728</td>
<td></td>
<td>No. 8</td>
<td>2.36 mm</td>
<td>24.0</td>
</tr>
<tr>
<td>AGGREGATE A.C. ABSORPTION, %</td>
<td>0.56</td>
<td></td>
<td>No. 16</td>
<td>1.18 mm</td>
<td>14.1</td>
</tr>
<tr>
<td>AGGREGATE DENSITY, kg/m³</td>
<td>2926</td>
<td></td>
<td>No. 30</td>
<td>600 µm</td>
<td>8.8</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>No. 50</td>
<td>300 µm</td>
<td>4.0-17.0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>No. 100</td>
<td>150 µm</td>
<td>3.0-8.0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>No. 200</td>
<td>75 µm</td>
<td></td>
</tr>
</tbody>
</table>

**LOAD TEMPERATURE:** 151°C  **COMPACTION TEMP:** 143±3 °C

A.C. SUPPLIER:  A.C. GRADE: 80-100

**COMMENTS**

Reporting of these test results constitutes a testing service only. Engineering interpretation or evaluation of test results is provided only on written request. All tested materials will be stored for one week only.
INVITATION TO TENDER

Tenders, in a sealed envelope marked with the Proponent' name and:

"TENDER NO. 2016-10 - 2016 Asphalt Rehabilitation & Shoulder Paving"

will be received at:

City of Chilliwack
Municipal Hall Reception Desk
8550 Young Road
Chilliwack, BC V2P 8A4

no later than 3:00 p.m., local time, Wednesday, April 20, 2016.

Tenders received after the above mentioned time and date will not be accepted.

The City of Chilliwack may in its discretion extend the Closing Time, but will not be obligated to do so.
Tenders will be opened in public after the Closing Time.

The Tender documents for the 2016 Asphalt Rehabilitation & Shoulder Paving may be obtained from the
Main Reception Desk of the City of Chilliwack at no cost. The Tender documents may also be
downloaded from City’s website at www.chilliwack.com/bids.

Tenders shall be in the form specified in the Tender document.

Criteria which may be used by the Owner in evaluating Tenders and awarding the Contract, are:

a) Substantial compliance to Tender requirements.
b) Overall cost of the Work in relation to the City's budget for the work.
c) The financial resources or credit worthiness of the Tenderer.
d) Qualifications and experience of the Tenderer and its personnel.
e) Proposed labour and equipment.
f) Unit prices.
g) Past performance working for the Owner on the Work contemplated by the Tender or similar work,
h) Proposed Subcontractors.
i) Proposed work schedule.
k) WorkSafeBC Clearance Certificate.
l) Submission of Bid Security.

The relative weight given to these criteria will be determined in the sole discretion of the Owner. Specifically, the overall cost of the Work is only one of a number of criteria and the lowest compliant bid may not necessarily be accepted.

The City shall not be responsible for any cost incurred by a Tenderer in preparing its tender. Tenders submitted shall be deemed irrevocable for a period of sixty (60) days after the Closing time.

The Tender shall be accompanied by security in the form of either a bid bond issued by a corporation licensed to carry on the business of surety in British Columbia, or cash equivalent in the amount of 10% of the total Tender Price, including G.S.T. Money orders, certified cheques, or irrevocable letters of credit are considered cash equivalents to a bid bond.
Appendix D
1. **SUMMARY OF ISSUE:**

Four (4) tenders were received for the 2016 Asphalt Rehabilitation & Shoulder Paving Contract Award. The work includes the supply of all labor, materials, and equipment to overlay asphalt roads, pave a gravel road and lane, reinforce road structure and pave shoulders. The tender evaluation is based on the sum of base work and shoulder paving work, see Table "A" for details.

A decision to award the tender to the low bidder is required.

2. **RECOMMENDATION:**

Recommendation that Council award the tender for the 2016 Asphalt Rehabilitation & Shoulder Paving Program to Key-West Asphalt (333) Ltd., in the amount of $1,311,200.00 (plus applicable taxes); and further, that the Mayor and Clerk be authorized to sign any necessary documentation.

[Signature]

D. A. Blain, Director of Planning and Engineering

3. **FINANCE COMMENTS:**

Sufficient funds are allocated to the 2016 Financial Plan for the associated programs and funded from General Revenue and Gas Tax funds along with anticipated contributions from the Provincial BikeBC Program and ICBC.

[Signature]

Glen Savard, Director of Finance

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

Supports recommendation.

[Signature]

Peter Monteith, CAO
STAFF REPORT ON

2016 ASPHALT REHABILITATION & SHOULDER PAVING PROGRAM

PREPARED BY: Dwayne Spies

May 4, 2016

POSITION: Senior Roads Technician

DEPARTMENT: Engineering

1. DEFINITION OF ISSUE:

Four (4) tenders were received for the 2016 Asphalt Rehabilitation & Shoulder Paving Program. The work includes the supply of all labor, materials, and equipment to overlay asphalt roads, pave a gravel road and lane, reinforce road structure and pave shoulders. The tender evaluation is based on the sum of base work and shoulder paving work, see Table “A” for details.

<table>
<thead>
<tr>
<th>Tenderer</th>
<th>Tender Price (plus applicable taxes)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Key-West Asphalt (333) Ltd</td>
<td>$1,311,200.00</td>
</tr>
<tr>
<td>Lafarge Canada Inc.</td>
<td>$1,467,829.00</td>
</tr>
<tr>
<td>Grandview Blacktop Ltd.</td>
<td>$1,618,862.60</td>
</tr>
<tr>
<td>Eurovia British Columbia Inc.</td>
<td>$1,672,050.00</td>
</tr>
</tbody>
</table>

A decision to award the tender to the low bidder is required.

2. FACTORS:

2.1 Each year the City of Chilliwack tenders asphalt rehabilitation work for various roads to maintain the driving surface and reduce maintenance costs.

2.2 Drainage and curb and gutter improvements will be made adjacent to rehabilitation projects where significant deterioration has occurred or upgrades are required. Examples include concrete curb & gutter placement Uplands Drive and CB installation on Acorn Avenue.

2.3 Shoulder Paving increases safety and convenience for commuter and recreational cyclists and pedestrians alike. Shared funding for shoulder paving projects may be available through the Provincial BikeBC program and ICBC.

2.4 The Infill paving of the gravel portion of Ballam Road will include continuous concrete highway barrier between the road and the river.

2.5 A site map showing the location of all projects is attached as Appendix “A”.

2.6 The following Table “A” provides detailed project locations and tender prices submitted by Key-West Asphalt (333) Ltd.
### TABLE “A”

<table>
<thead>
<tr>
<th>On</th>
<th>From</th>
<th>To</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acorn</td>
<td>McNaught</td>
<td>James</td>
<td>$42,000</td>
</tr>
<tr>
<td>Nevin</td>
<td>Yale</td>
<td>McEwen</td>
<td>$240,000</td>
</tr>
<tr>
<td>Patterson</td>
<td>Prairie Central</td>
<td>Marble Hill</td>
<td>$372,200</td>
</tr>
<tr>
<td>Industrial</td>
<td>Arnold</td>
<td>Old Orchard</td>
<td>$337,500</td>
</tr>
<tr>
<td>Yale</td>
<td>Royalwood</td>
<td>Chadsey</td>
<td>$76,500</td>
</tr>
<tr>
<td>Vedder</td>
<td>South Sumas</td>
<td>Stevenson</td>
<td>$225,000</td>
</tr>
<tr>
<td>Ballam</td>
<td>McDonald</td>
<td>East end of gravel</td>
<td>$313,250</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td><strong>$1,106,450</strong></td>
</tr>
</tbody>
</table>

### Shoulder Paving

<table>
<thead>
<tr>
<th>On</th>
<th>From</th>
<th>To</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nevin</td>
<td>Ford</td>
<td>McGrath</td>
<td>$20,000</td>
</tr>
<tr>
<td>Yale</td>
<td>Royalwood</td>
<td>Chadsey</td>
<td>$85,500</td>
</tr>
<tr>
<td>South Sumas</td>
<td>Unsworth</td>
<td>Tyson</td>
<td>$95,000</td>
</tr>
<tr>
<td>Industrial</td>
<td>Arnold</td>
<td>Old Orchard</td>
<td>$51,500</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td><strong>$294,750</strong></td>
</tr>
</tbody>
</table>

### Tender Provisional

<table>
<thead>
<tr>
<th>On</th>
<th>From</th>
<th>To</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Uplands</td>
<td>Promontory</td>
<td>#46481</td>
<td>$46,500</td>
</tr>
<tr>
<td>Grandview</td>
<td>At Chilliwack Mountain</td>
<td></td>
<td>$45,850</td>
</tr>
<tr>
<td>Lane</td>
<td>Behind 9474 Cook St.</td>
<td></td>
<td>$8,500</td>
</tr>
<tr>
<td>Edward</td>
<td>Berhard</td>
<td>South end</td>
<td>$27,500</td>
</tr>
<tr>
<td>Additional Top Lift Asphalt</td>
<td></td>
<td></td>
<td>$13,500</td>
</tr>
<tr>
<td>Additional Level Asphalt</td>
<td></td>
<td></td>
<td>$11,500</td>
</tr>
<tr>
<td>Milling Breakthrough Treatment</td>
<td></td>
<td></td>
<td>$15,000</td>
</tr>
<tr>
<td>Replace Reflector Inserts</td>
<td></td>
<td></td>
<td>$5,500</td>
</tr>
<tr>
<td>Plow Resistant Reflectors (Yellow)</td>
<td></td>
<td></td>
<td>$4,600</td>
</tr>
<tr>
<td>Plow Resistant Reflectors (White)</td>
<td></td>
<td></td>
<td>$8,400</td>
</tr>
<tr>
<td>Mueller Adjustable Manhole</td>
<td></td>
<td></td>
<td>$0</td>
</tr>
<tr>
<td>South Sumas &amp; Industrial Way— Pit Run</td>
<td></td>
<td></td>
<td>$32,700</td>
</tr>
<tr>
<td>Elk View Reinforcement — Section 13B - Micropiles</td>
<td></td>
<td></td>
<td>$119,700</td>
</tr>
<tr>
<td>Elk View Reinforcement — Section 13B - Concrete Grade Beam</td>
<td></td>
<td></td>
<td>$38,500</td>
</tr>
<tr>
<td>Contingencies</td>
<td></td>
<td></td>
<td>$100,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td><strong>$476,250</strong></td>
</tr>
</tbody>
</table>

2.7. The Road Rehabilitation budget for 2016 provides funding for several projects not included in this tender, these include the paving of Hodgins Avenue from Yale to Corbould; paving of Watson Road from Vedder to Tyson; road strengthening on Old Orchard Road; and rail crossing improvements on CN and SRY crossings.

2.8. As a result of aggressive tendering, the 2016 Budget will support the award of Base work, Shoulder Paving and Provisional, as itemized in Table “B”. Tenderer Key-West Asphalt (333) Ltd. is low bid on the sum of base and shoulder pave work. In addition, they are low bid on the Provisional work. Provisional projects will only proceed once all the Base & Shoulder Paving work is complete and sufficient funding is confirmed.
TABLE “B”

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asphalt Rehabilitation Base</td>
<td>$1,106,450</td>
</tr>
<tr>
<td>Shoulder Paving</td>
<td>$204,750</td>
</tr>
<tr>
<td>Base Tender</td>
<td>$1,311,200</td>
</tr>
<tr>
<td>Asphalt Rehabilitation Provisional</td>
<td>$476,250</td>
</tr>
<tr>
<td>Total Tender Award (before GST)</td>
<td>$1,787,450</td>
</tr>
</tbody>
</table>

2.9 The ICBC Road Improvement Program typically provides contributions toward projects that are expected to deliver insurance claims reductions. In 2015 ICBC contributed $9,000 to Asphalt Rehabilitation projects and $23,000 toward bike lane construction. Staff is currently working with ICBC to determine potential contributions toward 2016 projects.

3. DISCUSSION:

3.1 In line with the philosophy of the Bicycle Transportation Plan the 2016 bike lane projects were selected according to the priorities of the Plan’s Appendix “C” in balance with available funding and a cost/benefit analysis.

3.2 Table “C” below highlights each Road Rehabilitation project along with details of bike lane costs and comments.

TABLE “C”

<table>
<thead>
<tr>
<th>On</th>
<th>Bike Lane Included</th>
<th>Bike Lane Estimated Cost</th>
<th>Comment</th>
<th>BikeBC Application Submitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Saan</td>
<td>Yes</td>
<td>$100,000</td>
<td>Bike Plan Priority #5 (#1 to #5 complete)</td>
<td>Yes</td>
</tr>
<tr>
<td>Yale</td>
<td>Yes</td>
<td>$40,000</td>
<td>Bike Plan Priority #9</td>
<td>Yes</td>
</tr>
<tr>
<td>Nevins</td>
<td>Yes</td>
<td>$100,000</td>
<td>Bike Plan Priority #10</td>
<td>Yes</td>
</tr>
<tr>
<td>Industrial</td>
<td>Yes</td>
<td>$55,000</td>
<td>Connects to existing bike lanes. Cannot to Arnold</td>
<td>Yes</td>
</tr>
<tr>
<td>Watson</td>
<td>Yes</td>
<td>$10,000</td>
<td>Improvement to existing bike lanes</td>
<td>No</td>
</tr>
<tr>
<td>Bellam</td>
<td>No</td>
<td>$100,000</td>
<td>Very low traffic volume and adjacent ETU route</td>
<td>No</td>
</tr>
<tr>
<td>Grandview</td>
<td>No</td>
<td>N/A</td>
<td>Project only 60m long. No route or facilities in area</td>
<td>No</td>
</tr>
<tr>
<td>Uplands</td>
<td>No</td>
<td>$30,000</td>
<td>Very low traffic volume, shared lane acceptable</td>
<td>No</td>
</tr>
<tr>
<td>Acorn</td>
<td>No</td>
<td>$30,000</td>
<td>Very low traffic volume, shared lane acceptable</td>
<td>No</td>
</tr>
<tr>
<td>Patterson</td>
<td>No</td>
<td>$1,200,000</td>
<td>Cost prohibitive. Include with future development</td>
<td>No</td>
</tr>
<tr>
<td>Edward</td>
<td>No</td>
<td>$200,000</td>
<td>Very low traffic volume, shared lane acceptable</td>
<td>No</td>
</tr>
<tr>
<td>Vedder</td>
<td>No</td>
<td>$1,500,000</td>
<td>Cost prohibitive and alternate route available</td>
<td>No</td>
</tr>
<tr>
<td>Hodgins</td>
<td>No</td>
<td>$10,000</td>
<td>Would eliminate high demand curbside parking fronting the hospital.</td>
<td>No</td>
</tr>
</tbody>
</table>
Recommendation:

Recommendation that Council award the tender for the 2016 Asphalt Rehabilitation & Shoulder Paving Program to Key-West Asphalt (333) Ltd., in the amount of $1,311,200.00 (plus applicable taxes); and further, that the Mayor and Clerk be authorized to sign any necessary documentation.

Substantiation:

Key-West Asphalt (333) Ltd. formerly operating under its sister company names, Keywest Asphalt Ltd. and GTB Construction Ltd., has successfully completed the 2009, 2012, 2013, 2014 and 2015 Asphalt Rehabilitation & Shoulder Paving programs for the City of Chilliwack and staff recommends their services. Aggressive tendering by the bidders is expected to allow the City to proceed with all the base and provisional work, within the 2016 Budget.
Objective:

- Full-time employment as a Paving Estimator/Supervisor for road construction

Qualification Summary:

- 20 years’ experience in the paving industry
  - 10 years as the owner/manager of Blackline Paving
  - 10 years as an estimator/supervisor for BA Blacktop and Selkirk Paving
- 2 years of on-the-job training as an estimator/supervisor
- A reputation for being a hard-working, reliable, safety conscious, and confident go-getter
- Good basic computer skills with a willingness to learn more

Key Skills:

- Promoting business and building working relationships with Ministry of Highway officials, City Operations Managers and company owners
- Consulting with clients, vendors, department personnel or construction foremen to discuss and formulate estimates and resolve issues
- Analyzing blueprints and other documentation to prepare, time, cost, materials, and labor estimates and take-offs
- Preparing estimates for use in selecting vendors or subcontractors
- Conferring with engineers, architects, owners, contractors and subcontractors on any changes or adjustments to cost estimates
- Preparing estimates used by management for purposes such as planning, organizing, and scheduling work
- Assessing cost effectiveness of products, projects or services, and tracking actual costs relative to bids as projects develop
- Reviewing material and labor requirements to decide whether it is more cost-effective to produce or purchase components
- Preparing and maintaining a directory of suppliers, contractors and subcontractors
- Monitoring tendering processes and conducting negotiations
- Training, coaching and supervising workers

Relevant Work Experience:

Owner/Manager, Blackline Paving, Invermere, BC, 2006-2016
- Managed the day-to-day operations of a busy paving and asphalt maintenance company
- Specialized in paving, patching, sealcoating, crack sealing, grading, crushing, consulting and project management

Estimator/Supervisor
- BA Blacktop, Cranbrook, BC, 2000-2005
- Selkirk Paving, Crescent Valley, BC, 1995-2000
- Prepared and submitted tenders, attended tender openings, negotiated contracts, supervised projects, and promoted business
Education:
- On-the-job training as a Paving Estimator/Superintendent, BA Blacktop, Cranbrook, BC
- TDG, WHMIS, First Aid, and Class 1 license
- Attended several paving conventions and seminars (A.C.E. Expos)
- Concrete Technology Course, Vancouver, BC
- High school, L.V. Rogers, Nelson, BC

Volunteer Experience:
- Coached and umpired/refereed minor league baseball and hockey for 10 years

Hobbies and Interests:
- Playing sports, collecting classic cars, motorcycling, travelling, meeting new people, sharing time with friends and family, camping, fishing, animals

References:

Bill Doroshuk - Operations Manager
Village of Canal Flats
250-421-0164

Ken MacDonell - Operations Manager
Village of Radium Hot Springs
250-342-7485

Karen McDonald - Supervisor – Parks and Roads
City of Nelson
250-352-8227

Gord Wilken - Former Manager
Kootenay Paving (Interoute Construction Ltd.)
Invermere, BC
250-919-8842

Don Pickle - Former Operations Manager, District of Invermere
Current - Highways Manager, Banff and Kootenay National Parks
403-762-1444

Chris Cochrane - Chief Operations Officer
Town of Golden
250-344-2271

Justin Atterbury - Town Councillor
District of Invermere
250-342-5271
Dana Stewart
7197 Rochester Avenue
Sardis, BC V2R 1H3

403-510-6821
dmarie2629@gmail.com

Highlights & Qualifications

➤ 9 years’ experience safe operation of a variety of heavy equipment including rigid frame haul trucks up to 250 ton, articulated haul trucks, bulldozer ranging from D6 up to D11 including D10 push cat, and loader—wheel and track
➤ Safety representative for a crew of 30 while employed a GCCC
➤ Senior operator participated in the training and mentoring of new hires
➤ Able to recognize hazards and anticipate dangerous situations
➤ Work well within a team or independently with minimal supervision
➤ Reliable, dependable, and safety orientated

Employment History

<table>
<thead>
<tr>
<th>Equipment Operator</th>
<th>Location</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Push Cat / Dozer Operator / Haul Truck Operator</td>
<td>Borger Earthworks, Calgary, AB</td>
<td>2014-2016</td>
</tr>
<tr>
<td>Equipment Operator</td>
<td>Kidco Construction, Calgary, AB</td>
<td>2013-2014</td>
</tr>
<tr>
<td>Haul Truck / Dozer Operator / Loader—wheel and track</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Certificates, Training & Education

High School Diploma / Valid Class 5 Driver Licence with a clean abstract / First Aid Level A CPR and AED / General Bookkeeping Certificate / Proficient in computer operation including Microsoft Office, (Word And Excel)
Reggie Beaulieu
Unit 2 – 252 Lansdowne Ave
Winnipeg, MB
R2W 0G6
Cell: 204 - 922 - 0578
Message: 204 - 871 - 1545

As a Screed Operator with Zenith Paving Company, I utilized exceptional physical stamina, great attention to detail and team building through experience over the last ten years.

HIGHLIGHTS
- Over 10 years of experience
- Familiar with numerous kinds of paving tools, heavy equipment operation
- Physically fit, hard-working
- Demonstrate ability to gain knowledge quickly, follow safety precautions
- Repetitive Movements
- Multiple Tasks Handling

PHYSICAL CAPABILITIES
- Extended- standing
- Heavy lifting
- Working in extreme weather conditions

PROFESSIONAL EXPERIENCE

May-Nov. 2004/2015
Zenith Paving – Brandon, MB

Screed Operator
- Adjusted screed height on the paving machine to ensure proper depth, grade and finish
- Removed debris, trash at sites by means of wheelbarrows and other equipment
- Operated a range of equipment; jackhammers, and power tools
- Worked as a key element of team with other skilled staff
- Handled work on site with little or no supervision
- Helped other skilled employees
- Cleaned tools, equipment and work area

EDUCATION

REFERENCES
Wayne Klassen
Superintendent
Zenith Paving
108 Richmond Ave E
W(204) 728-3388
C(204) 729-5145

Blaine Cavers
Zenith Foreman
Zenith Paving
108 Richmond Ave E
(204) 721-0087

Percy Pielak
Edmonton
December 16, 2016

Corporation of Delta
4500 Clarence Taylor Crescent
Delta, BC V4K 3E2

To whom it may concern

**RE: Reference to Key-West Asphalt (333) Ltd.**

Key-west Asphalt (333) Ltd. has successfully won the Corporation of Delta’s 2014, 2015, and 2016 paving program. Each program consists of ten (10) to twelve (12) sites. The works generally consist of street lighting, ditch infill and storm main installation, concrete curb and sidewalks, irrigation, top soil and sod restoration, permanent pavement markings, milling, and asphalt paving. The projects were all completed on schedule and within budget. All deficiencies were corrected to the satisfaction of the Corporation of Delta prior to the builder’s lien holdback. Communication between Key-West’s Project Manager and Delta has been positive and responsive. Issues were dealt with in a timely manner. Safety is first priority for our residents and the Contractor’s employees. Fortunately, safety has not been an issue. Should you have additional comments or questions feel free to contact me at 604-946-3343 or tcheng@delta.ca

Sincerely,

Terry Cheng, P.Eng.
Civil Engineer
AGENDA ITEM NO: 7-D-1
MEETING DATE: October 18, 2016

STAFF REPORT – COVER SHEET

SUBJECT: Snow and Ice Removal Service  DATE: October 4, 2016
DEPARTMENT: Recreation & Culture  PREPARED BY: David Parsons

1. SUMMARY OF ISSUE:

On September 21 the City received four submissions for the Request For Proposals for Snow and Ice Removal Service.

Council is requested to give consideration to the award of the Snow and Ice Removal Service Contract to Key-West Asphalt (3333) Ltd.

2. RECOMMENDATION:

That Council accept the Request For Proposal for Snow and Ice Removal Service from Key-West Asphalt (3333) Ltd.; and further that the Mayor and Clerk be authorized to sign any necessary documentation.

Ryan Mulligan
Director of Recreation and Culture

3. FINANCE COMMENTS:

Sufficient funds have been allocated within each of the civic facilities maintenance budgets as contained within the City’s current Financial Plan.

Glen Savard, Director of Finance

4. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

Supports recommendation.

Peter Monteith, CAO
STAFF REPORT ON
Snow and Ice Services Contract

PREPARED BY: David Parsons DATE: October 4, 2016
POSITION: Superintendent of Civic Facilities DEPARTMENT: Recreation & Culture

1. DEFINITION OF ISSUE:

1.1 Council is requested to give consideration to the award of a snow and ice removal service contract which encompasses (14) City of Chilliwack Civic facility parking lots.

2. FACTORS:

2.1 The snow and ice removal service contract encompasses (14) facilities and is for a period of (1) year with an option to extend the contract for up to (4) additional (1) year terms upon mutual agreement between the City of Chilliwack and the Contractor.

2.2 Request for proposals went out to public interest on August 31, 2016 and were received back for review on Sept 21, 2016.

2.3 The technical and financial information related to the request for proposals was evaluated by City staff, based on the following criteria:

Technical
   Experience and Capability
   Quality Control
   Key Personnel
   Value Added Features

Financial

Project Management
Operational Plan
Training

2.4 The four proponents were graded as follows.

<table>
<thead>
<tr>
<th>Company</th>
<th>Technical (80%)</th>
<th>Financial (20%)</th>
<th>Total</th>
<th>Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>Keywest</td>
<td>52.86</td>
<td>13.22</td>
<td>66.08</td>
<td>1</td>
</tr>
<tr>
<td>Global</td>
<td>48.95</td>
<td>12.24</td>
<td>61.19</td>
<td>2</td>
</tr>
<tr>
<td>Cassian</td>
<td>48.25</td>
<td>12.06</td>
<td>60.31</td>
<td>3</td>
</tr>
<tr>
<td>Raintree</td>
<td>40.80</td>
<td>10.20</td>
<td>51.00</td>
<td>4</td>
</tr>
</tbody>
</table>
3. **RECOMMENDATION & SUBSTANTIATION:**

**Recommendation:**

That Council accept the Request For Proposal for Snow and Ice Removal Service from Key-West Asphalt (3333) Ltd.; and further that the Mayor and Clerk be authorized to sign any necessary documentation.

**Substantiation:**

Key-West Asphalt (333) Ltd can meet all the requirements of the Request for Proposal documents and is qualified and capable of providing an acceptable standard of snow and ice removal service to the City of Chilliwack.
AGENDA ITEM NO: 7-C-1

MEETING DATE: June 18, 2019

STAFF REPORT – COVER SHEET

SUBJECT: Miscellaneous Rates Bylaw Amendment

DATE: June 6, 2019

DEPARTMENT: Operations

PREPARED BY: Brendan Kurtz

1. SUMMARY OF ISSUE:

Due to the proposed implementation of user pay rates at the potable water filling stations located at 46893 Bailey Road and 45160 Yale Road, amendments to the “Miscellaneous Rates Bylaw 2001, No. 2750” (the Bylaw) is required. The need to provide the residents of non-serviced areas such as Ryder Lake with potable water during dry months, when their alternative, private, potable water supply is unavailable, has seen a large increase in demand. The City’s objective of first establishing a public water filling station was to provide needed water for domestic purposes only and only to those area residents whose private well has run dry. The list of residents that visit the Bailey Road Water Filling Station to fill their portable water storage tanks continues to grow, as does the length of the season that they need to transport potable water.

In addition to this domestic use, it has been determined that there are benefits to making these filling stations available for commercial use. Allowing commercial water trucks to use a filling station will greatly minimize the amount of fire hydrant permits requested for non-firefighting purposes. To account for the costs to operate and maintain these filling stations, and the administrative work to provide station access, it has been determined that appropriate fees should be established. Not only will these fees offset operating, maintenance and system administration costs, but directing commercial users to a filling station vs. using a fire hydrant connection will also significantly advance the City’s water loss initiatives by reducing the amount of unmetered and unbilled water usage. The City will also save an inordinate amount of staff / crew time by not having to install, monitor and remove fire hydrant connections for commercial users. Associated fire hydrant permit administration costs should also be greatly reduced. The schedule of fees proposed for the use of the two potable water filling station sites, for both residential and commercial users, is shown in a proposed Schedule “G” of the Bylaw.

Schedule “F” of the Bylaw stipulates the fee for users of the City’s RV sani dump facilities. Currently a fee of $5 per use is charged and after review it is recommended that this fee be increased to $7 per use. The City is currently constructing a second public sani dump facility located on Yale Road West and the new fee will apply to this facility as well as the existing facility at Heritage Park.

An amendment bylaw has been prepared for Council’s consideration.

1. Recommendation:

Recommendation that “Miscellaneous Rates Bylaw Amendment Bylaw 2019, No. 4710 be given first and second reading.

Recommendation that “Miscellaneous Rates Bylaw Amendment Bylaw 2019, No. 4710 be given third reading.

Glen MacPherson, Director of Operations
2. FINANCE COMMENTS:

All revenues generated from water filling station service fees is credited to water fund revenues, while revenues generated from sani-dump fee service fees is credited to sewer fund revenues.

Glen Savard, Director of Finance

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.

Peter Monteith, CAO
City of Chilliwack

Bylaw No. 2750

A bylaw to establish various rates, fees and charges

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

1. This bylaw may be cited as "Miscellaneous Rates Bylaw 2001, No. 2750".

2. "Miscellaneous Rates Bylaw 2000, No. 2724", and amendments thereto, are hereby repealed.

3. There are hereby imposed the several rates and charges for the provision of copies of information, maps and other materials as set out in Schedule "A" attached hereto and forming part of this bylaw.

4. There are hereby imposed, pursuant to Section 363 of the Local Government Act, Incinerator User charges for the use of the Pathological Incinerator situate at the Water Pollution Control Centre, and the prescribed fees shall be in accordance with the rates set out in Schedule "B" attached to and forming part of this bylaw.

5. There are hereby imposed, pursuant to Section 266 of the Local Government Act, interest and other charges for outstanding trade accounts and returned "Non Sufficient Fund" cheques in accordance with those charges specified in Schedule "C" attached to and forming part of this bylaw.

6. There are hereby imposed, pursuant to Section 939 (8) of the Local Government Act charges to owners using or connecting to excess or extended services which shall include interest at a rate of 5% compounded at December 31 of each year, calculated on their proportion of the cost of the excess or extended services for the period commencing when the excess or extended services were completed, up to the date that the connection is made or the use commences.

7. There are hereby imposed interest rate provisions with respect to the Manufactured Home Act as set out in Schedule "D" attached hereto and forming part of this bylaw.

8. There are hereby imposed charges for services provided by the Chilliwack Detachment of the R.C.M.P., as set out in Schedule “E” attached to and forming part of this bylaw.

9. There are hereby imposed rates for Sani-Dump Charges as set out in Schedule “F” attached to and forming part of this bylaw.

9-10. There are hereby imposed rates for Potable Water Filling Station usage as set out in Schedule “G” attached to and forming part of this bylaw.

CONSOLIDATED TO: April 18, 2017
SCHEDULE "F"

SANI-DUMP USER CHARGES

1. For the provision of information, the following charge (including G.S.T.) shall apply:
   (1) Heritage Park Sani-Dump (payment onsite) $ 5,007.00

   (AB#4328)
SCHEDULE "G"

POTABLE WATER FILLING STATION USER CHARGES

1. User charges shall be as follows:

   (1) An annual fee is due and payable to the Collector of the City of Chilliwack prior to the issuance of a Potable Water Filling Station access card.

       (a) Residential User Annual Fee $ 25.00

       (b) Commercial User Annual Fee $ 100.00

   (2) Commercial User Dispensing Fee $ 5.00
City of Chilliwack

Bylaw No. 4710

A bylaw to amend “Miscellaneous Rates Bylaw 2001, No. 2750”

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

1. This bylaw may be cited as “Miscellaneous Rates Bylaw Amendment Bylaw 2019, No. 4710”.

2. “Miscellaneous Rates Bylaw 2001, No. 2750” is hereby further amended by adding a new Section as follows:

“10. There are hereby imposed rates for Potable Water Filling Station usage as set out in Schedule “G” attached to and forming part of this bylaw.”

3. Said Bylaw is hereby further amended by deleting Schedule “F” attached thereto in its entirety and substituting with a new Schedule “F” attached hereto and forming part of this Bylaw.

4. Said Bylaw is hereby further amended by adding a new schedule, Schedule “G”, attached hereto and forming part of this Bylaw.

Received first and second reading on the
Received third reading on the
Received adoption on the

________________________________________
Mayor

________________________________________
Corporate Officer
1. For the provision of information, the following charge (including G.S.T.) shall apply:

(1) Heritage Park Sani-Dump (payment onsite) $ 7.00
**SCHEDULE “G”**

**POTABLE WATER FILLING STATION USER CHARGES**

1. User charges shall be as follows:
   
   (1) An annual fee is due and payable to the Collector of the City of Chilliwack prior to the issuance of a Potable Water Filling Station access card.
   
   (a) Residential User Annual Fee $ 25.00
   (b) Commercial User Annual Fee $ 100.00

   (2) Commercial User Dispensing Fee $ 5.00
AGENDA ITEM NO:  7-C-2
MEETING DATE:  June 18th, 2019

STAFF REPORT – COVER SHEET

SUBJECT: Tender No. 2019-09
750KW Generator Supply
DATE: May 14, 2019

DEPARTMENT: Operations
PREPARED BY: Sandy Hamilton

1. SUMMARY OF ISSUE:

Six (6) tenders were received for the Supply & Delivery of one (1) 750 KW Standby Power Generator, for the Wastewater Treatment Plant. One of the tenders was deemed non compliant as it did not meet the tender specifications. The work includes the supply of one 750 KW Generator plus all labor, materials, and equipment to enable installation. Once installed the generator will provide emergency stand-by power for various process equipment at the Chilliwack Wastewater Treatment Plant. Details of the tenders received are listed below;

<table>
<thead>
<tr>
<th>Tenderer</th>
<th>Tender Price (plus applicable taxes)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cummins Sales and Service</td>
<td>$203,258.00</td>
</tr>
<tr>
<td>Cullen Diesel Power</td>
<td>$218,081.00</td>
</tr>
<tr>
<td>Prima Power Systems (Non compliant tender)</td>
<td>$221,528.00</td>
</tr>
<tr>
<td>Finning Canada</td>
<td>$233,854.00</td>
</tr>
<tr>
<td>Frontier Power Products</td>
<td>$253,889.78</td>
</tr>
<tr>
<td>Power-West Industries Ltd.</td>
<td>$298,426.00</td>
</tr>
</tbody>
</table>

A decision to award the tender to the low bidder is required.

2. RECOMMENDATION:

Recommendation that Council award the tender for one (1) “750 KW Generator” to Cummins Sales and Service in the amount of $203,258.00 (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 the Sewer Fund.

Glen Savard, Director of Finance

4. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

Supports recommendation.

Peter Monteith, CAO
STAFF REPORT ON
TENDER 2019-09 : 750 KW GENERATOR SUPPLY

PREPARED BY:   Sandy Hamilton   DATE:    May 14, 2019
POSITION:   Elec/Mech Superintendent
DEPARTMENT:   Operations

1. DEFINITION OF ISSUE:

Six (6) tenders were received for the Supply & Delivery of one (1) 750 KW Generator for the Wastewater Treatment Plant at the stipulated tender closing time. One of the tenders, submitted by Prima Power Systems, was deemed non compliant as it failed to meet the tender specifications. The work includes the supply of all labor, materials, and equipment to supply and install a 750 KW Generator to provide emergency stand-by power for various equipment located at the Chilliwack Wastewater Treatment Plant.

A decision to award the tender to the low bidder is required.

2. FACTORS:

2.1 Public Tenders have been called to supply and delivery of one (1) 750KW Generator for the City’s Wastewater Treatment Plant. Six (6) tenders were received at the stipulated tender closing. See Table “A” for details.

<table>
<thead>
<tr>
<th>Tenderer</th>
<th>Tender Price (plus applicable taxes)</th>
</tr>
</thead>
<tbody>
<tr>
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<td>$253,889.78</td>
</tr>
<tr>
<td>Power-West Industries Ltd.</td>
<td>$298,426.00</td>
</tr>
</tbody>
</table>

2.2 The Chilliwack Wastewater Treatment Plant currently does not have adequate standby power to run the plant during a power outage.

2.3 The proposed generator will provide stand-by power to the Wastewater Treatment Plant when required thereby allowing the facility to run without interruption to the secondary treatment process.

2.4 The tender submitted by Cummins Sales & Service is the lowest compliant bid and has met all of the requirements to qualify for contract award.

2.5 Sufficient funding for this $203,000 project has been provided in the current Financial Plan funded from the Sewer Fund.
3. **RECOMMENDATION & SUBSTANTIATION:**

**Recommendation:**

Recommendation that Council award the tender for Supply & Delivery of one (1) 750 KW Generator to Cummins Sales and Service in the amount of $203,258.00 (plus applicable taxes); and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.

**Substantiation:**

The proposed generator will provide stand-by power to the Wastewater Treatment Plant when required thereby allowing the facility to run without interruption to the secondary treatment process.
1. SUMMARY OF ISSUE:

As per Section 168 of the *Community Charter*, along with the *Financial Information Act*, municipalities are required to prepare, on an annual basis, a schedule that lists the remuneration and total amount of expense payments made or reimbursed to each Council member for the discharge of duties of office.

Attached, is the 2018 Schedule of Remuneration and Expenses for Elected Officials.

2. RECOMMENDATION:

That Council receive the 2018 Schedule of Remuneration and Expenses for Elected Officials for information.

---

Supports recommendation.

---

Glen Savard, Director of Finance

Peter Monteith, CAO
City of Chilliwack  
Schedule of Remuneration and Expenses for Elected Officials  
For the Year Ended December 31, 2018  

<table>
<thead>
<tr>
<th>Councillor</th>
<th>Remuneration</th>
<th>Mileage</th>
<th>Other</th>
<th>Reimbursement</th>
<th>Expenses</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Bylaw Rate</td>
<td>Other</td>
<td>Rate</td>
<td>Reimbursement</td>
<td>Expenses</td>
</tr>
<tr>
<td>Mayor Sharon Gaetz</td>
<td>$99,221.51</td>
<td>-</td>
<td>$5,639.35</td>
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<td>$5,639.35</td>
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<tr>
<td>Mayor Ken Popove</td>
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<tr>
<td>Councillor Chris Kloot</td>
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<td>$593.61</td>
<td>$8,459.12</td>
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<tr>
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<tr>
<td>Councillor Jason Lum</td>
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<td>-</td>
<td>$2,761.23</td>
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<tr>
<td>Councillor Bud Mercer</td>
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<td>$35.52</td>
<td>$943.92</td>
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<tr>
<td>Councillor Jeff Shields</td>
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<td>-</td>
<td>$94.08</td>
<td>$826.10</td>
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</tr>
<tr>
<td>Councillor Chuck Stam</td>
<td>$32,147.00</td>
<td>$1,653.69</td>
<td>-</td>
<td>$1,617.37</td>
<td></td>
</tr>
<tr>
<td>Councillor Sam Waddington</td>
<td>$32,147.00</td>
<td>-</td>
<td>$631.21</td>
<td>$18,481.86</td>
<td></td>
</tr>
<tr>
<td>Councillor Harv Westeringh</td>
<td>$5,807.42</td>
<td>-</td>
<td>-</td>
<td>$792.05</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$341,952.47</td>
<td>$9,922.14</td>
<td>$2,970.48</td>
<td>$49,790.62</td>
<td></td>
</tr>
</tbody>
</table>

TOTAL REMUNERATION: $351,874.61  
TOTAL EXPENSES and MILEAGE: $52,761.10

This schedule includes remuneration, mileage and expenses paid on behalf of elected officials. Other remuneration includes payment for the position of Acting Mayor.
1. SUMMARY OF ISSUE:

Two liquor licence applications have been received from Farmhouse Brewing Co., to be located at 6385 Lickman Road, including:

- Manufacturer On-Site Store, and/or Picnic Area Endorsement Licence Application
- Lounge Area Application

The applicant has not yet applied for a building permit, and wishes to first secure a liquor licence for the property to ensure his business plan will be viable. The applicant intends to run Farmhouse Brewing out of a barn-style building, with the farm land on the property being used to grow hops and wheat to be used in the beer that will be manufactured on-site.

The purpose of the on-site store endorsement application is to authorize the retail sale (on-site and online) of the product that will be manufactured on the property. The picnic area endorsement application is to allow for an on-site outdoor picnic area where patrons may consume products obtained from the facility. The picnic area would be for consumption only, and no sale or service of alcohol would be permitted in the picnic area.

The application was referred to the Chilliwack RCMP Detachment, the City's Development, Engineering, and Planning Departments, and the Fire Department and their comments are attached for Council's information.

Also attached for Council's information are copies of the following:

- Manufacturer On-Site Store, and/or Picnic Area Endorsement Licence Application
- Lounge Area Application
- Proposed site plan
- Agricultural Land Commission Policy L-02 – “Activities Designated as Farm Use: Farm Retail Sales in the ALR”
- Contract between Farmhouse Brewing Co. and Gambrinus Malting Corp.
In accordance with “Public Hearing/Public Information Meeting Procedural Bylaw 2004, No. 3004”, Council may:

a) Opt out of comment; or,
b) Provide comment with respect to whether or not to recommend approval of the application; and,
c) Call a Public Information Meeting to gather the views of the public.

If Council chooses to opt out of comment, Option (a), the Branch will gather public input and contact Local Government staff for information to assist the Branch in considering the regulatory criteria. If Council chooses to provide comment on whether or not to recommend approval, Option (b), input from the public will be required.

2. RECOMMENDATION:

That Council receive for information the Manufacturer On-Site Store, and/or Picnic Area Endorsement Licence Application, and the Lounge and Special Event Area Application, from Farmhouse Brewing Co., to be located at 6385 Lickman Road; and further, that a Public Information Meeting be called for July 2, 2019, in order to receive public comment on the applications.

Jennifer Koolstra,
Director of Corporate Services

3. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

Supports recommendation.

Peter Monteith, CAO
This policy is intended to assist in the interpretation of the Agricultural Land Commission Act, 2002, including amendments as of September 2014, (the “ALCA”) and BC Regulation 171/2002 (Agricultural Land Reserve Use, Subdivision and Procedure Regulation), including amendments as of August 2016, (the “Regulation”). In case of ambiguity or inconsistency, the ALCA and Regulation will govern.

REFERENCE:
Agricultural Land Reserve Use, Subdivision and Procedure Regulation (BC Reg. 171/2002), Section 2(1.1) and (2)(a) and Section 1(1).

2(1.1) The activities designated under this section as farm uses for the purposes of the Act must not be prohibited
(a) by any local government bylaw except a bylaw under section 552 of the Local Government Act, or
(b) by a law of the applicable treaty first nation government, if the activity is undertaken on treaty settlement lands.

2(2) The following activities are designated as farm use for the purposes of the Act:
(a) farm retail sales if
(i) all of the farm product offered for sale is produced on the farm on which the retail sales are taking place, or
(ii) the total area, both indoors and outdoors, used for the retail sales of all products does not exceed 300 m² and if at least 50% of that retail sales area is limited to the sale of farm products produced
(A) on the farm on which the retail sales are taking place, or
(B) by an association as defined in the Cooperative Association Act to which the owner of the farm on which the retail sales are taking place belongs

Section 1(1)
“farm” means an occupation or use, for farm purposes, of one or several parcels of land or tenured areas of Crown land

“farm product” means a commodity that is produced from a farm use as defined in the Act or designated by this regulation.

INTERPRETATION:
The Regulation designates as farm use farm retail sales in the ALR if the conditions of Section 2(2)(a) are met.

Farm retail sales designated as a farm use, may not be prohibited by a local government bylaw, except a farm bylaw approved by the Minister of Agriculture under Section 552 of the Local Government Act.
The Regulation designates, as a farm use, farm retail sales on a farm in the ALR in certain circumstances. If all products originate or are produced on the farm on which the sales are taking place there is no limitation for the retail sales area. If farm or non-farm products offered for sale originate elsewhere, there is a retail sales area limitation or threshold. In this case, where products not originating from the farm or the association to which the owner of the farm belongs are also sold, at least 50% of the retail sales area must be used for the sale of farm product produced on that farm or by the association and the total retail sales area for all products, both farm and off-farm in origin, must not exceed 300 m². The farm may be comprised of one or several parcels of land owned or operated by a farmer as a farm business or by an association to which the owner of the farm belongs.

The 50% area limitation is based on the area devoted to the retail sale of farm products produced on that farm or produced on the combined farms of the association. Wholesale sale of farm products is considered to be a farm activity within the meaning of the definition of “farm use” in the ALCA and thus is not restricted by the Regulation.

Bistros, cafes and restaurants are considered non-farm uses in the ALR. Except for food and beverage service lounges permitted by Section 2.4 of the regulation related to a winery, cidery, brewery, distillery or meadery.

TERMS:

farm retail sales means the retail sale to the public of tangible farm products grown or raised on a farm or association to which the owner of the farm belongs, from that farm or farms and may include the sale of non-farm products as permitted by the Regulation.

retail sales area means the floor area or dedicated outside area on which the farm retail sales are taking place and includes areas used for retail purposes inside buildings (indoors) and areas outside buildings (outdoors). It does not include parking, driveways, office space, washrooms or areas for processing or farm product storage.

association means an association as defined in the Cooperative Association Act which was incorporated for farm purposes.

Unless defined in this policy, terms used herein will have the meanings given to them in the ALCA or the Regulation.
The present commitment will be governed by these Specific Conditions and by part B (reverse) of this document.

GOODS SOLD: METRIC TONNES CROP YEAR BC BARLEY MALT.

SPECIFICATIONS: More than 50% of all Barley Malt sold to Farmhouse Brewing Co. is to originate from BC Farms.

TERM OF COMMITMENT: THREE (3) YEARS FROM SALES CONTRACT DATE. THIS COMMITMENT IS AUTOMATICALLY RENEWABLE FOR AN ADDITIONAL THREE (3) YEARS UNLESS OTHERWISE AGREED BY BOTH PARTIES.

PACKAGING & PRICES: MARKET RATES AS PUBLICLY ADVERTISED BY GAMBRINUS.

DELIVERY TERMS: As usual.

TIME OF DELIVERY: As usual.

PAYMENT CONDITIONS: As usual.

On behalf of the Seller:

Signature: __________________________
Name: Ken Smith
Title: Director of Operations

On behalf of the Buyer:

Signature: __________________________
Name: Daniel Neels
Title: Owner
b. General Conditions

General

Where these General Conditions (Part B) are used independently of the said Specific Conditions (Part A), any reference in Part B to Part A will be interpreted as a reference to any relevant specific conditions agreed by the parties. In case of contradiction between these General Conditions and any specific conditions agreed upon between the parties, the specific conditions shall prevail.

Any questions relating to this Contract which are not expressly or implicitly settled by the provisions contained in the Contract itself (i.e. these General Conditions and any specific conditions agreed upon by the parties) shall be governed by reference to the laws of the Province of British Columbia, Canada.

Any reference made to trade terms (such as EXW, FCA, etc.) is deemed to be made to the relevant term of Incoterms published by the International Chamber of Commerce. Any reference made to a publication of the International Chamber of Commerce is deemed to be made to the version current at the date of conclusion of the Contract.

No modification of the Contract is valid unless agreed or evidenced in writing. However, a party may be precluded by his conduct from asserting this provision to the extent that the other party has relied on that conduct.

Inspection of the goods before shipment

If the parties have agreed that the Buyer is entitled to inspect the goods before shipment, the Seller must notify the Buyer within a reasonable time before the shipment that the goods are ready for inspection at the agreed place.

Price

The price indicated includes any costs which are at the Seller's charge according to this Contract. However, should the Seller bear any costs which, according to this Contract, are for the Buyer's account (e.g. for transportation or insurance under EXW or FCA), such sums shall not be considered as having been included in the price and shall be reimbursed by the Buyer.

Weight

Shippers' weights at time of loading to apply unless otherwise agreed to in writing.

Payment conditions

Unless otherwise agreed in writing, payment of the price and of any other sums due by the Buyer to the Seller shall be on open account and time of payment shall be 15 days from the date of invoice.

Interest in case of delayed payment

If a party does not pay a sum of money when it falls due, the other party is entitled to interest upon that sum from the time when payment is due to the time of payment. Unless otherwise agreed, the rate of interest shall be 2% above the average bank short-term lending rate to prime borrowers prevailing for the currency of payment at the place of payment.

Retention of title

If the parties have validly agreed on retention of title, the goods shall remain the property of the Seller until the complete payment of the price, or as otherwise agreed.

Contractual term of delivery

Unless otherwise agreed, delivery shall be "Ex Works" (EXW).

Documents

Unless otherwise agreed, the Seller must provide the documents (if any) indicated in the applicable Incoterm or, if no Incoterm is applicable, according to any previous course of dealing.

Non-conformity of the goods

The Buyer shall examine the goods as soon as possible after their arrival at destination and shall notify the Seller in writing of any lack of conformity of the goods within 15 days from the date when the Buyer discovers or ought to have discovered the lack of conformity. In any case the Buyer shall have no remedy for lack of conformity if he fails to notify the Seller thereof within 3 months from the date of arrival of the goods at the agreed destination.

Goods will be deemed to conform to the Contract despite minor discrepancies which are usual in the particular trade or through course of dealing between the parties but the Buyer will be entitled to any abatement of the price usual in such trade or through course of dealing for such discrepancies.

Where goods are non-conforming (and provided the Buyer, having given proper notice of the lack of conformity, does not elect in the notice to retain them), the Seller shall at his option:

(a) replace the goods with conforming goods, without any additional expense to the Buyer, or
(b) repair the goods, without any additional expense to the Buyer, or
(c) reimburse to the Buyer the price paid for the non-conforming goods and thereby terminate the Contract as regards those goods.

Unless otherwise agreed in writing, no action for lack of conformity can be taken by the Buyer, whether before judicial or arbitral tribunals, after 6 months from the date of arrival of the goods. It is expressly agreed that after the expiry of such term, the Buyer will not plead non-conformity of the goods, or make a counter-claim thereon, in defense to any action taken by the Seller against the Buyer for non-performance of this Contract.

Force majeure

A party is not liable for a failure to perform any of his obligations in so far as he proves:

(a) that the failure was due to an impediment beyond his control, and
(b) that he could not reasonably be expected to have taken into account the impediment and its effects upon his ability to perform at the time of the conclusion of the contract, and
(c) that he could not reasonably have avoided or overcome it or its effects.

A party seeking relief shall, as soon as practicable after the impediment and its effects upon his ability to perform become known to him, give notice to the other party of such impediment and its effects on his ability to perform. Notice shall also be given when the ground of relief ceases. Failure to give either notice makes the party thus failing liable in damages for loss which otherwise could have been avoided.

A ground of relief under this clause relieves the party failing to perform from liability in damages, from penalties and other contractual sanctions, except from the duty to pay interest on money owing as long as and to the extent that the ground subsists.

Resolution of disputes

This contract will be interpreted, performed, and enforced in accordance with the laws of the Province of British Columbia, Canada.
Jennifer,

Form a Building Department perspective it appears this application is a bit premature given that there has been no Building Permit application to date.

With respect to Bylaw they would have to endure compliance with the Noise control Bylaw.

Garrett
Good afternoon Jennifer,

From an engineering roads/traffic perspective the following would be required:

- The timber bridge over existing ditch needs to meet commercial vehicle standards for width and loading requirements.
- The timber bridge over existing ditch would have to be engineered.
- A qualified environmental professional would have to be retained to help with the application/notification process for working over waterways.
- A 'No Left Turn' covenant needs to be registered on title for the proposed access from South Sumas.

Thanks
Alex

Alex Dumitru | Traffic Technician | Engineering Department
P: 604.793.2955 | F: 604.793.2756 | E: dumitru@chilliwack.com
City of Chilliwack, 8550 Young Road, Chilliwack, BC, Canada, V2P 8A4
www.chilliwack.com

Disclaimer:
The City of Chilliwack makes no representations or warranties respecting the information herein provided, either expressed or implied, arising by law or otherwise, including but not limited to, the effectiveness, completeness, accuracy or fitness of the information for a particular purpose. All information herein provided is provided on an "as is" basis and has not been validated by the City of Chilliwack. The City of Chilliwack does not assume any liability in respect of any damage or loss incurred or suffered as a result of the use of the information. All persons undertaking construction in the work area must investigate the work area to confirm the precise location and elevation of all utilities. If you have any questions or concerns regarding this response, please contact the City of Chilliwack at 604-793-2907.
HI Jennifer, unfortunately I can't comment when there is no building on site? If they are having an event outside with liquor, they would need a liquor license and our standard comments of providing clear fire dept. access to the venue and no on street parking if it impedes our access to the site.

Hope this makes sense.

Thanks

Mike

Mike Bourdon, CRM
Assistant Fire Chief, Fire Prevention / Investigations
P: 604.793.2732 | F: 604.393.0822 | E: bourdon@chilliwack.com

City of Chilliwack Fire Department
45950 Cheam Avenue, Chilliwack, BC
Canada V2P 1N6
www.chilliwack.com

Safety – Respect – Teamwork – Customer Service
Hi Gillian,

The attached ALC Policy L-02 indicates that breweries and café are considered “non-farm uses” in the ALR, except those permitted by Section 2.4 of the regulation. The proposal has been reviewed against the Policy L-03 Alcohol Production Facilities in the ALR, which outlines the regulations of Section 2.4, referenced above, and is considered to be in keeping with the policy.

An alcohol production facility, and ancillary uses, are designated as farm uses for the purposes of the Act if the farm on which the alcohol production facility is located is more than 2 ha in area and at least 50% of the primary farm product used to make the alcohol product produced each year is grown both on the farm and on another farm in BC that provides that primary farm product (the farm product that is the primary ingredient used in a fermentation process to make an alcohol product as per the ALC definition) to the alcohol production facility under a contract of at least 3 years. A contract has been provided indicating that more than 50% of all Barley Malt, the primary farm product, sold to Farmhouse Brewing Co. is to originate from BC Farms. The applicant has also indicated that a 2 ha area of the farm will be used to grow barley, wheat, potatoes and fruit.

The City’s review of the proposal is based on the information provided and should not be construed as confirmation that the proposal meets current ALC Act and Regulations. The applicant is advised to contact the ALC directly in order to confirm, in writing, that all aspects of their proposal comply with the ALC Act and Regulations prior to submission of a Building Permit or other necessary applications/authorizations to develop the intended works on their property. A Land Use Planner for the South Coast Region can be reached at alc.southcoast@gov.bc.ca.

Let me know if you require any further clarification.

Thanks,

Stacy Thoreson | Planner II | Planning & Strategic Initiatives
P: 604.793.2783 | F: 604.793.2285 | E: thoreson@chilliwack.com
City of Chilliwack| 8550 Young Road, Chilliwack, BC, Canada V2P 8A4 | www.chilliwack.com
No issues from us provided they follow all terms of license

Dan

Sgt. Daniel Robinson
Administration NCO
Upper Fraser Valley Regional Detachment
45924 Airport Road
Chilliwack, British Columbia V2P 1A2

Phone: (604)702-4216
Email: dan.robinson@rcmp-grc.gc.ca

"Drama is life with the dull bits cut out." Alfred Hitchcock

Sgt. Daniel Robinson
NCO d'administration Détachement régional de la vallée du haut Fraser
45924 Airport Road
Chilliwack (Colombie-Britannique) V2P 1A2

Téléphone: (604)702-4216
Courriel: dan.robinson@rcmp-grc.gc.ca

"Le drame est la vie avec les morceaux ternes découpés." Alfred Hitchcock
MANUFACTURER ON-SITE STORE,
AND/OR PICNIC AREA ENDORSEMENT
LICENSE APPLICATION
Liquor and Cannabis Regulation Form LCRB049B

Instructions:
Complete all applicable fields and submit with the required documentation and payment as outlined in Part 9 of this application form. If you have any questions, call Liquor and Cannabis Regulation Branch (Branch) toll-free at: 1 866 209-2111.

Part 1: Licensee Information

License #:

Licensee Name: Daniel Anthony Weeks

Establishment Name: Farmhouse Brewing Co

Establishment Address: 6385 Humarock Rd, Chilliwack, BC V2R 5A9

Mailing Address: (if different than above)

Part 2: Contact Person

The applicant authorizes the person below to be the primary contact for the duration of the application process only.

Name: Daniel Anthony Weeks
Title: Owner/CEO

Telephone:

Part 3: Type of Application

Select the endorsement type(s) you are requesting:

On-Site Store Endorsement (p. 2) - Fee: $110

Picnic Area Endorsement (p. 2) - No Fee

Note: Terms and conditions for these endorsements can be found in your Manufacturer Terms and Conditions Handbook.

Part 4: On-Site Store Endorsement

An on-site store endorsement authorizes the retail sale of a manufacturer's product on the manufacturing site and online (internet sales). The on-site store endorsement may be a retail store area or a point of sale only. If the addition of a retail area will change the existing licensed manufacturing area(s), a structural change application for those areas may also be required - if unsure please contact the branch to discuss.

Provide the following:

A floor plan (8.5" x 11") of the proposed on-site store layout or point of sale within the manufacturing facility showing:
- tasting/sales counter and/or display area, if applicable
- entrance, exit, and other licensed and non-licensed areas
- 'X' denoting point of sale if no retail area is being requested

A site plan (8.5" x 11") of your property showing the following:
- all buildings and their uses (i.e. storage, manufacturing buildings, personal residence, garage, other businesses, etc.)
- all licensed areas (other endorsements or licences approved by the Branch)
- vineyards/orchards/agricultural crops
- private and public roadways and parking areas
By checking this box, I confirm that current zoning permits retail sales on the manufacturing site.

Complete Part 7 and Part 8

**Part 5: Picnic Area Endorsement - New and Changes to Existing Picnic Area(s)**

A manufacturer may apply for one or more outdoor picnic areas, on-site, where patrons may consume products obtained from the facility. This is a consumption area only; no sale or service is permitted.

A picnic area(s) may be up to 1,000 square metres total. It must have a clearly defined boundary and be located at ground level on grass, gravel, etc. The picnic area must not be used as an overflow area of a lounge.

Complete A and B below.

A) Select applicable request type:

- [ ] New Picnic Area Endorsement
- [ ] Move, add, or change approved picnic area(s), including an increase in capacity. Describe proposed change(s):

B) Provide the following for all request types:

- [ ] A site plan (8.5" x 11") of your property showing the location and size of the existing and/or proposed picnic area(s) and the following:
  - all buildings and their uses (i.e. storage, manufacturing buildings, personal residence, garage, other businesses, etc.)
  - all licenced areas (other endorsements or licences approved by the Branch)
  - vineyards/orchards/agricultural crops
  - private and public roadways and parking areas
  - any neighbouring residences within 50 metres of the proposed picnic area(s)

- [ ] If there are other businesses operating on the manufacturing site, provide the details regarding the business below:

  [handwritten: Necco Builders Ltd]

  [handwritten: Bridge Building Company Office]

- [ ] Attach a photo of the proposed picnic area(s), including the bounding (if in place).

- [ ] Describe the composition of the boundary surrounding the proposed picnic area. The boundary is required to be clearly and fully defined. This may include fencing, trees, planters, bushes/natural flora, etc:

- [ ] Picnic area is located on:
  - [ ] Grass  [ ] Gravel  [ ] Cement  [ ] Patio Stones  [ ] Wooden Surface (located directly on ground level)

- [ ] Select which of the following will be used within the proposed picnic area(s):
  - [ ] Umbrellas and Picnic Tables  [ ] Tables and Chairs  [ ] Other:

  **Note:** Ceiling, walls, and heaters are not permitted; picnic areas must be open to the elements

- [ ] Identify proposed total capacity for all picnic areas: 16 persons

- [ ] Explain how your proposed picnic area location(s) has been selected to minimize the potential for disturbance to nearby neighbours:

  Further than 50 metres away from nearby neighbours to minimize any potential disturbance
Take your completed application, with your site plan, to your local government/first nation to complete Part 6 (below).

Also complete Part 7 and Part 8.

---

**Part 6: Local Government/First Nation - Picnic Area Zoning Confirmation**

I confirm that zoning allows/does not allow (check one below) for the operation of a picnic area, as proposed above. See attached site plan.

- [ ] Allows
- [ ] Does not allow

**Comments (optional):**

Local Government/First Nation (name):

Name of Official: ___________________________  Title/Position: ___________________________

Phone: ___________________________  E-mail: ___________________________

Signature of Official: ___________________________  Date: ___________________________ (Day/Month/Year)

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**Part 7: Declaration of Signing Authority**

Section 57(1)(c) of the Liquor Control and Licensing Act states: "A person commits an offence if the person (c) provides false or misleading information in the following circumstances: (i) when making an application referred to in section 12; (ii) when making a report or when required and as specified by the general manager under section 59".

As the licensee or authorized signatory of the licensee, I understand and affirm that all of the information provided is true and complete.

Signature: ___________________________

Authorized signatory of the licensee

Name: ___________________________  Position: ___________________________  Date: ___________________________ (Day/Month/Year)

Note: An agent, lawyer or third party operator may not sign the declaration on behalf of the licensee.

This form should be signed by an individual with the authority to bind the applicant. The Branch relies on the licensee to ensure that the individual who signs this form is authorized to do so. Typically, an appropriate individual will be as follows:

- If the licensee is an individual or sole proprietor, the individual himself/herself
- If the licensee is a corporation, a duly authorized signatory who will usually be an officer or, in some cases, a director
- If the licensee is a general partnership, one of the partners
- If the licensee is a limited partnership, the general partner of the partnership
- If the licensee is a society, then a director or a senior manager (as defined in the Societies Act)

If an authorized signatory has completed the Add, Change or Remove Licensee Representative form (LCLB101) and they have specifically permitted a licensee representative to sign this form on the licensee's behalf, the branch will accept the licensee representative's signature.
This form should be signed by an appropriate individual who has the authority to bind the applicant. The applicant is responsible for ensuring that the individual who signs this form is authorized to do so. Typically, an appropriate individual will be as follows:

- If the applicant is an sole proprietor, the individual himself/herself
- If the applicant is a corporation, an officer or, in some cases, a director
- If the applicant is a general partnership, one of the partners
- If the applicant is a limited partnership, the general partner of the partnership
- If the applicant is a society, a director or a senior manager (as defined in the Societies Act)

If an authorized signatory has completed the Add, Change or Remove Licensee Representative form (LCLB101) and they have specifically permitted a licensee representative to sign this form on the applicant's behalf, the branch will accept the licensee representative's signature.

False declaration of valid interest is reason for the general manager to consider terminating the licence application and/or cancelling the licence.

**Part 8: Submit Application Package**

Once signed by local government/first nation, (if your application includes a picnic area) submit your complete application package to:

Liquor and Cannabis Regulation Branch
Courier: 400-645 Tyee Road, Victoria BC V9A 6X5
Mail: PO Box 9292 Stn Prov Govt Victoria, BC V8W 9J8
E-mail: liquor.licensino@gov.bc.ca

Note: Incomplete applications will delay processing times. If you have any questions, contact us toll-free at 866-209-2111 or email us at liquor.licensino@gov.bc.ca. Or visit our website for more information: www.gov.bc.ca/liquorregulationandlicensing

**Part 9: Application Fee**

Note: There are no fees for the Picnic Area endorsement

On-Site Store Endorsement Application Fee: $110

In accordance with Payment Card Industry Standards, the branch is no longer able to accept credit card information via email.

Payment is by (check (9) one):

- Cheque, payable to Minister of Finance (if cheque is returned as non-sufficient funds, a $30 fee will be charged)
- Money order, payable to Minister of Finance
- Credit card: VISA MasterCard AMEX

☐ I am submitting my application by email and I will call with my credit card information. I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 and understand that no action can proceed with my application until the application fee is paid in full.

☐ I am submitting my application by fax or mail and have given my credit information in the space provided at the bottom of the page.

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The information requested on this form is collected by the Liquor and Cannabis Regulation Branch under Section 26 (a) and (c) of the Freedom of Information and Protection of Privacy Act and will be used for the purpose of liquor licensing and compliance and enforcement matters in accordance with the Liquor Control and Licensing Act. Should you have any questions about the collection, use, or disclosure of personal information, please contact the Freedom of Information Officer at PO Box 9292 STN PROV GVT. Victoria. BC. V8W 9J8 or by phone toll free at 1-866-209-2111.

LOR0069
4 of 4 Manufacturer On-site Store, Picnic, and/or Tour Endorsement

**Credit Card Information** (To be submitted by fax or mail only)

Name of cardholder (as it appears on card):

Credit card number: Expire date: / (Month) / (Year)
## Lounge and Special Event Area Application

**Liquor and Cannabis Regulation Branch**

400-645 Tyee Road, Victoria, BC V9A 6X5

Mailing: PO Box 9292 SW Provincial Govt, Victoria, BC V8W 9J8

Phone: 1-866-299-2111 Fax: 250-952-7066

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## Instructions:

Using the attached guide, complete this application form and assemble all required documents. Once complete, follow instructions for submitting your application package to local government/first nation and the Liquor and Cannabis Regulation Branch.

### Part 1: Type of Application

<table>
<thead>
<tr>
<th>X</th>
<th>Lounge Endorsement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Special Event Area Endorsement</td>
</tr>
</tbody>
</table>

**Note:** Do not apply for special event area if it will occupy same footprint as the lounge.

Are you submitting an application for a manufacturing licence with this application?  

- [ ] No  
- [X] Yes

Are you submitting an application to transfer the location of the manufacturing facility with this application?  

- [ ] No  
- [X] Yes

### Part 2: Applicant

Manufacturer Licence Number (if licensed): [ ]

Applicant/Licensee Name: Daniel Anthony Weeks

Mailing Address: 6385 Lickman Road, Chilliwack, BC V2R 4A9

Phone number: [ ] E-mail address: [ ]

**Note:** An authorized signing authority of a licensee can appoint a representative to interact with the branch on their behalf by completing form LCRB101 Add, Change or Remove Licensee Representative

### Part 3: Application Contact Person

Name: Daniel Anthony Weeks  
Position: President

**Note:** The applicant authorizes the person above to be the primary contact for the duration of the application process only.

### Part 4: Establishment

Establishment Name: Farmhouse Brewing Co.

Manufacturer Address: 6385 Lickman Road, Chilliwack, BC V2R 4A9

4a. Parcel Identifier (PID): [ ]

4b. Local Government/First Nation: City of Chilliwack  
Local Police: Chilliwack RCMP

4c. Is this location zoned for liquor sales?  

- [ ] No  
- [X] Yes

4d. Is this manufacturing site part of the Agricultural Land Reserve (ALR)?  

- [ ] No  
- [X] Yes

4e. If the proposed site is on ALR land, have you reviewed the ALR policies regarding a lounge and/or special event area?  

- [ ] No  
- [X] Yes
### Part 5: Lounge Proposal

This section requires several supporting documents to be submitted with your application. Please see the checklist on page 3 below for more information regarding letter of intent, floor plan and site map.

5a. Proposed Service Areas:
Complete the following based on your establishment floor plan and occupant load (see page 5 of guide):

<table>
<thead>
<tr>
<th>Area No.</th>
<th>Floor Level (e.g. Basement, Main, 2nd)</th>
<th>Indoor</th>
<th>Patio</th>
<th>Occupant Load</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Main</td>
<td>/</td>
<td>/</td>
<td>50</td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total Occupant Load (of all licensed areas):

5b. Hours of Liquor Service:

<table>
<thead>
<tr>
<th></th>
<th>Sunday</th>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
<th>Saturday</th>
</tr>
</thead>
<tbody>
<tr>
<td>Open</td>
<td></td>
<td>11:00</td>
<td>11:00</td>
<td>11:00</td>
<td>11:00</td>
<td>11:00</td>
<td>11:00</td>
</tr>
<tr>
<td>Close</td>
<td>20:00</td>
<td>22:00</td>
<td>22:00</td>
<td>22:00</td>
<td>22:00</td>
<td>20:00</td>
<td>20:00</td>
</tr>
</tbody>
</table>

### Part 6: Special Event Area Proposal

This section requires several supporting documents to be submitted with your application. Please see the checklist on page 3 below for more information regarding letter of intent, floor plan and site plan.

6a. Proposed Service Areas:
Complete the following chart based on your establishment floor plan. Occupant load is required for indoor and patio areas (see page 5 of guide). If you want an outdoor area that is not a patio see 6b:

<table>
<thead>
<tr>
<th>Area No.</th>
<th>Floor Level (e.g. Main, Mezzanine)</th>
<th>Indoor</th>
<th>Patio</th>
<th>Occupant Load</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
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<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total Occupant Load (of all licensed areas):

6b. Complete the following chart if you will have an outdoor event area (not a patio). Outdoor areas require a person capacity not occupant load (see page 5 of guide):

<table>
<thead>
<tr>
<th>Area No.</th>
<th>Outdoor Area Identify by location or name</th>
<th>Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Front Lawn</td>
<td>45 Persons</td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total Person Capacity for all Outdoor Areas:
6c. Hours of Liquor Service

<table>
<thead>
<tr>
<th></th>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
<th>Saturday</th>
<th>Sunday</th>
</tr>
</thead>
<tbody>
<tr>
<td>Open</td>
<td>11:00</td>
<td>11:00</td>
<td>11:00</td>
<td>11:00</td>
<td>11:00</td>
<td>11:00</td>
<td></td>
</tr>
<tr>
<td>Closed</td>
<td>8:00</td>
<td>8:00</td>
<td>8:00</td>
<td>8:00</td>
<td>10:00</td>
<td>10:00</td>
<td></td>
</tr>
</tbody>
</table>

Part 7: Declaration of Signing Authority

Section 57(1)(c) of the Liquor Control and Licensing Act states: "A person commits an offence if the person (c) provides false or misleading information in the following circumstances: (i) when making an application referred to in section 12; (ii) when making a report or when required and as specified by the general manager under section 59".

As the licensee or authorized signatory of the licensee, I understand and affirm that all of the information provided is true and complete.

Signature: [Signature]

Authorized signatory of the licensee

Name: [Daniel Anthony] (last/first/middle)

Position: [Owner/Board]

Date: [23/3/19] (Day/Month/Year)

Note: An agent, lawyer or third party operator may not sign the declaration on behalf of the licensee.

This form should be signed by an individual with the authority to bind the applicant. The Branch relies on the licensee to ensure that the individual who signs this form is authorized to do so. Typically, an appropriate individual will be as follows:

- If the licensee is an individual or sole proprietor, the individual himself/herself
- If the licensee is a corporation, a duly authorized signatory who will usually be an officer or, in some cases, a director
- If the licensee is a general partnership, one of the partners
- If the licensee is a limited partnership, the general partner or the partnership
- If the licensee is a society, then a director or a senior manager (as defined in the Societies Act)

If an authorized signatory has completed the Add, Change or Remove Licensee Representative form (LCLB101) and they have specifically permitted a licensee representative to sign this form on the licensee’s behalf, the branch will accept the licensee representative’s signature.

Part 8: Checklist

Your application package must include the following documents. An incomplete application will delay the licensing process.

- Completed Lounge & Special Event Area Application (this form).
- Letter of Intent for each type of endorsement (page 5 of the guide).
- Lounge Floor Plan (2 copies) preferably with occupant load (page 5 & 6 of the guide).
- Special Event Area Floor Plan (2 copies) preferably with occupant load (page 5 & 6 of the guide).
- Site plan for any outdoor endorsement area (see page 6 of guide).
- Patio(s) (see Appendix I on page 8 of the guide).
- Any additional information (labelled per question number on application form) if there is not sufficient space to answer a question on the application form.
- Take your application package to Local Government/First Nation (Part 9 below). Note: This step is not required if you are applying for this endorsement(s) on a second manufacturing licence located at the same site (see # 3 on page 2 of guide).
- After Part 9 is completed, submit your application package to the Branch (Parts 10 and 11 below).
Part 9: Local Government/First Nation (LG/FN) Confirmation of Receipt of Application

This is to be filled out by your local government/First Nation office prior to submitting this application to the branch.

Local government/First Nation (name): 

Name of official: 
Title/Position: 

Email: 
Phone: 

Signature of Official:  
Date Received: 

Check here if the LG/FN will not be providing comment: ☐ Yes, opting out of comment.

Note: The LG/FN cannot provide comment for their own application.

Is the manufacturing site located on Treaty First Nation land?  ☐ No ☐ Yes

Instructions for Local Government/First Nation (LG/FN)

This serves as notice that an application for a lounge and/or special event area endorsement is being made within your community. The Branch requests that you consider this application (application form, letter of intent, and floor plan) and provide the Branch with resolution within 90 days of the above received date. Alternatively, LG/FN can delegate staff with the authority to provide comment.

- The applicant will bring their completed application form, patio appendix (if applicable), letter of intent, floor plan and site map (for outdoor areas) to LG/FN.
- If there are any major issues (e.g. zoning), LG/FN may hold off signing the application until the issues are resolved or they have a plan to deal with the issues.
- When LG/FN is comfortable with the application proceeding, LG/FN staff will sign Part 9 of the application form and return it to the applicant. LG/FN will keep a copy of the signed application form and all supporting documents.
- The applicant will submit the signed application package (with all required documents) to the Branch.
- Branch staff will contact LG/FN to confirm receipt of the application and identify the Branch staff responsible for processing the application.
- Branch staff and LG/FN staff will advise each other if there are any concerns with the proposed application.

To provide a resolution or comment:

- Gather public input for the community within the immediate vicinity of the establishment.
- Consider these factors which must be taken into account when providing resolution/comment:
  - The location of the establishment.
  - The person capacity and hours of liquor service of the establishment.

Provide a resolution/comment with comments on:

- The impact of noise on nearby residents.
- The impact on the community if the application is approved.
- The view of residents and a description of the method used to gather views.
- The LG/FN recommendations (including whether or not the application be approved) and the reasons on which they are based.

- Provide any reports that are referenced in, or used to determine, the resolution/comment.
- If more than 90 days is required, provide a written request for extension to the Branch.
- If LG/FN opts out, or is the applicant, the Branch will gather public input and contact LG/FN staff for information to assist the Branch in considering the regulatory criteria.

If you have any questions, or the establishment is located on Treaty First Nation land, please call the Branch toll-free at 1-866-209-2111 to speak to the Senior Licensing Analyst.
Part 10: Submit Application Package

Once signed by local government/First Nation, submit your complete application package to:

Liquor and Cannabis Regulation Branch
Courier: 400-645 Tyee Road, Victoria BC V8A 6X5
Mail: PO Box 9292 Stn Prov Govt Victoria, BC V8W 9J8
E-mail: liquor.licensing@gov.bc.ca

If you have any questions, contact us toll-free at 866-209-2111 and ask to speak to the Senior Licensing Analyst for your geographic area. Or email us at liquor.licensing@gov.bc.ca or visit our website for more information: www.gov.bc.ca/liquorregulationandlicensing

Part 11: Application Fees (non-refundable)

Lounge Application Fee $330.00 (non-refundable)
Special Event Area Application Fee $330.00 (no lounge) or $110.00 (if you already have a lounge or are applying in conjunction with a lounge)

In accordance with Payment Card Industry Standards, the branch is no longer able to accept credit card information via email.

Payment is by (check (x) one):

☐ Cheque, payable to Minister of Finance (if cheque is returned as non-sufficient funds, a $30 fee will be charged)
☐ Money order, payable to Minister of Finance
☐ Credit card: ☐ VISA ☐ MasterCard ☐ AMEX

I am submitting my application by email and I will call with my credit card information. I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 and understand that no action can proceed with my application until the application fee is paid in full.

☐ I am submitting my application by fax or mail and have given my credit information in the space provided at the bottom of the page.

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Credit Card Information (To be submitted by fax or mail only)

Name of cardholder (as it appears on card):

Credit card number: Expiry date: / (Month) (Year)
PROPOSED FARM BREWERY - OPTION 1
FARMHOUSE BREWING CO.
6385 LICKMAN ROAD, CHILLIWACK, B.C.
AGENDA ITEM NO: 7-H-1
MEETING DATE: June 18, 2019

STAFF REPORT – COVER SHEET

Mark Hedekar
Rezoning & Development Variance

SUBJECT: Permit / 47386 Macswan Drive DATE: May 27, 2019

DEPARTMENT: RZ001344 & DVP01059 PREPARED BY: Madelaine Peters / kk

1. SUMMARY OF ISSUE:

The applicant wishes to rezone the subject property from an R3 (Small Lot One Family Residential) Zone to an R1-A (One Family Residential) Zone, to facilitate construction of a garden suite. A Development Variance Permit (DVP) application was also submitted to run concurrently with the rezoning, which seeks approval to reduce the required interior side lot line (ISLL) setback within the proposed R1-A Zone from 3m to 1.2m, to increase the permitted lot coverage from 60m² to 92m², and increase the floor area from 90m² to 134m².

Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw and approve the issuance of Development Variance Permit DVP01059 with respect to property located at 47386 Macswan Drive.

2. RECOMMENDATION:

Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4706”, which proposes to rezone property located at 47386 Macswan Drive from an R3 (Small Lot One Family Residential) Zone to an R1-A (One Family Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for July 2, 2019. (RZ001344)

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 R3 (Small Lot One Family Residential) Zone to an R1-A (One Family Residential) Zone, to facilitate construction of a garden suite. A Development Variance Permit (DVP) application was also submitted to run concurrently with the rezoning, which seeks approval to reduce the required interior side lot line (ISLL) setback within the proposed R1-A Zone from 3m to 1.2m, to increase the permitted lot coverage from 60m² to 92m², and increase the floor area from 90m² to 134m².

Once the Bylaw has been to Public Hearing, staff recommend that Council give third reading and adoption to the Bylaw and approve the issuance of Development Variance Permit DVP01059 with respect to property located at 47386 Macswan Drive.

2. PROPOSAL:

As shown in the attached concept plan, the garden suite is proposed within the northeast (rear yard) portion of the subject property. The proposal includes constructing a two-storey, 92m² garden suite that is sited 1.2m away from the ISLL (north). As the proposed garden suite will have a floor area of 70m² on the first storey and a floor area of 64m² on the second storey, the applicant is also requesting a variance to increase the floor area to 134m².

Concept Plan (as provided by the applicant)

Within the R1-A Zone, three off-street parking spaces are required, where at least two must be surface, non-enclosed spaces (one for the principal residence and one for the garden suite). As shown below, the applicant has provided a Conceptual Parking Plan, which demonstrates a one-car garage and a paved area that can accommodate at least two unenclosed off-street parking spaces.
To discourage parking on Lindeman Street and Ross Road, a recommended condition of the draft DVP requires that the off-street parking space for the garden suite must be provided within the property and accessed only from Macswan Drive.

**Conceptual Parking Plan (as provided by the applicant)**

As the subject property is within Development Permit Area No. 10 (Coach Houses or Garden Suites), the proposed garden suite will require a Development Permit (DP) to address “form and character” considerations to ensure that new infill residential development meets a high standard of design.

As shown in the attached conceptual Site Plan, the property meets the minimum lot size requirements within the R1-A Zone. For information, a copy of the conceptual Site Plan is attached with the draft DVP.

3. **FACTORS/BACKGROUND:**

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

OCP Designation: “Comprehensive Development Area”

Land Use: Single-family dwelling with attached garage (to be retained)

3.2 **Neighbourhood Character**

The subject property is located within the established neighbourhood of Promontory. With the exception of a large townhouse development within the R4 (Low Density Multi-Family Residential) Zone to the east, the subject property is entirely surrounded by single-family detached homes.
within the R3 Zone. The subject property is the largest parcel on the block and has two road frontages, which include MacSwan Drive and a dedicated Right-Of-Way (ROW) for the future development of Ross Road.

The requested variance to reduce the ISLL (north) setback from 3m to 1.2m is supportable on the basis that the proposed garden suite is aligned with the adjacent dwelling to the north. The applicant is cognizant of potential privacy issues and has designed the proposed garden suite so that no windows will be constructed facing the residential property to the north, which is consistent with the Design Guidelines for garden suites. In addition, as a DP will be required prior to the issuance of a Building Permit, it is expected that the proposed garden suite design will be compatible and sensitive to the surrounding neighbourhood.

There is currently a limit on the floor area of 90m² for garden suites to ensure that garden suites remain secondary in occupancy to the principal residence. As the property area is approximately 758m², which exceeds the minimum lot size of 500m² required within the R1-A Zone, the property is able to comfortably accommodate the size of the proposed garden suite. The property is large enough to accommodate the larger footprint and floor area of the garden suite without compromising the form and character of the surrounding neighbourhood.

3.3 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. At present, the Ross Road ROW acts as a drainage ditch and, due to subsurface water migration, drainage upgrades may be required to support the future development.

Geotechnical Issues: A portion of the property, where the existing dwelling is located, is within the geotechnical “orange” area, which indicates a moderate hazard at the toe or crest of a steep slope. The rear portion of the property, where the garden suite is proposed, is identified as being within the geological “red” zone indicating a significant risk due to steep slopes. A Development Permit Area No. 2 (Hillside and Upland Areas) application will be required to address environmental and geotechnical issues.

3.4 DVP Conditions of Issuance

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

a) that the siting of the garden suite be in accordance with the Site Plan attached within Schedule “A”; and,

b) that the non-enclosed off-street parking space for the garden suite shall be provided within the property and accessed from Macswan Drive only.
For more information, a copy of the draft DVP, including the requested variances and the above-recommended conditions, is attached for consideration.

4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4706”, which proposes to rezone property located at 47386 Macswan Drive from an R3 (Small Lot One Family Residential) Zone to an R1-A (One Family Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for July 2, 2019. (RZ001344)

Substantiation:

The proposed rezoning from an R3 Zone to an R1-A Zone to facilitate the construction of a garden suite is supportable as it is in-keeping with the single-family neighbourhood while providing affordable rental housing options within an established neighbourhood. The requested variance to reduce the ISLL (north) setback from 3m to 1.2m is supportable as the proposed garden suite is aligned with the adjacent dwelling to the north. The request to increase lot coverage to 92m² and floor area to 134m² is supportable on the basis that a larger garden suite can be reasonably accommodated on-site without compromising the neighbourhood character and that the garden suite will remain secondary to the principal residence on the property.

5. SOURCES OF INFORMATION:

- Development Application Review Team (DART) minutes - April 18, 2019
- Rezoning application RZ001344
- Development Variance Permit application DVP01059
Location Map

Orthophoto
Proposed Elevations (as provided by the applicant)

Elevations are subject to change at time of DP review.
SCHEDULE "A"
THE CITY OF CHILLIWACK
DEVELOPMENT VARIANCE PERMIT

3090-20 (47386 Macswan Drive) DVP01059

To: Mark and Jodie Hedekar
47386 Macswan Drive
Chilliwack BC V2R 0L3

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 garden suite, and does not apply to any additions or subsequent replacement of any and all buildings and structures and other development thereon:

<table>
<thead>
<tr>
<th>Parcel Identifier No.</th>
<th>Legal Description</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>027-454-754</td>
<td>LOT 27 SECTION 9 TOWNSHIP 26 NEW WESTMINSTER DISTRICT PLAN BCP35335</td>
<td>47386 Macswan Drive</td>
</tr>
</tbody>
</table>

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 9.01(6)(b) within the R1-A (One Family Residential) Zone is varied by increasing the maximum lot coverage from 60m² to 92m².

Section 9.01(8)(c) within the R1-A (One Family Residential) Zone is varied by reducing the minimum interior side lot line (north) setback from 3m to 1.2m.

Section 9.01(16)(e) within the R1-A (One Family Residential) Zone is varied by increasing the maximum floor area from 90m² to 134m².

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. Conditions of this permit requires:

a) that the siting of the garden suite be in accordance with the Site Plan attached within Schedule "A"; and,

a) that the non-enclosed off-street parking space for the garden suite shall be provided within the property and accessed from Macswan Drive only.
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
Site Plan

Proposed 92m² garden suite to have a total floor area of 146m²
City of Chilliwack

Bylaw No. 4706

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. 4706".
2. "Zoning Bylaw 2001, No. 2800" is hereby further amended by rezoning property described as PID: 027-454-754, Lot 27 Section 9 Township 26 New Westminster District Plan BCP35335, from an R3 (Small Lot One Family Residential) Zone to an R1-A (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 47386 MacSwan Drive.
"Zoning Bylaw Amendment Bylaw 2019, No. 4706"
1. **SUMMARY OF ISSUE:**

The applicant wishes to rezone 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 46041 Third Avenue.

2. **RECOMMENDATION:**

Recommendation that "Zoning Bylaw Amendment Bylaw 2019, No. 4707", which proposes to rezone property located at 46041 Third Avenue 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 July 2, 2019. (RZ001351)

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 applicant wishes to rezone 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 46041 Third Avenue.

2. **PROPOSAL:**

The requested rezoning is to facilitate a two lot subdivision of the subject property. Based on the size of the subject property, the minimum lot size and dimensions of each lot within the proposed zone will be met.

Final lot layout must comply with City Bylaws and include urban half road frontage improvements, complete with LED street lighting, rear lane drainage and storm main extension, as required at time of subdivision. Further, the Floodplain and Tree Management (Land Development) Bylaws also apply.

As Third Avenue is identified as a Neighbourhood Cycling Route in the Chilliwack Cycle Vision Plan, and the subject property is served by a rear lane, future driveways and vehicle access will be limited by way of the rear lane only, in accordance with the City’s Infill Development Policies, via a covenant registered on title at the time of subdivision.

3. **FACTORS:**

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

OCP Designation: “Residential 1” as designated in the Downtown Land Use and Development Plan

Land Use: Single family dwelling (to be demolished prior to subdivision)

3.2 **Neighbourhood Character**

The subject property is located within a residential area of Chilliwack Proper, surrounded by single family dwellings and duplexes within the R1-A, R1-D and R1-B (One and Two Family Residential) Zones. The property is located directly across from Third Avenue Park.
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 character or functionality of the neighbourhood. As the neighbourhood is predominantly characterized by a mix of mature, well-maintained split level and newer two-storey single family homes, the future development of more single family homes will maintain the overall density of the area. In this instance, any new construction is likely to maximize allowable height for dwellings located on narrow residential lots, creating a potential height differentiation with some of the surrounding lots. However, both the existing R1-A Zone and the proposed R1-D Zone allow for a maximum height of 10m.

3.3 Technical Issues

Floodplain: The subject property is located within the floodplain and, therefore, 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. 4707”, which proposes to rezone property located at 46041 Third Avenue 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 July 2, 2019. (RZ001351)

Substantiation:

Rezoning the subject property to the R1-D Zone would facilitate future subdivision and redevelopment in an area with available service capacity and public amenities. Furthermore, the proposal supports the objectives set out within the City’s Infill Development Policies and the OCP, which would provide increased density at an appropriate scale and offer a mix of affordable housing options, while also maintaining the fundamental character and functionality of the neighbourhood.

5. SOURCES OF INFORMATION:

- Rezoning Application – RZ001351
- Development Application Review Team Minutes – April 25, 2019
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. 4707".

2. "Zoning Bylaw 2001, No. 2800" is hereby further amended by rezoning property described as PID: 002-423-154, Lot 20 Block 27 Division "E" New Westminster District Plan 1737, 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 property located at 46041 Third Avenue.
1. SUMMARY OF ISSUE:

The applicant wishes to rezone the subject property from an R1-A (One Family Residential) Zone to an R4 (Low Density Multi-Family Residential) Zone to facilitate a future townhouse development. 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 46513 Hope River Road.

2. RECOMMENDATION:

Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4708”, which proposes to rezone property located at 46513 Hope River Road from an R1-A (One Family Residential) Zone to an R4 (Low Density Multi-Family Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for July 2, 2019. (RZ001342)

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 R4 (Low Density Multi-Family Residential) Zone to facilitate a future townhouse development. 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 46513 Hope River Road.

2. PROPOSAL / BACKGROUND:

The requested rezoning is to facilitate a new 7-unit townhouse development within the subject property, which is the maximum allowable density based on the property’s size of approximately 1,808m². A copy of the conceptual site plan is attached for information.

Should rezoning be approved, a separate Development Permit (DP) application will be required to regulate any “form and character” considerations as the property is within Development Permit Area No. 6 (Infill Development), such as site and building design, off-street parking and screening of adjacent land uses.

Final site layout must comply with City Bylaws and include urban half road frontage works, complete with LED street lighting, at time of development. The resulting road works must ensure the existing bike lane is maintained as part of the development process as Hope River Road is included as part of the Cycle Vision Plan.

With respect to the proposed placement of the driveway at Hope River Road and Menzies Road, the access will be classified as a driveway only (must yield to all oncoming traffic) and may not be considered a fourth leg of the intersection. A road cross-section will be required for these works at time of half road frontage improvements along Hope River Road.

3. FACTORS:

3.1 2040 Official Community Plan (OCP) / Land Use

OCP Designation: "Residential 2 – Attached Housing and Narrow Lot Infill” as designated within the Chilliwack Proper and Fairfield Island Neighbourhoods Plan (NHP). The NHP’s objectives are to address issues that can arise from infill development within established neighbourhoods and to provide policies as a framework for guiding this type of development.
The NHP supports the development of additional residential units to accommodate greater density at an appropriate scale and aims to provide both a mix of housing types and the creation of more affordable housing options where it can be achieved without altering the character or functionality of the neighbourhood. As such, consideration should be given at time of DP to the orientation and placement of the proposed townhouses to ensure the development is sensitive to the surrounding neighbourhood and maintains an attractive streetscape.

Public Engagement: As outlined within the NHP, applicants are required to engage with residents during the rezoning application process by informing them of the proposal and addressing their concerns. The applicant visited 17 residences within 60m of the subject property regarding the proposal. A copy of the public engagement summary is attached as Schedule “A”.

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

3.2 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.

3.3 Neighbourhood Character

The subject property is located on the southern boundary of the Fairfield Island neighbourhood, situated north of the intersection at Hope River Road and Menzies Street. The property is within proximity to several public amenities, such as Kinsmen Park on Portage and Hope River Slough. The property is otherwise surrounded by parcels zoned R1-A.

The neighbourhood is predominantly characterized by a mix of well-maintained one and two-storey single family homes and, therefore, a townhouse development will alter the built form and increase the overall density of the area. However, the proposal is consistent with the OCP designation and is supported by the objectives set out within the Neighbourhoods Plan (NHP), which encourages attached housing developments where properties are within close proximity to greenspace, where land consolidation occurs and where the development is accessed by a single driveway off of a non-arterial road (i.e. Hope River Road). While consolidation of adjacent lots is not proposed at this time, the subject property is of sufficient size to accommodate a townhouse development under the proposed R4 Zone. The Zoning Bylaw requires screening be provided between all multi-family residential developments and single family detached/duplex homes on adjacent properties in order to ensure a level of privacy is retained.
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. However, both the existing R1-A Zone and the proposed R4 Zone allow for a maximum height of 10m. Given the FCL requirements, any new construction in the area is likely to maximize allowable height.

4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4708”, which proposes to rezone property located at 46513 Hope River Road from an R1-A (One Family Residential) Zone to an R4 (Low Density Multi-Family Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for July 2, 2019. (RZ001342)

Substantiation:

Rezoning to the R4 Zone is consistent with the “Residential 2” OCP designation and supports the objectives set out within the Neighbourhoods Plan (NHP) by providing an increased range of housing options and density at an appropriate scale. Further, a townhouse development is suitable for the area given the proposal will facilitate future redevelopment in an area with available service capacity and public amenities, while providing for a more efficient use of land with a site design that remains sensitive to the adjacent land uses.

5. SOURCES OF INFORMATION:

- Rezoning Application (RZ001342) – February 1, 2019
- Development Application Review Team (DART) Minutes – April 25, 2019
Final site layout subject to change and shall be determined at time of Development Permit.
SCHEDULE “A”

Public Engagement Summary (as provided by the applicant)

<table>
<thead>
<tr>
<th>Address</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>46519 Hope River Road*</td>
<td>Not home left at door</td>
</tr>
<tr>
<td>46525 Hope River Road*</td>
<td>Home saw on Deck, no answer left package in mailbox</td>
</tr>
<tr>
<td>46533 Hope River Road</td>
<td>No answer left in Mailbox</td>
</tr>
<tr>
<td>46541 Hope River Road</td>
<td>No answer left in Mailbox</td>
</tr>
<tr>
<td>46489 Hope River Road*</td>
<td>Spoke to [redacted] and followed up with an email containing the elevations. At this time he did not voice any major concern other than privacy.</td>
</tr>
<tr>
<td>46475 Hope River Road*</td>
<td>No answer left in Mailbox</td>
</tr>
<tr>
<td>46441 Hope River Road</td>
<td>No answer left at front door</td>
</tr>
<tr>
<td>10016 Dublin Drive</td>
<td>I spoke to the Lady that seem to live at the residence. She was older and confused and was not understanding what I was trying to say. I believe she was confused as she kept referring to her ankle. She would not take the letter.</td>
</tr>
<tr>
<td>10022 Dublin Drive*</td>
<td>Not home left in mailbox</td>
</tr>
<tr>
<td>10028 Dublin Drive*</td>
<td>Home left with owner. No questions at this time, he said he would review</td>
</tr>
<tr>
<td>10034 Dublin Drive*</td>
<td>No answer left in mailbox</td>
</tr>
<tr>
<td>10040 Dublin Drive*</td>
<td>Open garage but no answer even though it appeared as if someone was home. Left in mailbox</td>
</tr>
<tr>
<td>10046 Dublin Drive*</td>
<td>No answer left in mailbox</td>
</tr>
<tr>
<td>10052 Dublin Drive*</td>
<td>No answer left in mailbox</td>
</tr>
<tr>
<td>10031 Dublin Drive</td>
<td>No answer left in mailbox</td>
</tr>
<tr>
<td>10043 Dublin Drive</td>
<td>No answer left in mailbox, I think she may have been in the backyard as I saw her when I was at the other doors.</td>
</tr>
<tr>
<td>10049 Dublin Drive</td>
<td>Spoke to both owners, concerned with Height and view loss, Showed the proposed elevations and site plan. They did not realize the subject property could accommodate this many units.</td>
</tr>
</tbody>
</table>

* within 30m of the subject property
City of Chilliwack

Bylaw No. 4708

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. 4708".

2. "Zoning Bylaw 2001, No. 2800" is hereby further amended by rezoning property described as PID: 006-017-525, Lot 403 District Lot 373 Group 2 New Westminster District Plan 44288, from an R1-A (One Family Residential) Zone to an R4 (Low Density Multi-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 46513 Hope River Road.
"Zoning Bylaw Amendment Bylaw 2019, No. 4708"
1. SUMMARY OF ISSUE:

The proposal is to rezone the property located at 42789 Janzen Road and a portion of 42805 Janzen Road from an RR (Rural Residential) Zone to an R1-A (One Family Residential) Zone to facilitate a future 2-lot subdivision. Once the Bylaw has been to Public Hearing, Staff recommend that Council give third reading and adoption to the Bylaw with respect to properties located at 42789 & a portion of 42805 Janzen Road.

2. RECOMMENDATION:

Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4709”, which proposes to rezone properties located at 42789 Janzen Road and a portion of 42805 Janzen Road from an RR (Rural Residential) Zone to an R1-A (One Family Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for July 2, 2019. (RZ001345)

Director of Planning & Engineering

3. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

Supports recommendation.

Chief Administrative Officer
1. DEFINITION OF ISSUE:

The proposal is to rezone the property located at 42789 Janzen Road and a portion of 42805 Janzen Road from an RR (Rural Residential) Zone to an R1-A (One Family Residential) Zone to facilitate a future 2-lot subdivision. Once the Bylaw has been to Public Hearing, Staff recommend that Council give third reading and adoption to the Bylaw with respect to properties located at 42789 & 42805 Janzen Road.

2. PROPOSAL / BACKGROUND:

The proposal is to facilitate a 2-lot subdivision of the property located at 42789 Janzen Road. In order to accommodate the minimum lot size of 2,000m² required within the proposed R1-A Zone for properties not connected to sanitary sewer, a minor boundary adjustment with the property located at 42805 Janzen Road is necessary. A copy of the conceptual subdivision plan is attached for information.

Final lot layout must comply with City Bylaws and include urban half road frontage works, including a cul-de-sac and LED street lighting, at time of subdivision. As drainage is of concern on-site, frontage storm drainage works and an extension of the storm main along Janzen Road is necessary to support urbanization. Given the infrastructure upgrades required within the neighbourhood, a local improvement project is recommended in order to take advantage of cost-sharing options with other developments occurring along Janzen Road. Septic system guidelines will also apply.

3. FACTORS:

3.1 2040 Official Community Plan (OCP) / Land Use

OCP Designation: "Low Density Residential"

Current Land Use: A single family dwelling (SFD) and ancillary structure(s) is sited within each property. The existing SFD within 42805 Janzen Road is to be retained while all ancillary structures and the SFD within 42789 Janzen Road are to be removed at time of subdivision.
3.2 Neighbourhood Character

The subject properties are located on the eastern boundary of the Greendale neighbourhood. The properties are situated at the end of Janzen Road, adjacent to large agricultural parcels zoned AL (Agriculture Lowland) Zone and within the Agricultural Land Reserve (ALR). To the north, west and south of the subject properties are large rural lots containing single family homes and a mix of rural ancillary and hobby farm uses.

Greendale is a rural area that lies outside the urban corridor and is comprised of predominantly large rural residential estates as noted above, but is serviced by existing utilities (community water), schools, and other civic and commercial facilities. As part of the OCP's goal of managing growth responsibly, growth is limited in rural settlements, such as Greendale. However, the proposed development will occur within the existing developed area and will not alter the existing boundaries of the Greendale neighbourhood.

The OCP supports infill development where it can be achieved without altering the fundamental character and functionality of the neighbourhood as a whole. Given the local area has been experiencing infill development of its larger lots (as indicated by recent development/new proposals for the R1-A Zone to the south), the proposed rezoning is consistent with the current pattern of development and the “Low Density Residential” designation outlined within the OCP.

3.3 Technical Issues

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

Watercourses: The property located at 42789 Janzen Road is affected by a Class “E” watercourse requiring a standard 30m setback along the western property line. A Development Permit (DP) is required to address environmental concerns by a Qualified Environmental Professional (QEP) should development occur within this area. A statutory right-of-way (ROW) is also required for maintenance of the watercourse.

Geotechnical Issues: A portion of the property located at 42805 Janzen Road is classified as having “moderate” geotechnical risks within the northeast corner of the lot. A geotechnical report may be required at time of subdivision should future development occur within this area.

4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that “Zoning Bylaw Amendment Bylaw 2019, No. 4709”, which proposes to rezone properties located at 42789 Janzen Road and a portion of 42805 Janzen Road from an RR (Rural Residential) Zone to an R1-A (One Family Residential) Zone, be given first and second reading; and further, that a Public Hearing be called for July 2, 2019. (RZ001345)
**Substantiation:**

The proposed rezoning from an RR Zone to an R1-A Zone to facilitate a future two-lot subdivision is in keeping with the OCP designation of “Low Density Residential” while providing affordable housing options and maintaining the predominantly rural residential character of the area. The proposed development is also in keeping with the established boundaries of the Greendale neighbourhood and is part of a residential area that is serviced by sufficient utilities, schools, and varying commercial and civic facilities for the proposed scale of development.

5. **SOURCES OF INFORMATION:**

- Rezoning Application (RZ001345) – February 12, 2019
- Development Application Review Team (DART) Minutes – April 11, 2019
Conceptual Subdivision Plan (as proposed by the applicant)

Final lot layout to be determined at time of subdivision and must comply with City Bylaws.

Area of 42789 Janzen Road subject to future boundary adjustment in order to facilitate future 2-lot subdivision of 42805 Janzen Road.
City of Chilliwack

Bylaw No. 4709

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. 4709”.

2. “Zoning Bylaw 2001, No. 2800” is hereby further amended by rezoning properties described as:
   (1) PID: 011-300-558, Lot 6 Except: Part Subdivided By Plan 54230, District Lot 82
       Group 2 New Westminster District Plan 8032
       42789 Janzen Road
   (2) PID: 005-213-312, Lot 47 District Lot 82 Group 2 New Westminster District Plan
       54230
       (a portion of 42805 Janzen Road)

   as shown on Schedule “A” attached hereto and forming part of this Bylaw, from an RR
   (Rural Residential) Zone to an R1-A (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
"Zoning Bylaw Amendment Bylaw 2019, No. 4709"
Schedule "A"
1. SUMMARY OF ISSUE:

The application is to approve the form and character of a new 27 unit townhouse complex within the subject property. As the property is within Development Permit Area No. 6 (Infill Development Form and Character), a Development Permit for “form and character” is required.

2. RECOMMENDATION:

Recommendation that Council approve the issuance of Development Permit DP001035 with respect to property located at 47203 Vista Place, subject to the recommendations of the Design Review Advisory Committee and the conditions as set out within the draft Development Permit.

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:

The application is to approve the form and character of a new 27 unit townhouse complex within the subject property. As the property is within Development Permit Area No. 6 (Infill Development Form and Character), a Development Permit for “form and character” is required.

2. PROPOSAL:

In summary the proposed development will include:

- A 27 unit townhouse complex comprised of 7 separate buildings;
- A 263m² common amenity area;
- Two parking spaces per unit (one internal and one within a 6m length driveway);
- A demarcated pedestrian pathway within the strata road;
- Interior and perimeter landscaping and screening, including retaining walls; and,
- A modern colour scheme with a variety of building materials including “Rockway Grey”, “Flagstone” and white vertical and horizontal siding, stained wood beams/columns, glass accents and stone cladding.

A separate Development Variance Permit application was considered and approved by Council on June 4, 2019 for the following variances to the property’s R4 (Low Density Multi-Family Residential) Zoning regulations:

- to reduce the interior side lot line setback along the northern and southern property lines for proposed balconies only, from 4.5m to 3.5m;
- to reduce the front lot line setback from 6.0m to 3.0m; and,
- to reduce the required building separation distance from 6.0m to 4.5m between proposed Buildings 2 & 5 and 6 & 7 and to 4.6m between proposed Buildings 3 & 4 and 5 & 6.

As the property is situated within an area identified as having potential and significant geohazard risks, a Development Permit 2 was recently issued to address environmental and geotechnical issues. A Development Permit Area 8 (Hillsides) application to address hillside “form and character” considerations (development activities occurring in areas with 20% or greater slopes) has also recently been issued.

As demonstrated in the attached checklist below, the proposed development generally meets the intent of the Design Guidelines.
3. DESIGN REVIEW ADVISORY COMMITTEE (DRAC):

The Design Review Advisory Committee (DRAC) reviewed this application on April 10, 2019, and again on June 10, 2019, and made the following recommendation:

That the Design Review Advisory Committee supports DP001035 and recommends Council approve the application subject to the following conditions:

1. that guard railings or other protective means are installed along the retaining walls;
2. that landscaping / screening be incorporated along the cast-in-place retaining wall to improve the aesthetic appearance for adjacent property owners;
3. that a lighting plan be submitted prior to the issuance of a Building Permit to ensure adequate lighting is provided for all townhouse units, driveways, outdoor common amenity area, and visitor parking areas; and,
4. that mechanical and operational equipment, including mailboxes and waste containers, be screened from public view through a combination of landscaping and fencing.

4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that Council approve the issuance of Development Permit DP001035 with respect to property located at 47203 Vista Place, subject to the recommendations of the Design Review Advisory Committee and the conditions as set out within the draft Development Permit.

Substantiation:

The proposed townhouse development meets the intent of the Design Guidelines for Development Permit Area No. 6 by including a high quality design that employs a neutral colour palette and a variety of rooflines and building materials to create an attractive overall development. The ample off-street parking, landscaping and common amenity space provided will create a functional townhouse development.
5. Area No. 6 (Infill Development Form and Character)

<table>
<thead>
<tr>
<th>Design Guidelines</th>
<th>Yes/No</th>
<th>Comments</th>
</tr>
</thead>
</table>
| 1.1 Landscaping & building materials                   |        | • All existing trees have been removed from the property.  
• The applicant intends to plant 53 new trees, which exceeds the minimum requirement of the Tree Management Bylaw by 10 trees.                        |
<p>| Preserve existing trees where possible                  | No     |                                                                                                                                            |
| Utilize tree species &amp; vegetation common to area        | Yes    | • Tree species are consistent with the Tree Management Bylaw.                                                                               |
| Use varied building materials (i.e. combinations of wood, brick, rock, etc.) | Yes    | • The proposed building designs incorporate a variety of building materials including: horizontal and vertical vinyl siding, wood columns/posts, cultured stone, glass and aluminum balcony hand rails. |
| <strong>2.1 Building shape &amp; form</strong>                           |        |                                                                                                                                            |
| Provides visual variety in building form, shape &amp; character | Yes    | • The proposal demonstrates that visual variety will be provided through incorporating varying roof heights and pitches.                             |
| Avoid large expanses of blank façade                   | Yes    | • All elevations include a variety of attractive facade details to avoid blank faces.                                                      |
| Use a variety of complementary colours                  | Yes    | • A modern attractive colour scheme is proposed.                                                                                               |
| <strong>3.1 Physically integrate development with adjacent development</strong> |        |                                                                                                                                            |
| Shared access, consolidate open space, etc.            | N/A    | • No opportunities available.                                                                                                              |
| <strong>3.2 Scale, mass &amp; form is sensitive to adjacent properties</strong> |        |                                                                                                                                            |
| Height not to exceed more than 8m above adjacent historically significant home | N/A    | • A variety of materials and colours are proposed to break up the blank facade of all elevations.                                               |
| Use articulation, vary materials and colors to provide visual relief | Yes    | • The colours, material placement and architectural features create a unified townhouse development.                                             |
| Series of modules fit together                          | Yes    |                                                                                                                                            |
| Differentiate between pedestrian-level commercial and upper level residential development | N/A    |                                                                                                                                            |
| Complement existing size, mass, and scale of surrounding development | Yes    | • The proposed bulk, scale and siting of the buildings are expected to be                                                                |</p>
<table>
<thead>
<tr>
<th>Consideration of views from adjacent developments</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>• While the design and reduced separation distance between buildings will limit views through the development, views were previously limited due to the tall trees on the property. Homes upslope from the development (on Peregrine Avenue) are expected to have views from their top floors over the proposed townhouse units.</td>
<td></td>
</tr>
</tbody>
</table>

### 4.1 Maximize a positive impact on the street

<table>
<thead>
<tr>
<th>Preserve &amp; integrate existing natural features where possible</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Due to significant slopes on the property, a series of significant retaining walls are planned to be constructed. No trees have been retained on the property.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Orient development towards street</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Street oriented development is not practical in this instance due to the irregular and narrow lot shape.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Locate development close to &amp; parallel to street</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>• The siting of the proposed townhouse units is not anticipated to significantly impact any existing conditions for adjacent properties due to the tall trees that were previously within the property which likely created similar shading and sun exposure conditions.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Consider impact of sun, wind &amp; shadows on site</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Substantial landscaping throughout the new townhouse complex is proposed, specifically between each townhouse building and driveways, along the property frontage, and along the retaining walls.</td>
<td></td>
</tr>
</tbody>
</table>

### 4.2 Locate mechanical equipment and service areas out of public view

<table>
<thead>
<tr>
<th>Locate or screen mechanical and operational equipment from the view of tenants and from the street</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Substantial landscaping throughout the new townhouse complex is proposed, specifically between each townhouse building and driveways, along the property frontage, and along the retaining walls.</td>
<td></td>
</tr>
</tbody>
</table>

| Entrances into the development must be highly visible, easy to find and logical in location. |

<table>
<thead>
<tr>
<th>Emphasize vehicle entrance through additional landscaping, tree planting, appropriate signage &amp; lighting</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>• A defined shared pedestrian pathway and driveway is included on the proposed Site Plan.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Define pedestrian &amp; vehicle corridors</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requirement</td>
<td>Recommendation</td>
</tr>
<tr>
<td>-------------</td>
<td>----------------</td>
</tr>
</tbody>
</table>
| Parking areas are visually secured all day | Yes | • Parking areas, including visitor parking, are easily visible to residents and visitors within the complex.  
• It is recommended that a lighting plan be provided with the Building Permit application. |
| Provide parking areas that are easily accessible but do not dominate the user's first impression of the site. | Yes | • No parking in the front yard is being proposed. All townhouse units are to include a one car garage with one off-street parking space with 6m driveways for each unit. |
| Avoid the provision of parking in the front yard | Yes | • No parking in the front yard is being proposed. |
| Adequate conceal underground parking | N/A | • The majority of all parking spaces are visually secured behind the townhouse units, avoiding large expanses of contiguous parking.  
• Landscaping is used to soften the impact of the parking areas between most driveways. |
| Avoid large expanses of contiguous parking | Yes | |
| Use landscaping to soften the impact of parking area | Yes | |
| Building entrances must be highly visible, attractive and inviting to the pedestrian | | |
| Clearly identify and orient the primary pedestrian entrance to the street | Yes | • A defined shared pedestrian pathway and driveway is included on the proposed Site Plan. |
| Provide separate ground-level entrances for commercial and residential developments | N/A | |
| Provide a suitable transition from public (street) to semi-private to private (entrance) through scale, detail, and sense of enclosure | N/A | |
| Enhance the pedestrian experience by providing interest at the street level | | |
| Set back building facades to create amenity areas that interact with the street | N/A | • Street front amenity areas are not possible due to the irregular shape of the narrow lot. |
| Use various materials and design techniques to create through-visibility or transparency, (e.g. windows, see-through landscaping and fencing, etc.) at ground level | N/A | |
| Have a pedestrian oriented building base of 1 to 3 storeys that is distinct from upper storey developments | N/A | |
| Provide architectural detail to capture pedestrian attention | N/A | |
| Design outdoor spaces to provide a sanctuary for its occupants | | |
| Create useable, accessible and highly visible onsite people places and amenity areas (e.g. paths, courtyards, upper level decks, playground areas, etc.) | Yes | • Proposed common amenity area is to include two benches and a level grassed space and playground equipment. |
Accommodate the year-round use of outdoor spaces by considering environmental conditions (e.g. sun angles and prevailing winds)

| Partial | • It is recommended that lighting is installed for the outdoor common amenity area. |

6. **SOURCES OF INFORMATION:**

- Development Application Review Team (DART) minutes – August 16, 2018
- Development Permit application DP001035
- Development Variance Permit application DVP001057
- DP000936 (DPA 2) and DP001041 (DPA 8)
NO. DP001035, 2019

(Portion of Development Permit Area No. 6 (Infill) of the Official Community Plan)

To: Westbow Construction Group
7350 Barrow Road
Chilliwack BC V2R 4J8

1151192 BC Ltd
7350 Barrow Road
Chilliwack BC V2R 4J8

1. This Development Permit applies to the following property:

Parcel Identifier: 030-413-630
Legal Description: LOT 1 SECTIONS 8 AND 9 TOWNSHIP 26 NEW WESTMINSTER
DISTRICT PLAN EPP79794
(Commonly known as 47203 Vista Place)

2. Development of the subject property shall be substantially in conformance to the following:

- Plans and elevations attached as Schedule A;
- that guard railings or other protective means are installed along the retaining walls;
- that landscaping / screening be incorporated along the cast-in-place retaining wall to improve the aesthetic appearance for adjacent property owners;
- that a lighting plan be submitted prior to the issuance of a Building Permit to ensure adequate lighting is provided for all townhouse units, driveways, outdoor common amenity area, and visitor parking areas; and,
- that mechanical and operational equipment, including mailboxes and waste containers, be screened from public view through a combination of landscaping and fencing.

Specifications of Development Permit Area 6 — Infill Development Form and Character of the City of Chilliwack Official Community Plan.

N.B. The above technical information is retained on file in the Planning and Strategic Initiatives Department.
3. This Development Permit is not a Building Permit and does not constitute approval of any proposed subdivision.

4. If the permittee does not commence development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

APPROVED BY COUNCIL ON THE _____ DAY OF ______, 2019.


__________________________________________
CORPORATE OFFICER
Site Plan

Reduced FLL setback from 6.0m to 3.0m

Reduced setback for all buildings along northern and southern (ISLL) property lines from 4.5m to 3.5m for proposed balconies only.

Reduced building separation from 6.0m to 4.5m.

Reduced building separation from 6.0m to 4.6m.

DRAFT
Proposed Landscape Plans

<table>
<thead>
<tr>
<th>Key</th>
<th>Plant Name</th>
<th>Qty</th>
<th>Size</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Spiraea nipponica 'Dawn Red'</td>
<td>12</td>
<td>3 ft</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Forsythia 'Lynwood Gold'</td>
<td>9</td>
<td>6 ft</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Mahonia 'Sweet Spice'</td>
<td>6</td>
<td>6 ft</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Acer palmatum 'Dissectum'</td>
<td>4</td>
<td>6 ft</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Fuchsia 'Tutti Frutti'</td>
<td>3</td>
<td>3.00</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Thuja plicata</td>
<td>3</td>
<td>3.00</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Viburnum opulus 'Roseum'</td>
<td>18</td>
<td>3.00</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Crataegus 'Oneida'</td>
<td>10</td>
<td>3.00</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Prunus 'Shirofugen'</td>
<td>6</td>
<td>3.00</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Lilac 'Vigilante'</td>
<td>24</td>
<td>24 ft</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Syringa 'Star of Morn'</td>
<td>30</td>
<td>36 ft</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Hydrangea 'Annabelle'</td>
<td>30</td>
<td>36 ft</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Thuja plicata</td>
<td>3</td>
<td>3.00</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Viburnum x burkwoodii 'Golden Horns'</td>
<td>1</td>
<td>3.00</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Cornus alba</td>
<td>10</td>
<td>3.00</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Prunus serrulata 'Shirofugen'</td>
<td>1</td>
<td>3.00</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Buddleja davidii</td>
<td>12</td>
<td>3.00</td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Lilac 'Bluebird'</td>
<td>15</td>
<td>3.00</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Hydrangea 'Pee GEE'</td>
<td>10</td>
<td>3.00</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Ligustrum vulgare</td>
<td>40</td>
<td>3.00</td>
<td></td>
</tr>
</tbody>
</table>

*Note: All plants are spaced at 3.00 meters (10 ft) except as noted.*
Elevations

BUILDING #1

Elevations Cont..

BUILDING #2

DRAFT
1. SUMMARY OF ISSUE:

The applicant requests to amend the subject property's Official Community Plan (OCP) designation from "Residential 1 – One and Two Family Housing" to "Residential 2 – Attached Housing and Narrow Lot Infill" and to rezone the subject properties from an R1-A (One Family Residential) Zone to an R4 (Low Density Multi-Family Residential) Zone to facilitate a new townhouse development.

Under Section 475 of the Local Government Act, a local government is required to determine whether referral to First Nations and other agencies, in addition to the Public Hearing, is appropriate. In this instance, while the subject property is not located within First Nations reserve land, an OCP pre-consultation with Skwah First Nation is deemed appropriate as the proposal is within close proximity to properties subject to their jurisdiction. Consultation with other provincial or federal agencies is not considered necessary given there are no lands subject to other governing authorities in the immediate vicinity.

2. RECOMMENDATION:

Recommendation that Council direct staff to pre-consult with Skwah First Nation with respect to an application which proposes to redesignate property located at 9374 and 9388 Ashwell Road, from "Residential 1 – One and Two Family Housing" to "Residential 2 – Attached Housing and Narrow Lot Infill". (RZ001352)

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.

David Blain
Director of Planning & Engineering

Peter Monteith
Chief Administrative Officer
1. SUMMARY OF ISSUE:

The applicant requests to amend the subject property's Official Community Plan designation from "Agri-Business Park" to "Thoroughfare Commercial" and to rezone a portion of the subject property from a CSM (Service Commercial-Industrial) Zone to a C9 (Cannabis Retail) Zone to facilitate a future cannabis retail store.

Under Section 475 of the Local Government Act, a local government is required to determine whether referral to First Nations and other agencies, in addition to the Public Hearing, is appropriate. In this instance, while the subject property is not located within the Agricultural Land Reserve (ALR), consultation with the Agricultural Land Commission is deemed appropriate as the proposal is immediately adjacent to properties within the ALR.

Consultation with the Ministry of Transportation, Ministry of Environment, Fraser Health Authority, and the Pacific Community Resources Society was conducted in February 2019. Responses from each agency has been received and will be included as part of a future staff report.

2. RECOMMENDATION:

Recommendation that Council direct staff to pre-consult with the Agricultural Land Commission with respect to an application which proposes to redesignate property located at 45506 Yale Road, from "Agri-Business Park" to "Thoroughfare Commercial". (RZ001327)

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.
1. SUMMARY OF ISSUE:

The City of Chilliwack requires Consulting Services for the development of a Neighbourhood Plan for Sardis. Proposals were received from Urban Systems and Associated Engineering/Dillon Consulting and evaluated comparatively for their proposed work plan, project team and budget. A decision to accept a proposal is required.

2. RECOMMENDATION:

Recommendation that Council accept the Request for Proposal for the provision of consulting services for the "Sardis Neighbourhood Plan" from the lead proponent, Urban Systems Ltd., in the amount of $119,988.99 (plus applicable taxes); and further, that the Mayor and Corporate Officer be authorized to sign any necessary documentation.

Karen Stanton
Manager of Long Range Planning

3. FINANCE COMMENTS:

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

Glen Savard
Director of Finance

4. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports Recommendation

Peter Monteith, CAO
STAFF REPORT ON

SARDIS NEIGHBOURHOOD PLAN RFP

PREPARED BY: Karen Stanton

DATE: June 10, 2019

POSITION: Manager, Long Range Planning

DEPARTMENT: Planning & Strategic Initiatives

1. DEFINITION OF ISSUE:

The City of Chilliwack requires Consulting Services for the development of a Neighbourhood Plan for Sardis. Proposals were received from Urban Systems and Associated Engineering / Dillon Consulting and evaluated comparatively for their proposed work plan, project team and budget. A decision to accept a proposal is required.

2. PROJECT BACKGROUND:

2.1 The objective of this project is to develop a comprehensive land use vision for the Sardis Neighbourhood that will provide a clear guide for future development approval decision making, and define the role of this area within the context of the City's overall growth management strategy / Official Community Plan 2040.

2.2 Over the next twenty years, the OCP projects an increase of approximately 6,800 residents in Sardis, and an additional 4,000 dwellings including suites, coach houses, small lot homes, townhomes, and apartments. With a firm urban boundary in place, this future growth will primarily be absorbed through infill densification. Mixed use and high rise apartment densities are largely envisioned surrounding core business areas, whereas low rise apartments are envisioned along major transportation routes, and in areas close to services and amenities. Neighbourhoods that have traditionally been single family in nature are already seeing infill redevelopment, and this is expected to continue, in the form of coach houses, duplexes, small lot subdivisions, and, in select locations, townhomes in accordance with design guidelines and neighbourhood plans.

2.3 The plan will be developed in coordination with City staff and will involve various community consultation / engagement opportunities to address a wide range of issues including housing and infill redevelopment, urban design, mobility and transportation, servicing, green and pedestrian-friendly streetscapes, floodplain requirements, environmental considerations, healthy living and aging, and neighbourhood safety.

2.3 The anticipated date for completing the Project is August 2020.
3. PROPOSAL EVALUATION

3.1 Two proposals were received in response to the Request for Proposals. The results for the proposal evaluation are as follows:

<table>
<thead>
<tr>
<th>Proponent</th>
<th>Price</th>
<th>Technical Points</th>
<th>Financial Points</th>
<th>Total Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Urban Systems Ltd.</td>
<td>$119,988.00</td>
<td>76.20</td>
<td>7.647</td>
<td>83.5</td>
</tr>
<tr>
<td>2. Associated Engineering / Dillon Consulting</td>
<td>$107,365.00</td>
<td>65.40</td>
<td>10.00</td>
<td>75.4</td>
</tr>
</tbody>
</table>

3.2 The Urban Systems proposal was deemed to represent the highest value for money, with the highest technical score (workplan and project team).

4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

That Council resolve to accept the proposal submitted by Urban Systems Ltd. at a total price of $119,988.00, and authorize Mayor and Clerk to execute the necessary documentation.

Substantiation:

Neighbourhood planning is critical to achieving the objectives of the City's long range growth strategy, the Official Community Plan (OCP). The Sardis Neighbourhood Plan will establish a common vision and provide guidance for future decision making for property owners, the development community, City staff, and Council, ensuring a coordinated approach to development in this area. Through the plan, environmental, physical, social and economic factors related to development of this area will be addressed, better defining the role of this area within the City's overall long-term growth strategy.
AGENDA ITEM NO: 7-H-9
MEETING DATE: June 18, 2019

STAFF REPORT – COVER SHEET

City Of Chilliwack / Telecommunication Antenna Structures
SUBJECT: Policy DATE: June 7, 2019
DEPARTMENT: Planning & Strategic Initiatives PREPARED BY: Erin Leary / kk

1. SUMMARY OF ISSUE:

Telecommunication Antenna Structures (TAS) are currently governed by the Federal government through the Spectrum Management and Telecommunication office. Within the federal regulations, consultation with local land use authorities and the public is mandated prior to submission of an application for a new TAS by a proponent. This consultation process requires the local government to provide comment in relation to the proposed TAS; however, the municipality has no authority to either approve or deny the application. In order to provide Council and the public with a clear guideline as to municipal authority and to outline an appropriate public consultation method geared specifically to the City of Chilliwack, staff have taken the opportunity to update the City’s G-22 Policy Directive: Telecommunication Towers to reflect current industry standards and legislative requirements in addition to creating guidelines for preferred tower locations, co-location requirements and a detailed public consultation process.

2. RECOMMENDATION:


David Blain
Director of Planning & Engineering

3. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

Supports recommendation.

Peter Monteith
Chief Administrative Officer
STAFF REPORT ON TELECOMMUNICATION ANTENNA STRUCTURES POLICY

PREPARED BY:  Erin Leary  DATE:   June 7, 2019
POSITION:   Planner III  DEPARTMENT:   Planning & Strategic Initiatives

1. DEFINITION OF ISSUE:

Telecommunication Antenna Structures (TAS) are currently governed by the Federal government through the Spectrum Management and Telecommunication office. Within the federal regulations, consultation with local land use authorities and the public is mandated prior to submission of an application for a new TAS by a proponent. This consultation process requires the local government to provide comment in relation to the proposed TAS; however, the municipality has no authority to either approve or deny the application. In order to provide Council and the public with a clear guideline as to municipal authority and to outline an appropriate public consultation method geared specifically to the City of Chilliwack, staff have taken the opportunity to update the City’s G-22 Policy Directive: Telecommunication Towers to reflect current industry standards and legislative requirements in addition to creating guidelines for preferred tower locations, co-location requirements and a detailed public consultation process.

2. BACKGROUND:

Carriers are required to notify and consult with the relevant land use authority prior to being granted approval by Spectrum Management and Telecommunications to install a TAS. The municipality’s role is to outline the public consultation process for carriers to follow to ensure consultation is conducted in an appropriate manner and to provide an acknowledgement that the relevant municipal process or other requirements have been satisfied and the municipality is in support (or opposed) to the proposal.

Between August 2017 and January 2018 the City of Chilliwack received 18 Development Variance Permit (DVP) or Non-Farm Use applications regarding the construction of telecommunications towers throughout the City as the structures either exceeded the Zoning Bylaw height or location provisions or the ALC total lot coverage requirements.

During the Public Information Meetings for the DVP applications the public raised numerous concerns including, generation of obtrusive levels of light and noise, potential electronic interference with other electronic devices, health impacts from the transmission frequencies, overall appearance, options for co-location of service providers and the appropriateness of towers being constructed in close proximity to public amenities (i.e. parks, schools, trails, etc.).

Council subsequently instituted a moratorium on DVP applications for TAS and directed staff to develop a Telecommunication Tower Policy that would streamline the municipal process and address the concerns raised by the public as well as contemplate industry standards and thresholds, co-location opportunities, special review criteria for properties located within the ALR and location and design guidelines for future telecommunication tower facilities.
3. FACTORS:

Legislative Context

Telecommunication Antenna Structures (TAS) are regulated by the Federal government under Innovation, Science and Economic Development Canada (ISED) and licensed by Spectrum Management and Telecommunications. Based on current federal legislation, local governments have very little authority regarding the siting of TAS. ISED’s Customer Procedures Circular (CPC) 2-0-03 is the document which outlines the public consultation process, co-location requirements and the dispute resolution process for local land use authorities and carriers. Should a land use authority not implement an independent policy to regulate TAS, the carriers must follow the default process included within CPC 2-0-03.

Local governments have been given the ability to set a public consultation process and to suggest location preferences and design guidelines via the creation of a policy framework. ISED typically respects the municipality’s reasonable feedback with respect to these issues. The draft Policy (attached) includes provisions to address these points which will be further detailed in this report. It is important to recognize the municipal policy is a guideline only and does not grant the municipality any jurisdiction regarding the approval, licensing or installation of TAS or the ability to prohibit the installation of a TAS.

ISED Default Public Consultation Process

ISED created a default public consultation process for carriers to follow should the local government choose not to implement an independent policy. ISED’s process includes an initial mail out notification to the local public within a radius of three times the tower height. Those towers that exceed 30m in height require a notice to be placed in the local newspaper in addition to the mail out. The public has 30 days to respond, with the carrier addressing all reasonable and relevant concerns in writing within 60 days. The public then has an additional 21 days to provide any further concerns in writing. The ISED process does not require a public information session with the local public; however, it is likely that a carrier will conduct such a meeting should they receive a significant public response.

ISED has identified within CPC-2-0-03 three classifications of concerns which are deemed irrelevant to the review of a TAS and need not be addressed. They are as follows:

1. Disputes with members of the public relating to the proponent’s service, but unrelated to the antenna structure;
2. Potential effects that a proposed structure will have on property values or municipal taxes; and,
3. Questions whether the Radiocommunication Act, CPC-2-0-03, Safety Code 6, locally established bylaws, other legislation, procedures or processes are valid or should be reformed in some manner.

As such, a municipal government or carrier has no ability or obligation to comment on the above concerns during the public consultation process. Should members of the public raise these issues, they should be directed to the appropriate regulatory agency to address their concerns.
Current Practice

The City created the current Telecommunication Tower Policy in 2009 in response to a Development Variance Permit (DVP) application for a 45m tall telecommunication tower on Yale Road. Although the tower was approved, there were a significant number concerns raised by the public at the time. As such, a policy was developed to help guide carriers and staff in terms of public consultation and design standards and to complement the Zoning Bylaw requirements.

Since 2009, the legislation governing telecommunication infrastructure has been updated to reflect the ever changing technological advancements of the industry as well as necessary public consultation practices. As such, the historical standards utilized to form the current Policy and Zoning Bylaw provisions do not correspond with the needs of the industry today or the process outlined in CPC-2-0-03.

In brief, the City currently relies on two concurrent consultation approaches to TAS applications. Firstly, the applicant is required to provide written notification to all property owners within 100m of the proposed TAS site of a public meeting designed to receive input from interested parties regarding the proposal. Minutes of the meeting as well as written comment on the issues that were raised and how they will be address must be submitted to the City for review.

Secondly, in most cases, the carrier must also apply for a Development Variance Permit (DVP) as the structure likely exceeds the maximum height requirements (no more than 3m higher than the existing building onto which the antenna is installed) or siting provisions (the TAS must be attached to an existing structure) as outlined within the Zoning Bylaw. The DVP process includes a Public Information Meeting, held by the City, with Council responsible for either approving or denying the application. The approval/denial of the DVP application is used by the proponent as the statement of concurrence / non-concurrence.

Although this two stream approach meets the technical public consultation requirements as outlined by CPC-2-0-03, it relies on an inconsistent notification processes within the community and creates confusion in terms of overall application requirements for both applicants and staff.

Telecommunication Industry Standards

A review of various municipal bylaws and applicable federal regulations was completed to inform the creation of the draft TAS Policy. Consultation was also conducted with the major service providers (Bell, Telus, Shaw/Freedom Mobile & Rogers) and consultants in the telecommunications field to ensure the policy reflects industry standards and carrier requirements. As a result of this research and consultation a number of industry standards and preference were identified. They are as follows:

1. A range of TAS types and heights are required throughout the community to provide adequate coverage and capacity for the growing population. Larger, macro (30m+ in height) sites are needed to provide adequate coverage for the community and must be located strategically to accommodate topographic considerations.
As technology advances, a shift towards micro/small cell antennas is occurring to manage capacity demands, especially in dense urban areas. As such, more established carriers, with the large scale TAS infrastructure currently in place, are pursuing more micro sites (6m height or less) which are generally located on existing infrastructure (i.e. utility poles). Micro sites are currently being more specifically pursued in order to allow for the various carriers to address capacity gaps in their existing networks and to facilitate the creation of a 5G network once the technology has been appropriately vetted. These micro site TAS are exempt from the public consultation process and municipal government approval. It is important to note, these micro cell antennas are currently located throughout the community with little to no visual impact on the surrounding residential uses.

2. Co-location is a valid option for carriers; however, based on technological requirements, when more carriers are located on a single structure, the TAS will likely have to increase in height. This increase in overall massing may be in conflict with the design guidelines outlined within municipal policies, and as such, certain flexibility should be accommodated in terms of forced co-location to ensure design standards can be respected.

3. Carriers are willing to accommodate design guidelines; however, it must be acknowledged that larger TAS (30m+ in height) are unlikely to fully integrate into an area regardless of any design measures which are taken to improve their appearance as the structures are large and highly visible by nature.

4. Generally, carriers do not have a definitive comprehensive plan for future TAS expansion, as new TAS are planned as demand increases and coverage gaps are identified. Should a plan exist, they are funded on an annual basis, with significant variability built in as each location is based on the siting of other structures in the network. As such, should a TAS application be denied or the structure relocated, the plan would have to be adjusted accordingly.

5. Most carriers and consultants alike emphasized the fact that the reality of today’s world is such that people want and/or need constant access to wireless services in all urban and rural locations. As such, to fulfill that demand, the infrastructure, regardless of design or height, is required to be located throughout the community. This fact should be included as a component of the review process for any TAS proposal.

4. DRAFT TELECOMMUNICATION ANTENNA STRUCTURES (TAS) POLICY:

The draft TAS Policy outlines a number of guidelines for carriers to follow. These guidelines are designed to ensure that any TAS located within the City are able to integrate into the community as seamlessly as possible and to promote an inclusive and productive public consultation process. The main provisions within the draft Policy include the following:

Location Preferences

Although the City does not have the authority to prohibit the installation of TAS, the Policy can encourage and discourage locations based on criteria that Council deem appropriate. As such, the following areas have been identified to direct carriers when determining suitable locations for new TAS in Chilliwack:
Encourage
- Industrial and commercial areas
- Agricultural areas
- Rooftops (preferably buildings over 10m)
- Existing structures (utility poles, water towers, etc.)

Discourage
- Residential areas
- Elementary, middle and high school grounds
- Downtown Historic area (DPA 4)
- Environmentally sensitive areas (DPA 3)

By creating locations which are "encouraged" and "discouraged", rather than prohibited, each application can be judged on a case-by-case basis by the merit of the proposal. As such, a proposed TAS may be located within a "discouraged" area but based on the physical design of the structure and the rationale provided by the proponent regarding the necessity of a certain site, it can be deemed a suitable location.

Those TAS to be located within agricultural areas are encouraged to have a lot coverage under 100m² and a shared access driveway or, where shared access is not possible, a separate access which adjoins a property line. These provisions are consistent with the City farm home plate guidelines and the requirements previously permitted within the Agricultural Land Reserve Use, Subdivision and Procedure Regulation ("the Regulation"). The Regulation was recently replaced and all restrictions regarding TAS were removed; however, regulations governing fill in the ALR still apply. As a result, each TAS application will require an informal referral to the ALC to determine if any further application (i.e. non-farm use application, notice of intent or soil or fill use application) will be necessary. The ALC has confirmed that this referral process is their preferred method for review.

Design Guidelines

The draft Policy includes flexible design guidelines to facilitate the development of unobtrusive and inconspicuous TAS by evaluating landscaping, architectural details, colour, shrouding, camouflage, etc. on a case-by-case basis in the context of the surrounding area. Applicants are required to provide a rationale for the design of the TAS including a description of how the visual impact of the TAS will be mitigated by the use of innovative techniques. By creating flexible design guidelines, carriers will be able to design structures to meet the needs of the communities where the TAS will be located, resulting in overall better designs on a site by site basis.

Co-location

Carriers are required under federal legislation to attempt co-location prior to making an application for a new TAS. The draft Policy includes co-location criteria to ensure federal regulations are followed and provide carriers a guide outlining the documentation which will be required at time of application to demonstrate that an attempt at co-location has been made. Furthermore, the draft Policy requires an application for any new TAS be accompanied by a written agreement confirming that other carriers will be permitted to place equipment on the TAS should it be approved.
Public Consultation:

A two stream public consultation process has been included within the draft Policy geared toward separating low impact and high impact TAS. As an initial step, the carrier will contact, via mail, the residents and occupants of all properties located within 30m of the proposed TAS or 3 times the tower height, whichever is greater, and install a notification sign on the subject property. The 30m notification and signage requirements are consistent with the notification requirement for other applications the City processes which include public consultation. Should no response be received from the public within a 21 day period and the proposal meets the intent of the Policy, it will be deemed to have a low impact and the carrier may move forward with an application to the City for review. Low impact applications will be reviewed by staff with a statement of concurrence / non-concurrence provided by the Director of Planning & Engineering.

If a response is received from the public regarding the proposed TAS, staff will determine if an independent public information session, to be conducted by the applicant, is required. Should a public information session be deemed necessary or the proposal does not meet the intent of the Policy, the proposal will be considered high impact. High impact proposals will be reviewed by Council, rather than the Director of Planning & Engineering, with the statement of concurrence / non-concurrence issued as a Council resolution. Council will take into consideration the technical merits of the proposal as well as the content of the public information session in determining their support for the TAS application.

Exemption list

Various TAS are exempt from the public consultation process based on federal regulation. The draft Policy has included these exemptions for clarification purposes for both the public and carriers alike.

For those TAS which are exempt from the public consultation process, the Carrier is not required to submit an application to the City for review or obtain a statement of concurrence from the municipality. As such, the City does not have the authority to assess the proposal in relation to the Policy guidelines.

Application submission requirements and fee

Should a proponent wish to construct a new TAS within the City, a completed application must be submitted including the documentation outlined within Schedule A of the draft Policy. An application fee of $110 will be required to account for staff time to review the application.

An amendment to the Development Application Fee Bylaw is required to create a fee category for Telecommunication Antenna Structures. Also, an amendment to the Delegation Authority Bylaw is required to permit the Director of Planning & Engineering the authority to issue a statement of concurrence for low impact proposals.
5. **PROPOSED ZONING BYLAW AMENDMENTS:**

Should the draft policy be adopted, amendments to the Zoning Bylaw to permit TAS in all zones, as per the federal regulations, will be brought forward for Council consideration.

6. **RECOMMENDATION & SUBSTANTIATION:**

**Recommendation:**


**Substantiation:**

The draft Policy incorporates a comprehensive public consultation process, detailed location criteria, co-location requirements and design guidelines which serve to create a clear application process for carriers and City staff alike as well as ensures the public has an opportunity to voice any concerns they may have regarding a proposal. The updated policy will address the conflicting public consultation processes which are currently in place and create a streamlined, efficient system for all new applications. Furthermore, the public consultation process, which may include a public information session if deemed necessary, will be conducted by the applicant, with the City given minutes from the meeting to utilize as part of the overall review of the proposal.

7. **SOURCES OF INFORMATION:**

- Customer Procedures Circular (CPC)-2-0-03 Radio and Broadcasting Antenna Systems
- Federation of Canadian Municipalities Antenna System Siting Protocol Template
- Industry Canada Guide to Assist Land-use Authorities in Developing Antenna System Siting Protocols
- Consultation with representatives from: Bell, Telus, Rogers, Shaw/Freedom Mobile, Cypress Land Services, SBA & Turris Group

8. **ATTACHMENTS:**

A. **INTRODUCTION**

The purpose of this policy is to set guidelines for City review and comment on applications made by carriers to the federal government for new telecommunication antenna structures in Chilliwack.

Telecommunication Antenna Structures shall conform to the guidelines described in the Policy Directive wherever possible.

B. **JURISDICTION**

Telecommunication Antenna Structures (TAS) are regulated by the Federal government under Innovation, Science and Economic Development Canada (ISED) and licensed by Spectrum Management and Telecommunications. ISED's Customer Procedures Circular (CPC) 2-0-03 is the document which outlines the public consultation process, co-location requirements and the dispute resolution process for local land use authorities and carriers. Should a land use authority not implement an independent policy to regulate TAS, the carriers must follow the default process included within CPC 2-0-03.

Carriers are required to notify and consult with the relevant land use authority prior to being granted approval by Spectrum Management and Telecommunications to install a TAS. The municipality’s role is to outline the public consultation process for carriers to follow to ensure consultation is conducted in an appropriate manner and to provide an acknowledgement that the relevant municipal process or other requirements have been satisfied and the municipality is in support (or opposed) to the proposal.

The municipal policy is a guideline only and does not grant the municipality any jurisdiction regarding the approval, licensing or installation of TAS or the ability to prohibit the installation of a TAS.

Based on the CPC-2-0-03, three classifications of concerns have been identified and deemed irrelevant for municipal review of a TAS and do not need to be addressed. They are as follows:

1. Disputes with members of the public relating to the proponent’s service, but unrelated to the antenna structure;
B. **JURISDICTION** (continued)

2. Potential effects that a proposed structure will have on property values or municipal taxes; and,

3. Questions whether the Radiocommunication Act, CPC-2-0-03, Safety Code 6, locally established bylaws, other legislation, procedures or processes are valid or should be reformed in some manner.

C. **LOCATION**

The City encourages TAS to be located in the following areas:

1. Industrial or commercial areas;

2. On rooftops (preferably on buildings in excess of 10m) or existing structures (utility poles, water towers, etc.); and,

3. Agricultural areas under the following conditions:
   (a) Total lot coverage not exceeding $100m^2$ (excluding driveways)
   (b) Access to the TAS is via a shared driveway or an independent access adjacent to a property line.

The City discourages TAS to be located in the following areas:

1. Residential areas;

2. Elementary, middle and high school grounds;

3. In the downtown historic area as identified as Development Permit Area 4 in the 2040 Official Community Plan; and,

4. Environmentally sensitive areas as identified as Development Permit Area 3 in the 2040 Official Community Plan.

D. **DESIGN GUIDELINES**

Design and Camouflage of Installations:

The City encourages the use of TAS that are as unobtrusive and inconspicuous as possible, particularly on sites abutting residential areas. This includes the use of:

1. Trees, landscaping, perimeter fencing, architectural details, colour, shrouding, camouflage, etc. designed to minimize the visual impact of the TAS and integrate the structure into the design and/or character of the building and/or neighbourhood.

The City prefers structure mounted TAS to not exceed 50% of the height of the structure on which it is sited.
E. **CO-LOCATION & RECONSTRUCTION**

**Co-Location**

The City encourages the co-location of TAS as a means to reduce the number of TAS within the City. This may include, but is not limited to:

1. The installation of a Carrier's antenna arrays on any existing antenna structure;
2. The construction of a new antenna structure on which other Carriers are invited to co-locate; and,
3. The reconstruction of an existing antenna structure to accommodate the equipment of two (2) or more Carriers.

Should a new TAS be constructed, a written agreement shall be provided confirming that other service providers will be permitted to place equipment on the TAS, to eliminate the need for additional towers in the area.

**Evidence of Co-location Review**

The Proponent must:

1. Contact, in writing, all Carriers within 500m of the base of the proposed location to request co-location on the existing tower; and,
2. Supply a copy of the written request along with all responses received regarding the request for co-location and reasons provided by the existing Carriers for declining co-location with the Proponent's application.

The City recognizes that the objective of promoting co-location and the objective of making TAS less noticeable may sometimes come into conflict. Nevertheless, the City intends to review each submission on its merits with a view to promote both objectives and, where necessary, will determine the appropriate balance between them.

F. **PUBLIC CONSULTATION PROCESS**

Proponents must consult with staff at an early stage of the site evaluation process through a site investigation meeting. Proponents should be prepared to discuss the specific site(s) currently under review as well as overall service levels for the community and projected need for future towers.

**Public Consultation**

1. Prior to submission of an application to the City, the proponent will conduct a mail out to all properties within 30m of the property on which the TAS is proposed to be located or 3 times the height of the proposed TAS (whichever in greater) and post a notification sign on the subject property. The mail out must include the following information:
F. PUBLIC CONSULTATION PROCESS (continued)

(a) Name of the carrier and contact information for the proponent.
(b) Description of the purpose of the TAS, the reason why existing infrastructure cannot be used and a description of future sharing possibilities for the proposal.
(c) Map of the location of the proposed tower, including setbacks from property lines.
(d) Colour rendering of the proposed tower including all relevant dimensions (height, lot coverage, etc.).
(e) Closing date for written public comments.

The notification sign must follow the requirements as outlined within the “Public Hearing/Public Information Meeting Procedural Bylaw 2004, No. 3004” as amended from time to time.

2. After a period of 21 days, should the proponent not receive a response, they may submit a complete application package (as outlined in Schedule A) to the City Planning & Strategic Initiatives Department for review and remove the notification sign from the property.

3. Should a response be received by the proponent, an independent public information session, conducted by the proponent, may be required, at the direction of staff. The proponent is required to provide a written response to all concerns raised by the public, regardless of whether a public information session is determined to be necessary. The public information session notification must adhere to the following process:

(a) The proponent must send a written notice in the mail or otherwise delivered at least 10 days prior to the public information session to the owners and residents of those parcels within 30m of the property on which the TAS is proposed to be located or 3 times the tower height (whichever is greater).

(i) The written notice must include the following information:

(1) Name of the carrier and contact information for the proponent, City of Chilliwack Planning & Strategic Initiatives Department and local Spectrum Management Operations Branch.

(2) Description of the purpose of the TAS, the reason why existing infrastructure cannot be used and a description of future sharing possibilities for the structure.

(3) Time, date and location of the meeting.

(4) Map of the location of the proposed tower, including setbacks from property lines.

(5) Colour rendering of the proposed tower including all relevant dimensions (height, lot coverage, etc.).
F. PUBLIC CONSULTATION PROCESS (continued)

(b) The proponent must place a notice in the local newspaper not less than three days and no more than 14 days before the public information session.

(c) The notification sign must be updated to include the date and location of the public information meeting no later than 7 days prior to the meeting date.

(d) The proponent shall notify Spectrum Management & Telecommunications, Transport Canada, and Health Canada in writing of the date, time and location of the public information session and give these agencies an opportunity to comment on the proposal.

4. The proponent shall provide minutes of the public meeting to the City, and include written comment on issues that were raised and how they will be addressed as part of the application package outlined in Schedule A.

G. EXEMPTIONS FROM PUBLIC CONSULTATION PROCESS

1. **New TAS**: where the height is less than 15m above ground level. This exclusion does not apply to TAS proposed by telecommunications carriers, broadcasting undertakings or third party tower owners. Alternatively, the exclusion would apply to organizations, including but not limited to, governments, Crown agencies and the public, (including amateur radio operators and over the air TV reception).

2. **Existing TAS**: where modifications are made, antennas added or the tower replaced, including to facilitate sharing, provided that the total cumulative height increase is no greater than 25% of the height of the initial TAS installation. No increase in height may occur within one year of completion of the initial construction. This exclusion does not apply to TAS using purpose built antenna supporting structures with a height of less than 15m above ground level operated by telecommunications carriers, broadcasting undertakings or third party tower owners.

3. **Temporary TAS**: used for a special event or emergency operation. Temporary TAS must be removed within three months of the start of the emergency or special event.

4. **Non-tower structures**: antennas on buildings, water towers, lamp posts, etc. provided that the height above ground of the non-tower structure, exclusive of appurtenances, is not increased by more than 25% or no more than 10m in height above the geodetic elevation of the rooftop, whichever is less.

H. APPLICATION APPROVAL PROCESS

1. The TAS application will be reviewed by staff in relation to the Telecommunication Antenna Structure Policy regarding co-location, proposed location and design guidelines as well as the content of the public consultation process.
H. APPLICATION APPROVAL PROCESS (continued)

2. Those applications which do not require an independent public information session or meet the intent of the Policy will be deemed low impact and will be reviewed by staff with a statement of concurrence / non-concurrence provided by the Director of Planning & Engineering.

3. Those applications which require an independent public information session or do not meet the intent of the Policy will be deemed high impact and staff will draft a report to Council, which will include a summary of the public consultation process, technical necessity of the tower and areas of divergence from the Policy.

   (a) Council will provide a resolution for concurrence / non-concurrence to be forwarded to Spectrum Management and Telecommunications by the applicant.

I. SUBMISSIONS TO THE CITY

See Schedule A – TAS Application Checklist

Chief Administrative Officer
SCHEDULE “A”

TAS Application Checklist

1. Preliminary drawings must include the following information:
   (a) Civic and/or legal address;
   (b) Key plan indicating location of property in relation to surrounding streets (preferably with property lines) and any TAS within 500m of the base of the proposed location;
   (c) Proposed site plan with north arrow, property lines, location of antennas and equipment and areas identified as inaccessible to the general public;
   (d) Plan view of equipment layout if not clear on site plan; and,
   (e) Elevations that show the height to top of antenna or support structure and dimensions of antennas and equipment.

2. Letter of intent should include the following information:
   (a) Identification of proposed site;
   (b) Purpose of site;
   (c) Description of equipment to be installed;
   (d) Copy of written request to TAS owners/Carriers within 500m of the base of the proposed location requesting permission to co-locate and the responses with reasoning for not permitting co-location; and,
   (e) Other issues that may need to be discussed (rationale for proposed site, alternatives explored, etc.).

3. Visual analysis
   (a) Rationale for proposed design (description of strategies utilized to integrate the TAS into the surrounding area);
   (b) Photos of building/structure from street level or other public area;
   (c) Photo rendering (usually only for towers) from selected viewpoints;
   (d) Photos documenting community viewpoints (the tower may not necessarily be visible); and,
   (e) Map attached showing location or rendering and community viewpoints.
4. **Coverage maps**
   (a) Existing coverage by the Carrier in the surrounding area;
   (b) Coverage implications of inferior alternatives; and,
   (c) Coverage resulting from desired site.

5. **Public consultation**
   (a) A copy of the mail out;
   (b) A date stamped photograph of the installed sign(s) with a location map indicating the location of the sign(s);
   (c) Copies of all written correspondence received and sent to the public and other agencies;
   (d) Meeting minutes of the public information session and summary of issues raised and proposed solutions, if applicable.

6. **Letter of authorization from the property owner(s).**

7. **Equipment specifications:**
   (a) In the form or photographs or simple drawings with dimensions of antennas and equipment to be installed.

8. **Application fee, as set out in the City’s “Development Application Fee Bylaw, 1998 No. 2554”, as amended from time to time.**

9. **Copy of application form.**
Appendix B

POLICY DIRECTIVE NO. – G-22

SUBJECT: TELECOMMUNICATIONS TOWERS

APPROVAL DATE: January 12, 2009 LAST REVIEW DATE:

REFERENCE:

A. INTRODUCTION:

The purpose of this policy is to set guidelines that establish requirements for the installation of Wireless Telecommunications Facilities (WTFs), and to ensure that all affected parties are informed of the proposal and given opportunity to comment, wherever Council deems necessary.

B. POLICY:

WTF proposals must go through a consultation process to ensure that area residents, as well as affected agencies, are given an opportunity to provide input.

WTF proposals must conform to Section 5.14 (Telecommunications Antenna Sites) of City of Chilliwack Zoning Bylaw 2001, No. 2800, or a Development Variance Permit application will be required subsequent to the consultation process.

WTFs shall conform to the guidelines described in the Policy Directive wherever possible.

C. CONSULTATION:

The consultation process shall not be required where a freestanding tower does not exceed 12m in height, or where attached to an existing building and equipment does not extend more than 1.5m above the height of the structure to which it is attached.

The proponent shall contact all other service providers within the City to determine whether co-utilization is possible and provide written confirmation of response to the City.

The proponent shall hold a public meeting to advise interested parties of the proposal and to receive public input. The proponent shall provide written notice to the City of Chilliwack and all property owners within 100m of the proposed site of the public meeting. The written notice shall include the date, time and location of the meeting and shall be postmarked no later than 14 days prior to the public meeting. The proponent shall place notice of the public meeting in the local newspaper between 14 and 7 days prior to the public meeting.
The proponent shall contact Industry Canada, Transport Canada, and Health Canada for comment on the proposal and advise the agencies in writing of the date, time and location of the public meeting.

The proponent shall provide minutes of the public meeting to the City and include written comment on issues that were raised and how they will be addressed.

**D. GUIDELINES:**

Where equipment is attached to an existing structure, it shall not project more than 0.3m beyond the building face and shall not cover more than 0.93m² of the building face.

Freestanding telecommunications towers shall not exceed 45.7m in height and shall be located at least 6.0m from any property line. Landscape screening shall be provided around any WTF compound.

A written agreement shall be provided confirming that other service providers will be permitted to place equipment on the tower, to eliminate the need for additional towers in the area.

Chief Administrative Officer
1. SUMMARY OF ISSUE:

Jodi and Tim Bennett, the owners, desire to develop the subject property into a single family dwelling with a helicopter garage. The property is located within the Official Community Plan (OCP) Development Permit Area 2 (Hillside & Upland Areas) and Development Permits are required.

2. RECOMMENDATION:

Recommendation that Council approve the issuance of Development Permits DP001011 (DP2) with respect to property located at 6605 Payne Rd subject to the geotechnical and environmental issues being met.

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.
1. DEFINITION OF ISSUE:

Jodi and Tim Bennett, the owners, desire to develop the subject property into a single family dwelling with a helicopter garage. The property is located within the Official Community Plan (OCP) Development Permit Areas 2 (Hillside & Uplands Area) and Development Permits are required.

2. FACTORS:

2.1 Background

- The property is located in the Ryder Lake area of Chilliwack BC, 6.7 km south-east of Chilliwack city center. The property is bordered by a rock slope to the north, Payne Road to the west, Wincott Road to the east, and Elk View Road along the south-west.

- The property area is approximately 16.2 hectares (40 acres).

- The rock slope has a gradient, ranging between 38° - 63°.

- The property’s elevation ranges between 270 – 310 meters above sea level.

- The property is comprised of potential and significant geohazard hazards based on City of Chilliwack mapping. See Appendix “C” for details.

2.2 Geotechnical

- Madrone Environmental Services Ltd., the geotechnical engineer of record, has provided a geotechnical hazard assessment for the development.

- As a component of Madrone’s initial site assessment, a geological review was conducted. The rocks identified through investigation consisted of bedrock with mudstone, siltstone and shale. Where the bedrock was not exposed, wind-deposited loess and till was overlain.
• A 10 meter setback is required from the crest of the rock slope to the house. This accounts for potential slope retreat.

• The area of the property contains steep slopes subject to localized landslides with an annual return frequency of 1:50 – 1:500.

• Any future building construction should be assessed for geotechnical hazards.

• The proposed development layout utilizes cuts and fills to accommodate the proposed single family dwelling, which includes a basement in their design. All fill materials deposited onsite will require supervision by Madrone for material suitability and placement. Substantial excavation and work in and around steep slopes are to be assessed on a case by case basis by the geotechnical engineer and completed under their direction;

• Madrone recommends that for the construction of a structural wall on the north side, backfill between the wall and excavated slope should be monitored by a geotechnical engineer

• Prior to civil design acceptance, the geotechnical engineer of record will be required to review and certify the design grading plans provided by the civil engineering consultant. Any subsequent adjustments to the design grades required due to unexpected conditions revealed in the construction process shall also receive, review, and comment from the geotechnical engineer;

• Madrone has provided the Appendix “D”: Landslide Assessment Assurance Statement as per the EGBC Guidelines for Legislated Landslide Assessment for Proposed Residential Development in British Columbia for the development site;

• It is of Madrone’s professional opinion that the site is considered safe for the use intended if the recommendations of their report are followed, and onsite direction from a professional engineer is taken by the developer and their contractors in the development of the site.

2.3 Environmental

• Madrone Environmental Solutions (Qualified Environmental Professional) completed a field review of the site on May 25, 2018.

• Madrone observed no watercourses within 30 meters of the subject property.

• A pond was created by excavation of road material, however, this is temporary and isolated from any downstream watercourses
• Culverts are present under the driveway; however, they are in place to capture and direct ground water and carry sediment below the road. The culverts do not connect to any watercourses

• Madrone recommends seeding on all exposed or disturbed slopes of the driveway to reduce sediment transport and erosion potential as per the City's Tree Management (Land Development Bylaw 3585).

• Madrone’s report suggests no wildlife or habitat will be at risk due to the property’s development during the riparian assessment.

2.4 Proposed Development Design

• Onsite roads will have a maximum grade of 15% and will be designed with a minimum travelled paved width of 6.00m.

• Retaining walls higher than 1.2 meters shall be engineered and after 2.0 meters in height shall be tiered back at a 1V: 2H interval. Wall construction materials and type shall conform to the Chilliwack Hillside Development Standards Policy.

• Building will incorporate a two-story design (basement included) with foundations that are stepped into the hillside to better integrate the residential dwelling with the native grades.

• An existing helicopter garage is located north-east of the proposed single family dwelling.

• The only projected development, aside from the residential house is a driveway running east to south-west.

3. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that Council approve the issuance of Development Permit DP001011 (DP2) with respect to property located on 6605 Payne Road, subject to the geotechnical and environmental issues being met.

Substantiation:

The provided geotechnical reports, environmental assessments, supporting documents and recommendations provided by professionals in their selective fields, have satisfied the objectives of the Development Permit Area 2 guidelines, as outlined by the City of Chilliwack “Official Community Plan” (OCP).
Through the provision of professional investigations and site development recommendations that meet the goals and intents of the OCP and Development Permit Areas, the applicant has met the necessary requirements for Council to provide a decision on the issuance of the Development Permit as per “Division 7 – Development Permits” of the Local Government Act.

4. SOURCES OF INFORMATION:

- Geotechnical Hazard Assessment Report – 6605 Payne Road, Chilliwack, BC prepared by Madrone Environmental Services Ltd. (December 18, 2017);
- Riparian Assessment – 6605 Payne Road, Chilliwack, BC prepared by Madrone Environmental Service Ltd. (May 25, 2018);

5. ATTACHMENTS:

1) Appendix A – Location Plan
2) Appendix B – Development Plan
3) Appendix C – Geohazard Map
4) Appendix D – Copy of Development Permit DP001011

Appendix “A”
Development Plan

Appendix "C"
Geohazard Map

Appendix "D"
Appendix “D”
Copy of Development Permit DP001011

CITY OF CHILLIWACK DEVELOPMENT PERMIT

NO. DP001011, 2019 (Portion of Development Permit Area No. 2 of the Official Community Plan)

TO: Jodi Bennett
6605 Payne Rd
Chilliwack BC V4Z 1G8

1. This Development Permit applies to the following property:
   Parcel Identifier: 013-513-478
   Legal: LEGAL SUBDIVISION 5 SECTION 14 TOWNSHIP 26 NEW WESTMINSTER DISTRICT
   (Commonly known as 6605 PAYNE RD, Chilliwack, BC)

2. Development of the subject property shall be substantially in conformance with the following:
   - City of Chilliwack “Land Development Bylaw 2014, No. 3055”;
   - City of Chilliwack “Hillside Development Standards Policy”;
   - Section 40 of the “Environmental Management Act”;
   - Recommendations as prepared by Madrona within the reports
     "Geotechnical Hazard Assessment – 6605 Payne Road, Chilliwack, BC" (December 18, 2017)
     "Riparian Assessment – 6605 Payne Road, Chilliwack, BC" (May 25, 2018)
   - Clearing of vegetation is to take place out of bird nesting season
   - Specifications of Section 5 of the City of Chilliwack Official Community Plan with respect to Development Permit Area 2

N.B. The above technical information is retained on file in the Development & Regulatory Services Department.

3. This Development Permit is not a Building Permit and does not constitute approval of any proposed subdivision.

4. Subject to the terms of the permit, if the holder of a permit under this Division does not substantially start any construction with respect to which the permit was issued within 2 years after the date it is issued, the permit lapses pursuant to Section 926(1) of the Local Government Act.

APPROVED BY COUNCIL ON THE ___ DAY OF _____. 2019.

ISSUED THIS ___ DAY OF _____. 2019.

CORPORATE OFFICER
AGENDA ITEM NO: 10-1
MEETING DATE: June 18, 2019

STAFF REPORT - COVER SHEET

SUBJECT: Delegation – Chilliwack Search and Rescue Date: June 10, 2019
DEPARTMENT: Clerk's Prepared by: Jacqueline Morgan

1. SUMMARY OF ISSUE:

Dave Casey, President, Jeremy Plesman, Vice-President, Doug Fraser, former President, and Tracey Heron, Search Manager, Chilliwack Search and Rescue Society are in attendance to provide Council with a presentation on the program.

2. RECOMMENDATION:

That the delegation Dave Casey, President, Jeremy Plesman, Vice-President, Doug Fraser, former President, and Tracey Heron, Search Manager, Chilliwack Search and Rescue Society be received.

Jacqueline Morgan, CMC
Corporate Officer

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.

P. D. Monteith, CAO
AGENDA ITEM NO: 10-3
MEETING DATE: June 18, 2019

STAFF REPORT - COVER SHEET

SUBJECT: Public Hearing Listing
Date: June 11, 2019

DEPARTMENT: Clerk's
Prepared by: Jacqueline Morgan

PH-1 (TUP00141) "Temporary Use Permit TUP00141"
Public Hearing on “Temporary Use Permit TUP00141”, with respect to property located at 5048 Teskey Road.
*Public Hearing has been cancelled at the request of the applicant*

PH-2 (TUP00142) "Temporary Use Permit TUP00142"
Public Hearing on “Temporary Use Permit TUP00142”, with respect to property located at 10537 McSween Road (background information on this matter is contained within Agenda Item 12-A-1)
*CANCELLED*

PH-1

"Temporary Use Permit TUP00141"

(5048 Teskey 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 TUP00141

Location: 5048 Teskey Road

Applicant: Leonard Jones

Purpose: To convert the subject property, as shown on the map below, from a single family dwelling currently operating as a Large Supportive Recovery Home under a previously approved Temporary Use Permit, to an Assisted Living Facility for up to 9 independent seniors. As the R3 (Small Lot One Family Residential) Zone does not permit this use, 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, June 5, 2019 to Tuesday, June 18, 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, CMC
Corporate Officer
The applicant has requested the Public Hearing for TUP00141 be cancelled as an amended proposal will be submitted for consideration. As such, Staff request that TUP00141 be removed from the June 18, 2019 Council meeting agenda.

Notification that the Public Hearing Meeting scheduled for June 18, 2019 has been cancelled will be distributed. Revised notices reflecting an amended application request will be prepared and distributed accordingly.

Respectfully submitted,

Gillian Villeneuve
Manager of Development Planning

GV/
PH-2

"Temporary Use Permit TUP00142"

(10537 McSween Road)
CITY OF CHILLIWACK
NOTICE OF PUBLIC HEARING
Tuesday, June 18, 2019 at 7:00 p.m.
Council Chambers
8550 Young Road, Chilliwack, B.C. 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 item:

1. TEMPORARY USE PERMIT TUP00142

   Location: 10537 Mcsween Road

   Applicant: Karen Marie MacDonald

   Purpose: To approve the keeping of a 4th dog within the AR (Agriculture Residential) Zone on the subject property, as shown on the map below. As the AR Zone does not permit this use, 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, June 5, 2019 to Tuesday, June 18, 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, CMC
Corporate Officer
PI-1  "Development Variance Permit DVP01042"

Development Variance Permit DVP01042 for properties located at 44404, 44410, 44416, 44422, 44428, 44434, 44440, 44446, 44452, 44458, 44464, 44470, 44476, and 44482 Freshwater Drive (background information on this matter is contained within Agenda Item 12-A-2).

PI-2  "Development Variance Permit DVP01072"

Development Variance Permit DVP01072 for property located at 45300 Luckakuck Way (background information on this matter is contained within Agenda Item 12-A-3).

PI-3  "Development Variance Permit DVP01073"

Development Variance Permit DVP01073 for property located at 9594 Coote Street (background information on this matter is contained within Agenda Item 12-A-4).

Consultation package received from:
• John Kerkhoff, Super Sheds Ltd., dated April 5, 2019

PI-4  "Development Variance Permit DVP01075"

Development Variance Permit DVP01075 for property located at 43400 Alameda Drive (background information on this matter is contained within Agenda Item 12-A-5).

PI-5  "Development Variance Permit DVP01076"

Development Variance Permit DVP01076 for property located at 46325 Yale Road (background information on this matter is contained within Agenda Item 12-A-6).
“Development Variance Permit DVP01042”

(44404, 44410, 44416, 44422, 44428, 44434, 44440, 44446, 44452, 44458, 44464, 44470, 44476, and 44482 Freshwater Drive)
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 DVP01042

Locations: 44404, 44410, 44416, 44422, 44428, 44434, 44440, 44446, 44452, 44458, 44464, 44470, 44476 & 44482 Freshwater Drive

Applicant: Westbow Construction

Purpose: To reduce the minimum off-street parking space length associated with a residential use within the CD-21 (Comprehensive Development - 21) Zone from 6m to 4.5m within the driveway to facilitate the construction of a single family dwelling 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, June 5, 2019 to Tuesday, June 18, 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, CMC
Corporate Officer
PI-2

"Development Variance Permit DVP01072"

(45300 Luckakuck Way)
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 DVP01072

   Location: 45300 Luckakuck Way
   Applicant: Yoon Oh
   Purpose: To reduce the minimum off-street parking requirements within the CS1 (Service Commercial) Zone from 102 parking spaces to 51 parking spaces to allow for the addition of new tenants within an existing commercial building, on 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, June 5, 2019 to Tuesday, June 18, 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, CMC
Corporate Officer
PI-3

"Development Variance Permit DVP01073"

(9594 Coote Street)
CITY OF CHILLIWACK
NOTICE OF PUBLIC INFORMATION MEETING
Tuesday, June 18, 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 DVP01073

   Location: 9594 Coote Street
   Applicant: John Kerkhoff
   Purpose: To increase the maximum lot coverage from 60m² to 84m² and to increase the maximum height from 4m to 5m for an Urban Ancillary Use within the R1-A (One Family Residential) Zone to facilitate the construction of a detached garage, 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, June 5, 2019 to Tuesday, June 18, 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, CMC
Corporate Officer
Hi Julie,

Find below some information from my customer as he went talking to his neighbors explaining what we are proposing in the variance permit for 9594 Coote st as you recommend when I applied for the variance. If you could please add this information to the file that would be great!

"Hi John,

So I spoke to all me immediate neighbors around the property and here are their comments,

1. 9602 Coote street- They said "No problem at all, looking forward to it"
2. 9590 Coote street- Randy says "That sound great, good for you"
3. 9593 Windsor street- Jen says "Good for you it's a garage/shop, very nice"
4. 9597 Windsor street- She said "We have lane access so that's great"
5. 9619 Windsor street- Tim says "Hurry up and get it built"

I hope this can help in speeding up the variance process, we can only hope. Just let me know if there's anything else you need from me.

Kind Regards,

Carlos"

Regards,
John Kerkhoff
Super Sheds LTD.
"Development Variance Permit DVP01075"

(43400 Alameda Drive)
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 DVP01075

   Location: 43400 Alameda Drive
   Applicant: Robert Kwak
   Purpose: To reduce the required front lot line (FLL) setback from 5m to 3m and the interior side lot line setback along the eastern property line from 3m to 1.5m within the RR (Rural Residential) Zone to facilitate the construction of a new single family dwelling within the subject property, as shown on the map below. A Development Variance Permit was previously issued for this property that reduced the required front lot line setback from 7.5m to 5m (DVP00928).
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, June 5, 2019 to Tuesday, June 18, 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, CMC
Corporate Officer
"Development Variance Permit DVP01076"

(46325 Yale 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 DVP01076

   Location: 46325 Yale Road

   Applicant: Dionne Delesalle

   Purpose: The applicant requests the following variances within the CS1 (Service Commercial) Zone to facilitate the construction of a drive-thru restaurant, on the subject property, as shown on the map below:

   - to reduce the minimum number of required parking spaces from 22 to 20;
   - to waive the requirement for interior landscaping of parking areas containing 20 or more spaces; and,
   - to reduce the minimum front lot line setback from 12.44m (10m front lot line setback + 2.44m supplemental setback for future road widening) to 6m.

   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, June 5, 2019 to Tuesday, June 18, 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, CMC
Corporate Officer
AGENDA ITEM NO: 12-A-1
MEETING DATE: June 18, 2019

STAFF REPORT – COVER SHEET

Karen MacDonald
Temporary Use Permit / 10537 McSween Road

SUBJECT: Temporary Use Permit / 10537 McSween Road
DATE: May 27, 2019

DEPARTMENT: TUP00142
PREPARED BY: Stacy Thoreson / kk

1. SUMMARY OF ISSUE:

The applicant wishes to keep a 4th dog on the subject property. As the AR (Agriculture Residential) 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 to keep a 4th dog for an additional three years. Once the proposed Temporary Use Permit has been to Public Hearing, staff recommend that Council approve Temporary Use Permit TUP00142 with respect to property located at 10537 McSween Road.

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 (TUP00142), with respect to property located at 10537 McSween Road, subject to the recommendations as stipulated within the draft Temporary Use Permit.

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 applicant wishes to keep a 4th dog on the subject property. As the AR (Agriculture Residential) 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 to keep a 4th dog for an additional three years. Once the proposed Temporary Use Permit has been to Public Hearing, staff recommend that Council approve Temporary Use Permit TUP00142 with respect to property located at 10537 McSween Road.

2. BACKGROUND / PROPOSAL:

Up to 3 dogs are permitted within the subject property, as per the Zoning Bylaw. Council has previously approved TUPs (TUP00038 & TUP00085) to allow the keeping of 4 dogs on the property since 2013. As the applicant wishes to continue to keep 4 licenced dogs, a new TUP application is required.

The applicant is required to comply with the “Animal Control Bylaw” with respect to maintaining control of the animals, clean-up and sanitation, and control of barking dogs. To date, the current TUP is in good standing with no complaints on record with Animal Control or the City of Chilliwack.

3. FACTORS

3.1 2040 Official Community Plan (OCP) / Land Use

OCP: “Agriculture”

Land Use: Single family dwelling and detached ancillary buildings.

3.2 Neighborhood Character

The subject property is 0.3 hectares and is located north of Chilliwack Proper and ‘Little Mountain’ in an area that is a mixture of large agricultural and smaller residential oriented parcels. All of the surrounding properties are zoned AL (Agriculture Lowland). The property is fully fenced and is screened from adjacent properties and the road through a combination of fencing and landscaping.
3.3 **Conditions of Issuance of Temporary Use Permit**

The below site specific conditions have been included in the draft Temporary Use Permit:

1. The keeping of no more than 4 dogs is permitted.

2. The dogs must all be licensed as per the Animal Control Bylaw.

3. A Hobby Kennel Licence is required from the Fraser Valley Regional District Animal Control.

4. The keeping of pets on-site must be in compliance with the applicable Animal Control Bylaw including maintaining control of the animals, clean-up and sanitation, and control of barking dogs.

5. 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.

4. **RECOMMENDATION & SUBSTANTIATION:**

**Recommendation:**

Recommendation that Council approve the issuance of Temporary Use Permit (TUP00142), with respect to property located at 10537 McSween Road, subject to the recommendations as stipulated within the draft Temporary Use Permit.

**Substantiation:**

The request for a 4th dog to be kept within the subject property is supportable as the property is rural and the applicant will be required to comply with the applicable Animal Control Bylaw. As the 4 dogs already live within the subject property, and neither Animal Control nor the City has received any complaints, approval of the TUP is not anticipated to affect the neighbourhood.
Location Map

Ortho Photo
CITY OF CHILLIWACK

TEMPORARY USE PERMIT NO. TUP00142

To: Karen Macdonald
10537 Mcsween Road
Chilliwack BC V2P 6H5

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 to permit the keeping of 4 dogs within the property be issued as affecting property at:

Civic Address:
10537 McSween Road

Parcel Identifier:
009-958-614

Legal Description:
LOT 1 DISTRICT LOT 387 GROUP 2 NEW WESTMINSTER DISTRICT PLAN 77038

General Intent of Permit
To approve the keeping of a 4th dog within the AR (Agriculture Residential) Zone.

Validity of Permit
Three 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 keeping of no more than 4 dogs is permitted.

2. The dogs must all be licensed as per the Animal Control Bylaw.
3. A Hobby Kennel Licence is required from the Fraser Valley Regional District Animal Control.

4. The keeping of pets on-site must be in compliance with the applicable Animal Control Bylaw including maintaining control of the animals, clean-up and sanitation, and control of barking dogs.

5. 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.

6. Two months before the expiration date of this Permit the applicant shall indicate to the Director of Planning & Strategic Initiatives his intention to either cease the business activity 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 to reduce the minimum off-street parking space length associated with a residential use within the CD-21 (Comprehensive Development - 21) Zone from 6m to 4.5m within the driveways to facilitate the construction of a single family dwelling within each of the subject properties.

2. RECOMMENDATION:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01042 with respect to property located at 44404, 44410, 44416, 44422, 44428, 44434, 44440, 44446, 44452, 44458, 44464, 44470, 44476 & 44482 Freshwater Drive.

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.
1. Definition of Issue:

The applicant is seeking to reduce the minimum off-street parking space length associated with a residential use within the CD-21 (Comprehensive Development - 21) Zone from 6m to 4.5m within the driveways to facilitate the construction of a single family dwelling within each of the subject properties.

2. Background / Proposal:

The proposal is part of a new phased residential development located within the Webster's Crossing neighbourhood. The variance is requested to facilitate the construction of a single family dwelling within each of the 14 small residential lots. The CD-21 Zone also permits Accessory Dwelling Units (ADU) in the form of a secondary suite should adequate parking be provided. A copy of the parking plans are attached with the draft Development Variance Permit (DVP) for further information.

2.1 Off-Street Parking

The CD-21 Zone requires a total of two (2) parking spaces per one family residential unit and one (1) parking space per Accessory Dwelling Unit (ADU) be provided on-site. The applicant is proposing to provide one (1) parking space (plus storage area) within each garage and two (2) additional parking spaces within each driveway. As a result, each property could contain a single family dwelling and a secondary suite internal to the principal residence.

While the CD-21 Zone permits a reduced front lot line (FLL) setback of 4.5m, an off-street parking space requires a minimum length of 6m, which may not extend beyond the property line. As such, the resulting house designs within small residential lots generally require alternative and creative design solutions (i.e. recessed garages, side lot driveways, etc.) in order to take advantage of the reduced front yard setback while also meeting off-street parking requirements for surface, unenclosed parking as outlined within the Zoning Bylaw.

The applicant is seeking support for a variance to reduce the minimum parking space length from 6m to 4.5m to retain the 4.5m FLL setback for the proposed single family homes. As part of the applicant’s rationale, the driveway lengths will extend beyond the property boundary to the edge of the road and/or curb by an additional 1.5m or more, utilizing City ROW/public space for vehicle parking/overhang. As a result, the applicant indicates that the total length of the driveways for each unit will meet (or exceed) the 6m parking space length when taking into account the driveway areas provided both within, and adjacent to, the property boundaries as demonstrated below.
3. DISCUSSION:

3.1 Residential Parking Policy

The availability of parking in residential neighbourhoods has been a longstanding issue within the City and is often a primary focus of neighbourhood complaints. As rapid densification continues throughout the City, recent discussion regarding the impact of new infill development and redevelopment took place with Council meeting held on February 5, 2019. As part of the discussion, recommendations were put forward as a means of addressing the parking concerns identified within key neighbourhoods and throughout the City, including standards related to infill narrow lot single family, duplexes, multi-family townhouse and apartment developments.

Future direction recommends the current parking standard of two (2) parking spaces per dwelling unit be maintained and that parking spaces within a garage or driveway must meet minimum dimensions outlined within the Zoning Bylaw in order to count towards this total. At this time, a double-car garage meets the bylaw requirement of providing 2 parking spaces per dwelling unit, regardless of whether or not a driveway is provided in front of the home, if it also meets parking stall size requirements (length and width). Given the current trend of garage space being utilized for the storage of household items, it is also recommended that any garage parking provided on-site be considered as one (1) parking space only and that all other required parking be unenclosed.

It should be noted that after referring the matter to the Affordable Housing and Development Advisory Committee (AHDAC) and conducting additional public input/feedback, Council has directed staff at the meeting held on June 4, 2019 to include revised standards for residential parking within the Zoning Bylaw review project.

3.2 Current Proposal

Building Permits (BPs) have been issued for the construction of 6 single family dwellings amongst the 14 properties situated on the south side of Freshwater Drive (44410, 44416, 44422, 44428, 44434 and 44476 Freshwater Drive), where construction of the buildings has either commenced or is completed. While 2 BPs have been issued and meet current parking standards for a single family dwelling within the garage(s) only, the remaining 4 BPs were issued with both a reduced FLL setback/driveway and a garage that does not meet current parking width requirements to be considered as a double-car garage. As a result, a variance is being sought to bring the existing buildings into compliance with current regulations and to ensure that any future development of single family dwellings remains consistent along Freshwater Drive.
In most cases, staff are not supportive of encroachments into the City ROW as this area is intended to remain free and clear of development to ensure the potential for future pedestrian and cycling facilities within the public domain are not limited. In addition, vehicle overhang that encroaches into shared pedestrian/cycling facilities reduces visibility, increases safety concerns and increases the potential for pedestrian-vehicle conflicts.

Staff recommends support of the requested variances as they constitute a “special case” due to there being limited potential for future residential development or further frontage upgrades. As part of the subdivision approval process, a parking plan was submitted which identifies a sidewalk situated on the north side of Freshwater Drive and a total of 97 on-street parking spaces are proposed throughout all of Webster Crossing. As Freshwater Drive is considered a local road, separate bicycle facilities are not anticipated to be provided as vehicles are expected to share the roadway with bicycle traffic.

4. FACTORS:

4.1 2040 Official Community Plan (OCP) / Land Use

OCP Designation: “Comprehensive Development Area”

Current Land Use: Vacant or single family dwellings (complete or under construction)

4.2 Neighbourhood Character

The subject properties are located within the greater Sardis-Vedder neighbourhood, situated near the corner of Webster Road and Freshwater Drive. The local area is within proximity to a several public amenities, such as Lindy’s and Webster Park. The properties are immediately adjacent to parcels zoned CD-13 (Comprehensive Development – 13) on the south side and are otherwise surrounded by parcels zoned CD-21 (Comprehensive Development – 21) Zone that are being developed in accordance with the Webster Road Area Plan.

4.3 Technical Issues

Floodplain: The subject properties are not located within the protected floodplain.

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.
4.4 Conditions of Issuance

Staff support the requested variances as proposed by the applicant and recommend approval of the draft Development Variance Permit subject to the following conditions:

a) that development shall be in accordance with the site plan attached with Schedule “A”;

b) that the driveway provided for each unit shall meet (or exceed) a total length of 6m, inclusive of the minimum 4.5m provided within the property boundary and the 1.5m (or more) provided within the City ROW/public space; and,

c) that the total length of the driveway shall be calculated to the edge of the road; or, where the property fronts onto a sidewalk, the total length of the driveway shall be calculated to the edge of the sidewalk immediately adjacent to the property line.

5. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01042 with respect to property located at 44404, 44410, 44416, 44422, 44428, 44434, 44440, 44446, 44452, 44458, 44464, 44470, 44476 & 44482 Freshwater Drive.

Substantiation:

Given the circumstances and the context of the surrounding neighbourhood, including limited potential for future residential development or further frontage upgrades within the area, a reduction to the minimum parking space length is supportable as a “special case”. In this instance, the applicant indicates that the total length of the driveways for each unit will meet (or exceed) the minimum parking space length when taking into account the driveway areas provided both within and adjacent to the property boundaries.

6. SOURCES OF INFORMATION:

- Development Variance Permit Application (DVP01042) – January 14, 2019
- Development Application Review Team (DART) Minutes – April 11, 2019
- Building Permit (BP029972) – (44410 Freshwater Drive) – Completed April 12, 2019
- Building Permit (BP029973) – (44416 Freshwater Drive) – Issued April 26, 2018
- Building Permit (BP030633) – (44416 Freshwater Drive) – Applied October 4, 2018
- Building Permit (BP030001) – (44422 Freshwater Drive) – Issued April 26, 2018
- Building Permit (BP030214) – (44428 Freshwater Drive) – Issued July 10, 2018
- Building Permit (BP030182) – (44434 Freshwater Drive) – Issued July 10, 2018
- Building Permit (BP030328) – (44476 Freshwater Drive) – Issued August 24, 2018
- Building Permit (BP030900) – (44476 Freshwater Drive) – Applied February 6, 2019
Location Map

Orthophoto
SCHEDULE "A"
THE CITY OF CHILLIWACK
DEVELOPMENT VARIANCE PERMIT

3090-20 (44404, 44410, 44416, 44422,
44428, 44434, 44446, 44452, 44458, 44464,
44482 Freshwater Drive)

DVP01042

To: Westbow Construction Group
7350 Barrow Road
Chilliwack BC V2R 4J8

To: Westbow Webster Crossing Holdings Ltd.
7350 Barrow Road
Chilliwack BC V2R 4J8

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, does not apply to any additions or subsequent
   replacement of any and all buildings and structures and other development
   thereon:

   Parcel Identifier No. 030-303-320
   Legal Description: LOT 45 SECTION 2 TOWNSHIP 23 NEW WESTMINSTER
   PLAN EPP75679
   Address: 44404 FRESHWATER DRIVE

   Parcel Identifier No. 030-303-338
   Legal Description: LOT 46 SECTION 2 TOWNSHIP 23 NEW WESTMINSTER
   PLAN EPP75679
   Address: 44410 FRESHWATER DRIVE

   Parcel Identifier No. 030-303-346
   Legal Description: LOT 47 SECTION 2 TOWNSHIP 23 NEW WESTMINSTER
   PLAN EPP75679
   Address: 44416 FRESHWATER DRIVE

   Parcel Identifier No. 030-303-354
   Legal Description: LOT 48 SECTION 2 TOWNSHIP 23 NEW WESTMINSTER
   PLAN EPP75679
   Address: 44422 FRESHWATER DRIVE
<table>
<thead>
<tr>
<th>Parcel Identifier No.</th>
<th>Legal Description</th>
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<tr>
<td>030-303-362</td>
<td>LOT 49 SECTION 2 TOWNSHIP 23 NEW WESTMINSTER PLAN EPP75679</td>
<td>44428 FRESHWATER DRIVE</td>
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<td>030-303-371</td>
<td>LOT 50 SECTION 2 TOWNSHIP 23 NEW WESTMINSTER PLAN EPP75679</td>
<td>44434 FRESHWATER DRIVE</td>
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<td>030-303-389</td>
<td>LOT 51 SECTION 2 TOWNSHIP 23 NEW WESTMINSTER PLAN EPP75679</td>
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<td>030-303-397</td>
<td>LOT 52 SECTION 2 TOWNSHIP 23 NEW WESTMINSTER PLAN EPP75679</td>
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<td>030-303-401</td>
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<td>LOT 54 SECTION 2 TOWNSHIP 23 NEW WESTMINSTER PLAN EPP75679</td>
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<td>030-303-427</td>
<td>LOT 55 SECTION 2 TOWNSHIP 23 NEW WESTMINSTER PLAN EPP75679</td>
<td>44464 FRESHWATER DRIVE</td>
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<tr>
<td>030-303-435</td>
<td>LOT 56 SECTION 2 TOWNSHIP 23 NEW WESTMINSTER PLAN EPP75679</td>
<td>44470 FRESHWATER DRIVE</td>
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</tbody>
</table>
Parcel Identifier No. 030-303-443
Legal Description: LOT 57 SECTION 2 TOWNSHIP 23 NEW WESTMINSTER
PLAN EPP75679
Address: 44476 FRESHWATER DRIVE

Parcel Identifier No. 030-303-451
Legal Description: LOT 58 SECTION 2 TOWNSHIP 23 NEW WESTMINSTER
PLAN EPP75679
Address: 44482 FRESHWATER DRIVE

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 5.13(2)(b)(i) Off-Street Parking is varied by reducing the minimum length for a parking space from 6m to 4.5m.

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 conditions apply:

    a) that development shall be in accordance with the site plan attached with Schedule “A”;
    b) that the driveway provided for each unit shall meet (or exceed) a total length of 6m, inclusive of the minimum 4.5m provided within the property boundary and the 1.5m (or more) provided within the City ROW/public space; and,
    c) that the total length of the driveway shall be calculated to the edge of the road; or, where the property fronts onto a sidewalk, the total length of the driveway shall be calculated to the edge of the sidewalk immediately adjacent to the property line.

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
Overall Parking Plan (Webster Crossing)

KEITH WILSON

EXISTING
SINGLE FAMILY
HOMES

REMAINDER

WEBSTER ROAD

12 STRATA FREE RÖNNHOMES
19 SINGLE FAMILY DWELLINGS
91 TOTAL UNITS
47 PARKING SPOTS [ON STREET]
Overall Plan of Proposed Driveways (Freshwater Drive)

Proposed Driveway Parking Detail (Lots Fronting Freshwater Drive)
STAFF REPORT – COVER SHEET

Platinum Key Investment Corp.
Development Variance Permit

SUBJECT: Platinum Key Investment Corp.
Development Variance Permit

DATE: June 6, 2019

DEPARTMENT: Planning & Strategic Initiatives

PREPARED BY: Julie Henderson / kk

1. SUMMARY OF ISSUE:

The applicant is seeking to reduce the minimum off-street parking requirements within the CS1 (Service Commercial) Zone from 102 parking spaces to 51 parking spaces to allow for the addition of new tenants within an existing commercial building.

2. RECOMMENDATION:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01072 with respect to property located at 45300 Luckakuck Way.

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 reduce the minimum off-street parking requirements within the CS1 (Service Commercial) Zone from 102 parking spaces to 51 parking spaces to allow for the addition of new tenants within an existing commercial building.

2. **BACKGROUND / PROPOSAL:**

   The proposal is to reduce the minimum off-street parking requirements to allow for the addition of new tenants within an existing commercial building. The commercial complex was developed with 7 units and a total of 51 parking stalls, calculated (1 space per 30m² for office/sales use) as per the CS1 Zone. For information, a copy of the existing site plan with parking layout is attached with the draft Development Variance Permit (DVP).

   At this time, 4 of the units are occupied and the applicant is looking to include 2 additional tenants (pizza delivery service and another restaurant) with 1 remaining unit currently vacant. While the total number of units and floor area will remain the same throughout the site, a parking variance is required as a result of the new restaurant/assembly uses seeking to occupy the building, which are calculated at a higher parking rate (1 space per 8m²).

   As part of the applicant's rationale, the existing parking ratios do not reflect the realistic usage of parking lot, which currently sits vacant for much of the day. Further, the current parking ratios have acted as a deterrent to other small businesses given the time and costs associated with the process. As a result, the applicant is seeking a reduction to parking requirements for the whole site in order to attract new businesses to the community.

   Should the proposed variance be approved, regardless of existing or future users/tenants, the total off-street parking provided on-site is considered adequate.

3. **FACTORS:**

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

   OCP Designation: "General Commercial"

   Current Land Use: Multi-tenant commercial building, including a Japanese restaurant, escape room, beauty lounge/tattoo parlour and retail pet store.
3.2 Neighbourhood Character

The subject property is located within an established commercial corridor along Luckakuck Way with lots zoned CS1 and C2 (Local Commercial) situated on its north, west and east sides. The property is otherwise surrounded by residential uses, such as an established townhouse complex to the southwest and single family dwellings to the southeast, both within the R5 (Medium Density Multi-Family Residential) Zone.

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.

3.4 Conditions of Issuance

Staff support the requested variance as proposed by the applicant and recommend approval of the attached draft Development Variance Permit subject to the following conditions:

a) Development shall be in accordance with the site plan attached with Schedule “A”.

4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01072 with respect to property located at 45300 Luckakuck Way.

Substantiation:

The proposed reduction to off-street parking is supportable within the subject property as parking lots for multi-tenant commercial developments are generally self-regulating, particularly where no on-street parking is available (as is the case with Luckakuck Way). Further, the applicant advised that prospective tenants are chosen based on the suitability of the use/site.

5. SOURCES OF INFORMATION:

- Development Variance Permit Application (DVP01072) – March 20, 2019
- Development Application Review Team (DART) Minutes – May 16, 201
SCHEDULE "A"
THE CITY OF CHILLIWACK
DEVELOPMENT VARIANCE PERMIT

3090-20 (45300 Luckakuck Way) DVP01072

To: Platinum Key Investments Corp.
   Attn: Yoon Oh
   17089 102A Avenue
   Surrey, BC V4N 3L1

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, to facilitate the addition of new commercial tenants within the existing commercial building, and does not apply to any additions or subsequent replacement of any and all buildings and structures and other development thereon:

   Parcel Identifier No.: 015-498-492
   Legal Description: LOT 5 EXCEPT: FIRSTLY; PART SUBDIVIDED BY PLAN 84630, SECONDLY; PART SUBDIVIDED BY PLAN LMP4936, DISTRICT LOT 78 AND 259 GROUP 2 NEW WESTMINSTER DISTRICT PLAN 83468
   Address: 45300 Luckakuck Way

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 10.07(11)/(b)/(i) within the CS1 (Service Commercial) Zone is varied by decreasing the minimum number of off-street parking spaces from 102 to 51.

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 conditions apply:

   a) Development shall be in accordance with the site plan attached with Schedule "A".

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
Existing Site Plan (as provided by the applicant)

EXISTING COMMERCIAL BUILDING
TOTAL OF 7 UNITS
1. SUMMARY OF ISSUE:

The applicant is seeking to increase the maximum lot coverage from 60m² to 84m² and to increase the maximum height from 4m to 5m for an Urban Ancillary Use within the R1-A (One Family Residential) Zone to facilitate the construction of a detached garage.

2. RECOMMENDATION:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01073 with respect to property located at 9594 Coote Street.

David Blain
Director of Planning & Engineering

3. CHIEF ADMINISTRATIVE OFFICER’S RECOMMENDATION/COMMENTS:

Supports recommendation.

Peter Monteith
Chief Administrative Officer
STAFF REPORT ON DEVELOPMENT VARIANCE PERMIT DVP01073

PREPARED BY: Julie Henderson DATE: June 5, 2019
POSITION: Planner I DEPARTMENT: Planning & Strategic Initiatives

1. DEFINITION OF ISSUE:

The applicant is seeking to increase the maximum lot coverage from 60 m² to 84 m² and to increase the maximum height from 4 m to 5 m for an Urban Ancillary Use within the R1-A (One Family Residential) Zone to facilitate the construction of a detached garage.

2. PROPOSAL / BACKGROUND:

The proposal is to facilitate the construction of a detached garage to accommodate the storage of vehicles and other personal items on an approximately 962 m² lot. The R1-A Zone permits a maximum lot coverage of 60 m² and a building height of 4 m for urban ancillary uses on lots less than 1,000 m² in area. In order to allow adequate space and overhead clearance for the vehicles, a variance to lot coverage and building height is being requested by the applicant.

The proposed garage is to be located within the rear yard, east of the existing residence, and will be accessed via the existing rear lane. For information, a copy of the Site Plan and Elevations are attached with the draft Development Variance Permit.

3. FACTORS:

3.1 2040 Official Community Plan (OCP) / Land Use

OCP Designation: “Residential 2 – Attached Housing and Narrow Lot Infill” as designated in the Chilliwack Proper and Fairfield Island Neighbourhoods Plan.

Current Land Use: Single family home with shed. Existing shed to be removed at time of Building Permit.

3.2 Neighbourhood Character

The subject property is located within a residential neighbourhood of Chilliwack Proper and is situated at the northern end of Coote Street. The property is immediately surrounded by lots similarly zoned R1-A, except one lot zoned R1-D (Infill Small Lot One Family Residential) located to the directly north of the property. The neighbourhood is predominantly characterized by two-storey single family homes on lots with ancillary structures sited within the rear yards.
SCHEDULE "A"
THE CITY OF CHILLIWACK
DEVELOPMENT VARIANCE PERMIT

3090-20 (9594 Coote Street) DVP01073

To: Carol & Carlos Pacheco
    9594 Coote Street
    Chilliwack, BC V2P 6B3

John Kerkhoff
    48965 Mcconnell Road
    Chilliwack, BC V2P 6H4

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, to facilitate the construction of a new detached
   garage, and does not apply to any additions or subsequent replacement of any
   and all buildings and structures and other development thereon:

   Parcel Identifier No. 000-445-215
   Legal Description: LOT 14 EXCEPT; PART ON PLAN WITH BY-LAW FILED
                      60204, OF 20 ACRE PORTION DIVISION K NEW
                      WESTMINSTER DISTRICT PLAN 8423
   Address: 9594 Coote Street

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 9.01(6)(b) within the R1-A (One Family Residential) Zone is varied by
   increasing the maximum lot coverage from 60m² to 84m².

   Section 9.01(10)(c)(i) within the R1-A (One Family Residential) Zone is varied by
   increasing the maximum height from 4m to 5m.

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 conditions shall apply:

   a) that the detached garage be sited in accordance with the Site Plan and
      Elevations attached with Schedule "A".

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

Proposed Site Plan (as provided by the applicant)

Proposed Elevations (as provided by the applicant)
1. SUMMARY OF ISSUE:

The applicant is seeking to reduce the required front lot line (FLL) setback from 5m to 3m and the interior side lot line setback along the eastern property line from 3m to 1.5m within the RR (Rural Residential) Zone to facilitate the construction of a new single family dwelling within the subject property. A Development Variance Permit was previously issued for this property that reduced the required front lot line setback from 7.5m to 5m (DVP00928).

2. RECOMMENDATION:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01075 with respect to property located at 43400 Alameda Drive.

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 reduce the required front lot line (FLL) setback from 5m to 3m and the interior side lot line setback along the eastern property line from 3m to 1.5m within the RR (Rural Residential) Zone to facilitate the construction of a new single family dwelling within the subject property. A Development Variance Permit was previously issued for this property that reduced the required front lot line setback from 7.5m to 5m (DVP00928).

2. BACKGROUND/PROPOSAL:

The subject property was recently a part of a 3 lot subdivision. In March, 2018, Council approved a reduction to the required front lot line setback within the RR Zone to retain the existing dwelling within “Lot 1” of the proposed subdivision and facilitate the construction of two new single family dwellings within “Lots 2 & 3”.

The applicant now wishes to request to reduce the minimum FLL setback, as previously approved for the subject property (“Lot 2”), from 5m to 3m and the ISLL setback along the eastern property line from 3m to 1.5m. The ISLL setback is proposed to be 1.5m towards the rear of the property and taper to at least 3m at the front lot line setback. The siting of the new dwelling is limited due to a
1.5m geotechnical setback that is required from the top of bank, as shown on the site plan above. In order to allow for a typical building envelope a reduction to these setbacks are being requested.

3. FACTORS:

3.1 2040 Official Community Plan (OCP) / Land Use

OCP: "Comprehensive Development Area"

Land Use: Vacant lot

3.2 Neighbourhood Character

The subject property is located on Chilliwack Mountain between Old Orchard Road and Alameda Drive, surrounded by properties within the RR Zone.

The requested reduction to the front lot line setback is supportable as the existing development on Alameda Drive is already sited approximately 3m from the FLL and it is anticipated that the proposed siting will maintain a consistent streetscape. The requested reduction to the required ISLL is not anticipated to affect the adjacent property as the lot is vacant and the new house is yet to be constructed.

Though the proposed siting does not allow for a standard driveway depth of 6m, the minimum off-street parking requirements will be met at the time of Building Permit by providing parking within the garage and at least one unenclosed parking stall. The requested ISLL setback variance will allow the applicant to site the back corner of the proposed dwelling at a 1.5m ISLL setback along the eastern property line to "square" the house to face the front lot line, as the property is angled, and then taper the ISLL setback to increase to at least 3m near the front lot line. This will allow for at least one unenclosed parking stall to be provided between the house and the eastern property line.

3.3 Technical Issues:

Floodplain: The subject property is located outside of the floodplain and is not subject to the Floodplain Regulation Bylaw.

Watercourses: The property is not affected by any known watercourses. Chilliwack Mountain Ditch is located along Old Orchard Road to the north of the property. The new development is proposed to be located outside of the required 15m riparian area setback.

Geotechnical: The property is located within an area identified as having a significant slope stability hazard. A Development Permit Area 2 – Hillside (DP000974) has been issued for the subject property.
4. **Conditions of Issuance**

Staff support the requested variance as proposed by the applicant and recommend approval of the draft Development Variance Permit.

5. **RECOMMENDATION & SUBSTANTIATION:**

**Recommendation:**

Recommendation that subject to public representation Council approve the issuance of Development Variance Permit DVP01075 with respect to property located at 43400 Alameda Drive.

**Substantiation:**

The requested setback variance is supportable in this location given the physical constraints of the property and the rural nature of the area. The proposed siting along the FLL will remain compatible with the existing streetscape.

6. **SOURCES OF INFORMATION:**

- Development Variance Permit Application – DVP01075
- Development Variance Permit Application - DVP00928
- Subdivision Application – SUB00910
- Development Permit – DP000974
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 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. 030-629-519
   Legal Description: LOT 2 SECTION 27 TOWNSHIP 23 NEW WESTMINSTER DISTRICT PLAN EPP87210
   Address: 43400 Alameda Drive

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 8.05(8)(a) RR (Rural Residential) Zone is varied by reducing the front lot line setback from 5 metres (as required by the previous Development Variance Permit Application DVP00928) to 3 metres.

   Section 8.05(8)(a) RR (Rural Residential) Zone is varied by reducing the interior side lot line setback from 3 metres to 1.5 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.

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
1. SUMMARY OF ISSUE:

The applicant requests the following variances within the CS1 (Service Commercial) Zone to facilitate the construction of a drive-thru restaurant:

- to reduce the minimum number of required parking spaces from 22 to 20;
- to waive the requirement for interior landscaping of parking areas containing 20 or more spaces; and,
- to reduce the minimum front lot line setback from 12.44m (10m front lot line setback + 2.44m supplemental setback for future road widening) to 6m.

2. RECOMMENDATION:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01076 with respect to property located at 46325 Yale Road.

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 requests the following variances within the CS1 (Service Commercial) Zone to facilitate the construction of a drive-thru restaurant:

- to reduce the minimum number of required parking spaces from 22 to 20;
- to waive the requirement for interior landscaping of parking areas containing 20 or more spaces; and,
- to reduce the minimum front lot line setback from 12.44m (10m front lot line setback + 2.44m supplemental setback for future road widening) to 6m.

2. **PROPOSAL:**

The applicant is proposing to construct a 179m² drive-thru restaurant 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 12.44m to 6m (10m standard plus 2.44m supplemental). If Yale Road is expanded to the full 25m width, the proposed building will be setback 6m from the FLL with the drive-thru queue setback 2m.

The applicant suggests that the requested reduction to the number of parking stalls from 22 to 20 is supportable as the location of the proposed development is on a main thoroughfare, accessible by transit, walking and biking. In addition, many of the customers are expected to use the drive-thru.

The applicant requests to waive the requirement for interior landscaping of parking areas containing 20 or more spaces in order to maintain as many parking stalls as possible on site; including landscaping within the parking area will further reduce the number of parking stalls provided and require an even greater variance request to the number of parking stalls.

A Development Permit to approve the “form and character” of the proposed development has been submitted and is being considered concurrently with the Development Variance Permit application.
A copy of the proposed Site Plan and Landscape Plan are included within this report for information.

3. FACTORS:

3.1 2040 Official Community Plan (OCP) / Land Use

OCP: “Village Quarter”

Land Use: Vacant lot (previously “7/11”)

3.2 Neighbourhood Character

The subject property is located within the Chilliwack Proper Neighbourhood in an area with commercial and residential uses, across Yale Road from Chilliwack Middle School.

North: Four storey apartment building within the R5 (Medium Density Multi-Family Residential) Zone.

South: Three storey apartment within the R5 Zone and a vacant lot within the R6 (High Density Multi-Family Residential) Zone.

East: “Tim Hortons” drive-thru within the C2 (Local Commercial) Zone.

West: 7/11 within the CS1 Zone.

3.3 Technical Issues

Floodplain: The subject property is located within the protected floodplain and 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.
3.4 Conditions of Issuance

Staff support the requested variance as proposed by the applicant and recommend approval of the draft Development Variance Permit.

4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01076 with respect to property located at 46325 Yale Road.

Substantiation:

The requested variance to reduce the FLL setback from 12.44m to 6m is supportable as it is considered to be consistent with the Design Guidelines and in-keeping with the streetscape of the neighbourhood.

The requested variances to reduce the number of parking stalls from 22 to 20 and waive the requirement to provide interior landscaping within the park area are supportable given the accessibility of the property and that the parking area is located behind the development, away from public from Yale Road, and landscaping around the perimeter is provided.

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 Variance Permit Application – DVP01076
- Development Permit Application – DP001139
Proposed Site Plan (as provided by the applicant)

- TOTAL PARKING = 20 STALLS
- CRU A: 1,925 SF (179 SM)
- 12.44m setback
- Requested FLL setback from 12.44m to 6m
- 2.44m supplemental setback
SCHEDULE "A"
THE CITY OF CHILLIWACK
DEVELOPMENT VARIANCE PERMIT

3090-20 (46325 Yale Road)  DVP01076

To: Dionne Delesalle  Imperial Oil Limited
11625 20th Street  1281 West Georgia Street
North Vancouver BC V7P 2B6  Vancouver BC V6E 3J7

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 new drive-thru
   restaurant, and does not apply to any additions or subsequent replacement of
   any and all buildings and structures and other development thereon:

   Parcel Identifier No. 006-784-712
   Legal Description: LOT 69 DIVISION "H" NEW WESTMINSTER DISTRICT
   PLAN 33249
   Address: 46325 Yale 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 10.07 (11)(b)(ii) CS1 (Service Commercial) Zone is varied by reducing the
   minimum number of required parking stalls from 22 to 20.

   Section 10.07 (11)(b)(ii) CS1 (Service Commercial) Zone is varied by reducing the
   front setback from 12.44 metres to 6 metres.

   Section 5.05(7) is varied by waiving the requirement for interior landscaping of
   parking lot areas that contain 20 or more spaces.

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