MINUTES of the Ninth meeting held by the Seventh Council of the City of Chilliwack in the Council Chambers, City Hall on March 5, 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
J. Morgan, Corporate Officer
D. Blain, Director of Planning and Engineering
C.S. Crosman, Deputy Chief Administrative Officer
G. Savard, Director of Finance
G. MacPherson, Director of Operations
J Kooistra, Director of Corporate Services
E. Leidekker, Director of Information Technology
G. Schipper, Manager of Building and Regulatory Enforcement
K. Stanton, Manager of Long Range Planning
C. Marleau, Manager of Leisure Development
T. Friesen, Manager of Environmental Services
K. Jefford, Manager of Transportation and Drainage
J. Koczkur, Deputy Director of Operations
F. Van Nynatten, Assistant Manager of Environmental Services
M. Sikora, Social Development Coordinator
G. White, Manager of Land Development/Approving Officer
C. Naiduwa, Utilities Engineer
J. Leggatt, Communications Manager
M. Winn, Manager of Accounting Services
J. Nesbitt, Fleet Operations Manager
B. Johnson, IT Support Technician
D. Alling, Administrative Assistant
C. Wilkinson, Legislative Clerk
K. Kohuch, Clerk Typist II
Shaelyn Kooyman, Co-Op Student, Environmental Services
J. McMurray, Recording Secretary

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

Delegations/Hearings

The Mayor announced that the delegations from the South Fraser Community Rail Committee; Chilliwack Social Research and Planning Council and the Chilliwack Child and Youth Prevention Committee have been cancelled and will be rescheduled to a future meeting.

Adoption of Minutes

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

Carried unanimously
Consent Agenda

Mercer  )  That the following bylaw be adopted:
Attrill  )

“Solid Waste Management Bylaw 2019, 4660”

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

Carried unanimously

Department Reports

Westeringh  )  That Council refer the proposed changes and additions to “Highway and Traffic
Shields  )  Bylaw 2004, No. 3023”, as contained within the Staff Report dated February 4,

Carried unanimously

Kloot  )  That Council accept the proposal for the design and construction of the “2019
Lum  )  Utilities Upgrades” from the lead proponent, Timbro Contracting (A Partnership)/

Carried unanimously

Kloot  )  That Council approve the submission of grant funding application for the Design
Lum  )  and Construction of an Organic Food Waste Receiving and Pre-Processing Station

Mercer  )  and Digester #4, at the Wastewater Treatment Plant, under Federal/Provincial

Lum  )  Green Infrastructure – Climate Change Mitigation – CleanBC Communities Fund.

Attrill  )  That Council award the tender for one “Backhoe Loader” to Finning (Canada),
Kloot  )  in the amount of $180,650.00 (plus applicable taxes); and further, that the Mayor

Carried unanimously

Westeringh  )  That Council award the tender for one “4x2 Garbage Packer” to Fort Fabrication
Kloot  )  and Welding Ltd., in the amount of $139,238.00 (plus applicable taxes); and

Carried unanimously

Lum  )  That Council award the tender for the City Hall Sprinkler System to Elite Fire
Attrill  )  Sprinkler Ltd., in the amount of $139,654.00 (plus applicable taxes); and further,

Carried unanimously
Department Reports (continued)

Westeringh  )  That Council set the date and time for the “2019 Parcel Tax Roll Review Panel” as March 19, 2019 at 2:30 pm.  
Carried unanimously

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

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

Westeringh )  That Council direct staff to not pre-consult with Provincial and Federal agencies or First Nations with respect to an application which proposes to redesignate property located at 8395 Chilliwack Mountain Road, from “Comprehensive Development Area” to “General Industrial”.  (RZ001300)
Carried unanimously

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

Attrill    )  That, in accordance with Section 90(1)(c), (e), (g), (i), (k) and 90(2)(b) of the Community Charter, Council hold a Closed Meeting.
Carried unanimously

The regular meeting adjourned at 3:10 pm and reconvened at 7:00 pm.

PRESENT:  All members of Council.

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

  P.D. Monteith, Chief Administrative Officer
  J. Morgan, Corporate Officer
  D. Blain, Director of Planning and Engineering
  D. Alling, Administrative Assistant
  K. Kohuch, Clerk Typist, Casual
  J. McMurray, Recording Secretary
The Corporate Officer announced that the Public Information Meeting regarding DVP01025 with respect to properties located at 7098, 7121, 7129, 7136, 7137, 7144, 7145, 7152, 7169, and 7202 Tahoma Place has been cancelled at the request of Staff.

**Public Hearing**

“Zoning Bylaw Amendment Bylaw 2019, No. 4654” (RZ001310)

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

Janine Morris, 7450 Leary Crescent, spoke in opposition of the application as the new homes will compromise her view of the mountains; morning sunlight; and, her garden. She advised there was no communication from the applicant other than the notice of the Public Hearing received last week, which did not allow her enough time to do any research. She voiced concerns regarding the footprint taking up most of the lot; the closeness of the house to her fence line; the possibility of rental suites; lack of parking; and, that building two homes is not keeping with the character of the neighbourhood.

Justin Denbok, 7440 Leary Crescent, expressed concerns with respect to the neighbourhood being in the floodplain; loss of privacy; water issues; and, opined that this development could set a precedent for more development in the area.

Brad Morris, 7450 Leary Crescent, voiced concern on the storm drain issue, advising that the storm drain ends at 7467 Leary Crescent; does not extend to the subject property; and, there are no functioning storm drains on the south side. He questioned whether there would curbing be put in so the existing storm drains on the south could become functional. He opined that the development will cause all the water to come off the sides and flow into the neighbouring properties and, as there is no other curbing in the neighbourhood, having it in front of one house would look out of place. He advised several houses flooded in 2009 and the house at 7460 Leary Crescent began to sink because of the water issue in the neighbourhood.

Janine Morris, 7450 Leary Crescent, confirmed they received permission from the owners to speak about the issues at 7460 Leary Crescent. Because it was sinking, the owners of 7460 Leary Crescent had to have the chimney removed and the house pumped up with concrete and metal framing installed around the bottom of the house.

Lum Kloot That the representations with respect to “Zoning Bylaw Amendment Bylaw 2019, No. 4654” be received for information; and further, that “Zoning Bylaw Amendment Bylaw 2019, No. 4654” 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. 4655” (RZ001315)

Public Hearing on “Zoning Bylaw Amendment Bylaw 2019, No. 4655”, a proposed text amendment to increase the permitted density and decrease the minimum front lot line setback and parking within the CD-21 (Comprehensive Development-21) Zone, to facilitate the construction of an apartment building on the property located at 44521 Sherry Drive.

Email of comment received from:


Lyle Simpson, 5446 Chinook Street, commented that he is not against development or infill but is opposed to development where the infrastructure doesn’t meet the proposed application. He voiced concern with respect to the increase in traffic flow; parking; and, school capacity. He indicated that a traffic study of Keith Wilson Road, west of Vedder, for the period 2010 to 2018 showed an increase to 3,000 cars per day. He further commented that the roads are too narrow and spoke of the danger of turning right off of Keith Wilson Road onto Lindys Drive as a result of the traffic delineators installed by the City.

Scott Fiddes, 5571 Lindys Drive, complemented the Developers on their proactive approach, advising they have been fantastic to deal with. He spoke on concerns regarding the increase of parking and traffic; safety for children; and, asked if the City is considering other options regarding parking or the installation of speed bumps.

Lyle Simpson, 5446 Chinook Street, asked if a new traffic study has been done since 2009 and if he could receive a copy of it. He expressed concern with the infrastructure issues on Keith Wilson Road and the fact that sidewalks have not yet been installed.

Scott Street, 47440 Wittenberg Place, Webster Park Investments Ltd., Applicant, was in attendance to answer any questions of Council. He confirmed there would be seven small units, which would mean a reduction in parking for the seven units and that there would be sufficient on street and underground parking.

Kloot Mercer

That the representations with respect to “Zoning Bylaw Amendment Bylaw 2019, No. 4655” be received for information; and further, that “Zoning Bylaw Amendment Bylaw 2019, No. 4655” be referred for Council’s further consideration following the close of the Public Hearing.

Carried unanimously

“Zoning Bylaw Amendment Bylaw 2019, No. 4656” (RZ001333)

Public Hearing on “Zoning Bylaw Amendment Bylaw 2019, No. 4656”, a proposed text amendment to the CD-27 (Comprehensive Development-27) Zone, to facilitate a mixed use development including residential and commercial uses within properties located at 46128 Yale Road, 46037 Princess Avenue, 9280 and 9298 Young Road.
Public Hearing (continued)

“Zoning Bylaw Amendment Bylaw 2019, No. 4656” (RZ001333) (continued)

Emails/letters of comment received from:

- Bob Fitzsimmons, dated February 23, 2019; and,
- Chelsea Cromarty, Chilliwack Citizens for Change, dated March 5, 2019.

Kloot Mercer

That the representations with respect to “Zoning Bylaw Amendment Bylaw 2019, No. 4656” be received for information; and further, that “Zoning Bylaw Amendment Bylaw 2019, No. 4656” be referred for Council’s further consideration following the close of the Public Hearing.

Carried unanimously

“Official Community Plan Bylaw Amendment Bylaw 2019, No. 4657”
“Zoning Bylaw Amendment Bylaw 2019, No. 4658” (OCP00038)

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

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

Chelsea Cromarty, 9348 Jackson Street, asked what the City considers a frequent bus route and if the frequency of the No. 3 Route on Fairfield Island would increase if apartments were to be built on Fairfield Island. She asked for clarification on the parking regulations of smaller units.

Carried unanimously

Temporary Use Permit (TUP00135)

Public Hearing on Temporary Use Permit TUP00135 with respect to property located at 45111 Stevenson Road, to permit a commercial dog breeding kennel for a maximum of 3 adult dogs at one time.

Consultation package containing five signatures of support received from:

- Mike, Sherry, and Mackenzie Heggs, 45111 Stevenson Road, received January 30, 2019.
Public Hearing (continued)

Temporary Use Permit (TUP00135) (continued)

Kloot Westeringh

That the representation with respect to Temporary Use Permit TUP00135 be received for information; and further, that Temporary Use Permit TUP00135 be referred for Council’s further consideration following the close of the Public Hearing.

Carried unanimously

Temporary Use Permit (TUP00136)

Public Hearing on Temporary Use Permit TUP00136 with respect to property located at 42116 Yarrow Central Road, in order to bring an existing mobile home into compliance with Zoning Bylaw regulations.

Emails/letter of opposition received from:

- John and Patricia Apperloo, 42106 Yarrow Central Road, dated February 28, 2019; and,
- Antonius and June Smits, 43355 Eckert Street, dated February 28, 2019.

Rolf Van Nuys, 40650 No. 5 Road, Abbotsford, Applicant, was in attendance to answer any questions of Council. He explained that there was a delay in the previous application due to a death in the family and, confirmed that no one is currently living in the trailer.

Mike Murphy, 42117 Yarrow Central Road, advised he spoke to the Bylaw and Building Departments and was informed that the mobile home would be used as a commercial building. He voiced concerns of the flood plain requirements; that the mobile home has not been raised; that it is located on top of the septic field; and, that the mobile will be turned into a rental property.

Westeringh Attrill

That the representations with respect to Temporary Use Permit TUP00136 be received for information; and further, that Temporary Use Permit TUP00136 be referred for Council’s further consideration following the close of the Public Hearing.

Carried unanimously

Public Information Meeting

Development Variance Permit DVP01015

Public Information Meeting on Development Variance Permit DVP01015 with respect to property located at 9603 Broadway, which proposes to vary the front lot line setback from 8.44m to 6.94m, and to vary the minimum required interior side lot line (north) setback for proposed townhouse Units 7 and 8 from 4.5m to 3m, to facilitate the construction of a future townhouse development.

Ryan Hoxie, Precision Building Design Associates Ltd., #3 – 45953 Airport Road, on behalf of their Clients, was in attendance to answer any questions of Council.
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Public Information Meeting (continued)

Development Variance Permit DVP01015 (continued)

Mercer  ) That the representation with respect to Development Variance Permit DVP01015
Westeringh ( be received for information; and further, that Development Variance Permit
DVP01015 be referred for Council’s further consideration following the close of
the Public Information Meeting.

Carried unanimously

Development Variance Permit DVP01039

Public Information Meeting on Development Variance Permit DVP01039 with respect to property
located at 42260 Elizabeth Avenue, which proposes to vary the maximum permitted lot coverage
for an urban ancillary building from 75m² to 94m², to facilitate the construction of a detached
garage.

Email of comment received from:

- Steve and Twyla Lessard, 4491 Kehler Street, dated February 27, 2019

Keppy Whitney, 42260 Elizabeth Avenue, Owner, was in attendance to answer any questions of
Council. She confirmed the intended use of the garage is strictly personal for extra parking of
classic cars.

Shields  ) That the representations with respect to Development Variance Permit
Attrill ( DVP01039 be received for information; and further, that Development Variance Permit
DVP01039 be referred for Council’s further consideration following the close of the Public Information Meeting.

Carried unanimously

Development Variance Permit DVP01045

Councillor Westeringh withdrew from the meeting at 8:29 pm due to a potential conflict of interest
as the applicants are his relatives.

Public Information Meeting on Development Variance Permit DVP01045 with respect to property
located at 50227 Sienna Avenue, which proposes to vary the minimum front lot line setback from
7.5m to 3m, to facilitate the construction of a single family dwelling.

Email of support received from:

- Alex and Rebecca Sipocz, 50239 Sienna Avenue, dated March 2, 2019.

Lum  ) That the representation with respect to Development Variance Permit DVP01045
Kloot ( be received for information; and further, that Development Variance Permit
DVP01045 be referred for Council’s further consideration following the close of
the Public Information Meeting.

Carried unanimously

Councillor Westeringh returned to the meeting at 8:31 pm.
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Public Information Meeting (continued)

Development Variance Permit DVP01058

Public Information Meeting on Development Variance Permit DVP01058 with respect to property located at 6899 Evans Road, which proposes to vary the required interior side lot line setback from 15m to 3m, to facilitate the construction of a poultry barn.

There were no representations with respect to Development Variance Permit DVP01058.

Shields ) That Development Variance Permit DVP01058 be referred for Council’s further consideration following the close of the Public Information Meeting.
Lum ( Carried unanimously

Council recessed at 8:32 pm and reconvened at 8:41 pm.

Clerk’s Reports

Kloot ) That “Zoning Bylaw Amendment Bylaw 2019, No. 4654”, with respect to
Attrill ( property located at 7449 Leary Crescent, be given third reading. (RZ001310)

Defeated
Councillor Westeringh voted “Yea”
Mayor Popove and Councillors Attrill, Kloot, Lum, Mercer and Shields voted “Nay”

Lum ) That “Zoning Bylaw Amendment Bylaw 2019, No. 4655”, with respect to a
Attrill ( proposed text amendment to the CD-21 (Comprehensive Development-21) Zone, be given third reading. (RZ001315)

Carried unanimously

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

Carried unanimously

Attrill ) That “Zoning Bylaw Amendment Bylaw 2019, No. 4656”, with respect to a
Westeringh ( proposed text amendment to the CD-27 (Comprehensive Development-27) Zone, be given third reading. (RZ001333)

Carried unanimously

Attrill ) That “Zoning Bylaw Amendment Bylaw 2019, No. 4656”, with respect to a
Lum ( proposed text amendment to the CD-27 (Comprehensive Development-27) Zone, be adopted. (RZ001333)

Carried unanimously
Clerk’s Reports (continued)

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

Carried unanimously

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

Carried unanimously

Lum Westeringh ( ) That “Zoning Bylaw Amendment Bylaw 2019, No. 4658” with respect to a proposed text amendment to the R5 (Medium Density Multi-Family Residential) Zone and R6 (High Density Multi-Family Residential) Zone, be given third reading. (OCP00038)

Carried unanimously

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

Carried unanimously

Application Reports

Kloot Attrill ( ) That Council approve the issuance of Temporary Use Permit TUP00135 with respect to property located at 45111 Stevenson Road, subject to the recommendations as stipulated within the draft Temporary Use Permit.

Mercer Attrill ( ) That the motion be amended by adding the following: “that the application be reviewed in six months; and further, that staff report back to Council outlining the impact, if any, on the neighbourhood.”

Amendment motion carried unanimously

Main motion, as amended, carried unanimously
Application Reports (continued)

Lum  )  That Council approve the issuance of Temporary Use Permit TUP00136 with respect to property located at 42116 Yarrow Central Road, subject to the recommendations as stipulated within the draft Temporary Use Permit.

Defeated
Councillors Attrill, Kloot, and Lum voted “Yea”
Mayor Popove and Councillors Mercer, Shields and Westeringh voted “Nay”

Kloot  )  That, subject to public representation, Council approve the issuance of Development Variance Permit DVP01015 with respect to property located at 9603 Broadway.

Carried unanimously

Attrill  )  That, subject to public representation, Council approve the issuance of Development Variance Permit DVP01039 with respect to property located at 42260 Elizabeth Avenue.

Carried unanimously

Councillor Westeringh withdrew from the meeting at 8:56 pm due to a potential conflict of interest as the applicants are his relatives.

Kloot  )  That, subject to public representation, Council approve the issuance of Development Variance Permit DVP01045 with respect to property located at 50227 Sienna Avenue.

Carried unanimously

Councillor Westeringh returned to the meeting at 8:57 pm.

Lum  )  That, subject to public representation, Council approve the issuance of Development Variance Permit DVP01058 with respect to property located at 6899 Evans Road.

Carried unanimously

Additional Item

Kloot  )  That Council approve the issuance of Development Permit DP001069 with respect to property located at 9603 Broadway, subject to the recommendations of the Design Review Advisory Committee and the conditions as set out within the draft Development Permit.

Carried unanimously
Councillors’ Reports

Councillor Lum reported on the Public Safety Advisory Committee Meeting and advised that the week of March 4 to 10, 2019 is “Stop the Sexual Exploitation of Children and Youth Awareness Week” in BC. He extended his appreciation to all the social service providers here in Chilliwack and the Fraser Valley and, commented on his attendance at the Fraser Basin Council Meeting and the BC Economic Development Association Summit.

Councillor Westeringh remarked on his attendance at the Tourism Chilliwack Meeting; Yarrow Ratepayers’ Association Annual General Meeting; Affordable Housing and Development Advisory Committee; and, the tours of Concentrix and Molson Brewery.

Councillor Kloot spoke on the meetings of the Design Review Advisory Committee; Fraser Valley Regional Hospital Board; and, Fraser Valley Regional District Board, as well as the tours of Molson Brewery and Concentrix.

Councillor Shields spoke on the passing of former Councillor Doug Steinsen. He commented on his attendance at the tours of Molson Brewery and Concentrix; the Yarrow Ratepayers’ Association Annual General Meeting; Downtown Chilliwack Business Improvement Association (BIA) Meeting; extended appreciation to the City on behalf of the BIA Board for the additional Bylaw Officers and extra garbage truck; and, his participation in anti-bullying day.

Councillor Attrill thanked Councillors Westeringh and Mercer for filling in for her during her absence. She commented on the Molson Brewery tour; the Heritage Advisory Committee Meeting scheduled for March 8, 2019; “International Women’s Day” on March 8, 2019; Chamber of Commerce luncheon; and, extended an invitation join the Chilliwack Hospice Society for their annual “Hoedown for Hospice” fundraising event to be held on Saturday, March 9, 2019.

Councillor Mercer spoke on the Public Safety Advisory Committee Meeting and extended his heartfelt prayers to the two police officers that were injured in Abbotsford; the Heritage Advisory Committee; Design Review Advisory Committee; Fraser Valley Regional District Board; Fraser Valley Regional Hospital Board; Affordable Housing and Development Advisory Committee; and, the tours of Concentrix and Molson Brewery.

Mayor’s Report

Mayor Popove voiced his pride to be a part of the current Council. He spoke on the tours of Molson Brewery and Concentrix; his presentation at the Chilliwack and District Real Estate Board; Pathfinders Group; his meeting with MLA Laurie Throness; and, the celebration for Mac Barber’s 100th birthday. He extended thanks to everyone for all their hard work.

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

On a motion of Councillor Westeringh, and seconded by Councillor Lum, the meeting adjourned at 9:12 pm.

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Mayor

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Corporate Officer