MINUTES of the Twenty-ninth meeting held by the Seventh Council of the City of Chilliwack in the Council Chambers, City Hall on January 7, 2020 at 3:00 pm.

PRESENT: All members of Council, except Councillors Mercer and Westeringh.

In addition, the following members of staff were present:

- P.D. Monteith, Chief Administrative Officer
- J. Kooistra, Director of Corporate Services/Acting Corporate Officer
- D. Blain, Director of Planning and Engineering
- G. Savard, Director of Finance
- G. MacPherson, Director of Operations
- R. Mulligan, Director of Recreation and Culture
- I. Josephson, Fire Chief
- G. Schipper, Manager of Building and Regulatory Enforcement
- C. Weston, Assistant Manager of Bylaw Enforcement
- K. Stanton, Manager of Long Range Planning
- G. Villeneuve, Manager of Development Planning
- K. Jefford, Manager of Transportation and Drainage
- J. Koczkur, Deputy Director of Operations
- M. Sikora, Social Development Coordinator
- G. White, Manager of Land Development/Approving Officer
- C. Wickham, Assistant Manager of Land Development
- W. Moseanko, Property Manager
- J. Tough, Manager of Utilities
- J. Leggatt, Communications Manager
- B. Johnson, Business Application Support Specialist
- T. Skuta, IT Support Technician
- P.C. Friesen, Recording Secretary

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

Adoption of Minutes

Lum  ) That the Minutes of the Regular Meeting of Council held December 17, 2019, be 
Kloot  ( adopted as circulated. Carried unanimously

Consent Agenda

Knott  ) That the following bylaws be adopted:
Shields  ( “Development Approval Information Bylaw Amendment Bylaw 2019, No. 4718”; 
“Bylaw Notice Enforcement Bylaw Amendment Bylaw 2019, No. 4719”; 
“Municipal Ticket Information Bylaw Amendment Bylaw 2019, No. 4720”; and, 
“Cultus Lake Park Board Commissioners’ Remuneration Bylaw Repeal Bylaw 2019, No. 4772”; 

and further, that the Minutes of the Agricultural and Rural Advisory Committee Meeting held December 10, 2019 be received for information. Carried unanimously
Departmental Reports

Fraser Valley Express (FVX) Transit System – Bylaw Amendment

Lum  ) That Council give statutory consent to the Fraser Valley Regional District for the
Kloot ( adoption of “Fraser Valley Express Sub-Regional Transit System Service Area
Amendment Bylaw No. 1556, 2019”.

Carried unanimously

2019 Traffic Signal Improvements

Kloot  ) That Council award the Tender for the “2019 Traffic Signal Improvements
Knott ( Program” to Fraser City Installations (1989) Ltd., in the amount of $141,450.00
(plus applicable taxes); and further, that the Mayor and Corporate Officer be
authorized to sign any necessary documentation.

Carried unanimously

Transport Canada’s Rail Safety Improvement Program – Education and Awareness Funding

Shields  ) That Council authorize the Mayor and Corporate Officer to execute the Grant
Kloot ( Funding Agreements for Transport Canada’s “Rail Safety Improvement Program –
Education and Awareness”.

Carried unanimously

Heating, Ventilation and Air-Conditioning Contract

Kloot  ) That Council award the tender for a two-year “Heating, Ventilation and Air-
Knott ( Conditioning” contract to Chill-Air Conditioning 2014 Ltd. commencing
March 1, 2020 with the option to extend for up to three additional one-year terms,
with the projected value of $175,000.00 annually, as contained within the Staff
Report dated December 19, 2019; and further, that the Mayor and Corporate
Officer be authorized to sign any necessary documentation.

Carried unanimously

Walter Esau - Rezoning/46998 Prairie Central Road

Kloot  ) That “Official Community Plan Bylaw Amendment Bylaw 2020, No. 4773”,
Knott ( which proposes to redesignate property located at 46998 Prairie Central Road
from “Agricultural” to “Low Density Residential”, be denied. (RZ001291).

Carried
Mayor Popove and Councillors Kloot and
Shields voted “Yea”
Councillors Knott and Lum voted “Nay”
Departmental Reports (continued)

Gerry Enns Contracting Ltd. – Development Permit/44085 and 44109 Yale Road

Lum  Klott: That Council approve the issuance of Development Permit DP001171 with respect to properties located at 44085 and 44109 Yale Road, subject to the conditions as set out within the draft Development Permit.

Carried unanimously

Cornelis Klaassen – Development Permit/43941 Progress Way

Shields Klott: That Council approve the issuance of Development Permit DP001208 with respect to property located at 43941 Progress Way, subject to the conditions as set out within the draft Development Permit.

Carried unanimously

Development Permit DP001198/51076 Falls Court

Knott Shields: That Council approve the issuance of Development Permit DP001198 with respect to property located at 51076 Falls Court, subject to geotechnical issues being met.

Carried unanimously

Adjournment to Closed Meeting

Shields Klott: That, in accordance with Section 90(1)(c), (i) and (k) of the Community Charter, Council hold a Closed Meeting to discuss employee relations; receipt of advice subject to solicitor-client privilege; and, proposed services.

Carried unanimously

The regular meeting adjourned at 3:21 pm and reconvened at 7:00 pm.

PRESENT: All members of Council, except Councillors Mercer and Westeringh.

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
G. Schipper, Manager of Building and Regulatory Enforcement
C. Marleau, Manager of Leisure Development
P.C. Friesen, Recording Secretary
Delegations/Hearings

Section 57 Show Cause Hearing – 10912 Bustin Road

Show Cause Hearing with respect to building permit requirements for the premises located at 10912 Bustin Road.

Councillor Kloot withdrew from the meeting at 7:00 pm due to a potential conflict of interest as he has business dealings with the property owner.

There were no representations with respect to the Show Cause Hearing for property located at 10912 Bustin Road.

Lum) That, after due consideration to the presentation provided at the Hearing, Council Knott hereby directs that, pursuant to Section 57 of the Community Charter, notice be filed on title with the Registrar of the B.C. Land Title and Survey Authority with respect to the deficiencies arising from the building permit requirements following alterations and/or renovations on the premises located at 10912 Bustin Road.

Carried unanimously by members remaining

Councillor Kloot returned to the meeting at 7:01 pm.

Public Hearing

“Zoning Bylaw Amendment Bylaw 2019, No. 4765” (RZ001378)

Public Hearing on “Zoning Bylaw Amendment Bylaw 2019, No. 4765”, which proposes to rezone property located at 46441 Hope River Road from an R1-A (One Family Residential) Zone to an R4 (Low Density Multi-Family Residential) Zone.

Consultation Engagement Package received from:
- Scott Street and Nick Derksen, Summit Pacific Properties Ltd., PO Box 1123, Vedder Crossing, dated November 19, 2019.

Public Engagement Petition containing six signatures received from:
- Scott Street and Nick Derksen, Summit Pacific Properties Ltd., PO Box 1123, Vedder Crossing, received November 29, 2019.

Lum) That the representations with respect to “Zoning Bylaw Amendment Bylaw 2019, No. 4765” be received for information; and further, that “Zoning Bylaw Amendment Bylaw 2019, No. 4765” 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. 4766” (RZ001380)

Public Hearing on “Zoning Bylaw Amendment Bylaw 2019, No. 4766”, which proposes to rezone property located at 45226 Bernard Avenue from an R1-A (One Family Residential) Zone to an R4 (Low Density Multi-Family Residential) Zone.

Consultation Engagement Package received from:
- Precision Building Design Associates Ltd., Suite 3 – 45953 Airport Road, received November 28, 2019.

Email of concern received from:
- Greg and Rachel Bosscher, 45236 Bernard Avenue, received January 7, 2020.

Chuck Stam, Precision Building Design Associates Ltd., Suite 3 – 45953 Airport Road, provided an overview of the proposed development and advised that the concerns raised during the neighbourhood engagement process included parking; access onto Ashwell Road from the development; privacy from balconies; and, rental vs ownership. Mr. Stam commented that there will be an abundance of on-site parking; right-in and right-out onto Ashwell Road was not approved by the traffic engineers; privacy from balconies will be addressed by the landscape architect; and, the development will be comprised of market ready strata units.

Greg Bosscher, 45236 Bernard Avenue, expressed concern with loss of privacy; increase in traffic; safety due to access and egress to the development; requested landscaping along his property line; and, asked for “no parking signs” adjacent to his property in order to alleviate any potential traffic flow concerns.

Knott  ) That the representations with respect to “Zoning Bylaw Amendment Bylaw 2019, No. 4766” be received for information; and further, that “Zoning Bylaw Amendment Bylaw 2019, No. 4766” be referred for Council’s further consideration following the close of the Public Hearing.

Carried unanimously

“Zoning Bylaw Amendment Bylaw 2019, No. 4769” (RZ001370)

Public Hearing on “Zoning Bylaw Amendment Bylaw 2019, No. 4769”, which proposes to rezone a portion of property located at 7990 Lickman Road from a CS2 (Tourist Commercial) Zone to an M1 (Light Industrial) Zone.

There were no representations with respect to Bylaw No. 4769.

Kloot  ) That “Zoning Bylaw Amendment Bylaw 2019, No. 4769” 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. 4770” (RZ001375)

Public Hearing on “Zoning Bylaw Amendment Bylaw 2019, No. 4770”, which proposes to rezone a portion of property located at 7670 Vedder Road from a CS2 (Tourist Commercial) Zone to a C9 (Cannabis Retail) Zone.

Consultation Engagement Package received from:

- Adam Bekar, Owner/Operator, Mark’s Store #714, 45737 Luckakuck Way, dated September 11, 2019.

Knott ) That the representations with respect to “Zoning Bylaw Amendment Bylaw 2019, Lum No. 4770” be received for information; and further, that “Zoning Bylaw Amendment Bylaw 2019, No. 4770” be referred for Council’s further consideration following the close of the Public Hearing.

Carried unanimously

“Zoning Bylaw Amendment Bylaw 2019, No. 4771” (RZ001382)
“Development Variance Permit DVP01099”

Public Hearing on “Zoning Bylaw Amendment Bylaw 2019, No. 4771”, which proposes to rezone properties located at 45555, 45563 and 45577 Spadina Avenue from an R2 (Urban Residential Transition) Zone to an R5 (Medium Density Multi-Family Residential) Zone; and,

Development Variance Permit DVP01099, which proposes the following variances, to facilitate the construction of an apartment complex:

(a) to vary the front lot line setback from 6m to 3m for the apartment building and from 6m to 4.5m for the parkade;
(b) to vary the maximum lot coverage requirement from 50% to 64% for the parkade;
(c) to vary the required number of off-street parking spaces from 1.5 spaces per unit to 0.75 spaces per small apartment unit (less than 51m² in area);
(d) to vary the required number of off-street parking spaces from 1.5 spaces per unit to 1 space per one-bedroom unit (greater than 51m² in area); and,
(e) to vary the required number of visitor parking spaces from 1 space per 5 units to 1 space per 10 units.

Email of support for “Zoning Bylaw Amendment Bylaw 2019 No. 4771”, and opposition for “Development Variance Permit DVP01099”, received from:


Emails of opposition received from:

- Dorothy Swain, #105 – 45535 Spadina Avenue, dated January 6, 2020; and,
Public Hearing (continued)

“Zoning Bylaw Amendment Bylaw 2019, No. 4771” (RZ001382)  
“Development Variance Permit DVP01099” (continued)

Letter of concern received from:
  • Brian and Rebecca Crane, 45570 Kipp Avenue, dated January 4, 2020.

Correspondence received from:
  • Bill Driesen, Agent for Open Door Construction Ltd., received January 7, 2020.

Brian Crane, 45570 Kipp Avenue, voiced concern with loss of sunlight; loss of privacy; and, noise during the construction phase.

Bill Driesen, 46777 McGuire Road, Developer, provided an overview of the proposed development noting that variances for setbacks and parking have been requested due to the challenges encountered in developing the property; and, that the goal is to provide affordable rental units.

Knott   Shields  ) That the representations with respect to “Zoning Bylaw Amendment Bylaw 2019, No. 4771” and Development Variance Permit DVP01099 be received for information; and further, that “Zoning Bylaw Amendment Bylaw 2019, No. 4771” and Development Variance Permit DVP01099 be referred for Council’s further consideration following the close of the Public Hearing.

Carried unanimously

Temporary Use Permit (TUP00151)

Public Hearing on Temporary Use Permit TUP00151 with respect to property located at B-7105 Tahoma Place, to permit the operation of a child care facility.

Petition of support containing 22 names received from:
  • Brenda Wiechmann, B-7105 Tahoma Place, received October 16, 2019.

Letter of support received from:
  • Daryl Trischuk, A-7105 Tahoma Place, dated November 29, 2019.

Knott   Kloot  ) That the representations with respect to Temporary Use Permit TUP00151 be received for information; and further, that Temporary Use Permit TUP00151 be referred for Council’s further consideration following the close of the Public Hearing.

Carried unanimously
City of Chilliwack Council Minutes – January 7, 2020

Public Information Meeting

Development Variance Permit DVP01068

Public Information Meeting on Development Variance Permit DVP01068 with respect to property located at 6506 Fern Street, which proposes to vary the lot coverage from 75m² to 148m², to facilitate construction of a coach house.

Letter of rationale received from:

- Spencer Rozell, 6506 Fern Street, dated March 25, 2019.

Chuck Stam, Precision Building Design Associates Ltd., Suite 3 – 45953 Airport Road, stated the proposal is to rebuild a shop to accommodate a hobby indoors and provide a suite over the shop for the property owners with their children moving into the primary residence. In due time the primary residence will be reconstructed to match the coach house. It was noted that the variance for the entrance foyer is required to accommodate a future elevator.

Kloot  ) That the representations with respect to Development Variance Permit Knott  ( DVP01068 be received for information; and further, that Development Variance Permit DVP01068 be referred for Council’s further consideration following the close of the Public Information Meeting.

Carried unanimously

Development Variance Permit DVP01086

Public Information Meeting on Development Variance Permit DVP01086 with respect to property located at 4485 Community Street, which proposes to vary the lot coverage from 125m² to 180m² and the height from 6.5m to 7m, to facilitate the construction of a coach house while retaining existing sheds.

Letter of support received from:

- Matt Higgs, 4498 Elizabeth Avenue, dated July 25, 2019.

Michel Paiement and Holly Melville, 4485 Community Street, property owners, provided an overview of the project adding that the carriage house is not intended to be the principle dwelling; that the future plan is to rebuild the current house; and, that the main house and carriage house will be similar in character.

Knott  ) That the representations with respect to Development Variance Permit Lum  ( DVP01086 be received for information; and further, that Development Variance Permit DVP01086 be referred for Council’s further consideration following the close of the Public Information Meeting.

Carried unanimously

Council recessed at 7:51 pm and reconvened at 8:03 pm.
Clerk’s Reports

“Zoning Bylaw Amendment Bylaw 2019, No. 4765” - 46441 Hope River Road

Kloot  )  That “Zoning Bylaw Amendment Bylaw 2019, No. 4765”, with respect to
Knott (  property located at 46441 Hope River Road, be given third reading.  (RZ001378)

Carried unanimously

Lum  )  That “Zoning Bylaw Amendment Bylaw 2019, No. 4765”, with respect to
Knott (  property located at 46441 Hope River Road, be adopted.  (RZ001378)

Carried unanimously

“Zoning Bylaw Amendment Bylaw 2019, No. 4766” – 45226 Bernard Avenue

Shields )  That “Zoning Bylaw Amendment Bylaw 2019, No. 4766”, with respect to
Knott (  property located at 45226 Bernard Avenue, be given third reading.  (RZ001380)

Carried unanimously

Kloot  )  That “Zoning Bylaw Amendment Bylaw 2019, No. 4766”, with respect to
Knott (  property located at 45226 Bernard Avenue, be adopted.  (RZ001380)

Carried unanimously

“Zoning Bylaw Amendment Bylaw 2019, No. 4769” – 7990 Lickman Road (portion)

Shields )  That “Zoning Bylaw Amendment Bylaw 2019, No. 4769”, with respect to a
Knott (  portion of property located at 7990 Lickman Road, be given third reading.  (RZ001370)

Carried unanimously

Lum  )  That “Zoning Bylaw Amendment Bylaw 2019, No. 4769”, with respect to a
Shields (  portion of property located at 7990 Lickman Road, be adopted.  (RZ001370)

Carried unanimously

“Zoning Bylaw Amendment Bylaw 2019, No. 4770” – 7670 Vedder Road (portion)

Kloot  )  That “Zoning Bylaw Amendment Bylaw 2019, No. 4770”, with respect to a
Shields (  portion of property located at 7670 Vedder Road, be given third reading.  (RZ001375)

Carried unanimously

Lum  )  That “Zoning Bylaw Amendment Bylaw 2019, No. 4770”, with respect to a
Shields (  portion of property located at 7670 Vedder Road, be adopted.  (RZ001375)

Carried unanimously
WHEREAS the Liquor and Cannabis Regulation Branch be advised that Council for the City of Chilliwack has considered the location of the proposed non-medical cannabis retail store at 7670 Vedder Road and the general impact on the community as detailed within the Staff Report dated November 8, 2019;

AND WHEREAS at the Public Hearing held on January 7, 2020 for “Zoning Bylaw Amendment Bylaw 2019, No. 4770”, which proposed to rezone a portion of the subject property from a CS2 (Tourist Commercial) Zone to a C9 (Cannabis Retail) Zone to facilitate operation of a cannabis retail store, Council gathered residents’ views concerning the proposed store as outlined within Sections 465, 466 and 470 of the Local Government Act and as further detailed within the notification package, including a certified excerpt of the minutes of the Public Hearing;

AND WHEREAS on January 7, 2020 Council adopted “Zoning Bylaw Amendment Bylaw 2019, No. 4770” to facilitate a future operation of a cannabis retail store at 7670 Vedder Road; and further,

BE IT RESOLVED that based on the above factors, Council recommends the non-medical cannabis retail store licence application job #002510 by Ragnorak Ventures Ltd. for property located at 7670 Vedder Road be issued.

Carried unanimously

“Zoning Bylaw Amendment Bylaw 2019, No. 4771” – 45555, 45563 and 45577 Spadina Avenue

That “Zoning Bylaw Amendment Bylaw 2019, No. 4771”, with respect to properties located at 45555, 45563 and 45577 Spadina Avenue, be given third reading. (RZ001382)

Carried unanimously

That “Zoning Bylaw Amendment Bylaw 2019, No. 4771”, with respect to properties located at 45555, 45563 and 45577 Spadina Avenue, be adopted. (RZ001382)

Carried unanimously

“Development Variance Permit DVP01099” - 45555, 45563 and 45577 Spadina Avenue

That, subject to public representation, Council approve the issuance of Development Variance Permit DVP01099 with respect to properties located at 45555, 45563 and 45577 Spadina Avenue, subject to the following conditions:

(a) that the minimum front lot line (FLL) setback be reduced from 6m to 3m for the apartment building and from 6m to 4.5m for the parkade;

(b) that the maximum lot coverage requirement be increased from 50% to 64% for the parkade;
Clerk’s Reports (continued)

“Development Variance Permit DVP01099” - 45555, 45563 and 45577 Spadina Avenue (continued)

(c) that the required number of off-street parking spaces be reduced from 1.5 spaces per unit to 0.75 spaces per small apartment unit (less than 51 m² in area); and,

(d) that screening of the concrete parkade wall be provided at time of Development Permit (DP) to provide visual variety and enhance the streetscape/pedestrian experience by incorporating an alternative finish/potential terracing of landscaping on the front elevation.

Kloot  ) That Council deny the original motion and approve the application requested by the applicant as outlined in Option “C” contained within the Staff Report dated December 6, 2019 with respect to the issuance of Development Variance Permit DVP01099 regarding properties located at 45555, 45563 and 45577 Spadina Avenue.

Knott  ( That Council deny the original motion and approve the application requested by the applicant as outlined in Option “C” contained within the Staff Report dated December 6, 2019 with respect to the issuance of Development Variance Permit DVP01099 regarding properties located at 45555, 45563 and 45577 Spadina Avenue.

A “Point of Order” was called with respect to procedure. The Chair ruled well taken.

Original motion carried
Mayor Popove and Councillors Shields and Lum voted “Yea”
Councillors Kloot and Knott voted “Nay”

Application Reports

“Temporary Use Permit TUP00151” – B-7105 Tahoma Place

Kloot  ) That Council approve the issuance of Temporary Use Permit TUP00151 with respect to property located at B-7105 Tahoma Place, subject to the recommendations as stipulated within the draft Temporary Use Permit.

Shields  ( That Council approve the issuance of Temporary Use Permit TUP00151 with respect to property located at B-7105 Tahoma Place, subject to the recommendations as stipulated within the draft Temporary Use Permit.

Carried unanimously

“Development Variance Permit DVP01068” – 6506 Fern Street

Shields  ) That, subject to public representation, Council deny the issuance of Development Variance Permit DVP01068 with respect to property located at 6506 Fern Street.

Knott  ( That, subject to public representation, Council deny the issuance of Development Variance Permit DVP01068 with respect to property located at 6506 Fern Street.

Defeated
Mayor Popove and Councillor Shields voted “Yea”
Councillors Kloot, Knott and Lum voted “Nay”
Application Reports (continued)

“Development Variance Permit DVP01068” – 6506 Fern Street (continued)

Kloot ) That Council approve the issuance of Development Variance Permit DVP01068
Lum ( with respect to property located at 6506 Fern Street, subject to the following
conditions:
(a) that the siting of the coach house be in accordance with the Site Plan
attached within Schedule “A”;
(b) that all services and rooms forming part of the unit (hot water tank, furnace)
are relocated to the upper floor;
(c) that the entrance foyer be reduced to a maximum area of 5m² and be
designed for exterior access only;
(d) that 2 off-street parking spaces are provided for the coach house; and,
(e) that the lot coverage for the new coach house not exceed 100m².

Carried
Councillors Kloot, Knott and Lum voted “Yea”
Mayor Popove and Councillor Shields voted “Nay”

“Development Variance Permit DVP01086” – 4485 Community Street

Lum ) That, subject to public representation, Council approve the issuance of Development
Kloot ( Variance Permit DVP01086 with respect to property located at 4485 Community
Street, subject only to the conditions as outlined within the draft Development
Variance Permit, which includes:
(a) that the proposed coach house be redesigned to have a maximum height of
6.5m and a maximum lot coverage of 125m² in area; and,
(b) that the total maximum lot coverage for all Urban Ancillary and Accessory
Dwelling Unit (ADU) uses shall not exceed 165m² in area (i.e. 125m² coach
house and 40m² of existing sheds).

Lum ) That Section (a) of the resolution be amended by deleting the figure 6.5m and
Kloot ( substituting with the figure 7m.

Amendment motion carried
Councillors Kloot, Knott and Lum voted “Yea”
Mayor Popove and Councillor Shields voted “Nay”

Original motion, as amended, carried unanimously
Councillors’ Reports

Councillor Kloot wished everyone a Happy New Year.

Councillor Shields extended congratulations to the Canadian Juniors on bringing hockey gold back to Canada on the weekend and, provided comment on the Army Reserve Annual Training exercise.

Councillor Knott extended thanks to the Chilliwack Fire Department for their efforts fighting the recent fire on Vedder Road; expressed love and support to the people of Australia; and, wished everyone a Happy New Year.

Mayor’s Report

Mayor Popove asked the public to be prepared for the upcoming snowy weather conditions and, extended a Happy New Year to everyone.

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

On a motion of Councillor Lum, and seconded by Councillor Kloot, the meeting adjourned at 8:29 pm.

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Mayor

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Corporate Officer