

AGENDA ITEM NO: \_\_\_\_\_

MEETING DATE: June 4, 2024

**STAFF REPORT – COVER SHEET**

SUBJECT: Small-Scale, Multi-Unit Housing Zoning Regulations DATE: May 28, 2024

DEPARTMENT: Planning Department (RZ001761) PREPARED BY: Madelaine Peters / Reuben Koole / mb

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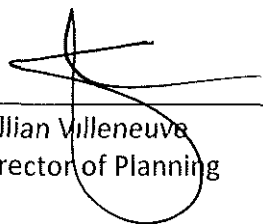
**1. SUMMARY OF ISSUE:**

The City is amending the Zoning Bylaw to comply with the new Provincial legislation regarding small-scale multi-unit housing (SSMUH), allowing 3 to 4 dwelling units on parcels within the urban growth boundary that are zoned for single-detached and duplex housing.

**2. RECOMMENDATION:**

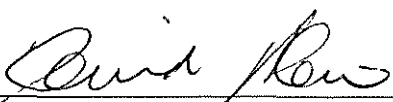
That "Zoning Bylaw Amendment Bylaw 2024, No. 5395", which proposes to complete text amendments related to establishing small-scale, multi-unit housing regulations, be given first and second reading (Presentation).

That "Zoning Bylaw Amendment Bylaw 2024, No. 5395", which proposes to complete text amendments related to establishing small-scale, multi-unit housing regulations, be given third reading. (RZ001761)

  
\_\_\_\_\_  
Gillian Villeneuve  
Director of Planning

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

Supports recommendation.

  
\_\_\_\_\_  
David Blain  
Chief Administrative Officer

## STAFF REPORT ON REZONING APPLICATION RZ001761

PREPARED BY: Madelaine Peters /  
Reuben Koole DATE: May 28, 2024

POSITION: Senior Planner / Manager,  
Long Range Planning DEPARTMENT: Planning Department

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### 1. BACKGROUND:

In December of 2023, the Provincial Government passed small-scale multi-unit housing (SSMUH) legislation that applies across the province and impacts the City of Chilliwack. Local governments, including Chilliwack, must update their zoning bylaws by June 30, 2024, to meet the new Provincial legislation.

The Provincial goal with the SSMUH legislation is to increase housing supply, create more diverse housing choices, and over time, contribute to more affordable housing across BC. SSMUH refers to a range of buildings and dwelling unit configurations that can provide more affordable and attainable housing for middle-income families.

According to the legislation, the City must allow 1 secondary suite or detached accessory dwelling unit in all single-detached zoned lots city-wide. Staff note that no amendments to the Zoning Bylaw are required to comply with this requirement, as the City already permits accessory dwellings.

The City must also allow up to 4 units on all single-detached or duplex zoned lots that are greater than 280m<sup>2</sup> in area and located within the urban growth boundary. Staff estimate that this applies to over 11,000 parcels, and the proposed amendments to the Zoning Bylaw are described below.

### 2. DISCUSSION

Subsequent to the Provincial legislation being enacted, staff have prepared the necessary Zoning Bylaw amendments. This preparation process included internal consultation with Planning staff, discussions with the Development Application Review Team (DART), topic-specific meetings with key staff in other departments, and presentations to Council Committees. In addition, staff attended multiple presentations and webinar sessions hosted by various Provincial staff, and engaged with staff at other municipalities in the region to share ideas about how to proceed and comply with the legislation. The result of these internal and external discussions is presented as the proposed approach, described in detail below and attached as a Zoning Bylaw amendment.

#### 2.1 Proposed Approach

The overall objective of the project was complying with the legislation within a Chilliwack-specific context, recognizing unique situations in the City's Zoning Bylaw regulation and Official Community Plan growth approach. This ensures compliance with legislative requirements, allows for a variety of

dwelling types to achieve the minimum required densities, and establishes site standard regulations that consider the Provincial policy manual while being sensitive to existing neighbourhoods.

The Zoning Bylaw amendment focuses the changes in the General Provisions section (Section 4), which accomplishes the following:

- Avoids the need to amend multiple zones, reducing the potential for creating unintentional errors or gaps in regulation.
- Aligns with the current zoning practice where certain regulations that apply city-wide are contained with the General Provisions section.
- Uses the “parent zone” for the majority of development regulations to ensure compatibility with established neighbourhoods.

In addition, minor zone-specific amendments to the R1-A and R1-C zones are also being made to address accessory unit lot coverage and building height regulations respectively, which may inadvertently conflict with SSMUH provisions.

## 2.2 Zoning Bylaw Parameters

The Provincial government published a policy manual along with the legislation as a resource to support local governments with the implementation of zoning bylaw amendments. In preparing, amending, or adopting a Zoning Bylaw to permit the use and density required by the SSMUH legislation, a local government must consider any applicable guidelines such as the policy manual.

Staff have reviewed and considered the relevant Provincial publications, including the Provincial policy manual, in the preparation of the proposed bylaw amendments to comply with SSMUH requirements. The table below summarizes the Provincial policy manual’s recommended regulation, along with the approach staff propose taking and related rationale. The Provincial policy manual’s recommended regulations (lot coverage, setbacks, storeys, height, etc.) are for 3 to 4 units on parcels that are less than 1,215m<sup>2</sup> in size. The “Chilliwack Approach” column shows the City’s current zoning provisions according to the most common single-detached zones that are impacted by SSMUH legislation (R1-A and R3).

In many cases the provisions are different from the Provincial policy manual, which is generally more permissive than the City’s current single-detached and duplex zones in the urban growth boundary. Through the Zoning Bylaw amendment to allow SSMUH, staff recommend maintaining existing zoning regulations as much as possible as a first step. During the upcoming review of the Official Community Plan (OCP), required to be completed by December 2025, this incremental approach can be assessed and revised based on staff, industry, Council and community experiences.

There are more than 11,000 properties where these changes will take effect, once the applicable Provincial exemptions are applied (exemptions include parcels larger than 4,050m<sup>2</sup>, not serviced by water and sewer, or protected by a heritage designation bylaw). These properties are impacted by a variety of factors that collectively determine the feasibility of development. Staff anticipate reviewing requests to vary regulations on a case-by-case basis to account for unique conditions on some sites.

Zoning Bylaw Parameter	Provincial Policy	Chilliwack Approach	Rationale
Front Lot Line Setback	2m	4.5 to 6m	Maintains existing zoning regulations: <ul style="list-style-type: none"> <li>compatible with existing neighbourhood</li> <li>accommodates front yard off-street parking / future frontage or road upgrades</li> <li>space for trees, landscaping and stormwater infrastructure</li> </ul>
Rear Lot Line Setback	1.5m	5 to 7.5m (1 to 3m for detached ADUs)	Maintains existing zoning regulations: <ul style="list-style-type: none"> <li>compatible with existing neighbourhood</li> <li>accommodates rear yard off-street parking</li> <li>space for amenity areas</li> </ul>
Side Lot Line Setbacks	1.2m	1.2m	Maintains existing zoning regulations: <ul style="list-style-type: none"> <li>compatible with existing neighbourhood</li> <li>aligns with BC Building Code separation</li> </ul>
Maximum Height	11m (8m for detached ADUs)	10m (6.5m for detached ADUs)	Maintains existing zoning regulations: <ul style="list-style-type: none"> <li>compatible with existing neighbourhood</li> <li>already accommodates 3 storeys (and 1 to 2 storey detached ADUs)</li> <li>allows diversity of housing forms</li> </ul>
Number of Storeys	3	3	See above
Maximum Lot Coverage	50%	50% (generally)	Maintains existing zoning regulations: <ul style="list-style-type: none"> <li>more pervious surface area to reduce stormwater runoff</li> <li>increased trees and landscaping</li> <li>space for amenity areas</li> </ul>
Off-Street Parking Requirements	0.5 to 1 space per unit	2 spaces per unit (1 per ADU)	Maintains existing zoning regulations: <ul style="list-style-type: none"> <li>no properties are adjacent to a frequent transit route</li> </ul> <i>(apartment requirements vary from 0.75 to 1.5 spaces per unit based on unit size)</i>
Housing Types	Variety	Variety	Provides flexibility for various building forms and configurations, which contributes to a greater diversity of housing types and improved development viability

### 2.3 Extension Application

The Provincial legislation for SSMUH included the ability for local governments to apply for extensions that delay the requirement to amend the Zoning Bylaw. These extensions may only be

requested in certain circumstances: 1) Infrastructure upgrades are in process; 2) Compliance with the legislation would likely increase the risk to health, public safety, or the environment; and 3) Extraordinary circumstances are occurring.

There are two areas within the urban growth boundary that staff assessed and considered for an extension application in accordance with the second circumstance described above. The City has applied to the Minister of Housing requesting an extension to December 31, 2030, in order to plan and implement the necessary infrastructure upgrades to support SSMUH in these areas. A decision from the Ministry is anticipated by early summer, and the Zoning Bylaw amendment includes a provision that would exclude any Ministry approved extension area from allowing SSMUH.

## 2.4 Additional Procedures

Following the adoption of the SSMUH Zoning Bylaw amendment, rezoning applications are no longer necessary to develop 3 or 4 units of housing on eligible properties. Staff have explored options to ensure development is done in a high quality manner to mitigate potential neighbourhood issues and encourage good design, and recommend using Development Permits. This would include DP area #6 for the development of principal dwelling units and DP area #10 for detached accessory dwelling units.

The Provincial legislation states that a land use permit (e.g., a Development Permit) must not “unreasonably prohibit or restrict” the use or density of SSMUH, and the Provincial policy manual discourages using Development Permits for SSMUH up to 6 units. To reduce the impact of requiring Development Permits, staff recommend delegating the authority to issue the permit to staff, reducing the review timeline and cost for processing applications. As noted in section 2.2 of this report, Development Variance Permits may also be necessary on a case-by-case basis, depending on building design and site conditions. These variances would be considered by Council, unless they fit within a staff delegated category. Amendments to the Delegated Authority Bylaw that implement this approach will be brought to a subsequent meeting for Council’s consideration.

In addition to the Development Permit requirement, other existing bylaws will continue to apply for managing waste collection, tree requirements, infrastructure upgrades, and floodplain elevations.

## 2.5 Council Committees Input

Staff presented the proposed approach to the Affordable Housing and Development Advisory Committee (AHDC) on April 24<sup>th</sup> and the Design Review Advisory Committee (DRAC) on May 15<sup>th</sup>. The following resolutions were made by each committee:

### AHDC:

*That the Committee supports in principle applying existing zoning regulations, development permits, and supporting tools to implement small scale multi unit housing.*

*That the Committee supports using voluntary restrictive covenants to continue allowing infill rezoning and subdivision.*

DRAC:

*That the Committee supports in principle applying existing zoning regulations, development permits, and supporting tools to implement small scale multi unit housing.*

*That the Committee supports using the existing DP6 and DP10 as an interim measure to review the form and character of small scale multi unit housing.*

*That the Committee supports delegating development permit review and issuance for small scale multi unit housing consistent with the guidelines to staff.*

### 3. ADDITIONAL FACTORS

This Zoning Bylaw change to allow SSMUH and meet Provincial requirements is occurring within a period of time that is very complex from a planning and regulatory point of view. Several other factors related to these changes are described in more detail below.

#### 3.1 Housing Targets

The Provincial government recently announced the next 20 municipalities that will be subject to housing supply targets, as legislated through the *Housing Supply Act*. Chilliwack is identified as one of the 20 municipalities and staff are meeting with Provincial representatives to understand the City's obligations. Staff will continue to provide more information to Council as it becomes available.

#### 3.2 2040 Official Community Plan

The Provincial government has also required municipalities to update their OCPs by December 2025. The existing 2040 OCP contains a growth management approach that generally guides how the City will grow and develop, with a focus on growing in the urban core. The SSMUH changes being made to the Zoning Bylaw do not alter this growth approach, but do represent a significant shift in how the growth is accommodated by allowing many more housing units on all single-detached and duplex lots.

As described earlier in this report, the SSMUH changes to the Zoning Bylaw are a first step that can be assessed and revised through the upcoming OCP review. Staff have begun the review of the OCP by conducting a Request for Proposals process to hire a consultant to complete this work, and the shift in how growth will be accommodated due to SSMUH will form a key component of the OCP update project.

#### 3.3 Infill Development

Subsequent to the Provincial legislation being enacted, some in-stream rezoning applications (specifically infill proposals rezoning to R1-C) that were impacted by the new legislation were placed "on hold". This pause enabled staff to determine the most suitable approach for considering the proposals within the context of the legislative changes, since each newly created lot would be eligible for 3 to 4 units.

Throughout this period, many applicants chose to cancel their rezoning applications given the future SSMUH bylaw amendments would permit 3 to 4 units outright. However, there are some applicants who want to proceed with their original rezoning proposal, in the following scenarios:

- Changing the housing form only (e.g., from single-detached to duplex)
- Subdividing the property (e.g., narrow lot subdivision under the R1-C zone)

In the above scenarios, applicants will not be using the new SSMUH zoning permissions and the subject property's "parent zones" (e.g., R1-A) will continue to apply. This means the above scenarios will require a rezoning application and Council decision in accordance with the standard development process currently in place. The result is an interim approach to infill rezoning and subdivision that is counterintuitive in the short term, as the lower density single detached subdivision or duplex would require rezoning but the greater density permitted through SSMUH would not. Staff note that this inconsistency will be in effect in the short term until the new OCP review project is complete, as an evaluation of "infill" development across the urban area will be assessed through the OCP review.

Finally, every lot that meets SSMUH criteria will be permitted 3 to 4 units, including new lots created through subdivision. In order to continue allowing infill rezoning and subdivision in the urban core while the OCP review of infill development is underway, staff recommend applying voluntary restrictive covenants to limit density to 2 units per lot. These restrictive covenants to limit the density will also reduce the servicing and infrastructure impacts. This approach is supported by the AHDC (see section 2.5 of this report).

### 3.4 Upcoming Planning Projects

In addition to the OCP review and update, Planning staff have identified several projects to be completed within this new planning context created by the Provincial legislation changes, including the following:

- Residential Development Financial Analysis: *Understand the financial performance of residential development to inform future Development Cost Charge, Amenity Cost Charge, and Bonus Density updates (using a consultant).*
- Housing Needs Report: *Determine 20 years of local housing need as the basis for the housing unit need and policy for the OCP. It must be updated by January 1, 2025, and be completed in accordance with Provincial standards (using staff or consultant).*
- Design Guidelines Review and Update: *Review the form and character guidelines for multi-unit housing, commercial, industrial, and mixed use development, which will be incorporated into the OCP (using a consultant).*
- Heritage Conservation Area: *Consider the creation of a Heritage Conservation Area, based on direction in the Heritage Strategic Action Plan, which will be incorporated into the OCP (using a consultant).*
- Zoning Bylaw: *Update zoning to provide for 20 years of housing through pre-zoned land, aligned with the new OCP (using staff or consultant).*

#### 4. NEXT STEPS

##### 4.1 Notification to Minister of Housing

Should Council adopt the changes, staff will notify the Minister of Housing in writing that the final zoning bylaw amendment necessary for compliance with the SSMUH requirements has been adopted. In addition, the Minister of Housing must also be notified of the locations of any exempted lands, including which provision supports the exemption. These notifications to the Minister of Housing are required in accordance with the *Local Government Act*.

##### 4.2 Communications

Staff are aware the complexity of these changes and upcoming projects may cause uncertainty in the community and development industry about what is or is not permitted on land throughout the city. Information brochures and FAQ summaries will be prepared to help staff clearly communicate the changes and where they apply, and how development applications can be made. As the OCP process and other planning projects begin, staff will also share about opportunities for participation to residents and stakeholders.

#### 5. RECOMMENDATION & SUBSTANTIATION:

##### Recommendation:

That “Zoning Bylaw Amendment Bylaw 2024, No. 5395”, which proposes to complete text amendments related to establishing small-scale, multi-unit housing regulations, be given first and second reading (Presentation).

That “Zoning Bylaw Amendment Bylaw 2024, No. 5395”, which proposes to complete text amendments related to establishing small-scale, multi-unit housing regulations, be given third reading. (RZ001761)

##### Substantiation:

The Provincial Government amended the *Local Government Act* to require the City of Chilliwack to amend its Zoning Bylaw to allow for small-scale multi-unit housing (SSMUH) on lands currently limited to single-detached and duplex residential uses. The proposed amendments to the Zoning Bylaw, upon Council’s approval, comply with the Provincial SSMUH requirements.

#### 6. SOURCES OF INFORMATION:

- Provincial Policy Manual & Site Standards for SSMUH
- Development Application Review Team Minutes – March 21 and April 4, 2024
- Affordable Housing & Development Advisory Committee Minutes – April 24, 2024
- Design Review Advisory Committee Minutes – May 13, 2024



- (iii) areas occupied by vents or other mechanical and operational equipment shall be surrounded by LANDSCAPING and screened from view
  - (iii) no area so used shall be located within 5m of any window serving a DWELLING UNIT
  - (iv) areas so used shall have a minimum dimension of 3m.
- (e) Indoor COMMON AMENITY AREAS
- (i) shall be enclosed areas of a STRUCTURE for multi-unit RESIDENTIAL USE or ANCILLARY STRUCTURE, free, common and readily accessible to all residents by way of the internal circulation system of the STRUCTURE or enclosed walkways. Indoor COMMON AMENITY AREAS may include any of the following:
    - (A) covered swimming pool
    - (B) gymnasiums including racquetball and other courts
    - (C) games rooms
    - (D) saunas and exercise rooms.
- (f) PRIVATE AMENITY AREAS shall be unenclosed areas located adjacent to the individual DWELLING UNIT served:
- (i) where located on ground level, a PRIVATE AMENITY AREA not less than 15m<sup>2</sup> in area shall be provided for and contiguous to each GROUND ORIENTED DWELLING UNIT
  - (ii) where located above ground a PRIVATE AMENITY AREA of not less than 5m<sup>2</sup> in area and having minimum dimensions of not less than 1.5m shall be provided for and contiguous to each DWELLING UNIT
  - (iii) when located on ground level, in association with a TOWNHOUSE or APARTMENT RESIDENTIAL USE, such area shall be of such size and shape that a rectangle included within it shall have a minimum dimension of 3m
  - (iv) when located above ground or as a BALCONY or deck, such area shall be of such size and shape that a rectangle included within it shall have a minimum dimension of 1.5m
  - (v) each such area shall be accessible to only 1 DWELLING UNIT and shall be for the exclusive use of the occupants thereof
- (g) Storage Lockers, where required in association with an APARTMENT RESIDENTIAL USE, shall be conveniently located and directly accessible or accessible by elevator from either the ground floor or parking level entrance, and shall have the following minimum dimensions:
- (i) HEIGHT 1.2m
  - (ii) Length 2m
  - (iii) Width 1m

#### **(7) SMALL-SCALE, MULTI-UNIT HOUSING**

- (a) 3 or 4 DWELLING UNITS are considered intensive residential and are permitted on LOTS that meet the following criteria:**
- (i) Within an AL, AR, AS, RR, R1-A, R1-B, R1-C, R3, M1-A ZONE, or in the SINGLE DETACHED DWELLING and DUPLEX areas of the following COMPREHENSIVE DEVELOPMENT ZONES:**
    - (A) CD-9, CD-11, CD-14, CD-16, CD-19, or CD-21;**
  - (ii) Within the urban growth boundary;**
  - (iii) Connected to COMMUNITY WATER SYSTEM and COMMUNITY SANITARY SEWER SYSTEM;**
  - (iv) Less than 4,050m<sup>2</sup> in area;**

- (v) Not protected by a Heritage Designation Bylaw as of December 7, 2023;
  - (vi) Not within a designated transit-oriented area; and,
  - (vii) Where an extension has not been granted by the Ministry.
- (b) The maximum number of DWELLING UNITS on a LOT is:
- (i) 3 units on LOTS less than or equal to 280m<sup>2</sup> in area; or,
  - (ii) 4 units on LOTS greater than 280m<sup>2</sup> in area.
- (c) DWELLING UNITS are permitted in any combination of the following forms:
- (i) ACCESSORY DWELLING UNIT in the form of SECONDARY SUITES, COACH HOUSES, or GARDEN SUITES;
  - (ii) SINGLE DETACHED DWELLING, which may contain 1 SECONDARY SUITE;
  - (iii) DUPLEX, which may contain 1 SECONDARY SUITE per DUPLEX unit;
  - (iv) TOWNHOUSE, which may contain 1 SECONDARY SUITE per TOWNHOUSE unit; or,
  - (v) APARTMENT, including SMALL UNIT APARTMENT.
- (d) In each LOT'S ZONE, the sections titled 'LOT COVERAGE (MAXIMUM)', 'FLOOR AREA RATIO (MAXIMUM)', 'SETBACKS (MINIMUM)', 'SITING', and 'BUILDING HEIGHT (MAXIMUM)' sets out the regulations.
- (i) Where a LOT is in the AL, AR, AS, or RR ZONE, it shall meet the sections listed in (d) above in the R1-A ZONE.
  - (ii) Where a LOT'S ZONE does not contain regulations for a detached ACCESSORY DWELLING UNIT, it shall meet the sections listed in (d) above in the R1-A ZONE.
- (e) GENERAL REQUIREMENTS:
- (i) Where a LOT has LANE access, all vehicle access, including parking, must be from the LANE.
  - (ii) Where a LOT does not have LANE access, the maximum number of driveways permitted is 1, except on a LOT with 1 DUPLEX or 2 or more SINGLE DETACHED DWELLINGS that is greater than 20m in width.
  - (iii) A driveway may have a maximum width of 6m total paved area extending from the FRONT LOT LINE or EXTERIOR SIDE LOT LINE to the GARAGE on the LOT, except that on LOTS less than 12m in width the driveway is limited to a maximum width of 4m at the FRONT LOT LINE or EXTERIOR SIDE LOT LINE, but may taper up to a maximum width of 6m.
  - (iv) Notwithstanding other regulations of this BYLAW:
    - (A) More than 1 ACCESSORY DWELLING UNIT may be located on a LOT.
    - (B) 1 OFF-STREET PARKING SPACE is required for each ACCESSORY DWELLING UNIT, regardless of the number of bedrooms.
    - (C) An OFF-STREET LOADING SPACE is not required.
    - (D) Except for enclosed tandem parking configurations, all required OFF-STREET PARKING SPACES may be located in a GARAGE.
    - (E) 1 unenclosed OFF-STREET PARKING SPACE per LOT is required for visitor parking where 2 DUPLEXES are on a LOT.

#### 4.09 FENCING, LANDSCAPING, SCREENING

##### (1) FENCES

**(5) LOT COVERAGE (MAXIMUM)**

USE	MAXIMUM LOT COVERAGE
(a) All BUILDINGS and STRUCTURES (Where serviced by a SEPTIC TANK SYSTEM)	25%
(b) Total of all BUILDINGS and STRUCTURES used for a detached URBAN ANCILLARY USES or detached ACCESSORY DWELLING UNIT on a LOT with an area less than 1000m <sup>2</sup>	60m <sup>2</sup>
(c) Total of all BUILDINGS and STRUCTURES used for a detached URBAN ANCILLARY USES or detached ACCESSORY DWELLING UNIT on a LOT with an area between 1000m <sup>2</sup> and 1500m <sup>2</sup>	75m <sup>2</sup>
(d) Total of all BUILDINGS and STRUCTURES used for a detached URBAN ANCILLARY USES or detached ACCESSORY DWELLING UNIT, on a LOT with an area between 1500m <sup>2</sup> and 2000m <sup>2</sup>	100m <sup>2</sup>
(e) Total of all BUILDINGS and STRUCTURES used for a detached URBAN ANCILLARY USES or detached ACCESSORY DWELLING UNIT, on a LOT with an area between 2000m <sup>2</sup> and 2500m <sup>2</sup>	125m <sup>2</sup>
(f) Total of all BUILDINGS and STRUCTURES used for detached URBAN ANCILLARY USES or detached ACCESSORY DWELLING UNIT, on a LOT with an area 2500m <sup>2</sup> or greater	150m <sup>2</sup>
(g) Notwithstanding the above, 1 STRUCTURE for URBAN ANCILLARY USES, not exceeding 10m <sup>2</sup> in floor area may be sited on a LOT	
(h) <u>Notwithstanding the above, the maximum LOT COVERAGE for a detached ACCESSORY DWELLING UNIT does not apply on a LOT where small-scale, multi-unit housing is permitted.</u>	

**(6) FLOOR AREA RATIO (MAXIMUM)**

(a) 0.6

**(7) SETBACKS (MINIMUM)**

USE	FLL	RLL	ISLL	ESLL
(a) DETACHED ACCESSORY DWELLING UNIT	6m	3m*	3m*	4.5m
(b) RESIDENTIAL USE (with COMMUNITY WATER SYSTEM and COMMUNITY SANITARY SEWER SYSTEM)	6m	7.5m	1.2m	4.5m
(c) RESIDENTIAL USE (with COMMUNITY WATER SYSTEM)	6m	10.5m	1.2m	4.5m
(d) URBAN ANCILLARY USES	6m	1m	1m	4.5m
*Only 1m is required when LOT LINE is located adjacent to a rear LANE				

**(8) SITING**

- (a) Where owing to topography or ground conditions, the SEPTIC TANK SYSTEM must be located within a FRONT or SIDE SETBACK, the REAR SETBACK specified in (7)(c) above may be reduced to that required in (7)(b) above.

**(9) BUILDING HEIGHT (MAXIMUM)**

USE	MAXIMUM BUILDING HEIGHT
(a) RESIDENTIAL USE	8.510m
(b) URBAN ANCILLARY USES	4m

**(10) SPECIAL REGULATIONS**

- (a) Any STRUCTURE occupied by a PRINCIPAL RESIDENTIAL USE shall have a minimum overall width of at least 6m, excluding additions and projections.
- (b) An ACCESSORY DWELLING UNIT shall be limited to the following types:
  - (i) SECONDARY SUITE.

**Review General Regulations for Additional Development Requirements**

**City of Chilliwack**

**Bylaw No. 5395**

**A bylaw to amend the “Zoning Bylaw 2020, No. 5000”**

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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 2024, No. 5395”**.
2. Council has considered the Provincial Policy Manual and Site Standards for Small-Scale, Multi-Unit Housing.
3. “Zoning Bylaw 2020, No. 5000” is hereby amended in SECTION 4 – GENERAL PROVISIONS, Subsection 4.08 REGULATIONS APPLICABLE TO SPECIFIC ZONES, by adding a new Paragraph (7) SMALL-SCALE, MULTI-UNIT HOUSING, as follows:

**“(7) SMALL-SCALE, MULTI-UNIT HOUSING**

- (a) 3 or 4 DWELLING UNITS are considered intensive residential and are permitted on LOTS that meet the following criteria:
  - (i) Within an AL, AR, AS, RR, R1-A, R1-B, R1-C, R3, M1-A ZONE, or in the SINGLE DETACHED DWELLING and DUPLEX areas of the following COMPREHENSIVE DEVELOPMENT ZONES:
    - (A) CD-9, CD-11, CD-14, CD-16, CD-19, or CD-21;
  - (ii) Within the urban growth boundary;
  - (iii) Connected to COMMUNITY WATER SYSTEM and COMMUNITY SANITARY SEWER SYSTEM;
  - (iv) Less than 4,050m<sup>2</sup> in area;
  - (v) Not protected by a Heritage Designation Bylaw as of December 7, 2023;
  - (vi) Not within a designated transit-oriented area; and,
  - (vii) Where an extension has not been granted by the Ministry.
- (b) The maximum number of DWELLING UNITS on a LOT is:
  - (i) 3 units on LOTS less than or equal to 280m<sup>2</sup> in area; or,
  - (ii) 4 units on LOTS greater than 280m<sup>2</sup> in area.
- (c) DWELLING UNITS are permitted in any combination of the following forms:
  - (i) ACCESSORY DWELLING UNIT in the form of SECONDARY SUITES, COACH HOUSES, or GARDEN SUITES;
  - (ii) SINGLE DETACHED DWELLING, which may contain 1 SECONDARY SUITE;

- (iii) DUPLEX, which may contain 1 SECONDARY SUITE per DUPLEX unit;
  - (iv) TOWNHOUSE, which may contain 1 SECONDARY SUITE per TOWNHOUSE unit; or,
  - (v) APARTMENT, including SMALL UNIT APARTMENT.
- (d) In each LOT'S ZONE, the sections titled 'LOT COVERAGE (MAXIMUM)', 'FLOOR AREA RATIO (MAXIMUM)', 'SETBACKS (MINIMUM)', 'SITING', and 'BUILDING HEIGHT (MAXIMUM)' sets out the regulations.
- (i) Where a LOT is in the AI, AR, AS, or RR ZONE, it shall meet the sections listed in (d) above in the R1-A ZONE.
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- (e) GENERAL REQUIREMENTS:
- (i) Where a LOT has LANE access, all vehicle access, including parking, must be from the LANE.
  - (ii) Where a LOT does not have LANE access, the maximum number of driveways permitted is 1, except on a LOT with 1 DUPLEX or 2 or more SINGLE DETACHED DWELLINGS that is greater than 20m in width.
  - (iii) A driveway may have a maximum width of 6m total paved area extending from the FRONT LOT LINE or EXTERIOR SIDE LOT LINE to the GARAGE on the LOT, except that on LOTS less than 12m in width the driveway is limited to a maximum width of 4m at the FRONT LOT LINE or EXTERIOR SIDE LOT LINE, but may taper up to a maximum width of 6m.
  - (iv) Notwithstanding other regulations of this BYLAW:
    - (A) More than 1 ACCESSORY DWELLING UNIT may be located on a LOT.
    - (B) 1 OFF-STREET PARKING SPACE is required for each ACCESSORY DWELLING UNIT, regardless of the number of bedrooms.
    - (C) An OFF-STREET LOADING SPACE is not required.
    - (D) Except for enclosed tandem parking configurations, all required OFF-STREET PARKING SPACES may be located in a GARAGE.
    - (E) 1 unenclosed OFF-STREET PARKING SPACE per LOT is required for visitor parking where 2 DUPLEXES are on a LOT."

4. Said Bylaw is hereby further amended in SECTION 8 – RESIDENTIAL ZONES, Subsection 8.01 R1-A (URBAN RESIDENTIAL) ZONE, Paragraph (5) LOT COVERAGE (MAXIMUM), by adding a new Subparagraph (h), as follows:

- “(h) Notwithstanding the above, the maximum LOT COVERAGE for a detached ACCESSORY DWELLING UNIT does not apply on a LOT where small-scale, multi-unit housing is permitted.”

5. Said Bylaw is hereby further amended in SECTION 8 – RESIDENTIAL ZONES, Subsection 8.03 R1-C (URBAN INFILL) ZONE, Paragraph (9) BUILDING HEIGHT (MAXIMUM), Subparagraph (a), Column ‘Maximum Building Height’, by deleting the figure “8.5” and substituting with the figure “10”.

Received first and second reading on the  
Public hearing held on the  
Received third reading on the  
Received adoption on the

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Mayor

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Corporate Officer