

MINUTES of the **REGULAR MEETING** of the **COUNCIL** of the **DISTRICT OF MISSION** held in the Council Chambers of the Municipal Hall, 8645 Stave Lake Street, Mission, British Columbia on Monday, August 22, 2011 commencing at 6:30 p.m.

Council Members Present: Mayor James Atebe
Councillor Jenny Stevens
Councillor Terry Gidda
Councillor Danny Plecas
Councillor Mike Scudder
Councillor Paul Horn
Councillor Heather Stewart

Staff Members Present: G. Robertson, Chief Administrative Officer
P. Gipps, Deputy Chief Administrative Officer
T. Mooney, Administrative Clerk

Mayor Atebe began the meeting with an announcement that former NDP Leader Jack Layton had passed after a short battle with cancer.

A moment of silence was observed for Jack Layton.

1. DELEGATIONS AND PRESENTATIONS

PH11/055
AUG. 22/11

Mission Seniors Centre Association Re: United Nations International Day of the Older Person

Mr. Frank Sleigh appeared before Council to discuss events planned for the "International Day of the Older Person" scheduled during the week of September 25 to October 1, 2011. He provided an update regarding the Seniors Centre Activities and the future plans.

Mr. Sleigh stated:

- that the older person is 55 years of age and over;
- that an art exhibit and a tea will be organized to celebrate;
- that the older persons are made up of members from local service clubs and organizations;
- Mission Seniors continue to contribute to our community in many ways and are true Mission assets; and
- Mission Seniors Centre Association thanked council for their generosity and co-operation in the establishment of the activity centre at its present location and eagerly await news of Council's plans for the near future.

Mayor Atebe thanked Mr. Sleigh for the information.

2. PROCLAMATIONS

PH11/056
AUG. 22/11

September 25 to October 1, 2011 as “United Nations International Day of the Older Person” Mission Senior Centre Association

Moved by Councillor Stevens, seconded by Councillor Gidda, and

RESOLVED: That September 25 to October 1, 2011 be proclaimed as “United Nations International Week of the Older Person” within the District of Mission; the District to assume no costs related thereto.

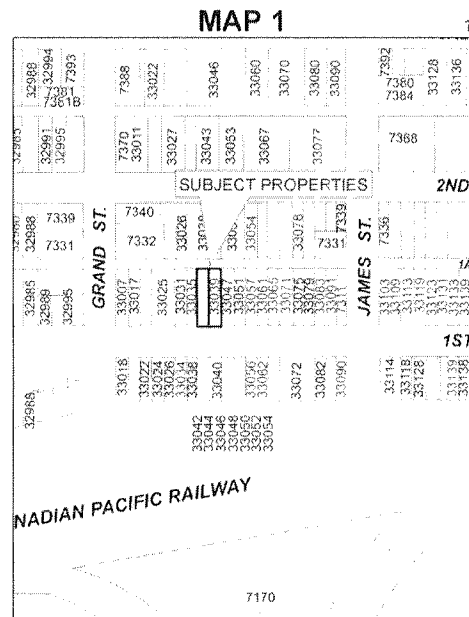
CARRIED

3. DEVELOPMENT PERMITS AND DEVELOPMENT VARIANCE PERMIT APPLICATIONS

PH11/057
AUG. 22/11

Development Permit Application DP10-009 in (Winel) – 33039 and 33043 1st Avenue (for consideration of approval)

Erik Wilhelm, planner, provided information regarding Development Permit application DP11-009, in the name of Josef and Clara Winel, to vary District of Mission Official Community Plan guidelines respecting form and character for the proposed commercial development with apartment units for the property located at 33039 and 33043 1st Avenue (as shown on the following map):



The Planner stated that:

- the purpose of the proposal is for a three-storey building with commercial space on the main floor, office space on the second floor and four apartment units on the third floor; and
- that the proposed uses are in accordance with the existing CCD1 zone.

The Deputy Chief Administrative Officer stated that a written submission had been received regarding this application:

1. A letter dated August 21, 2011 was submitted by Dr. Lyndon Balisk, President of the Mission Downtown Business Association in favour of the development, provided that 10 parking spots be constructed on the property.

Lila Rauh expressed concern with the limited parking in the downtown area with the addition of three additional businesses and apartments.

Mil Hunterton asked if a fire escape is planned for this building.

The Planner responded that he cannot confirm if the building will include a fire escape, but it will comply with the requirements of the BC Building Code.

Councillor Horn responded to questions from Councillor Stevens that the building is on street level and, therefore, handicap accessible.

Darren Hall, the building designer, responded to questions from council that a single retailer may lease the premises, but the plans allow for up to three. He noted that this should also not increase the number of people in the area as the occupant load is about 25% of the previous business, which was a bowling alley.

In response to questions from Council, Darren Hall said:

- (a) that the proposed apartments are intended as rental units;
- (b) that the building code does not require a fire escape or elevator for this proposal;
- (c) that the lighting will be sensitive to the residents behind the building and will abide by necessary requirements;
- (d) that a buzzer system will be installed in the office area and for the residents; and
- (e) that crime prevention requirements would be met through environment design.

Jeannette Smith asked if consideration had been made to construct an apex roof rather than a flat roof.

The Planner responded that the building will resemble other buildings in the area and is consistent with the historical aspect of the downtown area.

Hearing no further questions or comments the Mayor declared the public input session on District of Mission Development Variance Permit application DP11-009 Winel closed.

Moved by Councillor Horn, seconded by Councillor Plecas, and

RESOLVED: That Development Permit Application DP10-009, in the names of Josef and Clara Winel, to provide conformity to the Official Community Plan guidelines respecting building form and character for a proposed commercial development with apartment units, on the property located at 33039 and 33043 1st Avenue be approved.

CARRIED

4. PUBLIC HEARING

Mayor James Atebe called the public hearing to order and outlined the procedures to be followed.

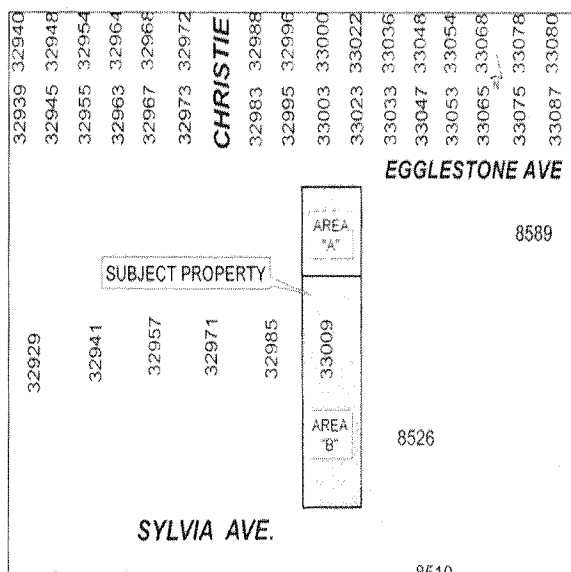
PH11/058
AUG. 22/11

- (i) **District of Mission Official Community Plan Amending Bylaw 5231-2011-4052(15) (R10-035 – Harcharan Sandhu) – a bylaw to redesignate property at 33009 Sylvia Avenue from Urban Residential to Urban Residential-Compact**
- (ii) **District of Mission Zoning Amending Bylaw 5232-2011-5050(51) (R10-35 – Harcharan Sandhu) – a bylaw to rezone a portion of the property at 33009 Sylvia Avenue from Suburban 36 Zone (S36) to Urban Residential Compact 465 Zone (RC465) and a portion of the property from Suburban 36 Zone (S36) to Urban Residential Compact 930 Zone (R930)**

Erik Wilhelm, Planner, provided information regarding District of Mission Official Community Plan Amending Bylaw 5231-2011-4052(15), in the name of Harcharan Sandhu, which proposes to amend District of Mission Official Community Plan 4052-2008 by redesignating the following legally described property:

Parcel Identifier: 005-468-060 Lot 49, Section 28, Township 17, New Westminster District Plan 56771

from Urban Residential to Urban Residential-Compact and labelled Area A on the following map:



The Planner explained that the purpose of the proposed amendment is to redesignate the northern portion of the property (Area A) to accommodate the subsequent subdivision of the subject property into three (3) lots. Two (2) lots of a minimum 465 square metre (5,005 sq. ft.) lot size within Area A and one (1) remainder lot of a minimum 930 square metre (10,010 sq. ft.) lot size within Area B.

Mr. Wilhelm also provided information regarding District of Mission Zoning Amending Bylaw 5232-2011-5050(51) (R10-035 – Harcharan Sandhu), which proposes to amend District of Mission Zoning Bylaw 5050-2009 by amending the zoning of the preceding legally described properties:

- (a) that portion of land shown as Area 'A' from the S36 Zone (Suburban 36 Zone) to the RC465 zone (Urban Residential Compact 465 Zone); and

- (b) that portion of land shown as Area 'B' from the S36 zone (Suburban 36 Zone) to the R930 zone (Urban Residential 930 Zone);.

Development Variance Permit Application DV10-019 is to vary Section 601 C. 1. of District of Mission Zoning Bylaw 5050-2009 by reducing the minimum required lot width for Lots 1 and 2 from 16 metres (52.4 feet) to 15.20 metres (49.9 feet).

The Planner stated that the following requirements would need to be met prior to adoption of the bylaw:

- receipt of the Community Amenity Contribution in the amount of \$24,120.00; and
- any other items that council may require resulting from the Public Hearing or Council consideration of the application.

The Deputy Chief Administrative Officer stated that no correspondence was received.

Hearing no further questions or comments, the mayor declared the public hearing on District of Mission Official Community Plan Amending Bylaw 5231-2011-4052(15) and District of Mission Zoning Amending Bylaw 5232-2011-5050(51) and Development Variance Permit Application DV10-19 (1Harcharan Sandhu) (R10-035) Zoning Amending Bylaw 5223-2011-5050(44) closed.

PH11/059
AUG. 22/11

Moved by Councillor Plecas, seconded by Councillor Horn, and

RECOMMENDED:

1. That District of Mission Official Community Plan Amending Bylaw 5231-2011-4052(15) (R10-035 – Harcharan Sandhu) – a bylaw to redesignate property at 33009 Sylvia Avenue from Urban Residential to Urban Residential-Compact be given third reading; and
2. That District of Mission Zoning Amending Bylaw 5232-2011-5050(51) (R10-35 – Harcharan Sandhu) – a bylaw to rezone a portion of the property at 33009 Sylvia Avenue from Suburban 36 Zone (S36) to Urban Residential Compact 465 Zone (RC465) and a portion of the property from Suburban 36 Zone (S36) to Urban Residential Compact 930 Zone (R930) be given third reading.

CARRIED

PH11/060
AUG. 22/11

- i. **District of Mission Zoning Amending Bylaw 5227-2011-5050(47) (R10-037 – Urban Design Group Architects) – a bylaw to amend the text in Section 106, Part C of District of Mission Zoning Bylaw 5050-2009**
- ii. **District of Mission Zoning Amending Bylaw 5228-2011-5050(48) (R10-037 – Urban Design Group Architects) – a bylaw to create a new CD-24 Zone and rezone a portion of the property at 32471 Lougheed Highway from Commercial Highway One Zone (CH-1) to Comprehensive Development 24 Zone (CD-24) and rezone a portion of the property from Commercial Highway One Zone (CH-1) to Institutional Parks Recreation and Civic Zone (IPRC)**

Sharon Fletcher, Director of Planning, provided information regarding District of Mission Zoning Amended Bylaw 5227-2011-5050(47), which proposes to amend District of Mission Zoning Bylaw 5050-2009 by amending the text as follows:

- a) Deleting from Section 106, Part C. Uses Prohibited, Paragraph 1: "h) Drive Thru Restaurant";
- b) Adding to Section 106, Part C. Uses Prohibited:
"2. Except where otherwise permitted within this bylaw in a Comprehensive Development Zone, the following uses are prohibited:
 - a. Drive Thru Restaurant".
- c) Adding the CD-24 zone (Comprehensive Development 24 zone) that allows commercial uses, including two drive-thru restaurants.

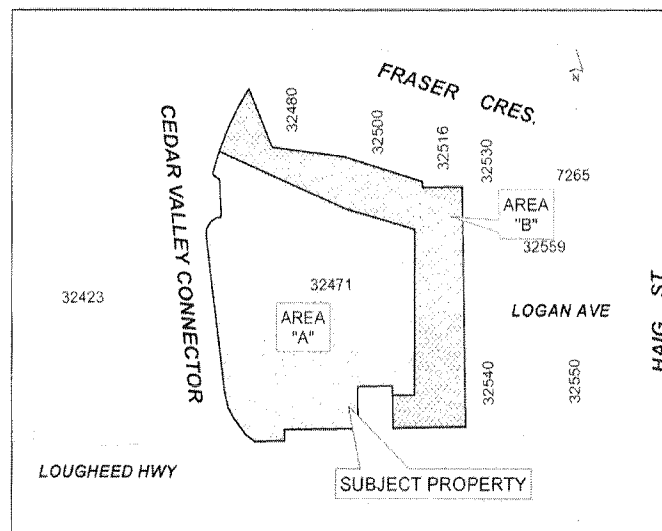
The Director of Planning stated that the purpose of the proposed text amendments is to allow drive-thru restaurants in specific comprehensive development (CD) zones and to create the Comprehensive Development 24 (CD-24) zone that allows commercial uses, including two drive-thru restaurants.

Ms. Fletcher, also provided information regarding District of Mission Zoning Amending Bylaw 5228-2011-5050(48), which proposes to amend District of Mission Zoning Bylaw 5050-2009 by amending the zoning of the following legally described property:

Parcel Identifier: 023-662-352, Lot 2, Except: Part Road Plan BCP9616; Section 20, Township 17, and District Lot 165, Group 3, New Westminster District Plan LMP31617

from the CH1 (Commercial Highway One) zone to the CD 24 (Comprehensive Development 24) zone (Area A – approximately 1.37 ha) and from the CH-1 (Commercial Highway One) zone to the IPRC (Institutional Parks Recreation and Civic) zone (Area B - approximately .7 ha).

The Director of Planning explained that the location of the subject property is 32471 Lougheed Highway and is shown on the following maps. The portions to be rezoned are shown labelled as Areas A and B on the following map:



Ms. Fletcher stated that the purpose of the proposed amendment is to rezone a portion of the subject property to the CD24 zone to accommodate a proposed shopping centre with two (2) drive-thru restaurants and to rezone the remainder of the property to the IPRC zone (for the environmentally sensitive area).

The Director of Planning noted that the development permits are for architectural features and intended to soften and make the development more of a neighbourhood

commercial look through landscaping, varying in the roof line, awnings and canopies and articulations in the walls, and a variety of different materials and coloured materials for the buildings.

Development Permit Application DP10-017, in the name of Mission Western Developments Ltd., is to provide conformity to the Official Community Plan guidelines respecting building form and character for a proposed commercial development for property located at 32471 Lougheed Highway.

Development Permit Application DP10-018, in the name of Mission Western Developments Ltd., is to provide conformity to the Official Community Plan guidelines respecting the protection of the natural environment adjacent to Windebank Creek for the purposes of protecting the spawning area for salmon and trout for property located at 32471 Lougheed Highway.

Development Variance Permit Application DV10-020, in the name of Mission Western Developments Ltd., is to vary Section 108 Environmental Protection (Part C, 3) of District of Mission Zoning Bylaw 5050-2009 by reducing the minimum required setback from 30 metres to the area on the plan as shown on Map 2 (Area B), which is attached to the report from the Senior Planner dated August 8, 2011, for property located at 32471 Lougheed Highway.

The Director of Planning stated that the following requirements would need to be met prior to adoption of the bylaw:

- receipt of the Community Amenity Contribution in the amount of \$24,120.00; and
- any other items that Council may require resulting from the Public Hearing or Council consideration of the application.

The Director of Planning also noted that District of Mission Bylaw 5228-2011-5050(48) had previously received first and second reading. She noted that there was a typographical error in the bylaw and second reading must be rescinded and the bylaw read a second time as amended prior to proceeding to third reading.

The Deputy Director of Corporate Administration stated that the following written correspondence was received regarding this application:

- Letter from Bernie Ong dated August 22, 2011 opposing this application;
- A petition signed by 247 Mission residents in support of the proposal dated August 2011;
- Letter from Carhoun & Sons Enterprises Ltd. dated August 22, 2011 supporting the application;
- Letter of Support from Harnek Sidhu dated August 2011;
- Letter of Support from Surjit Tatla dated August 2011;
- Letter of Support from Bhupinder Singh Sidhu dated August 2011;
- Letter of Support from Charnjit Singh Gill dated August 2011;
- Letter of Support from Harpreet Singh Toor dated August 2011;
- Letter of Support from Karmjit Sharma dated August 2011;
- Letter of Support from Simla Sharma dated August 2011;

- Letter of Support from Gurminder Singh dated August 2011;
- Letter of Support from Chamkaur Sidhu dated August 2011; and
- Letter of Support from Sears Chilliwack Ltd. dated August 2011.

Randy Cairns said he is not opposed to the development, but does take issue with the variance to allow for a drive-thru. He complimented council on enacting progressive environmental policy in zoning, and expressed concern that municipalities could be financially responsible in the future for the carbon footprint, noting that having environmentally sensitive sustainable development is very important to the future of our community. He stated that the application could proceed adhering to the current policies, which do not allow for drive-thru restaurants.

Janet Chalmers stated that she opposes drive-thru restaurants at this proposed site and noted that, based on its location, the site is pedestrian-unfriendly. She also expressed concern with the traffic in the area.

Roger Dowker expressed concern that a petition was circulated and this should form part of the record. He noted that the community should consider future air quality issues. He said he supports development in the area, but opposes unhealthy drive-thru restaurants.

PH11/060A
AUG. 22/11

Moved by Councillor Horn, seconded by Councillor Plecas, and

RECOMMENDED: That the 800-person petition that was signed for the previous application form part of the written correspondence for this application.

CARRIED

Pam Willis said she is not opposed to the development, but is opposed to drive-thru restaurants. She noted that many environmental issues may arise with approving an amendment to the zoning bylaw to allow for drive-thru restaurants.

Barbara Fehrmann noted that she presented the petition with 794 signatures in May of 2011. She is opposed to any new drive-thru restaurants being constructed as it is not environmentally sound for this community and they are a luxury, not a necessity. There are six drive-thru restaurants in Mission and that is sufficient for our community.

Louise Larson noted that community members have many concerns with social, economic and environmental issues, but this application is beneficial to the entire community and supports this application.

Frank Sleigh expressed concern with this development as it separates pedestrians, bicycles, the elderly in electric scooters and a major traffic intersection. She noted that should council agree to proceed with this application, consideration should be made to constructing a pedestrian overpass from the Mission Junction Shopping Centre to the Mission Hills Shopping Centre to assist with pedestrian traffic.

Shelly Clarkson asked if Institutional Park designation allows for landscape and pedestrian development for access to this park area or if it is strictly a wilderness greenery protection area.

Sharon Fletcher responded that the covenant registered on title stipulates a fenced off area with no trails being constructed.

Ms. Clarkson stated that a drive-thru is not warranted here and new development should be more pedestrian-friendly and encourage pedestrian activity.

Susan Truman noted that she does not support drive-thrus as air quality is a concern in Mission and she encouraged Council to vote against the amendment as there are currently six drive-thru restaurants in Mission.

Lila Rauh expressed concern with the increased traffic and change in the traffic pattern. She noted that vehicles are idling while in line at drive-thru restaurants and this is not environmentally friendly. She also expressed concern that the maps do not properly set out the area.

Chris McArdle said he supports the development, but does not support the amendment to include drive-thru restaurants as our community should be encouraged to have more community interaction without drive-thrus. He noted that drive-thrus are a convenience and if they did not exist in our community, people would get out of their vehicles, which is healthier for the community.

Jeanette Smith asked that the current zoning bylaw not be amended to allow for drive-thrus in this development. She expressed environmental concerns and asked what the setbacks were for the stream.

The Director of Planning responded that, initially, when the existing wall was constructed, it was 15 metres, which was approved by the Department of Fisheries and Oceans. However, over time, fish-bearing streams have increased to a 30-metre setback. As the Department and Fisheries and Oceans have approved this wall in the past, they have agreed to keep the setback at 15 metres.

Harvey Weis noted that the application for this property was put forward in the summer of 2007. He said the application was delayed in an effort to resolve other provincial agency requirements, which took approximately 28 months. He noted that many changes have been implemented and have improved the overall quality of this development in the design and character from the previous application. During the period the application was delayed, Council adopted the new zoning bylaw, which did not allow for drive-thru restaurants.

Eric Ching, Urban Design Group, stated the following:

- the proposal will construct five buildings, not four;
- the buildings are designed with the resident community in mind;
- the application has been amended to add two drive-thru restaurants and one for an oil change business;
- the development is fully accessible with every sidewalk in and around the site including the entry plaza able to be negotiated by a person on foot or in a wheelchair;
- traffic consults were commissioned to ensure that the District's concerns regarding on-site vehicle circulation and pedestrian safety, and the Ministry of Transportation's requirements for site access were addressed. The traffic study finds the performance level of the intersection of Lougheed Highway and the Cedar Valley Connector could use some improvement and the introduction of improvements to this area will help with this intersection; and
- there will be new shrubs, trees and grass planted on the site perimeter, on parking islands and around buildings, as well as Windebank Creek.

Mr. Ching stated that this proposal completes the pattern of commercial development along Lougheed Highway between the Cedar Valley Connector and Wardrop Street

and it will increase job opportunities in the community.

Heidi Smith said she wanted to register opposition to the drive-thrus.

Roger Dowker said he supports the application with the exception of the drive-thru.

Eric Ching responded to Councillor Gidda that an address sign will be visible from the Cedar Valley Connector and Lougheed Highway.

In response to questions from Council, the Traffic Engineer for the applicant noted that there will be a stacking lane to turn left into the site while travelling south on the Cedar Valley Connector.

The Director of Planning responded that the replanting and preservation of the creek is included in the proposal, but the long-term preservation is still be negotiated.

Ian White, Envirowest Consultants, responded that the creek area is protected by a restrictive covenant and the current plan is to maintain ownership with the owner.

In response to questions from Council, the Director of Planning noted that prior to adoption being considered, the following contingencies could be made:

1. engineering requirements, which include storm-water management on site, traffic assessment, and the Ministry of Transportation application for Lougheed Highway upgrade must be approved and an agreement in place for construction to ensure that it is completed;
2. planting works within the environmentally sensitive area;
3. Ministry of Transportation and Infrastructure requirements; and
4. resolution of Development Permit details.

Mr. Ching responded to questions from Council that the owner plans to develop the site in one phase and 70% of the space has drawn interest. He said that the project should be complete by the summer of 2012.

Arthur Gryz stated that he is not opposed to commercial development, but expressed environmental concerns with the addition of two new drive-thrus.

Mayor Atebe responded to questions from Lila Rauh that there will be a left turning stacking lane to allow traffic travelling south to turn into the site.

Hearing no further questions or comments, the mayor declared the public hearing on District of Mission Zoning Amending Bylaw 5227-2011-5050(47) and 5228-2011-5050(48) (R10-037-Urban Design Group Architects) closed.

PH11/061
AUG. 22/11

Moved by Councillor Horn, seconded by Councillor Plecas, and

RECOMMENDED: That second reading be rescinded and the bylaw read a second time as amended.

OPPOSED: Councillor Stewart

CARRIED

PH11/062
AUG. 22/11

Moved by Councillor Stewart, seconded by Councillor Gidda, and

RECOMMENDED: That the meeting be recessed at 9:25 p.m.

CARRIED

PH11/063
AUG. 22/11

Moved by Councillor Horn, seconded by Councillor Scudder, and
RECOMMENDED: That the meeting be reconvened at 9:26 p.m.
CARRIED

PH11/064
AUG. 22/11

Moved by Councillor Horn, seconded by Councillor Scudder, and
RECOMMENDED:

1. That District of Mission Zoning Amending Bylaw 5227-2011-5050(47) and 5228-2011-5050(48) (R10-037-Urban Design Group Architects) be read for a third time;
2. That prior to adoption the conditions identified in the staff report dated August 8, 2011 and the following must be completed:
 - (a) That a public art agreement be made with the city for placement in the plaza; and
 - (b) A stewardship group be identified for Windebank Creek to continue on with the stewardship during and after the three years that the applicant will be responsible.

OPPOSED: Councillor Stewart
Councillor Plecas

CARRIED

PH11/065
AUG. 22/11

Moved by Councillor Horn, seconded by Councillor Plecas, and

RECOMMENDED: That the meeting be extended until all items of business on the agenda have been concluded.

CARRIED

PH11/066
AUG. 22/11

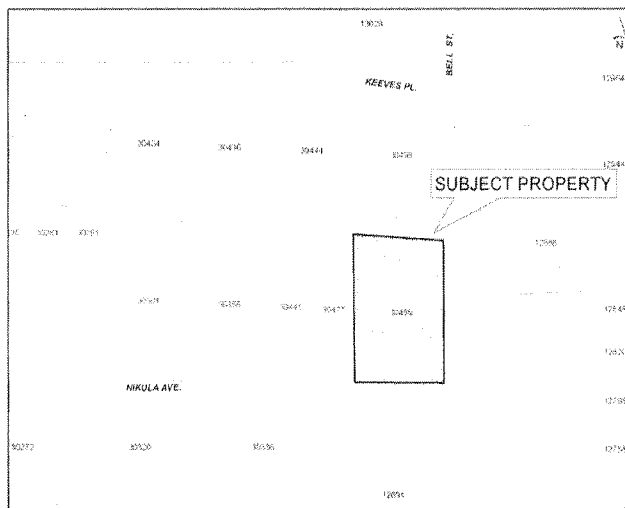
District of Mission Zoning Amending Bylaw 5225-2011-5050(45) (R11-013 – Dundas) – a bylaw to rezone property at 30489 Nikula Avenue from Rural 16 Zone (RU16) to Rural Residential 7 Zone (RR7)

Erik Wilhelm, Planner, provided information regarding District of Mission Zoning Amending Bylaw 5225-2011-5050(45) (R11-013 – Dundas), which proposes to amend District of Mission 5050-2009 by redesignating the following legally described property:

Parcel Identifier: 009-930-540, Lot 4, Section 26, Township 15, New Westminster District Plan 77000

from RU16 (Rural 16) zone to RR7 (Rural Residential 7) zone.

The location of the subject property is 30489 Nikula Avenue and is shown on the following maps:



Mr. Wilhelm explained that the purpose of the proposed amendment is to accommodate the subsequent subdivision of the subject property into four (4) lots of a minimum 0.7 hectare (1.73 ac.) lot size.

The Planner stated that the following requirements would need to be met prior to adoption of the bylaw:

- receipt of the Community Amenity Contribution in the amount of \$2,680; and
- any other items that Council may require resulting from the Public Hearing or Council consideration of the application.

The Deputy Chief Administrative Officer stated that no written submissions were received.

Hearing no questions or comments, the mayor declared the public hearing on District of Mission Zoning Amending Bylaw 522-2011-5050(45) (R11-018 – Goertz) closed.

PH11/067
AUG. 22/11

Moved by Councillor Plecas, seconded by Councillor Gidda, and

RECOMMENDED: That District of Mission Zoning Amending Bylaw 5225-2011-5050(45) be read for a third time.

CARRIED

PH11/068
AUG. 22/11

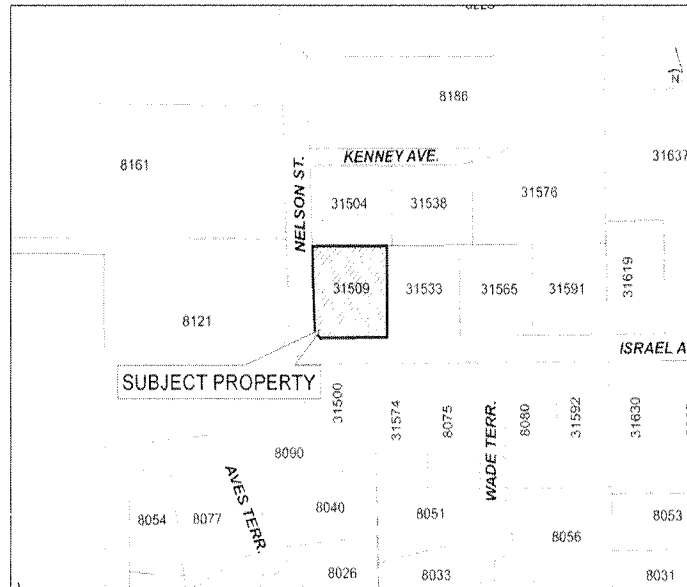
District of Mission Zoning Amending Bylaw 5226-2011-5050(46) (R11-018 – Goertz) – a bylaw to rezone property at 31509 Israel Avenue from Suburban Residential 36 Zone (S36) to Suburban Residential 36 Secondary Dwelling Zone (S36s)

Rupinder Basi, Planner, provided information regarding District of Mission Zoning Amending Bylaw 5226-2011-5050(46) (R11-018 – Goertz) which proposes to amend District of Mission 5050-2009 by redesignating the following legally described property:

Parcel Identifier: 028-167-007, Lot 1, Section 30, Township 17, New Westminster District Plan BCP43965

from S36 (Suburban Residential 36) zone to S36s (Suburban Residential 36 Secondary Dwelling) zone.

The location of the subject property is 31509 Israel Avenue and is shown on the following map:



Mr. Basi explained that the purpose of the proposed amendment is to accommodate a secondary suite.

The Planner stated that the following requirements would need to be met prior to adoption of the bylaw:

- a letter of undertaking to register a restrictive covenant assuring owner occupancy of the proposed home;
- provision of a \$1,000.00 security for replanting four (4) trees as per Tree Retention/Replanting Policy (LAN.32); and
- any other items that Council may require resulting from the Public Hearing or Council consideration of the application.

The Deputy Chief Administrative Officer stated that the following was received:

1. a letter opposed to the application from Steven and Leah Matthews dated August 2, 2011.

Joan Hahn said she is opposed to the application as this neighbourhood should remain rural, and high density in this area is not appropriate. She stated that allowing secondary suites in this neighbourhood will change the density, character and lifestyle of the community and will open the door to further amendments.

Lorne Geortz stated that the purpose is to build a home with a suite in the home to aid his adult child. The suite will not be rented out, but rather will be occupied by his adult child so she has a place of her own until they can save to purchase her own home. The design and conceptual planning will be consistent with the neighbouring properties.

The Planner responded that there are properties in the area that have designated suites, but there are no designated suites on Israel Avenue.

Joan Hahn noted that this development is six lots and that when they built their own house they were not permitted to build a suite and chose to build a house in this area on the understanding that no suites would be built in the neighbourhood. She asked why the plans they submitted to the city specifically state that no suite can be constructed.

The Director of Planning responded that when the plans for this development were submitted for approval, the plans were checked with the current zoning, which does not allow for a suite. She confirms that the applicant has applied to rezone the property to allow for a suite.

Hearing no questions or comments, the mayor declared the public hearing on District of Mission Zoning Amending Bylaw 5226-2011-5050(46) (R11-018 - Goertz) closed.

PH11/069
 AUG. 22/11

Moved by Councillor Horn, seconded by Councillor Gidda, and

RECOMMENDED: That District of Mission Zoning Amending Bylaw 5226-2011-5050(46) be read for a third time.

CARRIED

PH11/070
 AUG. 22/11

Moved by Councillor Horn, seconded by Councillor Stevens, and

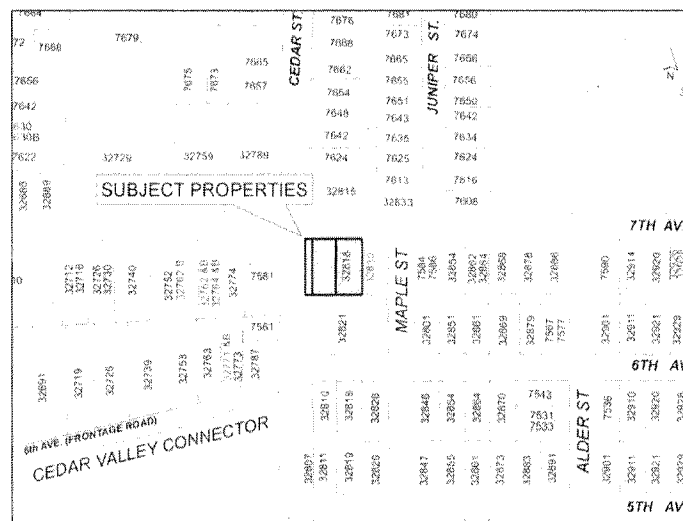
RECOMMENDED: That the meeting be recessed at 9:52 p.m. and reconvened at 10:01 p.m.

CARRIED

PH11/071
 AUG. 22/11

Temporary Commercial Use Permit Application TP11-002 (676517 BC Ltd.) – 32818 – 7th Avenue (Presentation and Public Input)

Erik Wilhelm, Planner, provided information regarding Temporary Commercial Industrial Permit application TP11-002 (676517 BC Ltd.) to operate a multi-tenant complex that will provide a multitude of commercial businesses (5-10 individual businesses) on the property located at 32818 – 7th Avenue as shown on the following map:



The Planner stated that the following conditions will form part of the permit:

- completion of all traffic movement alterations (as may be modified by Council) to the satisfaction of the Planning and Engineering Departments;
- completion of all exterior renovations prior to any commercial business activity; and
- any other items that Council may require resulting from Public Input or Council consideration of the application.

The Deputy Chief Administrative Officer stated that no correspondence had been received regarding this application.

Jim Hines asked about the impact of placing a barrier on 7th Avenue between the proposed site and the Petro Canada and if it would impact traffic in and out of this gas station.

The Deputy Director of Engineering responded that the barriers are being reconsidered as discussions have ensued regarding the impact on the Petro Canada station and pavement markings or signs may be installed rather than the barrier.

Dave Smith expressed concerns regarding potential tenants of the building. He said he is concerned that certain types business may lease space such as second-hand stores. Mr. Smith noted that he would like to see the hours of operation of the building from 8:00 a.m. to 6:00 p.m. in order to avoid excess traffic at the rear of the building. He also asked that adequate lighting be installed at the rear of the building, noting that many children and seniors live in the area and they would like to request that the lane be closed in order to avoid through traffic. He also expressed concern with parking in the area and asked if property values in the area would be impacted.

Lila Rauh expressed concern with the increased traffic in the area as Cedar Valley Connector and 7th is a very busy intersection.

Mary-ellen expressed concern with the increase in traffic in the area and asked if the light through the Cedar Valley Connector could have time added so that the wait time does not create more traffic congestion in the area.

Dave Smith noted that several concerns were raised by Council in an article that Mr. Smith read from the Mission Times and said that this needs to be taken into account.

Councillor Horn responded that the property value in the area would be impacted more if the building remained vacant. He noted that there were 168 accidents in the area in the past two years.

Jan Voss, traffic engineer with CTS in Port Moody, responded to questions posed as follows:

- based on the volumes and analysis done, this particular site does not require a raised median at this time, and if the current painted median remains in place, tanker trucks will not have an issue entering and exiting Petro Canada;
- during rush hour, traffic does use the lane to avoid the wait at the light at 7th Avenue and the Cedar Valley Connector;
- there is not sufficient time on the light to allow for the amount of traffic that proceeds straight through the Cedar Valley Connector and this time should be increased;
- if the lane continues to be a problem with through traffic, then the installation of speed bumps could be considered;

- the application does meet the current municipal parking bylaw requirements based on the intended use and ,therefore, parking should not be an issue; and
- the exit from the building at the northwest access to the Cedar Valley Connector closest to the traffic signal is currently a right-in and right-out only and signage needs to be installed stating that.

In response to questions from Councillor Stevens, the Planner said that all development on the interior of the building would have to meet with current British Columbia Building Code standards.

Dave Smith noted that he would like to see the lane closed permanently and no access from the Cedar Valley Connector and restricted hours pertaining to the rear exit/entrance.

In response to questions from Council, the Deputy Director of Engineering explained that the Engineering Department is not in agreement on the traffic pattern changes to this intersection. The Engineering Department is recommending the closure of the most northern right-in turn from the Cedar Valley Connector. It is also suggested that the applicant widen the existing driveway that accesses 7th Avenue to permit two-way movement of vehicles coming through the driveway and this driveway should be right-in and right-out only.

Ali Shamei responded to questions from Council, noting that there is presently lighting in the front and back of the building and ,once the building is complete, there will be sufficient lighting. The rear entrance cannot be used solely as an emergency exit as this will be the access to the two businesses that will occupy the first floor. He noted that a vacant building is more dangerous to a neighbourhood and that new business occupying this building would beautify the neighbourhood.

Councillor Scudder asked if the analysis was done during school hours.

Jan Voss responded that the last traffic analysis was done on Wednesday, April 20, 2011 and the data was collected for 7 hours.

In response to questions from Council, Ali Shamei said that he had spoken with the Economic Development Officer and noted that businesses relating to wellness would be encouraged to occupy this building.

Hearing no further questions or comments, the Mayor declared the public input session on District of Mission Temporary Commercial Industrial Permit application TP11-002 closed.

PH11/072
AUG. 22/11

Moved by Councillor Horn, seconded by Councillor Scudder, and

RESOLVED: That Temporary Commercial Industrial Permit TP11-002 for the properties located at 32818 – 7th Avenue be approved for a two-year term with the following conditions:

- (a) That the plan does not include any second-hand stores; and
- (b) That a traffic and access plan be designed to the satisfaction of the District of Mission's Engineering Department.

CARRIED

PH11/073
AUG. 22/11

Moved by Councillor Plecas, seconded by Councillor Gidda, and

RESOLVED: That the Public Hearing portion of the meeting be adjourned and the regular Council meeting reconvened.

CARRIED

5. RESOLUTION TO RESOLVE INTO COMMITTEE OF THE WHOLE

PH11/074
AUG. 22/11

Moved by Councillor Plecas, seconded by Councillor Scudder, and

RESOLVED: That Council now resolve itself into Committee of the Whole.

CARRIED

6. PLANNING

Councillor Stewart assumed the Chair.

PH11/075
AUG. 22/11

Rezoning Application R10-025 (N & J Developments) – 32526, 32540 and 32562 Richards Avenue

Moved by Mayor Atebe, and

RECOMMENDED:

1. That, in accordance with Rezoning Application R10-025 (N & J Developments), the Corporate Officer prepare a bylaw to amend District of Mission Zoning Bylaw 5050-2009 by rezoning the property located at 32526, 32540 and 32562 Richards Avenue and legally described as:

Parcel Identifier: 010-073-353 Lot 1, Section 5, Township 18, New Westminster District, Plan 20926

Parcel Identifier: 023-691-794 Lot 2, Section 5, Township 18, New Westminster District, Plan LMP32001

Parcel Identifier: 023-691-786 Lot 1, Section 5, Township 18, New Westminster District, Plan LMP32001

from Rural 16 (RU16) to Rural Residential 7 (RR7);

that the bylaw be considered for first and second readings at the Regular Council meeting on August 22, 2011; and

that following such readings, the bylaw be forwarded to a Public Hearing on September 12, 2011.

2. That the 5% parkland provision in Section 941 of the *Local Government Act* be applied as cash-in-lieu of parkland to subdivision file S10-012.
3. That two road extensions be named:
 - That extension of the road running south from Richards Avenue be named Verchere Street;
 - That the portion of road running west from Verchere Street be named Vollans Avenue.

4. That the applicant be required to provide an arborist report prior to Public Hearing to address all significant tree removal that will be required as part of development activities.

CARRIED

PH11/076
AUG. 22/11

Rezoning Application R10-034 and DV11-009 – 33277 Richards Avenue (OTG Development Concepts)

Moved by Councillor Horn, and

RECOMMENDED:

1. That, in accordance with Rezoning Application R10-034, the Corporate Officer prepare a bylaw to amend District of Mission Zoning Bylaw 5050-2009 by rezoning the property located at 33277 Richards and legally described as:
Parcel Identifier: 007-203-27, Lot 14, Section 1, Township 18, New Westminster District Plan 35599
from Rural 16 (RU16) to Rural Residential zone (RR7);
that the bylaw be considered for first and second reading at the Regular Council meeting on August 22, 2011; and
the application be forwarded to public hearing on September 12, 2011.
2. That Development Variance Permit Application DV11-009, in the name of Esmial Al-Khaliq to vary
 - (a) District of Mission Subdivision Control Bylaw 1500-1985 for Willingdon Street adjacent to 33277 Richards Avenue as follows:
 - (i) R-2A ½ Road Rural Local Residential standard from 5.7 metre asphalt to 3.2-3.5 metre chip seal;
 - (ii) No requirement to upgrade to R-2A ½ Road Rural Local Residential standard;
 - (iii) No requirement for ditch construction to R-2A ½ Road Rural Local Residential standard;
 - (iv) No requirement for road dedication to R-2A ½ Road Rural Local Residential standard; and
 - (v) Cul- de sac construction requirement to a 'hammerhead type' standard that meets the requirement of the Fire Department including requirements for two gravel pullouts constructed to rural road base standard.
 - (b) District of Mission Zoning Bylaw 5050-2009 as follows:
 - (i) Section 301, Part D, Setbacks 1. Accessory Building / Structure from 3.0 m (9.8ft) to 1.11m (3.6 ft.) to the interior side lot line to allow for the existing shop to remain on Lot A.
3. That a proposed single family residential development located at 33277 Richards Avenue, be forwarded to a Public Input meeting on September 12, 2011.

CARRIED

PH11/077
AUG. 22/11

**Rezoning Application R11-017 and Development Variance Permit Application
DV11-007 – 7768 Taulbut Street**

Moved by Councillor Plecas, and

RECOMMENDED:

1. That, in accordance with Rezoning Application R11-017 (Gary Toor), the Corporate Officer prepare a bylaw to amend District of Mission Zoning Bylaw 5050-2009 by rezoning the property located at 7768 Taulbut Street and legally described as:

Parcel Identifier: 009-720-944; Lot 13, Section 21, Township 17, New Westminster District Plan 12578

from Urban Residential 558 (R558) zone to RC465 Urban Residential Compact 465 (RC465) zone;

that the bylaw be considered for first and second reading at the Regular Council meeting on August 22, 2011; and

that following such a reading, the bylaw be forwarded to a Public Hearing on September 12, 2011.

2. That Development Variance Permit Application DV11-007 be forwarded for public input on September 12, 2011:

- (a) to vary Section 601, C. 1. of District of Mission Zoning Bylaw 5050-2009 by reducing the minimum required:

Conventional Lot Width:

- Lot 1 from 16 metres (52.4 feet) width to 15.21 metres (49.9 feet) width;
- Lot 2 from 16 metres (52.4 feet) width to 15.22 metres (49.9 feet) width;

- (b) to vary Section 104, C. 3 a. of District of Mission Zoning Bylaw 5050-2009 by reducing the minimum required:

Corner Lot Width:

- Lot 3 from 17.5 metres (57.4 feet) width to 16.3 metres (53.4 feet) width;

- (c) to vary Schedule C, Part III, Drawing R-7 of District of Mission Subdivision Control Bylaw 1500-1985 by reducing the minimum required:

Typical Cul-De-Sac:

- Roadway dedication from 9 metres (29.5 feet) width to 7.5 metres (24.6 feet) width on the cul-de-sac running eastward from Taulbut Street;

3. That the applicant replant 27 trees in addition to the requirement to plant two trees per lot in accordance with LAN.32 Tree policy, for a total of 47 trees to be planted within the boundaries of the subdivision or provide \$250.00 for each tree of the required 47 trees (\$11,750 maximum);

4. That the 5% parkland provision in Section 941 of the *Local Government Act* be applied as cash-in-lieu of parkland to subdivision file S11-014; and
5. That one road extension and one new cul-de-sac be named:
 - That extension of road running south of Deerfield Street be named Deerfield Street;
 - That the portion of cul-de-sac running east from Taulbut Street be named Chomat Place.

CARRIED

PH11/078
AUG. 22/11

**Rezoning Application R11-015 (OTG Development Concepts) – 33766
Richards Avenue**

Moved by Councillor Horn, and

RECOMMENDED:

1. That, in accordance with Rezoning Application R11-015 (OTG Development Concepts), the Corporate Officer prepare a bylaw to amend District of Mission Zoning Bylaw 5050-2009 by rezoning the property located at 33766 Richards Avenue and legally described as:
Parcel Identifier: 012-371-335 (Lot "J", Section 3, Twp 18, NWD Plan 1762)
from Rural 16 (RU16) zone to Rural Residential (RR7) zone;
that the bylaw be considered for first and second readings at the Regular Council meeting on August 22, 2011; and
that following such a reading, the bylaw be forwarded to a Public Hearing on September 12, 2011;
2. That the 5% parkland provision in Section 941 of the *Local Government Act* be applied as cash-in-lieu to subdivision file S11-011;
3. That third reading of District of Mission Street Naming Bylaw 5139-2010 be rescinded; and
4. That District of Mission Street Naming Bylaw 5139-2010 be amended by deleting the words "Darbyshire Terrace" and replacing them with the words "Darbyshire Drive", adding the legal description for 33766 Richards Avenue and by replacing the map attached as Schedule "A" in the report of the planner dated August 22, 2011.

PH11/079
AUG. 22/11

Request to Waive Building Permit Fee and Development Cost Charges

Moved by Councillor Horn, and

RECOMMENDED: That this item be deferred pending further information from staff on options available.

CARRIED

7. RESOLUTION TO RISE AND REPORT

Mayor Atebe resumed the Chair.

PH11/080
AUG 22/11

Moved by Councillor Gidda, seconded by Councillor Plecas, and

RESOLVED: That the committee of the whole now rise and report.

CARRIED

8. ADOPTION OF COMMITTEE OF THE WHOLE REPORT

PH11/081
AUG 22/11

Moved by Councillor Horn, seconded by Councillor Scudder, and

RESOLVED: That the recommendations of the committee of the whole, as contained in items PH11/055 to RC11/081, be adopted.

CARRIED

9. BYLAWS

PH11/082
AUG 22/11

Moved by Councillor Stevens, seconded by Councillor Gidda, and

RESOLVED: That the readings of all bylaws included in the Bylaws section of the August 22, 2011 regular council agenda be approved as listed:

- | | | |
|-----|--|----------------------------------|
| (a) | District of Mission Street Naming (Darbyshire Terrace) Bylaw 5139-2010 – a bylaw to name a portion of new road | Rescind Third Reading |
| (b) | District of Mission Street Naming (Darbyshire Drive) Bylaw 5139-2010 – a bylaw to name a portion of new road | Third Reading (as amended) |
| (c) | District of Mission Zoning Amending Bylaw 5229-2011-5050(49) (R10-025 – N & J Developments) – a bylaw to rezone property at 32526, 32540 and 32562 Richards Avenue from Rural 16 Zone (RU16) to Rural Residential 7 Zone (RR7) | First and Second Readings |
| (d) | District of Mission Street Naming (Verchere Street/Vollans Avenue) Bylaw 5238-2011 – a bylaw to name a portion of new road and extension of road | First, Second and Third Readings |
| (e) | District of Mission Zoning Amending Bylaw 5230-2011-5050(50) (R11-017 – Toor) – a bylaw to rezone property at 7768 Taulbut Street from Urban Residential 558 Zone (R558) to RC465 Urban Residential Compact 465 Zone (RC465) | First and Second Readings |
| (f) | District of Mission Zoning Amending Bylaw 5237-2011-5050(53) (R11-015-OTG Development Concepts) - a bylaw to rezone property at 33766 Richards Avenue from Rural 16 Zone (RU16) to Rural Residential Zone (RR7) | First and Second Readings |

- | | |
|--|----------------------------------|
| (g) District of Mission Street Naming (Deerfield Street Extension/Chomat Place) Bylaw 5239-2011 – a bylaw to name a portion of new road and extension of road | First, Second and Third Readings |
| (h) District of Mission Zoning Amending Bylaw 5236-2011-5050(52) (R10-034-OTG Development Concept) - a bylaw to rezone property at 33277 Richards Avenue from Rural 16 Zone (RU16) to Rural Residential Zone (RR7) | First and Second and Readings |

10. CHIEF ADMINISTRATIVE OFFICER'S REPORT

The chief administrative officer did not report.

11. MAYOR'S REPORT

The Mayor reported on various activities, meetings and events attended since the last regular council meeting.

12. COUNCILLOR'S REPORTS ON COMMITTEES, BOARDS AND ACTIVITIES

Councillors reported on various activities, meetings and events attended since the last regular council meeting.

13. QUESTION PERIOD

There were no questions from the public.

14. ADJOURNMENT

Moved by Councillor Horn, seconded by Councillor Gidda, and

RESOLVED: That the meeting be adjourned.

CARRIED

The meeting was adjourned at 11:10 p.m.


TED ADLEM, MAYOR


PAUL GIPPS, DEPUTY CHIEF
ADMINISTRATIVE OFFICER