

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, October 24, 2011 commencing at 6:30 p.m.

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

Staff Members Present: G. Robertson, Chief Administrative Officer
P. Gipps, Deputy Chief Administrative Officer
K. Ridley, Deputy Director of Corporate Administration
T. Takahashi, Administrative Clerk

1. REMEMBRANCE DAY CEREMONY

Mayor Atebe welcomed Thomas Armstrong, Knobby Clark, Dyane Betts, Dave Bryant, Sion Davies, Lorne Dumaresq, and John Keresman from Royal Canadian Legion Branch 57, and opened the meeting with the same dedication that opens the Legion meetings. He read a description of Veterans' Week and stated that the District of Mission will proclaim the week of November 5 to 11, 2011 as "Veteran's Week", noting that the Legion's poppy flag had been raised at the municipal hall and would be flown during Veterans' Week.

The mayor conveyed Mission's gratitude to those who served Canada and for the sacrifices they made to keep our country a safe place for future generations. Council acknowledged the contributions of the veterans and expressed their thanks.

The mayor and each councillor thanked the veterans in attendance for their service to the country and contributions to the community

2. PROCLAMATIONS

Veterans' Week – November 5 through 11, 2011
Royal Canadian Legion Branch 57

Moved by Councillor Stevens, seconded by Councillor Horn, and

RESOLVED: That November 5 through 11, 2011 be proclaimed as "Veterans' Week" within the District of Mission; the District to assume no costs related thereto.

CARRIED

3. DELEGATIONS, PRESENTATIONS AND PROCLAMATIONS

Mike Schmidt – Recognition of 20 Years of Service with the District of Mission

Mayor Atebe presented Mike Schmidt, Captain Fire Prevention Officer, with a pin and gift in recognition of his 20 years of service with the District of Mission.

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**Diane Miller, Executive Director, Fraser Health Authority
Fraser Health Healthier Community Partnership**

Ms. Diane Miller appeared before Council to present the Fraser Health Healthier Community Partnership program. She showed a short video about making healthier choices and then, using a short PowerPoint presentation, stated the following:

- Communities should be concerned about various personal and economic costs associated with unhealthy choices, including decreased productivity, increased absenteeism, increased disability, lowered self-esteem, and decreased quality of life;
- The Healthier Community Partnership is meant to engage broad group of citizens, including educational institutions, police, social service providers, provincial government ministries, business communities, chairs of identified municipal task forces, and others as determined by the community;
- The purpose of the partnership is to work collaboratively to ultimately increase the health of the entire community by decreasing smoking rates, increasing fruit and vegetable consumption, and increasing physical activity rates;
- The Municipal Role in Healthier Communities is to provide leadership in the community by partnering with Fraser Health and community organizations;
- Municipalities can consider healthy living strategies when developing by-laws, zoning and other policies, incorporating healthy living strategies in Official Community Plans and other community planning, and conducting social marketing and education campaigns;
- Some examples of steps being taken in other municipalities include implementation of Municipal food policy, altered work hours to facilitate employee fitness, and implementation of new tobacco bylaws; and
- Strategies focusing on policy, public awareness and education include Healthy Eating, Physical Activity, Tobacco Reduction, Healthy Built Environment, Vulnerable Citizens and Neighbourhoods.

Ms. Miller explained that Council has an important role and a significant influence over the health of the community and encouraged Council to share in Fraser Health's commitment to making change happen.

Moved by Councillor Horn, seconded by Councillor Scudder, and

RESOLVED:

1. That council formalize its agreement with Fraser Health with regard to the Healthier Communities Program; and
2. That council move forward on its assessment of strategies to promote a healthier community in the District of Mission.

CARRIED

4. PUBLIC HEARING

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

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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 Secondary Dwelling Zone (RR7s)

Barclay Pitkethly, Deputy Director of Planning, provided information regarding District of Mission Zoning Amending Bylaw 5229-2011-5050(49) (R10-025 – N & J Developments), which proposes to amend District of Mission Zoning Bylaw 5050-2009 by amending the zoning of the following legally described properties:

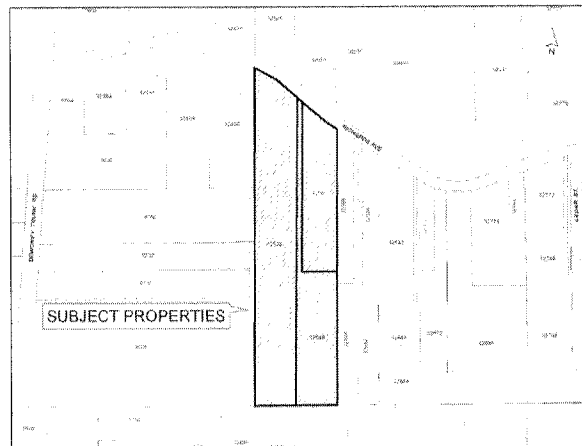
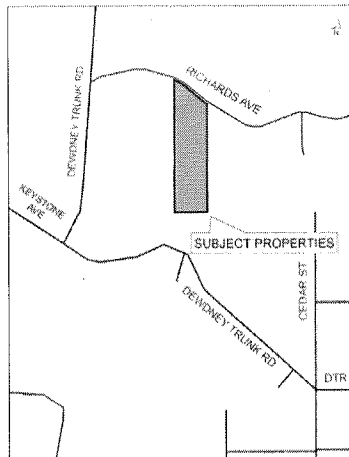
Parcel Identifier: 010-073-353, Lot 1, Section 5, Township 18, New Westminster District Plan 20926

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 RU 16 (Rural 16) zone to RR7s (Rural Residential 7 Secondary Dwelling) zone.

The Deputy Director of Planning stated that the location of the subject properties is 32526, 32540 and 32562 Richards Avenue as shown on the following maps:



Mr. Pitkethly explained that the purpose of the proposed amendment is to accommodate the subsequent subdivision of the subject properties into ten (10) lots of a minimum 0.7 hectare (1.73 ac.) lot size.

The Deputy Director of Planning noted that the proponent has volunteered to put a restrictive covenant on the property to limit the type of secondary dwelling to secondary suites contained within the main dwellings.

Mr. Pitkethly 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 \$18,760;
- confirmation from BCLS Survey that the encroaching structure on proposed Lot 'G' has either been moved, removed or demolished; 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 one written submission was received regarding this application from Mr. and Mrs. Roy on October 4, 2011. Mr. and Mrs. Roy requested that the street be given the name MacKenzie Avenue after their son who they said was promised by the developer that he could choose the street name.

Aaron Fedora said he represents the property owners asking that the proposed restrictive covenant to limit to a secondary suite within the primary dwelling, instead limit all the properties to garden cottage in form and character to facilitate multi-generational living on the properties.

Councillor Horn asked why this request was not made to council prior to the public hearing.

Mr. Fedora replied that the property owners were under the impression that this request had already gone forward after the September 6, 2011 council meeting.

Debbie and Dana Roy said they are in favour of garden cottages so they can have their parents live on the property with them.

Roger Moody said that he supports this development because he thinks it is necessary for the community. He also commented that he is worried about water retention management.

Shawn Heppel is in support because it would add a lot of value to community, is consistent with surrounding properties, and would allow for multi-generational feel to build the community.

Lorell Pride submitted a letter from her neighbours expressing concern about the impact of the subdivision on drinking water, as some of the adjacent properties will continue to use wells. She said they are concerned about the septic fields and how the runoff and seepage from those fields will be managed in terms of affecting the aquifer water system.

The Director of Planning replied that through the subdivision process, each individual lot will have to register an approved engineered septic system on title through a restrictive covenant and deposit it with Fraser Health, so as not to affect drinking water.

Randy Saunders asked about size of lots.

Mr. Pitkethly replied that the lots will be 0.7 hectares in size.

Mr. Saunders asked if garden cottages or secondary suites would be rentable and if there would be a difference between garden cottages and secondary suites.

The Director of Planning said that rental of both types of dwellings would be possible.

Councillor Horn asked if the option to have a detached garage as well as a garden cottage on the lots would be available, resulting in as many as three structures.

Barclay replied that there would be no limit to the number of outbuildings that could be constructed.

Councillor Horn asked if staff had any comments about the possibility of garden cottages being allowed. He also asked for clarification about whether a geotechnical or water impact study was done on the properties.

Mr. Pitkethly replied that he did not think a geotechnical study had been required.

He said that through the subdivision process the building areas were identified

Norm Tapp, the developer, replied that a geotechnical study had been done.

Councillor Horn asked if a separate well and septic field would be necessary for a secondary building.

The Deputy Director of Planning replied that a separate well or a shared well would be possible, noting that a shared well would have to be registered with Fraser Health as a community water source. He said that a separate septic field would not be necessary if it is registered and approved by an engineer or professional in the field.

Councillor Scudder asked if the restrictive covenant change to garden cottage is small enough and could be accommodated within the zoning immediately.

Mr. Pitkethly said there is no change to the substance of the zoning amendment; it is just a change in the type of the housing form, so it would not be a problem to go forward immediately.

Councillor Plecas asked about the width of the roadway.

The Deputy Director of Planning replied that it is a standard width rural road, but there will likely be an emergency turnaround at the end of each roadway for emergency vehicles.

Councillor Stewart asked for clarification about secondary dwellings with regard to the topography of the lots.

Mr. Pitkethly replied that the information would be obtained through the subdivision process, noting that if a secondary dwelling could not be constructed on a site, then it would simply limit what could be done on that particular site. He stated that he believes that the sites are large enough to accommodate garden cottages.

Councillor Gidda asked about how much water would be produced by the wells.

The Deputy Director of Planning replied that reports would be received and Canadian Water standards would have to be met for both quality and quantity.

Aaron Fedora clarified that the well drilled on the property is currently approximately 75 feet at the pump setting and produces 15 gallons per minute.

Hearing no further questions or comments the Mayor declared the public hearing on District of Mission Zoning Amending Bylaw 5229-2011-5050(49) (R10-025 – N & J Developments) closed.

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(i) District of Mission Official Community Plan Amending Bylaw 5247-2011-4052(17) (R11-007 – Keystone Architecture & Planning Ltd.) – a bylaw to redesignate property at 32921 – 14th Avenue from Urban Residential to Urban Compact – Multiple Family

(ii) District of Mission Zoning Amending Bylaw 5248-2011-5050(55) (R11-007 – Keystone Architecture & Planning Ltd.) – a bylaw to rezone property at 32921 – 14th Avenue from Urban Residential Zone (R558) to Multiple Family 40 Townhouse Zone (MT40)

Barclay Pitkethly, Deputy Director of Planning, provided information regarding District of Mission Official Community Plan Amending Bylaw 5247-2011-4052(17) (R11-007 – Keystone Architecture & Planning Ltd.), which proposes to amend the District of

Mission Official Community Plan by redesignating the following legally described property:

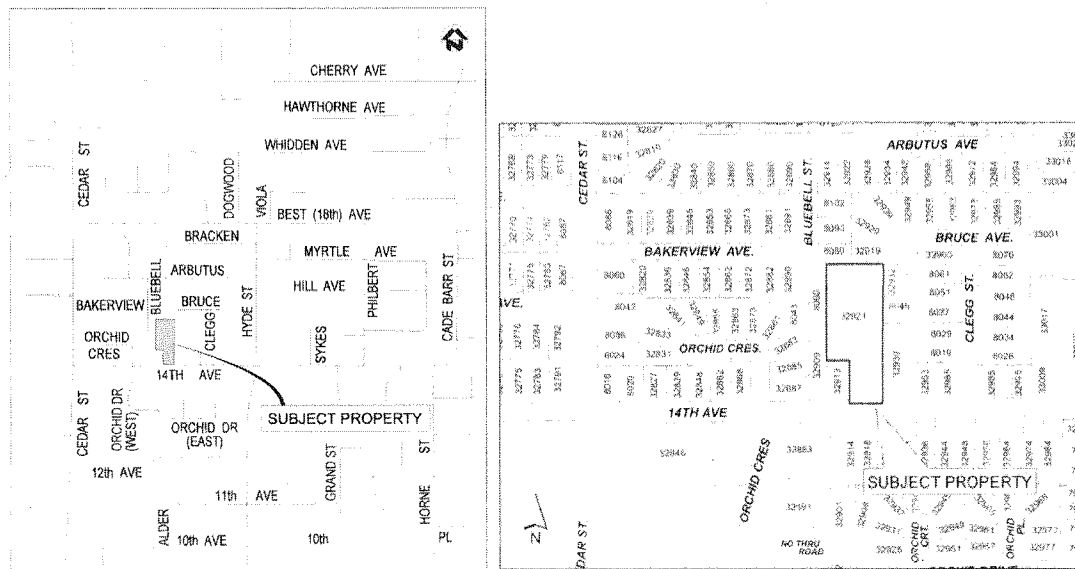
Parcel Identifier: 011-402-857, Lot "A" Except: Firstly: East 102.31 Feet; Secondly: Part Subdivided by Plan 16787, Section 28, Township 17, New Westminster District Plan 8999

from Urban Residential to Urban Compact/Multiple Family.

The Deputy Director of Planning also provided information regarding District of Mission Zoning Amending Bylaw 5248-2011-5050(55) (R11-007 – Keystone Architecture & Planning Ltd.) which proposes to amend District of Mission Zoning Bylaw 5050-2009 by redesignating the preceding legally described property:

from Urban Residential 558 (R558) zone to Multiple Family 40 Townhouse (MT40) zone.

Mr. Pitkethly stated that location of the subject properties is 32921 14th Avenue as shown on the following maps:



The Deputy Director of Planning explained that the purpose of the proposed amendments is to accommodate a multi-family development in the form of a 23-unit townhouse development.

Mr. Pitkethly stated that the following requirements would need to be met prior to adoption of the bylaw:

- Engineering requirements, including a sidewalk adjacent to the subject property;
- Approval of DP11-005 (form and character);
- Approval of DP11-004 (slope);
- Receipt of Community Amenity Contribution of \$58,960; 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 one written submission was

received regarding this application from Roger Pallard, who opposes the development because it goes against the long-term plan for the community.

Mr. Peter Bulla asked about past issues on Clegg Street and was informed that this was not the appropriate time to discuss those issues. Mr. Bulla refused to refrain from interrupting the proceedings and continued to speak.

Moved by Councillor Scudder, seconded by Councillor Gidda, and

RECOMMENDED: That the meeting be recessed.

CARRIED

The meeting was recessed at 8:07 p.m.

Mr. Peter Bulla left the meeting.

Moved by Councillor Horn, seconded by Councillor Stewart, and

RECOMMENDED: That the meeting be reconvened.

CARRIED

The meeting was reconvened at 8:09 p.m.

Wendy Schmidt said she is opposed to the development because it will change the whole area and ruin views for properties in the area. She submitted a petition containing 44 signatures from surrounding neighbours in opposition to the proposal.

Cheryl Dahl said that she is worried about emergency exits from the property, as well as safety in the area without traffic calming and sidewalks. She said she is also worried about the apparent lack of visitor parking spaces on the property.

The Deputy Director of Planning responded that geotechnical reports show that the site is safe for the use intended. He said that there was no requirement for a traffic impact assessment on the site because there will not be too much traffic generated on the site. Mr. Pitkethly also noted that the proposal meets all bylaw requirements for visitor parking. He said that there are five or six visitor parking spaces allowed for on the site and each unit has two indoor parking spaces, as well as driveway space to accommodate two vehicles.

Susan Meshwork said that she is opposed because she is worried about impact of construction noise and the addition of 23 new families on people already living in the area.

Keith Glover asked for clarification about the notification process and the kind of housing this development will be. He asked if the public can make comments about the design. He also asked about building height and slope.

The Deputy Director of Planning replied that the notification of public hearing was sent via Canada Post to each property owner within 150 metres of the subject property. He also stated that he believes the intention is for all of the units to be sold.

Mr. Glover inquired whether it would be possible for the public to make comments about how the development is built.

The Deputy Director of Planning replied that the comments received would be considered.

Mr. Glover asked about the removal of shrubs and installation of fencing on the

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perimeter.

Mr. Pitkethly replied that there will be fencing, but 26 of the significant trees on the site will be retained. He also noted that the property will be terraced to accommodate the slope.

Mr. Glover asked how the fire trucks will enter the site and whether there will be fire hydrants on site.

Mr. Pitkethly clarified that they will enter from 14th Avenue.

Deputy Chief Administrative Officer Paul Gipps said that fire hydrants must be located within 150 feet from each front door according to the BC Building Code.

Todd Earnshaw asked about dead end roads and whether there are plans for extending the roadways for future development.

Mr. Pitkethly replied that Clegg Street through to Bruce Avenue is already fully developed. He commented that the property to the east facing 14th Avenue has development potential, but the District has no plans. He also noted that the turnaround on the east side is for emergency vehicle use and the other dead end is simply for access to parking.

Peter Motut said that he is opposed to idea of having more compact housing in that area. He said that he is worried about too much light, problems with water, and if rentals will be permitted in the townhouse complex.

The Deputy Director of Planning clarified that whether or not rentals are allowed would be dependent upon strata bylaws determined by owners within the complex.

Mr. Motut asked if there is any future intention for Bakerview Street or Bluebell Street to be extended.

Mr. Pitkethly replied that the slope is too steep for Bluebell Street to be extended.

Jeff Jewell said he feels this bylaw proposal will cause a radical increase in the density in the area. He asked why variances are being considered.

Mayor Atebe replied that provincial legislation allows for any applicant to make a variance application.

Sheldon Jillings said that he is worried about increased traffic and construction starting at 6:00 a.m. He also said that he is worried that there are already too many rental units in the area and that this proposal may create an increase in rentals.

The Deputy Chief Administrative Officer clarified that the noise bylaw stipulates that construction is not to start before 7:00 a.m.

Mr. Peter Bulla interrupted the proceedings from his seat, asking about past issues on Clegg Street and was informed that this was not the appropriate time to discuss those issues.

Councillor Horn asked for and received clarification that the District does own 8037 Clegg Street, but it is in no way connected to the subject property for this bylaw.

Mr. Bulla again refused to refrain from interrupting the proceedings and continued to speak.

Mayor Atebe asked Mr. Bulla to leave the Chamber and he did so.

Cheryl Dahl asked who will maintain the roadway within the complex?

The Deputy Director of Planning replied that the road is private and will thus be maintained by the strata.

Susan Meshwork said that she is worried about access to neighbouring properties and asked how long the building process will be.

Mayor Atebe explained that the recent drainage improvements were due to the past flooding in the area.

The Deputy Director of Engineering replied that the developers would need to have traffic control plans with proper signage and flag persons during the construction.

Peter Motut said he feels that a change in zoning would negatively affect property values.

Anthony Lawless asked whether the tall evergreen trees at the back of the property would remain and, if so, on which side of those trees the fence would be located.

The Deputy Director of Planning replied that fencing would be on the development site.

Councillor Stewart asked if the provided drawing is what the actual development would look like, where retaining walls will be constructed and the target market for the developer.

Mr. Pitkethly replied that many of the significant trees will be retained, but it may not look exactly like the picture. He noted that there will be some retaining walls between the buildings to keep the amenity areas level.

Norm Davis, the architect, said the target market is middle income. He said he believes the units would be too expensive to rent.

Councillor Plecas asked about the intended height of and material for the retaining walls, as well as the number and location of visitor parking spaces.

Mr. Davis said the retaining walls would primarily be Allan block retaining walls and they would be terraced in spots where more than four or five feet is necessary.

The Deputy Director of Planning replied there are six visitor spots planned to be spread throughout the site, some driveways would accommodate parking and there would be no parking on roadways.

Peter Motut commented that he thinks some of the trees shown in the artist drawing are actually located on property at 32909 14th Avenue.

Chris McArdle commented that he is worried about drainage in the driveways of the proposed development.

Mr. Pitkethly replied that stormwater retention would be required to be built on site.

Hearing no further questions or comments, the Mayor declared the public hearing on District of Mission Official Community Plan Amending Bylaw 5247-2011-4052(17) (R11-007 – Keystone Architecture & Planning Ltd.) and District of Mission Zoning Amending Bylaw 5248-2011-5050(55) (R11-007 – Keystone Architecture & Planning Ltd.) closed.

5. BYLAWS

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Moved by Councillor Horn, seconded by Councillor Stevens, and

RECOMMENDED: That 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 Secondary Dwelling Zone (RR7s) be given Third Reading with the following amendments:

1. That secondary dwellings be in the form of a secondary suite or a coach house on the property; and
2. That the street naming policy include the name MacKenzie Street in addition to one of the other two names suggested in the report.

Councillor Stevens withdrew her second to the motion, and it was:

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Moved by Councillor Horn, seconded by Councillor Plecas, and

RECOMMENDED: That 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 Secondary Dwelling Zone (RR7s) be approved with the following amendments:

1. That secondary dwellings be in the form of a secondary suite or a coach house on the property; and
2. That staff prepare a report indicating the rationale for the street names.

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Moved by Councillor Scudder, seconded by Councillor Stevens, and

RECOMMENDED:

1. That the motion be amended by adding garden cottages to the list of possible secondary dwelling types allowed; and
2. That the motion be approved as amended.

OPPOSED: Councillor Horn

CARRIED

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Moved by Councillor Scudder, seconded by Councillor Stevens, and

RECOMMENDED: That District of Mission Official Community Plan Amending Bylaw 5247-2011-4052(17) (R11-007 – Keystone Architecture & Planning Ltd.) – a bylaw to redesignate property at 32921 – 14th Avenue from Urban Residential to Urban Compact – Multiple Family be given Second and Third Readings following the public hearing.

OPPOSED: Councillor Horn
Councillor Plecas

CARRIED

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Moved by Councillor Scudder, seconded by Councillor Stewart, and

RECOMMENDED: That District of Mission Zoning Amending Bylaw 5248-2011-5050(55) (R11-007 – Keystone Architecture & Planning Ltd.) – a bylaw to rezone property at 32921 – 14th Avenue from Urban Residential Zone (R558) to Multiple Family 40 Townhouse Zone (MT40) be given Second and Third Readings following the public hearing.

OPPOSED: Councillor Horn
Councillor Plecas

CARRIED

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Moved by Councillor Horn, seconded by Councillor Plecas, and

RECOMMENDED: That the meeting be extended until all the business is completed.

CARRIED

6. NEW BUSINESS

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Gaudin Creek Diversion Costs

A report dated October 24, 2011 from the Chief Administrative Officer and a report dated October 22, 2011 regarding Gaudin Creek Diversion Costs were provided for Council's information.

Discussion ensued and it was:

Moved by Councillor Stevens, seconded by Councillor Plecas, and

RESOLVED:

- 1) That staff be authorized to complete the full Gaudin Creek diversion at an additional cost of \$136,803, with funding as follows:
 - \$20,000 from the Water Capital Contingency;
 - \$30,000 from the Cedar Valley Environmentally Sensitive Area (ESA) Enhancement fund;
 - \$86,803 from Cedar Valley Roads Development Cost Charge (DCC) program; and,
- 2) That the financial plan be amended accordingly.

CARRIED

7. QUESTION PERIOD (on new business only)

Larry Nundal asked whether \$244,449 was spent without prior council approval.

The Chief Administrative Officer confirmed that the amount spent did exceed the amount budgeted. He said that the overall budget approved was much larger, but the tender was less.

Mr. Nundal asked if the project was designed in-house.

The Chief Administrative Officer replied that it was designed in-house.

Mr. Nundal asked what the design was based on.

The Director of Engineering replied that test holes were done to determine the elevations of the water mains and sewer lines, but it was done through a vacuum truck rather than a full excavation, which likely can explain the elevation error.

Mr. Nundal asked about soil conditions and whether a geotechnical study was done.

The Deputy Director of Engineering said that a study was done, but the design from the supplier of the culvert required higher sewage capacity than indicated by the geotechnical report, so a concrete footing was used instead.

Jeff Jewell commended council on their deliberations and their decision on this matter. He wondered why staff did not warn about possible problems.

8. ADJOURNMENT

Moved by Councillor Plecas, seconded by Councillor Gidda, and

RESOLVED: That the meeting be adjourned.

CARRIED

The meeting was adjourned at 9:54 p.m.



MAYOR TED ADLEM



PAUL GIPPS, DEPUTY CHIEF
ADMINISTRATIVE OFFICER