

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 25, 2010 commencing at 6:30 p.m.

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

Staff Members Present: G. Robertson, chief administrative officer
T. Takahashi, administrative clerk

1. DELEGATIONS, PRESENTATIONS AND PROCLAMATIONS

PH10/057
OCT 25/10

Shawnee Landsiedel

Re: Development Permit Application DP10-008 (Muir) 7536 James Street

Ms. Landsiedel made a presentation to council voicing her objection to development permit application DP10-008 (Muir) 7536 James Street. She asked that the petition and her letter of opposition presented at the September 20, 2010 council meeting be considered as proof that neighbouring residents are opposed to the permit application.

Ms. Landsiedel questioned the vision of the official community plan and whether this particular application is an appropriate example of what council would like to do. She noted that according to her research, the infill development policy was adopted in July 2008 and, to date, no submission has been approved. Council adopted new procedures in July 2010 entrusting the director of planning with the authority to approve applications. Ms. Landsiedel commented that this is the first application being supported by the director of planning and questioned if it is an appropriate example to set a precedent for future permits.

Ms. Landsiedel advised that, during a recent conversation, she expressed concern to the deputy director of planning about the legal commitment Mr. Muir has to conform to his plans and noted that the deputy director of planning explained that if Mr. Muir did not conform to his plans, the district would not pass the structure until it conforms.

Ms. Landsiedel expressed concern about the retention of surrounding landscaping. She noted that Mr. Muir has owned the property since March 2009 and the garage was built March, 2008. She asked that the garage be torn down or brought up to code to meet the bylaw requirements. She explained that the garage is large and very close to her property line, making it confining and claustrophobic for her and other neighbours, even without a second story. Ms. Landsiedel noted that there is very little green space for the rear setback, as the backyard setback will be reduced to 1.45 metres once the staircase is added, which would affect her enjoyment of outdoor living space and impact property values. She also expressed concern with parking and neighbourhood character if the development were to proceed.

PH10/056
OCT 25/10

BC Transit

Tony Sharp, Vice President Finance, CFO; Johann Van Schaik, Regional Transit Manager

Re: Key Performance Indicators for BC Transit

Tony Sharp, Vice President Finance, CFO for BC Transit, presented a report on key performance indicators for the Central Fraser Valley (CFV) Transit System. Mr. Sharp explained that BC Transit is hoping to improve relations with partners by reviewing key performance indicators to identify and monitor performance and improve service delivery in areas such as service levels, financial performance, operational performance, customer satisfaction and environmental performance.

Mr. Sharp emphasized that revenue and ridership are key to long-term sustainability of the CFV transit system. He explained that to improve service, a new fare box and vault technology (GFI) has been introduced and an Automatic Passenger Counter (APC) technology will be implemented in late 2010. Mr. Sharp explained that the GFI provides timely data relating to revenue (fare product use) and ridership.

Mr. Sharp reported that:

- The province funds nearly half of the costs of the Mission transit system, which helps per capita on property taxes, using only \$29.00 per household for services;
- Mission is using 26% of the CFV service, providing two million rides per year, which is slightly below the average;
- There has been a 12% increase in conventional service, a 9.5% increase in custom service, a 7% increase in ridership and an 18% increase in revenue;
- There has been a 17% operating cost increase over the last 3 contracts and the cost of running the system continues to rise; and
- Of that, 12% was from increased service, 5% from inflation, 21% from vehicle debt service and 36% for service increases, all factors in increased costs.

He noted the following from 2009 data:

- On-time performance was 87%. The goal for 2010 is 90% or better. Service reliability was 99.9%. The 2010 goal is 99.9%;
- Service efficiency was 83% in 2009 and 86% in 2010, with a provincial average of 85%. Mission is significantly below the national average and against the trend; and
- Service reliability for 2010 was 99.9%, equal to the goal of 99.9%.

Mr. Sharp noted the following for Mission for the year to date:

- Revenue is up 5% and overall costs are on budget;
- Custom ridership is below projections;
- Conventional ridership is in accordance with projections; and
- Cost recovery is slightly ahead of the average.

Mr. Sharp said that to ensure improved service levels to partners, BC Transit will:

- Introduce new GFI fare box and vaults to improve data collection;
- Conduct further expanded polling of customers to make better improvements;

- Implement regular operations meetings with all partners;
- Implement bi-monthly performance reporting to monitor service and develop standards;
- Refocus on operating agreement and operating relationship;
- Become a responsive operating partner and
- Increase the BC Transit monitoring presence.

Mayor Atebe thanked Mr. Sharp for his presentation and expressed appreciation for the update, noting that the information will help guide future council decision making.

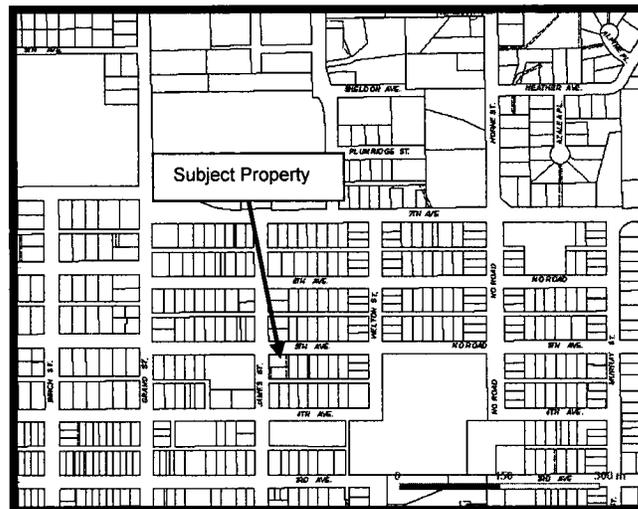
2. DEVELOPMENT PERMIT APPLICATIONS

PH10/059
OCT 25/10

Development Permit DP10-008 (Muir) – 7536 James Street

Barclay Pitkethly, deputy director of planning, provided information regarding development permit application DP10-008, in the name of Arnold Muir, located at 7536 James Street (as shown on the following map), to provide conformity to the Official Community Plan Development Permit Guidelines respecting building form and character for a proposed compact single-family residential infill development on the property, which includes the following variances:

- Rear Yard Setback - from 7.5 to 2.21
- Interior Side Yard Setback - from 3.0 to 2.15
- 80% Second Storey Requirement - from 80% to 86%



The deputy director of planning stated that the purpose of this application is to facilitate conversion of the existing detached garage to a compact single family dwelling. He explained that this property consists of two legal lots and currently houses a three-bay garage. The owner is proposing to convert one garage bay and add a second storey to create a single family dwelling.

The chief administrative officer stated that the following correspondence was received regarding this application:

- August 25, 2010 – Email from Senior Planner Dan Sommer to the deputy director of planning regarding comments received from Carl Craig, owner of a neighboring property at 33128 6th Avenue. Mr. Craig expressed concern that a redesigned garage would not fit with the context of the neighborhood and would have a detrimental impact on the street, both aesthetically and financially.
- August 26 2010 – A petition with 12 signatures in opposition.
- September 19, 2010 – A letter via email from Shawnee Landsiedel expressing opposition to the permit application.

Gwen Gaffney lives across the street from the property in question. She said is opposed the application because it is an example of overcrowding rather than infill.

Otmar Kagi asked why permission was originally given for the garage to be built.

The deputy director of planning explained that the properties were surveyed long ago, noting that the original lots were north-south and when the two existing homes were developed, they were built in an east-west orientation, but the lot lines were never changed, creating four lot lines. Mr. Pitkethly stated that he feels the building permit was issued in error, but he is not sure why it was actually issued.

Carl Craig, owner of the property directly east, expressed concern that the building will adversely affect the entire neighbourhood and about parking.

Kevin Francis asked if council had considered the precedent of approving such a building and the fire hazard of the close proximity.

Mayor Atebe explained that council has not yet approved the application, but rather is simply in the process of receiving public comments.

Shawnee Landsiedel commented that the new dwelling would exceed the off-street parking maximum by 5.0 metres, falls short of the minimum setback and asked why other exceptions have already been allowed without being considered variances. She also expressed concern that the property would not have a usable yard and that firewalls should be required for the west, south and east sides of the garage. Ms. Landsiedel referred to the September 20, 2010 council meeting in which Councillor Stevens mentioned that this type of application would not be approved anywhere else in Mission, and asked council why it is being considered here. She asked that council review the official community plan and expressed concern that property values are going to decline.

Arnold Muir expressed concern that people in the neighbourhood are opposed to change, commenting that this application is a viable concept. He explained that he is making every effort to do this development properly and believes that this project would increase property values. He noted that many similar homes in the area are on smaller lots. Mr. Muir stated that the parking, height, and fire issues raised have been considered and that he will be building to code.

Kim Lyons asked if this will fit into any special zoning bylaws.

Gwen Gaffney asked that her neighbours Martin and Sue de Boer be included as opposed to the application as they had sent an email to council on the morning of this hearing.

Councillor Horn asked if any infill development applications have been approved since the OCP was amended and what the next steps would be if the application was defeated.

The deputy director of planning said he didn't think any had been approved, noting that there has been infill, but none through a development permit. He advised that the District of Mission would have no legal recourse to remove the garage and it would be left as is. Mr. Pitkethly said any future development would have to comply with the current zoning bylaw and would likely require variances. He stated that the property is now considered to be legal, non-conforming.

Councillor Horn commented that the choice is to leave the building as is or redesign it and come back with an application that would require some variances.

The deputy director advised that Mr. Muir could also design a house that fit the property and then would only need a development permit.

Councillor Stewart asked what kind of house would fit if the garage were removed.

Councillor Scudder asked for clarification of whether this proposal was being considered or if it was for public comment.

Councillor Plecas asked where the access for parking would be from James Street.

Mr. Pitkethly advised they would have to put a legal access from James street into the property.

Kyle McAdam stated one of the selling features of his home across from this property is the view of the mountains, but a second level on the garage will take that away. He expressed concern about parking for all the new tenants and stated that the streetscape will change affecting neighbours and dropping the value of properties.

Mr. Muir stated that there will still be parking for two cars in the garage and two more spots will be available at the other home on the property.

Hearing no further questions or comments the mayor declared the public input on development permit application DP10-008 (Muir) closed.

Moved by Councillor Horn, seconded by Councillor Gidda, and

RESOLVED: That development permit application DP10-008, in the name of Arnold Muir, located at 7536 James Street, to provide conformity to the Official Community Plan Development Permit Guidelines respecting building form and character for a proposed compact single-family residential infill development on the property, which includes the following variances:

- Rear Yard Setback - from 7.5 to 2.27
- Interior Side Yard Setback - from 3.0 to 2.15
- 80% Second Storey Requirement - from 80% to 86%

be denied.

CARRIED

3. PUBLIC HEARING

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

- DFO - Letter of undertaking to register a restrictive covenant on lots 1 and 2 for stream side protection.

The chief administrative officer stated that no correspondence was received regarding this application.

Bob White expressed concern about damage to the creek due to blockage.

The deputy director of planning advised that there would be no blockage and that all access will be at north end of the site to avoid the watercourse.

Councillor Horn asked if the bylaw encompassed the stream to be restored.

Mr. Pitkethly explained that it would be put in place prior to subdivision approval.

Councillor Horn asked why that could not be deal with before adoption and have a report to council at third reading.

The deputy director of planning explained that normally things are held off from third reading until all items are completed.

Councillor Plecas asked if there will be a geotechnical report provided for the back of the property on lot one and raised concern about lot one having no tree planting because it was only required in the environmentally sensitive areas.

The deputy director of planning advised that the geotechnical report was provided and staff will put recommendations from the report on the property title.

Councillor Horn asked if the land had been cleared following a council policy in 2005 and noted that council could ask for a revised tree planting report.

Norbert Nastaziak said that when he purchased the property some trees on the northwest were cleared to see if that part could be built on. He advised that the slope was found to be granite and noted that there are still some trees left on the north and south. He asked whether they should remove the trees that have re-grown to plant new ones in the area around the creek or leave it as is. Mr. Nastaziak further advised that the lower portion of the property was covered in shrubs and bushes, not trees.

Hearing no further questions or comments the mayor declared the public hearing on District of Mission Zoning Amending Bylaw 5171-2010-5050(25) (R09-010 – Zorawski/Nastaziak) closed.

Moved by Councillor Horn, seconded by Councillor Stewart, and

RECOMMENDED: That the third reading report stipulate that the Department of Fisheries and Oceans covenant is required for adoption.

CARRIED

Moved by Councillor Plecas, seconded by Councillor Horn, and

RECOMMENDED: That staff prepare a third reading report to discuss with the proponent the possibility of planting an additional 10-15 trees on lot one outside of the Environmentally Sensitive Area and that this be discussed at third reading.

Councillor Scudder expressed concern about council deciding how many trees should or should not be planted on each lot and asked why staff would not include this in the information brought forth.

Councillor Horn spoke to this concern and advised that this report was important to

Councillor Gidda asked whether there is a garage for the existing house.

The deputy director of planning advised that there is a two-car garage for the existing house and that parking for the suite would be on the gravel on the right side.

Hearing no further questions or comments the mayor declared the public hearing on District of Mission Zoning Amending Bylaw 5173-2010-5050(27) (R10-022 – UI-Haque) closed.

PH10/062
OCT 25/10

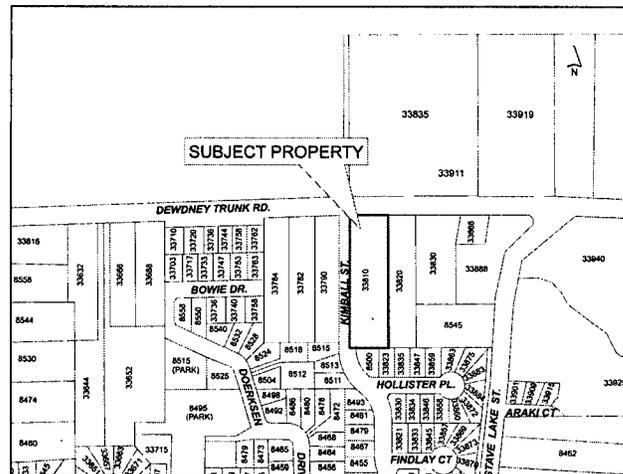
**District of Mission Zoning Amending Bylaw 5167-2010-5050(23)
(R10-018 – Zaba) – a bylaw to rezone property at 33810 Dewdney Trunk Road from S36 (Suburban 36 Zone) to R558s (Urban Residential 558 Secondary Dwelling Zone)**

Barclay Pitkethly, deputy director of planning, provided information regarding rezoning application R10-018, in the name of Zaba, to amend District of Mission Zoning Bylaw 5050-2009 by amending the zoning of the following legally described property:

Parcel Identifier: 002-829-011 Lot 26, Section 27, Township 17, New Westminster District Plan 61656

from Suburban 36 (S36) zone to Urban Residential 558 Secondary Dwelling (R558s) zone.

The deputy director of planning stated that the location of the subject property is 33810 Dewdney Trunk Road (as shown on the following map):



The deputy director of planning explained that the purpose of the proposed amendment is to enable consideration of the subsequent subdivision of the subject property into five lots of a minimum 558 square metre (6,006 sq. ft.) lot size, with secondary dwelling units permitted within each lot.

The deputy director of planning noted that the property currently contains one single family dwelling, which will remain, and two outbuildings, which will be removed. He advised that there are currently only four significant trees, which will be retained on lot one of the subdivision.

The deputy director of planning stated that the following requirements would need to be met prior to adoption of the zone amending bylaw:

- Receipt of the Community Amenity contribution in the amount of \$2,680.00 per lot created or potential lots created;
- Restrictive covenant to enable suite readiness; and
- Any other items that council may require resulting from the public hearing or council consideration of the application.

The chief administrative officer stated that no correspondence was received regarding this application.

Julie Baker asked if Kimball Street will be widened.

The deputy director of planning advised that Kimball Street will be widened.

Councillor Horn asked what is happening with the building subdivision across the street.

Marcy Bond, planner, advised that another application has been made and would be moving in the same direction as this application.

Councillor Gidda asked what the road width will be after the dedication by the applicant.

The deputy director of planning stated that the standard was an 18-metre right of way with no variances.

Hearing no further questions or comments the mayor declared the public hearing on District of Mission Zoning Amending Bylaw 5167-2010-5050(23) (R10-018 – Zaba) closed.

PH10/063
OCT 25/10

- (i) District of Mission Official Community Plan Amending Bylaw 5174-2010-4052(11) (R07-008 – Mission Contractors) – a bylaw to redesignate a portion of the property at 8925 Manzer Street from Urban to Suburban on Map 1c**
- (ii) District of Mission Zoning Amending Bylaw 5169-2010-5050(24) (R07-008 – Mission Contractors) – a bylaw to rezone a portion of the property at 8925 Manzer Street from RU16 (Rural 16 Zone) to S36 (Suburban 36 Zone)**

Marcy Bond, planner, provided information regarding rezoning application R07-008, in the name of Mission Contractors Ltd., to amend District of Mission Official Community Plan 4052-2008 by redesignating a portion of the following legally described property:

Parcel Identifier: 006 604 196 Lot 7, District Lot 457, Group 1, New Westminster District Plan 31178

from Urban to Suburban.

Ms. Bond also provided information regarding rezoning application R07-008, in the name of Mission Contractors Ltd., to amend District of Mission Zoning Bylaw 5050-2009 by rezoning the same portion of the preceding legally described property:

from Rural 16 (RU-16) zone to Rural 16 (RU-16) zone and Suburban 36 (S-36) zone.

The planner stated that the location of the subject property is 8925 Manzer Street and the portion to be redesignated and rezoned is shown shaded and labelled Area A on the following map:

report back to answer the written submission questions.

The chief administrative officer said it is up to council to request a third reading report. Mike Gildersleve asked for more details on how the creek was going to be altered.

The planner responded that the creek is being upgraded and relocated with Department of Fisheries and Oceans approval, and a registered biologist is monitoring it to ensure compliance with fish protection regulations.

Mr. Gildersleve said he is concerned that we are always accommodating development, but we need priority in Mission to protect creeks. He commented that it is a significant subdivision compared with what currently exists and said he is concerned that it is being rushed.

Councillor Horn addressed Mr. Gildersleve's concerns, saying this was a unique situation as the applicant is actually enhancing the stream with full approval of the Department of Fisheries and Oceans.

Norm Berard of Mission Contractors also addressed Mr. Gildersleve's concerns, stating that nearly all of this area is going to be protected and that this application is simply to accommodate the curve in the creek. He also noted that Mission Contractors is working closely with the DFO, and it is an overall win-win situation.

Hearing no further questions or comments the mayor declared the public hearing on District of Mission Official Community Plan Amending Bylaw 5174-2010-4052(11) (R07-008 – Mission Contractors) and District of Mission Zoning Amending Bylaw 5169-2010-5050(24) (R07-008 – Mission Contractors) closed.

6. ADJOURNMENT

Moved by Councillor Scudder, seconded by Councillor Stewart, and

RESOLVED: That the meeting be adjourned.
CARRIED

The meeting was adjourned at 8:50 p.m.



JAMES ATEBE, MAYOR



KELLY RIDLEY, DEPUTY DIRECTOR
OF CORPORATE ADMINISTRATION