



Regular Council Agenda

July 25, 2011 – 6:30 p.m.

Council Chambers

8645 Stave Lake Street, Mission, BC

1. DELEGATIONS AND PRESENTATIONS

- (a) Presentation of Community Service Awards
 - Stuart Coates – Lifetime Achievement Award
 - Kristina Marie Norman – Community Service Award (under age 25)
- (b) Mission Regional Chamber of Commerce – Cal Crawford, President Page 3
Re: Business Excellence Awards Nominations
- (c) Kathryn Phillipoff Page 5
Re: Medicinal Grow-ops

2. NEW BUSINESS

- (a) Draft Letter from Fire Chief Ian Fitzpatrick to Health Canada Re: Medical Marijuana Grow Licenses Page 6

3. PLANNING

- (a) Information Pertaining to Consideration of Adoption of District of Mission Zoning Amending Bylaw 5218-2011-5050(41) (R11-011 – May) Page 8

Excerpt from the minutes of the Public Hearing held on June 27, 2011 with related staff report dated June 6, 2011 (R11-011 (May) – 7865 Nelson Street)

Background for consideration of adoption of bylaw 5218-2011-5050(41) – Section 4(a)

4. BYLAWS

- (a) District of Mission Zoning Amending Bylaw 5218-2011-5050(41) (R11-011 – May) – a bylaw to rezone property at 7865 Nelson Street from Rural 16 Zone (RU16) to Rural 16 Secondary Dwelling Zone (RU16s) Adoption

5. QUESTION PERIOD (on new business only)

6. PUBLIC HEARING

- (a) (i) District of Mission Official Community Plan Amending Bylaw 5222-2011-4052(14) (R11-009 – Mission Association for Seniors' Housing) – a bylaw to redesignate property at 8352 Cedar Street and 32821 and 32835 Janzen Avenue from Seniors Congregate to Apartments Page 18
- (ii) District of Mission Zoning Amending Bylaw 5223-2011-5050(44) (R11-009 – Mission Association for Seniors' Housing) – a bylaw to rezone property at 8352 Cedar Street and 32821 and 32835 Janzen Avenue from Suburban 36 Zone (S36) to Multiple Family 135 Apartment Zone (MA-135)

- (b) District of Mission Zoning Amending Bylaw 5220-2011-5050(42) (R11-004 – Mikes) – a bylaw to rezone property at 29585 Hudson Avenue from Rural 16 Zone (RU16) to Rural Residential Zone (RR7) Page 36
- (c) District of Mission Zoning Amending Bylaw 5221-2011-5050(43) (R11-005 – Mikes) – a bylaw to rezone property at 30265 Berg Avenue from Rural 16 Zone (RU16) to Rural Residential Zone (RR7) Page 45

7. **ADJOURNMENT**



DISTRICT OF MISSION

REQUEST TO APPEAR AS A DELEGATION

Date: July 7, 2011

To: Glen Roberston, CAO

I hereby request permission to appear as a delegation before District of Mission Mayor and Council with reference to the following topic:

Business Excellence Awards Nominations

I understand that the deadline for submission of the request is 4:30 p.m. on the Monday preceding the date of the meeting and that once my appearance has been confirmed; I will be allotted a maximum of 10 minutes to make my presentation.

Name:

Cal Crawford, President, Mission Regional Chamber of Commerce

Address: 34033 Lougheed Hwy

City: Mission

Postal Code: V2V 5X8 Telephone: 604-826-6914

Signature: *Cal Crawford*



G:\clerk/forms/request to appear as a delegation.doc

Delegation Confirmed to Appear on:	<u>July 25/11</u>
Date Confirmed:	<u>July 13/11</u>
Time:	_____
Confirmed by:	<u>KR</u>

MISSION BUSINESS EXCELLENCE AWARDS

Presented by: Petes Place



Nomination Form

The Mission Regional Chamber of Commerce will be honouring excellence in business at a formal elegant affair to be held in the ballroom of Rockwell's Bar & Grill located in the Best Western on **Friday October 21, 2011**

If you would like to nominate an individual or business please complete the form below and submit in writing the reasons why you believe the nominee is worthy of the award. Feel free to attach any supporting documentation.

Please complete the following:

I _____, nominate _____ for the following award:

Business of the Year (15+ employees)

This prestigious award is given to the organization that best exhibits excellence in business. The business will have a strong history in the community, continued growth and innovative strategies, as well as market leadership in its sector. Criteria will include strategy, future growth plans, employee relations and local community involvement and contributions.

Business of the Year (1 - 15 employees)

This prestigious award is given to the organization that best exhibits excellence in small business. The business will have contributed to the growth of the community through their products, services, and customer service. Nominations will be judged on the total benefit brought to the community through this business.

Business Leader of the Year

This award recognizes and honours the individual business person that has been a leader in moving the District of Mission forward and has been responsible for improvements to the community. Selection criteria include demonstrated entrepreneurial spirit, quality workmanship, professional mannerism and exemplary customer service to the business and community.

Non-Profit Association of the Year

This award recognizes the organization making a significant difference in our local community in terms of fundraising and the number of local people affected. Criteria include collaboration with other community organizations and strategies to implement creative solutions to community challenges. Annual reports will be requested.

Customer Experience Award

Celebrating the best in customer service, customer retention, and customer relationship management. The award will go to the company that can demonstrate that it is truly "customer-focused".

Home Based Business Award

Recognizing a home based business that has contributed to Mission community and shows achievement in new or innovated products or services.

Entrepreneurial Excellence Award

Recognizing a business that shows achievement in some or all of the following: new or innovative product or service, or manufacturing technique, job creation, growth potential and market served.

Young Entrepreneur of the Year Award

Celebrating an entrepreneur under the age of 35. The nominees will be judged in their company's success and growth potential, innovation, participation in new economic activities and community involvement.

Signature of Nominator: _____ Address: _____ Phone: _____



Please attach an explanation of your nomination and any supporting documentation and submit to the Mission Chamber of Commerce located at 34033 Lougheed Hwy. or fax to 604.826.5916

Nomination must be received no later than: August 1, 2011



RECEIVED
JUL 18 2011
DISTRICT OF MISSION

@ 4:15 pm [Signature]

REQUEST TO APPEAR AS A DELEGATION

Date: July 18, 2011

To: Director of Corporate Administration

I hereby request permission to appear as a delegation before District of Mission Mayor and Council with reference to the following topic:

Medicinal Grow-ops.

I understand that the deadline for submission of the request, including any presentation or supporting material, is **4:30 p.m. on the Monday preceding the date of the meeting** and that once my appearance has been confirmed, I will be allotted a maximum of **10 minutes** to make my presentation.

Name: [Signature]

THIS INFORMATION COLLECTED FOR INTERNAL OFFICE USE ONLY
Address: _____
City/Province: _____
Postal Code: _____ Telephone: _____
Email: _____

Delegation Confirmed to Appear on: _____
Date Confirmed: _____ Confirmed by: _____



FIRE / RESCUE SERVICE

July 21, 2011

Marihuana Consultations Controlled Substances and Tobacco Directorate
 Health Canada
 Mail Room, Federal Records Centre - Bldg 18
 1st Floor, 161 Goldenrod Driveway, Tunney's Pasture
 Ottawa, ON K1A 0K9

Dear Honourable Leona Aglukkaq:

Re: Future of Individual Medical Marijuana Licenses

On behalf of the District of Mission, we are providing this letter of comment on Health Canada's review of Medical Marijuana Licenses, in support of the proposed changes to the Marihuana Medical Access Regulations (MMAR) that would make our community safer.

We support:

- A new supply and distribution system for dried marijuana that uses only licensed commercial producers. *Individuals would no longer be able to grow marijuana for medical purposes in their homes.*
- The government would no longer contract for the production/distribution of dried marijuana or seeds. Licensed commercial producers would be regulated by Health Canada and be the only legal source of dried marijuana for medical purposes. Health Canada would regularly inspect and audit these commercial producers to ensure they comply with all applicable regulations.

Currently Health Canada requires MMAR-licensed growers to observe all laws, bylaws and regulations, but does not inspect and verify the safety standard of each production site.

Our Fire and Police Department have found many MMAR-licensed growers do not comply with zoning, fire and safety regulations. For example, inspections of residential MMAR grow operations in our community in recent years have found numerous violations of the provincial fire code, building code and electrical safety code, in addition to municipal regulations.

The violations and risks at MMAR sites are similar to those at illegal grow operations – electrical violations, improper chemical storage, mould and excess moisture, fire hazards, and structural changes that would help spread flames and heat in a fire.

Currently there is no procedure in place to inform local governments of MMAR licenses issued in their communities. This means our community has no trigger to conduct inspections to ensure that the sites meet all necessary building, fire and electrical safety regulations, and that they are later remediated after the license is expired. This omission also places future occupants or purchasers at risk, from both a health/safety and financial perspective.

The District of Mission fully supports these proposed changes, which we believe will remove a significant safety threat from our community.

Yours truly,

Ian Fitzpatrick
Fire Chief



Planning Department
Memorandum

FILE: NO FILE

To: Chief Administrative Officer
From: Director of Planning
Date: July 20, 2011
Subject: Bylaws for Adoption

At the July 22, 2011 Regular Council meeting, the following Bylaw should move forward for adoption.

<p>Bylaw No. 5218-2011-5050(41) R11-011 (May) – Nelson</p>	<p>APPLICANT: Thomas and Lorraine May ADDRESS: 7865 Nelson Street CURRENT ZONE: RU16 (Rural 16 zone) PROPOSED ZONE: RU16s (Rural 16 Secondary Dwelling zone) Public Hearing Date: 2011/06/06</p>
--	---

Both the Committee of the Whole report and Public Hearing minutes for R11-011 should be attached to the agenda for Council to review prior to consideration of adoption.

Sharon Fletcher

G:\COMDEV\CORRESP\Bylaws for Adoption or 3rd Rdg Memo\July 22, 2011.docx

PH11/032
JUN 27/11

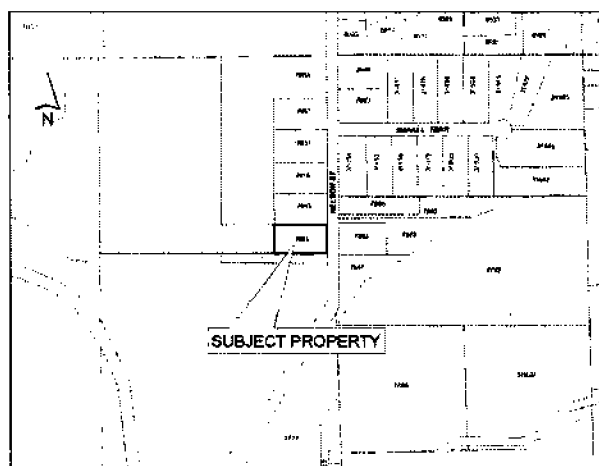
District of Mission Zoning Amending Bylaw 5218-2011-5050(41) (R11-011 – May) – a bylaw to rezone property at 7865 Nelson Street from Rural 16 Zone (RU16) to Rural 16 Secondary Dwelling Zone (RU16s)

Erik Wilhelm, Planner, provided information regarding District of Mission Zoning Amending Bylaw 5218-2011-5050(41), in the name of May, which proposes to amend District of Mission Zoning Bylaw 5050-2009 by amending the zoning of the following legally described property:

Parcel Identifier: 010-310-037, Lot C, Section 19, Township 17, New Westminster District Plan 17813

from RU16 (Rural 16) zone to RU16s (Rural 16 Secondary Dwelling) zone.

The Planner stated that the location of the subject property is 7865 Nelson Street, as shown on the following map.



Mr. Wilhelm explained that the purpose of the proposed amendment is to accommodate a duplex.

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

- Community Amenity Contribution in the amount of \$2,815.00;
- Letter of credit in the amount of \$2,250.00 to ensure tree replanting is completed (9 trees to be replanted); 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 correspondence was received regarding this application:

Dave Hensman asked if this will set precedent for lots of similar size to have multiple dwellings on them.

The Planner said that the RU16s zone is an existing zone that already allows for duplexes, in addition to secondary suites, garden cottages and coach houses.

William Vroom said that he is in favour of this application.

Lorne Rockwell said that the Mission Golf and Country Club is in favour of this application.

Councillor Gidda asked if the building is one level or if there is a basement.

Tom May, the applicant, replied that it is a rancher, with only one level.

Councillor Scudder asked if both residences will be independently taxable.

The Planner replied that both residences will be taxable.

Hearing no further questions or comments the mayor declared the public hearing on District of Mission Zoning Amending Bylaw 5218-2011-5050(41) in the name of May closed.

2. NEW BUSINESS

PH11/033
JUN 27/11

Water Meter Request For Proposal

Moved by Councillor Horn, seconded by Councillor Scudder, and

RECOMMENDED: That Council motion RC11/348 be reconsidered.

CARRIED

Council discussed a report dated June 23, 2011 from the Manager of Environmental Services and agreed that the Request for Proposal regarding water meters not be released until the business information has been received.

PH11/034
JUN 27/11

Moved by Councillor Horn, seconded by Councillor Scudder, and

RECOMMENDED: That Council motion RC11/348 be amended by deleting the words "and move forward simultaneously with the RFP process and staff make adjustments to the RFPs as necessary".

CARRIED

Mr. Peter Bulla interrupted Council and was requested to wait until Question Period to ask questions on this issue. He refused to sit down and refrain from speaking.

PH11/035
JUN 27/11

Moved by Councillor Scudder, seconded by Councillor Stewart, and

RECOMMENDED: That the meeting be recessed.

OPPOSED: Councillor Horn
Councillor Stevens

CARRIED

The meeting was recessed at 7:31 p.m.

Mr. Bulla left the meeting

PH11/036
JUN 27/11

Moved by Councillor Horn, seconded by Councillor Gidda, and

RECOMMENDED: That the meeting be reconvened.

CARRIED

The meeting was reconvened at 7:36 p.m.

PH11/037
JUN 27/11

Public Safety Inspection Team Property File Review – Summary

Councillor Horn asked if the properties (referred to in paragraph 2 of the staff report) for which additional information has been received and will be reviewed again are those that have already been informed the Public Safety Inspection Team findings would stand.



Planning Department Memorandum

FILE: PRO.DEV.ZON
R11-011

To: Chief Administrative Officer
From: Planning Technician
Date: June 6, 2011
Subject: Rezoning Application R11-011 (May) – 7865 Nelson Street

Recommendation

That, in accordance with Rezoning Application R11-011 (May), the Corporate Officer prepare a bylaw to amend District of Mission Zoning Bylaw 5050-2009 by rezoning the property located at 7865 Nelson Street and legally described as:

Parcel Identifier: 010-310-037 Lot C Section 19 Township 17 New Westminster District Plan 17813

from RU16 (Rural 16 zone) to RU16s (Rural 16 Secondary Dwelling zone);

that the bylaw be considered for 1st and 2nd readings at the Regular Council meeting on June 6, 2011; and

that following such readings, the bylaw be forwarded to a Public Hearing on June 27, 2011.

Summary of Proposal

An application has been received from Thomas and Lorraine May to rezone the property located at 7865 Nelson Street (**Map 1**) from Rural 16 zone (RU16) to Rural 16 Secondary Dwelling zone (RU16s) to allow the development of a duplex.

Background

The subject property is a vacant 0.36 hectare (0.88 ac.) site fronting onto Nelson Street. Department records and a site investigation indicate that there are no watercourses or environmentally sensitive areas affecting the property. The general neighbourhood character is comprised of similarly sized lots with large executive homes, larger acreages with hobby farms and/or nurseries, and the Mission Golf and Country Club.

Official Community Plan

While the property is designated Agricultural Land Reserve in the Official Community Plan, correspondence (**Appendix 1**) from the Agricultural Land Commission (ALC) confirms that the subject property is exempt from subdivision and land use restrictions normally imposed by the ALC because the property was on individual title prior to December 21, 1972 and the property is less than 2 acres in size. In addition, Mr. Tony Pellet from the ALC confirmed (by telephone) that the subject property is exempt from the ALC's subdivision and land use restrictions.

Zoning

The Rural 16 Secondary Dwelling zone (RU16s) allows for either one single family dwelling or one duplex as a principal use. While a secondary dwelling (ie. suite, coach house, garden cottage) is permitted as an accessory use, it is prohibited where a duplex is sited on a lot. In other words, a duplex is mutually exclusive with all other principal and accessory secondary dwelling uses.

It should be noted that while the applicants are proposing to construct a duplex on the site, a rezoning to the RU16s zone would allow for the construction of a single family dwelling *and* a secondary dwelling unit.

Duplex Details

Duplexes are supported in the Official Community Plan. The development of affordable housing through innovative housing forms including multi-family developments, small house/small lot housing, secondary suites, and duplexes in appropriate locations, mixed market/non-market housing projects, coach houses and granny flats are supported by OCP Policy 2.5.3.

While an Intensive Residential Development Permit is not required for a duplex on lands designated outside the Urban Residential and Urban Compact/Multiple Family area, the applicants have incorporated many of the development permit guidelines into their duplex design:

- *A duplex should fit into the immediate surroundings of its location and not appear out of scale or character to the adjacent homes.*
- *Duplexes are to be architecturally designed to avoid a "mirror" image and provide the appearance of one single-family house.*
- *To give the impression of similar size and scale to adjacent homes, the front elevation of a duplex can incorporate recesses, projections and treatments that give the appearance of a smaller building in scale with its neighbours.*

The proposed duplex is a rancher designed to give the appearance of a single-family dwelling that is more in keeping with the surrounding scale and character of the adjacent homes and therefore expected to have a minimal impact on the existing neighbourhood. The site plan and a conceptual drawing showing the design of the duplex (from Nelson Street) are attached as **Appendix 2**.

Tree Retention and Replanting

Pursuant to Policy LAN. 32 – Tree Retention/Replanting, on-site tree protection and retention is required. The tree survey identifies 23 significant trees on the site. Fourteen (14) significant trees will be retained and nine (9) will be removed to accommodate the building envelope, septic field and driveway. The applicants are required to replace each of the significant trees removed. A letter of credit in the amount of \$2,250 (9 x \$250) will be required prior to Council's consideration of bylaw adoption to guarantee the trees are replanted.

Community Amenity Contribution

In accordance with Council Policy LAN 40 - FINANCIAL CONTRIBUTIONS FOR COMMUNITY AMENITIES POLICY, the applicant has submitted a letter volunteering to contribute \$2,815 for the additional unit created as part of this rezoning which is payable prior to the adoption of the zone amending bylaw.

Internal Comments

This application was discussed at a preliminary application review meeting and no concerns were raised regarding this proposal. It is noted that as part of the building permit process, Inspection Services staff will ensure that the duplex complies with the rules and regulations outlined in the BC Building Code. The Engineering Department has reviewed the proposal and their comments are outlined in **Appendix 3**.

External Referrals

No external referrals are required as part of the rezoning application process for this proposal.

Public Hearing Information Package

In accordance with Council Policy LAN.50 – PRE-PUBLIC HEARING INFORMATION PACKAGES, a package will be produced containing material related to the development application.

Requirements Prior to Adoption of the Zone Amending Bylaw

- Community Amenity Contribution in the amount of \$2,815;
- A letter of credit in the amount of \$2,250 to ensure tree replanting is completed as proposed; and
- Any other items that Council may require resulting from the Public Hearing or Council consideration of the application.

In summary, staff recommend that the zone amending bylaw be considered for 1st and 2nd readings on June 6, 2011 and then proceed to Public Hearing on June 27, 2011.



Donna-Lee Lakes

G:\COMDEV\DONNA-LEE\COW Reports\2011 Reports\R11-011 (May COW) 7865 Nelson St 2011-06-06 COW.doc

Appendix 1



Land Reserve Commission

Working Farms. Working Forests

April 25, 2002

Reply to the Attention of Karen Moores

Mrs. Lorraine May
#20 - 6885, 184th Street
Surrey, BC V3S 9G1

Dear Mrs. May:

Re: 81108-02/EVRD/May

PID: 010-310-057

Lot C, Section 19, Township 17, New Westminster District Plan 17813

Pro. Pri. Nelson.
1865 Wilson Street

This is further to your correspondence enquiring as to the status of your property noted above in regards to the *Agricultural Land Reserve* (the "ALR") notation on the Certificate of Title. Pursuant to section 21(1) of the *Agricultural Land Reserve Act*, properties that were less than two (2) acres in size and shown on separate legal title prior to December 21, 1972 are not subject to the terms and conditions of the ALRA.

You have provided a photocopy of the Certificate of Indefeasible Title that confirmed the parcel was on an individual title prior to December 21, 1972 and the BC Assessment Authority - Assessment Roll Query confirms that this parcel is under 2 acres in size. Therefore, your property is exempt from the subdivision and land use restrictions imposed by the ALRA.

If you have any questions in this regard, please contact Karen Moores at (604) 660-7000.

Yours truly,

LAND RESERVE COMMISSION

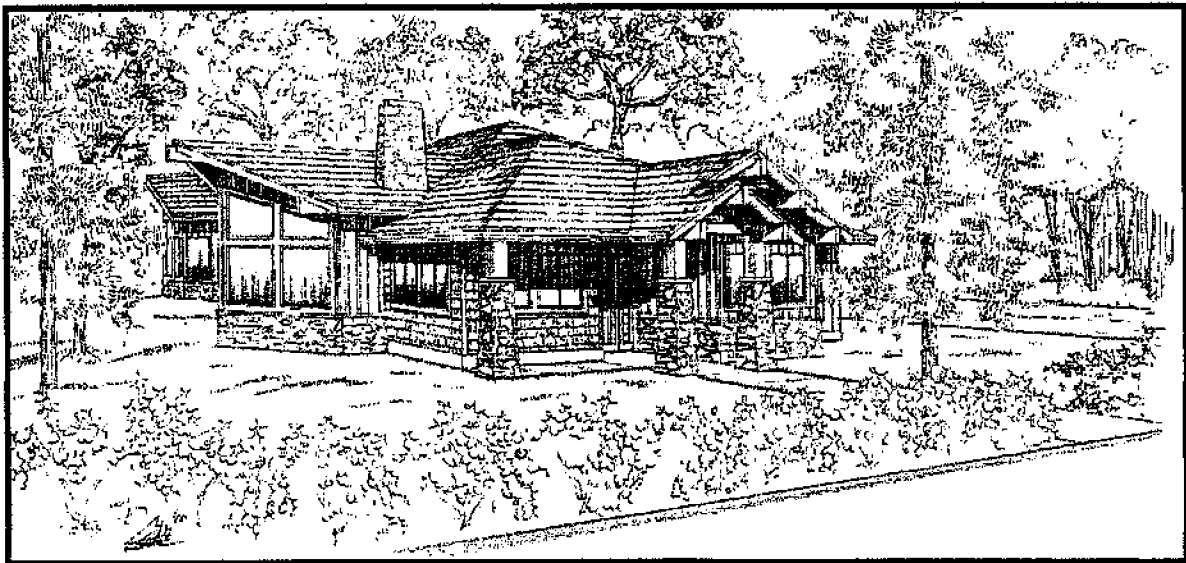
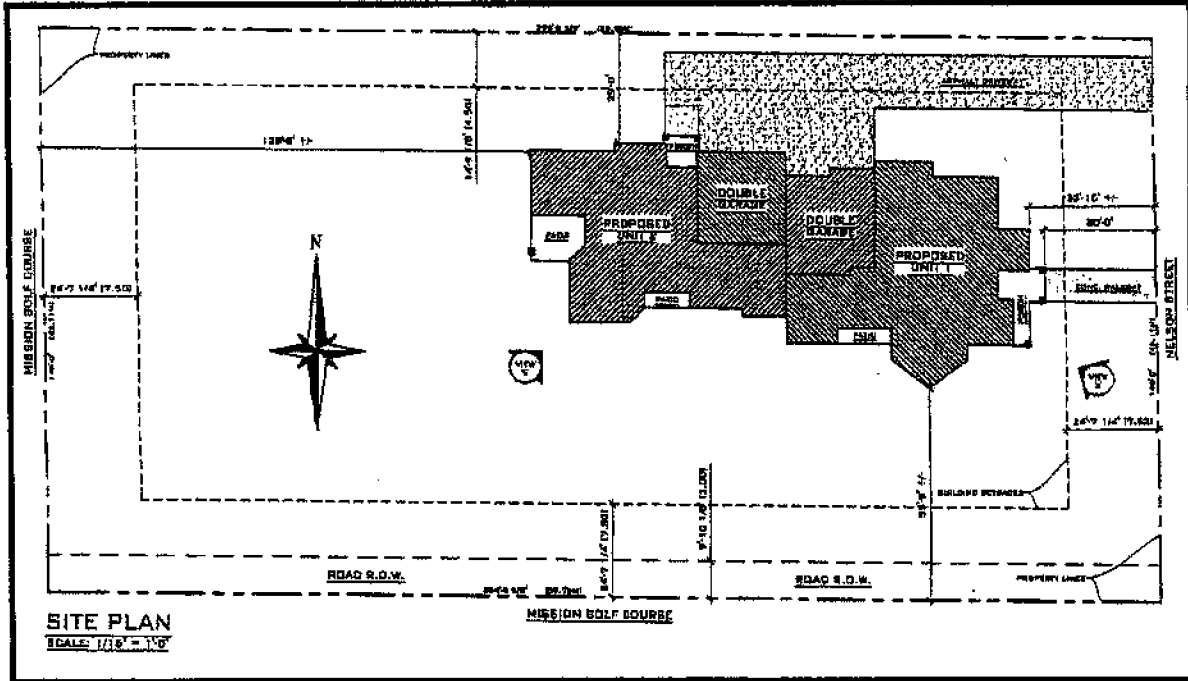
Per:

K. B. Miller, Chief Executive Officer

Cc: District of Mission

KM/eg

Appendix 2



Appendix 3**ENGINEERING DEPARTMENT REZONING COMMENTS**

FILE: R11-011

May 18, 2011.

CIVIC ADDRESS: 7865 Nelson Street

DOMESTIC WATER REQUIREMENTS:

Municipal water is available on Nelson Street, no further upgrading required.

It is brought to the attention of the Developer, that the Developer will be required at the building permit stage to provide for domestic water servicing in accordance with the District of Mission Water Bylaw No. 2196 – 1990. Cost will be determined at building permit.

SANITARY SEWER REQUIREMENTS:

No municipal sanitary sewer available in this area.

The Developer will be required to provide for onsite sewage disposal system at the building permit stage.

STORM SEWER REQUIREMENTS:

No municipal storm sewer available in this area.


The Developer will be required to provide for onsite rainwater management for this site at the building permit stage.

ROAD WORK REQUIREMENTS:

Nelson Street provides paved access to the site, no further upgrading required.

RECOMMENDATION

From an engineering point of view the rezoning application may proceed to final adoption.



Salem Abushawashi
Deputy Director of Engineering

DISTRICT OF MISSION OFFICIAL COMMUNITY PLAN AMENDING BYLAW 5222-2011-4052(14) (R11-009 – Mission Association for Seniors' Housing)

This bylaw proposes to amend District of Mission Official Community Plan 4052-2008 for the following legally described properties:

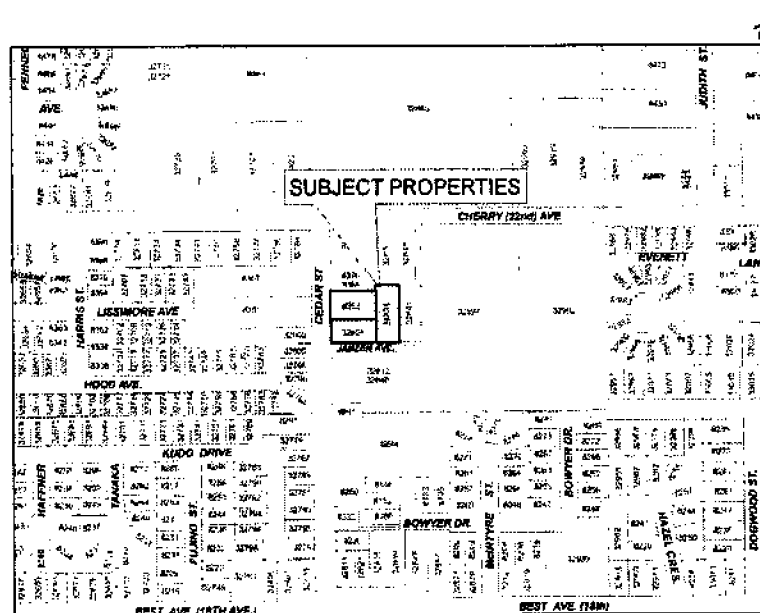
Parcel Identifier: 008-043-604, Lot 44 Section 28 Township 17 New Westminster District Plan 26403

Parcel Identifier: 007-208-537, Lot 43 Section 28 Township 17 New Westminster District Plan 26403

Parcel Identifier: 011-431-750, Parcel "D" (Explanatory Plan 17245) Lot 5 Section 28 Township 17 New Westminster District Plan 9302

from Seniors Congregate to Apartment.

The location of the subject properties is 8352 Cedar Street, 32821 Janzen Street and 32835 Janzen Street and is shown on the following map:



The purpose of the proposed amendment is to accommodate a seniors' apartment building.

DISTRICT OF MISSION ZONING AMENDING BYLAW 5223-2011-5050(44) (R11-009 – Mission Association for Seniors' Housing)

This bylaw proposes to amend District of Mission Zoning Bylaw 5050-2009 by amending the zoning of the following legally described properties:

Parcel Identifier: 008-043-604, Lot 44 Section 28 Township 17 New Westminster District Plan 26403

Parcel Identifier: 007-208-537, Lot 43 Section 28 Township 17 New Westminster District Plan 26403

Parcel Identifier: 011-431-750, Parcel "D" (Explanatory Plan 17245) Lot 5 Section 28 Township 17 New Westminster District Plan 9302

from the Suburban 36 (S36) zone to the Multiple Family 135 Apartment (MA-135) zone.

The location of the subject properties is 8352 Cedar Street, 32821 Janzen Street and 32835 Janzen Street and is shown on the preceding map.

The purpose of the proposed amendment is to accommodate a seniors' apartment building.



Planning Department Memorandum

FILE: PRO.DEV.ZON/PRO.DEV.DEV
R11-009/DP11-006

To: Chief Administrative Officer
From: Senior Planner
Date: July 4, 2011
Subject: **Rezoning Application R11-009 & Development Permit Application DP11-006 (Mission Association for Seniors' Housing) - 8352 Cedar Street and 32821 Janzen Avenue & 32835 Janzen Avenue**

Recommendation

1. That the Corporate Officer prepare a bylaw to amend District of Mission Official Community Plan Bylaw 4052-2008 by re-designating the properties located at 8352 Cedar Street, 32821 Janzen Avenue and 32835 Janzen Avenue and legally described as:
 - Parcel Identifier: 008 043 604, Lot 44, Section 28, Township 17, New Westminster District Plan 26403
 - Parcel Identifier: 007 208 537, Lot 43, Section 28, Township 17, New Westminster District Plan 26403
 - Parcel Identifier: 011 431 750, Parcel D (Explanatory Plan 17245) Lot 5, Section 28, Township 17, New Westminster District Plan 9302
 from Seniors Congregate to Apartments.
2. That, in accordance with Rezoning Application R11-009 (Mission Association for Seniors' Housing), the Corporate Officer prepare a bylaw to amend District of Mission Zoning Bylaw 5050-2009 by rezoning the properties located at 8352 Cedar Street, 32821 Janzen Avenue and 32835 Janzen Avenue and legally described as:
 - Parcel Identifier: 008 043 604, Lot 44, Section 28, Township 17, New Westminster District Plan 26403
 - Parcel Identifier: 007 208 537, Lot 43, Section 28, Township 17, New Westminster District Plan 26403
 - Parcel Identifier: 011 431 750, Parcel D (Explanatory Plan 17245) Lot 5, Section 28, township 17, New Westminster District Plan 9302
 from S36 zone (Suburban 36 Zone) to MA-135 zone (Multiple Family 135 Apartment Zone); that the bylaws be considered for 1st reading at the Regular Council Meeting on July 4, 2011; and that following such a reading, the bylaws be forwarded to a Public Hearing on July 25, 2011.
3. That upon due consideration of Sections 879 and 881 of the Local Government Act, consultation referrals go forward to Telus, BC Hydro and Fortis.
4. That Development Permit Application DP11-006, in the name of Mission Association for Seniors' Housing, to provide conformity to the Official Community Plan guidelines respecting building form and character for a proposed apartment development on the properties located at 8352 Cedar Street, 32821 Janzen Avenue and 32835 Janzen Avenue be forwarded to Council for public input on July 25, 2011.

5. That the Community Amenity Contribution (LAN.40 – FINANCIAL CONTRIBUTIONS FOR COMMUNITY AMENITIES POLICY) not be applied to Rezoning Application R11-009 (8352 Cedar Street, 32821 Janzen Avenue and 32835 Janzen Avenue).
6. That in accordance with Section 882 of the *Local Government Act*, Council has considered District of Mission Official Community Plan amending bylaws in conjunction with the District of Mission's Financial Plan (includes Capital Expenditure Plan and Operating Expenditure Plan) and Waste Management Plan.

Background

An application has been received from Mission Association for Seniors' Housing (MASH), to rezone the properties located at 8352 Cedar Street, 32821 Janzen Avenue and 32835 Janzen Avenue from the S36 zone to the MA-135 zone and the subject site is shown on **Map 1**. The proposed development is for a 42 unit seniors' apartment and the property size is approximately 1 acre (.4 ha.) once the lots are consolidated.

Official Community Plan Designation

The Official Community Plan designation for the site is Seniors Congregate and the applicant has requested an Official Community Plan change from Seniors Congregate to Apartment. This is due to the proposal having individual kitchens within the units rather than a congregate format, where, for example, meals are provided in a common dining room. Thus, this type of seniors' apartment development falls within the Apartment designation rather than the Seniors Congregate designation. It is noted that both designations result in similar densities.

Impact of Application under Section 882 of Local Government Act

The *Local Government Act* requires that when Council is considering adopting or amending an Official Community Plan, it must consider the implications of the change to the Official Community Plan on the District's:

- Financial Plan (includes Capital Expenditure Plan and Operating Expenditure Plan); and
- Waste Management Plan.

Since the proposed development is part of an existing Waste Management route and development of this area is included in the current long-range plan, there is no impact to the Waste Management Plan.

Having regard to the above, it is considered that the proposed amendment will not have an adverse impact on the District's Financial Plan, which includes the Capital Expenditure Plan and Operation Expenditure Plan, and Waste Management Plan and accordingly, recommends that Council pass the above recommendation.

Zoning

The subject property is zoned S36, the Suburban 36 zone. The rezoning application is to rezone the property from the S36 zone (Suburban 36 zone) which allows single family home development to the MA-135 zone (Multiple Family 135 Apartment zone) which allows for apartment development.

Neighbourhood Character

The neighbourhood character is a mixture of institutional, residential and commercial uses. Adjacent to the subject property is the Cedar Valley Mennonite church and single family houses. To the north is Albert McMahon Elementary School, to the east is Griner Park, to the west is the Cherry Hill Corner Store, single family houses, and two other churches (north-west) and to the south are also houses.

Housing Affordability and Accessibility

The applicant, MASH, has been instrumental in housing initiatives in Mission, including the Cedars seniors' housing located on Hurd Street. This apartment proposal for the subject property is also for the purpose of affordable seniors' housing and representatives of MASH have met with staff a number of times regarding the affordable and accessibility aspects of this proposal.

The form of tenure that MASH is proposing for the apartment units is life lease housing. Life lease housing is a cross between owning and renting. For details about life lease housing, please see the attached **Appendix A**. MASH is a non-profit organization and will own the building and then lease out the units. In addition, it is noted that MASH plans to market the units at cost.

Accessibility/universal access is provided, firstly, in a general way in that apartment units are one floor of living space, unlike most townhouse units that have two or three floors. Secondly, in a more detailed way, accessibility is provided in this development in the form of three units that are adaptable to full wheelchair accessibility at the time of construction or as retrofit in the future, depending on demand. It is noted that unit sizes range from approximately 700 square feet to 927 square feet.

Subdivision and Road Closure

The subdivision of the property involves the consolidation of the three parcels of land that are the subject properties of this rezoning application. Janzen Avenue is substandard due to road width and is utilized more as a driveway than a municipal road. Thus, MASH requested the closure of Janzen Avenue and the road closure process is proceeding. It is noted that when Janzen Avenue is closed, the land area (former road) is to be consolidated with the three parcels. It is also noted that an easement is required over the land area to provide access for the Cedar Valley Mennonite Church and a right-of-way for pedestrian access from Cedar Street to Griner Park. Representatives of the Cedar Valley Mennonite Church have also agreed to give an easement to MASH over their driveway from Cherry Avenue, thus providing a second access to the MASH site.

Internal Comments

The Engineering Rezoning Comments are attached and Fire Department comments are forthcoming.

A traffic impact assessment was provided by the applicant's engineer and reviewed by the Engineering Department. A traffic impact assessment with amendments has since been requested by the Engineering Department.

Prior to consideration of adoption of the zone amendment bylaw, the Engineering Department requirements will need to be met and it is noted that all the engineering requirements have not been determined due to the need of further information from the applicant's engineer.

Time is of the essence for this much needed seniors' housing project and staff has determined to move forward with this application before all the engineering information has been received. It is noted that all the engineering requirements will be determined at a later date and will need to be resolved before consideration of adoption. It is also noted that the applicant is aware that engineering requirements will need to be met prior to consideration of adoption.

Staff believes that there is minimal risk to proceed further without all the engineering requirements being resolved at this time. This is an effort to move this application forward so that the applicant can market the development and secure the monies to pay for the engineering works and other development costs.

External Referrals

The only external referral for this application is to the utility companies of Telus, BC Hydro and Fortis BC.

Access and Parking

It is staff's understanding that access is to be from Cedar Street (right in and right out) and also from Cherry Avenue (over the Cedar Valley Mennonite Church property via an easement). As noted previously in this report, a traffic impact assessment with amendments has been requested by the Engineering Department to address the access details.

There are 42 parking spaces provided – one per apartment unit – and these parking spaces are underground (gated). This parking ratio is more than what is required for seniors' congregate housing, which would equal 32 parking spaces for 42 units but less than required under the multi-family apartment zone. Staff supports the one parking space per unit for this site because it is a seniors' apartment building and a seniors' building will generate less parking needs. There are also 8 visitor parking spaces provided at the front of the building adjacent to Janzen Avenue (**Drawing A**).

It is noted that there is ample parking on the adjacent church property and it is anticipated that if there are special events at the seniors' apartment this church parking may be able to be utilized by the seniors' guests (when there are no church services or events on-going). This agreement is to be more fully developed with the representatives of the Cedar Valley Mennonite Church.

Setbacks and Height

The setbacks all meet the zoning bylaw minimum of 7.5 metres (24.5 ft.) and the siting of the building is shown on **Drawing A**. The proposed apartment building is four storeys (with underground parking) and the height of the building is approximately 52 feet.

Indoor and Outdoor Amenity Space

There is indoor amenity space of approximately 135 square metres (1453 sq. ft.) provided in the form of an amenity room with kitchen facilities and a separate lounge area on the main floor and smaller lounge areas on the 2nd and 3rd floors. There is also a lobby that is approximately 66.8 square metres (720 sq. ft.).

The outdoor amenity space includes a common patio, sitting areas, pathways, garden plots, lawn and a gazebo. The total area equates to 2802 square metres (30,163 sq. ft). In addition, there are patios for units on the ground floor. It is noted that the indoor and outdoor amenity spaces exceed the zoning bylaw requirements.

Community Amenity Contribution

“Consider incentives for seniors housing rezoning applications, on a case-specific basis, where community housing goals are being met” is Policy 2.5.13. of the Official Community Plan. The Mission Association for Seniors’ Housing proposal for a seniors’ apartment with a life lease housing tenure meets a community housing goal as determined by staff and through Mission’s Affordable Housing Strategy. Therefore, an incentive as outlined below should be supported.

A letter from the Mission Association for Seniors’ Housing requesting the waiving of the Community Amenity Contribution is attached as **Appendix B**. Please note that this request is in keeping with the same type of requests by other seniors’ housing developments in the past such as both phases of Carrington House on 7th and 6th Avenues, the Cedars on Hurd Street, and Cedarbrooke Chateau (Kingsway Arms) on 7th Avenue. Those developments received Council support to waive the Community Amenity Contribution.

The current Community Amenity Contribution for multi-family developments is \$2,815 per unit and therefore, a 42 unit apartment would equate to a waiver of \$118,230.

The waiving of the Community Amenity Contribution will help keep the costs down for the development of the units. If the housing project costs less, then in turn, there is less cost to the seniors who would be leasing the units because MASH has advised that they will be marketing the apartment units at cost.

Staff supports the waiving of the Community Amenity Contribution for this rezoning application.

Development Permit Application DP11- 006 (Form and Character)

The building materials, colours and architectural design complements the neighbourhood character and existing landscape. The apartment building is four storeys with one level of underground parking. The style of the architecture is quite traditional in a general sense, with some "craftsman" touches. The architect’s statement is as follows:

“The primary objective in the design was to reduce the perceived scale of the building, both in terms of length and height. This was achieved by avoiding long continuous facades through floor plan articulation, addition of bay windows and generous balconies. The perceived vertical scale of the building was reduced through the introduction of secondary roofs and porch-like elements at ground floor level, bay windows at second and third floors and use of colour differentiation and a variety of materials. Sloping roofs with expressed gables were also used to further reinforce the residential character and scale of the project”.

Materials for the apartment building include hardi-plank lap siding, hardi-panel, and colour coated stucco. There is also wood trim and wood fascia boards included. In addition, the roof material is asphalt shingles. The elevation drawings are attached as **Drawing B** and **Drawing C**. Colours are dark taupe, beige, cream, off-white and a natural wood stain.

Landscaping

Attractive landscaping has been incorporated into the design of this multi-family development. Landscaping includes a variety of trees (dogwood and fir) and bushes (roses and hydrangea), and daylilies, bluebells, and groundcovers. They are retaining approximately 14 trees, removing 6 smaller trees due to health and location of the trees, and planting approximately 40 trees. Garden plots are being provided along with seating areas (benches), pathways around the apartment building and a common patio area. It is noted that a 6 foot high wood fence is along most of the east, north and west property lines. The landscaping plan is attached as **Drawing D**. The landscaping estimate is approximately \$90,000.

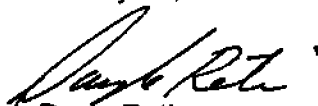
Public Hearing Information Package

In accordance with Council Policy LAN.50 – PRE-PUBLIC HEARING INFO. PACKAGES, a package will be produced containing material related to the development application.

Requirements Prior to Adoption of the Zone Amending Bylaw


- Comments from Referrals regarding the proposed OCP amendment
- Engineering requirements
- Easements (for access) between MASH and the Cedar Valley Mennonite Church (Cedar Street and Cherry Avenue) and a right-of-way for pedestrian access to Griner Park
- Approval of Development Permit DP11-006 will be considered as part of the same Council agenda as the Official Community Plan and Zone Amending Bylaws are considered.
- Any other items that Council may require resulting from the Public Hearing or Council consideration of the application.

In summary, staff recommends that the rezoning amendment, the Official Community Plan amendment, and the Development Permit proceed to Public Hearing and Public Input meeting on July 25, 2011.



Dayle Reti
SENIOR PLANNER

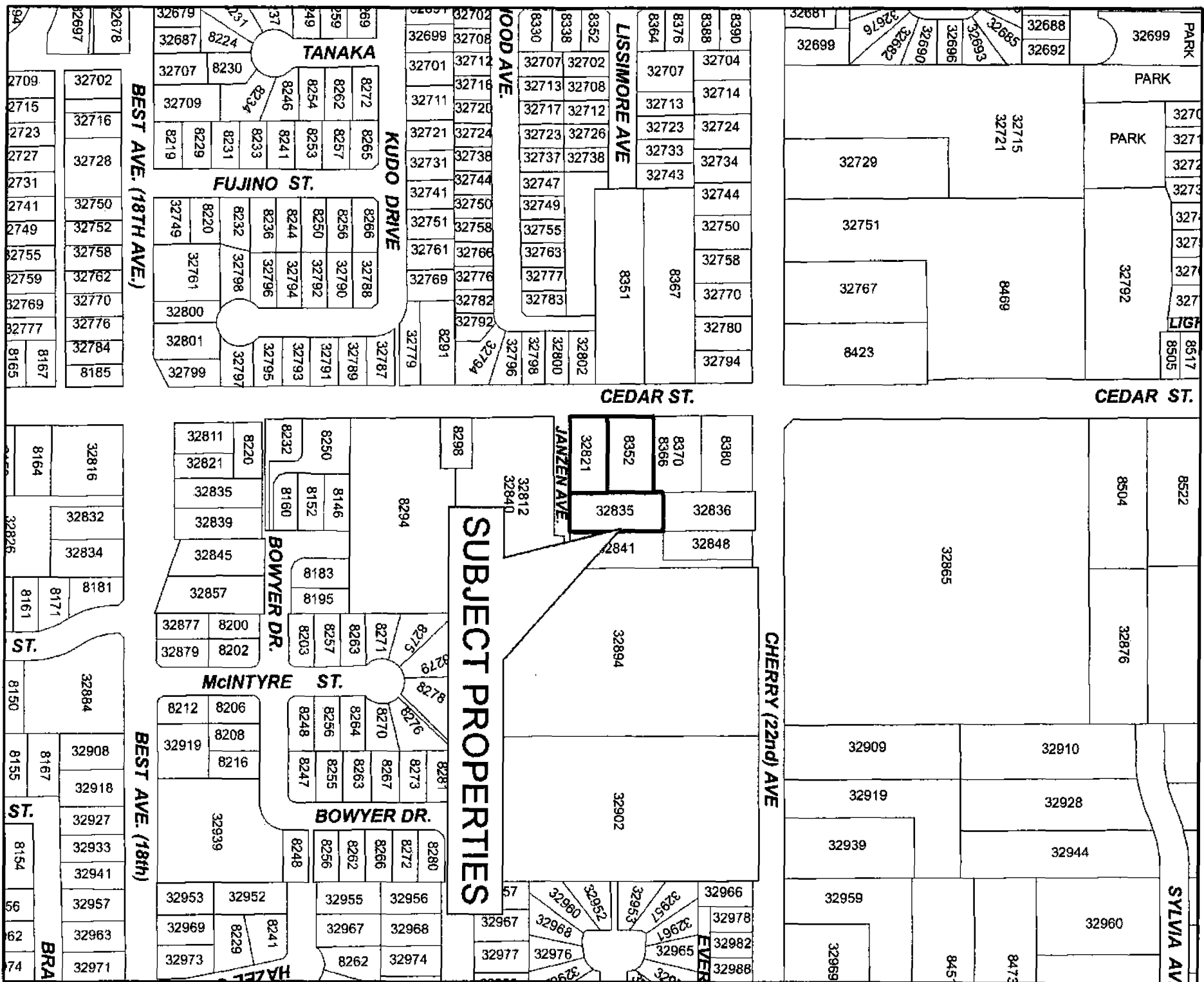
I have reviewed the financial aspects of this report.



Kris Boland, Deputy Director of Finance



MAP 1



ENGINEERING DEPARTMENT REZONING COMMENTS

FILE: R11-009

June 29, 2011.

CIVIC ADDRESS: 8352 Cedar Street, 32821 & 32835 Janzen Avenue

That in accordance with the District of Mission Subdivision Control Bylaw No. 1500-1985, the Developer shall provide the following.**DOMESTIC WATER REQUIREMENTS:**

Municipal water is available on Cedar Street. The Developer shall provide to the District of Mission the following information;

1. A pre servicing plan for the proposed development is required showing and supporting the following;
 - a) Water servicing requirements showing location, size, etc. In addition the Developer shall have their engineering consultant prove that the existing municipal water system has the capacity for providing adequate peak hour demand flows and maximum daily demand plus fire flow for this proposed land use.

SANITARY SEWER REQUIREMENTS:

Municipal sanitary sewer is available on Cedar Street/Avenue. The Developer shall provide to the District of Mission the following information;

1. A pre servicing plan for the proposed development is required showing and supporting the following;
 - a) Sanitary sewer servicing requirements showing location, size, etc. In addition the Developer shall have their engineering consultant prove that the existing municipal sanitary sewer system has the capacity for this proposed land use.

STORM SEWER REQUIREMENTS:

Municipal storm sewer is available on Cedar Street The Developer shall provide to the District of Mission the following information;

1. A pre servicing plan for the proposed development is required showing and supporting the following;
 - a) Storm sewer servicing requirements showing location, size, etc. In addition the Developer shall have their engineering consultant prove that the existing municipal storm sewer system has the capacity for this proposed land use.
 - b) Onsite Rain Water Management Plan meeting the objectives of the current Cedar Valley Area Storm Water Management Plan. For more information on this, their consultant should contact Hirod Gill at 604-820-3713.

ENGINEERING DEPARTMENT REZONING COMMENTS

ROAD WORK REQUIREMENTS:

The Traffic Impact Assessment that was submitted along with the application requires amendments to reflect the following;

- a) Janzen Avenue will now be a private access. Traffic movement at this Cedar Street intersection shall be limited to only right in and right out movements.
- b) In addition, D.C. Dean Associates Inc., need to be made aware of the existing Cedar Valley Comprehensive Development Plan and the support guidelines document that has information regarding traffic assessment for this area. This information should be factored in and considered when preparing the traffic impact assessment this this proposed development. This report shall be submitted to the Engineering Depart for review.
- c) Access for both onsite and offsite depending on the findings of the traffic impact assessment report for this proposed land use.


FEES:

**** Note; Development Cost Charges will be collected at the building stage for this proposed development.**

DESCRIPTION	AMOUNT
WATER MAIN TIE-INS	To be determined
WATER METER INSTALLATION	To be determined
SANITARY SERVICE CONNECTIONS	To be determined
STORM SERVICE CONNECTIONS	To be determined
TRAFFIC CONTROL SIGNAGE	To be determined
100% CONSTRUCTION DEPOSIT	To be determined
5% ADMINISTRATION FEE	To be determined
HARMONIZED SALES TAX (HST) 12%	To be determined

RECOMMENDATION

From an engineering point of view the rezoning application is **NOT** to proceed any further than third reading until the owner has provided all of the foregoing information, has volunteered to install all deficient works identified and is prepared to enter into a secured development agreement for the above mentioned services prior to adoption of the zoning amendment bylaw.


 Salem Abushawashi
 Deputy Director of Engineering


 Tony Miniaci
 Engineering Technologist

Appendix A



terra lumina
life lease inc.

Life Lease Housing

Life lease is a form of tenure that works very well for non-profit organizations that want to build and operate good quality housing for seniors in their communities.

Many people are unfamiliar with life lease housing although it has been around for 30 years in Canada. In Manitoba, where the first life lease housing project in Canada was built in the early 1980s, it is an extremely common form of tenure for 55+ consumers. In Saskatchewan, life lease housing is just as common as it is in Manitoba. There are fewer life lease projects in BC, although more and more are being developed every year. They have been very successful too—for example, the two Maple Ridge Legion life lease projects have waiting lists that are five to eight years long. Cascade Court, a life lease in Abbotsford, has more than 100 people on its waiting list.

That is because of the high level of satisfaction among life lease residents. A recent report published by the Canada Mortgage and Housing Corporation found that every one of the life lease residents involved in the study were extremely happy with their housing choice and would recommend life lease to their friends.

Basic Nature of Life Lease Housing

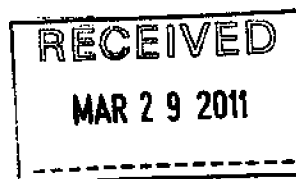
The basic nature of a life lease is that it is a cross between owning and renting. People buy their units and their leasehold interest is registered on title. Leases are 30 years less a day because leases under 30 years in BC are not subject to Property Transfer Tax. When people move out, they get their money back less a small deduction for refurbishing and remarketing. Ownership of the building remains with the not-for-profit organization. MASH has created a separate housing society to own and operate its life lease, the Cedar Valley Manor Life Lease Society.

Affordability

Once a unit is returned to the Society, the Society then resells the leasehold interest at no more than 50% of the increase that has occurred in the local housing market since the unit was bought initially. For example, if the unit was sold for \$200,000 ten years ago and market values had increased by 50% over that time period (meaning a \$200,000 condo would now be worth \$300,000) the resale price of the life lease unit would only increase by 25%, to \$250,000. Over time, the life lease units will become more and more affordable compared to the local housing market.

Benefits to the Community

It is not just life lease residents who benefit from the creation of good quality affordable housing in their communities. The communities themselves benefit as well—housing units that are frequently occupied by one or two people can be freed up for new families, people who sell their houses and buy a less expensive life lease unit have more money to spend in the community, and the development of new and appealing housing units makes the community more attractive to prospective residents.



Appendix B

MISSION ASSOCIATION FOR SENIORS HOUSING

7380 Hurd Street
Mission, BC V2V 3H5

March 28, 2011

Dayle Reti, Planner
District of Mission
Mission, BC

Dear Ms. Reti:

Re: Amenity Fees

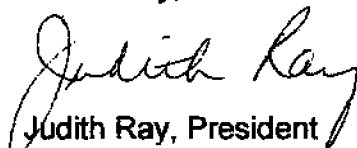
The Mission Association of Seniors Housing (MASH) has submitted a Rezoning Application for a new project for affordable seniors housing.

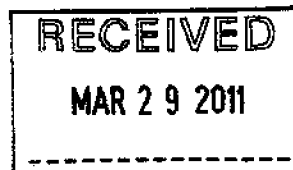
We believe our life lease project will add a significant amenity to the community, increasing the options for seniors to remain in Mission, and potentially to attract some back who may have left due to such an option not being available to them earlier.

We also believe that seniors housing does not represent the same level of burden on the various municipal amenities that other forms of residential developments bring.

Therefore, we are requesting consideration for the waiving of the amenity fees for this project. Such a waiver will assist in increasing the affordability of the units since our plan is to market them at cost, and this will be one less cost we need to recover from the seniors.

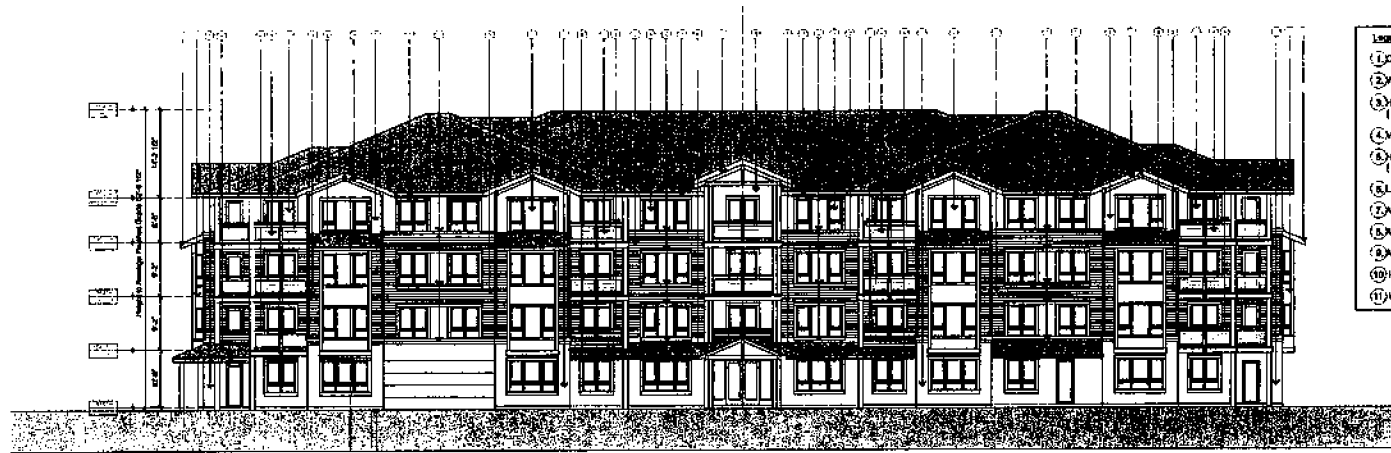
Yours truly,


Judith Ray, President
Board of Directors



Drawing B

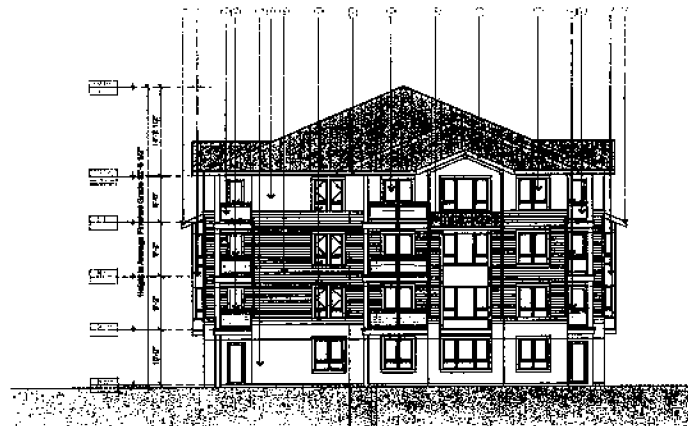
Drawings



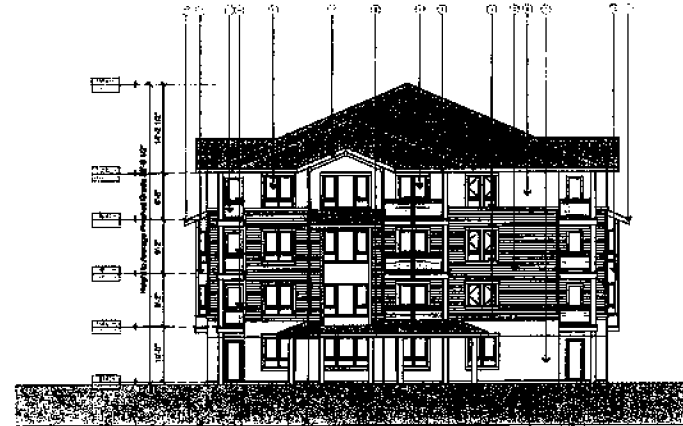
South Elevation 1"= 10'0"

- Legend:**
- ① Colour coated stucco
 - ② Wood trim
 - ③ Hardplank lap siding (8" exposure)
 - ④ Vinyl asbestos
 - ⑤ Hardplank lap siding (4" exposure)
 - ⑥ Laminated glass
 - ⑦ Aluminium gutter
 - ⑧ Asphalt shingles
 - ⑨ Aluminium railing
 - ⑩ Hard Panel
 - ⑪ Wood Beak board

Date: _____
 Drawn: _____
 Checked: _____
 Approved: _____
 Date: _____



East Elevation 1"= 10'0"



West Elevation 1"= 10'0"

See

ARCHITECTS

306-124 Abbott St
 Vancouver, BC
 Canada V6B 2K4
 T: 604-681-1939
 F: 604-681-2541
 info@hale.bc.ca
 www.hale.bc.ca

Copyright © 2004. Hale Architects Inc. All rights reserved. No part of this drawing may be reproduced without the written permission of Hale Architects Inc.

Project:
 Seniors' Housing
 32821 Janzen Ave, Mission, BC

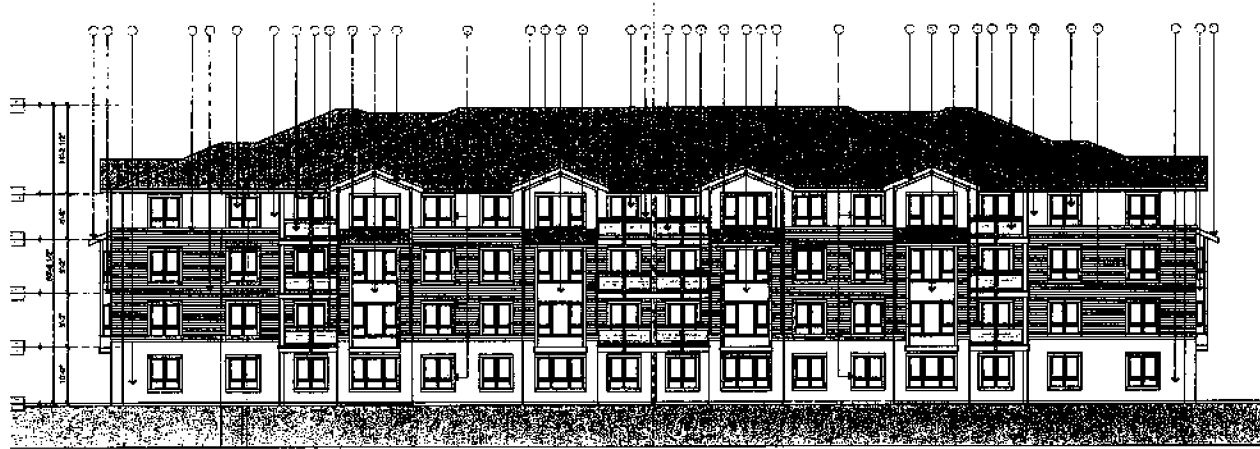
Sheet Title:
 Elevations

Project Number:
 10024
 Scale:
 1"= 10'0"
 Sheet Number:
 A-201

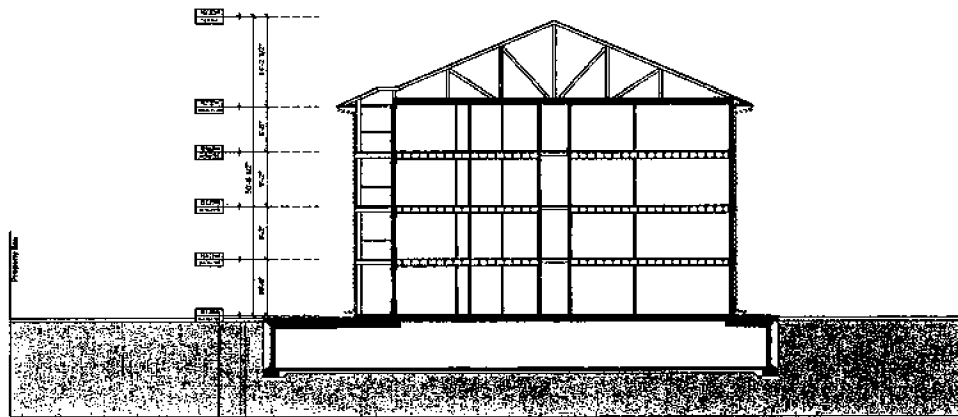
Drawing C

Continued

Date: _____ Issue: _____
 Rev. 04/2019 Check/revise:
 Rev. 04/2019 Check/revise:
 Rev. 04/2019 Check/revise:
 Rev. 01/2017 Revising/replace:



North Elevation 1" = 10'0"



East Elevation 1" = 10'0"

- Legend:
- ① Colours coated stucco
 - ② Wood trim
 - ③ Hardiplank lap siding (5" exposures)
 - ④ Vinyl windows
 - ⑤ Metal balcony door
 - ⑥ Laminated glass
 - ⑦ Aluminium grille
 - ⑧ Asphalt shingles
 - ⑨ Aluminium railing
 - ⑩ Hard Panel
 - ⑪ Wood beech board

102

ARCHITECTS
 201-344-8888
 Vancouver, BC
 Canada V6B 2K4
 F 604-699-1924
 F 604-692-1241
 info@h2a.ca
 www.h2a.ca

Copyright reserved. To print and/or to copy is strictly
 prohibited without the express written permission of the
 Architectural Firm. All rights reserved.

Project:
Seniors' Housing
 32821 Jarzen Ave, Mission, BC

Draw Title:
**North Elevation
 Cross Section**

Project Number:
 10024
 Scale:
 1" = 10'0"
 Draw Number:
A-202


 DISTRICT OF
Mission
 ON THE FRASER
 PLANNING DEPARTMENT

FILE: PRO.DEV.ZON/PRO.DEV.DEV
 R11-009/DP11-006

July 13, 2011

Dear Owner/Occupant:

**Re: Rezoning Application R11-009 and Development Permit Application DP11-006
 (Mission Association for Seniors' Housing) – 8352 Cedar Street, 32821 Janzen
 Street and 32835 Janzen Street**

Please be advised that Rezoning and Development Permit applications have been received from Mission Association for Seniors' Housing for a proposed new development in your neighbourhood. Enclosed is a Public Hearing Notice describing the proposal within items 1 and 2.

This Bylaw amendment seeks to rezone the property from Suburban 36 (S36) zone to Multiple Family 135 (MA-135) zone. The purpose of this rezoning is to accommodate a seniors' apartment building.

The purpose of the Development Permit is to provide conformity to the Official Community Plan guidelines respecting building form, landscaping and parking.

This letter is to serve as notice to all adjacent property owners and occupiers of land that the District of Mission Council will consider the Rezoning and Development Permit applications at the July 25, 2011 Regular Council meeting. The Regular Council meeting will be held at 6:30 p.m. in the Council Chambers of the Municipal Hall, 8645 Stave Lake Street, Mission, BC. An opportunity will be given for any interested parties to comment on the Rezoning and the Development Permit applications at the Regular Council meeting.

Yours truly


 Sharon Fletcher
 DIRECTOR OF PLANNING

Encl.

G:\COMDEV\PUBLIC HEARINGS & PUBLIC INPUT MTGS\PUBLIC HEARING NOTIFICATION LETTERS\R11-009 DP11-006 NOTN OWN OCC.DOCX

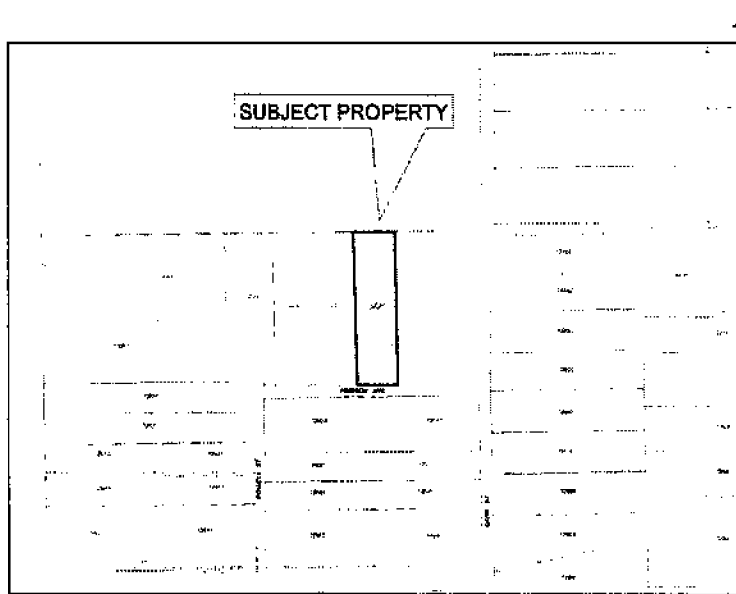
DISTRICT OF MISSION ZONING AMENDING BYLAW 5220-2011-5050(42) (R11-004 - Mikes)

This bylaw proposes to amend District of Mission Zoning Bylaw 5050-2009 by amending the zoning of the following legally described property:

Parcel Identifier: 003-915-654, Lot 2 Section 22 Township 15 New Westminster District Plan 66683

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

The location of the subject property is 29585 Hudson Avenue and is shown on the following map:



The purpose of the proposed amendment is to accommodate the subsequent subdivision of the subject property into two (2) lots of a minimum 0.7 hectare (1.73 acre) lot size.



Planning Department Memorandum

FILE: PRO.DEV.ZON
R11-004

To: Chief Administrative Officer
From: Planner
Date: July 4, 2011
Subject: Rezoning Application R11-004

Recommendation

That, in accordance with Rezoning Application R11-004 (Tony Mikes), the Corporate Officer prepare a bylaw to amend District of Mission Zoning Bylaw 5050-2009 by rezoning the property located at 29585 Hudson Avenue and legally described as:

Parcel Identifier: 003-915-654 Lot 2, Section 22, Township 15, New Westminster District Plan 66683

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

that the bylaw be considered for 1st and 2nd readings at the Regular Council meeting on July 4, 2011; and

that following such readings, the bylaw be forwarded to a Public Hearing on July 27, 2011.

Summary of Proposal

An application has been received from Tony Mikes to rezone the property located at 29585 Hudson Avenue (**Map 1**) from Rural 16 (RU 16) to Rural Residential 7 (RR7) to facilitate a two (2) lot subdivision. The draft site plan is attached as (**Plan 1**).

Site Description and Neighbourhood Context

The subject property is 2.013 hectares (4.97 acres) in area and slopes from the northern reaches of the property in a south-east direction towards Hudson Avenue. An existing residence is located on the northern portion of the property that is accessed by a long gravel driveway which is paved with asphalt closer to the residence. A large detached accessory building (machine shop) is located on the southern portion of the property (**Plan 1**).

The overall residential neighbourhood character west of Carr Street in Stave Falls is comprised of larger properties which are heavily treed with single family residences. The majority of surrounding properties are considered rural with a small number of properties further developed to Rural Residential densities within the last five to ten years.

Zoning

The subject property is zoned Rural 16 (RU16) which permits a minimum lot size of 1.6 hectares (3.95 acres). This application proposes to rezone the property to Rural Residential 7 (RR7) which permits a minimum lot size of 0.7 hectares (1.72 acres). The intent of the RR7 zone is to provide for one unit residential dwellings outside the urban development area.

Official Community Plan (OCP) Designation

The proposed zone (Rural Residential 7) is permitted within the *Rural Residential* OCP designation. The proposed Rural Residential development does not require an OCP amendment and is in keeping with the future densities envisioned within the OCP.

The District of Mission Municipal Forest boundary is situated north of the property and the *Municipal Forest* designation continues north of the subject property. The proposed development will not impede any forestry activity on the property to the north (**Map 2**).

Development Abstract

The area of proposed Lot 1 is 1.05 hectares (2.59 acres) (not including the area of the panhandle portion of the lot) while proposed Lot 2 is 0.96 hectares (2.37 acres). Both these lots are 'oversized' within the proposed RR7 zoning; however, neither lot have further subdivision potential under the *Rural Residential* OCP designation.

The existing residence is sited on the northern portion of the property and will remain within proposed Lot 1 (**Plan 1**) which is a panhandle lot. As determined through the subdivision process, it still remains to be determined if the panhandle driveway must be built or if the existing driveway can be utilized for access to Lot 1. If the existing driveway is used, a cross access agreement would be required to allow both property owners unfettered access on the driveway.

The residential development of proposed Lot 2 does not impact the existing environmentally sensitive area on the southern portion of the property. The area of proposed Lot 2 creates ample space to accommodate a building envelope and all other requirements such as access, septic disposal area and a well site. Given that there is a large existing workshop (an accessory building) that is located proposed Lot 2, a legal agreement must be provided as part of the subdivision process to ensure that a residence is constructed in a timely manner in order to not render the accessory use (the workshop) non-conforming to the Zoning Bylaw.

Community Amenity Contribution

It is recognized that residential development imposes a unique financial burden on the community by creating a need or demand for new/upgraded public facilities or amenities. In order to address this unique financial burden, rezoning applicants are requested to make a contribution to the District's Community Amenity Reserve Fund for new/upgraded public facilities or amenities. The applicant has agreed to contribute \$2,680.00 as part of this rezoning application.

Tree Retention and Replanting

The southern portion of the subject property was cleared years earlier to provide for a large detached accessory building. The northern portion of the property was also cleared to provide for the existing house on the property (**Plan 1**). No other trees are slated to be removed in relation to development activities; therefore, in accordance with the District of Mission Tree Retention Policy, the applicant is required to plant a total of four (4) trees.

Environmental Protection

Given that a professional survey located a number of ditches and two small ponds on the southern portion of the property, the applicant has provided an environmental report that outlines protection measures for the watercourses. All watercourses will be protected in accordance with Section 108 of the Zoning Bylaw. Specifically, the roadside ditch and two small ponds will be protected by fencing and covenants on title. These environmental protection measures will be ensured through the subdivision process.

Parkland

Rolley Lake Park and recreational opportunities along the western shore of Stave Lake are within the general vicinity of Stave Falls. Moreover, as only one (1) additional lot will be created by subdivision, there is no parkland dedication requirement.

Internal Comments

Engineering Department

The application was forwarded the District of Mission Engineering Department. The Engineering Department has reviewed the proposal has stated that "from an engineering point of view the rezoning application may proceed to final adoption" (**Appendix I**).

External Referrals

Utility Agencies (B.C. Hydro, Fortis BC, Telus)

The development proposal has been sent to all utility agencies as part of the subdivision process.

Public Hearing Information Package

In accordance with Council Policy LAN.50 – PRE-PUBLIC HEARING INFORMATION PACKAGES, a package will be produced containing material related to the development application.

Requirements Prior to Adoption of the Zone Amending Bylaw

- Receipt of the Community Amenity contribution in the amount of \$2,680.00;
- Any other items that Council may require resulting from the Public Hearing or Council consideration of the application.

Recommendation Summary

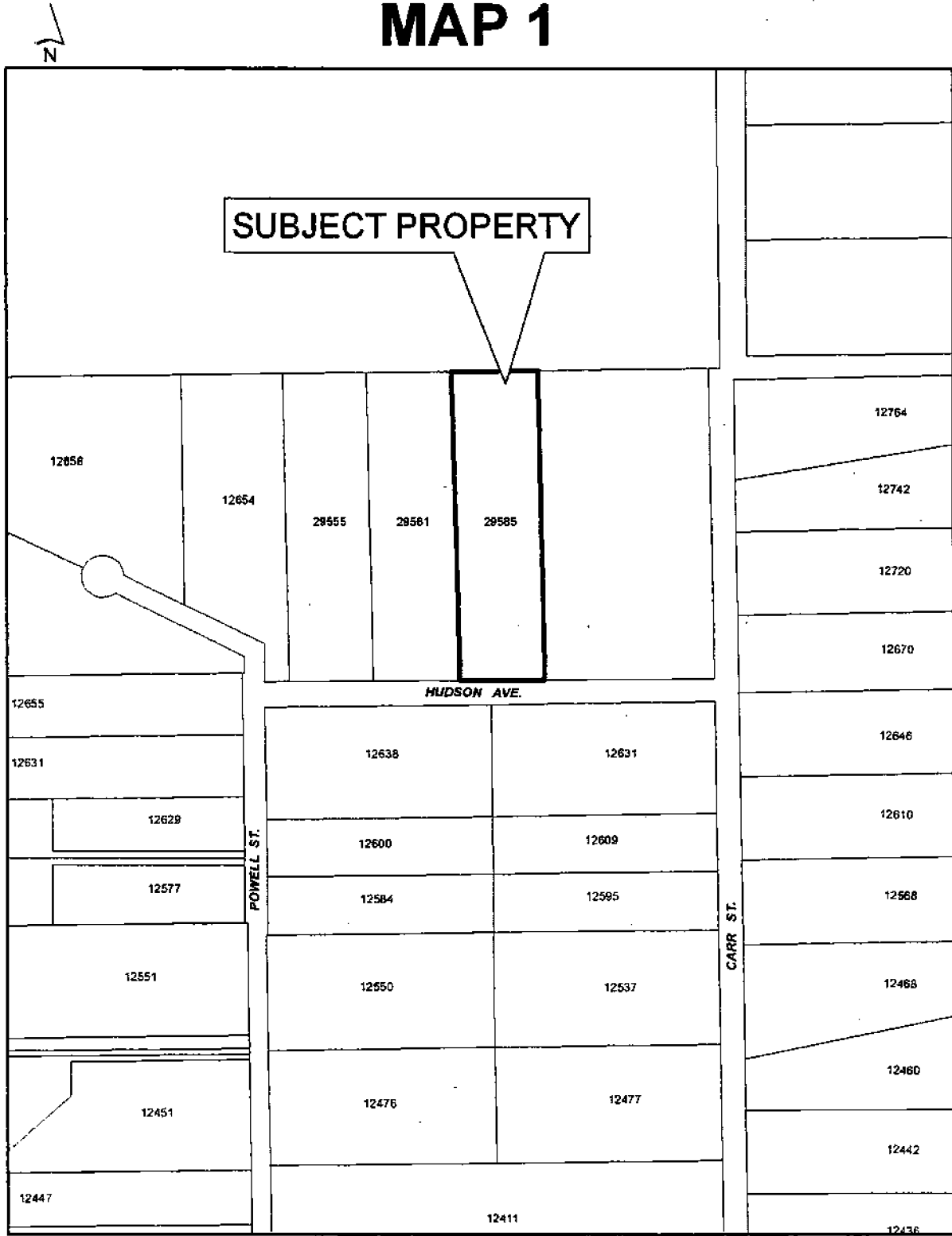
Staff recommend that Council provide 1st and 2nd reading to the bylaw amendment to rezone the subject property from Rural 16 (RU16) to Rural Residential 7 (RR7) and forward the rezoning proposal to Public Hearing on July 27, 2011.



Erik Wilhelm
PLANNER

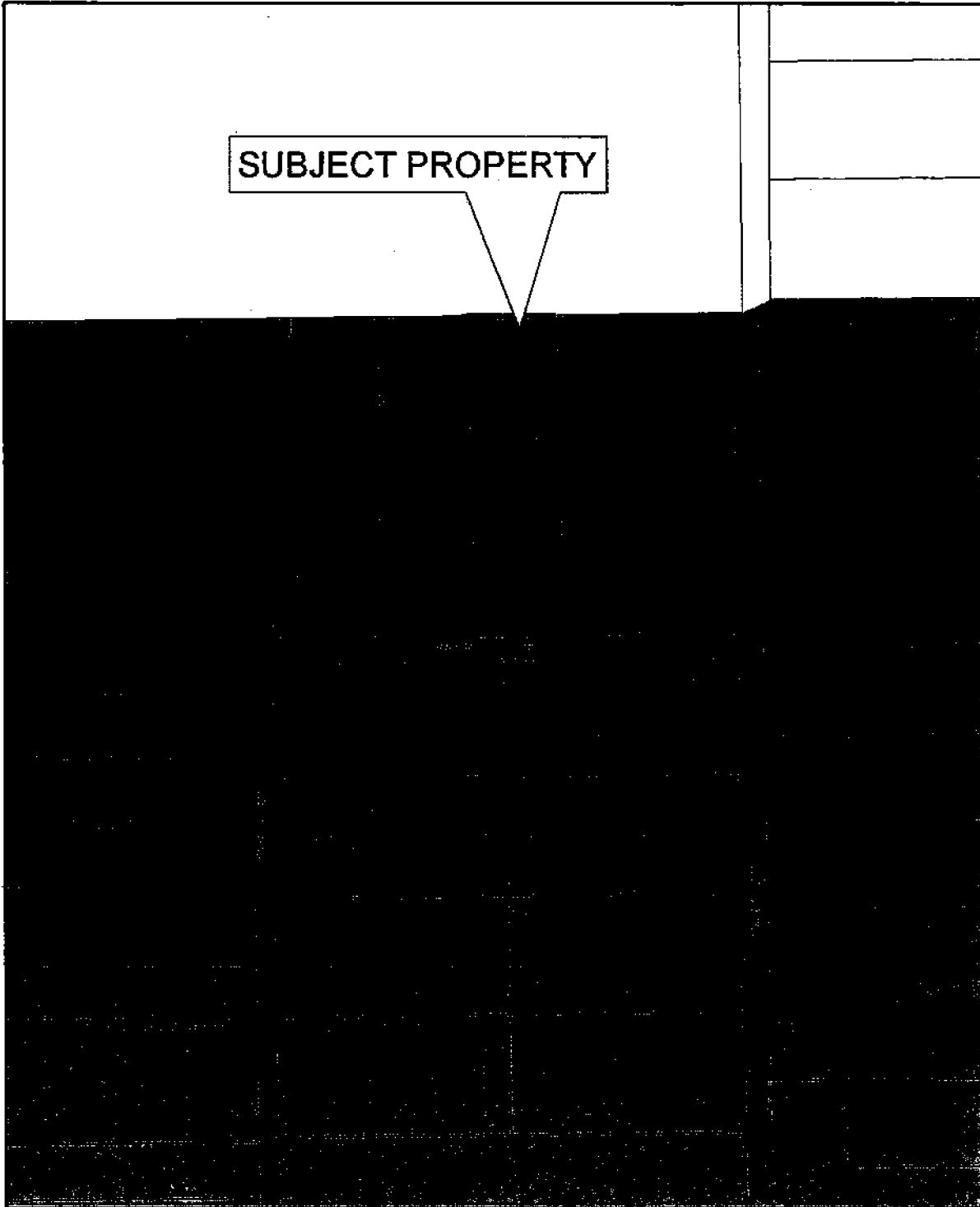
G:\COMDEVE\ERIK\Working Development Planning Staff Reports\Hudson Avenue_R11-004.docx

MAP 1



OCP

N



Appendix I

FILE: R11-004

CIVIC ADDRESS: 29585 Hudson Avenue

DOMESTIC WATER REQUIREMENTS:

No municipal water available. Developer to provide potable water for each parcel and a hydrogeology report to confirm that the well/s meet the requirements of the Subdivision Control Bylaw.

SANITARY SEWER REQUIREMENTS:

No municipal sanitary sewer available.

STORM SEWER REQUIREMENTS:

No storm sewer works required.

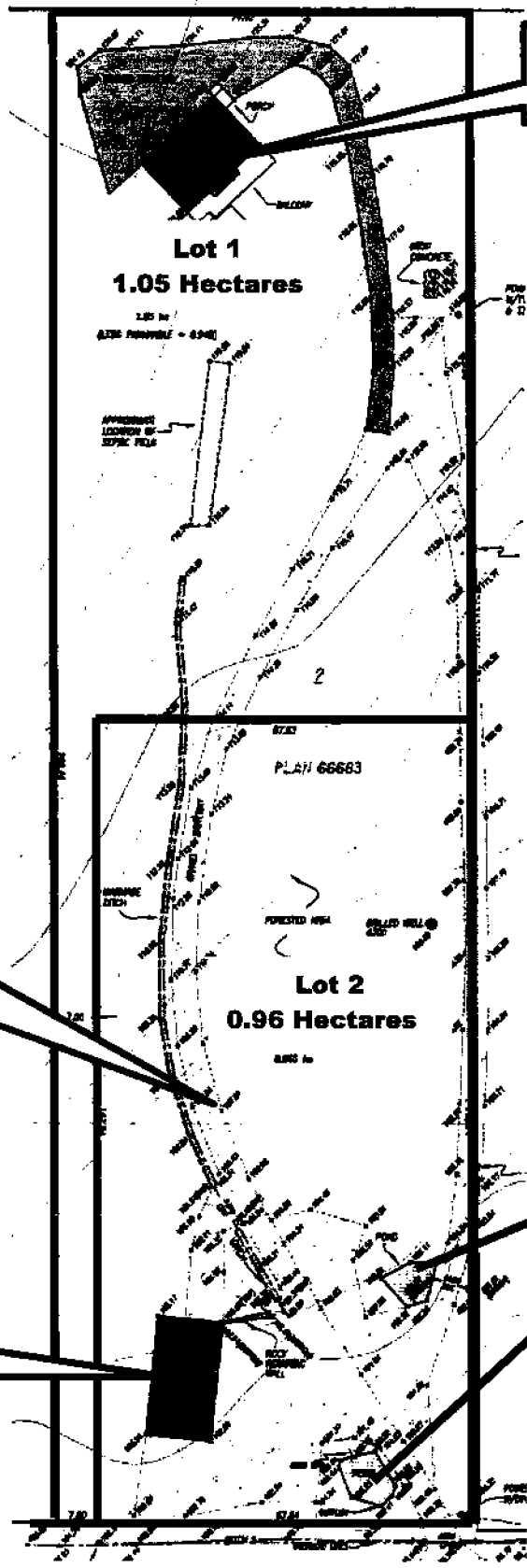
ROAD WORK REQUIREMENTS:

Hudson Avenue provides paved access to the site, no further upgrading required.

RECOMMENDATION

From an engineering point of view the rezoning application may proceed to final adoption.

Plan 1 Draft Plan of Subdivision



**Existing Residence
to remain**

**Existing driveway that
may be utilized to access
Lot 1 - Ensured through
cross access agreement**

**Two Small Ponds that
drain towards the
roadside ditch on Hudson
Avenue to the south**

**Existing Accessory
Structure (Mechanical
Shop) to remain**



FILE: PRO.DEV.ZON
R11-004

July 13, 2011

Dear Owner/Occupant:

Re: Public Hearing Notification for Rezoning Application R11-004 (Mikes) – 29585 Hudson Avenue

As a neighbouring resident or property owner to the subject property located at 29585 Hudson Avenue, you are invited to attend the Public Hearing and make known any comments that you may have.

Reference should be made to Item 3 in the enclosed Public Hearing notice for more specific information regarding the proposal. Details of the Public Hearing time and location are stated at the top of the Public Hearing notice.

Additional information may be obtained by contacting the District of Mission Planning Department at (604) 820-3748.

Yours truly

A handwritten signature in cursive script, appearing to read "Sharon Fletcher".

for/ Sharon Fletcher
DIRECTOR OF PLANNING

Encl.

G:\COMDEV\PUBLIC HEARINGS & PUBLIC INPUT MTGS\PUBLIC HEARING NOTIFICATION LETTERS\R11-004 NOTN OWN OCC.DOCX

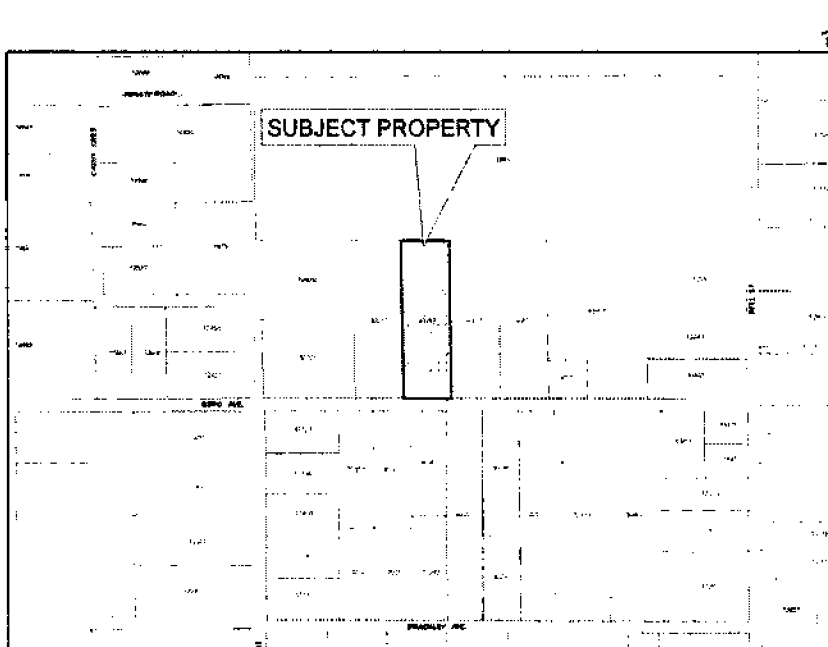
DISTRICT OF MISSION ZONING AMENDING BYLAW 5221-2011-5050(43) (R11-005 - Mikes)

This bylaw proposes to amend District of Mission Zoning Bylaw 5050-2009 by amending the zoning of the following legally described property:

Parcel Identifier: 017-971-659, Lot B Section 23 Township 15 New Westminster District Plan LMP7120

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

The location of the subject property is 30265 Berg Avenue and is shown on the following map:



The purpose of the proposed amendment is to accommodate the subsequent subdivision of the subject property into two (2) lots of a minimum 0.7 hectare (1.73 acre) lot size.



Planning Department Memorandum

FILE: PRO.DEV.ZON
R11-005

To: Chief Administrative Officer
From: Planning Technician
Date: July 4, 2011
Subject: Rezoning Application Rezoning Application R11-005 (Mikes) – 30265 Berg Avenue

Recommendation

That, in accordance with Rezoning Application R11-005 (Mikes), the Corporate Officer prepare a bylaw to amend District of Mission Zoning Bylaw 5050-2009 by rezoning the property located at 30265 Berg Avenue and legally described as:

Parcel Identifier: 017-971-659 Lot B Section 23 Township 15 New Westminster District Plan LMP7120

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

that the bylaw be considered for 1st and 2nd readings at the Regular Council meeting on July 4, 2011, and that following such readings,

the bylaw be forwarded to Public Hearing on July 25, 2011.

Summary of Proposal

The applicant is proposing to rezone the property located at 30265 Berg Avenue from Rural 16 (RU16) zone to RR7 Rural Residential 7 (RR7) zone to accommodate the subsequent subdivision of the subject property into two (2) lots of a minimum 0.7 hectare (1.73 ac.) lot size. The subdivision draft plan is attached as **Appendix 1**.

Site Description

The subject property is 2.057 hectares (5.08 ac.) in area and is located on the north side of Berg Avenue east of Rolley Lake Street and west of Bell Street in Stave Falls (refer to **Appendix 2**). There is one existing home on the property located near the north property line surrounded by lawn area to the front and east with a small backyard area. The property slopes primarily to the south on an average gradient of 10%; the southern portion is flatter and the south property line is the low point. There are a number of watercourses and ponds present on the property.

The property owner wants to retain the large steel building located on the southern half of the property (refer to **Appendix 3**); however, an accessory building/structure is not permitted without a principal use on a property. Therefore, a restrictive covenant will be registered on title of the new lot prohibiting occupancy of the accessory building and stipulating that a building permit for a single-family home must be issued within six months of the date of subdivision approval. The property owner will also be required to submit a \$5,000 letter of credit which the District could utilize to remove of the steel building if the conditions of the restrictive covenant are not met. These requirements will be met through the subdivision approval process.

Neighbourhood Context

The majority of properties in the immediate area are zoned RU16 and RR7; although there is a large, undeveloped site located directly north of the subject property zoned RU36 (refer to **Appendix 4**). As this is an emerging area of rural residential properties, the proposed RR7 zone (minimum 0.7 ha/1.73 ac.) allows for lot sizes compatible with the existing land uses in the surrounding area.

Official Community Plan Designation

The subject proposal is in conformance with the Official Community Plan; therefore, an OCP amendment is not required.

Zoning

The current RU16 zone has a minimum parcel size of 1.6 hectares (4.0 ac.). The proposed RR7 zone has a minimum parcel size of 0.7 hectares (1.73 ac.). The subject property is 2.057 hectares (5.08 ac.) in area and therefore allows a two-lot subdivision under the RR7 zone.

Community Amenity Contribution

In accordance with District of Mission Policy LAN. 40 – Financial Contributions for Community Amenities Policy, the applicant has submitted a letter volunteering to contribute \$2,680 which is payable prior to the adoption of the zone amending bylaw.

Environmental Protection

There are a number of watercourses and ponds present on the subject property. An environmental assessment was completed and it has been referred to the Department of Fisheries and Oceans (DFO) for their review and comment. The driveway to the existing home (on proposed Lot 1) is located along the east property line within the streamside protection and enhancement area (SPEA). This driveway will remain within the SPEA; however, re-vegetation and replanting on both sides of the driveway will be required to mitigate the SPEA loss. Accordingly, the applicant's biologist provided a comprehensive Habitat Mitigation Plan that will also be referred to the DFO for their review and comment. A new driveway access for proposed Lot 2 will be constructed. A restrictive covenant will be required to protect the environmentally sensitive areas as part of the subdivision approval process.

Tree Retention and Replanting

The tree survey plan identifies 35 significant trees on the subject property; the majority of the significant trees are located on proposed Lot 2 (refer to **Appendix 5**). The applicant has indicated that none of the significant trees will be removed as part of the proposed development. The applicant is required to plant two additional trees per lot (4 trees in total) in accordance with District of Mission Policy LAN. 32 – Tree Retention/Replanting Policy. This requirement will be met through the subdivision approval process.

Planning Analysis

The proposed subdivision will create two rural residential lots; the area of proposed Lot 1 is 1.11 hectares (2.74 ac.) and the area of proposed Lot 2 is 0.944 hectares (2.33 ac.). This rezoning proposal is supported by planning staff as it is in accordance with the OCP and provides for compatible development in the Stave Falls area.

Internal Comments

The Engineering Department has reviewed the proposal; these comments are outlined in **Appendix 6 – Engineering Department Rezoning Comments.**

External Referrals

The standard referrals will be made to the various utility agencies as part of the subdivision process.

Public Hearing Information Package

In accordance with District of Mission Policy LAN.50 – Pre-Public Hearing Information Packages Policy, a package will be produced containing material related to the development application.

Requirements Prior to Adoption of the Zone Amending Bylaw

- Receipt of the Community Amenity contribution in the amount of \$2,680;
- Any other items that Council may require resulting from the Public Hearing or Council consideration of the application.

Recommendation

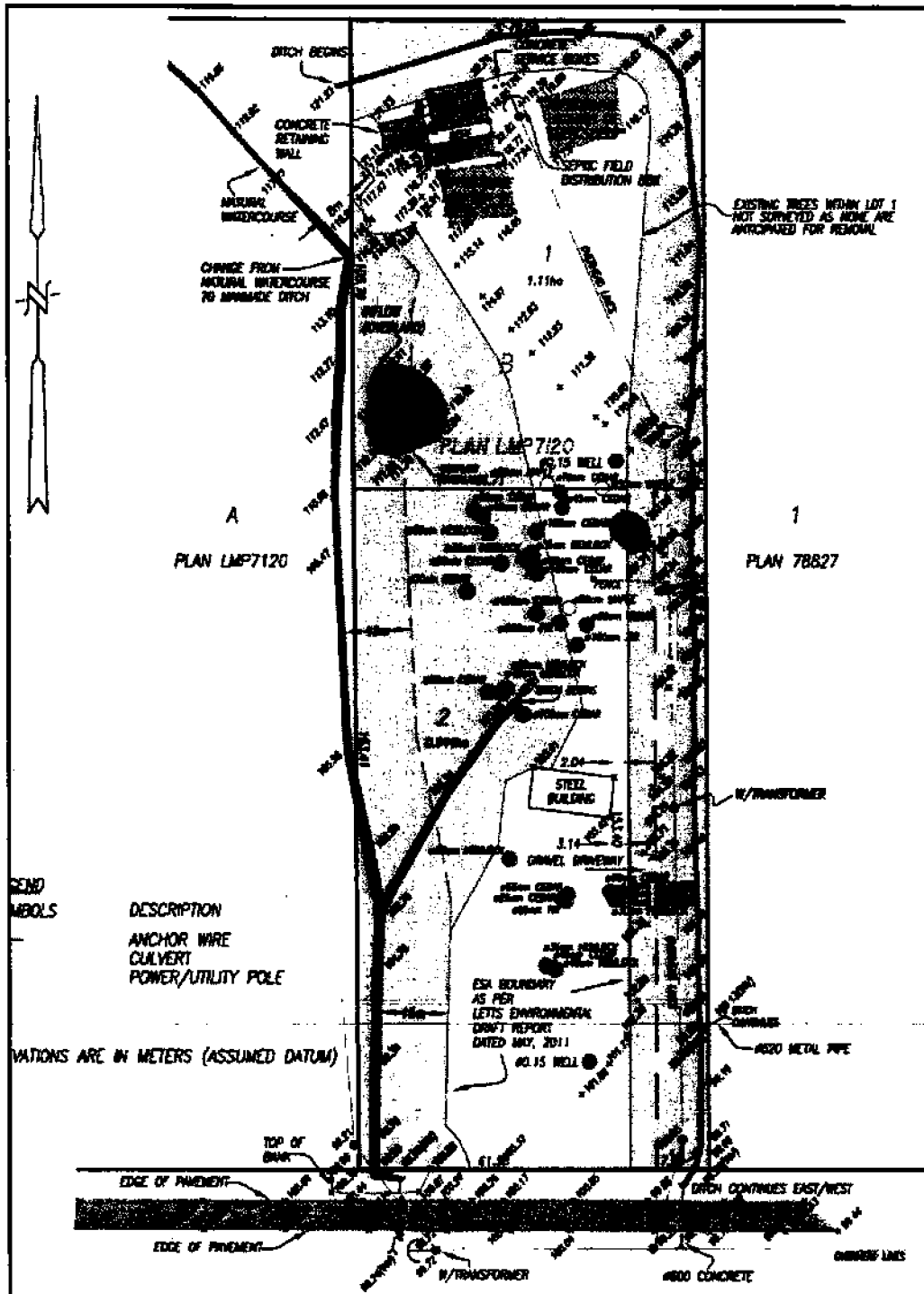
Planning staff recommends that the rezoning proposal be supported by Council and proceed to Public Hearing on July 25, 2011.



Donna-Lee Lakes

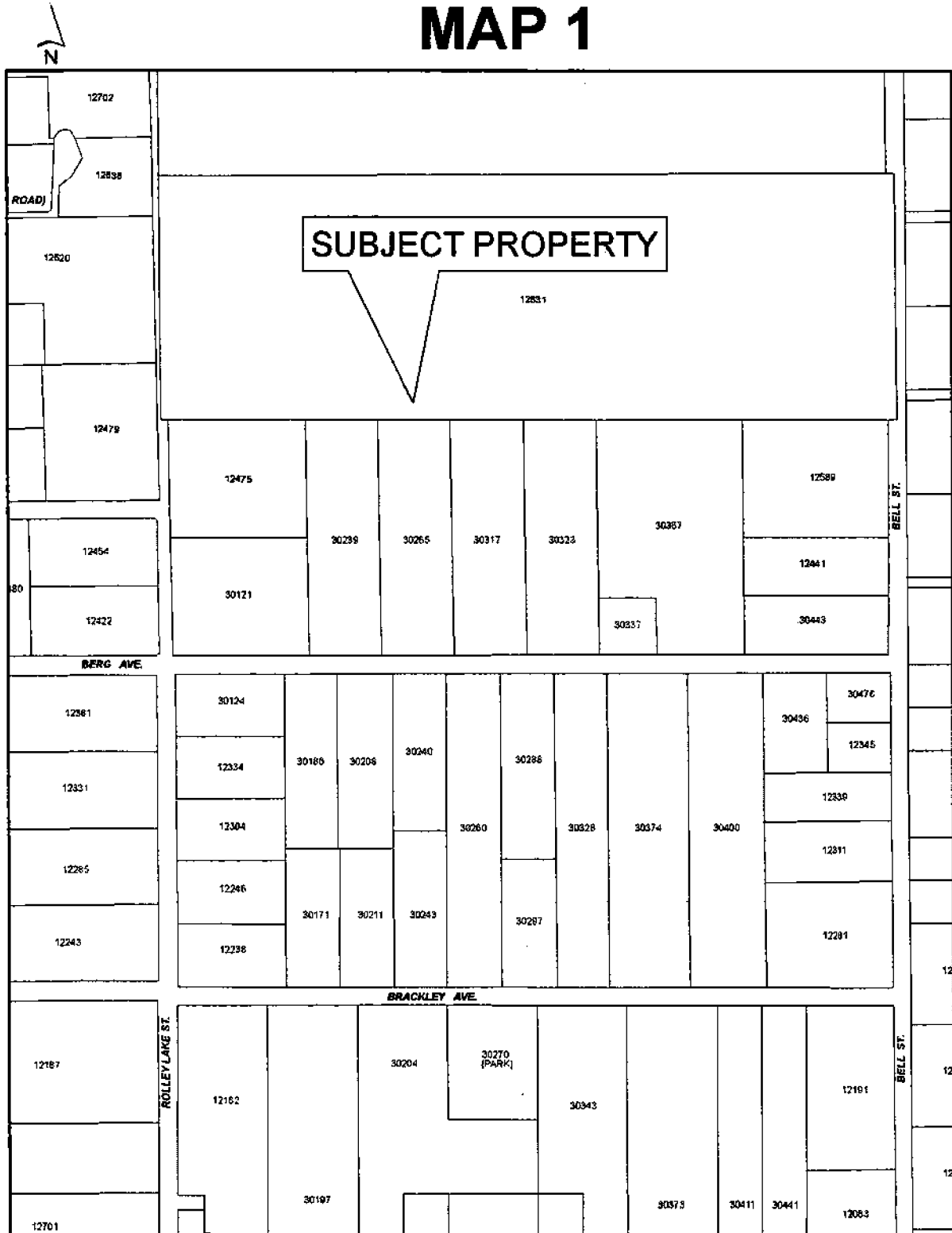
G:\COMDEV\DONNA-LEE\COW REPORTS\2011 REPORTS\R11-005 (MIKES) 30265 BERG AVENUE 2011-07-04 COW.DOCX

APPENDIX 1 – SUBDIVISION DRAFT PLAN

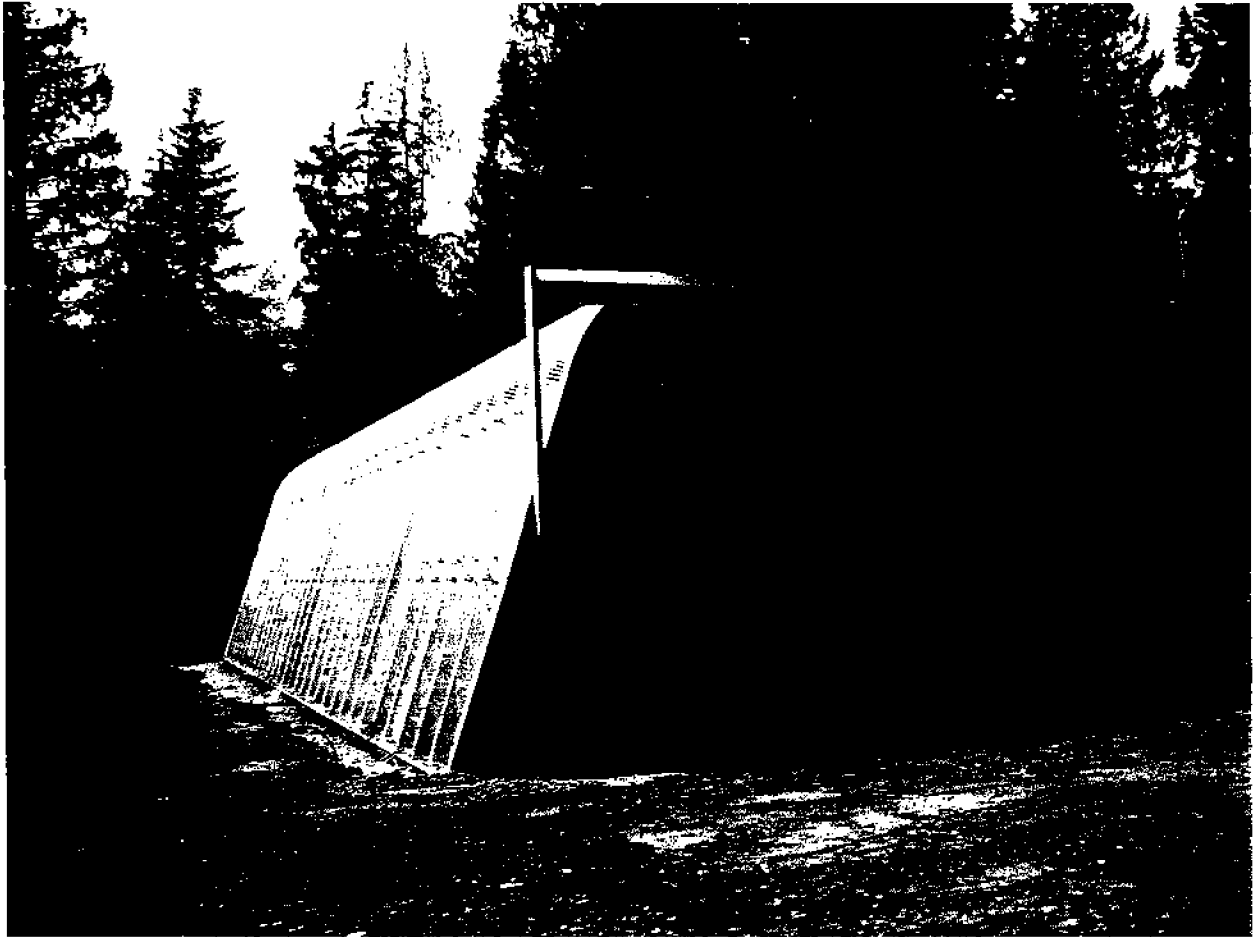


APPENDIX 2 – LOCATION MAP 1

MAP 1

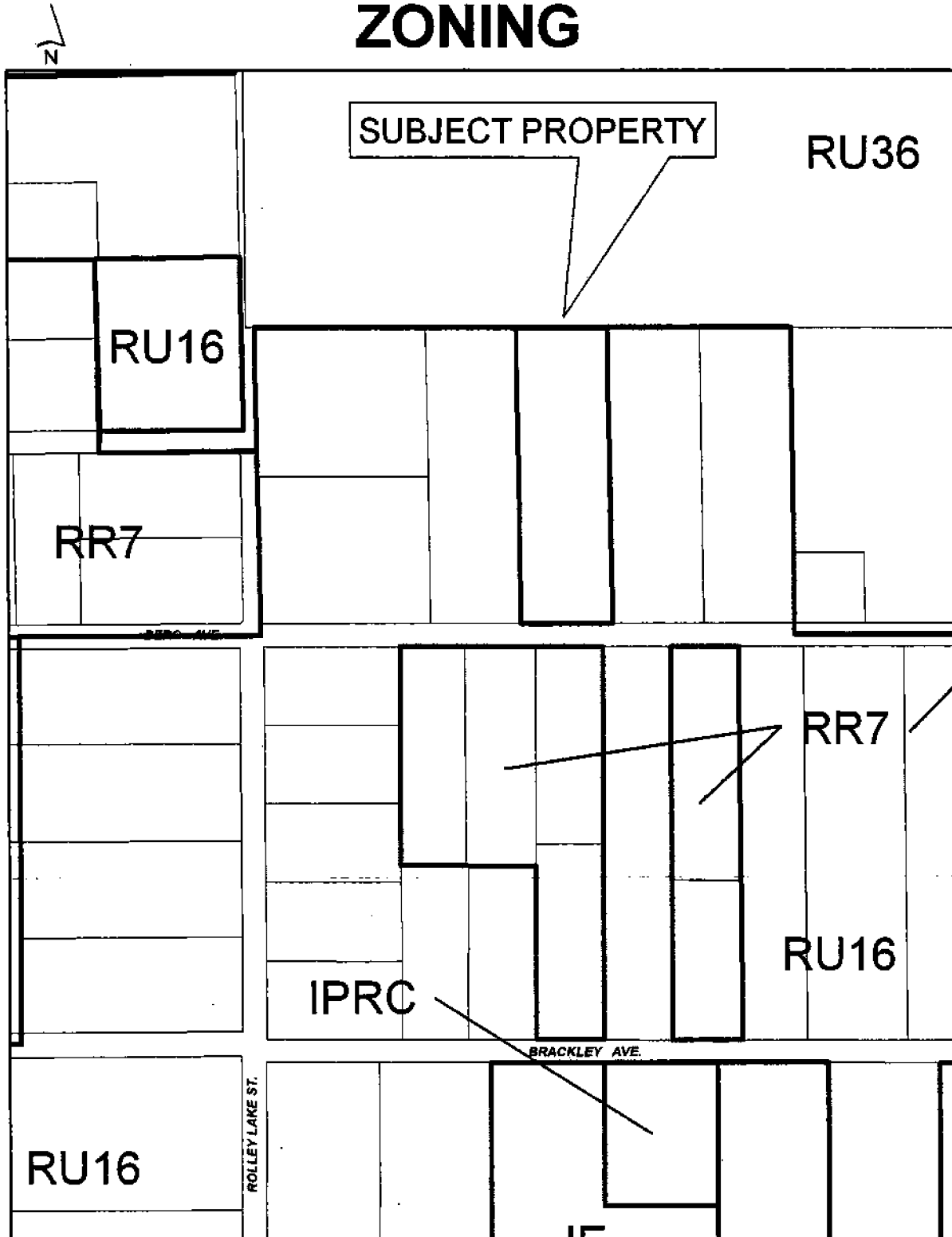


APPENDIX 3 – PHOTO



APPENDIX 4 - ZONING MAP

ZONING



APPENDIX 6 - ENGINEERING DEPARTMENT REZONING COMMENTS

FILE: R11-005

CIVIC ADDRESS: 30265 Berg Avenue

DOMESTIC WATER REQUIREMENTS:

No municipal water available. Developer to provide potable water for each parcel and a hydrogeology report to confirm that the well/s meet the requirements of the Subdivision Control Bylaw.

SANITARY SEWER REQUIREMENTS:

No municipal sanitary sewer available.

STORM SEWER REQUIREMENTS:

No storm sewer works required.

ROAD WORK REQUIREMENTS:

Berg Avenue provides paved access to the site, no further upgrading required.

RECOMMENDATION

From an engineering point of view the rezoning application may proceed to final adoption.



FILE: PRO.DEV.ZON
R11-005

July 13, 2011

Dear Owner/Occupant:

Re: Public Hearing Notification for Rezoning Application R11-005 (Mikes) – 30265 Berg Avenue

As a neighbouring resident or property owner to the subject property located at 30265 Berg Avenue, you are invited to attend the Public Hearing and make known any comments that you may have.

Reference should be made to Item 4 in the enclosed Public Hearing notice for more specific information regarding the proposal. Details of the Public Hearing time and location are stated at the top of the Public Hearing notice.

Additional information may be obtained by contacting the District of Mission Planning Department at (604) 820-3748.

Yours truly

for Sharon Fletcher
DIRECTOR OF PLANNING

Encl.

G:\COMDEV\PUBLIC HEARINGS & PUBLIC INPUT MTGS\PUBLIC HEARING NOTIFICATION LETTERS\R11-005 NOTN OWN OCC.DOCX