

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, February 28, 2011 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

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

Council Members Absent: Councillor Jenny Stevens

1. DELEGATIONS AND PRESENTATIONS

PH11/004
FEB 28/11

Mission Community Heritage Commission – Presentation of Annual Heritage Awards

Jim Hinds, Janis Schultz and Mayor Atebe presented the 2011 Community Heritage Award for Special Achievement to Mildred Vallick in recognition of her dedication to preserving the history of Mission.

PH11/005
FEB 28/11

Canada World Youth Re: Silverdale Creek Wetland Management Plan

Saad Iftikhar and Olia Slivinska appeared before Council to provide an outline of the proposed Silverdale Creek Wetland Management Plan.

Mr. Iftikhar and Ms. Slivinska stated:

- the Silverdale Creek Wetland and watershed are extremely important to the District of Mission for recreational and biodiversity conservation purposes;
- regionally, the Fraser Valley wetlands have been disappearing at an alarming rate;
- there is now an urgent need to preserve wetlands for the health of our ecosystems and District of Mission is assuming responsibility for preserving what is left of this essential natural resource;
- Mission's environmental charter recommends that the district must develop and implement a management plan for the Silverdale Creek Wetland which will include conservation, education and recreational components;
- past projects include culverts to control seasonal water levels, mosquito control, new channel, trails, planting, removal of invasive fish and plants, dog leash counts, wildlife monitoring, bird boxes; and
- recommendations for the future include: Educational projects – formal linkages, public education, and school wetland workshops; Recreational projects – wheelchair access to trail, improved parking, and wildlife viewing towers; and Ecological projects – removal of invasive species, installing of signs, and wildlife monitoring cameras.

The mayor thanked Mr. Iftikhar and Ms. Slivinska for their presentation and commented that the proposed plan will be an excellent tool for the District of Mission.

2. PLANNING

PH11/006
FEB 28/11

Information Pertaining to Consideration of Adoption (Fraser Valley Shopping Centres Limited, File R10-011)

Moved by Councillor Horn, seconded by Councillor Scudder, and

RECOMMENDED: That an excerpt from the minutes of the public hearing held on August 30, 2010 and a copy of the related staff reports dated August 3, 2010 and September 20, 2010 be received by council as background information to assist in the consideration of adoption of bylaw 5163-2010-5050(20).

CARRIED

3. BYLAWS

PH11/007
FEB 28/11

Moved by Councillor Gidda, seconded by Councillor Scudder, and

RECOMMENDED: That the readings of all bylaws included in the Bylaws section of the February 28, 2011 regular council agenda be approved as listed.

- (a) District of Mission Zoning Amending Bylaw 5163-2010-5050(20) Adoption
(R10-011 – Fraser Valley Shopping Centres Limited) – a bylaw to
rezone property at 31924 and 31970 Lougheed Highway

CARRIED

4. DEVELOPMENT PERMIT APPLICATIONS

PH11/008
FEB 28/11

Development Permit Application DP10-001 (John Meeker, Anthony and Josephine Grehan, and Apex Self Storage (Mission) Ltd.) – 31924, 31940, 31970 and 31980 Lougheed Highway
(for consideration of approval)

Moved by Councillor Scudder, seconded by Councillor Plecas, and

RECOMMENDED: That Development Permit Application DP10-001, in the name of John Meeker, Anthony and Josephine Grehan, and Apex Self Storage (Mission) Ltd., to provide conformity to the official community plan guidelines respecting building form and character and landscaping for property located at 31924, 31940, 31970 and 31980 Lougheed Highway be approved.

CARRIED

5. QUESTION PERIOD (on new business only)

There were no questions from the public.

6. PUBLIC HEARING

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

PH11/009
FEB 28/11

District of Mission Official Community Plan Amending Bylaw 5137-2010-4052(9) (R10-013 – District of Mission) – a bylaw to incorporate new Industrial Development Permit Guidelines

Erik Wilhelm, planner, provided information regarding rezoning application R10-013, in the name of the District of Mission, which proposes to amend the text of District of Mission Official Community Plan 4052-2008 by:

- a) deleting all text within “Area K Industrial Business Park Development Permit Area” in its entirety from Part IV – Development Permit Areas;
- b) deleting “O (i) and O (iii)” in their entirety from Schedule 1, Part IV – Development Permit Areas; and
- c) inserting a new “Industrial Development Permit Area” section after Development Permit Area J and before Development Permit Area L.

The planner stated that the purpose of the proposed amendments is to incorporate new Industrial Development Permit Guidelines into the Official Community Plan to improve the streetscape and built environment within industrial areas of Mission.

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

Councillor Stewart asked why industrial development was addressed before commercial development.

The planner explained that the creation of industrial development permit guidelines was a high priority within the Official Community Plan.

Hearing no further questions or comments the mayor declared the public hearing on District of Mission Official Community Plan Amending Bylaw 5137-2010-4052(9) (R10-013 – District of Mission) closed.

PH11/010
FEB 28/11

District of Mission Zoning Amending Bylaw 5146-2010-5050(14) (R10-010 – Cheema) – a bylaw to rezone property at 32620 Cherry Avenue from Suburban 36 zone (S36) to Residential Compact 465 Secondary Dwelling zone (RC465s)

Erik Wilhelm, planner, provided information regarding rezoning application R10-010, in the name of Cheema, which proposes to amend District of Mission Zoning Bylaw 5050-2009 by amending the zoning of the following legally described property:

Parcel Identifier: 005-742-773, Lot 2, Section 29, Township 17, New Westminster District Plan 59339

from S36 - Suburban 36 zone to RC465s - Residential Compact 465 Secondary Dwelling zone.

The planner stated that the location of the subject property is 32620 Cherry Avenue (as shown on the following map):

development process with regard to school population.

The deputy director of planning confirmed that the school district was consulted through the OCP process with the Cedar Valley Comprehensive Development Plan to identify areas where new schools may be located as the population grows in the area.

Karen Herford said that she is opposed to secondary dwellings on these lots due to concerns about additional parking in the area.

The planner responded that each property must provide a minimum of three parking stalls on site, including two dedicated for the primary residence and one dedicated to the secondary dwelling unit.

Kim Herford said he is opposed to secondary dwellings on these small lots due to concerns about parking.

Artur Gryz asked about possibility of prohibiting parking on Cherry Avenue.

The deputy director of engineering replied that the idea of designating a street as a no parking area is looked at on a case by case basis and would be assessed if the need arises in the area, but Cherry Avenue will remain a street on which parking is possible at this time.

Councillor Gidda asked for clarification about whether there is an easement on the property.

The planner confirmed that there is an easement for a storm sewer line on the property.

Councillor Scudder asked for clarification about whether the issue of permit parking is going to be looked at in the district.

The deputy director of engineering responded that in response to a council resolution at the last council meeting, staff are currently looking into the issue of permit parking.

Hearing no further questions or comments the mayor declared the public hearing on District of Mission Zoning Amending Bylaw 5146-2010-5050(14) (R10-010 – Cheema) closed.

PH11/011
FEB 28/11

District of Mission Zoning Amending Bylaw 5189-2010-5050(31) (R08-004 – OTG Developments) – a bylaw to rezone the property at 34159 Kirkpatrick Avenue from Rural 16 zone (RU16) to Rural Residential 7 Secondary Dwelling zone (RR7s), and to rezone a portion of the property at 34221 Kirkpatrick Avenue from Rural Residential 7 zone (RR7) to Rural Residential 7 Secondary Dwelling zone (RR7s)

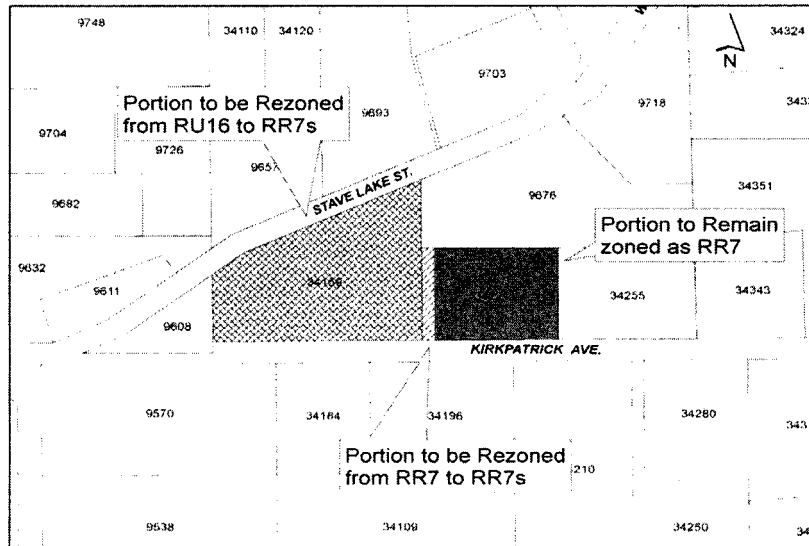
Erik Wilhelm, planner, provided information regarding rezoning application R08-004, in the name of OTG Development Concepts, which proposes to amend District of Mission Zoning Bylaw 5050-2009 by amending the zoning of the following legally described properties:

Parcel Identifier: 011-200-341, Lot 2, Section 3, Township 18, New Westminster District Plan 6858

A portion of Parcel Identifier: 017-493-404, Lot 1, Section 3, Township 18, New Westminster District Plan LMP1826

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

The planner explained that the location of the subject properties is 34159 and 34221 Kirkpatrick Avenue (as shown on the following map):



The planner stated that the purpose of the proposed amendment is to accommodate the subsequent subdivision of the subject properties into 4 lots of a minimum 0.8 hectare (1.73 acre) lot size incorporating secondary dwelling units on proposed lots 1, 2 and 3.

The planner 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 \$5,360.00; and
- Any other items that council may require as a result of this public hearing or council consideration of the application.

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

Bob White said that he lives next door to the subject property and is concerned about water that runs onto his property from this property, washing away soil from his garden, and what may happen when additional wells are placed on the subject property.

The planner said an approved well report must be received from a hydrologist for any well proposed on a lot, which should include comment about effects on any surrounding wells. He suggested that a professional engineer look at what can be done on lot three with regard to possible runoff from the property.

Councillor Gidda asked if the wells will be drilled.

The planner replied that the wells will be shallow wells because the property is within the Ferndale Drilled Exemption Area due to arsenic in the area.

Kim Herford asked who is responsible for grading on the property.

The planner replied that it is the responsibility of the developer to ensure that any improvements should not negatively affect the neighbours.

Councillor Horn asked about neighbourhood context, whether there are other homes

in the area with a rural 's' designation.

The planner replied that there are not any other parcels with the rural 's' designation in the area.

Councillor Horn asked if there are services already in place in the area that would be of advantage to the district in terms of building up density.

The deputy director of engineering replied that there are not.

Councillor Scudder asked if the requirements of well quantity have to address the potential for the extra suite and/or secondary dwelling.

The planner responded that quality and quantity provided by each well would have to be addressed in the hydrology report and that the current subdivision control bylaw only requires 2,500 litres per day, which is essentially the same requirement as a single family dwelling.

Councillor Scudder asked if there has been any indication from the applicant as to what kind of secondary dwelling is being considered and if there is sufficient lot size to accommodate an actual secondary dwelling as opposed to a suite.

The planner replied that the lot sizes are sufficient to support a secondary dwelling, but he does not know what the applicant is planning in terms of the type of secondary dwelling.

Hearing no further questions or comments the mayor declared the public hearing on District of Mission Zoning Amending Bylaw 5189-2010-5050(31) (R08-004 – OTG Developments) closed.

Moved by Councillor Horn, seconded by Councillor Gidda, and

RECOMMENDED: That staff provide a third reading report that includes the hydrology study, addresses water flow issues and the impact within the neighbourhood context, and includes a report from the applicant on their intention with regard to secondary dwellings.

CARRIED

PH11/012
FEB 28/11

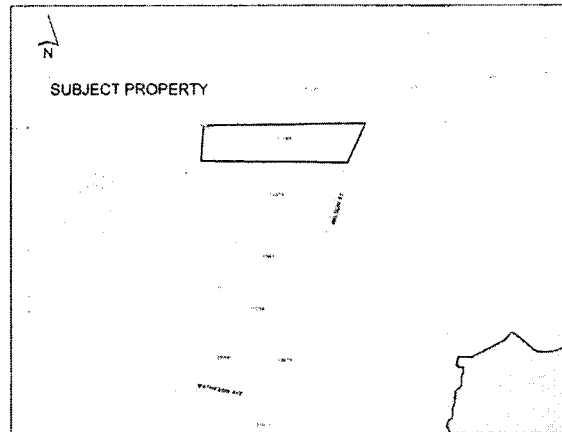
District of Mission Zoning Amending Bylaw 5191-2011-5050(32) (R10-027 – Hermanson) – a bylaw to rezone property at 11193 Wilson Street from Rural 16 Secondary Dwelling zone (RU16s) to Rural Residential 7 Secondary Dwelling zone (RR7s)

Marcy Bond, planner, provided information regarding rezoning application R10-027, in the name of Hermanson, which proposes to amend District of Mission Zoning Bylaw 5050-2009 by amending the zoning of the following legally described property:

Parcel Identifier: 018-167-951, Lot 1, Section 10, Township 15, New Westminster District Plan LMP9398

from Rural 16 Secondary Dwelling zone (RU16s) to Rural Residential 7 Secondary Dwelling zone (RR7s).

The planner explained that the location of the subject property is 11193 Wilson Street (as shown on the following map):



The planner stated that the purpose of the proposed amendment is to accommodate the subsequent subdivision of the subject property into two lots of a minimum 0.7 hectare (1.73 acre) lot size incorporating secondary dwelling units on the proposed lots.

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

- Community Amenity Contribution;
- Approval of Development Variance Permit DV10-018;
- Letter of Credit for implementation of a tree planting plan;
- Garden cottage on proposed Lot A must obtain a building permit and receive final inspection;
- Basement suite on proposed Lot B must obtain a building permit and receive final inspection or be decommissioned;
- Building permit application for both lean-to sheds on proposed Lot B; and
- Any other items that council may require as a result of this public hearing.

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

Roberta Lindsay said that she is concerned about steepness of the slope, geology composition of the area, the watercourse on the property and effluent flowing from the septic fields to her property. She noted that there are several illegal structures and an illegal basement suite already on the property. Ms. Lindsay asked if there are other secondary suites allowed in the area. She encouraged council to consider not approving this application.

The planner replied that there have been no rezoning applications approved in the area.

Councillor Horn asked if there are any new structures proposed on the properties.

The planner responded that there are not, but the owner is considering possibly building a coach house and decommissioning the illegal basement suite in the future.

Othmar Kagi asked if council has looked into safety of the area with regard to waterways and stability of the land. He asked if there will be any vegetation removed from the property as a result of the subdivision.

The planner replied that no new buildings will be built and if any trees have to be removed for construction of the access lane, they will be replaced one to one.

Craig Hermanson commented that he believes he has gone through all the proper channels to this point. He noted that the proposed coach house is intended for guests and family, so there will be no increase in the number of residents on the properties.

Brian Wright, who lives on Lot B, said he doesn't plan to add a coach house now, but perhaps will in the future. He commented that he does not see a concern with the septic fields because it was approved by the district in the past.

Councillor Stewart commented that she appreciates the work done by staff and the applicant. She said she feels that this is precedent-setting, whether good or bad. Councillor Stewart asked at what point the decommissioning and other conditions will need to be met.

The planner responded that the conditions will need to be met prior to adoption of the zoning bylaw.

Councillor Horn asked if it would be possible to limit the type of secondary dwelling to a secondary suite rather than an outbuilding on a one-off basis.

The planner replied that a restrictive covenant agreement could be perhaps negotiated with the developer.

Councillor Horn clarified whether there could possibly be a new building built on each lot in the future.

The planner confirmed that there could.

Hearing no further questions or comments the mayor declared the public hearing on District of Mission Zoning Amending Bylaw 5191-2011-5050(32) (R10-027 – Hermanson) closed.

Moved by Councillor Horn, seconded by Councillor Plecas, and

RECOMMENDED: That staff provide a third reading report that explores the possibility of placing a restrictive covenant on the property to limit the secondary dwelling on Lot B to a secondary suite, consider whether or not a secondary dwelling is necessary on Lot A and describe the rationale for secondary dwelling zones in this application given its rural context.

CARRIED

PH11/013
FEB 28/11

District of Mission Zoning Amending Bylaw 5194-2011-5050(33) (R10-033 – District of Mission) – a bylaw to incorporate housekeeping text amendments to various sections of the zoning bylaw

Barclay Pitkethly, deputy director of planning, provided information regarding rezoning application R10-033, in the name of the District of Mission, proposes to amend the text of District of Mission Zoning Bylaw 5050-2009 by:

- a) Amending the secondary dwelling regulations by:
 - i. Defining a maximum separation for coach houses and carriage homes;
 - ii. Regulating the location of secondary dwelling units on a lot;
 - iii. Clarifying the definition of a garden cottage;
 - iv. Allowing greater flexibility for aging in place for secondary dwelling units; and
 - v. Amending the requirements for rezoning to an "s" zone.

- b) Redefining the single family dwelling height definition to allow greater flexibility with design;
- c) Clarifying the requirements for garage setbacks;
- d) Increasing the allowable density in the downtown core; and
- e) Adding new setback requirements for R558 zoned lots that existed prior to October 2009.

The deputy director of planning stated that the purpose of the proposed text amendments is to provide clarification of definitions, language and zone-specific amendments.

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

Jim Hinds expressed concern about the heritage concept of the downtown core with regard to building heights.

Mr. Pitkethly responded that the downtown core has its own heritage and façade guidelines that must be adhered to and there is a maximum height restriction of 15 metres in the area.

Councillor Scudder asked what the impact would be of adding the word 'generally' to amendment a) ii. to give the planning department flexibility depending on the circumstances.

The deputy director of planning replied that zoning bylaws typically should be as clear as possible. He noted that if an applicant needs to amend something, then they can seek a variance.

Councillor Scudder asked about adding wording that allows consideration of views with respect to height regulations.

Mr. Pitkethly replied that private views are not typically something that is protected in our bylaws.

Councillor Plecas asked for clarification of the current height and pitch regulations.

The deputy director of planning responded that the maximum height is typically 9.5 metres and noted that this amendment would allow a maximum height up to 10.6 metres.

Councillor Horn asked what makes steeper pitch a better design.

The deputy director of planning said that the point is to reduce the amount of wall and allow varied roof lines.

Hearing no further questions or comments the mayor declared the public hearing on District of Mission Zoning Amending Bylaw 5194-2011-5050(33) (R10-033 – District of Mission) closed.

Moved by Councillor Horn, seconded by Councillor Scudder, and

RECOMMENDED: That staff provide a third reading report to consider whether 7:12 roofs should be a standard across the board, whether there would be an advantage to specifying the type of secondary dwelling unit (garden cottage, coach home or secondary suite) in rural residential and suburban applications, and whether it would be advantageous to specify family use for secondary dwellings in rural areas.

CARRIED

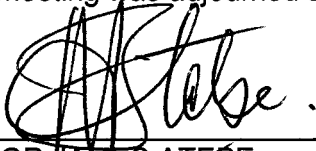
7. ADJOURNMENT

Moved by Councillor Horn, seconded by Councillor Plecas, and

RESOLVED: That the meeting be adjourned.

CARRIED

The meeting was adjourned at 9:00 p.m.



MAYOR JAMES ATEBE



PAUL GIPPS, DEPUTY CHIEF
ADMINISTRATIVE OFFICER