

Notice of Rezoning Bylaw

This Information Package has been compiled to provide further details about the proposed Zoning Bylaw Amendment for the subject property.

Meeting Date:	May 20, 2025
Subject Properties:	34159 Kirkpatrick Avenue
Planning Project:	P2025-016
Planning File:	RSD25-1

If you have questions regarding this information, please contact Planning at (604) 820-3748 or planning@mission.ca.

(Project File: P2025-016)

TABLE OF CONTENTS

1.	Zoning Amending Bylaw 6357-2025-5949(189)	Page 1
2.	Planning Staff Report to Council – dated April 22, 2025	Page 2
3.	Inspection Services Comments – dated April 1, 2025	Page 5

CITY OF MISSION

BYLAW 6357-2025-5949(189)

A Bylaw to amend "District of Mission
Zoning Bylaw 5949-2020"

WHEREAS, under the provisions of the *Local Government Act*, a Council may, by bylaw, divide the municipality into zones and regulate the use of land, buildings and structures within such zones;

AND WHEREAS the Council of the City of Mission has adopted "District of Mission Zoning Bylaw 5949-2020" and amended same from time to time;

AND WHEREAS the Council of the City of Mission deems it advisable and in the public interest to amend the Zoning Bylaw;

NOW THEREFORE the Council of the City of Mission, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as "City of Mission Zoning Amending Bylaw 6357-2025-5949(189)."
2. "District of Mission Zoning Bylaw 5949-2020" as amended, is hereby further amended by:
 - a) rezoning the property located at 34159 Kirkpatrick Avenue and legally described as:
Parcel Identifier: 029-539-315
Lot 1, Section 3, Township 18, New Westminster District Plan
EPP46927
from Rural Residential 7 (RR7) Zone to Rural Residential 7 Secondary Dwelling (RR7s) Zone; and
 - b) amending the zoning maps accordingly.

READ A FIRST TIME this ___ day of ___, 202~~x~~

READ A SECOND TIME this ___ day of ___, 202~~x~~

READ A THIRD TIME this ___ day of ___, 202~~x~~

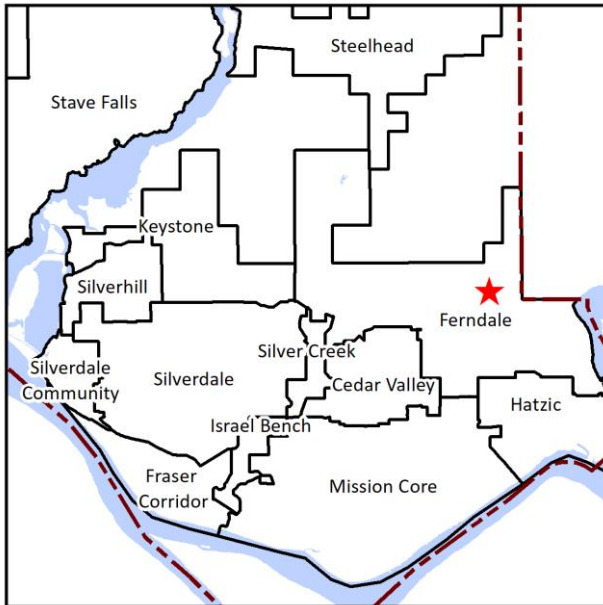
ADOPTED this ___ day of ___, 202~~x~~

PAUL HORN
MAYOR

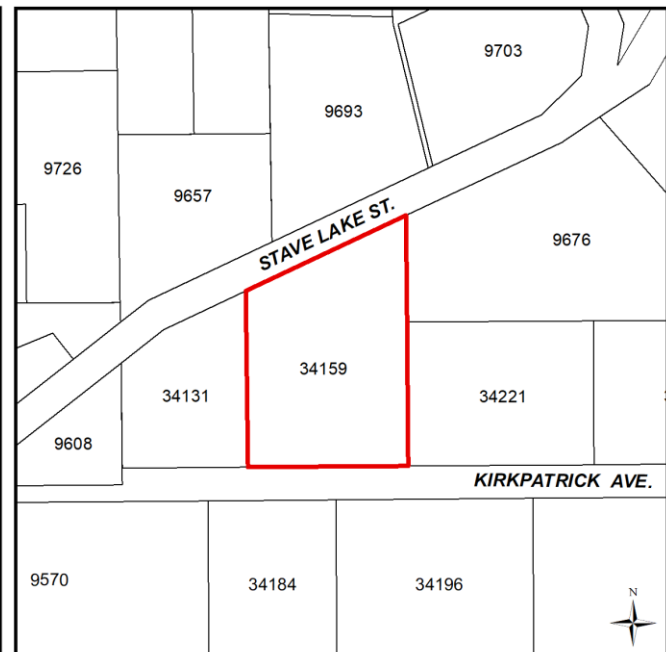
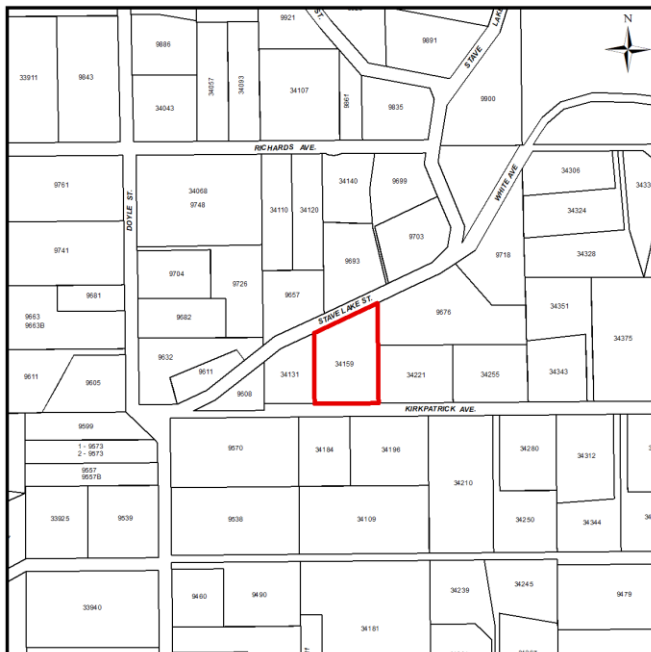
JENNIFER RUSSELL
CORPORATE OFFICER

Project: P2025-016
Application Number: RSD25-1

Subject: Rezoning Application (RSD25-1) – 34159 Kirkpatrick Avenue



DATE: April 22, 2025
BYLAW / PERMIT #: 6357-2025-5949(189)
PROPERTY ADDRESS: 34159 Kirkpatrick Avenue
LOCATION: Ferndale Neighbourhood
CURRENT ZONING: Rural Residential 7 Zone (RR7)
PROPOSED ZONING: Rural Residential 7 Secondary Dwelling Zone (RR7s)
CURRENT OCP: Rural Residential
PROPOSED OCP: No change
PROPOSAL:
To rezone the subject property from RR7 to RR7s to permit an existing secondary detached unit.



Recommendation(s)

This report is for information purposes only, no action is required. Notification to the public will begin, and this application will then be forwarded for consideration.

Rationale of Recommendation(s)

The rezoning proposal is consistent with the Official Community Plan (OCP) and Zoning Bylaw.

- The subject property is located outside of the Urban Growth Boundary and conforms to the Rural Residential OCP designation which is characterized by larger residential lots on the fringe of urban areas not serviced by municipal water or sewer.
- The proposed RR7s zone would allow for a secondary detached unit. Support for the proposed zone can be found in the OCP, which states:
 - **Section 5.1.8** “Facilitate the development of affordable, rental and special needs housing through supporting multi-unit housing developments, small house/small lot housing, secondary suites, duplexes in appropriate locations, mixed market/non-market housing projects, coach houses, garden cottages and other innovative housing forms.”
 - **Section 5.1.20** “Allow detached suites such as garden cottages on all single detached lots with lot sizes that are able to appropriately accommodate an additional on-site parking space.”

Purpose

To permit an existing secondary detached unit that was constructed without permits. Once the land use is established through rezoning, the building is to be brought into compliance with BC Building Code and all City bylaws through a building permit.

Site Characteristics and Context

Applicant

- Lance Dinahan

Property Size

- 34159 Kirkpatrick Avenue is approximately 1.31 ha (3.24 ac) in area.

Fire Interface

- Development Permit Area H (DPA H) is applicable to the site and has already been registered on title.

Neighbourhood Character

- The subject property is in the Ferndale neighbourhood, and the surrounding area is designated Rural Residential. The Ferndale neighbourhood consists primarily of single-family dwellings on larger rural lots. The proposed Rural Residential 7 Secondary Dwelling Zone (RR7s) would fit within the context of the surrounding neighbourhood and is anticipated to have little to no negative impact.

Servicing

- Any testing or upgrades required will be addressed at building permit stage.

Referrals

Engineering Department:	No concerns.
Building Division:	Refer to Attachment A.
Bylaw and Licensing Division:	No concerns.
Environmental Services:	No concerns.
Mission Fire Rescue Service:	No concerns.

Financial Implications

There are no financial implications associated with this report.

Communication

Communication action, as listed below, is in accordance with Policy LAN.03 Development Notification Signs, Land Use Application Procedures and Fees Bylaw 3612-2003, and the *Local Government Act*.

- The applicant has posted a development notification sign.
- Public notification will be sent to all occupiers and owners of properties within 500 m from the development site notifying them of the details.

Attachments

Attachment A: Building Division Referral Comments

Sign-Offs



Rob Publow, Manager of Planning

LS / sh

Approved for Inclusion: Mike Younie, Chief Administrative Officer



PLANNING DEVELOPMENT APPLICATION COMMENTS

Please provide your comments on the proposal below by Tuesday, April 8, 2025.

Referral Date:	Tuesday, March 25, 2025	Planner Name:	Loveleen Sangha
Project Folder:	P2025-016	Email:	Loveleen.sangha@mission.ca
Subject Property:	34159 Kirkpatrick Avenue	Phone:	604-820-3751
Legal Description:	Lot 1, Section 3, Township 18, New Westminster District Plan EPP46927		

DEVELOPMENT PROPOSAL:

Rezoning to legitimize existing barn structure that is used as a secondary detached unit.

Application Type	File Number	Description	
OCP Amendment	N/A	Current OCP Designation:	RURAL RESIDENTIAL
		Proposed OCP Designation:	NO CHANGE
Rezoning Amendment	RSD25-1	Current Zoning:	RURAL RESIDENTIAL 7 ZONE (RR7)
		Proposed Zoning:	RURAL RESIDENTIAL 7 SECONDARY DWELLING ZONE (RR7S)

LOCATION MAP:



CITY OF MISSION | PLANNING

COMMENTS RECEIVED:

PROJECT NUMBER: P2025-016

Department or Organization:	Inspection Services
Name:	Michael Rohde
Date:	April 1, 2025
Comments for staff report.	<p>The inspection services department has no objection to rezoning the property to the proposed zoning designation. This is with the understanding that the proposed building to be used is to be brought up to code with a building permit, and meet all bylaws such as fire sprinklers, etc.</p> <ul style="list-style-type: none"> - The existing structure has multiple code infractions such as a spiral staircase which is not permitted by code. Additionally, the city has no record of the septic system being upgraded and certified by an authorized registered on-site wastewater designer with a Fraser Health approved record of sewerage. - Additionally, the city would require a well water report verifying the quality and quantity of the water as per the development and subdivision control bylaw. If the well serves the house and proposed secondary dwelling, then the well would have to be registered through Fraser Health and meet their requirements.
Additional items of Concern	<p>The owner has erected several structures on the property without the benefit of a building permit. Additionally, it appears that they have added to the roof and attached deck structure of the original house with the benefit of a building permit.</p> <p>The list of issues at the property that need permits are listed below.</p> <ol style="list-style-type: none"> 1- A detached garage or building was built without a permit at the rear of the existing house on the east property line. 2- The house deck and roof appear to be added onto without a permit. 3- The front recreation vehicle storage structure still has no permit even though Council approved a variance for the siting. 4- There appears to be another detached structure (used as living space) used as part of the proposed secondary dwelling. 5- There is a what appears to be shipping container on the property that is not Zoning bylaw compliant. 6- There are several other structure whose size and use are not known at this time.