

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

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

Staff Members Present: G. Robertson, chief administrative officer
D. Clark, director of corporate administration
K. Ridley, deputy director of corporate administration
C. Brough, administrative clerk

1. DELEGATIONS AND PRESENTATIONS

PH10/001
JAN 25, 2010

Myrna Mathews
Re: Communities in Bloom

Myrna Mathews, Bert Pulls, and Jean Kask appeared before council on behalf of Communities in Bloom to provide an overview of the 2009 provincial evaluation results, noting that the scores received in 2009 were generally higher than in 2008. Ms. Mathews provided the following suggestions for 2010:

- the judges requested that additional time be allotted for the staff presentations so that they could ask questions;
- public meetings for trail plans and maps should be reported and presented to the judges;
- any plans/actions regarding the new water intake and sewage treatment system should be presented to the judges;
- Jim Taylor should be invited to give a presentation on the School District's environmental program;
- bylaw officers are asked to encourage homeowners to improve the appearance of their yards by more actively enforcing the untidy or unsightly premises bylaw;
- District of Mission staff and volunteers should put on a seminar for the public regarding turf and ground cover management; and
- Mission needs more hybrid vehicles and a "no idling" policy for operating vehicles.

Ms. Mathews informed council that Mission Communities in Bloom is now a registered society and is working toward obtaining its charity tax number. She also announced that the District of Mission was Communities in Bloom 2009 provincial winner in the 20,001~50,000 population class and received a special mention for the Silverdale Creek Wetlands. Ms. Mathews presented the mayor with an award and a plaque.

The mayor and council thanked Ms. Mathews for her presentation and praised the Communities in Bloom Society volunteers for their efforts on behalf of the community.

PH10/002
JAN 25, 2010

**Dylan Cunningham, Canada World Youth
Re: February 22-28, 2010 "Eco week"**

Dylan Cunningham and Sara Vickruck appeared before council on behalf of Canada World Youth to request that council proclaim February 22-28, 2010 "Eco Week" in the District of Mission. They also requested a letter of support. Mr. Cunningham stated that his organization will be planning a series of events during the week of February 22-28, 2010 that will likely include:

- presentations in the schools on ways to reduce our ecological footprints;
- a fashion show with a focus on recycling/reusing;
- two discussion groups focussing on sustainability;
- possible educational booths/tables at leisure centre; and
- an outdoor family event (guided hike).

The mayor and council thanked Mr. Cunningham and Ms. Vickruck for their presentation and commended them on their efforts.

Moved by Councillor Horn, seconded by Councillor Gidda, and

RESOLVED:

1. That February 22-28, 2010 be proclaimed as "Eco Week" within the District of Mission; the District to assume no costs related thereto;
2. That the mayor provide a letter of support for Canada World Youth Eco Week;
3. That staff coordinate with Canada World Youth to arrange for a city page article on Eco Week to appear in the Mission City Record; and
4. That forestry department staff provide Canada World Youth representatives with guidance regarding their proposed guided hike event.

CARRIED

2. NEW BUSINESS

PH10/003
JAN 25, 2010

District of Mission Kennel Amending Bylaw 5114-2010-2788(5) – a bylaw to clarify section 3 to include the lot size

Moved by Councillor Plecas, seconded by Councillor Stewart, and

RESOLVED: District of Mission kennel amending bylaw 5114-2010-2788(5) be adopted.

CARRIED

PH10/004
JAN 25, 2010

Late Item – Rezoning Application R09-012 (District of Mission) – Proposed Text Amendments to Zoning Bylaw 5050-2009 to Add Clarity and Update the Recently Adopted Zoning Bylaw

Moved by Councillor Gidda, seconded by Councillor Horn, and

RESOLVED: That council amend District of Mission zoning amending bylaw 5105-2009-5050(2) by deleting "Salvage Industry" from Section 1004 Part B. Permitted Uses.

CARRIED

3. QUESTION PERIOD (ON NEW BUSINESS ONLY)

Mayor Atebe opened the floor to the public to ask questions related only to the items listed under – "New Business", and stated that any questions relating to the public hearing items should be asked during the public hearing portion of the meeting.

There were no questions from the public.

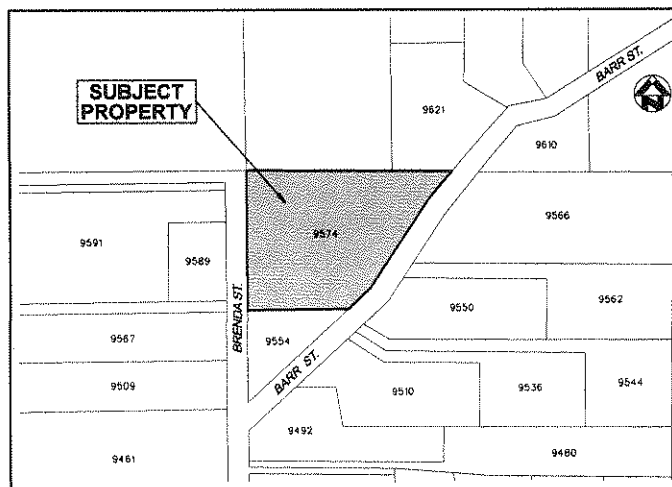
4. PUBLIC HEARING

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

PH10/005
JAN 25, 2010

District of Mission Zoning Amending Bylaw 5020-2009 (R08-025 – Shamei) – a bylaw to rezone property at 9574 Brenda Street from RU16 (Rural 16 zone) to RR7 (Rural Residential 7 zone)

Erik Wilhelm, planner, provided information regarding rezoning application R08-025, which proposes to rezone the property located at 9574 Brenda Street and legally described as parcel Identifier: 003-517-535 Lot 51 Section 33 Township 17 New Westminster District Plan 64607 (shown on the following map) from RU16 Rural 16 zone to RR7 Rural Residential 7 zone.



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

The planner stated that prior to adoption of the zone amending bylaw, the District of Mission community amenity contribution will need to be submitted. He also noted that six trees will be removed and replaced as part of the subdivision requirements and that a development variance permit will be required as part of the subdivision application in order to legalize siting of the existing garage (from the required 7.5 metre to 6.22 metre setback). Mr. Wilhelm also noted that both watercourses flowing southward will be protected by a 30 metre protective covenant.

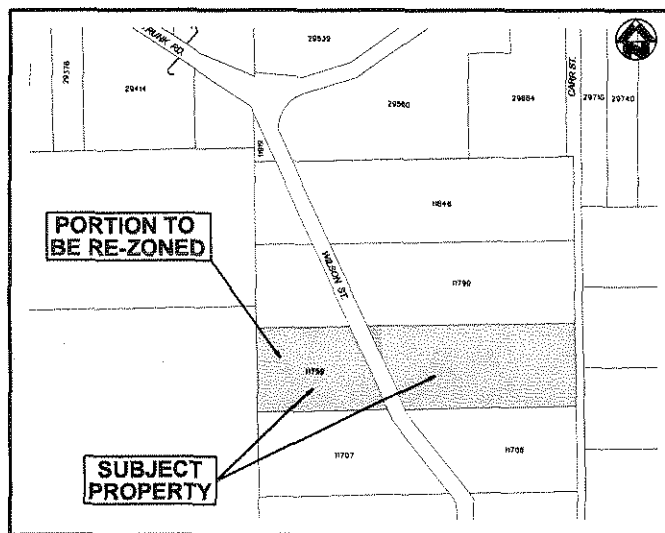
The director of corporate administration stated that no correspondence was received regarding this application.

Hearing no questions or comments the mayor declared the public hearing on District of Mission zoning amending bylaw 5020-2009 (R08-025 – Shamei) closed.

PH10/006
JAN 25, 2010

District of Mission Zoning Amending Bylaw 5071-2009-5050(1) (R09-013 – Mikes) – a bylaw to rezone property at 11759 Wilson Street from RU16 (Rural 16 zone) to RR7 (Rural Residential 7 zone)

Erik Wilhelm, planner, provided information regarding rezoning application R09-013, which proposes to rezone the property located at 11759 Wilson Street and legally described as parcel identifier: 012-426-733 Lot 11 Section 15 Township 15 New Westminster District Plan 2061 (shown on the following map) from RU16 Rural 16 zone to RR7 Rural Residential 7 zone.



The planner noted that purpose of the proposed amendment is to rezone the western portion of the property to accommodate the subsequent subdivision of the subject property into two lots; lot A is a minimum 0.7 hectare (1.73 acre) lot size and lot B is a minimum 1.6 hectare (4.0 acre) lot size.

The planner stated that prior to adoption of the zone amending bylaw, the District of Mission community amenity contribution will need to be submitted. He also noted that the property has dual OCP designations (rural residential and agricultural land reserve (ALR)) and that Agricultural Land Commission approval is not required since the ALR lands are not being subdivided. Mr. Wilhelm further stated that there is a watercourse flowing northwards to Philips Creek which will be protected by a 15 metre protective covenant as part of the subdivision requirements.

The director of corporate administration stated that no correspondence was received regarding this application.

Hearing no questions or comments the mayor declared the public hearing on District of Mission zoning amending bylaw 5071-2009-5050(1) (R09-013 – Mikes) closed.

PH10/006
JAN 25, 2010

District of Mission Zoning Amending Bylaw 5105-2009-5050(2) (R09-012 – District of Mission) – a bylaw to add clarity and update the recently adopted Zoning Bylaw

Barclay Pitkethly, deputy director of planning, provided information regarding zone amending bylaw 5105-2009-5050(2) (R09-012 – District of Mission), which proposes to amend the text of District of Mission zoning bylaw 5050-2009 to provide clarification of definitions, language and zone specific amendments.

Mr. Pitkethly provided an overview of the proposed changes, identifying them as follows:

- a) Delete "Industry, Light" in its entirety from Section 102 Definitions and replace with:

Industry, Light

means a ***Use*** that involves manufacturing, production, processing, fabrication, assembly, treatment, repair, or packaging of finished products, predominantly from previously prepared or refined materials (or from raw materials that do not need refining) which is enclosed within a ***Building*** and is not offensive by reason of smoke, vibration, smell, toxic fumes, electrical or electronic interference and produces no significant noise which in any way interferes with the use of any contiguous ***Lot***.

Includes:

- ***Light Manufacturing***

Excludes:

- ***Salvage Industry,***
- ***Heavy Industry, and***
- ***Transportation Industry***

- b) Delete "Fish Bearing Stream" in its entirety from Section 102 Definitions and replace with:

Fish Bearing Stream

means a ***Stream*** in which ***Fish*** are present or potentially present if introduced barriers are either removed or made passable for ***Fish***.

- c) Delete "Non Fish Bearing Stream" in its entirety from Section 102 Definitions and replace with:

Non Fish Bearing Stream

means a ***Stream*** that is not inhabited by fish, and provides water, food and nutrients to a downstream ***Fish Bearing Stream*** or other body of water.

- d) Delete "Agriculture, Small Scale" in its entirety from Section 102 Definitions and replace with:

Agriculture, Small Scale

means providing for the growing, rearing, and harvesting of agricultural products and includes the preliminary grading of land for agricultural products grown, harvested or reared on that land.

And includes:

- "hobby kennel" as defined in the *District of Mission Kennel Bylaw 2788-1994*, and
- the keeping of:
- bees
 - cattle (limited to 1 animal per .36 ha (.88 ac) of **Lot Area**)
 - horses (limited to 1 animal per .36 ha (.88 ac) **Lot Area**), and
 - chicken hens (limited to 1 bird per 375 sq m of **Lot Area**), and

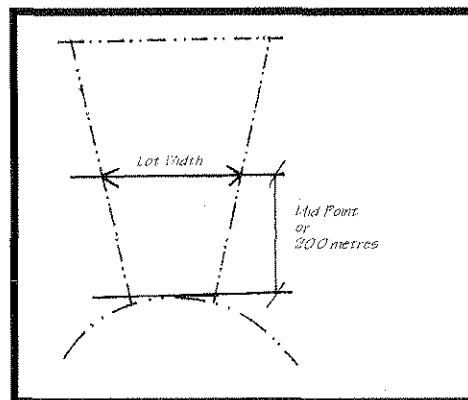
Excludes:

- mushroom growing, and
- the keeping of:
- swine,
 - rabbits,
 - mink,
 - all other fowl, excluding chicken hens, and
 - feed lots.

e) Delete "Agriculture, Urban" in its entirety from Section 102 Definitions

f) Delete Section 104 Part B. 2.a. in its entirety and replace with:

"For pie-shaped or irregular shaped lots, frontage may be reduced below the minimum prescribed width by 50%, provided the minimum frontage is met at the mid point of the depth of the lot or 20.0m back from the front lot line, whichever is less."



g) Delete Section 108 Part C. 5. in its entirety and replace with:

"Notwithstanding Section 108, Part C, in determining a *Streamside Protection and Enhancement Area*, the Approving Officer may adjust the boundaries of a *Streamside Protection and Enhancement Area* in circumstances where the establishment of the *Streamside Protection and Enhancement Area* pursuant to the criteria in Section 108, Part C.3 is unfeasible, with the determination made under the following factors:

- a. biophysical conditions;
- b. existing parcel sizes;
- c. existing roads, trails, works or services;
- d. proposed roads, trails, works and services needed to provide access or

services to otherwise developable land or to connect to existing roads, trails, works or services;

and where opportunities to maintain and enhance the total net area within the *Streamside Protection and Enhancement Area* can occur, as indicated by the example shown in **Figure 108.3** below.”

- h) Delete Section 109 Part C. Paragraph 1 in its entirety and replace with:
1. The minimum dimensions for a parking space and associated maneuvering aisle shall be as follows:

| Parking Angle (in degrees) | Width of Parking Space | Length of Parking Space | Width of Aisle | Traffic Direction |
|----------------------------|------------------------|-------------------------|-----------------|---------------------------|
| 90 | 2.6 m (8.5 ft) | 5.5 m (18.0 ft) | 7.0 m (23 ft) | Two way |
| 90 | 2.6 m (8.5 ft) | 5.5 m (18.0 ft) | 6.5 m (21.3 ft) | Two way – within Building |
| 90 Compact | 2.5 m (8.2 ft) | 5.0 m (16.4 ft) | 6.5 m (21.3 ft) | Two way |
| 60 | 2.6 m (8.5 ft) | 5.5 m (18.0 ft) | 6.5 m (21.3 ft) | Two way |
| 60 Compact | 2.6 m (8.5 ft) | 5.0 m (16.4 ft) | 6.5 m (21.3 ft) | Two way |
| 45 | 2.6 m (8.5 ft) | 5.5 m (18.0 ft) | 6.5 m (21.3 ft) | Two way |
| 45 Compact | 2.7 m (8.9 ft) | 5.0 m (16.4 ft) | 6.5 m (21.3 ft) | Two way |
| 180 (parallel) | 2.6 m (8.5 ft) | 6.7 m (22.0 ft) | 6.5 m (21.3 ft) | Two way |

NOTE: Dimensions for handicapped parking spaces must be as set out in the *British Columbia Building Code*

- i) Delete Section 111 Part A. Paragraph 1.a. in its entirety and replace with:
1. Unless otherwise provided in this Bylaw, the following shall apply to all Urban zones:
 - a. No fence shall be constructed on a *Lot* to a *Height* exceeding:
 - i. 1.9m (6.2 ft), or
 - ii. 1.2m (4.0 ft) when it is located within a required *Front Yard* or *Side Yard* on a flanking street.
- j) Add the following Paragraphs to Section 1005 Part B. Permitted Uses:
3. The following **Principal Uses** and no other shall be permitted in the **INAR** zone provided no Automotive uses exist on the lot:
 - a. Food and Beverage limited to:
 - i. *Industrial Café*.
 - b. Industrial limited to:

- i. *Light Industry*,
- ii. *Warehouse Uses*, and
- iii. *Transportation Industry*.

c. Service limited to:

- i. Appliance Repair,
- ii. *Beverage Container Return Centre*,
- iii. Call Centre,
- iv. Dog and Cat Daycare Kennel,
- v. Driving School,
- vi. Funeral Parlour and/or Memorial Service Facility,
- vii. *General Service Use*, and
- viii. Taxi Dispatch.

4. The following **Accessory Uses** and no other shall be permitted in the **INAR** zone provided no Automotive uses exist on the lot:

a. Office limited to:

- i. *Administrative Office Use* - provided the Use is limited to a maximum of 50% of *Floor Area* of the *Principal Use*.

b. Retail limited to:

- i. *Retail Store* - provided the retailing of products are manufactured or wholesaled within the business premises, limited to a maximum of 30% of the *Floor Area* of the *Principal Use* or 450 sq m (4,843.8 sq ft), whichever is less.

c. Storage limited to the following:

- i. *Enclosed Storage*, and
- ii. *Outdoor Storage* - provided the *Use* is for finished products which are manufactured on the Site. All *Outdoor Storage* operations shall:
 - Not exceed 50% of the *Floor Area* of a *Principal Use* in size.
 - Not include storage of material or goods likely to produce or give off dust or other particulate matter that may become wind-borne.
 - Not exceed 2.0 m in height, from *Finished Grade*.
 - Not be located within 3.0 m of a Lot line adjoining a Street.
 - Be located only on that part of a Lot surfaced with dust-free material.
 - Be bounded on all sides not adjacent to a *Building* or *Structure* by a fence of at least 1.8 m (6.0 ft) in Height constructed and maintained in a manner to completely screen storage from view from public Streets, the fence shall be fronted by a Landscaped Area 1.5 m (4.9 ft) wide containing a minimum of one tree, for every 9.0 linear m (29.5 ft) of fence. Each tree shall have a minimum size of 6.0 cm (2.4 in) caliper."

5. The following Conditions of Use apply to all permitted uses for a site:

- a. All *Principal Uses* shall be located completely within an enclosed Building except for:
 - i. *Outdoor Storage*.

- k) Add the following to Section 1004 Part B. Permitted Uses, Paragraph 1:
- a. Industrial, limited to:
 - i. *Auction - Wholesale*
 - ii. *Light Industry*
 - iii. *Warehouse*
 - b. Recreation limited to:
 - i. *Commercial Outdoor Recreation*
- l) Amend the tables referenced in Section 106 Part D. Use Categories as necessary; and
- m) Delete the words "Salvage Industry" from Section 1004, Part B. Permitted Uses.

The director of corporate administration stated that the following correspondence was received regarding this application:

- an email dated January 25, 2010 from Tracy Lyster on behalf of the Citizens Against Urban Sprawl Society (CAUSS) expressing support for the proposed changes to the definition of fish bearing and nonfishbearing streams, concern about the possible tax implications of allowing small-scale agriculture as a principle use in Neighbourhood One and concern about the change in section 108 part C.5 which seeks to delete the formal variance process required for changes to streamside protection setbacks.

Councillor Horn asked if paintball would be a permitted use within the definition of *commercial outdoor recreation* and requested that this information be provided in a third reading report.

Hearing no further questions or comments the mayor declared the public hearing on District of Mission zoning amending bylaw 5105-2009-5050(2) (R09-012 – District of Mission) closed.

5. ADJOURNMENT

Moved by Councillor Gidda, seconded by Councillor Plecas, and

RESOLVED: That the meeting be adjourned.
CARRIED

The meeting was adjourned at 7:20 p.m.



JAMES ATOBE, MAYOR



DENNIS CLARK, DIRECTOR OF
CORPORATE ADMINISTRATION