

4. **DEVELOPMENT SERVICES**

- (e) **Rezoning and Development Variance Permit Application to facilitate a secondary dwelling use in the form of a garden cottage at the property located at 35344 McEwen Avenue**

*First and
Second
Readings*

Page 2

This report details the rezoning and development variance permit applications to allow a secondary dwelling use at the property located at 35344 McEwen Avenue and to vary the required building siting and the provision that restricts a basement in the proposed secondary dwelling; and identifies the necessary bylaw amendment and variances to the Zoning Bylaw 5050-2009

The Zoning Amending Bylaw has been listed under the “Bylaws for Consideration” section of the Council agenda and the accompanying Development Variance Permit will be listed at the same time as consideration of the adoption of the Bylaw.

Subject to Council’s approval, a Public Hearing will be scheduled for February 15, 2016.

The applicant has requested that Council waive all development application fees as applicable under Land Use Application Procedures and Fees Bylaw 3612-2003 as well that the District of Mission cover all the costs to placing a development notification sign as required in Council Policy LAN.3, Development Notification Signs.

18. **BYLAWS FOR CONSIDERATION**

- (k) **Zoning Amending Bylaw 5549-2016-5050(191)**

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R16-004 (Jack) – a bylaw to rezone property at 35344 McEwen Avenue from Rural 80 (RU80) Zone to Rural 16 Secondary Dwelling (RU16s) Zone



Development Services
Staff Report to Council

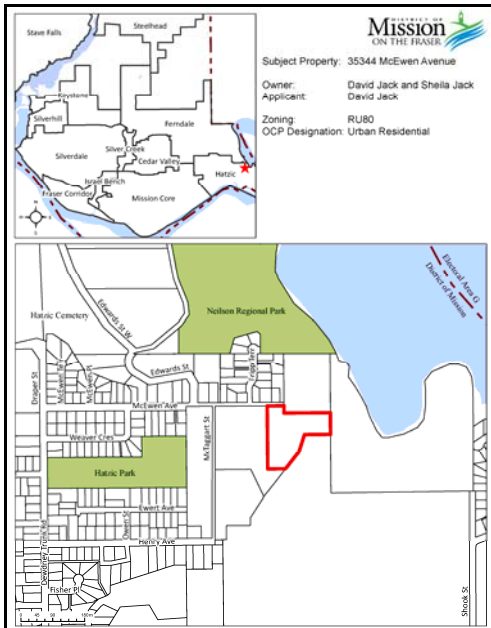
File Category: 3310-15
P2016-006 R16-004 DV16-002

DATE: February 1, 2016
TO: Mayor and Council
FROM: Robert Publow, Planner
SUBJECT: **Rezoning and Development Variance Permit Application to facilitate a secondary dwelling use in the form of a garden cottage at the property located at 35344 McEwen Avenue**
ATTACHMENT(S): Appendix 1 – Information for Corporate Officer
 Appendix 2 – Elevation Drawings of Proposed Garden Cottage
 Appendix 3– Proposed Site Plan

CIVIC ADDRESS: 35344 McEwen Avenue
APPLICANT: David and Sheila Jack
OCP: This application is in conformance with the current Urban Residential OCP designation

DATE APPLICATION COMPLETE: January 29, 2016

LOCATION



OVERVIEW AND STAFF COMMENTS

This report details the rezoning and development variance permit applications to allow a secondary dwelling use at the property located at 35344 McEwen Avenue and to vary the required building siting and the provision that restricts a basement in the proposed secondary dwelling; and identifies the necessary bylaw amendment and variances to the Zoning Bylaw 5050-2009

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SUMMARY

On Friday January 29, rezoning and development variance applications were submitted David and Sheila Jack, the property owners of the property located at 35344 McEwen Avenue. The applications include the proposal to rezone the property to allow the placement of a modular home as a secondary dwelling unit (i.e., garden cottage). In addition, the proposed siting of the structure and the addition of an in-ground basement requires a development variance permit. Elevations of the proposed Garden Cottage are attached as **Appendix 2**.

Specifically, the application seeks to amend District of Mission Zoning Bylaw 5050-2009 by rezoning the property from Rural 80 (RU80) Zone to Rural 16 Secondary Dwelling (RU16s) Zone to facilitate the construction of a garden cottage. The Zoning Bylaw also prescribes the siting of secondary dwelling units to ensure that these types of dwelling units form an integral component of the uses on a property and that they are clearly ancillary to the principal dwelling. As the Bylaw requires that a coach house or garden cottage in a suburban or urban area be located entirely to the rear and within 25 metres (82 feet) of the principal building, the applicant requires a variance to allow the secondary dwelling to be located 80 metres in front of the principal dwelling. The variance also requests approval to include a basement with the garden cottage. Specifically, the request is to:

- Vary Section 106 F. Secondary Dwelling Units, Subsection 2., B., which requires the proposed secondary dwelling unit to be located to the rear of the principal building;
- Vary Section 106 F. Secondary Dwelling Units, Subsection 2., A., by increasing the maximum distance between the principal building and the proposed secondary dwelling unit from 25.0 metres (82.0 feet) to 85 metres (289 feet); and
- Vary Section 102. Definitions, Garden Cottage, by removing the restriction of basements in relation to the proposed Garden Cottage.

PLANNING ANALYSIS

Neighbourhood and Site Characteristics

The subject property is approximately 2.03 hectares (5.02 acres) in size and is located on a plateau west of Hatzic Lake. The property contains an existing single-family home and two existing accessory

buildings. The proposed garden cottage would be located north of the existing home. The property is located within an area which is transitioning from predominantly large suburban properties to an area comprised of large urban single-family properties.

Zoning and OCP Bylaws Compliance

The subject property is currently designated Urban Residential in the Official Community Plan (OCP) and zoned RU80 Zone. The applicant proposes to rezone the property to RU16s Zone to allow for the placement of a modular home as a secondary dwelling use in the form of a garden cottage. Secondary Dwelling Unit uses (i.e., coach homes, garden cottages and secondary suites) are supported by a number of policies in the OCP and in particular on lots that are large enough to accommodate on-site parking that is separate and unencumbered from the off street parking of the primary residence, and where private outside amenity space is provided. Given the size of the property, meeting the off-street parking requirements is not expected to present any difficulty.

Servicing

While municipal water is available, sanitary service is not available to the property. The property owner will be required to provide confirmation from a Registered Onsite Wastewater Practitioner (ROWP) that an onsite sewage treatment system can be installed to accommodate the discharge from the garden cottage or that the existing sewage disposal system has the capacity to service both the existing dwelling and proposed garden cottage.

Access

The subject property fronts onto McEwen Avenue. The access to the proposed secondary dwelling is indicated on the attached Site Plan (**Appendix 3**), which shows a new section of driveway branching off the existing driveway and running approximately 38 metres (125 feet) east to the proposed building site.

Development Variance Permit

The Zoning Bylaw requires that the garden cottage be located no less than 5 metres and no more than 25 metres from the principal residence and that the building be located entirely at the rear of the principal residence. In this case the applicant has proposed to locate the secondary dwelling in front of the principal dwelling, on the north east side of the property at a distance of approximately 80 metres from the principal residence as shown in **Appendix 3**

The Zoning Bylaw also defines a Garden Cottage as, a "*Secondary Dwelling Unit, separate from, and accessory to, the Single Family Dwelling on the Lot and is limited to one Storey, which may not include a Basement*". The intent of this excluding basements to these types of dwelling is to reinforce that these types of dwelling are deemed secondary in nature and subservient and complementary to a principal residence. In this case the applicant has requested to install a full basement with the placement of the garden cottage as a means to increase the floor space of the secondary dwelling. Generally, this could potentially allow a secondary dwelling of 220 square metres (2,370 square feet).

The Inspection Services Department will ensure that the proposed garden cottage meets all of the other applicable requirements of the Zoning Bylaw and the BC Building Code during the building permit review and plan check process.

FINANCIAL IMPLICATIONS

The applicant has requested that Council waive all development application fees as applicable under Land Use Application Procedures and Fees Bylaw 3612-2003 and requested that the District cover all the costs of placing a development notification sign as required in Council Policy LAN.3. As Council may not waive fees stipulated within a Bylaw, alternative sources of funding need to be sought to accommodate the applicant's requests which may or may not be possible.

COMMUNICATION

The developer has not yet posted a development notification sign on the property. A sign will be required to advertise the public hearing details (i.e., date, time and place) should Council resolve to move forward with the Zoning Amending Bylaw. A notice will be mailed to the owners and to the occupiers of all properties within a distance of 152 metres (500 feet) of the development site notifying them of the public hearing details.

Policy LAN.50 - Pre-Public hearing Information Packages

A pre-public hearing information package will be prepared to include copies of all applicable documents and will be made available online or at municipal hall for public viewing.

Bylaw 3612-2003 Land Use Application Procedures and Fees

A notice of Public Hearing will be prepared in accordance with Bylaw 3612-2003 and the *Local Government Act*.

A notice of Development Variance Permit shall be mailed or otherwise delivered in accordance with Bylaw 3612-2003 and provisions of the *Local Government Act*.

REFERRALS

Due to the requested condensed review of this application, internal referrals to the various departments, including Engineering, Building, and Fire were not possible.

INFORMATIONAL NOTES

Approval of Development Variance Permit DV16-0002 will be considered as part of the same Council agenda as the Zoning Amending Bylaw is considered for adoption.

SIGN-OFFS



Robert Publow,
Planner



Reviewed by:
Chris Laing, Manager of Planning

Comment from Chief Administrative Officer
Reviewed

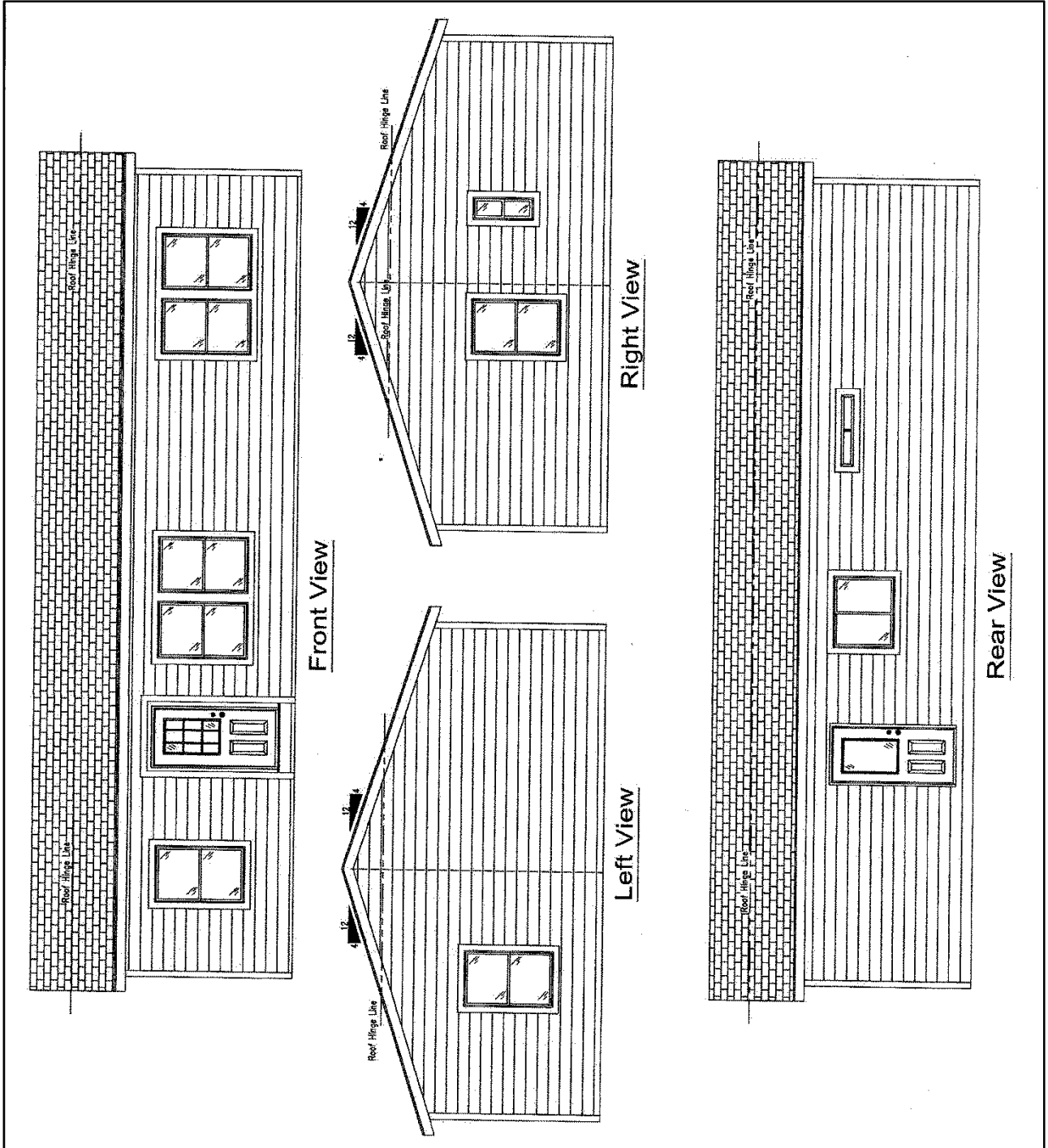
Appendix 1

Information for Corporate Officer

Civic Address: 35344 McEwen
PID: 009-747-567
Legal: Lot B District Lot 476 Group 1 and Section 25 Township 17 New
Westminster District Plan 12639

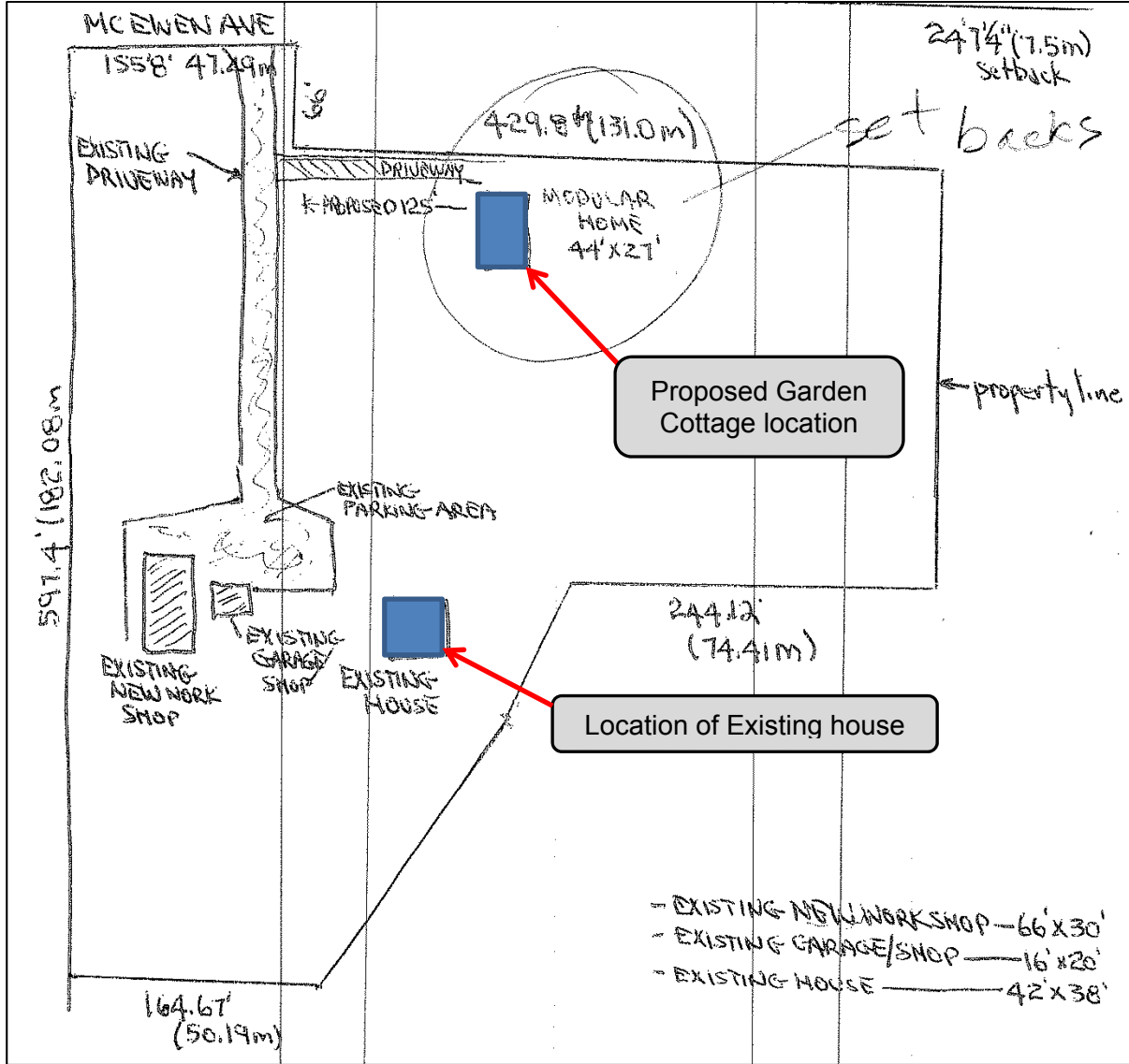
Appendix 2

Elevation Drawings of Proposed Garden Cottage



Appendix 3

Proposed Site Plan



DISTRICT OF MISSION

BYLAW 5549-2016-5050(191)

Bylaw to amend "District of Mission
Zoning Bylaw 5050-2009"

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 District of Mission has adopted "District of Mission Zoning Bylaw 5050-2009" and amended same from time to time;

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

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

1. This Bylaw may be cited for all purposes as "District of Mission Zoning Amending Bylaw 5549-2016-5050(191)."
2. "District of Mission Zoning Bylaw 5050-2009" as amended, is hereby further amended by:
 - a) rezoning the property located at 35344 McEwen Avenue and legally described as:
 Parcel Identifier: 009-747-567
 Lot B District Lot 476 Group 1 and Section 25 Township 17 New
 Westminster District Plan 12639
 from Rural 80 (RU80) Zone to Rural 16 Secondary Dwelling (RU16s) Zone; and
 - b) amending the zoning maps accordingly.

READ A FIRST TIME this __ day of ____, 2016

READ A SECOND TIME this __ day of ____, 2016

PUBLIC HEARING held this __ day of ____, 2016

READ A THIRD TIME this __ day of ____, 2016

ADOPTED this __ day of ____, 2016

RANDY HAWES, MAYOR

MIKE YOUNIE, CORPORATE OFFICER



Forestry Department
Staff Report to Council

File: 1220:20

DATE: February 1, 2016
TO: Mayor and Council
FROM: Dave Heyes, Manager of Forestry Business and Bob O'Neal, Directory of Forestry
SUBJECT: **Log Marketing and Dry Land Sort Services for 2016 - 2017**

RECOMMENDATION:

That Council authorize the Mayor and Corporate Officer to execute a contract with Tamihi Logging Ltd. to provide log marketing and dry land sort services from January 2016 to December 31, 2016 with possible extensions based on Council's consent to December 31, 2017.

PURPOSE:

The purpose of this report is to recommend that Council approve entering into a contract with Tamihi Logging Ltd. to provide log marketing and dry land sort services from January 2016 to December 31, 2016 with possible extensions based on Council's consent to December 31, 2017.

BACKGROUND:

The authorized current term of the log marketing and dry land sort services agreement with Canadian Overseas Log and Lumber expired on December 31, 2015. An RFP was issued in November 2015 to which the District received three responses. Staff reviewed the proposals in relation to several evaluation criteria.

DISCUSSION AND ANALYSIS:

Review of the Log Marketing and Sorting Proposals

The discussion of the various proposals is evaluated in 2 parts, log brokerage (marketing) and Dry Land Sort (DLS) services. All respondents have substantial coastal industry experience, as well as being local. The following details certain aspects of the proposals:

1) Log Brokerage:

- a) Canadian Overseas Log and Lumber (COLL): For the past ten years, the District has sold its logs through COLL. COLL is owned 100% by the Andersen family. The average market value (AMV) of logs sold has increased annually during the last few years due to improving market conditions as well as favourable exchange rates. COLL had been successful in developing niche markets for the District's logs mainly:
 - i) Poles – Cedar & Fir
 - ii) Piling Hemlock and Fir
 - iii) Export logs

- b) Steve Sharpe Timber Ltd.: Steve Sharpe has over 25 years coastal industry experience including log marketing, quality control and BC Timber Sales programs. His background includes working for Meeker Cedar Products, Tamihi Logging Ltd. and Silvermere Forest Products. For his log marketing proposal Steve Sharpe proposes to:
 - i) Increase log exports
 - ii) Increase weigh scale opportunities for cedar
 - iii) Decrease weigh scale opportunities for hemlock/fir.
 - iv) Utilize cedar for blocking purposes.
- c) Tamihi Logging Ltd.: Tamihi is part of the Dorman group and is responsible for logging 650,000 m3 per year both as a licensee and logging contractor in coastal BC. Their log marketing person has 39 years of experience in industry. Tamihi proposes:
 - i) Block specific marketing plans to maximize domestic vs. export volumes and revenues.
 - ii) Maximize export volumes

It is difficult to objectively evaluate the marketing proposals on anything beyond cost which is a function of the commission rates charged to the District. All the respondents are competent in the coastal industry with many years of experience. Marketing plans proposed in the RFP can quickly become out of date due to changing market conditions which was identified by all three parties responding to the proposal. No matter who is chosen, staff will be required to provide oversight to what the broker is doing and we will require transparency from whoever is doing the marketing.

Staff also investigated the possibility of using internal resources to market logs but felt that the administration costs alone for invoicing and system requirements would be in excess of the commission rates paid by the District. The District would also be at risk of higher sorting rates if the marketing and sorting were uncoupled.

- 2) Dryland Sort Proposals: Dry land sorting and scaling involves the off-loading of trucks, grading of logs, scaling to forest service standards, sorting of logs, as well as booming logs and delivery to point of sale. The sort is responsible for submission of scale data to the Ministry of Forests for stumpage purposes. It is important the sort is located close to the logging operations or the District will incur higher hauling costs. The sort also requires access to water for booming and log delivery purposes.
 - a) Canadian Overseas Log and Lumber (COLL): for the past ten years, the District has sorted its logs with COLL. Logs are delivered to the Northview log sort in Ruskin. The sort is paved and averages 1,000 m3 per day and has adequate mobile equipment and boats. They also operate a weigh scale for logs not requiring stick scale.
 - b) Steve Sharpe Timber Ltd.: Steve Sharpe did not quote on the sorting and has proposed we continue to use Northview Dry Sort.
 - c) Tamihi Logging Ltd.: Tamihi operates the Hatzic dry land sort on Dyke Road off Highway 7. Capacity of the sort is similar to COLL at 1,000 m3 per day. The sort has a gravel base. The company operates adequate mobile equipment and boats.

FINANCIAL IMPLICATIONS:

The evaluation of the financial aspects of the proposals indicates that a one-year contract with Tamihi Logging Ltd. would result in a reduction of costs for these services of \$46,000 annually based on lower brokerage costs. This is significantly greater than any savings anticipated with the other two proposals. It is not expected that revenues will be impacted. For all intents and purposes, non-financial aspects of the proposals are not significantly different. As a result, staff recommends that Council enter into a Contract with Tamihi Logging Ltd.

COMMUNICATION:

Council's decision will be conveyed to the three bidders and debrief opportunities will be made available to unsuccessful bidders.

SUMMARY AND CONCLUSION:

Staff recommends that Council approve the award of a contract to Tamihi Logging Ltd. for dry land sorting and log brokerage for the period February 1, 2016 to December 31, 2016 with the option, at the discretion of Council, to extend the contract through 2017.

SIGN-OFFS:



Dave Heyes, Manager of Forestry Business



Bob O'Neal, Director of Forestry

Comment from Chief Administrative Officer
Reviewed