

**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 26, 2009 commencing at 6:30 p.m.

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

Council Members Absent: Councillor Paul Horn

Staff Members Present: Glen Robertson, chief administrative officer  
Kelly Ridley, deputy director of corporate administration  
Jennifer Russell, administrative clerk

## **1. NEW BUSINESS**

PH09/001

### **Financial Implications of Pending Official Community Plan Amendment Bylaw for 7900 Oyama Street**

A report from Ken Bjorgaard, director of finance, dated December 29, 2008 regarding the financial implications of pending official community plan amending bylaw 5004-2008-4052(3) for the property located at 7900 Oyama Street was provided for council's information.

PH09/002

### **Events Related to the 2010 Spirit Committee (Councillor Plecas)**

Information regarding the 1 year countdown (1YC) Community Grant Program Application on events related to the 2010 Spirit Committee was provided for council's information.

## **2. BYLAWS**

PH09/003

**In accordance with Section 882 of the Local Government Act, council has considered District of Mission Official Community Plan Amending Bylaw 5004-2008-4052(3) in conjunction with the District of Mission's financial plan and waste management plan**

Moved by Councillor Stewart, seconded by Councillor Scudder, and

RESOLVED: That in accordance with Section 882 of the *Local Government Act*, council has considered District of Mission official community plan amending bylaw 5004-2008-4052(3) in conjunction with the District of Mission's financial plan and waste management plan.

**CARRIED**

PH09/004

**District of Mission Official Community Plan Amending Bylaw 5004-2008-4052(3) (R08-019 – Alpa Farms Ltd.) – a bylaw to redesignate property located at 7900 Oyama Street from Parks Recreation and Open Space to Suburban Residential with a portion maintaining the Parks Recreation and Open Space designation**

Moved by Councillor Plecas, seconded by Councillor Gidda, and

RESOLVED: That District of Mission official community plan amending bylaw 5004-2008-4052(3) be read a second time.

CARRIED

PH09/005

**District of Mission Zoning Amending Bylaw 5005-2008-3143(317) (R08-019 – Alpa Farms Ltd.) – a bylaw to rezone the property located at 7900 Oyama Street from RU-1 Rural One zone and RS-1 One Unit Urban Residential zone to RS-2 One Unit Suburban Residential zone**

Moved by Councillor Gidda, seconded by Councillor Stevens, and

RESOLVED: That District of Mission zoning amending bylaw 5005-2008-3143(317) be read a second time.

CARRIED

Mayor Atebe commented on the recent meeting of Stave Falls and Silverdale residents with BC Hydro as a result of an apparent power surge that left several residents with damaged appliances.

Council asked that BC Hydro attend a further public meeting to reassure residents that their electrical systems are still safe, to confirm that the power surge is being investigated, and to clearly articulate the process to make a claim for damage to personal property as a result of the incident. It is preferred that technical staff from BC Hydro also be available at this meeting to answer specific questions.

PH09/006

Moved by Councillor Scudder, seconded by Councillor Stewart, and

RESOLVED:

1. That a letter be sent to BC Hydro informing them of the District of Mission's concerns for the safety of its residents;
2. That District staff arrange for the booking of a location for another public information meeting between BC Hydro and the residents affected by the power surge when the second date is known;
3. That BC Hydro be requested to have a BC Hydro engineer and staff present at the meeting to explain the technical aspects of the power surge incident, any public safety concerns, and the claims/appeal process;
4. That Heather Armstrong act as the coordinator for the meeting; and

5. That space be provided on the city page to advertise the meeting date, location and time.

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.

PH09/007

**District of Mission Official Community Plan Amending Bylaw 5004-2008-4052(3) (R08-019 – Alpa Farms Ltd.) – a bylaw to redesignate property located at 7900 Oyama Street from Parks Recreation and Open Space to Suburban Residential with a portion maintaining the Parks Recreation and Open Space designation**

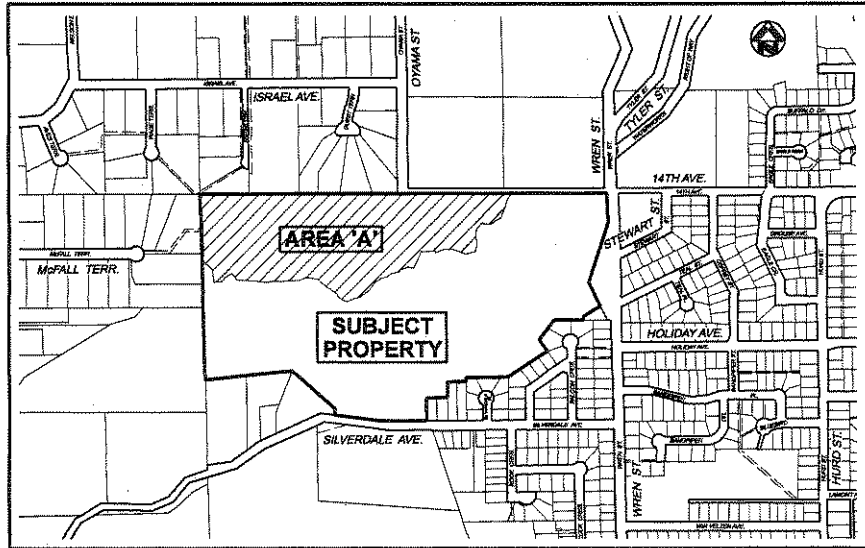
**District of Mission Zoning Amending Bylaw 5005-2008-3143(317) (R08-019 – Alpa Farms Ltd.) – a bylaw to rezone the property located at 7900 Oyama Street from RU-1 Rural One zone and RS-1 One Unit Urban Residential zone to RS-2 One Unit Suburban Residential zone**

**Development Variance Permit Application DV08-010 (Alpa Farms Ltd.) – 7900 Oyama Street**

Ryan Anderson, planner, provided information regarding District of Mission official community plan amending bylaw 5004-2008-4052(3) (R08-019 – Alpa Farms Ltd.), which proposes to amend District of Mission official community plan 4052-2008 by redesignating the property located at 7900 Oyama Street and legally described as:

Parcel Identifier: 002-397-307 Lot 7 Except: Firstly: Part Subdivided by Plan 38530 Secondly: Part Subdivided by Plan 39652 Section 19 Township 17 New Westminster District Plan 38403

from Parks Recreation and Open Space to Suburban Residential, with a portion remaining with a Parks Recreation and Open Space designation. The portion to be redesignated is labelled Area A and shown on the following map:



The planner stated that the purpose of the proposed amendment is to accommodate a suburban single-family residential development.

The planner also provided information regarding District of Mission zoning amending bylaw 5005-2008-3143(317) (R08-019 – Alpa Farms Ltd.) which proposes to amend District of Mission zoning bylaw 3143-1998 for the property located at 7900 Oyama Street and legally described as:

Parcel Identifier: 002-397-307 Lot 7 Except: Firstly: Part Subdivided by Plan 38530 Secondly: Part Subdivided by Plan 39652 Section 19 Township 17 New Westminster District Plan 38403

from RU-1 Rural One zone and RS-1 One Unit Urban Residential zone to RS-2 One Unit Suburban Residential zone. The purpose of the proposed amendment is to accommodate the subsequent subdivision of the subject property into 22 lots of a minimum 0.36 hectare (0.88 acre) lot size.

The planner further stated that purpose of the proposed development variance permit application DV08-010, in the name of Alpa Farms Ltd., is to vary District of Mission subdivision control bylaw 1500-1985 Schedule A Required Road Widths by reducing the minimum required urban local residential road width from 18.0 meters (59.055 feet) to 15.0 meters (49.21 feet).

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

1. receipt of the community amenity contribution in the amount of \$38,850;
2. building scheme covenant for form and character;
3. a more detailed arborist's report;
4. a letter of credit for installing and maintaining trees or confirmation of LAN.32 compliance; and
5. engineering requirements:
  - (a) domestic water – extend a water main;

- (b) storm sewer – provide a stormwater outfall, extend the storm sewer main, make application to Department of Fisheries and Oceans, provide a statutory right-of-way;
- (c) road works – extend and construct Oyama Street;

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

1. Birgit Keys of Mission is opposed to the proposal and expressed concern about current traffic levels, the removal of trees and the impact on the environment; and
2. Richard and Eileen Stover of Mission are opposed to the proposal and expressed concern with the removal of the trees in the area and potential problems occurring with loitering once the road is extended.

Lila Rauh, Mission, stated she is opposed to the development and had the following questions and concerns about the application:

- (a) What is the total acreage involved for this 22 lot development, and what would be the exact address of the said area?

The planner responded the subject property is 69.9 acres; 22.4 acres of that will be for the 22 lot subdivision, and the remaining 47.5 acres will be dedicated to the District of Mission.

- (c) How can private owners of land have property that is designated as parks, recreation and open space?

The planner responded that the applicant's family has owned the property for a number of years, and it initially had a residential designation. The recent change to the official community plan changed that designation to parks, recreation and open space. The process of changing the designation arbitrarily selected the whole property in anticipation of utilizing a portion of the property for the trail network system.

- (d) As council has shown support for other large developments such as the waterfront and Silverdale, which will bring more citizens to our community, shouldn't they should be making it a priority to preserve all lands designated as parks, recreation and open space?
- (e) Has anyone who will be making a decision on this property or is giving their advice to council about removing these lands from the parks, recreation and open space designation actually driven to or walked around the area?

Mayor Atebe responded that staff and some council had visited the property.

The planner noted that staff always do site visits as part of the application process. He stated he had visited the site a number of times, accessing it both through the northern portion through the Sports Park, and the southeast portion through several of the neighbouring properties.

- (f) Does council feel that this application should be refused and the area left as wild, natural open space for future residents and also to avoid the possibility of another situation such as Ptarmigan Drive?
- (g) Any small portion of the subject land adjoining the Sports Park and at the higher elevation should be held for expansion to the Sports Park to accommodate more people attending functions there in the future. It is not appropriate to use it for housing.
- (h) To remove this or any other lands from the open space designation is to refute claims of sustainability because the continual destruction of such areas not only kills natural ecosystems, but further detracts from healthy air quality.

Anthony McLean, Mission, expressed concern about developing the trail system any more than it already is, the impact of more people in this isolated wilderness area, and the inevitable increase in wildfire hazards during the dry season if the area is exposed to more people. Mr. McLean felt that if the area must be developed, that there be no access from Wren Street.

Eileen Stover read her letter of concern and suggested that boulevard trees be planted along the existing properties on Guest Terrace, that there be no parking allowed along the Oyama Street extension, and that a fence be erected along the properties that border the Oyama Street extension.

Jeanette Smith, Mission, stated she is opposed to the development, and posed the following questions:

- (a) How long has the subject property been designated as parks and open space?

The planner responded that this property has been designated as "parks, recreation and open space" since the inception of the last official community plan, approximately 10 years ago (not the recent plan adopted in July of last year).

- (b) Can anybody apply to build on land designated as park and open space, and if so, does that mean that any park or open space designation can be altered?

The planner responded that if an individual wished to develop a property that was designated as parks, recreation and open space, they would need to go through the same procedure as the applicant here today, which is to request that the official community plan designation be amended to a designation that would support residential development.

Mayor Atebe responded that the vision of past councils for this area was to have a trail system that started at the Fraser River and continued all the way up to the municipal tree farm. The only way to do that was to designate the properties along the way as park and recreational use. The individual land owners have every right to request a designation change, otherwise we would effectively just be taking their land. Part of the application before us now is to donate 47 acres of land to the District for the benefit of the community as a whole.

- (c) Were all the surrounding properties on Bench, McPhail, Israel and whatever other connecting roads all notified of the development?

The planner responded that there is a prescribed area around the subject property that requires public notification, and those areas mentioned were notified.

Darren Alary, appearing on behalf of the developer, stated that their own planner and civil engineer were present at this evening's meeting to answer council's questions.

Hearing no further questions or comments the mayor declared the public hearing on District of Mission official community plan amending bylaw 5004-2008-4052(3), zoning amending bylaw 5005-2008-3143(317) (R08-019 – Alpa Farms Ltd.) and development variance permit application DV08-010 (R08-019-Alpa Farms Ltd.) closed.

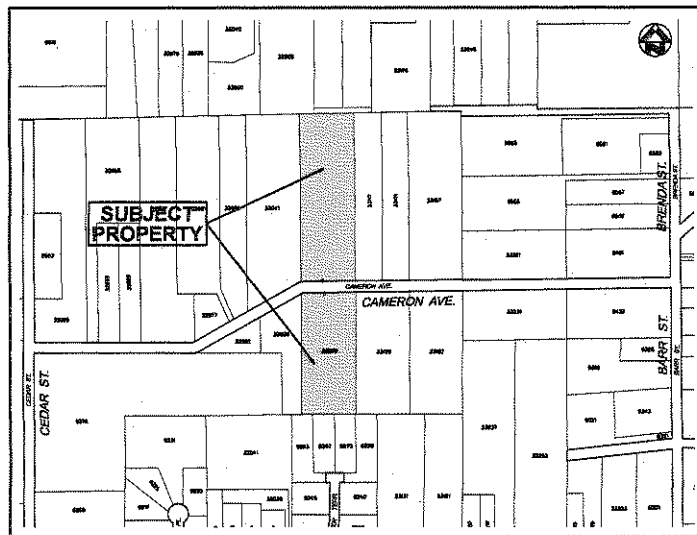
PH09/008

**District of Mission Zoning Amending Bylaw 5006-2008-3143(318)  
(R07-020-Cowhig) - a bylaw to rezone the properties located at 33079  
Cameron Avenue from RU-1 Rural One zone to RS-2A One Unit Rural  
Residential zone**

Ryan Anderson, planner, provided information regarding zoning amending bylaw 5006-2008-3143(318), which proposes to amend District of Mission zoning bylaw 3143-1998 by redesignating the property located at 33079 Cameron Avenue (shown on the following map) and legally described as:

Parcel Identifier: 012-491-047 Block "C" Section 33 Township 17  
New Westminster District Plan 2093

from RU-1 Rural One zone to RS-2A One Unit Rural Residential zone.



The planner stated that the purpose of the proposed amendment is to accommodate the subsequent subdivision of the subject property into 3 lots of a minimum 0.8 hectares (1.98 acre) lot size.

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

1. receipt of the community amenity contribution in the amount of \$2,000.00;
2. engineering requirements (no works required); and
3. a letter of credit for installing and maintaining trees (\$13,500).

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

Hearing no further questions or comments the mayor declared the public hearing on District of Mission zoning amending bylaw 5006-2008-3143(318) (R07-020-Cowhig) closed.

PH09/009

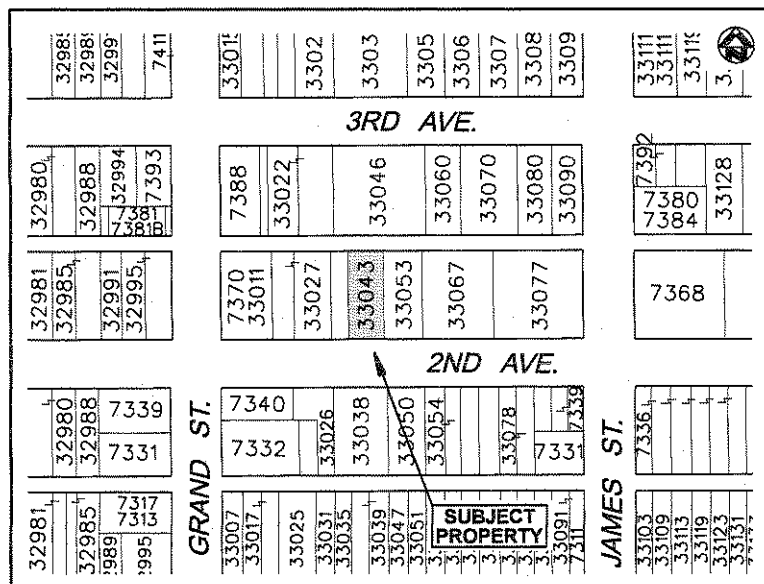
**District of Mission Zoning Amending Bylaw 5007-2008-3143(319) (R08-005-Castro) - a bylaw to rezone the properties located at 33043 2nd Avenue from RT-1 Two Unit Urban Residential zone to P-2 Special Institutional zone**

**Development Permit Application DP08-002 (Castro) – 33043 2nd Avenue**

Dayle Reti, senior planner, provided information regarding zoning amending bylaw 5007-2008-3143(319) which proposes to amend District of Mission zoning bylaw 3143-1998 for the property located at 33043 2<sup>nd</sup> Avenue (shown on the following map) and legally described as:

Parcel Identifier: 005-094-127; Lot 253 District Lot 411 Group 1 New Westminster District Plan 53316

from RT-1 Two Unit Urban Residential zone to P-2 Special Institutional zone.



The senior planner stated that the purpose of the proposed amendment is to accommodate a care home (approximately 15 beds) for special needs individuals.



The senior planner also stated that the purpose of proposed development permit application DP08-002, in the names of Aida and Salvador Castro, is to provide conformity to the official community plan guidelines respecting building form and character, landscaping and parking, for property located at 33043 2<sup>nd</sup> Avenue.

The senior planner further noted that prior to adoption of the zone amending bylaw, the following requirements would need to be met:

1. approval of the development permit;
2. engineering works;
3. registration of the restrictive covenants (use and parking) or an undertaking from the applicant's solicitor advising that registration would immediately follow zoning approval;
4. relocation of parking to the north off the lane for the existing care home (owned by the applicants) or an estimate of the works (as approved by staff) and letter of credit to guarantee the works; and
5. resolution of the development permit details.

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

- (a) letter from Rosemary and Stanley Zanatta of Mission stating their opposition to the proposal; and
- (b) petition signed by 26 residents in the area opposed to the proposal.

Rosemary Zanatta, Mission, stated she is opposed to the application for the reasons noted in her letter and also because the landscaping she has put on the lane at the back of her property would be torn out.

Stanley Zanatta, Mission, stated there are often patients wandering around outside apparently unsupervised.

Rick Goos, Mission, stated his concern that opening up the lane behind his property would generate more traffic and crime, and would negatively affect his privacy and property values.

Aida Castro, the applicant, stated she has owned the subject property for 19 years and there is a 14 person care facility already in operation on the adjacent property. She noted the purpose of the facility is to teach independent living, including life skills, coping strategies, and medication management. They are licensed under the *Adult Care Act* and the *Community Care Act*.

Councillor Gidda asked about the allegations set out in the letter from Mr. and Mrs. Zanatta.

Ms. Castro stated that the current facility has a composter at the back of the property, a waste management company that picks up garbage once a week, and they have hired pest control to ensure the safety of their patients.

Councillor Gidda asked if Ms. Castro lived on the property and if not, who manages the facility.

Ms. Castro responded she manages the current specialized care facility, but does not reside on the property due to the licensing requirements. She stated the proposal is to move the patients from the existing facility into the new 15 bed facility so each patient can have their own bedroom, which is a new requirement under their license to operate.

Councillor Plecas asked how many staff members they have at the current facility, and what was the plan for the existing facility if a new one is built.

Ms. Castro responded that there is a licensing requirement to have staff 24 hours a day, so she has three staff members for the day shift, one staff member for the afternoon shift, and one staff member for the night shift. She noted there were no firm plans for the older building as yet because they were waiting to see if this proposal would be approved.

Councillor Plecas asked if Ms. Castro had heard concerns from neighbours before about care home residents wandering around.

Ms. Castro stated this was the first she had heard of any concerns about a resident wandering around, as her clients function very well on their own, and there is always a staff member present to ensure their safety.

Councillor Plecas asked why they wanted to build a completely new facility with no clear plans for the old one.

Ms. Castro stated that if this proposal is approved and a new facility is built, they would like to use the existing older building as a transition house for residents who are able to manage themselves.

Councillor Stevens requested clarification on where the parking would be located.

The senior planner responded that all parking spaces would be within the property lines, with access through the lane at the north of the property. The lane is already a dedicated District roadway, although is not yet constructed. The applicant would have to construct the lane.

Councillor Scudder asked if the applicant had considered building an addition to the existing building if they only require space for another three beds.

Rudy Antonio, the consultant for the applicant, responded that there are new provincial regulations that require each client to have their own separate bedroom. In the existing facility the 14 clients must share bedrooms. It is more cost effective to build a new facility to meet the new regulations than to expand and upgrade the existing building. Once a new facility is built, the current 14 clients would be moved to the new facility to meet the new regulations.

Councillor Stevens requested clarification on the size of the proposed new building, the size of each bedroom, and whether there would be a window for each bedroom.

The applicant's architect stated each bedroom would be approximately 120 square feet and each would have a window. The senior planner stated the first floor of the proposed building would be approximately 1,545 square feet, the second floor approximately 2,430 square feet, and the third floor approximately 2,280 square feet.

Mr. Antonio stated that based on the parking requirement in the District's bylaws, the facility would have 5 parking spaces, however there would only be approximately 3 cars belonging to the staff members parked there during the day.

Councillor Gidda asked what the existing building would be used for, and if the applicants intend to run both care homes at the same time.

Mr. Antonio stated that the existing building has 9 beds and 14 clients. In order to continue operating under the new provincial regulations, the applicants must have one separate bedroom per client. Mission Mental Health has been working with the applicants, and they would like to continue operating both facilities, so there is a possibility of having 24 beds available in two separate care homes. Mr. Antonio further stated that the new facility would be built for the clients currently in the existing facility, which would then leave the 9 available beds in the existing facility open to new clients.

Councillor Gidda asked if Mental Health had approved this plan.

Mr. Antonio responded that Mental Health must review and approve any care facility plans before operators can apply to municipalities.

Stanley Zanatta stated that kitchen waste at the existing facility is dumped into open cans at the back of the property and there is a rat problem as a result.

Mr. Antonio responded that the applicant would remove the existing compost from the property.

Rick Goos asked if more patients would mean more staff, and whether approval of this application would "open the door" to more care facilities.

Mr. Antonio stated that the 9 bed care home currently receives funding for one staff member during the day. If they receive approval for a 15 bed facility, there would be funding for three staff members during the day.

Mayor Atebe asked if the governing legislation provided guidelines for the number of staff depending on the number of patients.

Mr. Antonio responded that it does.

Hearing no further questions or comments the mayor declared the public hearing on District of Mission zoning amending bylaw 5007-2008-3143(319) (R08-005-Castro) and development permit application DP08-002 closed.

**5. ADJOURNMENT**

Moved by Councillor Gidda, seconded by Councillor Scudder, and

RESOLVED: That the meeting be adjourned.  
CARRIED

The meeting was adjourned at 8:04 p.m.



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JAMES ATEBE, MAYOR



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DENNIS CLARK, DIRECTOR OF  
CORPORATE ADMINISTRATION