

**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, July 27, 2009 commencing at 6:30 p.m.

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

Staff Members Present: Glen Robertson, chief administrative officer  
Dennis Clark, director of corporate administration  
Tina Mooney, administrative clerk

## **1. DELEGATION AND PRESENTATIONS**

PH09/038  
JULY 27, 2009

**Mulalo Lawrence Sadike**  
**Re: Canada World Youth exchange with Ukraine**

Mr. Sadike noted that he is the project supervisor for the youth exchange program which consists of 18 students, 9 from Canada and 9 from Ukraine. The program has been very successful with many community groups getting involved.

The youth will be in Mission from December 13, 2009 to March 11, 2010 and during their stay they live with host families, integrate into the community by volunteering with local organizations which allows the participants to gain viable work experience while making a contribution to the community.

The mayor thanked him for his presentation and noted that many organizations appreciate the volunteer services this program provides on behalf of the community.

Mr. Sadike asked that council provide a letter of support for this program.

Staff were directed to provide a report stating if leisure centre and bus passes can be donated for the 18 youth for the duration of their stay.

PH09/039  
JULY 27, 2009

**Howard Meakin**  
**Re: Sturgeon's on the Fraser**

Howard Meakin noted that 1985 "Friendship 500" was launched to commemorate the 500th McDonald's restaurant in Canada, and instantly became an icon of Expo 86.

Mr. Meakin unveiled his planned revitalization of the floating restaurant. He said that the Fraser River at Mission currently offers many river related opportunities including fishing, ecology and adventure tour companies that are good for the waterfront area and assist in bringing in new business and tourism to the area.

Councillor Scudder asked how much of the restaurant would be seen above the dyke and asked if they have considered the tide in the Fraser river.

Mr. Meakin's architect noted that the visibility above the dyke would be determined by tides as well as the annual freshet.

Mayor Atebe thanked Mr. Meakin and advised him to make an application to staff, which would subsequently be forwarded to council.

PH09/040  
JULY 27, 2009

**Dan Williamson**  
**Re: Animal Control Bylaw**

Mr. Williamson noted that he is upset with his neighbour's dog and is generally unhappy about the animal control bylaw and how the bylaw is enforced.

He discussed an incident that happened in his area and noted the owners have four dogs and the bylaw states that residents can only have three. He is also concerned that there are no controls on the sizes of pet dogs.

Mr. Williamson asked that a new bylaw be developed to address his concerns.

Staff advised that Mr. Williamson's concerns would be addressed by a future report to council.

**2. NEW BUSINESS**

PH09/041  
JULY 27, 2009

**Phase A & B Landfill Liner Extension Contract**

Moved by Councillor Horn, seconded by Councillor Gidda, and

RESOLVED: That the mayor and director of corporate administration be authorized to sign a contract with King Hoe Excavating Cannington Group Joint Venture, valued at \$435,391.53, to construct the phase A & B west landfill liner extension and that an additional \$50,000 be approved for contingency.

CARRIED

PH09/042  
JULY 27, 2009

**School Bus Parking**

Moved by Councillor Stewart, seconded by Councillor Plecas, and

RESOLVED: That staff be authorized to enter into a licence for use agreement with Mission Public Schools (MPS) to park school buses on District property on the east side of Horne Street near Harbour Avenue for approximately 12 months commencing in mid-late September 2009, at no cost to the District and subject to MPS:

1. Insuring the District with regard to any liability arising from the use of the subject property, and indemnifying the District of Mission in relation to this use;
2. Providing any security it feels necessary to protect the school buses and the property used;

3. Maintaining the subject property in a safe and clean condition throughout the use.

CARRIED

PH09/043  
JULY 27, 2009

**Late Item re: Increased Watering Restrictions**

Councillor Horn, seconded by Councillor Plecas, and

RESOLVED: That a total ban on lawn watering be put into effect immediately.

CARRIED

PH09/044  
JULY 27, 2009

**LATE ITEM – (Councillor Stevens, discussion item)**

Councillor Stevens noted that the provincial government has cut funding for literacy program co-ordinators, and suggested that the mayor write to the premier and the relevant ministries stating the District's opposition to the reduction.

She also noted that the library has not received \$2 million of funding, and will not be able to meet basic needs. Councillor Stevens suggested that the community write to the premier, our MLAs and the media to protest these funding reductions.

Moved by Councillor Stevens, seconded by Councillor Horn, and

1. WHEREAS the province has made its first great goal to make BC the best educated, most literate jurisdiction on the continent; and
2. WHEREAS libraries and literacy programs are integral to achieving that goal;
3. BE RESOLVED that the mayor and council oppose the province's planned and proposed cuts to the Fraser Valley Regional District and their literacy program.

CARRIED

**3. BYLAWS**

PH09/045  
JULY 27, 2009

**District of Mission Officers Amending Bylaw 5055-2009-3986(8) – a bylaw to add the position of "Human Resources Assistant"**

Moved by Councillor Scudder, seconded by Councillor Gidda, and

RESOLVED: That District of Mission officers amending bylaw 5055-2009-3986(8) be adopted.

CARRIED

**4. QUESTION PERIOD**

Jim Allard asked if there was any connection between King Hoe Excavating working on the excavation and refilling of the Caswell gravel pit and working on the District's landfill.

The director of engineering and public works responded that he has no knowledge of transferring any materials to our landfill. He noted that the landfill does require

covering material on an ongoing basis, however not at specific times, nor specifically related to that application.

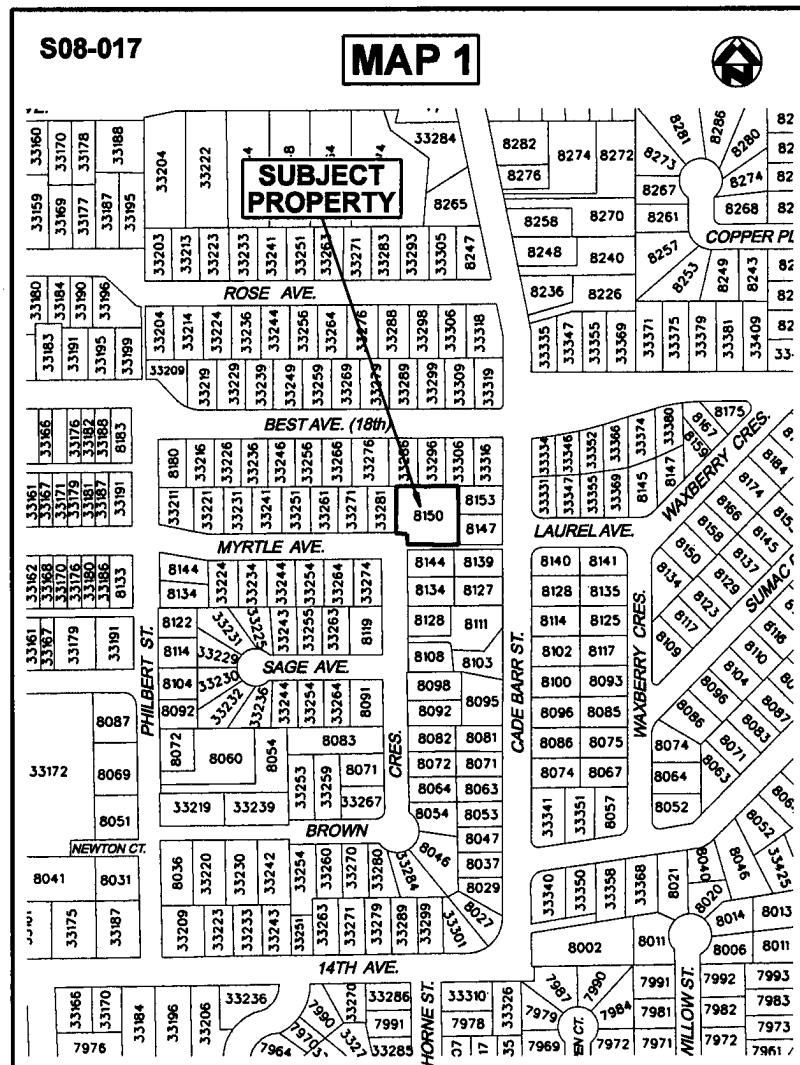
### 5. PUBLIC HEARING

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

PH09/046  
JULY 27, 2009

### Development Variance Permit Application DVP09-003 (Regnier) – 8150 Brown Crescent

Ryan Anderson, planner, provided information regarding development permit application DP09-003 in the name of Paul Regnier to vary section 301.3 of the District of Mission zoning bylaw 3143-1998 by reducing the minimum lot width at 6.0 meter setback from 12.0 meters (39.37 feet) to 11.74 meters (38.52 feet) for proposed lot 2 at 8150 Brown Crescent, as shown on the following map:



The director of corporate administration stated there were no written submissions regarding this application.

Jim Hinds asked where the driveway would be located and if it would be large enough to hold at least two cars. He expressed concern regarding the restricted visibility around the corner, particularly if cars are parked on the street.

The planner responded that there are two driveways being proposed, and the applicant is required through the zoning bylaw to provide two parking spaces on the site.

Councillor Scudder asked that if it was possible through the traffic safety committee to create a "no parking" zone in a residential area where there is a visibility constriction.

Councillor Horn noted that Mr. Hinds could forward an email to him, to Councillor Gidda, or the engineering department asking the traffic safety committee to investigate that corner.

Councillor Gidda asked how the carport would be accessed.

The applicant responded that there will be a registered easement that will provide access to the existing garage. The result would be that only the cars for the new home require parking space.

Hearing no further questions or comments, the mayor declared the public input session on District of Mission development permit application DP09-003 closed.

Moved by Councillor Horn, seconded by Councillor Scudder, and

**RESOLVED:** That development variance permit application DVP09-003, in the name of Paul Regnier, located at 8150 Brown Crescent, and legally described as: Lot 5 Section 28 Township 17 New Westminster District Plan 86629 to vary section 301.3 (Lot Area, Width at Front Lot Line, and Depth) of the *District of Mission Zoning Bylaw 3143-1998* on proposed Lot 2 by reducing the minimum required lot width at 6.0 meter setback from 12.0 meters (39.37 feet) to 11.74 meters (38.52 feet) for a proposed two-lot subdivision located at 8150 Brown Crescent, be approved.

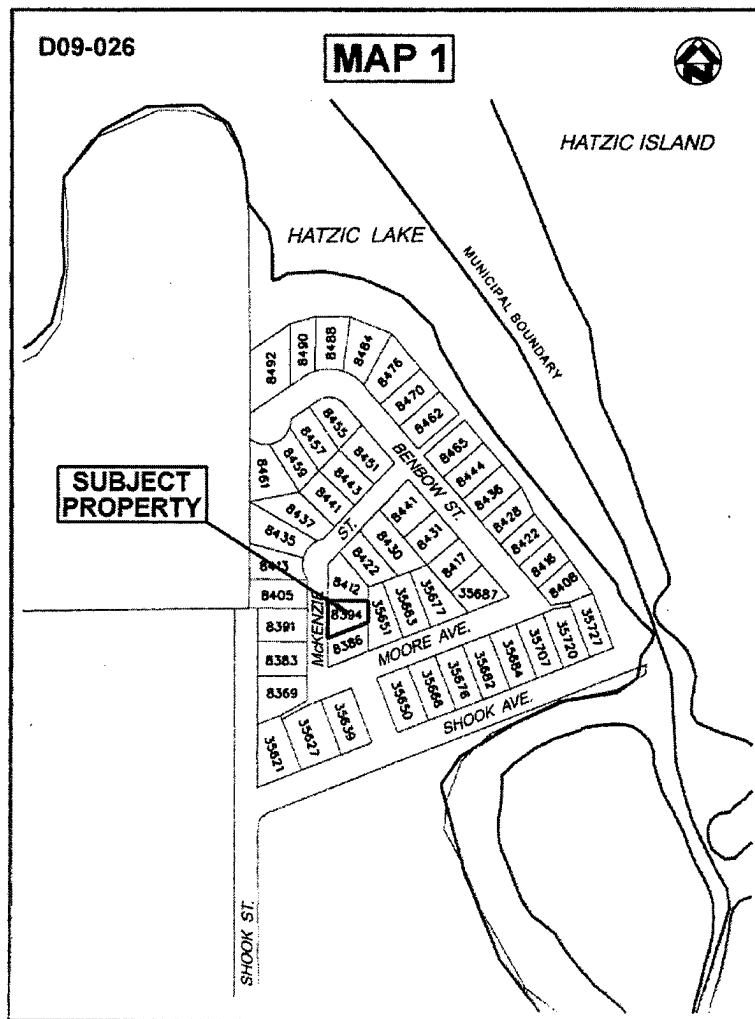
**CARRIED**

Councillor Horn asked that staff bring forward a bylaw or a policy so that staff can approve these small variances.

PH09/047  
JULY 27, 2009

**Development Variance Permit Application DP09-004 (Barber) –  
8394 McKenzie Street**

Marcy Bond, planner, provided information regarding development permit application DP09-004 in the name of Robert Barber to vary section 203.6 1(c) of the District of Mission zoning bylaw 3143-1998 by reducing the minimum setback to the interior side lot line from 1.5 metres (4.92) to 0.909 Metres (2.9 feet) to allow for the construction of an attached garage with a 2<sup>nd</sup> floor addition over the garage to the existing signal family residential dwelling for 8394 McKenzie Avenue, as shown on the following map:



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

Hearing no further questions or comments, the mayor declared the public input session on District of Mission development permit application DP09-004 closed.

Moved by Councillor Horn, seconded by Councillor Plecas, and

**RESOLVED:** That development variance permit application DVP09-004, in the name of (Robert Barber), to vary section 203.6 1(c) Setbacks of District of Mission zoning bylaw 3143-1998 by reducing the minimum required setback to the interior side lot line from 1.5 metres (4.92 feet) to 0.90 metres (2.9 feet) to allow for the construction of an attached garage with a 2<sup>nd</sup> floor addition to the existing single family residential dwelling at 8394 McKenzie Avenue, be approved.

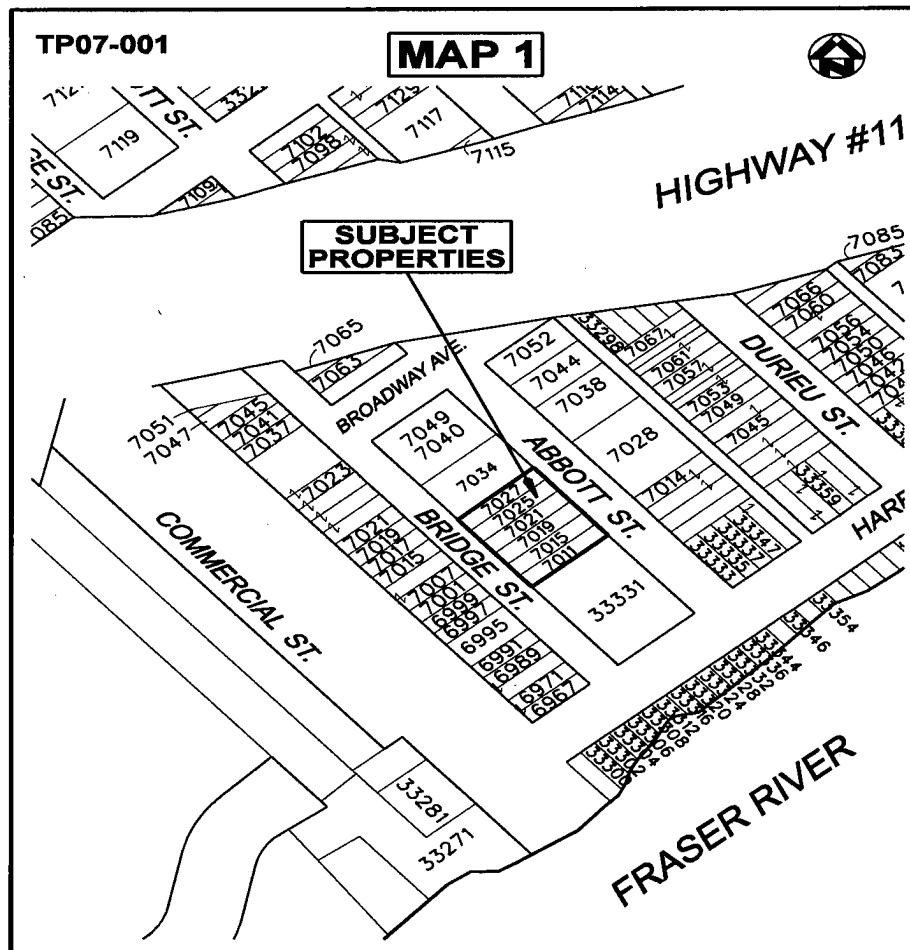
**CARRIED**

PH09/048  
JULY 27, 2009

**Temporary Commercial Industrial Permit Application TP07-001 (B. Sharp Developments) – 7011, 7015, 7019, 7021, 7025 and 7027 Abbott Street**

Barclay Pitkethly, deputy director of planning, provided information regarding temporary commercial industrial permit application TP07-001 in the name of B.

Sharp Developments to operate a boat storage and sales facility on the properties located at 7011, 7015, 7019, 7021, 7025 and 7027 Abbot Street located in the Waterfront area of Mission, as shown on the following map:



The deputy director stated that the following conditions will form part of the permit:

1. only storage and sales of personal watercraft is permitted;
2. minor landscaping at the entrance to the courtyard at the gate including hedging cedars;
3. a security and sales trailer with washrooms shall be placed on site;
4. business hours shall be restricted to between 5:00 am to 8:00 pm;
5. privacy screening shall be provided by way of fencing with privacy slats and landscaping;
6. all lighting and signage must be approved by the planning and inspection services departments;
7. a bond/security deposit in the amount of \$7,500.00 to ensure removal of use is required after the termination of the permit; and
8. language within the permit to ensure immediate removal of the structure in the event of flooding.

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

Councillor Horn if there was a stipulation as to the size of "personal watercraft", and whether there would be shipwrighting or boat mechanical work done on the site.

The deputy director stated that the intent is to not allow commercial fishing vessels on the site that would be visually unappealing, and would mostly be for the commercial users for storage and limited sales. He further noted that the intent of the site is to be just a storage and limited sales facility, and a limitation on working on boats could be added as a condition of the permit.

Councillor Horn confirmed he would like to have that condition added to the permit.

Councillor Gidda asked if there would be any further improvements to the site other than the landscaping.

The deputy director stated the nature of the temporary use permit is that they have to bring the land back to it's found condition after the permit expires. Any improvements to the site would have to be temporary. This applicant does plan to add some gravel to make the driving easier.

Councillor Stewart asked if the applicant can apply for another one year or two years after this permit expires.

The deputy director stated that the *Local Government Act* allows only a two year temporary use permit, however an applicant can ask for an extension for up to another two years. Beyond that they would need to re-apply for another permit.

Councillor Scudder asked if there was a standard height for fencing around the site, and whether people would be able to see inside the compound.

Norm Tapp, one of the applicants, responded that the fencing would be 6 or 7 feet high.

Hearing no further questions or comments, the Mayor declared the public input session on District of Mission temporary commercial industrial permit application TP07-001 closed.

Moved by Councillor Plecas, seconded by Councillor Stewart, and

RESOLVED: That temporary commercial industrial permit TP07-001 for the properties located at 7011, 7015, 7019, 7021, 7025 and 7027 Abbot Street is approved for a two-year term.

CARRIED

PH09/049  
JULY 27, 2009

**District of Mission Zoning Amending Bylaw 5039-2009-3143(328) (R09-004-Toor/McPherson) – a bylaw to rezone property at 31509 and 31591 Israel Avenue from RU-1 Rural One zone to RS-2 One Unit Suburban Residential zone**

Marcy Bond, planner, provided information regarding District of Mission zoning amending bylaw 5039-2009-3143(328) (R09-004 Toor/McPherson) which proposes

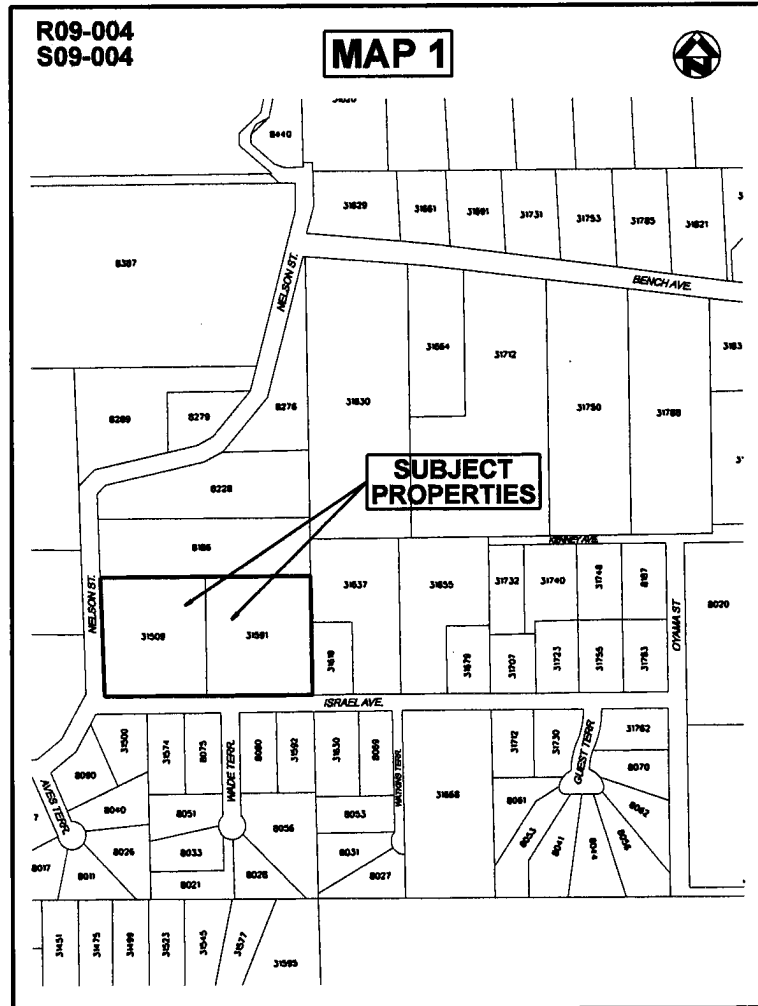


to amend District of Mission zoning bylaw 3143-1998 for the properties located at 31509 and 31591 Israel Avenue (shown on the following map) and legally described as:

Parcel Identifier: 009-281-185, Lot 2, Section 30, Township 17, New Westminster District Plan 23910, and

Parcel Identifier: 009-281-126 Lot 1, Section 30, Township 17, New Westminster District Plan 23910

from RU-1 Rural One zone to RS-2 One Unit Suburban residential zone.



The planner stated purpose of the proposed amendment is to accommodate the subsequent subdivision of the subject property into 6 lots of a minimum 0.36 hectare (0.88 acre) lot size and one 0.696 hectare (1.71 acre) remainder lot.

The planner stated that the community amenity contribution for five lots is the only remaining requirement prior to adoption of the zone amending bylaw.:

The director of corporate administration stated that no correspondence had been received regarding this application.:

Mark Vanderwal, Mission, stated he is concerned that the old house that will remain on the subdivision site will not fit in with the rest of the new neighbourhood because of its age. He suggested that it be removed.

Councillor Horn asked if the proposed lots were actually bigger than .36 hectare minimum requirement.

The planner responded that the legal plans of the subdivision prepared by the applicant shows the six lots as .36 hectares.

Hearing no further questions or comments the mayor declared the public hearing on District of Mission zoning amending bylaw 5039-2009-3143(328) (R09-004 – Toor/McPherson) closed.

PH09/050  
JULY 27, 2009

**District of Mission Zoning Amending Bylaw 5046-2009-3143(330) (R09-008-Toor/McPherson) – a bylaw to rezone property at 32966, 32978, 32982 and 32988 Cherry Avenue from RS-1A One Unit Small Lot Urban Residential zone to R1-A One Unit Small Lot Urban Residential (Suite) zone**

Marcy Bond, planner, provided information regarding District of Mission zoning amending bylaw 5046-2009-3143(330) (R09-008 Toor/McPherson) which proposes to amend District of Mission zoning bylaw 3143-1998 for the properties located at 32966, 32978, 32982 and 32988 Cherry Avenue (as shown on the following map) and legally described as:

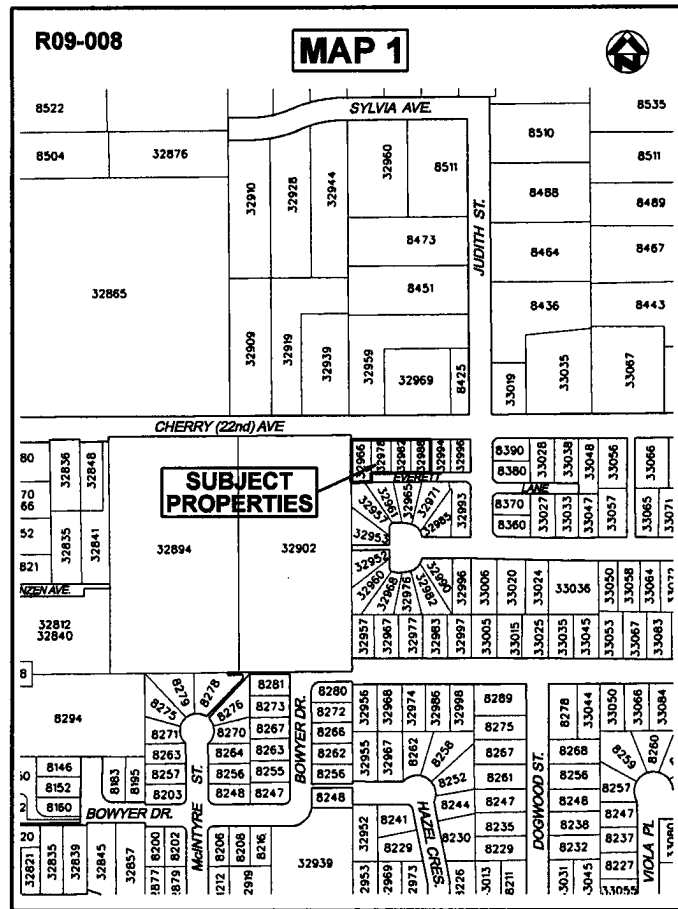
Parcel Identifier: 027-545-563, Lot 1, Section 28, Township 17, New Westminster District Plan BCP 36532

Parcel Identifier: 027-545-571, Lot 2, Section 28, Township 17, New Westminster District Plan BCP 36532

Parcel Identifier: 027-545-580, Lot 3, Section 28, Township 17, New Westminster District Plan BCP 36532

Parcel Identifier: 027-545-598, Lot 4, Section 28, Township 17, New Westminster District Plan BCP 36532

from RS-1A One Unit Small Lot Urban Residential zone to R1-A One Unit Small Lot Urban Residential (Suite) zone.



The planner stated that the purpose of the proposed amendment is to allow accessory secondary suites in each proposed dwelling unit. She further noted that the property was rezoned to the RS-1A zone in 2007 and subdivided, and all the services are already in the ground because of this prior subdivision approval.

The planner also stated that:

1. there will be a form and character covenant to allow for legal accessory secondary suites in the basements;
2. all lots will have access by the rear lane;
3. there is a mix of front elevation and roof design to reduce the perception of massing;
4. there will be a variation of building materials and design elements such as window trim, cedar shakes, rock work and front porches;
5. as part of the rezoning requirements for this proposal, the builder has agreed to build "suite ready" houses, meaning that although they may not be installing cabinets, fixtures, etc., they will be required to install fire separation, independent heating systems and adequate egress from doors and windows for the secondary suite.

The planner further noted that when the zoning and subdivision proposal first came

before council it was for a six lot subdivision with two-storey dwellings. Through this process the minimum building elevations for the lots has decreased, meaning that from the rear lane the residents would not have access to the main floor of the house – it would have been on the second storey. As the lots were so low the houses had to be lifted, which meant putting in basements, and this is why the developer has requested that legal secondary suites be put in because it allows for basements.

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

Shelley Janze, Mission, expressed concern regarding:

- (a) the amount of additional vehicles the extra suites will bring and where they will be parked;
- (b) the restricted visibility from Judith Street due to the hill on Cherry Avenue, particularly when cars or trucks are parked on Cherry;
- (c) increased parking of vehicle on Judith Street will effectively make it a one-lane street;

Ms. Janze suggested "no parking" signs along Cherry Avenue and Judith Street in front of the new homes.

Mike Fedora, Mission, agreed with all of the concerns expressed by Ms. Janze, and added that cars will also be parking in the back lane. He noted that there is also a playground/school zone on Cherry Avenue, so there are children on the roads. Mr. Fedora asked how much higher the houses would be, now that they are three storeys.

The planner responded that the change in the actual height of the houses is only a few inches because the land slopes down so much. If the houses were built as originally proposed, people would have been walking from the lane into the second storey of their house. Now that the grade has been lowered so much, they have to put in basements to make it so the houses have main-level access.

Mr. Fedora questioned the fact that the builder suddenly had to change the design of the houses to add a whole storey, since the zoning and the original plans of the houses had been approved before.

Lynne Fedora, Mission, expressed concern with the height of the houses, the loss of her view, the amount of extra vehicles parked in the area, the increased noise and traffic, the lack of yard space for children to play in, and the further restrictions to visibility.

Martin Vido, Mission, stated his concerns with parking and safety, and asked where the access to the basement suites will be.

The planner stated that access to the basement suites will be from the side of the houses, with stairs leading down to the door.

Mr. Vido stated that this will mean that the suite residents will most likely then be parking on Cherry Avenue, as they can then access their homes from the most convenient level. He further noted that if there are cars parked on Cherry Avenue

close to the crosswalk for the school and park, it will make it very difficult to see the children waiting to cross, particularly because of the hill.

Sandra Murphy, Mission, expressed concern with an increase of people and traffic to the area, and agreed with the previous speakers that turning from Judith onto Cherry Avenue will become even more dangerous than it already is. She noted that there are many children that walk to the school and to the park and increasing the traffic in that area is unsafe.

Erika Duplissie, Mission, is opposed to the application and stated the following:

- (a) there is already limited parking, including people already parking in the lane, on grass boulevards, and on walking strips;
- (b) any parking on Cherry Avenue west of Judith prohibits drivers from seeing the people at the crosswalk and at the bus stop;
- (c) although the plans do show parking spaces on the lots, the reality is that very few people actually use the garages for parking, and do not necessarily park in their designated spots;
- (d) on some streets in Mission that already have compact lots, the streets are so congested with parked vehicles, one cannot even turn around to leave the subdivision;
- (e) is parking prohibited in lanes or does it vary from case to case?

The deputy director of planning stated that parking is prohibited in laneways.

- (f) that means in the six new homes, there is parking prohibited in the lane, which is the main access to those homes
- (g) when the original development was approved, the necessity for the laneway was due to the fact that it was deemed unsafe to be entering and exiting off Cherry, so on both sides of these properties, there is no safe place to park cars;
- (h) appreciates that the application is being up front about the potential for suites, as we don't often see that brought before council as often as we should;
- (i) appreciates that bringing the issue of suites before council does build in some safety features in the homes;
- (j) there was concern about the density when the original application came forward and had we known that the developer would be back asking for secondary suites, we would have opposed the first application;
- (k) not opposed to compact lots, and opposed to basement suites, however you do not need both in an area with such limited access;
- (l) it is unfair to potential buyers of these homes because of the inevitable parking issues and resulting bylaw complaints;
- (m) does not want instant conflict with new neighbours over parking issues;
- (n) if this application not approved, would like to see council put parameters in place that will prevent unauthorized suites from being added in the future by setting guidelines regarding plumbing or electrical rough-ins.

Mike Fedora stated that when the original homes to the west were built, the major

concern was the hump in the road at Judith and Cherry and the resulting lack visibility. That was one of the original reasons why there was parking in the back of the houses. Mr. Fedora further noted that the developer has already dug out two of the basements on the subject site.

KC McPherson, one of the applicants, stated:

- (a) originally they just wanted to put basement doors in the houses, however the planning department would only agree to that if there were suites built in;
- (b) we were not prepared to build suites, but did want to build the houses with suite potential, and wanted to address the fire and safety issues as well as the on-site parking;
- (c) there are other reasons for having suites, such as looking after aging parents; and
- (d) the actual elevation of the homes has not changed from the original application – the site lines as originally proposed are still there.

Darren Hall, designer of the houses, stated that the overall heights of the houses have not changed – in some cases they are slightly higher, some slightly lower. The difference in grade between the front and back property lines has not changed. We have dropped the grade down in the front a little to show more of the house and reduce the amount of retaining required. The initial designs did have basements, but no windows fronting Cherry Avenue. Mr. Hall also noted that the parking requirement is stipulated by the zoning bylaw, and those requirements are being met in this application. He also noted that with respect to suite access, there are just as many stairs up to the side yard as there is down from the back, there is no access to the basement directly from Cherry Avenue.

Shelley Janze asked if it was possible for the District to put up "no parking" signs before the lots are sold, and if there were other regulations regarding sight lines and hills.

Councillor Scudder stated that the side of the house on lot 1 that faces Griner Park appears to have a lot of vertical presence, and asked if there was a way to mitigate that.

The planner stated the designer and developer could volunteer to do more aesthetic improvements in terms of landscaping.

Councillor Scudder asked if placing "no parking" signs on Cherry Avenue would devalue the property.

The deputy director stated that part of the issue with on-street parking is that it provides a buffer between the sidewalk and the moving traffic, so from a general planning perspective we actually encourage parking on the street to provide that buffer for pedestrians.

Mr. McPherson stated his opinion that "no parking" signs would not devalue the property.

Councillor Gidda asked:

(a) why the application is for only 4 lots and not all 6 in the subdivision.

Mr. McPherson stated that the remaining two lots have been sold to another developer and are not part of this application.

(b) what is the approximate size of the lots?

The planner stated the lots are 465 square meters, which has not changed from the original proposal.

(c) does Mr. McPherson intend to build those houses?

Mr. McPherson stated he intends to build two of them.

Hearing no further questions or comments the mayor declared the public hearing on District of Mission zoning amending bylaw 5046-2009-3143(330) (R09-008 Toor/McPherson) closed.

## 6. ADJOURNMENT

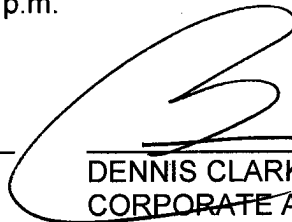
Moved by Councillor Horn, seconded by Councillor Plecas, and

RESOLVED: That the meeting be adjourned.  
CARRIED

The meeting was adjourned at 8:33 p.m.



JAMES ATEBE, MAYOR



DENNIS CLARK, DIRECTOR OF  
CORPORATE ADMINISTRATION