

**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, May 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 Jenny Stevens  
Councillor Heather Stewart

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

## 1. PRESENTATIONS

### **Mayor Atebe**

#### **Re: Dennis Clark's Retirement – Recognition of 35 Years of Service to the District of Mission**

Mayor Atebe acknowledged the impending retirement of District of Mission employee Dennis Clark, noting that the May 25, 2010 public hearing would be Mr. Clark's last regular meeting of council as director of corporate administration. Mayor Atebe thanked Mr. Clark for his many years of dedicated and exemplary service to the District of Mission. Mayor Atebe also thanked Mr. Clark for his wisdom and direction and, on behalf of council, presented him with a plaque and a picture of the waterfront. He also presented Mr. Clark with the 2010 Local Government Management Association (LGMA) Professional Service Award for Innovation, which was recently awarded to him for his leadership and innovation in developing the District of Mission's risk management program.

Mr. Clark thanked the mayor and council for their kind words and recognized the efforts of the many men and women who work for the municipality and serve the residents of Mission.

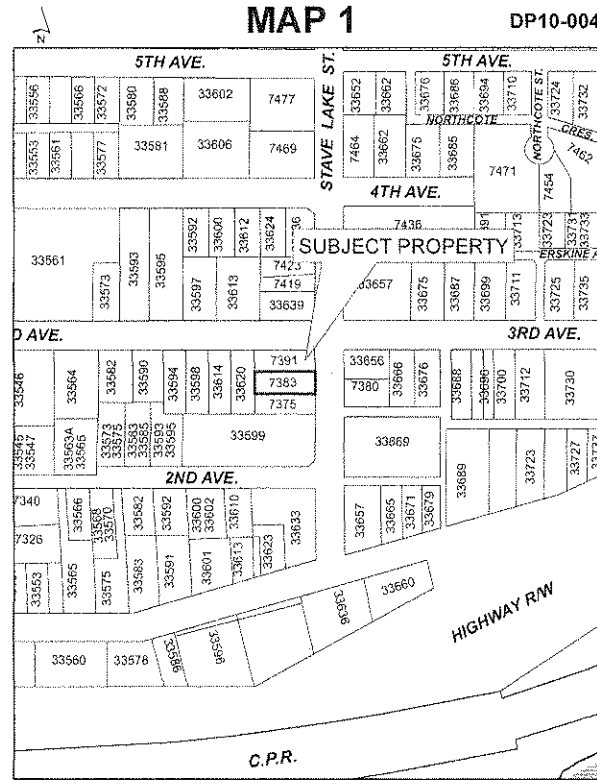
## 2. DEVELOPMENT PERMIT APPLICATIONS AND VARIANCE PERMIT APPLICATIONS

### **Development Permit Application DP10-004 (Van Roekel) – 7383 Stave Lake Street**

Barclay Pitkethly, deputy director of planning, provided information regarding development permit application DP10-004, in the name of Brian Van Roekel, to provide conformity to the official community plan guidelines respecting building form and character for a proposed coach house on the property located at 7383 Stave Lake Street (as shown on the following map) and legally described as Parcel "D" (Explanatory Plan 14580) of Lots "A" and "B" NWD Plan 14855:

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The deputy director of planning stated that purpose of the development permit public input meeting is to enable council and the public to review the form and character of this proposed coach house.

The deputy director of corporate administration stated that no written submissions had been received regarding this application.

In response to a question from Jeanette Smith, Mayor Atebe confirmed that DV10-004 was listed as an agenda item and that owner/occupant letters were sent out in advance of the meeting as is required.

Hearing no further questions or comments the mayor declared the public input on District of Mission development permit application DP10-004 (Van Roekel) closed.

Moved by Councillor Horn, seconded by Councillor Gidda, and

**RESOLVED:** That development permit application DP10-004, in the name of Brian Van Roekel, to provide conformity to the official community plan guidelines respecting building form and character for a proposed coach house on the property located at 7383 Stave Lake Street be approved.

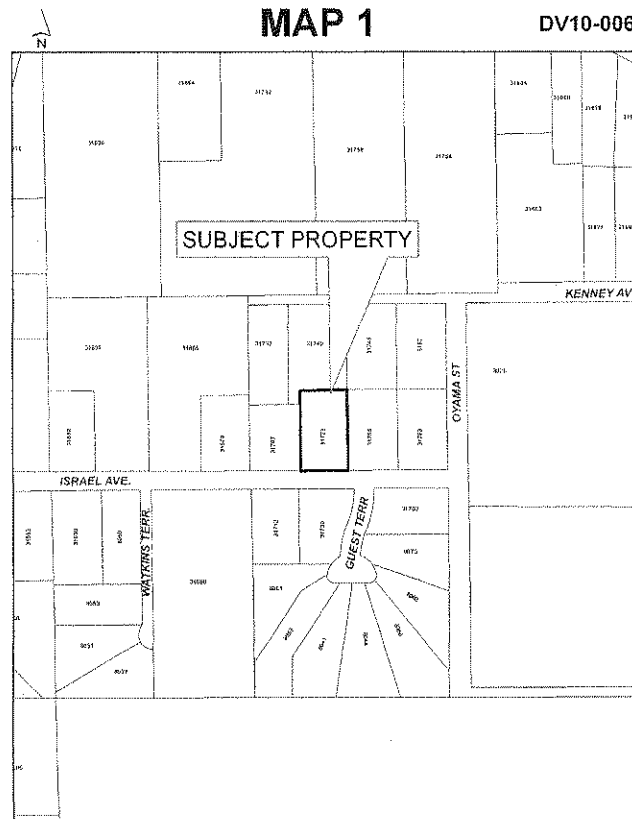
**CARRIED**

PH10/028  
MAY 25/10

**Development Variance Application DV10-006 (Storteboom) – 31723 Israel Avenue**

Barclay Pitkethly, deputy director of planning, provided information regarding development variance permit application DV10-006, in the name of Storteboom, to vary District of Mission zoning bylaw 5050-2009 Section 501 URBAN RESIDENTIAL ZONES I. Height of Buildings 2. by increasing the maximum allowable height of an accessory building from 6.0 metres (19.68 ft.) to 8.0 meters (26.25 ft.) for a proposed

accessory building located at 31723 Israel Avenue (as shown on the following map) and legally described as Parcel Identifier: 023-047-372 Section 30 Township Lot 1 NWD Plan LMP22513:



The deputy director of planning stated that the purpose of the proposal is to allow an increase to the maximum allowed height of an accessory building in order to accommodate a large garage door for RV parking with loft space.

The deputy director of corporate administration stated that no written submissions had been received regarding this application.

Councillor Stevens asked for clarification on the height and footprint of the main building. The deputy director of planning stated that he did not have data on the height of the main building but clarified that the footprint of the accessory building is approximately twice the size of the principal building on the site.

Hearing no further questions or comments the mayor declared the public input on District of Mission development variance permit application DV10-006 (Storteboom) closed.

Moved by Councillor Stewart, seconded by Councillor Scudder, and

RESOLVED: That development variance permit application DV10-006, in the name of Storteboom, to vary District of Mission zoning bylaw 5050-2009 Section 501 URBAN RESIDENTIAL ZONES I. Height of Buildings 2. by increasing the maximum allowable height of an accessory building from 6.0 metres (19.68 ft.) to 8.0 meters (26.25 ft.) for a proposed accessory building located at 31723 Israel Avenue be approved.

CARRIED

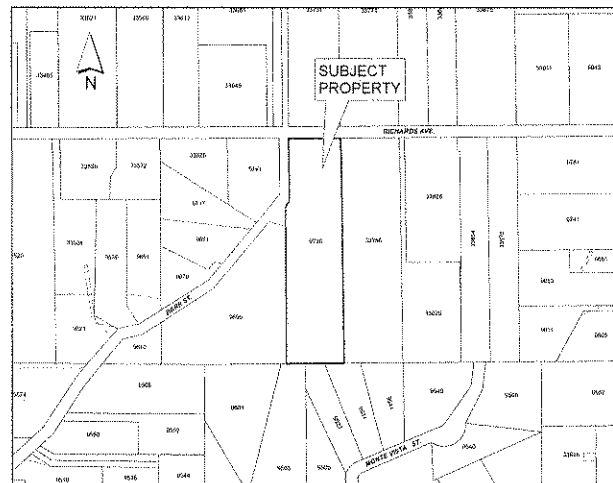
### 3. PUBLIC HEARING

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

PH10/029  
MAY 25/10

- (i) **District of Mission Zoning Amending Bylaw 5131-2010-5050(9) (R09-018 – Frontier West Industries Ltd) – a bylaw to rezone property at 9730 Barr Street from RU16 (Rural 16 Zone) to RR7s (Rural Residential Secondary Dwelling Zone)**
- (ii) **Development Variance Permit Application DV10-007 (Frontier West Industries Ltd) –9730 Barr Street**

Barclay Pitkethly, deputy director of planning, provided information regarding rezoning application R09-018, which proposes to rezone the property located at 9730 Barr Street and legally described as Parcel Identifier: 012-371-289 Lot "1" Section 3 Township 18 New Westminster District Plan 1762 and Parcel Identifier: 010-995-749 Parcel "A" (Reference Plan 15165) Lot 8 Sections 4 and 33 Townships 17 and 18 New Westminster District Plan 3344 (shown on the following map) from RU16 Rural 16 zone to RR7s Rural Residential Secondary Dwelling zone:



The deputy director of planning stated that the purpose of the proposed amendment is to accommodate the subsequent subdivision of the subject property into five (5) lots of a minimum 0.7 hectare (1.73 acre) lot size incorporating secondary dwelling units on the proposed lots.

The deputy director of planning further stated that the proposed development variance permit application DV10-007, in the name of Frontier West Industries Ltd., is to vary Schedule A of District of Mission subdivision control bylaw 1500-1985 by reducing the minimum required highway width from 20.0 meters to 16.0 meters, for a proposed single family residential development located at 9730 Barr Street.

Mr. Pitkethly noted that prior to adoption of the zone amending bylaw, the following requirements would need to be met:

- community amenity contribution (\$7,640);
- approval of development variance permit DV10-007; and
- approval of proposed street name (Darbyshire Terrace).

The deputy director of corporate administration stated that correspondence was received on May 23, 2010 from Glenn and Denise Schwalb who expressed their

support for the proposal with the following conditions:

- that a road reserve in favour of the District of Mission be provided as shown on the proposed plan of the subdivision;
- that the road reserve be for the purpose of allowing development of properties to the east of the site and that there be no attributable land cost for the road reservation area upon development of the adjacent properties; and
- that, in recognition of the fact that the developer will not be constructing the road within the road reserve area, road construction for the purpose of access to and development of the adjacent lands be the responsibility of future developers.

Mr. Pitkethly clarified that the applicant would be required to register the road reservation to provide access to the properties that lie beyond the subject property as part of the subdivision requirements.

Terry Mortimer expressed concern about the availability and quality of the water in the area and questioned the type of wells that would be permitted given that that arsenic has been found in the ground water.

Mr. Pitkethly stated that he was not sure if the subject property is in the identified arsenic area where shallow wells are permitted but noted that the applicant will be required, as part of the subdivision requirements, to provide well and hydrology reports that prove that potable water will be available to each of the proposed lots and that the addition of these wells will not adversely impact wells in the surrounding area. He confirmed that the costs associated with these reports will be incurred by the developer.

Mr. Mortimer asked if sidewalks would be provided in the subdivision and stated that he was concerned about the reduction in the road width.

The deputy director of planning clarified that the reduction is in the highway width and that the actual paved surface will meet the standards for a District of Mission rural residential road which does not include a sidewalk.

In response to a question from Councillor Horn regarding the park plan contained on page 22 of the agenda, Mr. Pitkethly confirmed that, in accordance with recommendations from parks, recreation and culture staff, the planning department has stipulated that the District would accept cash-in-lieu only.

Mr. Pitkethly further confirmed that there is sufficient space on proposed Lot 1 to grade and build without creating a harmful alteration, disturbance or destruction (H.A.D.D.) of fish habitat under the Fisheries Act.

Hearing no further questions or comments the mayor declared the public hearing on District of Mission zoning amending bylaw 5131-2010-5050(9) (R09-018 – Frontier West Industries Ltd) and development variance permit application DV10-007 (Frontier West Industries Ltd) closed.

Council confirmed that no third reading report was requested at this time.

PH10/030  
MAY 25/10

**District of Mission Official Community Plan Amending Bylaw 5137-2010-4052(9) (R10-013 – District of Mission) – a bylaw to incorporate new Industrial Development Permit Guidelines**

Barclay Pitkethly, deputy director of planning, provided information regarding District of Mission official community plan amending bylaw 5137-2010-4052(9) (R10-013 –

District of Mission), which proposes to amend the text of District of Mission official community plan bylaw 4052-2008 by:

- deleting all text within "Area K Industrial Business Park Development Permit Area" in its entirety from Part IV – Development Permit Areas;
- deleting "O (i) and O (iii)" in their entirety from Schedule 1, Part IV – Development Permit Areas; and
- inserting a new "Industrial Development Permit Area" section after Development Permit Area J and before Development Permit Area L.

The deputy director of planning stated that the purpose of the proposed amendments is to incorporate new industrial development permit guidelines into the official community plan in order to improve the streetscape and built environment within industrial areas of Mission.

The deputy director of planning stated that the objectives of the industrial development permit guidelines are as follows:

- to encourage a high visual design and functional standard of industrial development;
- to improve the street level appearance of industrial development and encourage business façade recognition;
- to create industrial developments oriented to pedestrians while maintaining efficient vehicle access;
- to incorporate Crime Prevention Through Environmental Design (CPTED) principles to provide a safe industrial environment;
- to minimize the overall impact of new industrial developments on adjacent industrial and non-industrial uses; and
- to incorporate rainwater management techniques to maximize onsite rainwater retention.

Mr. Pitkethy also stated the following will be exempt from requiring a development permit:

- new buildings or an addition to an existing building less than 111.5 square metres;
- existing signage;
- internal renovations;
- site improvements;
- lot consolidation, lot line adjustment, or a road widening; and
- exterior building envelope repairs.

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

Lila Raul expressed concern for wildlife and vegetation along the waterfront and stated her opposition to industrial development in the area. She also expressed her belief that there was insufficient information on the proposal provided in the public hearing announcement that appeared in the newspaper.

Jeannette Smith expressed her opinion that developers should be required to install large trees rather than small or mid-sized ones.

On page 35 of the agenda, in Schedule A, Area K. 5 under Parking and Loading Areas, Councillor Horn questioned the strength of the word "encouraged" in the sentence "*The strategic use of permeable parking pavers at entrances and pedestrian corridors is encouraged to improve surface drainage and to create visual interest within parking areas.*" He stated that he would like staff to consider

alternate language that would specify acceptable materials and practices and offer stronger alternatives to the word "encouraged".

Councillor Scudder stated that he too believes it is important to achieve surface permeability but questioned whether or not adding specifics with regard to materials and practices is necessary.

Councillor Stevens requested that staff consider alternative language that would place the onus on the developer to either provide a permeable surface or explain why this cannot be achieved.

In response to questions from Councillor Plecas, the deputy director of planning confirmed that signage is regulated by the signage bylaw and the proximity to the street is regulated by the setbacks in the zoning bylaw.

Councillor Stewart expressed a desire for a stronger environmental focus.

The deputy director of planning stated that there is another development permit that was recently introduced within the *Local Government Act* that would promote energy and water conservation and reduce greenhouse gas emissions and that, through council initiative, this could potentially be developed within the development permit guidelines.

Hearing no further questions or comments the mayor declared the public hearing on District of Mission official community plan amending bylaw 5137-2010-4052(9) R10-013 – District of Mission) closed.

Moved by Councillor Horn, seconded by Councillor Scudder, and

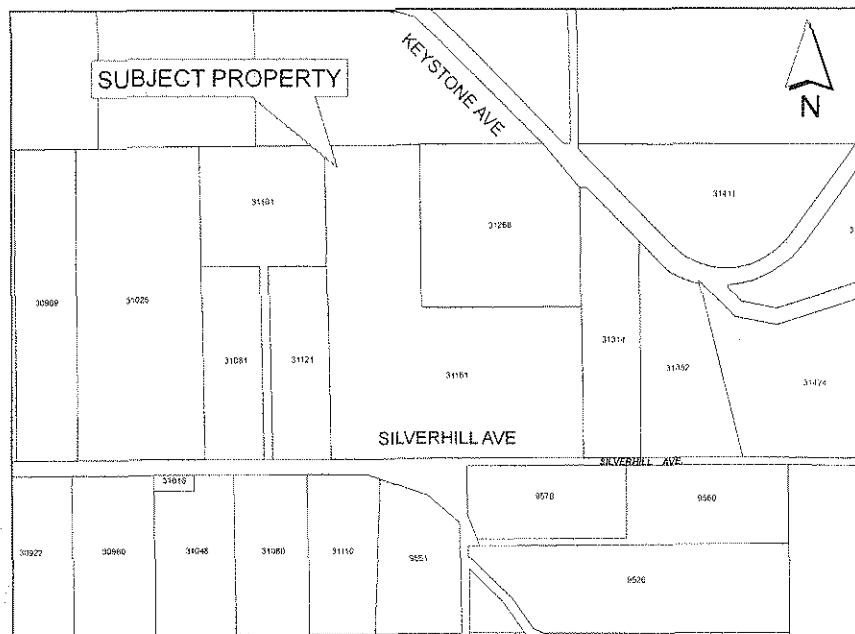
RESOLVED: That staff be asked to provide council a brief report describing the new development permit guideline possibilities around environmental features with some information as to expected time and staffing needs to bring these forward.

CARRIED

PH10/031  
MAY 25/10

**District of Mission Zoning Amending Bylaw 5138-2010-5050(10) (R10-002 – Tripod Developments) – a bylaw to rezone property at 31161 Silverhill Avenue from RU16 (Rural 16 Zone) to RR7s (Rural Residential Secondary Dwelling Zone)**

Barclay Pitkethly, deputy director of planning, provided information regarding District of Mission zoning amending bylaw 5138-2010-5050(10) (R10-002 – Tripod Developments), which proposes to rezone the property located at 31161 Silverhill Avenue and legally described as Parcel Identifier: 013-338-889 Parcel "C" (Explanatory Plan 17082) South Half of the Parcel "C" (Explanatory Plan 17082) South Half of the South East Quarter Section 1 Township 15 New Westminster District (shown on the following map) from RU16 Rural 16 Zone to RR7s Rural Residential Secondary Dwelling Zone:



The deputy director of planning noted that the purpose of the proposed amendment is to accommodate the subsequent subdivision of the subject properties into nine (9) lots of a minimum 0.7 hectare (1.73 acre) lot size incorporating secondary dwelling units on the proposed lots.

The deputy director of planning stated that prior to adoption of the zone amending bylaw a community amenity contribution of \$17,190 will be required.

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

Terry Mortimer expressed concern about the availability and quality of the water in the area and stated his belief that a previous application on the property had been denied due to the presence of chlorine in the water.

Mr. Pitklethly confirmed that there were water quality issues on the site and Councillor Horn clarified that the water issues were related to the presence of fluoride rather than chlorine.

In response to further questions from Mr. Mortimer, Mr. Pitklethly stated that each application is assessed on its own merits and that, in order to proceed, the current applicant is required to submit hydrologist reports proving that they are able to meet the Canadian drinking water standards and that the addition of the proposed wells will not adversely impact wells in the surrounding area.

Mr. Mortimer questioned whether or not water treatment sites/centres would be required for each property and expressed concern that the municipality may be held liable if development is allowed to proceed without the water quality issues being adequately addressed.

The deputy director of planning stated that the hydrologist report outlines the steps necessary to meet the Canadian drinking water standards and that, if a treatment center is required on each property, a restrictive covenant will be placed on each lot and proof of potable water will be required as part of the building permit process.



Councillor Horn further noted that the District of Mission policy with regard to well water quality (WAT.19 section 3) states that a well will not, under any circumstances, be approved as a domestic water supply where any health related parameters are exceed and that this would apply to the presence of elevated levels of fluoride.

Mr. Moritmer also expressed concern about the steepness of the road and the potential cost of road maintenance to the District of Mission.

Mark Sippola stated his opposition to the proposed application, noting the following:

- the proposed zoning is not in keeping with the character of the neighbourhood;
- the creation of nine lots that may accommodate secondary dwelling units will create undue stress on the water table; and
- there may be potential negative tax implications on the surrounding properties as a result of the development.

Bernie Eide expressed concern about the impact of increased density on traffic in the area, citing the steepness of the road, limited maintenance on existing roads in the area and the potential cost of additional road maintenance to the District of Mission. Mr. Edie also expressed concern about slope stability and the effect of additional wells on water supply in the area.

Lila Rauh stated that she would like larger maps included in the public hearing notices that appear in the newspaper.

Julie Clark stated that she has a shallow well directly above the subject property and has had to purchase water every summer due to shortages and is, therefore, concerned about the effect of increased density in the area. She also expressed slope stability, traffic safety and tax implication concerns.

Laurie Eide stated that she has traffic safety concerns given that the roads in the area are steep, narrow and not well maintained. She also expressed slope stability concerns.

In response to a question from Ms. Eide, Mr. Pitkethly confirmed that a site specific geotechnical report will be required on each lot prior to obtaining a building permit.

Jeannette Smith requested clarification on the layout of the subject property and expressed environmental concerns associated with the presence of watercourses on the property. In response to questions from Ms. Smith, Mr. Pitkethly confirmed that he would be performing a site visit and that the burden of proof with regard to the viability of the wells and septic fields rests with the developer.

Arnie Melissen, on behalf Tripod Developments, stated that the proposed zoning change is consistent with the official community plan designation for the area. He also noted that much of the land in question has been logged and that the remaining trees are small.

Mr. Melissen further stated that it was his understanding through discussions with planning department staff that the proposal was to be a strata development and that road clearance and maintenance would be the responsibility of the strata residents.

The deputy director of planning clarified that when the application was submitted a bareland strata was suggested but this did not receive staff support as there was no rationale to support it on this type of development.

Mr. Melissen also noted that a hydrologist was consulted prior to the purchase of the property and that the hydrologist was confident at that time that the Canadian

drinking water standards could be met.

Mr. Mortimer asked if each dwelling on a property is required to have a septic system plus an alternate system in case the primary system or systems fail.

Mr. Pitkethly explained that it is completely up to the private sector to prove that a septic system can be accommodated on a site and that the developer would have to register the septic system on title and with Fraser Health Authority. He noted that Fraser Health Authority used to require an alternate backup system but that this is no longer required. He also clarified that it is possible for one septic system to service two dwellings on a site but that, once again, the onus would be on the developer to prove that the system is able to accommodate both residences.

Mr. Mortimer stated that the proposed rezoning will change the character of the neighbourhood.

In response to questions from council, the deputy director of planning stated the following:

- hydrology reports are provided by professionals and are taken at face value;
- the applicant, through the hydrologist, will have to prove that each proposed well on the site is viable;
- while sections of the report refer to the development as a proposed bare land strata, as per the original application which was not supported by staff, this discrepancy doesn't alter the comments provided in the report;
- the draft plan of the proposed subdivision reflects the maximum density consistent with the official community plan designation but the proposed lot layout and configuration, as well as the road layout, may change during the subdivision process depending on whether or not the developer can meet the requirements associated with potable water, geotechnical requirements; and
- staff has not yet asked for a geotechnical report though it would be required as part of the subdivision process.

In response to a question from Councillor Horn, Mr. Pitkethly confirmed that staff could request a geotechnical report prior to the preliminary layout approval and will in fact be doing so from now on in accordance with the new provisions of both the development permit guidelines for hazardous lands and the new BC Building Code.

Council directed staff to include the following in a third reading report:

- a copy, and summary of, the hydrology reports and information on the frequency of water shortages in wells on surrounding properties;
- information on noise and sightline issues in the area given the subject property's proximity to the Allard Pit;
- the affects of tree removal on the views looking up the hill from Keystone Avenue toward the subject property;
- the location of those properties zoned rural residential (RR7) and rural residential secondary dwelling (RR7S) closest to the subject property;
- information on the traffic flow in the area and the impact of increased density on road stability/quality and traffic safety;
- the rationale for not supporting the development as a bare land strata; and
- a geotechnical report addressing slope stability issues, the affect of tree removal on the site and other relevant issues.

Hearing no further questions or comments the mayor declared the public hearing on District of Mission zoning amending bylaw 5138-2010-5050(10) (R10-002 – Tripod Developments) closed.

**6. ADJOURNMENT**

Moved by Councillor Plecas, seconded by Councillor Stewart, and

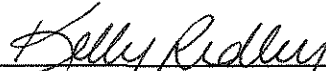
RESOLVED: That the meeting be adjourned.

CARRIED

The meeting was adjourned at 8:29 p.m.



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JAMES ATEBE, MAYOR



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KELLY RIDLEY, DEPUTY DIRECTOR  
OF CORPORATE ADMINISTRATION