

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, August 30, 2010 commencing at 6:30 p.m.

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

Council Members Absent: Councillor Mike Scudder

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

1. DELEGATIONS

PH10/044
AUGUST 30/10

John Keresman

Re: Permission to Use and Change Mission Coat of Arms for Artistic Purposes

John Keresman appeared before council to request permission to use and make minor modifications to the Mission Coat of Arms in his artwork. Mr. Keresman explained that, with the permission of the Mission Weavers and Spinners Guild, he would like to mount a hand-painted replica of the Mission Coat of Arms on a shield bearing the Mission tartan. He also noted that his work will be retailed by the Mission Spinners and Weavers Guild who are located in the Mission Art Centre.

In response to questions from council, the chief administrative officer confirmed that there are rules and formalities associated with the use of both the Coat of Arms and the registered tartan and that more research will need to be done before staff can make a recommendation on this matter.

The mayor and council thanked Mr. Keresman for his presentation.

Moved by Councillor Horn, seconded by Councillor Stevens, and

RESOLVED: That staff provide a report to council on the rules, formalities and implications associated with the use and modification of the Mission Coat of Arms and the Mission tartan for artistic and retail purposes.

CARRIED

2. DEVELOPMENT VARIANCE PERMIT APPLICATIONS

PH10/045
AUGUST 30/10

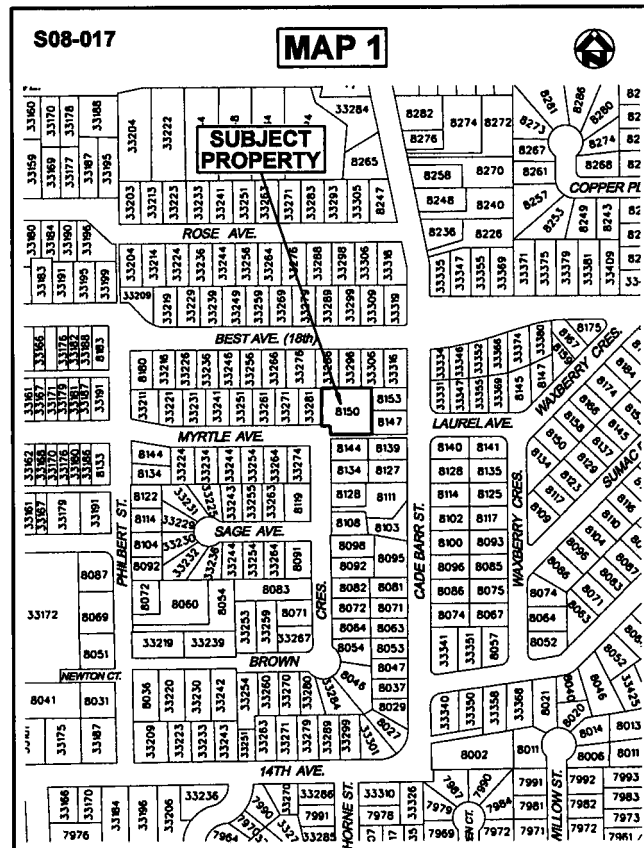
**Development Variance Permit DVP10-014 (District of Mission)
– 8150 Brown Crescent**

Barclay Pitkethly, deputy director of planning, provided information regarding development variance permit application DVP10-014, in the name of Mathew and Kylie Lowey, located at 8150 Brown Crescent, and legally described as Lot 5 Section 28 Township 17 New Westminster District Plan 86629 to vary SECTION 104 General Regulations Part B Lot Area, Width at Frontage, Subsection 2.a. Lots of Irregular Shape of the *District of Mission Zoning Bylaw 5050-2009* on proposed Lot 2 by

reducing the minimum required:

- lot frontage from 9 meters (29.5 feet) width (50% of required 18 metre lot width) to 3.979 metres (13.05 feet); and
- lot width at the 20 metre setback from 18.0 meters (59.05 feet) to 17.00 metres (55.77 feet);

for a proposed two-lot subdivision located at 8150 Brown Crescent (as shown on the following map):



The deputy director of planning noted that the proposed variances will allow for improved access to both lots and maintain a suitable building area within the proposed lots.

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

Jim Hinds stated that he lives near the subject property and is in support of the proposed development variance as it is the only way to develop the property.

Hearing no further questions or comments the mayor declared the public input on development variance permit application DVP10-014 (District of Mission) closed.

Moved by Councillor Gidda, seconded by Councillor Plecas, and

RESOLVED: That development variance permit application DVP10-014, in the name of Mathew and Kylie Lowey, located at 8150 Brown Crescent, and legally described as Lot 5 Section 28 Township 17 New Westminster District Plan 86629 to vary SECTION 104 General Regulations Part B Lot Area, Width at Frontage, Subsection 2.a. Lots of Irregular Shape of the *District of Mission Zoning Bylaw 5050-2009* on

proposed Lot 2 by reducing the minimum required:

- lot frontage from 9 meters (29.5 feet) width (50% of required 18 metre lot width) to 3.979 metres (13.05 feet); and
- lot width at the 20 metre setback from 18.0 meters (59.05 feet) to 17.00 metres (55.77 feet);

for a proposed two-lot subdivision located at 8150 Brown Crescent, be approved.

CARRIED

3. PUBLIC HEARING

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

PH10/046
AUGUST 30/10

District of Mission Zoning Amending Bylaw 5162-2010-5050-(19) (R10-017 – District of Mission) – a bylaw to add definitions, to insert Section 1006 Industrial Waste Resource Management (INWM) Zone and to rezone property at 32000 Dewdney Trunk Road, L.S.7 (no civic), 32122 Dewdney Trunk Road and 32138 Dewdney Trunk Road from Rural 36 zone (RU36) and Rural 16 zone (RU16) to Industrial Waste Management (INWM) zone

Mayor Atebe stated that this item has been postponed to the September 13, 2010 public hearing agenda.

PH10/047
AUGUST 30/10

(i) District of Mission Zoning Amending Bylaw 5163-2010-5050(20) (R10-011 – Fraser Valley Shopping Centres Limited) – a bylaw to rezone property at 31924 and 31970 Lougheed Highway

(ii) Development Permit Application DP10-001 (John Meeker, Anthony and Josephine Grehan, and Apex Self Storage (Mission) Ltd.) – 31924, 31940, 31970 and 31980 Lougheed Highway

Barclay Pitkethly, deputy director of planning, provided information regarding rezoning application R10-011, which proposes to amend District of Mission zoning bylaw 5050-2009 by amending the zoning of the following legally described properties:

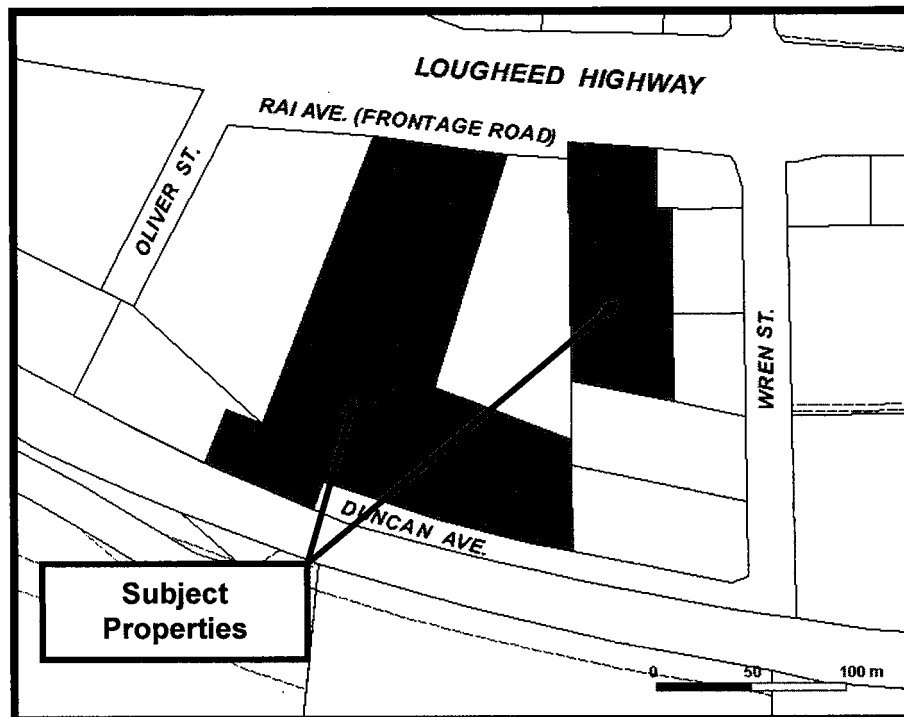
Parcel Identifier: 011-364-190 Lot 3 Except: Firstly, Part on Reference Plan 10339 Secondly: Part Subdivided by Plan 15727, Sections 18 and 19 Township 17 New Westminster District Plan 8588

from Urban Residential 558 (R558) zone to Commercial Highway One (CH1) zone; and

Parcel Identifier: 010-523-863 Lot 4 Section 18 Township 17 New Westminster District Plan 21718

from Commercial Vehicle Dealership (CVD) zone to Commercial Highway One (CH1) zone.

The deputy director of planning stated that the location of the subject properties is 31924 Lougheed Highway and 31970 Lougheed Highway (as shown on the following map):



The deputy director of planning explained that the purpose of the proposed amendment is to facilitate a commercial development with a large format retail store of 8,779 sq. m. (94,500 sq. ft.) and four smaller commercial buildings ranging in size from approximately 279 sq. m to 929 sq. m. (3,000 sq. ft. to 10,000 sq. ft.).

Mr. Pitkethly also provided information on the proposed development permit application DP10-001, in the names of John Meeker, Anthony and Josephine Grehan, and Apex Self Storage (Mission) Ltd., to provide conformity to the official community plan guidelines respecting building form and character and landscaping for property located at 31924, 31940, 31970 and 31980 Lougheed Highway.

The deputy director of planning noted that the applicant submitted an expanded traffic impact assessment report in August, 2010 which included the following recommendations:

- signalization of Oliver Street and Lougheed Highway;
- improvements at Wren Street and Lougheed Highway;
- improvements at Lougheed Highway and Cedar Valley Connector; and
- improved frontage road alignment and intersection improvements.

Mr. Pitkethly further stated that staff supports the findings of the expanded traffic impact assessment report and the Ministry of Transportation and Infrastructure have provided their comments in a letter dated August 30, 2010.

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

- the engineering requirements;
- the Ministry of Transportation requirements (resolution of any outstanding issues to be included in the third reading report);
- resolution of the development permit;

- the road exchange requirement;
- subdivision application; and
- the easement agreement signed.

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

- a letter dated August 13, 2010 from Walter Duperon of Mission Auto Wrecking Ltd in support of the proposed development;
- a letter dated August 13, 2010 from Adelaide Matus in support of the proposed development;
- a letter dated August 13, 2010 from L. McClay and Kelly Douglas in support of the proposed development;
- a letter dated August 13, 2010 from Sarbjit Singh Deol and Harjit Kaur Deol in support of the proposed development;
- a letter dated August 23, 2010 from Helen Secco, President of the Mission Regional Chamber of Commerce, expressing support for the proposed development provided it follows due process as set out by the District of Mission, and the respective agencies of the Provincial and Federal governments;
- a letter dated August 24, 2010 from Richard Wozny of Site Economics Ltd. expressing his opinion that the site is ideal for the proposed development;
- a letter dated August 25, 2010 from Len Buckles in support of the proposed development;
- a letter dated August 26, 2010 from Kim Somerville in support of the proposed development;
- a letter dated August 26, 2010 from Denise Mah in support of the proposed development;
- a letter dated August 26, 2010 from Kelly Allardyce in support of the proposed development;
- a letter dated August 26, 2010 from Carhoun & Sons Enterprises Ltd. expressing support for the general retail concept of the proposed development but expressing traffic and accessibility concerns;
- a letter dated August 27, 2010 from John Meeker expressing his support for the proposed development;
- a letter dated August 27, 2010 from Elyssa Lockhart in support of the proposed development;
- a letter dated August 29, 2010 from Andrew Sinclair of Smart!Centres regarding clarification of the phased construction process; and
- a letter dated August 30, 2010 from the Ministry of Transportation and Infrastructure offering additional comments on the development as it pertains to the flow of traffic.

Andrew Sinclair, Smart!Centres, provided an overview of his company's proposal and spoke in support of the proposed development. Mr Sinclair stated his belief that the site chosen is ideal because it is:

- an urban infill location;
- serviced with no environmental concerns;
- located in the Lougheed Highway commercial corridor area;
- adjacent to similar uses and national retailers; and
- within close proximity to existing and future residential growth in Mission.

Mr. Sinclair further stated that the properties in question have been designated commercial in the official community plan for over twenty (20) years and that previous proposals for this property have been rejected in favour of retail development. Mr. Sinclair also outlined the economic benefits that he believes would result from the development and noted that investment for the proposal is neither uncertain nor dependant on the outcome of future planning studies.

Mr. Sinclair explained that his company will be working with the District of Mission and the Ministry of Transportation to resolve any outstanding traffic issues.

In response to a question from council, Mr. Sinclair confirmed that the development will be wheelchair accessible.

Brock Rodgers, Mission Springs Brewing Company, stated that he supports the proposed development but does have concerns regarding the increased traffic flow that it will bring to the area. He stated his belief that a traffic signal is needed at the intersection of Oliver Street and the Lougheed Highway and noted that he is interested in the possibility of a reconfiguration of Rai Street at the west end that would provide additional stacking on Oliver Street should the signalization proceed.

In response to a question from Mr. Rodgers, the deputy director of planning confirmed that the service road would remain bidirectional.

Ron Taylor expressed his support for the proposed development and expressed concern that the recently released Waterfront Marketing and Feasibility Study – Phase 1 reports seem to suggest, or are being interpreted as suggesting, that Mission can only support one power centre and that it should be located on the waterfront lands. Mr. Taylor stated his belief that the proposed development is not in competition with future development on the waterfront and that, due to environmental and flood level concerns, waterfront development will very expensive. He urged council not to delay current development in favour of anticipated development that is still many years away.

Mayor Atebe clarified that the Waterfront Marketing and Feasibility Study – Phase 1 reports contain consultant recommendations, not council directives.

Jeff Devins, Apex Self Storage (Mission) Ltd, explained that he is the owner of two of the subject properties and that his previous application for a self storage facility and retail development was denied because council wanted the land to be developed for commercial or shopping centre uses. He noted that the current proposal meets the stated wishes of council and he expressed concern that the recently released Waterfront Marketing and Feasibility Study – Phase 1 reports suggest that a power centre should only be located on the waterfront lands. Mr. Devins stated that it would be unfair to limit or defer the development potential of his land in favour of as yet uncertain future development on the waterfront.

Jim Hinds stated that he is in support of the application and is looking forward to development on the site.

Dave Nick, Fraser Valley Building Supplies Inc, stated that he supports the land use application and the proposed development of a shopping centre at the Lougheed Highway location. Mr. Nick stated his belief that expansion in the area will help promote businesses in Mission by bringing more Lougheed Highway commuters into the community. He further noted that he has been pleased with the professionalism and sensitivity of the Smart!Centre representatives, especially as it pertains to the traffic concerns shared by businesses in the area.

Tracy Lyster questioned why the staff report states that one hundred fifteen (115) trees would be planted for the ninety-eight (98) trees that would be lost whereas the presentation given by the deputy director of planning indicated that two-hundred ninety-five (295) trees would be planted.

The deputy director of planning confirmed that there will be two-hundred ninety-five (295) trees planted and clarified that the original staff report did not include the majority of the trees at the back of Building A which would be on top of the retaining wall. Mr. Pitkethly also confirmed that the two-hundred ninety-five (295) trees would in fact be trees, not shrubs or vines.

Tracy Lyster read a submission from the Citizens Against Urban Sprawl Society (CAUSS) stating that CAUSS is opposed to the proposed development and expressing the following comments and concerns:

- CAUSS supports well-planned development at Mission's Waterfront as it will reduce car dependency, optimize usage of the West Coast Express train/bus system and help revitalize the small businesses of the downtown core.
- CAUSS believes that too many shopping centres could interfere with the development of a vibrant commercial district at the waterfront and is concerned that the proposed strip mall development, including a big box store, will further threaten the viability of the already struggling downtown businesses.
- Though the anchor tenant for the proposed complex has not yet been publically identified, based on the stated size requirement, it could potentially be a Walmart. Research has shown that Walmarts can have a devastating impact on small businesses in the community.
- Even if the anchor tenant is not a Walmart, other big box stores could also negatively impact local small businesses.
- CAUSS believes that, instead of replicating an outdated sprawl model, comprised of car dependent strip malls like the one being proposed, the District should be moving toward more progressive models, like the integrated commercial areas proposed within the Waterfront development.

Michelle Favero stated that she is in favour of the proposed development. She explained that she prefers to shop locally and likes to support local businesses in Mission but that she currently has to drive to neighbouring towns in order to purchase many of the items that she and her family require as they are not sold in Mission. Ms. Favero questioned the notion that the proposed development promotes car dependency, noting that she would prefer to drive 5-10 minutes and stay in Mission than drive 20-30 minutes and spend her money in Abbotsford.

Robin Staeheli stated that she too prefers to support local businesses but that she sometimes finds herself driving to Abbotsford to shop because there is a greater range of products available. Ms. Staeheli stated her belief that a big box store in Mission, in conjunction with smaller businesses, will promote rather than discourage local shopping.

Jeannette Smith inquired as to the size and maturity of the trees that will be planted on the site.

The architect for the project, David Mitchell of DMG Landscape Architects, stated that mature trees will be planted, ranging in size from approximately 3.5 metre conifers to 4.57~5.48 metre deciduous trees.

Ms. Smith questioned whether or not the Downtown Business Association is in support of the proposed development. Mayor Atebe clarified that the purpose of the public hearing is to provide all members of the public, including organizations such as the Downtown Business Association, with an opportunity to make their views known.

Wentworth Bjarnason stated that he is in support of the proposed development as it will keep retail dollars in Mission and reduce the distance that Mission residents are required to drive in order to do their shopping. Mr. Bjarnason also stated his belief that the development would benefit the local economy and promote further development in Mission.

Rex Blane stated that he supports the proposed development but that he would like the site to be built out within a pre-determined time frame and for this to be included as a condition of approval. He expressed concern that since the main building is at the back of the site, the aesthetics of the proposal are dependent upon the other buildings being completed.

Andrew Sinclair explained that build-out is dependent on tenant demand but that he would expect the balance of the buildings to be built out and leased within two to three years of obtaining occupancy for the main building.

Councillor Stevens questioned whether it would be possible to enforce a deadline for the build out of the site should this be included as a condition of approval.

The chief administrative officer responded that staff would need to investigate this matter further.

Councillor Gidda questioned how staff arrived at the \$100 million per year figure for retail leakage to other communities. The director of planning stated that this was a conservative estimate extrapolated from studies and was based on fifty percent of the standard household's discretionary funds.

In response to questions from Councillor Horn, the deputy director of planning confirmed that while the Ministry of Transportation and Infrastructure has stated that a signal is not warranted at this time for the Oliver Street and Lougheed Highway intersection, it is staff's belief that signalization would be better for access and egress and for future development in the area. Mr. Pitkethly stated that staff and the proponent will work diligently with the Ministry in an effort to resolve this matter. The deputy director of engineering confirmed that the engineering department has reviewed the traffic impact assessment (TIA) report agrees with its findings.

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

- There is currently no access from Duncan Avenue as the slope is prohibitively steep.
- The back of the property will be heavily landscaped in order to discourage vagrancy issues.
- It is common for large development projects to leave a portion of the site undeveloped until tenants have been secured and that, from a planning perspective, it is probably better to have a partially developed site than empty buildings which may attract vandalism.
- There will be angled street parking on the frontage road and traffic will be slowed down in this area.

- All the improvements recommended in the traffic impact assessment report are the responsibility of the proponent and they will be paying for the upgrades,

In response to questions from council, Andrew Sinclair stated the following:

- It is in Smart!Centres' financial interests to build out and tenant the site as quickly as possible and there are internal processes in place to screen prospective tenants.
- The Ministry of Transportation and Infrastructure is on the record as stating that there is an official process that has not yet begun but which must be completed in order to obtain approval from the Ministry for the proposed land exchange. Given that the land exchange solution was proposed in response to a request made by the ministry, Smart!Centres does not anticipate that the matter will prove problematic but would need to reassess the financial feasibility of the development should the land exchange not proceed.
- Smart!Centres has worked closely with property owners in the area in an effort to address any traffic flow concerns that they may have had.

Councillor Stewart expressed concern about the possible impact of the proposed development on the businesses in the downtown core and asked Stacey Crawford, economic development officer, for an update on economic development initiatives currently underway in support of the area.

Mr. Crawford stated that the economic development office is working closely with the Downtown Business Association and the downtown merchants to leverage support where it is appropriate to attract shoppers and complementary businesses to the downtown core.

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

- Information regarding whether or not it would be possible or advisable to impose a deadline for the build out of the site and whether or not this would be enforceable if it were included as a condition of approval;
- RCMP comments on the traffic impact assessment report, especially as it pertains to the intersection of Oliver Street and Lougheed Highway;
- RCMP comments on any possible Crime Prevention Through Environmental Design (CEPTED) concerns associated with the proposed development;
- Staff and RCMP comments on any concerns, safety related or otherwise, that may be associated with Walmart's policy of allowing people to camp overnight in their parking lots, in the event that the anchor tenant is in fact a Walmart;
- ICBC comments, if any, on suggested improvements to the intersections of Wren Street/Lougheed Highway and Oliver Street/Lougheed Highway; and
- Additional information on the feasibility of the land exchange and whether or not the project would be viable should it not proceed.

Hearing no further questions or comments the mayor declared the public hearing on District of Mission zoning amending bylaw 5163-2010-5050(20) (R10-011 – Fraser Valley Shopping Centres Limited) and development permit application DP10-001 (John Meeker, Anthony and Josephine Grehan, and Apex Self Storage (Mission) Ltd.) closed.

4. ADJOURNMENT

Moved by Councillor Horn, seconded by Councillor Stewart, and

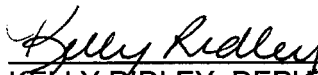
RESOLVED: That the meeting be adjourned.

CARRIED

The meeting was adjourned at 8:13 p.m.



JAMES ATEBE, MAYOR



KELLY RIDLEY, DEPUTY DIRECTOR
OF CORPORATE ADMINISTRATION