

To: Mayor and Council **Date:** April 7, 2025
From: Rob Publow, Manager of Planning
Subject: **2025 Housekeeping Zoning Bylaw Text Amendment**

Recommendation(s)

1. That Zoning Amending Bylaw 6354-2025-5949(187) be granted first and second readings; and
2. That a Public Hearing be scheduled for a date to be determined.

Purpose

This report introduces housekeeping amendments to Zoning Bylaw 5949-2020.

Background

Staff are recommending several housekeeping amendments to Zoning Bylaw 5949-2020. The majority of the amendments are a result of inconsistencies noted by staff. A couple of these amendments are a result of the small-scale multi-unit housing updates that were adopted by Council on July 17, 2024.

Proposed Amendments

The proposed amendments are described in detail below:

a. Section 102.A Definitions

The City's Secondary Suites Program came into effect on April 2, 2024, and several changes were made to the Zoning Bylaw to align with the new changes.

Historically, the term "*Secondary Dwelling Unit*" captured secondary suites, coach houses, garden cottages, and secondary family dwellings. The Secondary Suites Program separated out the "*Secondary Suite*" use and introduced the term "*Secondary Detached Unit*", which captured coach houses, garden cottages, and secondary family dwellings.

The definition for "*Secondary Dwelling Unit*" should be deleted as it is an outdated term and has been replaced.

b. Section 104.K.1 Undevelopable Area

Section 104.K.1 Undevelopable Area and Section 104.M Developable Area have contradicting statements. Section 104.K.1 states undevelopable area shall not be included in the calculation of minimum lot area and Section 104.M states a lot shall consist of the required minimum developable area as per the OCP designation.

Deleting the term "*Lot area*," from Section 104.K.1 Undevelopable Area will resolve this contradiction, and each lot will be required to prove out the required minimum developable area as per the required minimum percentage of lot area.

c. Section 107.A.1 Home Occupations

To hold a City of Mission Home Occupation Business Licence, the applicant must reside on the lot on which business is operating. Staff have encountered several instances where applicants that did not reside on the lot had applied for a Home Occupation Business Licence.

Staff are proposing an amendment to Section 107 Home Occupations to specify that operator(s) of the home occupation must reside on the lot where the home occupation is conducting business.

d. Section 202.B.1.g Mission City Downtown Two Zone (DT2)

Pharmacy was removed as a permitted use within the Core Commercial Downtown One Zone (CCD1) as part of Bylaw 5298-2012-5050(81), adopted on August 9, 2012. Bylaw 5298-2012-5050(81) was then repealed on April 18, 2016.

Pharmacy was listed as a permitted use in the CCD1 Zone (Zoning Bylaw 5050-2009) before the repeal. Zoning Bylaw 5949-2020 then came into effect, and the Core Commercial Downtown One Zone (CCD1) became Mission City Downtown One Zone (DT1). Currently, *Retail (Pharmacy)* is listed as a permitted use in the DT1 Zone.

Section 106.F.14 Use Regulations lists DT2 as a permitted zone for *Retail (Pharmacy)* use as per the table below. However, the DT2 Zone itself does not list *Retail (Pharmacy)* as a permitted use.

Retail Uses include:

Use	Zones
<i>Auction-Retail</i>	CD24, CD41, CH1, CH2, CCG, CGS, CVD, DT1, MU1, MU2
<i>Cannabis Retail Store</i>	CH1, CH2, CCG, CGS, CRL, CVD, DT1, MU1, NC1, SN1A, CD24
<i>Retail (Food Store)</i>	CD41, CH1, CH2, CCG, CGS, CVD, DT1, DT2, DT3, MU1, MU2, NC1, SN1A
<i>Retail (Major)</i>	CH1, CH2, CCG, CGS, MU1, MU2, NC1, SN1A
<i>Retail (Minor)</i>	CD24, CD30, CD41, CH1, CH2, CCG, CGS, CL1, CR, CRL, CTR, CVD, DT1, DT2, DT3, INBP1, INL1, INVR, INGC, IPRC, I-5, MM1, MU1, MU2, NC1, SN1A
<i>Retail (Pharmacy)</i>	CD24, CD26, CD41, CH1, CH2, CCG, CGS, CM, CVD, DT1, DT2, MU1, MU2, NC1, SN1A

In order to resolve this inconsistency, staff recommend adding *Retail (Pharmacy)* as a permitted use to Section 202 Mission City Downtown Two Zone (DT2).

e. Section 901.C Urban Residential Zones

On July 17, 2024 Council adopted Bylaw 6299-2024-5949(163) to incorporate the provincial small-scale multi-unit housing legislation into the Zoning Bylaw. As part of that amendment, the Urban Residential 930 Secondary Dwelling Zone (R930s) was removed and merged with Urban Residential 930 Zone (R930).

Prior to the small-scale multi-unit housing update, lots zoned R930, only connected to municipal water, had the option to rezone to R930s to develop a secondary detached unit. These lots did not have municipal sanitary connection.

As per current Section 901.B.2, lots within the R930 Zone, where the lot area is greater than 930 sq m are permitted one secondary detached unit in the form of a coach house or garden cottage. However, Section 901.C.2 states that lots that do not have municipal water and sanitary sewer are permitted two dwelling units in the form of a single-family dwelling and a secondary suite. Meaning R930 Zone lots, only connected to municipal water, do not have the option to develop a secondary detached unit. When merging the R930 and R930s zones, the intention was to carry over the same permissions from R930s into R930.

Staff recommend specifying that within the R930 Zone, lots serviced by municipal water only, are permitted two dwelling units in the form of a single-family dwelling and either a secondary suite or secondary detached unit.

f. Section 1003.D Suburban 20 Zone (S20)

The Suburban 20 Zone (S20) has two duplicate tables on setbacks. As Section 1003.D and 1003.F are identical, staff recommend deleting Section 1003.D.

g. Section 1941.B.2 Comprehensive Development 41 Zone (CD41)

The Comprehensive Development 41 Zone (CD41), Wren Street and Raven Avenue development, does not list home occupation as a permitted accessory use.

The CD41 Zone is based on the Commercial Highway Two (CH2) Zone, which allows home occupation as an accessory use. Therefore, staff recommend adding home occupation as a permitted accessory use to the CD41 Zone.

Table 1 below summarizes the proposed amendments to Zoning Bylaw 5949-2020.

Table 1: Summary of proposed Amendments

	Section	Topic	Proposed
a.	102.A	" <i>Secondary Dwelling Unit</i> " is an outdated term that existed prior to the Secondary Suite Program.	Delete the definition for " <i>Secondary Dwelling Unit</i> ".
b.	104.K.1	Section 104.K.1 Undevelopable Area and Section 104.M Developable Area have contradicting statements.	Delete the term " <i>Lot Area</i> ," from Section 104.K.1 Undevelopable Area.
c.	107.A.1	Home occupation section does not specify that the operator(s) must live on the lot to have a home occupation business licence.	Specify that the operator(s) of the home occupation must reside on the lot where the home occupation is conducting business.
d.	202.B.1.g	DT2 Zone does not list <i>Retail (Pharmacy)</i> as a permitted use, however Section 106.F.14 lists DT2 as a permitted zone for <i>Retail (Pharmacy)</i> .	Add <i>Retail (Pharmacy)</i> as a permitted use to DT2 Zone.

e.	901.C	Removal of the R930s Zone has taken away the option for R930 Zone lots, that are only connected to municipal water, to develop a secondary detached unit. When merging the R930 and R930s zones, the intention was to carry over the same permissions from R930s into R930.	Specify that within the R930 Zone, lots serviced by municipal water only, are permitted two dwelling units in the form of a single-family dwelling and either a secondary suite or secondary detached unit.
f.	1003.D	S20 Zone has two duplicate tables on setbacks (Section 1003.D and Section 1003.F).	Delete Section 1003.D.
g.	1941.B.2	CD41 Zone does not list <i>Home Occupation</i> as a permitted accessory use.	Add <i>Home Occupation</i> as a permitted accessory use to CD41 Zone.

Financial Implications

There are no financial implications associated with this report.

Communication

Communication action, as listed below, is in accordance Land Use Application Procedures and Fees Bylaw 3612-2003 and the *Local Government Act*.

- A notice of public hearing will be advertised in the local newspaper.

Report Prepared by: Loveleen Sangha, Planning Technician
Reviewed by: Rob Publow, Manager of Planning
Approved for Inclusion: Mike Younie, Chief Administrative Officer

Attachment(s)

Attachment A: Draft Zoning Amending Bylaw 6354-2025-5949(187)