

**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 January 6, 2014 commencing at 6:00 p.m.

Council Members Present: Mayor Ted Adlem  
Councillor Jeff Jewell  
Councillor Larry Nundal  
Councillor Jenny Stevens  
Councillor Nelson Tilbury

Council Members Absent: Councillor Dave Hensman  
Councillor Tony Luck

Staff Members Present: Ken Bjorgaard, Chief Administrative Officer  
Tina Penney, Acting Manager of Corporate Administration  
Jennifer Russell, Legislative Assistant  
Tina Mooney, Administrative Clerk

## **1. CALL TO ORDER**

Mayor Adlem called the meeting to order, and announced the following changes to the agenda:

- (a) Items 3(b) and 7(a), which are both related to the application for 8977 and 8990 West Edwards Street, will be deferred to the meeting of January 20, 2014;
- (b) Item 12(c), consideration of adoption of the Downtown Revitalization Tax Exemption Bylaw, will be deferred pending receipt of a further report from staff; and
- (c) Item 14(a), consideration of approval of Development Variance Permit Application DV13-017, was listed under the "New/Other Business" section in error, and instead forms part of the Public Hearing for 33293 & 33237 Dewdney Trunk Road and 9343 & 9321 Barr Street and is open for public input.

## **2. ADOPTION OF AGENDA**

RC14/001  
JAN. 06/14

Moved by Councillor Nundal, seconded by Councillor Jewell, and

RESOLVED: That the agenda for the regular Council meeting of January 6, 2014 be adopted, as amended.

CARRIED

## **3. DELEGATIONS AND PRESENTATIONS**

RC14/002  
JAN. 06/14

**Kat Wahamaa, Cultural Resources Committee**  
**Re: Creative City Network of Canada Summit**

Kat Wahamaa, Chair of the Cultural Resources Committee (CRC), appeared before Council to present information regarding the Creative City Network of Canada, a non-profit organization that operates as a knowledge sharing, public education and professional development resource in the field of municipal cultural policy, planning and practice. Ms. Wahamaa asked Council to support the CRC's application to have Mission host the

Creative City Summit in 2016.

Moved by Councillor Nundal, seconded by Councillor Stevens, and

RESOLVED: That a letter be provided to the Cultural Resources Commission in support of their application to host the Creative City Network of Canada Summit (conference) in 2016.

CARRIED

RC14/003  
JAN. 06/14

**Ken Radom and Gus Cheema**  
**Re: Land Use for Hatzic Ridge**

This item was deferred to the regular Council meeting of January 20, 2014.

RC14/004  
JAN. 06/14

Moved by Councillor Jewell, seconded by Councillor Tilbury, and

RESOLVED: That Kiersten Enemark and Peter Leathley be permitted to appear as an additional five minute delegation at the Regular Council meeting of January 6, 2014.

CARRIED

RC14/005  
JAN. 06/14

**Kiersten Enemark and Peter Leathley**  
**Re: Proposed Telecommunications Tower at 31866 Rodman Avenue**

Peter Leathley, Standard Land Company, agent for Rogers Communications, appeared before Council to reaffirm Rogers' intentions and commitment to service in support of the request for community endorsement of the proposed telecommunications tower at 31866 Rodman Avenue.

#### 4. PUBLIC HEARING

RC14/006  
JAN. 06/14

**Zoning Amending Bylaw 5402-2013-5050(125)** - a bylaw to rezone properties at 33293 & 33237 Dewdney Trunk Road and 9343 & 9321 Barr Street from Rural 16 Zone (RU16) Suburban 36 Zone (S36) to Rural Residential 7 Zone (RR7) and Suburban 36 Zone (S36)

**Development Variance Permit Application DV13-017**

The purpose of the proposed zoning bylaw amendment is to rezone certain portions of the following properties:

9321 Barr Street  
Parcel Identifier: 016-145-291  
Lot 1, Section 33, Township 17, New Westminster District Plan 85896

9343 Barr Street  
Parcel Identifier: 016-145-313  
Lot 2, Section 33, Township 17, New Westminster District Plan 85896

33237 Dewdney Trunk Road

Parcel Identifier: 002-017-512  
Lot 21 Except : Part Subdivided by plan 66978: Section 33 Township 17, New  
Westminster District Plan 3344

33293 Dewdney Trunk Road  
Parcel Identifier: 010-995-862  
Lot 20 Section 33, Township 17 New Westminster District Plan 3344

from Rural 16 Zone (RU16) and Suburban 36 Zone (S36), to Rural Residential 7 Zone (RR7) and Suburban 36 Zone (S36) to create ten (10) bare land strata lots and with two (2) remainder, fee simple lots under the existing Suburban 36 (S36) zone.

Marcy Bond, Planner, showed a PowerPoint presentation that provided the following information:

1. purpose and outline of the proposal;
2. subject property map and site photos;
3. surrounding area designation;
4. environmentally sensitive areas and servicing requirements;
5. Development Permit Application details;
6. development requirements; and
7. land use question.

The Acting Manager of Corporate Administration stated that no correspondence pertaining to the subject application had been received.

Danny Plecas, Mission, expressed concern about the private water line, its possible impact on any future water metering system, and where any District responsibility for that line would lie. Mr. Plecas also expressed concern about the request for a development variance permit and whether future developers would have to develop Dewdney Trunk Road to a higher standard.

The Planner responded that the water line would be metered at the property line, just like all the other strata developments, and the owners would have full responsibility for the portion of the line that is on private property. She further stated that this proposal is not seeking to create any new lots fronting Dewdney Trunk Road, so if and when those lots are developed into small urban lots the developer will complete the required upgrades at that time.

Chris Chartier, Mission, expressed concern about the construction of a road next to his property line, and asked what kind of safety, security and privacy measures would be put in place.

The Planner stated that District staff and the developer will work with the neighbouring property owners to work out any concerns.

Jeanette Smith, Mission, asked why there hadn't been a new notification sign on the property, considering the existing one has been there for many years.

The Planner responded that the applicant had originally put up the sign in 2008 as per the requirements at that time. The application has taken this much time to come forward because of working the lot layout around the environmentally sensitive area. The sign was amended to include the new Public Hearing date, and notification letters had been sent out as per the legislative requirements.

Ed Copson, Mission, stated he did not receive his notification letter until today, even though the letter is dated December 24, 2013.

Danny Plecas, Mission, expressed concern about the size of the lots and the timing of the development, and stated he does not support the application.

Peter Bulla, Mission, asked questions about what would be happening with the future road dedication, and why the District did not offer to purchase land for road dedications from one of the other property owners.

The Mayor responded that staff would investigate the matter and respond to his questions.

In response to questions from Council regarding how to repair a water line in an environmentally sensitive area, Slade Dyer, the applicant, stated that there would be a covenant in favour of the District registered on the property that would provide specific parameters for access and maintenance of the water line. He further stated that if there was a need for repair, the water would be shut off, the repairs completed, and immediate mitigation of any damage that might have been done to the environmentally sensitive area.

Hearing no further questions or comments, the Mayor declared the Public Hearing for District of Mission Zoning Amending Bylaw 5402-2013-5050(125) (R13-002 – Slade Dyer & Associates Inc.), closed.

RC14/007  
JAN. 06/14

**OCP Amending Bylaw 5404-2013-4052(30) – a bylaw to incorporate MissionCity Downtown Design Guidelines**

The purpose of the proposed bylaw amendment is to amend the text and maps of Official Community Plan Bylaw 4052-2008 to incorporate the policies and designated area of the MissionCity Downtown Design Guidelines.

Sharon Fletcher, Director of Long Range Planning and Special Projects, showed a PowerPoint presentation that provided the following information:

1. intent of the proposal;
2. location of the subject properties;
3. OCP area amendments;
4. text amendments to specific existing policies within the OCP;
5. details of the incentive program, including the conditions under which Council has the option to waive a public hearing; and
6. land use question.

The Acting Manager of Corporate Administration read in entirety the following correspondence pertaining to the subject application:

- letter dated January 2, 2014 from Clara McKenzie, with comments and suggestions for the downtown area
- email dated January 2, 2014 from Charles Huang, expressing an intent to redevelop 7368 James Street to an apartment complex
- email dated January 3, 2014 from Dawnya Isbell stating opposition to any five storey buildings in the downtown core

In response to questions from Council, the Director of Long Range Planning and Special Projects stated that at present there was only a letter of intent from Mr. Huang, not a full application.

Danny Plecas, Mission, stated that Mission should also be looking at a plan for the residential properties above 1<sup>st</sup> and 2<sup>nd</sup> Avenue, and to look at what other communities have done with park land in downtown areas. Mr. Plecas also expressed concern about waiving public hearings.

It was clarified that if an application met all of the requirements, Council may not require a public hearing, however a public hearing would be required if a variance was requested. It was further noted that if Council did choose to waive a public hearing, it is still a mandatory development permit area, which means there would still be a public input session on the form and character of any buildings.

Jim Hinds, Mission, expressed concern about how closely a developer would have to adhere to the building appearance requirements set by Council.

The Director stated that a development permit would include a building plan.

David C. Code, Mission, stated he is opposed to any five storey building in the area, and expressed concern about the lack of available parking downtown, a problem that would be compounded with increased density.

Hearing no further questions or comments, the Mayor declared the Public Hearing for OCP Amending Bylaw 5404-2013-4052(30) (R13-030 – District of Mission), closed.

## **5. ADOPTION OF INFORMATIONAL ITEMS**

Moved by Councillor Nundal, seconded by Councillor Jewell, and

RESOLVED: That the following items be received as information:

- (a) Minutes of the Abbotsford Mission Water & Sewer Commission meeting held on October 8, 2013;
- (b) Minutes of the Cultural Resources Commission meeting held on November 14, 2013; and
- (c) Mission Institution Report – November 2013.

CARRIED

## 6. RESOLUTION TO RESOLVE INTO COMMITTEE OF THE WHOLE

RC14/009  
JAN. 06/14

Moved by Councillor Tilbury, seconded by Councillor Nundal, and

RESOLVED: That Council now resolve itself into Committee of the Whole.

CARRIED

## 7. DEVELOPMENT SERVICES

Councillor Jewell assumed the Chair on behalf of Councillor Hensman.

RC14/010  
JAN. 06/14

### **Application to Redesignate Portions of 8977 and 8990 West Edwards Street from Rural Residential to Urban Residential to Facilitate Future Rezoning and Subdivision Applications**

This item was deferred to the regular Council meeting of January 20, 2014.

RC14/011  
JAN. 06/14

### **Rezoning Application R13-025 (Doerksen) – 34045 Hartman Avenue**

Moved by Councillor Nundal, and

RECOMMENDED:

1. That a bylaw be prepared to amend District of Mission Zoning Bylaw 5050-2009 by rezoning the property located at 34045 Hartman Avenue from Rural 16 Zone (RU16) to Rural Residential 7 Secondary Dwelling Zone (RR7s).
2. That the bylaw be considered for first and second readings at the regular Council meeting on January 6, 2014.
3. That following these readings, the bylaw be forwarded to a Public Hearing on January 20, 2014.
4. That Development Variance Permit DV13-024 to vary District of Mission Zoning Bylaw 5050-2009 by:
  - a. varying Section 302, Part D. Setbacks, Accessory Building/Structure rear setback from 7.5 metres (24.6 ft.) to 3.0 metres (9.8 ft.) to legitimize the location of the existing shop on the proposed Lot "B",  
be forwarded to a public input meeting on January 20, 2014.
5. That the final reading of the zoning amending bylaw be held until the following has been satisfied:
  - a. The community amenity contribution in the amount of \$2,815 (for one new lot) is received.

CARRIED

RC14/012  
JAN. 06/14

### **Development Variance Application DV13-021 (Veenstra) – 7117 Bridge Street**

Moved by Mayor Adlem, and

RECOMMENDED: That Development Variance Permit Application DV13-021 to vary Section 804 E. Setbacks (1) for a Principle Building of District of Mission Zoning Bylaw 5050-2009 by:

a. Reducing the setback to the exterior side lot line from 2.63 metres (8.62 ft.), approved under DV91-002, to 0.0 metres (0.0 feet) to allow for an existing covered patio as shown on Appendix 2 attached to the report from the Planner dated January 6, 2014, be approved.

CARRIED

RC14/013  
JAN. 06/14

### **Rezoning Application R12-010 (Brar) – 32484 and 32494 Tunbridge Avenue**

Moved by Mayor Adlem, and

RECOMMENDED:

1. That a bylaw be prepared to amend District of Mission Official Community Plan (OCP) Bylaw 4052-2008 by amending OCP Map 1 to redesignate the portions of the properties located at 32484 and 32494 Tunbridge Avenue, identified as Area "A" (proposed Lots 1, 2 and 3) on Appendix 2 in the report from the Senior Planner dated January 6, 2014, from Parks, Recreation and Natural Open Space to Suburban Residential
2. That notwithstanding Council Policy LAN. 40, Financial Contributions for Community Amenities (CAC), the applicant is not requested to contribute \$2,815.00 as a community amenity contribution, provided the applicant volunteers to dedicate 2.61 hectares (6.45 acres) of the lands identified as Area "B" (Park) on Appendix 2 in the report from the Senior Planner dated January 6, 2014, to the District for parkland purposes.
3. That a bylaw be prepared to amend District of Mission Zoning Bylaw 5050-2009 by rezoning the portions of the properties located at 32484 and 32494 Tunbridge Avenue from Suburban 36 Zone (S36) to:
  - a) Suburban 36 Secondary Dwelling (S36s) zone as identified as Area "A" (proposed Lots 1, 2 and 3) on Appendix 2 in the report from the Senior Planner dated January 6, 2014; and
  - b) Institutional Parks, Recreation and Civic Zone (IPRC) as identified as Area "B" (Park) on Appendix 2 in the report from the Senior Planner dated January 6, 2014.
4. That the OCP and Zoning Amending Bylaws be considered for First Readings at the Regular Council Meeting on January 6, 2014.
5. That upon due consideration of Sections 879 and 881 of the *Local Government Act*, and in accordance to Council Policy LAN. 47, Official Community Plan Referral, consultation referrals will be forwarded to:
  - a) School District No. 75;
  - b) Ministry of Water Land and Air Protection;
  - c) Fraser Health Region; andthat the persons, organizations and authorities receiving those consultation referrals are considered to be those affected for the purposes of this Policy.

6. That after first reading of the OCP amending Bylaw that Council consider the following motion:  
"that in accordance with Section 882 of the *Local Government Act*, Council has considered the Official Community Plan Amending Bylaw in conjunction with the District of Mission's Financial Plan (including the Capital Expenditure Plan and Operating Expenditure Plan) and the Waste Management Plan".
7. That the OCP and Zoning Bylaws be forwarded to a Public Hearing on January 20, 2014.
8. That Development Cost Charge Bylaw 5214-2011 for the Silverdale Creek Parkway be updated to reflect the dedication of lands for the Silver Creek Parkway as part of a subsequent Bylaw review.
9. That the final reading of the amending Bylaws be held until the following have been satisfied:
  - a) Any requirements received from external agencies regarding the proposed OCP amendment resulting from referrals made in accordance with Council Policy LAN.47, Official Community Plan Referral.

CARRIED

RC14/014  
JAN. 06/14

#### **Proposed Telecommunications Tower at 31866 Rodman Avenue**

Moved by Mayor Adlem, and

RECOMMENDED: That all decisions on current and future cell tower proposals be deferred pending a comprehensive review of the District's Wireless Telecommunication Towers Policy LAN.46.

CARRIED

RC14/015  
JAN. 06/14

#### **Applications for Licensed Producer Status under Marihuana for Medical Purposes Regulations**

A report from the Director of Development Services dated January 6, 2014 regarding how the District is handling notifications by applicants seeking to become a Licensed Producer under the federal Marihuana for Medical Purposes Regulations was provided for the Committee's information.

RC14/016  
JAN. 06/14

#### **Barge Loading**

Moved by Councillor Nundal, and

RECOMMENDED:

1. That staff prepare a bylaw to amend the District of Mission Zoning Bylaw 5050-2009 by adding an Industrial General 2 (ING2) Zone to permit barge loading;
2. That the new zone include all the regulations and permitted uses within the Industrial General (ING) Zone, and
3. That staff prepare a bylaw to amend the District of Mission Zoning Bylaw 5050-2009 to apply the new zoning category to the five properties that currently have barge loading facilities and are in the Industrial General (ING) Zone.

CARRIED



RC14/017  
JAN. 06/14

**Execution and Assignment of Shaw Pit Aggregate Extraction and Processing Agreement**

A report from the Director of Development Services dated January 6, 2014 regarding the assignment of the Shaw Pit Aggregate Extraction and Processing Agreement to King Hoe Excavating Ltd. was provided for the Committee's information.

**8. PARKS, RECREATION AND CULTURE**

Councillor Tilbury assumed the Chair.

RC14/018  
JAN. 06/14

**Energy Conservation Project – Lighting Project Award**

Moved by Councillor Nundal, and

RECOMMENDED: That the Lighting Up-Grade Supply and Install Contract, ITT 2013 – 006, be awarded to the low bidder, Glenco Electric Ltd., in the amount of up to \$300,000 (inclusive of PST and exclusive of GST) subject to successful negotiations and the contractor fulfilling the mandatory requirements as specified in the tender documents.

CARRIED

RC14/019  
JAN. 06/14

**Mission Leisure Centre – Arena Door Replacement**

Moved by Mayor Adlem, and

RECOMMENDED:

1. That up to \$25,000 be carried forward from the approved 2013 Parks, Recreation & Culture Capital Account 70891 Emergency Generator #2 and be re-directed to replace the arena entry automatic doors at the Mission Leisure Centre; and
2. That the District of Mission's Financial Plan be adjusted accordingly.

CARRIED

**9. CORPORATE SERVICES**

Councillor Nundal assumed the Chair on behalf of Councillor Luck.

RC14/020  
JAN. 06/14

**Bylaw 5405-2014 Mission Downtown Business Improvement Area Bylaw Map showing the differences between the current BIA area and the Mission City Downtown Action Plan Area**

Moved by Mayor Adlem, and

RECOMMENDED: That staff take all necessary steps to re-establish the Business Improvement Area, as shown on the map attached as Appendix "A" to the report from the Deputy Treasurer/Collector dated January 6, 2014, for the period 2014 through 2018, and that the annual business improvement levy for the Business Improvement Area will be collected as follows:

2014 - \$79,798  
2015 - \$81,793  
2016 - \$83,838  
2017 - \$85,934  
2018 - \$88,082

CARRIED

RC14/021  
JAN. 06/14

**Resolutions Released from Closed Meetings November 18 and December 16, 2013**

The following resolution was released from the closed Council meeting of November 18, 2013:

That the District of Mission has entered into a one-year extension for the 2014 calendar year to the Log Marketing & Dry Land Sort Services Agreement with Canadian Overseas Log & Lumber Ltd. (COLL).

The following resolution was released from the closed Council meeting of December 16, 2013:

That Jim Hinds and Janis Schultz have been reappointed to the Mission Community Heritage Commission.

RC14/022  
JAN. 06/14

**Call for Nominations – Community Service Awards**

Details regarding the nominations for the District's annual Community Service Awards was provided for the Committee's information.

RC14/023  
JAN. 06/14

**Update on Council's Goals and Objectives and the Status of the Core Services Review Action Items**

A report from the Chief Administrative Officer dated January 6, 2014 regarding the status of action items which are part of Council's Goals and Objectives and the remaining core services review action items was provided for the Committee's information.

RC14/024  
JAN. 06/14

**Local Government Elections Reform**

A report from the Legislative Assistant dated January 6, 2014 regarding an invitation from the Ministry of Community, Sport and Cultural Development to comment on proposed amendments to local government election legislation was provided for the Committee's information.

**10. RESOLUTION TO RISE AND REPORT**

Mayor Adlem resumed the Chair.

RC14/025  
JAN. 06/14

Moved by Councillor Tilbury, seconded by Councillor Jewell, and

RESOLVED: That the Committee of the Whole now rise and report.

CARRIED

## 11. ADOPTION OF COMMITTEE OF THE WHOLE REPORT

RC14/026  
JAN. 06/14

Moved by Councillor Jewell, seconded by Councillor Nundal, and

RESOLVED: That the recommendations of the Committee of the Whole, as contained in items RC14/010 to RC14/024, be adopted.

CARRIED

## 12. BYLAWS

RC14/027  
JAN. 06/14

Moved by Councillor Nundal, seconded by Councillor Tilbury, and

RESOLVED: That consideration of third reading of District of Mission Zoning Amending Bylaw 5402-2013-5050(125) be deferred pending receipt of a staff report containing the following information:

- (a) details of any safety, security and/or privacy measures that will be put in place as a buffer between the new road and the neighbouring properties;
- (b) the best location for a water line; and
- (c) details of how a water leak would be repaired.

CARRIED

RC14/028  
JAN. 06/14

Moved by Councillor Nundal, seconded by Councillor Stevens, and

RESOLVED: That District of Mission Official Community Plan Amending Bylaw 5404-2013-4052(30), a bylaw to incorporate MissionCity Downtown Design Guidelines, be read a second and third time.

CARRIED

RC14/029  
JAN. 06/14

### **District of Mission Downtown Revitalization Tax Exemption Bylaw 5391-2013**

Consideration of adoption of this Bylaw has been deferred pending receipt of a further report from staff.

RC14/030  
JAN. 06/14

Moved by Councillor Nundal, seconded by Councillor Tilbury, and

RESOLVED: That District of Mission User Fees and Charges Amending Bylaw 5403-2013-4029(6), a bylaw to adjust the non-refundable deposit amount for a permanent road closure and sale, be adopted.

CARRIED

RC14/031  
JAN. 06/14

Moved by Councillor Tilbury, seconded by Councillor Jewell, and

RESOLVED: That District of Mission Business Improvement Area Establishment Bylaw 5405-2014, a bylaw to establish a specified area for the purposes of annually funding the Mission Downtown Business Association Business Improvement Area, be read a first, second and third time.

CARRIED

RC14/032  
JAN. 06/14

Moved by Councillor Nundal, seconded by Councillor Stevens, and

RESOLVED: That District of Mission Street Naming (Caselton Terrace) Bylaw 5406-2014, a bylaw to name a street in a new subdivision, be read a first, second and third time.

CARRIED

RC14/033  
JAN. 06/14

Moved by Councillor Nundal, seconded by Councillor Tilbury, and

RESOLVED: That District of Mission Zoning Amending Bylaw 5407-2014-5050(126), a bylaw to rezone property at 34045 Hartman Avenue from Rural 16 Zone (RU16) to Rural Residential 7 Secondary Dwelling Zone (RR7s), be read a first and second time.

CARRIED

RC14/034  
JAN. 06/14

Moved by Councillor Nundal, seconded by Councillor Jewell, and

RESOLVED: That District of Mission Official Community Plan Amending Bylaw 5408-2014-4052(31), a bylaw to redesignate certain portions of property at 32484 and 32494 Tunbridge Avenue from Parks, Recreation and Natural Open Space to Suburban Residential, be read a first time.

CARRIED

RC14/035  
JAN. 06/14

Moved by Councillor Nundal, seconded by Councillor Tilbury, and

RESOLVED: That In accordance with Section 882 of the *Local Government Act*, Council has considered District of Mission Official Community Plan Amending Bylaw 5408-2014-4052(31) in conjunction with the District's Financial Plan (including the Capital Expenditure Plan and Operating Expenditure Plan) and the Waste Management Plan.

CARRIED

RC14/036  
JAN. 06/14

Moved by Councillor Nundal, seconded by Councillor Stevens, and

RESOLVED: That District of Mission Zoning Amending Bylaw 5409-2014-5050(127), a bylaw to rezone portions of the property located at 32484 and 32494 Tunbridge Avenue from Suburban 30 Zone (S36) to Suburban 36 Secondary Dwelling Zone (S36s) and Institutional Parks, Recreation and Civic Zone (IPRC), be read a first time.

CARRIED

### 13. MINUTES

RC14/037  
JAN. 06/14

Moved by Councillor Stevens, seconded by Councillor Jewell, and

#### RESOLVED:

1. That the minutes of the Special Council Meeting (for the purposes of going into a Closed meeting) held on December 11, 2013 be adopted;
2. That the minutes of the Regular Council Meeting (for the purposes of going into a Closed meeting) held on December 16, 2013 be adopted;
3. That the minutes of the Regular Council Meeting held on December 16, 2013 be adopted;
4. That the minutes of the Special Council Meeting held on December 18, 2013 be amended on page 3 (under Consideration for Amending Land Uses in the Core Commercial Downtown One Zone (CCD1) by:

deleting the following words: "*The committee discussed the issue and it was:*" and replacing with the words:

*"Discussion ensued and Councillor Tilbury raised a point of order stating that while there could be a need to enter into a closed meeting to deal with his point of order, he continued by indicating that Councillor Hensman has a personal interest in a downtown property, and it might be improper for him to participate in this agenda item.*

*Discussion continued on the agenda item, to clarify intent.*

*The point of order was not pursued and it was then:"*

Moved by Councillor Stevens, and

RECOMMENDED: That land uses in the Core Commercial Downtown One Zone (CCD1) be referred back to staff for review with the purpose of stating the allowable uses, and with the non-allowable uses being listed separately as exceptions as opposed to the current wording which lists the permitted uses and no others.

CARRIED

5. That the minutes of the Special Council Meeting held on December 18, 2013 be adopted, as amended.

CARRIED

Councillor Tilbury read out the following personal statement and requested that it be included in the Minutes:

"I would like to comment on the minutes of the Dec 18, 2013 meeting regarding the Development Services portion of that meeting section 6, subsection (a) Consideration for Amending Land Uses in the Core Commercial Downtown One Zone.

Councillor Hensman was chairing this portion of the meeting.

Discussion had started, I raised my hand and was acknowledged by Councillor Hensman, placing myself in the "Q" for my comments.

During this discussions which ensued about what would be allowed downtown Councillor Hensman brought up the subject of churches.

Now Councillor Hensman had brought this up before in an earlier meeting on the morning of Dec 16 and was aware that churches are not allowed in the downtown core. At this meeting he had stated he was in favour of churches in the downtown and when pressed confirmed to me that he had acquired an interest in a building located at Main and Welton in the center of our downtown core. I stated the optics of this were very poor, or words to that effect.

So, I was a little blindsided by this presentation that he was making, but recognized this as a possible violation of statute law, specifically The Community Charter, and raised a "Point of Order", which should have suspended all discussion until the point of order was dealt with.

Discussion did follow, however my points, which by the way, were derived from Section 101, 102, 103 and 104 of the British Columbia Community Charter, which sets out the basic rule that if a Council member has a direct or indirect pecuniary interest in a matter then the member must not, among other things:

- Remain or attend any part of a meeting during which the matter is under consideration.
- Participate in any discussion of the matter.
- Vote on the matter, whether before, during or after a meeting.

Section 102 goes even further, stating that a Council member is prohibited from using his position to attempt to influence a decision of a municipality.

Section 103 goes further yet, stating that a council member is prohibited from using his or her office to attempt to influence a decision of any other person or public body, among other things. .

And, the exemptions, as laid out in section 104 do not apply.

I would like these comments in the minutes of the December 16 meeting and I would also like to see these comments in today's minutes.

On top of the subject matter presented, I also have difficulty with the location of the interest Councillor Hensman has acquired. This location is at ground zero for the center thrust of the revitalization for the city. All of us have been working for a long time on this process with a very keen interest in this intersection. The purchase of the old Buy Low building was made behind closed doors and only a few had any knowledge of the location of the thrust. Comments were made to deflect public suspicion away from the center of our focus, and for obvious reasons. It appears that after we made the decision to focus on this location and before it was made public, a member of the inner circle, Councillor Hensman, has acquired an interest in a property right adjacent to our focus. He could have acquired an interest anywhere, any mall, the lower water front, there are lots of areas suitable for his needs. Even areas where churches are allowed. No, he went here, not just the down town but specifically here.

The timing is also suspect. In all the time that has passed he could have acquired an interest.

No, he acquired this interest after discussions started and before it was made public.

The Community Charter is a BC statute which is place to protect us. The rules are clearly defined. We must respect them.

My comments here are a flag, not exactly a red flag, certainly not a checkered flag, but a flag of "we better get on this" as I am sure I am not the only person who has noticed these "bumps".

Proper investigation and clarification is required here.

This councillor does not wish to be drawn into another rabbit hole. Thank you all for your time on this matter."

#### **14. NEW/OTHER BUSINESS**

There was no other business.

#### **15. MAYOR'S REPORT**

The Mayor reported on various activities, meetings and events attended since the last regular Council meeting.

#### **16. MEMBERS' REPORTS ON COMMITTEES, BOARDS AND ACTIVITIES**

Councillor Stevens reported on various activities, meetings and events attended since the last regular Council meeting.

#### **17. QUESTION PERIOD**

The following items were addressed:

- Investigations into potential conflicts of interest will be disclosed.
- Conduct of business during the Rogers Communication delegation.
- Rock crushers are not permitted in the gravel pit alongside Caswell Avenue.

**18. ADJOURNMENT**

Moved by Councillor Stevens, seconded by Councillor Tilbury, and

RESOLVED: That the meeting be adjourned.

CARRIED

The meeting was adjourned at 8:49 p.m.



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WALTER (TED) ADLEM, MAYOR



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KEN BJORGAARD, CHIEF  
ADMINISTRATIVE OFFICER  
(Interim Corporate Officer)