

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, June 27, 2011 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 Heather Stewart
Councillor Jenny Stevens

Staff Members Present: G. Robertson, Chief Administrative Officer
P. Gipps, Deputy Chief Administrative Officer
K. Ridley, Deputy Director of Corporate Administration
T. Takahashi, Administrative Clerk

1. PUBLIC HEARING

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

PH11/030
JUN 27/11

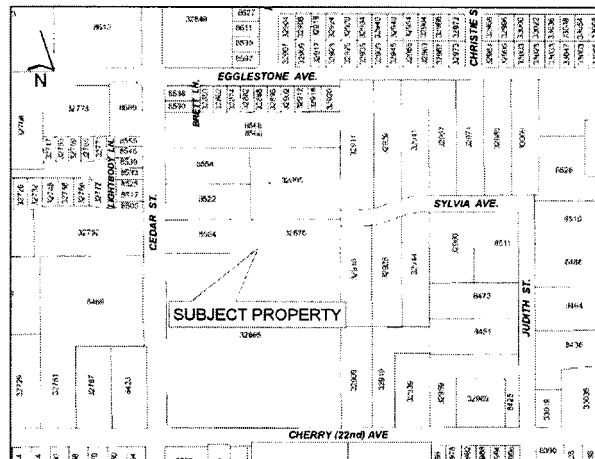
District of Mission Zoning Amending Bylaw 5213-2011-5050(39) (R10-029 – Dhaliwal/Toor) – a bylaw to rezone property at 32876 Sylvia Avenue from Suburban 36 Zone (S36) to Residential Compact 372 Zone (RC372) and Residential Compact 465 Zone (RC465)

Erik Wilhelm, Planner, provided information regarding District of Mission Zoning Amending Bylaw 5213-2011-5050(39), in the name of Dhaliwal/Toor, which proposes to amend District of Mission Zoning Bylaw 5050-2009 by amending the zoning of the following legally described property:

Parcel Identifier: 005-650-615, Lot 62, Section 28, Township 17, New Westminster District Plan 58347

from S36 (Suburban 36) zone to RC372 (Residential Compact 372) zone and RC465 (Residential Compact 465) zone.

The Planner stated that the location of the subject property is 32876 Sylvia Avenue, as shown on the following map:



Mr. Wilhelm explained that the purpose of the proposed amendment is to accommodate the subsequent subdivision of the subject property into six (6) lots; five (5) lots of a minimum 372 square metre (4,004 sq. ft.) lot size and one (1) lot of a minimum 465 square metre (5,005 sq. ft.) lot size.

The Planner stated that the following requirements would need to be met prior to adoption of the zone amending bylaw:

- Receipt of Community Amenity Contribution in the amount of \$16,080.00;
- Receipt of a third reading report that indicates minor funding increase for the walkway maintenance and elevation drawings for existing house improvements as part of the Development Variance Permit; and
- Any other items that Council may require resulting from the Public Hearing or Council consideration of the application.

The Deputy Chief Administrative Officer stated that no written correspondence was received regarding this application:

Rob Phippen commented that he thought it would be better to extend the walkway further northward to link Loving Street and Trenholm between Egglestone and Sylvia.

William Vroom said that he is in favour of this development.

Joyce Fehr said she thinks that the development is a good idea, but she would like to have the developers put a fence on the north side and east side of her property, and remove the tree stump after she has had the existing tree taken down.

Gary Toor offered to have the tree removed at his expense.

Councillor Plecas asked whether the driveway of the existing house on Lot A will be moved and what improvements would be made to the house.

The Planner noted that the specific improvements have yet to be solidified and would be outlined in a third reading report.

Councillor Horn commented that he thought the third reading report was going to outline maintenance costs associated with the widened path.

The Planner replied that he intended to itemize the improvements as part of the Development Variance Permit and outline the maintenance increase for the Parks Department in the third reading report.

Councillor Horn said that he thought a third reading report would not be necessary for Council. He also commented that the walkway might be redundant when planned streets are constructed.

Hearing no further questions or comments the mayor declared the public hearing on District of Mission Zoning Amending Bylaw 5213-2011-5050(39) (R10-029 – Dhaliwal/Toor) closed.

Moved by Councillor Horn, seconded by Councillor Stewart, and

RECOMMENDED: That staff proceed without producing a third reading report regarding the facades and the pathway maintenance costs.

CARRIED

PH11/031
JUN 27/11

- (i) **District of Mission Official Community Plan Amending Bylaw 5216-2011-4052(13) (R11-010 – Supportive Care Holdings Society) – a bylaw to redesignate property at 33032 – 11th Avenue from Urban Compact – Multiple Family to Institutional**
- (ii) **District of Mission Zoning Amending Bylaw 5217-2011-5050(40) (R11-010 – Supportive Care Holdings Society) – a bylaw to rezone property at 33032 – 11th Avenue from Urban Residential 558 Secondary Dwelling Zone (R558s) to Institutional Education Zone (IE)**

Sharon Fletcher, Director of Planning, provided information regarding District of Mission Official Community Plan Amending Bylaw 5216-2011-4052(13), in the name of Supportive Care Holdings Society, which proposes to amend District of Mission Official Community Plan 4052-2008 by redesignating the following legally described property:

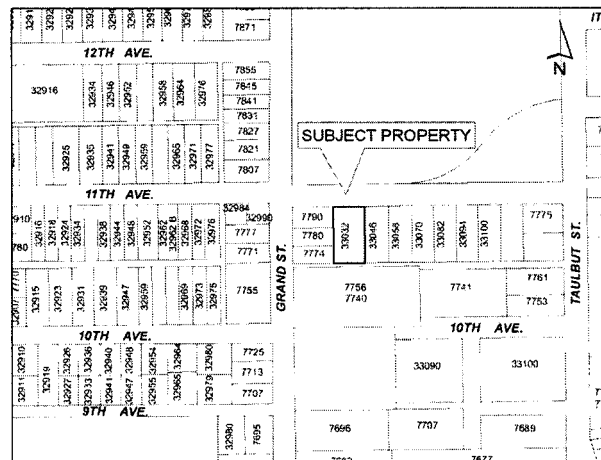
Parcel Identifier: 010-314-369, Lot 4, Section 21, Township 17, New Westminster District Plan 17978

from Urban Compact – Multiple Family to Institutional.

Ms. Fletcher also provided information regarding District of Mission Zoning Amending Bylaw 5217-2011-5050(40), in the name of Supportive Care Holdings Society, which proposes to amend the District of Mission Zoning Bylaw 5050-2009 by amending the zoning for the preceding legally described property:

from R558s (Urban Residential 558 Secondary Dwelling) zone to IE (Institutional Education) zone.

The Director of Planning stated that the location of the subject property is 33032 11th Avenue, as shown on the following map:



Ms. Fletcher explained that the purpose of the proposed amendments is to redesignate the subject property to accommodate an Institutional use within a residential area and allow a “clubhouse” facility providing a safe, secure environment within a home-like setting offering resources to persons living and dealing with mental, physical and/or emotional disabilities.

The Deputy Chief Administrative Officer stated that no written correspondence was received regarding this application:

Jessica Beaumont and Lisa Beaumont spoke in favour of this application. They

commented that the Clubhouse should be approved and allowed to begin operating as soon as possible, noting that it will help people who suffer from mental illness to not be such a burden on society and be able to support and better themselves.

Carol Hamilton said that she is in support of the application and allowing the community to break down the barriers around mental health.

Barb Strachan said that she is in favour of this application.

Bob LaRoy said that he is very supportive of this application.

Councillor Horn complimented the community on the way it has received this and other applications asking the community to be inclusive.

Councillor Stewart complimented staff on the report and suggested that the last sentence of the report with regard to "24-hour staffing of the clubhouse" should read "full-time occupancy of the location" in order to prevent misunderstandings.

Councillor Scudder asked if the hours referred to in the report are fixed or if the hours would be flexible.

The Director of Planning replied that she understood the hours to be regular staffing hours with occasional variations for celebrations or special events.

Councillor Scudder suggested that a good neighbour agreement with people in the neighbourhood be concluded with regard to the hours of operation.

Peter Andres said that the possibility does exist that on rare occasions the hours could go later than 5:00 p.m. on a Saturday for a celebration, for example, but aside from that the hours are fixed.

Councillor Plecas asked for how long the contract has been awarded.

Anthony Neptune, Fraser Health Authority, said the Clubhouse would be funded by Fraser Health on a year to year basis, but practice is for the contract to be annualized with funding on-going for multiple years.

Lisa Beaumont commented that she hopes the issue of the hours will not delay the approval of this facility.

Peter Bulla asked what input with regard to zoning in the area was received from the neighbours.

Sharon answered that there was an open house at the site attended by several neighbours and all seemed satisfied with the information they were given.

Hearing no further questions or comments the mayor declared the public hearing on District of Mission Zoning Amending Bylaw 5217-2011-5050(40) in the name of Supportive Care Holdings Society closed.

Moved by Councillor Scudder, seconded by Councillor Horn, and

RECOMMENDED: That a third reading report establishing what extended hours of operation are anticipated and what limits there may be on those hours, as well as parking designation, how many spots will be required and how those spots will be marked.

CARRIED

PH11/032
JUN 27/11

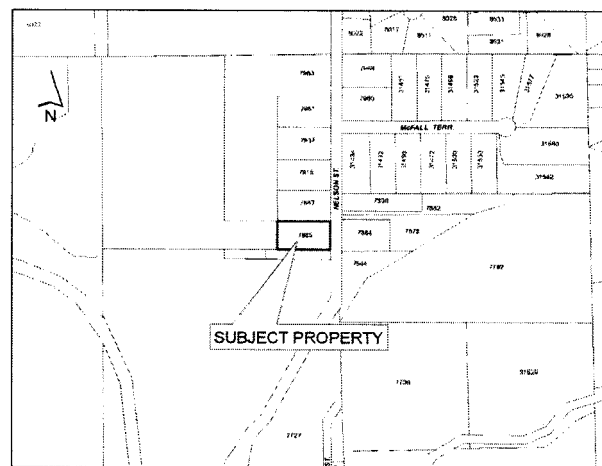
District of Mission Zoning Amending Bylaw 5218-2011-5050(41) (R11-011 – May) – a bylaw to rezone property at 7865 Nelson Street from Rural 16 Zone (RU16) to Rural 16 Secondary Dwelling Zone (RU16s)

Erik Wilhelm, Planner, provided information regarding District of Mission Zoning Amending Bylaw 5218-2011-5050(41), in the name of May, which proposes to amend District of Mission Zoning Bylaw 5050-2009 by amending the zoning of the following legally described property:

Parcel Identifier: 010-310-037, Lot C, Section 19, Township 17, New Westminster District Plan 17813

from RU16 (Rural 16) zone to RU16s (Rural 16 Secondary Dwelling) zone.

The Planner stated that the location of the subject property is 7865 Nelson Street, as shown on the following map.



Mr. Wilhelm explained that the purpose of the proposed amendment is to accommodate a duplex.

The Planner stated that the following requirements would need to be met prior to adoption of the zone amending bylaw:

- Community Amenity Contribution in the amount of \$2,815.00;
- Letter of credit in the amount of \$2,250.00 to ensure tree replanting is completed (9 trees to be replanted); and
- Any other items that Council may require resulting from the Public Hearing or Council consideration of the application.

The Deputy Chief Administrative Officer stated that no written correspondence was received regarding this application:

Dave Hensman asked if this will set precedent for lots of similar size to have multiple dwellings on them.

The Planner said that the RU16s zone is an existing zone that already allows for duplexes, in addition to secondary suites, garden cottages and coach houses.

William Vroom said that he is in favour of this application.

Lorne Rockwell said that the Mission Golf and Country Club is in favour of this application.

Councillor Gidda asked if the building is one level or if there is a basement.

Tom May, the applicant, replied that it is a rancher, with only one level.

Councillor Scudder asked if both residences will be independently taxable.

The Planner replied that both residences will be taxable.

Hearing no further questions or comments the mayor declared the public hearing on District of Mission Zoning Amending Bylaw 5218-2011-5050(41) in the name of May closed.

2. NEW BUSINESS

PH11/033
JUN 27/11

Water Meter Request For Proposal

Moved by Councillor Horn, seconded by Councillor Scudder, and

RECOMMENDED: That Council motion RC11/348 be reconsidered.

CARRIED

Council discussed a report dated June 23, 2011 from the Manager of Environmental Services and agreed that the Request for Proposal regarding water meters not be released until the business information has been received.

PH11/034
JUN 27/11

Moved by Councillor Horn, seconded by Councillor Scudder, and

RECOMMENDED: That Council motion RC11/348 be amended by deleting the words "and move forward simultaneously with the RFP process and staff make adjustments to the RFPs as necessary".

CARRIED

Mr. Peter Bulla interrupted Council and was requested to wait until Question Period to ask questions on this issue. He refused to sit down and refrain from speaking.

PH11/035
JUN 27/11

Moved by Councillor Scudder, seconded by Councillor Stewart, and

RECOMMENDED: That the meeting be recessed.

OPPOSED: Councillor Horn
Councillor Stevens

CARRIED

The meeting was recessed at 7:31 p.m.

Mr. Bulla left the meeting

PH11/036
JUN 27/11

Moved by Councillor Horn, seconded by Councillor Gidda, and

RECOMMENDED: That the meeting be reconvened.

CARRIED

The meeting was reconvened at 7:36 p.m.

PH11/037
JUN 27/11

Public Safety Inspection Team Property File Review – Summary

Councillor Horn asked if the properties (referred to in paragraph 2 of the staff report) for which additional information has been received and will be reviewed again are those that have already been informed the Public Safety Inspection Team findings would stand.

The Deputy Chief Administrative Officer replied that he has received additional information on three properties and those owners have requested a reconsideration of the review, and that is under way.

Moved by Councillor Stevens, seconded by Councillor Horn, and

RECOMMENDED: That the next steps included in this review summary include a review of the criteria determining which properties should be inspected.

CARRIED

PH11/038
JUN 27/11

Moved by Councillor Stevens, seconded by Councillor Horn, and

RECOMMENDED: That the 216 Mission families that were inspected and found by the Public Safety Inspection Team not to have evidence of grow-ops, and were not charged, receive individual letters saying that the District did not find any evidence of a bylaw violation on that particular property, and that a draft of the letter be presented to Council for approval as soon as possible.

CARRIED

Mr. Peter Bulla interrupted Council and was asked to wait until Question Period to ask questions. He refused to sit down and refrain from speaking. Mr. Bulla was ruled out of order and asked to leave the Council Chambers.

PH11/039
JUN 27/11

Moved by Councillor Scudder, seconded by Councillor Horn, and

RECOMMENDED: That the meeting be recessed.

CARRIED

The meeting was recessed at 7:47 p.m.

Mr. Bulla left the meeting

PH11/040
JUN 27/11

Moved by Councillor Horn, seconded by Councillor Gidda, and

RECOMMENDED: That the meeting be reconvened.

CARRIED

The meeting was reconvened at 7:54 p.m.

Councillor Scudder requested that there be a distinction in the wording of the letter between the complete lack of evidence and insufficient evidence to be charged under the bylaw.

PH11/041
JUN 27/11

Moved by Councillor Horn, seconded by Councillor Gidda, and

RECOMMENDED: That staff's analysis reflect total real fees charged by other communities in comparison to those charged in Mission, and that staff consider a maintenance option for the continuation of the program.

CARRIED

3. QUESTION PERIOD (on new business only)

Larry Nundal asked whether the review is going to be extended to files outside of the the 70 open files with fees unpaid that constituted the initial review and what is being done about the other 26 remaining open files.

The Deputy Chief Administrative Officer replied that the other 26 only had remediation orders outstanding and those are currently being reviewed and owners will receive notification of the results once the review has been completed.

Mr. Nundal asked why the other 100 files for which fees have already been paid were not reviewed.

The Deputy Chief Administrative Officer replied that those files were not under the mandate given by Council.

Mr. Nundal asked why it cost approximately \$340.00 per file for staff to review the evidence when the evidence should have already been itemized in the file and easy to review.

The Deputy Chief Administrative Officer commented that the file summaries had to be done to meet the criteria of the reviewer.

The mayor replied that the files were reviewed by staff and a third party.

Shelley Clarkson asked for clarification about costs of revenue that was not collected.

The Deputy Chief Administrative Officer replied that because these fees were invoiced, it goes into an account for money owed and has to be shown as a cost when not collected.

Ms. Clarkson asked if the next steps will be communicated on the website and to the public to show the public where the program is going.

The mayor confirmed that it will be.

The Deputy Chief Administrative Officer replied that a communications strategy is being designed to keep the public informed.

Ms. Clarkson asked why comparison was not done with communities of similar size outside of the Lower Mainland.

The Deputy Chief Administrative Officer said a regional comparison was done so that people could see what their neighbours are doing.

Kerry Exner asked why, according to his calculation of the numbers contained in the report, staff time was wasted in 43% of inspections where there was not enough evidence to classify the property as a controlled substance property.

The mayor replied that it was not a waste of time, that staff were doing a job that Council asked them to do.

The Deputy Chief Administrative Officer said that the criteria for inspection is being reviewed to ensure that it is more accurate in identifying properties that need to be inspected.

Jim Hines asked how many of the inspections were generated by the Public Safety Inspection Team.

The Deputy Chief Administrative Officer replied that 113 of the 499 were led by RCMP and the remainder by the Public Safety Inspection Team.

Mr. Hines asked about the breakdown of police-led versus Public Safety Inspection Team-led inspections in other municipalities.

The Deputy Chief Administrative Officer replied that such a comparison was not done as that information was not collected.

Mr. Hines asked if a review of training for the Public Safety Inspection Team would be done.

The Deputy Chief Administrative Officer replied that communications training would be provided to the team.

Sheila Fouchier asked if the 187 properties that have already paid would be able to come back under review, either now or at a later date.

The mayor replied that the initial mandate given to staff by Council did not include such a provision.

The Deputy Chief Administrative Officer said that the initial direction from Council was to review all open files, specifically, those that had not paid or had remediation orders outstanding.

Councillor Horn asked whether this issue is included in the review processes included in the next steps.

The Deputy Chief Administrative Officer replied that the properties that have already paid are not intended to be included in the future review/appeal process.

Staff were asked to clarify to Council the status of reviewing properties that had already paid the inspection fee.

An individual asked if it is fair for random searches of houses to be allowed simply on the basis of high electrical usage.

The mayor replied that the original intent of the bylaw was to balance between individual rights and the collective rights of the community, and that the answer to the question is not a simple yes or no.

Councillor Scudder clarified that electricity usage is not the only criteria used for inspections.

The Deputy Chief Administrative Officer clarified that other property observances are used in addition to electricity usage to determine the need for an inspection.

Rick Goss asked whether or not public safety is the main intent of the bylaw.

The mayor confirmed.

Mr. Goss asked how many grow-op related fires happened in Mission last year.

The mayor replied that he did not have the statistics on hand, but can ask staff to provide that information.

Mr. Goss asked how many Christmas tree light fires happened in Mission last year, noting that Christmas tree lights are also a fire safety hazard.

Doreen Russell asked if the letter that she received from the Deputy Chief Administrative Officer had anything to do with a letter sent to the district from her neighbour one week prior, on May 25, 2011.

The Deputy Chief Administrative Officer replied that the neighbour's letter had absolutely nothing to do with the letter she received, but said that she is welcome to come and discuss the situation with him.

Dwayne Van der Veen asked for clarification that if no fee is charged, then that property is cleared of wrongdoing.

The mayor confirmed.

Dave Hensman asked if the Public Safety Inspection Team is growing into a community debacle and if council is aware that a growing number of Mission

residents are living in fear of their elected representatives.

The mayor replied that council needs to do a better job of communicating and that many of the comments that have been made about Mission are unfair.

Mr. Hensman asked if Council is willing to open this issue up to review every home that was inspected by the Public Safety Inspection Team.

The mayor replied that staff will provide Council with a report on this issue.

PH11/043
JUN 27/11

Moved by Councillor Scudder, seconded by Councillor Gidda, and

RECOMMENDED: That the meeting be extended until all questions have been asked.

CARRIED

Laura Newman asked if the results from the mould testing and electrical inspections help prove her innocence and whether she could be reimbursed the fees she paid.

The mayor replied that she should meet with the Deputy Chief Administrative Officer to discuss the issue.

4. ADJOURNMENT

Moved by Councillor Scudder, seconded by Councillor Plecas, and

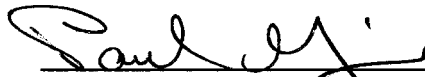
RESOLVED: That the meeting be adjourned.

CARRIED

The meeting was adjourned at 9:28 p.m.



MAYOR JAMES ATEBE



PAUL GIPPS, DEPUTY CHIEF
ADMINISTRATIVE OFFICER