

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, November 16, 2009 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

Council Members Absent: Councillor Jenny Stevens

Staff Members Present: Dennis Clark, director of corporate administration
Kelly Ridley, deputy director of corporate administration
Jennifer Russell, legislative assistant
Christine Brough, administrative assistant

1. PROCLAMATIONS

RC09/741
NOV 16/09

Mission Community Services Week January 24 to January 30, 2010

Moved by Councillor Gidda, seconded by Councillor Plecas, and

RESOLVED: That January 24 to January 30, 2010 be proclaimed as "Mission Community Services Week" within the District of Mission; the District to assume no costs related thereto.

CARRIED

RC09/742
NOV 16/09

Heart Month - February 2010

Moved by Councillor Scudder, seconded by Councillor Stewart, and

RESOLVED: That February, 2010 be proclaimed as "Heart Month" within the District of Mission; the District to assume no costs related thereto.

CARRIED

2. ADOPTION OF INFORMATIONAL ITEMS

RC09/743
NOV 16/09

Moved by Councillor Horn, seconded by Councillor Plecas, and

RESOLVED: That the following items be received as information:

1. Streamside Protection Regulation versus the District of Mission's bylaw wording for protection of streamside protection and enhancement areas;
2. Mission Institution – October 2009 report; and
3. Ferndale Institution population profile November 2009.

CARRIED

3. RESOLUTION TO RESOLVE INTO COMMITTEE OF THE WHOLE

RC09/744
NOV 16/09

Moved by Councillor Gidda, seconded by Councillor Horn, and

RESOLVED: That council now resolve itself into committee of the whole.
CARRIED

4. PLANNIING

Councillor Stewart assumed the Chair.

RC09/745
NOV 16/09

Temporary Industrial Permit Application TP09-001 (Carpenter/Anglo American Cedar Products) – 33307 Glasgow Avenue (Lots 17 and 18)

Moved by Mayor Atebe, and

RECOMMENDED:

1. That council endorse the proposed temporary industrial permit TP09-001 for consideration of a two year term so that formal requirements as per the *Local Government Act* can be pursued;
2. That following such requirements, the application be forwarded to a public input meeting and consideration for approval on December 14, 2009; and
3. That council grant an exemption to floodplain management bylaw 4027-2007 to allow the construction of a post and beam storage building open on two sides and that the applicant be required to enter into a restrictive covenant acknowledging the property is subject to flooding.

CARRIED

RC09/746
NOV 16/09

Mission Snipers Pool Hall Ltd. – 33212 First Avenue Application for Liquor-Primary License

Moved by Councillor Horn, and

RECOMMENDED: That in accordance with the District of Mission's licensing and permits policy (LIC. 15), the Mission Snipers Pool Hall be directed to conduct a public information meeting regarding its application for a liquor-primary license.

CARRIED

RC09/747
NOV 16/09

Development Variance Permit Application DV08-010 (Alpha Farms Ltd.) – 7900 Oyama Street

Moved by Councillor Horn, and

RECOMMENDED: That development variance permit application DV08-010, in the name of Alpa Farms Ltd., to vary District of Mission subdivision control bylaw 1500-1985 schedule A required road widths by reducing the minimum required urban local residential road width from 18.0 meters (59.055 feet) to 15.0 meters (49.21 feet) in a

proposed single family residential development located at 7900 Oyama Street, be approved.

CARRIED

Staff were directed to draft a policy that gives authority to staff to approve minor variance applications without council involvement.

RC09/748
NOV 16/09

Excerpt from the Minutes of the Public Hearing held on September 23, 2009 and Staff Reports dated November 2 and July 6, 2009 – Background for consideration of adoption of bylaw 5034-2009-4052(4) (R09-006)

An excerpt from the minutes of the public hearing held on September 23, 2009 and staff reports dated November 2 and July 6, 2009 were provided to the committee as background information for consideration of adoption of bylaw 5034-2009-4052(4).

RC09/749
NOV 16/09

Excerpt from the Minutes of the Public Hearing held on August 24, 2009 and Staff Report dated August 4, 2009 (R09-009 – Background for consideration of adoption of bylaw 5057-2009– 3143(332)

An excerpt from the minutes of the public hearing held on August 24, 2009 and a staff report dated August 4, 2009 were provided to the committee as background information for consideration of adoption of bylaw 5057-2009–3143(332).

5. ENGINEERING AND PUBLIC WORKS

Councillor Gidda assumed the Chair.

RC09/750
NOV 16/09

Revised Policy LAN.54 – Streamside Protection and Enhancement Area Variance Process

Moved by Councillor Horn, and

RECOMMENDED: That District of Mission policy LAN.54 streamside protection and enhancement area variance process be replaced with proposed policy LAN.54 as follows:

Preamble

The District of Mission has resolved to protect watercourses in accordance with the Provincial Riparian Areas Regulation (RAR) by adopting the previous Streamside Protection Regulation as the simple assessment under RAR. It is the District's expectation that development will occur in accordance with this resolution which resulted in the creation of section 108 in the Zoning Bylaw. It is acknowledged that under exceptional circumstances Council may wish to consider a departure from the simple assessment of RAR for a particular property or development proposal to enable consideration under the detailed assessment of RAR or to support a proponent engaging senior government agencies for Authorizations.

The policy recommends that it be used under exceptional circumstances. It is suggested that there should be no loss of environmental values to the watershed as a result of the proposed works. In addition, there should be clear linkages to the Official Community Plan and other compensating community objectives.

Some specific examples of situations where the variance process would apply include:

1. Where a property or portion thereof is sterilized from development under its current zoning designation by streamside protection and enhancement areas
2. Where a reduced setback is required to remediate contamination
3. Where an opportunity to significantly increase local employment is presented
4. Where a property may be bounded by multiple streams on two or more sides and one watercourse warrants an increased degree of protection for protection of aquatic or terrestrial species (E.G: Species at Risk)
5. Re-locating watercourses as per Fisheries and Oceans and Ministry of Environment's Authorizations
6. Areas where there are other competing environmental objectives

The policy is designed to complement the existing variance process already in use for dealing with access requirements for new developments i.e: culvert installations in roads, roads located within SPEAs etc. When assessing developments under the District's current development processes, DFO uses their existing policies to ascertain whether the proposed access presents the least impact to fish habitat. This often involves relocating and redesigning access routes to minimize impacts and also can result in compensation requirements where impacts are unavoidable. Any HADDs associated with access are authorized by DFO staff using a process that is consistent with the attached hardship policy. The process outlined in LAN. 54 speaks mainly to land use decisions and not access.

Variance Process

The process is divided into two paths and consists of following the District's detailed RAR process or DFO's HADD process:

DFO HADD PROCESS

Proponent expresses desire to explore the authorization process for a harmful alteration, disruption or destruction (HADD) of fish habitat (Section 35.2 of the Fisheries Act). Rationale is based on LAN. 54 exceptional circumstances and DFO hardship policy (*managed by DFO & MoE if Canadian Environmental Assessment Act requirements are triggered*)



Staff write a policy report & Council makes a determination, by resolution, whether a hardship and/or exceptional circumstance exist



Proponent begins HADD authorization process with DFO. Development applications (subdivision, rezoning, development permit etc) continue concurrently as DFO policies influence development design.



DFO Decision

DETAILED RAR PROCESS

Proponent expresses desire to use the detailed RAR assessment. Rationale is based on LAN. 54 exceptional circumstances. (*does not involve DFO*)



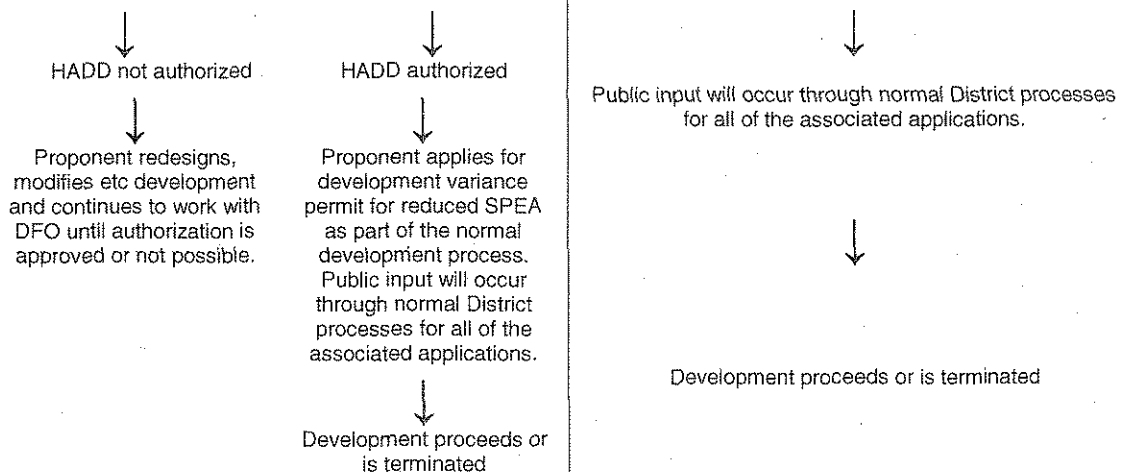
Proponent develops rationale as to why an exceptional circumstance exists and whether LAN. 54 should be applied.



Staff write policy report & Council makes a determination, by resolution, whether a detailed RAR can be considered



Proponent completes detailed RAR and incorporates findings into development application which will run concurrently with other applications (subdivision, rezoning, development permit etc). Detailed RAR report filed electronically with agencies. Application may include a development variance application for the reduced SPEA if there is one.



Notes:

1. The detailed RAR assessment could find that the proposed works are not in compliance with the Fisheries Act and that a formal Authorization would be required through Fisheries and Oceans Canada. The DFO HADD process would then be followed.
2. Normal District requirements such as signage, restrictive covenants, fencing etc. will still apply.
3. Applications that include stream crossings and/or instream works will still require to be undertaken in compliance with the BC Water Act.

CARRIED

RC09/751
NOV 16/09

Implications of Lumber Ban for Demolition Waste Deliveries

A report from the environmental coordinator dated November 3, 2009 regarding the implications of the lumber ban for demolition waste deliveries was provided for the committee's information.

RC09/752
NOV 16/09

Bylaw Change to Ban Lumber from Disposal

Moved by Councillor Horn, and

RECOMMENDED: That District of Mission refuse collection and disposal amending bylaw 5067-2009-1387(48) be amended as follows:

- a. adding the words "Dimensional Wood" between the words "Compost Material," and "materials covered" in subsection 2(c);
- b. adding the words "Dimensional Wood" between the words "Compost Material," and "materials covered" in subsection 2(d);
- c. adding the words "Dimensional Wood" between the words "Recyclable Material," and "materials covered" in subsection 2(i);
- d. adding the following as new subsection 2(j):

"Dimensional Wood – means lumber, untreated, treated and painted wood, wood pallets; and may include wooden furniture, mattress frames and other items manufactured from wood, as deemed recyclable by the Engineer."

- e. renumbering the remaining subsections of Section 2 as necessary; and
- f. adding the words "Dimensional Wood" between the words "Compost Material" and "materials covered" in subsection 19(b).

CARRIED

RC09/753
NOV 16/09

Minutes of the Downtown Revitalization Task Force Meeting held on September 15, 2009

The minutes of the downtown revitalization task force meeting held on September 15, 2009 were provided for the committee's information.

Moved by Councillor Horn, and

RECOMMENDED: That the downtown revitalization task force provide input on whether or not to proceed with the "Welcome to Mission" sign project.

DEFEATED

OPPOSED: Mayor Atebe
Councillor Plecas
Councillor Scudder

RC09/754
NOV 16/09

Moved by Councillor Horn, and

RECOMMENDED: That all 18 parking stalls along the south side of North Railway be posted as "No Parking between 5 a.m. and 8 a.m. Monday to Friday" and that bylaw enforcement staff work with the Bellevue hotel to develop parking permits to allow hotel guests and hotel residents to park in these parking stalls during the no parking time.

CARRIED

6. PARKS, RECREATION AND CULTURE

Councillor Scudder assumed the Chair.

RC09/755
NOV 16/09

Attic Insulation – Sports Park Caretaker/Fieldhouse Building

Moved by Councillor Mayor Atebe, and

RECOMMENDED:

1. That council approve funding to a maximum of \$14,800 to insulate the caretaker/fieldhouse building at the Sports Park; and
2. That the funding come from the stabilization reserve fund.

CARRIED

RC09/756
NOV 16/09

Cemetery – 2010 Operating Budget and Cemetery and Crematorium Bylaw 858-1980 Amendment to Schedule "C"

A report from the director of parks, recreation and culture dated November 16 2009 regarding the 2010 operating budget for the cemetery was provided for the

committee's information.

Moved by Councillor Gidda, and

RECOMMENDED: That District of Mission cemetery and crematorium bylaw 858-1980 be amended by replacing schedule "C" as follows:

Schedule "C"

Effective January 1st 2010. All fees are subject to GST.

| | Fee | Grave Space | Care fund Portion | GST | TOTAL |
|---|--------------------------------------|-------------|-------------------|----------------|------------------|
| FEES | | | | | |
| Grave Space - Resident | | | | | |
| Adult | 2824.00 | 2092.00 | 732.00 | 141.20 | 2965.20 |
| Child (2-12 years) | 1458.00 | 1080.00 | 378.00 | 72.90 | 1530.90 |
| Infant (under 2 years) | 1215.00 | 900.00 | 315.00 | 60.75 | 1275.75 |
| Cremated remains | 1261.00 | 934.00 | 327.00 | 63.05 | 1324.05 |
| Columbarium niche | 1693.00 | 1539.00 | 154.00 | 84.65 | 1777.65 |
| Columbarium - single niche, middle | 1916.00 | 1742.00 | 174.00 | 95.80 | 2011.80 |
| Columbarium - single niche, top 2 | 2138.00 | 1943.50 | 194.50 | 106.90 | 2244.90 |
| Columbarium - double niche, bottom | 2436.00 | 2214.50 | 221.50 | 121.80 | 2557.80 |
| Columbarium - double niche, middle | 2732.00 | 2483.50 | 248.50 | 136.60 | 2868.60 |
| Columbarium - double niche, top 2 | 3029.00 | 2753.50 | 275.50 | 151.45 | 3180.45 |
| Grave Space - Non-resident | | | | | |
| Adult | 4982.00 | 3690.50 | 1291.50 | 249.10 | 5231.10 |
| Child (2-12 years) | 2552.00 | 1890.50 | 661.50 | 127.60 | 2679.60 |
| Infant (under 2 years) | 2323.50 | 1721.00 | 602.50 | 116.18 | 2439.68 |
| Cremated remains | 1368.00 | 1013.50 | 354.50 | 68.40 | 1436.40 |
| Columbarium - single niche, bottom | 2540.00 | 2309.00 | 231.00 | 127.00 | 2667.00 |
| Columbarium - single niche, middle | 2881.00 | 2619.00 | 262.00 | 144.05 | 3025.05 |
| Columbarium - single niche, top two | 3208.00 | 2916.50 | 291.50 | 160.40 | 3368.40 |
| Columbarium - double niche, bottom | 3653.00 | 3321.00 | 332.00 | 182.65 | 3835.65 |
| Columbarium - double niche, middle | 4098.00 | 3725.50 | 372.50 | 204.90 | 4302.90 |
| Columbarium - double niche, top | 4554.00 | 4131.00 | 413.00 | 227.70 | 4781.70 |
| SERVICE CHARGES | | | | | |
| Opening and Closing | | | | | |
| Adult | 1845.00 | | | 92.25 | 1937.25 |
| Child (2-12 years) | 1170.00 | | | 58.50 | 1228.50 |
| Infant (under 2 years) | 915.00 | | | 45.75 | 960.75 |
| Cremated remains - each additional set of cremains interred at same time \$300. | 600.00 300.00 (per/additional) | | | 30.00 15.00 | 630.00 315.00 |
| Licence Transfer | 165.00 | | | 8.25 | 173.25 |
| Exhumation/Disinterment | | | | | |
| Adult | 3435.00 | | | 171.75 | 3606.75 |
| Child (2-12 years) | 2760.00 | | | 138.00 | 2898.00 |
| Infant (under 2 years) | 1980.00 | | | 99.00 | 2079.00 |
| Cremated remains | 1095.00 | | | 54.75 | 1149.75 |
| Memorial Installations | | | | | |
| Single | 375.00 | 360.00 | 15.00 | 18.75 | 393.75 |
| Double | 450.00 | 435.00 | 15.00 | 22.50 | 472.50 |

| | Fee | Grave Space | Care fund Portion | GST | TOTAL |
|---|---------|-------------|-------------------|--------|---------|
| Cremated remains | 270.00 | 255.00 | 15.00 | 13.50 | 283.50 |
| Columbarium niche plate inscription | 450.00 | 435.00 | 15.00 | 22.50 | 472.50 |
| Re-set markers | 188.00 | | | 9.40 | 197.40 |
| Liners | | | | | |
| Cremaains liner | 150.00 | | | 7.50 | 122.50 |
| Adult liner | 450.00 | | | 22.50 | 472.50 |
| Child liner | 450.00 | | | 22.50 | 472.50 |
| | | | | | |
| Premium/Overtime Charges | | | | | |
| Open/close on holidays or after 2 pm | | | | | |
| Adult | 3690.00 | | | 184.50 | 3874.50 |
| Child (2-12 years) | 2340.00 | | | 117.00 | 2457.00 |
| Infant (under 2 years) | 1830.00 | | | 91.50 | 1921.50 |
| Cremated remains | 1200.00 | | | 60.00 | 1260.00 |
| Exhumation | 6870.00 | | | 343.50 | 7213.50 |

CARRIED

7. PUBLIC SAFETY AND HEALTH

Councillor Horn assumed the Chair.

RC09/757
NOV 16/09

SAFERhome Standards Society Re: Membership/Sponsorship Invitation

Moved by Councillor Stewart, and

RECOMMENDED: That staff assess the merits of the SAFERhome Standards program and prepare a recommendation for council.

CARRIED

8. ADMINISTRATION AND FINANCE

Councillor Plecas assumed the chair for Councillor Stevens.

RC09/758
NOV 16/09

License for Use – Unconstructed Laneway

Moved by Mayor Atebe, and

RECOMMENDED: That the District of Mission renew the current licence for use agreement with Mr. Malkiat Toor for a 3.048 meter wide portion of lane adjacent to and contiguous with 32771 Antelope Avenue, at a rate of \$1.00 per year, for a term of 5 years, subject to Mr. Toor providing proof of comprehensive general liability insurance in the amount of at least \$2,000,000 and including the District of Mission as a named insured.

CARRIED

RC09/759
NOV 16/09

Clarke Theatre Grants In Aid

Moved by Councillor Horn, and

RECOMMENDED: That the District of Mission pay half the costs of the rental fee for the Mission Arts Council's use of Heritage Park Secondary School for their annual craft fair for a total contribution of \$1000.58 from account 20504.

CARRIED

RC09/760
NOV 16/09

Renewal of Lease – Economic Development Office

Moved by Councillor Horn, and

RECOMMENDED:

1. That the District of Mission enter into a three year lease with the Mission Regional Chamber of Commerce for office space for the economic development office within the Chamber of Commerce's building located at 34033 Lougheed Highway at a monthly rental fee of \$345.00 plus GST commencing December 1, 2009; and
2. That the lease include a yearly escalation clause based on the Vancouver consumer price index.

CARRIED

RC09/761
NOV 16/09

Licence for Use Agreement – Taulbut Street

Moved by Mayor Atebe, and

RECOMMENDED: That the District of Mission enter into a three year licence for use agreement with L.I.N.C. Society (Long-term Inmates Now in the Community) for the operation of the Mission Organic Community Garden located north of the leisure centre complex.

CARRIED

RC09/762
NOV 16/09

Administration and Finance Committee Meeting Recommendations

Moved by Councillor Scudder, and

RECOMMENDED: That the recommendations of the administration and finance committee arising out of a meeting held on November 3, 2009, as contained in items AF09/06 to AF09/17, be adopted.

CARRIED

RC09/763
NOV 16/09

**Correspondence from District of Squamish and City of Burnaby
Re: Lower Mainland Treaty Advisory Committee (LMTAC) Funding**

Moved by Mayor Atebe, and

RECOMMENDED:

1. That a letter be sent to the Minister of Aboriginal Relations and Reconciliation (MARR) requesting that the annual Lower Mainland Treaty Advisory Committee (LMTAC) funding be reinstated to the pre-2002 level of \$82,500 on an ongoing basis, beginning in 2010; and
2. That a copy of this letter be sent to the Honourable Gordon Campbell, Premier of British Columbia, Members of the Legislative Assembly Marc Dalton and Randy Hawes, the Fraser Valley Treaty Advisory Committee (FVTAC), the Lower Mainland Local Government Association (LMLGA), the Union of British Columbia Municipalities (UBCM), and the Fraser Valley Regional District (FVRD).

CARRIED

9. RESOLUTION TO RISE AND REPORT

Mayor Atebe resumed the Chair.

RC09/764
NOV 16/09

Moved by Councillor Stewart, seconded by Councillor Horn, and

RESOLVED: That the committee of the whole now rise and report.

CARRIED

10. ADOPTION OF COMMITTEE OF THE WHOLE REPORT

RC09/765
NOV 16/09

Moved by Councillor Gidda, seconded by Councillor Scudder, and

RESOLVED: That the recommendations of the committee of the whole, as contained in items RC09/744 to RC09/764, be adopted.

CARRIED

11. BYLAWS

RC09/766
NOV 16/09

**District of Mission Official Community Plan Amending Bylaw
5034-2009-4052(4)**

Moved by Councillor Horn, seconded by Councillor Scudder, and

RESOLVED: That District of Mission official community plan amending bylaw 5034-2009-4052(4) be deferred pending a report from staff outlining the potential impact of a proposed amendment not to require the subdivision officer or building inspector to automatically require a geotechnical report when there is a watercourse and/or an alluvial fan hazard on a property.

CARRIED

RC09/767
NOV 16/09

**District of Mission Zoning Amending Bylaw 5057-2009-3143(332)
(R09-009 – Elson) – 33083 Ferndale Avenue**

Moved by Councillor Gidda, seconded by Councillor Scudder, and

RESOLVED: That District of Mission zoning amending bylaw 5057-2009-3143(332) be adopted.

CARRIED

RC09/768
NOV 16/09

**District of Mission Refuse Collection and Disposal Amending Bylaw
5067-2009-1387(48)**

Moved by Councillor Scudder, seconded by Councillor Stewart, and

RESOLVED: That District of Mission refuse collection and disposal amending bylaw 5067-2009-1387(48) be read a first, second and third time.

CARRIED

RC09/769
NOV 16/09

**District of Mission Cemetery and Crematorium Amending Bylaw
5069-2009-858(16)**

Moved by Councillor Plecas, seconded by Councillor Scudder, and

RESOLVED: That District of Mission cemetery and crematorium amending bylaw 5069-2009-858(16) be read a first, second and third time.

CARRIED

12. MINUTES

RC09/770
NOV 16/09

Moved by Councillor Gidda, seconded by Councillor Horn, and

RESOLVED: That the following council minutes be adopted:

1. regular council meeting – October 26, 2009;
2. special council meeting – October 30, 2009; and
3. regular council meeting – November 2, 2009.

CARRIED

13. OTHER BUSINESS

There was no other business.

14. CHIEF ADMINISTRATIVE OFFICER'S REPORT

The chief administrative officer did not report.

15. MAYOR'S REPORT

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

Mayor Atebe also requested that staff investigate the possibility of streaming video feed of the 2010 Remembrance Day ceremony to the large gymnasium and the cafetorium at Heritage Park Secondary School in order to accommodate the anticipated number of people in attendance.

16. COUNCILLOR'S REPORTS ON COMMITTEES, BOARDS AND ACTIVITIES

Councillors Gidda, Horn, Stewart, Scudder and Plecas reported on various activities, meetings and events attended since the last regular council meeting.

17. QUESTION PERIOD

Sherry Edmunds-Flett from the L.I.N.C. Society (Long Term Inmates in the Community) invited mayor and council to the society's December 10, 2009 Christmas event.

18. ADJOURNMENT

Moved by Councillor Gidda, seconded by Councillor Scudder, and

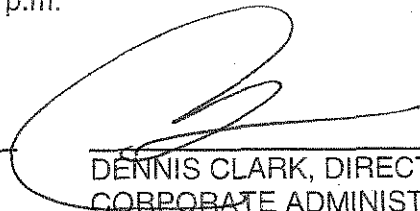
RESOLVED: That the meeting be adjourned.

CARRIED

The meeting was adjourned at 7:40 p.m.



JAMES ATEBE, MAYOR



DENNIS CLARK, DIRECTOR OF
CORPORATE ADMINISTRATION