

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 February 2, 2009 commencing at 6:30 p.m.

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

Council Members Absent: Councillor Danny Plecas

Staff Members Present: Glen Robertson, chief administrative officer
Dennis Clark, director of corporate administration
Tina Mooney, administrative clerk

1. RESOLUTION TO RESOLVE INTO COMMITTEE OF THE WHOLE

RC09/044
FEB. 2/09

Moved by Councillor Scudder, seconded by Councillor Gidda, and

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

2. PROCLAMATIONS

RC09/045
FEB. 2/09

**February 2009 as "Black History Month"
Centre of Integration for African Immigrants**

Moved by Councillor Gidda, and seconded by Councillor Stewart;

RESOLVED: That February 2009 be proclaimed as Black History Month within the District of Mission; the District to assume no costs related thereto.
CARRIED

RC09/046
FEB. 2/09

**June 7 to 13, 2009 as "Seniors' Week"
Mission Community Services Society**

Moved by Councillor Stevens, and seconded by Councillor Scudder;

RESOLVED: That June 7 to 13, 2009 be proclaimed as Seniors' Week within the District of Mission; the District to assume no costs related thereto.
CARRIED

3. DELEGATIONS AND PRESENTATIONS

RC09/047
FEB. 2/09

Council Recognition Award – Tosh Sutherland
Re: Bronze Medal at World Tap Dancing Competition

The Mayor presented Grade 11 student, Tosh Sutherland with an award in recognition of winning a bronze medal in the Adult Tap Solo Competition at the World Tap Dancing Competition held in Riesa, Germany.

RC09/048
FEB. 2/09

Council Recognition Award – Josh Kronstrom
Re: BC High School Academic Player (Football) of the Year

The Mayor presented Josh Kronstrom with an award in recognition on winning the BC High School Academic Player (Football) of the Year.

RC09/049
FEB. 2/09

Hossein Amanat, ARC Design International Corp. and
Larry Diamond, Sharp and Diamond Landscape Architecture Inc.
Re: Spirit Square

Mr. Hossein Amanat, Mr. Derik Giner from Arc Design International Corporation and Larry Diamond from Sharp and Diamond Landscape Architecture Inc. appeared before council to update council on the design concept and to ask council to consider approving \$20,000.00 to perform testing on the dyke prior to finalizing the plan, and to consider phasing the project into two phases.

The chief administrative officer noted that the following needs to be considered:

- (a) should the \$20,000.00 be approved for the piling work; and
- (b) does council want to wait to decide on whether the Spirit Square should be a linear or square design, until the piling work is done.

In response to questions from council, Sharon Fletcher, the director of planning stated the following:

- (a) the \$20,000.00 to perform the testing on the dyke is required to confirm the condition of the dyke prior to an extension over the riparian being discussed within the plan.
- (b) once the testing is complete council can confirm if phase one should be linear or square and include an extension but that determination cannot be made until the \$20,000.00 piling work is complete.

The mayor and council thanked Mr. Amanat, Mr. Giner and Mr. Diamond for their presentation.

4. PLANNING

Councillor Stewart assumed the Chair.

RC09/050
FEB. 2/09

Spirit Square Concept Finalization and Project Costing

Staff were directed to draft a report with options that will keep the project within budget.

RC09/051
FEB. 2/09

**Rezoning Application R08-029 (Points West Architecture) –
7251 Cedar Valley Connector**

Moved by Councillor Scudder, and

RECOMMENDED: That rezoning application R08-029 (Points West Architecture) to rezone the property located at 7251 Cedar Valley Connector from C-5 (General Commercial Zone) to RM-5 (Multi-Family High Density Residential Zone) be deferred until such time as the applicant supplies the following information:

- (a) development permit application;
- (b) biologist's report that pertains to the development;
- (c) tree retention/replanting proposal;
- (d) full size (to scale) set of drawings; and
- (e) architectural renderings.

so staff can adequately assess the merits of the application.

CARRIED

RC09/052
FEB. 2/09

Third Reading – Supportive Recovery Use

Moved by Councillor Horn, and

RECOMMENDED: That bylaw 4085-2008-3143(312) to amend the District of Mission Zoning Bylaw 3143-1998 by defining a "supportive recovery use" and permitting "supportive recovery houses" within the District of Mission, be considered for third reading as amended and as follows:

- (a) by deleting Subsection 7 of Sections 301.11 Supportive Recovery Use and 310.11 Supportive Recovery Use; and
- (b) amending the date in Subsection 4 of Sections 301.11 Supportive Recovery Use and 310.11 Supportive Recovery Use from January 31, 2009 to May 1, 2009.

CARRIED

RC09/053
FEB. 2/09

**Minor Amendment to Development Permit DP97-003
(DPM08-002 - Tim Horton's) – 33291 – 1st Avenue**

Moved by Councillor Gidda, and

RECOMMENDED: That Council endorse a minor amendment to development permit DP97-003 (Tim Hortons) to provide for a revised siting of the refuse containers at 33291 1st Avenue as illustrated on plan 1 attached to the report of Erik Wilhelm, planner dated February 2, 2009.

CARRIED

RC09/054
FEB. 2/09

Development Variance DV08-013 (McEachern) at 33475 Cherry Avenue

Moved by Councillor Horn, and

RECOMMENDED: That Development Variance Permit Application DVP08-013, in the name of Bella Vista Home Builders, to vary Section 301.3 Lot Area, Width at Front Lot line and Depth of District of Mission Zoning Bylaw 3143-1998 for proposed Lot 1, legally described as: Parcel Identifier: 017-236-967; Lot 1, Section 28, Township 17, New Westminster District, Plan NWP88333 by reducing lot depth from 30.0 m (98.42 ft) to 25.33 m (83.10 ft) for proposed Lot 1 and be forwarded to council for Public Input and consideration of approval on February 23, 2009.

CARRIED

RC09/055
FEB. 2/09

Request for Extension – Rezoning Application R06-035 and Development Permit Application DP06-014 (Ciccozzi Architecture Inc.) – 34048, 34054 and 34142 Parr Avenue

Moved by Councillor Scudder, and

RECOMMENDED: That council grant a 12-month extension to rezoning application R06-035 (Robert Ciccozzi Architecture Inc.) for the properties located at 34048, 34054 and 34142 Parr Avenue to enable the application to complete the outstanding rezoning requirements.

CARRIED

RC09/056
FEB. 2/09

2008 Development Activity, Previous Years Active Applications and Building Permit Information

A report from Donna-Lee Lakes, planning technician, dated February 2, 2009 regarding the development activity, previous years active applications and building permit information in 2008 was provided for the committee's information.

5. PUBLIC SAFETY AND HEALTH

Councillor Horn assumed the Chair.

RC09/057
FEB. 2/09

Child and Youth Committee – Terms of Reference

Moved by Mayor Atebe, and

RECOMMENDED: That Councillor Stevens be appointed as a liaison on the Child and Youth Committee in Mission.

CARRIED

RC09/058
FEB. 2/09

**January 2009 Ferndale Institution Population Profile
(and Release of Closed Council Resolution)**

A resolution from the closed council meeting of January 12, 2009 regarding releasing the January 2009 Ferndale Institution Population Profile from closed council, and that subsequent population reports be placed on the regular council agendas was provided for the committee's information along with the report from Ferndale Institution for the month of January 2009.

6. ADMINISTRATION AND FINANCE

Councillor Stevens assumed the Chair.

RC09/059
FEB. 2/09

District of Mission Kennel Bylaw 2788-1994

Moved by Councillor Scudder, and

RECOMMENDED:

1. That the definition of "hobby kennel" in Section 2 of the District of Mission Kennel Bylaw 2788-1994 be revised as follows:

"hobby kennel" means a kennel where a maximum of eight dogs are kept for breeding or show and where the owner is a member of a recognized organization or club, or for boarding or training of dogs.

2. That Section 7 of the Kennel Bylaw be expanded to include "hobby kennel" and read as follows:

Every owner or operator of a kennel or hobby kennel shall:

1. Every owner or operator of a kennel shall:
 - a) feed each dog not less than once daily with food of a quantity and nutritional value to maintain each dog's health;
 - b) provide each dog, at all times, with clean drinking water;
 - c) keep the premises clean and free of disease, dog excrement and soiled food;
 - d) ensure that sick or injured dogs receive adequate treatment by a veterinarian, within a reasonable time;
 - e) provide each dog with clean bedding material and an area maintained at a temperature warm and dry enough so that no dog will at any time be in discomfort due to chill or dampness;

- f) not permit any dog to cry, bark, yelp or howl in a manner that disturbs or tends to disturb, the quiet peace, rest or enjoyment, comfort or convenience of the neighbourhood, or of persons in the vicinity.

CARRIED

RC09/060
FEB. 2/09

Dog Kennels and Dangerous Dogs

A report from Pat Northup, senior bylaw enforcement officer dated January 5, 2009 regarding council's request for information on dog kennels and dangerous dogs was provided for the committee's information.

RC09/061
FEB. 2/09

**Inspection Services Department Report –
October, November and December 2008**

The committee reviewed the department report from Beverly Endersby, manager of inspection services, for the months of October, November and December, 2009, which included information pertaining to building permits, business licences, bylaw enforcement and tickets issued under the MTI bylaw.

Staff are to provide further information on the comparative numbers for 2007 and as far back as possible, up to five years. Council also asked if the report could include information regarding compliance with respect to renewing business licences. If this information is not available this should be noted in the report.

RC09/062
FEB. 2/09

**Minutes of the Economic Development Select Committee meeting held on
November 20, 2008**

The minutes of the economic development select committee meeting held on November 20, 2008 were provided for the committee's information.

In response to questions from council, Kevin Poole, manager of economic development noted that the report from the Education Task Force will be presented in March 2009 to the Economic Development Advisory Committee and the minutes and report will be subsequently forwarded to council.

RC09/063
FEB. 2/09

**Minutes of the Economic Development Select Committee meeting held on
December 18, 2008**

The minutes of the economic development select committee meeting held on December 18, 2008 were provided for the committee's information.

7. ENGINEERING AND PUBLIC WORKS

Councillor Gidda assumed the Chair.

RC09/064
FEB. 2/09

Revisions to Neighbourhood Traffic Calming Policy STR.32

Moved by Councillor Horn, and

RECOMMENDED: That the revised Neighbourhood Traffic Calming Policy STR.32 be approved.

CARRIED

Staff were directed to provide a report considering a cost sharing policy between individuals expressing traffic concerns in their neighbourhoods and the District of Mission.

RC09/065
FEB. 2/09

Latecomer Charges Re: 32746 Tunbridge Avenue

Moved by Mayor Atebe, and

RECOMMENDED:

Re: Developer: Barry Thomas
Project Number: S06-018
Description: Lot B Section 32 Township 17 Plan NWD 9204

1. That council require the owner of the above noted land that is to be subdivided or developed to provide the excess and/or extended services shown on exhibits 1A and 1B attached to the report of Rick Bomhof, director of engineering and public works, and
2. That council consider the cost to provide the excess and/or extended services shown on exhibits 1A and 1B attached to the report of Rick Bomhof, director of engineering and public works, in whole or in part, to be excessive, and that the cost of providing these services shall be paid for by the owner of the land being subdivided or developed; and
3. That latecomer charges be imposed for excess and/or extended services, as shown on exhibits 1A and 1B attached to the report of Rick Bomhof, director of engineering and public works, which are required to be installed as part of the referenced development project; and
4. That latecomer charges be imposed on the parcels listed in the attached exhibit(s) 7 and 8 in the amounts shown; and
5. That the mayor and director of corporate administration be authorized to enter into a latecomer agreement with the owner of the land that is being subdivided or developed.

CARRIED

RC09/066
FEB. 2/09

Minutes of the Abbotsford/Mission Water & Sewer Commission meeting held on December 11, 2008

The minutes of the Abbotsford/Mission Water & Sewer Commission meeting held on December 11, 2008 were provided for the committee's information.

RC09/067
FEB. 2/09

Minutes of the joint Downtown Revitalization Task Force and Downtown Coalition meeting held on November 18, 2008

The minutes of the joint Downtown Revitalization Task Force and Downtown Coalition meeting held on November 18, 2008 were provided for the committee's information.

Staff were directed to:

1. review the bylaw that all business signs must be constructed of approved material;
2. consider providing a copy of the sign bylaw to owners when apply for a business license;
3. the economic development committee explore the previously discussed installation of the Welcome to Mission sign;
4. The director of corporate administration noted that staff will discuss the issue of unsightly premises and report back to council.

In response to questions from council, the director of corporate administration noted that the terms of reference of both the Downtown Revitalization and Downtown Coalition should be reviewed.

RC09/068
FEB. 2/09

Minutes of the Downtown Revitalization Task Force meeting held on December 16, 2008

The minutes of the Downtown Revitalization Task Force meeting held on December 16, 2008 were provided for the committee's information.

Staff were directed to add an item to the Traffic Safety Committee agenda to consider addressing that residents should not be parking on the street but rather in their driveways and in particular address this concern on Grewal Street.

8. RESOLUTION TO RISE AND REPORT

Mayor Atebe resumed the Chair.

RC09/069
FEB. 2/09

Moved by Councillor Scudder, seconded by Councillor Stevens, and

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

9. ADOPTION OF COMMITTEE OF THE WHOLE REPORT

RC09/070
FEB.2/09

Moved by Councillor Stevens, seconded by Councillor Gidda, and

RESOLVED: That the recommendations of the committee of the whole, as contained in items RC09/044 to RC09/070, be adopted.

CARRIED

10. MINUTES

RC09/072

Moved by Councillor Stevens, seconded by Councillor Stewart, and

RESOLVED: That the minutes of the regular meeting of council held on January 19, 2009 and special council meeting (administration and finance) held on January 8 and 12, 2009 be adopted.

CARRIED

11. BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

12. CHIEF ADMINISTRATIVE OFFICER'S REPORT

The chief administrative officer did not report.

13. MAYOR'S REPORT

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

15. BYLAWS

RC09/073
FEB. 2/09

District of Mission Zoning Amending Bylaw 4085-2008-3143(312) (R08-023 – District of Mission) – a bylaw to add the definition of "supportive recovery use" in Section 102 Interpretation and amend sections 105.3, 301.11 (RS-1 zone) and 310.11 (RT-1 zone)

Moved by Councillor Stewart, seconded by Councillor Gidda, and

RESOLVED: That District of Mission zoning amending bylaw 4085-2008-3143(312) be read a third time as amended.

CARRIED

RC09/074
FEB. 2/09

District of Mission Refuse Collection and Disposal Amending Bylaw 5011-2009-1387(42) – a bylaw to amend Schedules "A" and "B" to increase landfill tipping fees and user fees within the refuse collection area

Moved by Councillor Scudder, seconded by Councillor Stevens, and

RESOLVED: That District of Mission refuse collection and disposal amending bylaw 5011-2009-1387(42) be adopted.
CARRIED

RC09/075
FEB. 2/09

District of Mission Kennel Amending Bylaw 5014-2009-2788(3) – a bylaw to amend the definition of “hobby kennel”

Moved by Councillor Horn, seconded by Councillor Stevens, and
RESOLVED: That District of Mission Kennel Amending Bylaw 5014-2009-2788(3) be read a first, second and third time, as amended.
CARRIED

16. CORRESPONDENCE

RC09/076
FEB. 2/09

Solicitor General
Re: Canadian Association of Home & Property Inspectors (BC)

Moved by Councillor Horn, seconded by Councillor Gidda, and

RESOLVED: That the correspondence from John van Dongen, Solicitor General dated January 13, 2009 regarding the standards for home and property inspectors in British Columbia be received as information.
CARRIED

17. QUESTION PERIOD

Council and staff responded to questions and comments from the following people:

Larry Nundal posed the following questions:

1. how will the kennel bylaw affect existing hobby kennel operators and are they able to renew their licenses;
2. regarding the business licenses issued in 2008:
 - (i) how many were resident business and of those resident businesses, how many were home occupations; and
 - (ii) how many of the non-resident business were non-resident business and of those, how many were contractors.

18. ADJOURNMENT

Moved by Councillor Scudder, seconded by Councillor Gidda, and

RESOLVED: That the meeting be adjourned.
CARRIED

The meeting was adjourned at 8:46 p.m.



JAMES ATEBE, MAYOR



DENNIS CLARK, DIRECTOR OF
CORPORATE ADMINISTRATION