

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 August 8, 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 Jenny Stevens
Councillor Heather Stewart

Staff Members Present: Paul Gipps, Deputy Chief Administrative Officer
Tina Mooney, Administrative Clerk
Tracey Takahashi, Administrative Clerk

1. PROCLAMATIONS

RC11/433
AUG. 8/11

September 15, 2011 as ‘National Family Dinner Night’ Crohn’s and Colitis Foundation of Canada

Moved by Councillor Gidda, seconded by Councillor Horn, and

RESOLVED: That September 15, 2011 be proclaimed as “National Family Dinner Night” within the District of Mission; the District to assume no costs related thereto.

CARRIED

RC11/434
AUG. 8/11

October 17 to 23, 2011 as “Canada World Youth Week” Canada World Youth

Moved by Councillor Stevens, seconded by Councillor Scudder, and

RESOLVED: That October 17 to 23, 2011 be as “Canada World Youth Week within the District of Mission; the District to assume no costs related thereto.

CARRIED

RC11/435
AUG. 8/11

Moved by Councillor Horn, seconded by Councillor Stewart, and

RESOLVED: That the following items of business be added to the agenda in the applicable committee sections:

- (a) discussion about the minutes of July 18, 2011 relating to District of Mission Official Community Plan Amending Bylaw 5216-2011-4052(13) (R11-010 – Supportive Care Holding Society) – a bylaw to redesignate property at 33032 – 11th Avenue from Urban Compact – Multiple Family to institutional; and
- (b) letter received from Mr. Chernier regarding the curb and sidewalk completion on 14th Avenue.

CARRIED

2. DELEGATIONS AND PRESENTATIONS

RC11/436
AUG. 8/11

Presentation to Oyama Students Chihiro Ono and Momoko Shimizu

Mayor Atebe welcomed, Chihiro Ono and Momoko Shimizu, visiting students from Mission's Sister City, Oyama, Japan and presented each with a gift on behalf of council and the citizens of Mission. The mayor congratulated the students on winning the trip to Mission as part of an English speaking contest.

The mayor also thanked the host families for their generosity and hospitality.

CARRIED

RC11/437
AUG. 8/11

Brad Rutledge Re: Request for Sponsorship of Athletes at Canadian National Softball Championship Tournament

Mr. Rutledge did not appear.

RC11/438
AUG. 8/11

Eric Ching, Urban Design Group Architects Ltd Re: Text Amendments, Rezoning and Development Permit Application for the proposed Commercial Development on 32471 Lougheed Highway, Mission (R10-038/DP10-017)

Mr. Ching, appeared before Council to introduce himself and advise council that he could reply to any questions on the Text Amendments, Rezoning and Development Permit Application for the proposed Commercial Development on 32471 Lougheed Highway, Mission (R10-038/DP10-017).

3. ADOPTION OF INFORMATIONAL ITEMS

RC11/439
AUG. 8/11

Moved by Councillor Scudder, seconded by Councillor Plecas, and

RESOLVED: That the following items be received as information:

- (a) Ferndale Institution Population Profile – June 2011
- (b) Ferndale Institution Population Profile – July 2011
- (c) Mission Institution Report – June 2011
- (d) Minutes of the Abbotsford/Mission Water & Sewer Commission Meeting held on June 16, 2011

CARRIED

4. RESOLUTION TO RESOLVE INTO COMMITTEE OF THE WHOLE

RC11/440
AUG. 8/11

Moved by Councillor Horn; seconded by Councillor Gidda, and

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

CARRIED

5. PLANNING

Councillor Stewart assumed the Chair.

RC11/441
AUG. 8/11

Rezoning Application R10-037 & R10-038, Development Permit Applications DP10-017 & DP10-018, Development Variance Permit Application DV10-020 and Subdivision Application S11-003 (Urban Design Group Architects Ltd.) – 32471 Lougheed Highway

Moved by Councillor Horn, and

RECOMMENDED:

1. That, in accordance with Rezoning Application R10-037 (Urban Design Group Architects Ltd.), the Corporate Officer prepare a bylaw to amend the text of District of Mission Zoning Bylaw 5050-2009 by:
 - (a) Deleting from Section 106, Part C. Uses Prohibited, Paragraph 1:
“ h. “Drive Thru Restaurant”
 - (b) Adding to Section 106, Part C. Uses Prohibited:
“2. Except where otherwise permitted within this bylaw in a Comprehensive Development Zone, the following uses are prohibited:
 - a. Drive thru restaurant
 - (c) Re-letter accordingly “Section 106, Part C. Uses Prohibited”.
2. That, in accordance with Rezoning Application R10-038 (Urban Design Group Architects Ltd.), the Corporate Officer prepare a bylaw to amend District of Mission Zoning Bylaw 5050-2009 by:
 - (a) adding the CD-24 zone (Comprehensive Development 24 zone) and that Appendix 1, attached to the report of the senior planner dated August 8, 2011 (CD-24 zone) be attached to said amending bylaw; and
 - (b) rezoning a portion of the property located at 32471 Lougheed Highway and described as part of Parcel Identifier: 023 662 352, Lot 2, Except: Part Road Plan BCP9616, Section 20, Township 17 and District Lot 165, Group 3, New Westminster District Plan LMP31617, labelled as Area A on Map 2, attached to the report of the senior planner dated August 8, 2011, and further described as Area A in a metes and bounds description attached to the report of the senior planner dated August 8, 2011 as Appendix 2.

from the CH-1 zone (Commercial Highway One zone) to the CD-24 zone (Comprehensive Development 24 zone); and
 - (c) by rezoning a portion of the property located at 32471 Lougheed Highway and described as part of Parcel Identifier: 023 662 352, Lot 2, Except: Part Road Plan BCP9616, Section 20, Township 17 and District Lot 165, Group 3, New Westminster District Plan LMP31617, labelled as Area B on Map 2, attached to the report of the senior planner dated August 8, 2011, and further described as Area B in a metes and bounds description attached to the report of the senior planner dated August 8, 2011 as Appendix 2.

from the CH-1 zone (Commercial Highway One zone) to the IPRC zone (Institutional Parks Recreation and Civic zone).

3. That these bylaws be considered for 1st and 2nd readings at the Regular Council meeting on August 8, 2011; and
that following such readings, the bylaws be forwarded to a Public Hearing on August 22, 2011.
4. That Development Permit Application DP10-017, in the name of Mission Western Developments Ltd., to provide conformity to the Official Community Plan guidelines respecting building form and character for a proposed commercial development for property located at 32471 Lougheed Highway be forwarded to Council for public input on August 22, 2011.
5. That Development Permit Application DP10-018, in the name of Mission Western Developments Ltd., to provide conformity to the Official Community Plan guidelines respecting the protection of the natural environment adjacent to Windebank Creek for the purposes of protecting the spawning area for salmon and trout for property located at 32471 Lougheed Highway be forwarded to Council for public input on August 22, 2011.
6. That Development Variance Permit Application DV10-020, in the name of Mission Western Developments Ltd., to vary Section 108 Environmental Protection (Part C, 3) of District of Mission Zoning Bylaw 5050-2009 by reducing the minimum required setback from 30 metres to the area on the plan as shown on Map 2 (Area B), attached to the report of the senior planner dated August 8, 2011, for property located at 32471 Lougheed Highway, be forwarded to Council for public input on August 22, 2011.

OPPOSED: Councillor Stewart

CARRIED

RC11/442
AUG. 8/11

OCP Amendment and Rezoning Application R10-035 and Development Variance Permit Application DV10-019 (Sandhu) – 33009 Sylvia Avenue

Moved by Councillor Stevens, and

RECOMMENDED:

1. That, in accordance with Application R10-035 (Harcharan Sandhu), the Corporate Officer prepare a bylaw to amend District of Mission Official Community Plan Bylaw 4052-2008 'OCP Map 1' and 'OCP Map 1b' by redesignating the portion of land located at 33009 Sylvia Avenue and legally described as Parcel Identifier: 005-468-060; Lot 49, Section 28, Township 17, New Westminster District Plan 56771;
referenced Area 'A' on Schedule A attached to the report of the Planner dated August 8, 2011;
from Urban Residential to Urban Residential-Compact; and
that the bylaw be considered for first reading at the Regular Council meeting on August 8, 2011; and
that following such reading, the bylaw be forwarded to Public Hearing on August 22, 2011.

2. That upon due consideration of Sections 879 and 881 of the *Local Government Act*, consultation referrals go forward to School District No. 75.

3. That, in accordance with Rezoning Application R10-035 (Harcharan Sandhu), the Corporate Officer prepare a bylaw to amend District of Mission Zoning Bylaw 5050-2009 by rezoning the property located at 33009 Sylvia Avenue and legally described as:

Parcel Identifier: 005-468-060 Lot 49, Section 28, Township 17, New Westminster District Plan 56771

as follows:

(a) That portion of land shown as Area 'A' on Schedule A attached to the report of the Planner dated August 8, 2011 from the S36 zone (Suburban 36 Zone) to the RC465 zone (Urban Residential Compact 465 Zone); and

(b) That portion of land shown as Area 'B' on Schedule A attached to the report of the Planner dated August 8, 2011 from the S36 zone (Suburban 36 Zone) to the R930 zone (Urban Residential 930 Zone);

that the bylaw be considered for first reading at the Regular Council meeting on August 8, 2011; and

that following such a reading, the bylaw be forwarded to a Public Hearing on August 22, 2011.

4. That Development Variance Permit Application DV10-019, to vary Section 601 C. 1. of District of Mission Zoning Bylaw 5050-2009 by reducing the minimum required lot Width for Lots 1 and 2 from 16 metres (52.4 feet) to 15.20 metres (49.9 feet) in a proposed single family residential development located at 33009 Sylvia Avenue;

be forward to Council for public input on August 22, 2011.

5. That in accordance with Section 882 of the *Local Government Act*, Council has considered the District of Mission Official Community Plan amending bylaw in conjunction with the District of Mission's Financial Plan (includes Capital Expenditure Plan and Operating Expenditure Plan) and Waste Management Plan.

CARRIED

RC11/443
AUG. 8/11

Official Community Plan Amendment Application R11-012

Moved by Mayor Atebe, and

RECOMMENDED:

1. That staff schedule an open house at the Silverhill Community Hall by October 2011 in order to compile comments and ask residents of the properties noted below if they wish to add their property to a possible OCP amendment. The properties being considered for an OCP amendment are located at 31161, 31121, 31101, 31081, 31025, 30969, 30935, 30883, 30835 Silverhill Avenue and the property north of 30883 and 30835 Silverhill Avenue. The properties are legally described as:

Parcel Identifier: 013-338-889 Parcel "C" (Explanatory Plan 17082) South Half of the South East Quarter Section 1 Township 15 New Westminster District

Parcel Identifier: 018-899-226 Lot 3 Section 1 Township 15 New Westminster District Plan LMP18388

Parcel Identifier:018-899-218 Lot 2 Section 1 Township 15 New Westminster District Plan LMP18388

Parcel Identifier: 018-899-200 Lot 1 Section 1 Township 15 New Westminster District Plan LMP18388

Parcel Identifier: 008-524-092 Lot 7 Except: Part Subdivided by Plan 38985; Section 1 Township 15 New Westminster District Plan 38529

Parcel Identifier: 008-610-312 Lot 9 Section 1 Township 15 New Westminster District Plan 38985

Parcel Identifier: 013-338-820 Parcel "A" (Explanatory Plan 8662) South Half of the South East Quarter Section 1 Township 15 New Westminster District

Parcel Identifier: 024-488-267 Lot 2 Section 1 Township 15 New Westminster District Plan LMP41845

Parcel Identifier: 024-488-232 Lot 1 Section 1 Township 15 New Westminster District Plan LMP41845

Parcel Identifier: 013-339-028 North Half of Legal Subdivision 3 Section 1 Township 15 New Westminster District

2. That the planning department provide a follow-up report after the open house is completed.

CARRIED

RC11/444
AUG. 8/11

Temporary Commercial Use Permit Application TP11-002 (676517 BC Ltd.) – 32818 – 7th Avenue

Moved by Councillor Horn, and

RECOMMENDED: That Temporary Commercial Use Permit Application TP11-002 (676517 B.C. Limited) be forwarded to a Public Input Meeting on August 22, 2011.

OPPOSED: Councillor Gidda

CARRIED

RC11/445
AUG. 8/11

Proposed Statues at the SmartCentres Site (Fraser Valley Shopping Centres – Walmart) – 31956 Lougheed Highway

Moved by Councillor Stevens, and

RECOMMENDED: That Council support of the SmartCentres penguin statues (approximate 2 metre height) proposed by the developers for the SmartCentres Site located at 31956 Lougheed Highway.

CARRIED

RC11/446
AUG. 8/11

Update the Urban Growth Boundary

Moved by Councillor Horn, and

RECOMMENDED: That, as part of the Regional Growth Strategy Review process, the

Urban Growth Boundary be amended to designate agricultural lands west of Nelson Street as Agricultural Land Reserve.

CARRIED

RC11/447
AUG. 8/11

Minutes from the Annual Developers and Realtors Meeting

The minutes of the Annual Developers and Realtors Meeting held on June 7, 2011 was provided for the committee's information

Council noted that more consideration should have been made as to who was going to be invited to the meeting and what information should be included in the presentations. Future minutes should include more detail about the context of the public's comments.

RC11/448
AUG. 8/11

Excerpt from the Minutes of the Public Hearing held on November 26, 2007 and Staff Reports dated September 18, 2007, February 25, 2008 and October 4, 2010 - Background for consideration of adoption of bylaws 4017-2007-3143(286) and 5175-2010 [Section 13 (a) (b)]

An excerpt from the minutes of the Public Hearing held on November 26, 2007 and copies of the related staff reports dated September 18, 2007, February 25, 2008 and October 4, 2010 were provided for the Committee's information as background information for consideration of the adoption of Zoning Amending Bylaw.

6. MINUTES

RC11/449
AUG. 8/11

Moved by Councillor Stevens, and

RECOMMENDED:

1. That the Regular Council Meeting minutes dated July 18, 2011 be amended to include the following bylaw for Second and Third Reading in Section 11, resolution no. RC11/431A.
 - (c) District of Mission Official Community Plan Amending Bylaw 5216-2011-4052(13) (R11-010 – Supportive Care Holding Society) – a bylaw to redesignate property at 33032 – 11th Avenue from Urban Compact – Multiple Family to Institutional
2. That the following Council meeting minutes be adopted:
 - (a) Regular Council Meeting – June 20, 2011
 - (b) Regular Council Meeting – July 18, 2011 (as amended)
 - (c) Special Council Meeting – July 19, 2011
 - (d) Regular Council Meeting – July 25, 2011

CARRIED

RC11/450
AUG. 8/11

Late item – Addition of bylaws for adoption:

Moved by Councillor Horn, and

RECOMMENDED: That the following two bylaws be listed under Section 11 as items (i) and (j) of the August 8, 2011 Agenda for adoption:

District of Mission Official Community Plan Amending Bylaw 5216-2011-4052(13) (R11-010 – Supportive Care Holding Society) – a bylaw to redesignate property at 33032 – 11th Avenue from Urban Compact – Multiple Family to Institutional

District of Mission Zoning Amending Bylaw 5217-2011-5050(40) (R11-010 – Supportive Care Holding Society) – a bylaw to rezone property at 33032 – 11th Avenue from Urban Residential 558 Secondary Dwelling Zone (R558s) to Institutional Education Zone (IE)

CARRIED

7. PARKS, RECREATION AND CULTURE

Councillor Plecas assumed the Chair.

RC11/451
AUG. 8/11

Proposal to Host a Bike Race in Mission

Moved by Mayor Atebe, and

RECOMMENDED: That Council approve the request from Outback Events to host the Mission Classic cycling race in Mission on May 26 – 27, 2012 and the organizer of the event consult with staff.

CARRIED

RC11/452
AUG. 8/11

Moved by Councillor Horn; and

RECOMMENDED: That staff communicate with Mission Heritage Association to review the policy with respect to private groups renting the park.

CARRIED

Council noted that our policy limits groups from renting the park and should be reviewed to give the Mission Heritage Association the opportunity to review a request on a case by case basis. When considering approval for an event, the Association should determine if the park is being rented, can community members still use the park and does it fit into our community goals?

8. ENGINEERING AND PUBLIC WORKS

Councillor Gidda assumed the Chair.

RC11/453
AUG. 8/11

Semi-annual Household Hazardous Waste Collection Day

Councillor Scudder declared a conflict of interest and removed himself from the meeting at 8:26 p.m.

Moved by Councillor Plecas, and

RECOMMENDED: That the collection of household hazardous waste at the Mission Recycling Depot remain as an annual event on the Saturday following spring cleanup week, provided adequate budgets exist.

CARRIED

Councillor Scudder returned to the meeting at 8:27 p.m.

RC11/454
AUG. 8/11

Approval of Metro Vancouver's Solid Waste Management Plan by Minister of Environment

A report from the Manager of Environmental Services dated July 26, 2011 regarding the Fraser Valley Regional District and Metro Vancouver Solid waste management plan was provided for the committee's information.

Moved by Councillor Horn, and

RECOMMENDED: That staff clarify whether a working group with the FVRD to develop emission standards, monitoring programs etc. should include a council member.

CARRIED

Staff communicate the details surrounding the Solid Waste Management Plan through a city page article.

RC11/455
AUG. 8/11

Water Metering Update

A report from the Manager of Environmental Services dated August 2, 2011 regarding a status update on water metering was provided for the committee's information.

Council noted that the business case for water metering should include conservation, the costs that are apportioned between the District of Mission and the City of Abbotsford, as well as addressing leakages.

RC11/456
AUG. 8/11

Gaudin Creek Restoration Project as Compensation under Cedar Valley Environmental Management Plan

Moved by Councillor Scudder, and

RECOMMENDED:

1. That staff complete the Gaudin Creek habitat restoration project (without trail) as already approved by Council and inform nearby residents of the project ahead of construction in August and September.

OPPOSED: Councillor Horn
Councillor Stewart
Mayor Atebe
Councillor Gidda
Councillor Plecas

DEFEATED

RC11/457
AUG. 8/11

Moved by Councillor Horn, ad

RECOMMENDED:

1. That staff complete the Gaudin Creek habitat restoration project as already approved by Council, consult with nearby residents regarding the addition of a trail on either the north or south side of Gaudin Creek and bring the results of the consultation back to Council at a subsequent meeting.

OPPOSED: Councillor Scudder
Councillor Stevens

CARRIED

RC11/458
AUG. 8/11

Subdivision Application Extension Fees

Moved by Councillor Scudder, and

RECOMMENDED:

1. That an Engineering extension fee of \$566 be charged for subdivision application S04-030 extension request, and;
2. For all in stream applications the Engineering Administrative fee (minimum portion) be applied at the time of an extension request where the initial fee was not paid at the time of application, and;
3. The Subdivision Control Bylaw, Schedule D under section 'Subdivision 6-month Extension be revised as follows:

Delete:

'ENGINEERING ADMINISTRATION FEE \$2205(2010) \$2272(2011)
5% of the total cost of the works, but not less than
the minimum fee charged, plus GST
(plus HST July 1, 2010)'

and replace with:

'ENGINEERING ADMINISTRATION FEE
5% of the total cost of the works, but not less than the minimum fee charged, plus
HST

Minimum fee for subdivision of 4 lots or less	\$ 566 (2011)
Minimum fee for subdivision of over 4 lots	\$1131 (2011)

CARRIED

RC11/459
AUG. 8/11

Gaudin Creek and Silverdale Avenue Award

Moved by Mayor Atebe, and

RECOMMENDED: That Contract No. 2011-003 – Gaudin Creek Diversion, be awarded to the low bidder, Mission Contractors Ltd., at their tendered prices of \$658,225.00 which includes adjusted HST at 1.75% and 5% internal admin fees as well as \$30,000 contingency.

CARRIED

9. ADMINISTRATION AND FINANCE

Councillor Stevens; assumed the Chair.

RC11/460
AUG. 8/11

Council Meeting Procedures

Moved by Councillor Horn, and

RECOMMENDED:

1. That staff review the following items listed under the draft regular agenda (for the purpose of going into a closed meeting) in the report of the Deputy Chief Administrative Officer dated August 8, 2011:
 4. Reconvene to Regular Meeting of Council; and
 5. Rise and Report out of Closed Meeting.
2. That the subsections of Section 90 of the Community Charter be placed on the District of Mission website for public information;

CARRIED

RC11/461
AUG. 8/11

False Alarm Bylaw Review

Moved by Councillor Horn, and

RECOMMENDED:

1. That False Alarm Bylaw 2929-1995 be amended as follows:
 - (a) by adding the following new section after the words "of any utility company" in Section 2 b):
 - "iii) circumstances beyond the control of the owner of real property";
 - (b) by adding the words "**occurring in a 12 month period**" to Section 3, after the words "false alarm";
 - (c) by adding the words "**in a 12 month period**" to Sections 3 a), b) and c) after the words "false alarm; and
 - (d) by adding the words "**in a 12 month period**" to Section 3 d) after the words "subsequent false alarm".

CARRIED

RC11/462
AUG. 8/11

Letter from Mayor Masahide Komiyama, Oyama Japan

A letter from Mayor Masahide Komiyama dated July 13, 2011 thanking Mission and the Mission Cultural Association for their donation to help with the restructuring of the East Japan Great Earthquake disaster areas was provided for the committee's information.

RC11/463
AUG. 8/11

Liaison to the Celebrate Mission Committee

Moved: by Councillor Stewart

RECOMMENDED: That a letter from the Mayor be forwarded to Brent Hayden inviting

him to participate in the opening ceremonies in Celebrate Mission on September 17, 2011.

CARRIED

10. RESOLUTION TO RISE AND REPORT

Mayor Atebe resumed the Chair.

RC11/464
AUG. 8/11

Moved by Councillor Stevens, seconded by Councillor Gidda, and

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

CARRIED

11. ADOPTION OF COMMITTEE OF THE WHOLE REPORT

RC11/465
AUG. 8/11

Moved by Councillor Plecas, seconded by Councillor Stevens, and

RESOLVED: That the recommendations of the Committee of the Whole, as contained in items RC11/433 to RC11/472, except item RC11/441 (Urban Design Group Architects Ltd), and RC11/444 (Temporary Commercial Use Permit Application – 676517 BC Ltd.) and RC11/456 (Gaudin Creek Restoration) be adopted.

CARRIED

RC11/466
AUG. 8/11

Moved by Councillor Horn, seconded by Councillor Plecas, and

RESOLVED: That the recommendation of the Committee of the Whole, as contained in item RC11/441 (Urban Design), be adopted.

OPPOSED: Councillor Stewart

CARRIED

RC11/467
AUG. 8/11

Moved by Councillor Horn, seconded by Councillor Plecas, and

RESOLVED: That the recommendation of the Committee of the Whole, as contained in item RC11/444 (Temporary Commercial Use Permit Application – 676517 BC Ltd), be adopted.

OPPOSED: Councillor Gidda

CARRIED

RC11/468
AUG. 8/11

Moved by Councillor Horn, seconded by Councillor Gidda, and

RESOLVED: That the recommendation of the Committee of the Whole, as contained in item RC11/456 (Gaudin Creek Restoration), be adopted.

OPPOSED: Councillor Scudder
Councillor Stewart

CARRIED

12. BYLAWS

RC11/469
AUG. 8/11

Moved by Councillor Stevens, seconded by Councillor Scudder, and

RESOLVED: That the readings of all bylaws listed below be approved as follows:

- (a) District of Mission Zoning Amending Bylaw 4017-2007-3143(286) (R05-004 - Brar) a bylaw to rezone the property located at 30367 Berg Avenue from RU-2 Rural Two zone to RS-2A One Unit Rural Residential zone Adoption
- (b) District of Mission Street Naming (Russell Terrace) Bylaw 5175-2010 – a bylaw to name a new road extending off Berg Avenue Adoption
- (c) District of Mission Zoning Amending Bylaw 5227-2011-5050(47) (R10-037 – Urban Design Group Architects) – a bylaw to amend the text in Section 106, Part C of District of Mission Zoning Bylaw 5050-2009 First and Second Reading
- (d) District of Mission Zoning Amending Bylaw 5228-2011-5050(48) (R10-037 – Urban Design Group Architects) – a bylaw to create a new CD-24 Zone and rezone a portion of the property at 32471 Lougheed Highway from Commercial Highway One Zone (CH-1) to Comprehensive Development 24 Zone (CD-24) and rezone a portion of the property from Commercial Highway One Zone (CH-1) to Institutional Parks Recreation and Civic Zone (IPRC) First and Second Reading
- (e) District of Mission Official Community Plan Amending Bylaw 5231-2011-4052(15) (R10-035 – Harcharan Sandhu) – a bylaw First Reading
- (f) In accordance with Section 882 of the *Local Government Act*, Council has considered District of Mission Official Community Plan Amending Bylaw 5231-2011-4052(15) in conjunction with the District of Mission's Financial Plan and Waste Management Plan --
- (g) District of Mission Zoning Amending Bylaw 5232-2011-5050(51) (R10-35 – Harcharan Sandhu) – a bylaw to rezone a portion of the property at 33009 Sylvia Avenue from Suburban 36 Zone (S36) to Urban Residential Compact 465 Zone (RC465) and a portion of the property from Suburban 36 Zone (S36) to Urban Residential Compact 930 Zone (R930) First Reading

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|-----|--|----------------------------------|
| (h) | District of Mission False Alarm Amending Bylaw 5233-2011-2929(5) – a bylaw to amend Section 2(b) by adding "(iii) circumstances beyond the control of the owner of the real property" and adding the words "in the calendar year" to Section 3 | First, Second and Third Readings |
| (i) | District of Mission Official Community Plan Amending Bylaw 5216-2011-4052(13) (R11-010 – Supportive Care Holding Society) – a bylaw to redesignate property at 33032 – 11 th Avenue from Urban Compact – Multiple Family to Institutional | Adoption |
| (j) | District of Mission Zoning Amending Bylaw 5217-2011-5050(40) (R11-010 – Supportive Care Holding Society) – a bylaw to rezone property at 33032 – 11 th Avenue from Urban Residential 558 Secondary Dwelling Zone (R558s) to Institutional Education Zone (IE) | Adoption |

CARRIED

13. OTHER BUSINESS

RC11/470
AUG. 8/11

Release from Closed Council – July 18, 2011 – Temporary Appointment Captain B. Odebach

The following resolution was released from the Closed Council meeting of July 18, 2011:

1. That Captain Blaine Odebach be temporarily appointed to the position of Acting Assistant Fire Chief from July 11, 2011 to November 5, 2011.

RC11/471
AUG. 8/11

Late Item – Letter from Mr. Chernier regarding the curb and sidewalk completion on 14th Avenue

Moved by Councillor Stevens and seconded by Councillor Horn;

RESOLVED:

1. That within the next month staff outline the background, the challenges, options including costs and sources of funding to address this issue; and
2. That staff communicate with Mr. Chernier advising him when the report will be coming back to council.

CARRIED

RC11/472
AUG. 8/11

Moved by Councillor Horn, seconded by Councillor Stewart, and

RECOMMENDED: That the meeting be extended until all items of business have been concluded.

CARRIED

14. DEPUTY CHIEF ADMINISTRATIVE OFFICER'S REPORT

The Chief Administrative Officer did not have anything to report.

15. MAYOR'S REPORT

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

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

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

17. QUESTION PERIOD

Ron Taylor asked if according to the Community Charter a motion must be passed in an open meeting setting out which sections the item are being discussed in a closed meeting.

The deputy chief administrative officer responded yes it must be passed in an open meeting.

The Mayor responded that the meeting has never been declared as an open meeting but it is always an open meeting that they do declare it.

Ron Taylor asked that prior to the last six months was there any notice provided to the public advising of a closed meeting and asked if the open portion of the meeting is held behind a closed door.

The Deputy Chief Administrative Officer responded that a Notice of Meeting is placed on the bulletin board outside the council chambers notifying the public of the meeting. He also responded that if a member of public was to attend the open portion of the meeting that is to be closed, they could come to the counter on the first floor or second floor and they would be escorted to the meeting.

Councillor Horn responded that the door next to the conference room is a staff entrance and a locked door however in the past if anyone comes for any meeting in that conference room, they attend the front counter on the first or second floor and they are escorted to the conference room.

Ron Taylor noted that under the Community Charter minutes are required for the open part of the meeting prior to convening in a closed meeting. He requested a copy of the minutes from the open portions of the closed public meetings and confirms that he has received them. He expressed concern that the minutes may not reflect exactly what was moved as some members of council noted that they did not specifically state out loud the exact sections under which the items are being held in a closed meeting under Section 90. He asked if the minutes that were provided to him are accurate.

The Deputy Chief Administrative Officer responded that previous minutes set out that each item was to be closed to the public as the subject matter being considered relates to a subsection in Section 90 of the Community Charter.

Mr. Taylor noted that after speaking with a member of council, the motion that was moved is not the same as that listed in the minutes as the councillor may have moved the motion but they only read pursuant to Section 90 and the minutes reflect each subsection.

The Mayor responded that when a motion is moved, council knows what motion they are moving. In this case, council has an agenda in front of them and they moved all the subsections that are listed in the agenda but each one is not read out loud.

Councillor Horn responded that in meetings a councillor may say that they move option 1 but never read the entire resolution out loud however it is quite clear what is being moved and when the minutes come back for adoption, council is asked, prior to adoption, if there are any errors or omissions.

Mr. Taylor notes that under subsection 92 of the Community Charter is states that council must state by resolution passed in a public meeting the fact that the meeting or part is to be closed and the basis under the applicable subsection of Section 90 on which the meeting or part of the meeting is to be closed. He states that the motion that is being moved never mentions that subsection and he objects to this.

The Mayor responded that council is accountable to each other and notes that council has not misrepresented themselves.

Mr. Taylor states that he believes that for the first six months of 2011 the meetings were not called in accordance with the Community Charter and the minutes following those meetings were falsified as he believes they were not the motions moved.

Councillor Scudder noted that if a housekeeping error was made under Section 90, then steps are being taken to correct that.

Councillor Stevens responded that council should ensure that they are correctly following the Community Charter and if not, steps should be taken to ensure that they are.

Dave Hensman asked why did Councillor Scudder declare a conflict of interest at Section 7(a) of the Agenda and remove himself from discussions.

Councillor Scudder responded that his son works for the Abbotsford/Mission recycling operation so he removed himself from the discussions of this item.

Dave Hensman expressed concern regarding the potential increase to residents in Mission with the installation of water meters. He asked how will water meters be funded. He expressed concerns that council may be committed to water metering in Mission and the data does not support what is being presented. He asked how meters would be billed and if they will be billed on non-peak or peak hours.

Councillor Horn noted that a business case will be presented in the very near future which should provide answers to the questions posed about water metering.

Mayor Atebe responded that any community that presently uses meters is based on a year round billing and more information will be provided for the communities review.

Larry Nundal notes that he is awaiting the following information from staff:

1. He asked for clarification in the auditor's report as to why the fire department volunteers decreased from 82 to 63; and
2. why are there large increase in the fire department attending emergency calls and a breakdown of what the calls were.

Councillor Horn responded that the full-time fire department is now responding to a variety of calls including motor vehicle accidents.

Larry Nundal noted that he is aware that the fire department responds to motor vehicle accidents but he wanted details as to why they are attending. He also questioned the total costs including the vehicle costs for the temporary Assistant Fire Chief position. Will the fire fighter position be filed now that the assistant fire chief position has been approved?

Larry Nundal asked how long the closed meetings have been posted on the board outside the council chambers.

Councillor Horn responded that the notices have been posted prior to his current term on council.

Peter Bulla asked if anyone on council is related to the purchase and sale of 7268 Grand Street and if Mayor Atebe is related to a Wilson Oike or the company that purchased the property.

Mayor Atebe noted that he is not related to a Mr. Wilson Oike.

18. ADJOURNMENT

Moved by Councillor Gidda, seconded by Councillor Scudder, and

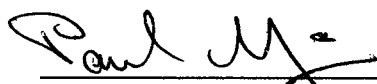
RESOLVED: That the meeting be adjourned.

CARRIED

The meeting was adjourned at 10:04 p.m.



JAMES ATEBE, MAYOR



PAUL GIPPS, DEPUTY CHIEF
ADMINISTRATIVE OFFICER