

**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 September 7, 2010 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: Glen Robertson, chief administrative officer  
Kelly Ridley, deputy director of corporate administration  
Jennifer Russell, legislative assistant  
Christine Brough, administrative clerk

## **1. DELEGATIONS AND PRESENTATIONS**

RC10/463  
SEP. 07/10

### **Presentation of Council Recognition Award – Mission Health Care Auxiliary Society**

Mayor Atebe presented a council recognition award to Gertrud Rummel and Cynthia Butcher on behalf of the Mission Memorial Hospital Healthcare Auxiliary in recognition of the extraordinary service to the community and the recent generous donation of \$93,512.41 in equipment to the Mission Memorial Hospital.

RC10/464  
SEP. 07/10

### **Stó:lō Tribal Council Re: Waterfront Development**

Chief Tyrone McNeil, vice president, and Frank Andrew, lands and resource management coordinator, of the Stó:lō Tribal Council appeared before council to provide information to aid in the decisions council will be making about waterfront development.

Chief McNeil provided an overview of what some of the Stó:lō Nation's interests may be in terms of development on and near the Fraser River, and stated:

- "Stó:lō" is actually the name of the river, and all of the Fraser watershed is Stó:lō territory;
- Mission has always been a gathering place for the Stó:lō people (Xá:ytem);
- the core mandate of the Stó:lō Tribal Council is to protect Stó:lō rights and title;
- they are cautious of any development that may have an impact on the river, and are concerned about wildlife habitat, access, silt build up and the general flow of the river;
- all over Stó:lō territory decision makers simply are not informed about aboriginal rights or supreme court cases that reflect on those rights, and that lack of information can create biases on different levels;
- just because an agency does a review, the Stó:lō Nation is not obligated to

stand by that review or consider it applicable, unless the Stó:lō have been a part of that review;

- the Stó:lō Tribal Council supports development done in a respectful manner to Stó:lō rights and title, to the environment, and to other developments that they are aware of that the District may not be;
- the Stó:lō Tribal Council would like to initiate conversations with other decision makers, such as the council of the District of Mission;
- it is hoped that such open conversations with the mayor and council regarding any waterfront development can remove bias and work toward an agreement that is beneficial to all and recognizes Stó:lō rights.

Mayor Atebe thanked Chief McNeil for the information, and stated that council appreciates the relationship it has with the local Stó:lō bands.

## **2. ADOPTION OF INFORMATIONAL ITEMS**

RC10/465  
SEP. 07/10

Moved by Councillor Horn, seconded by Councillor Plecas, and

RESOLVED: That the following items be received as information:

- (a) excerpt from the minutes of the August 16, 2010 council meeting – Question Period and April 29, 2010 letter from the deputy director of planning to Howard Meakin, Sturgeon’s Developments (GP) Ltd.;
- (b) Mission Institution report –July, 2010;
- (c) Ferndale Institution population profile – September 2010;
- (d) minutes of the Downtown Coalition meeting held on June 8, 2010;
- (e) draft minutes of the Mission Healthy Community Council meeting held on June 23, 2010;
- (f) minutes of the Mission Abbotsford Transit Committee meeting held on June 24, 2010; and
- (g) minutes of the Abbotsford/Mission Water & Sewer Commission meeting held on July 15, 2010.

CARRIED

## **3. RESOLUTION TO RESOLVE INTO COMMITTEE OF THE WHOLE**

RC10/466  
SEP. 07/10

Moved by Councillor Scudder, seconded by Councillor Stevens, and

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

CARRIED

## **4. PLANNING**

Councillor Stewart assumed the Chair.

RC10/467  
SEP. 07/10

**Draft Affordable Housing Strategy**

Moved by Councillor Gidda, and

**RECOMMENDED:**

1. That the Affordable Housing Strategy 2010 be adopted;
2. That the steps to implement the plan begin based on the recommended actions for each of the four strategies with reports provided for council consideration when tasks may include significant staff time (possibly ongoing) and/or may result in Mission contributing funds; and
3. That the Affordable Housing Strategy 2010 be forwarded to Randy Kamp, MP, Randy Hawes, MLA, Marc Dalton, MLA and to Honourable Rich Coleman, Minister of Housing and Social Development.

**CARRIED**

RC10/468  
SEP. 07/10

**Rezoning Application R10-012 and Development Permit Application DP10-003 (Meakin) – Fraser River Water Lease (Proposed Floating Restaurant and Marina), and**

**SUPPLEMENTAL ITEM – Correspondence from Howard Meakin dated September 6, 2010**

Moved by Mayor Atebe, and

**RECOMMENDED:**

1. That in accordance with rezoning application R10-012, the director of corporate administration prepare a bylaw to amend District of Mission zoning bylaw 5050-2009 by rezoning the water lease area located on the Fraser River and described as:  

District Lots 6379 and 7347, together with un-surveyed foreshore or land covered by water being part of the bed of the Fraser River, Group 1, New Westminster District, containing 0.67 hectares more or less, and

as shown on a map to be attached to the zone amending bylaw as Schedule A, from the ING zone (Industrial General zone) to the CD – 22 zone (Comprehensive Development 22 zone);
2. That the bylaw be considered for first and second readings at the regular meeting of council on September 7, 2010; and
3. That following these readings, the bylaw be held until the application is complete, at which time the bylaw would be considered for an amendment at second reading.

**OPPOSED:** Councillor Plecas  
Councillor Stevens  
Councillor Stewart

**CARRIED**

RC10/469  
SEP. 07/10

**Excerpt from the Minutes of the Public Hearing held on July 28, 2008 and Staff Report dated June 27, 2008 – Background for consideration of adoption of bylaw 4066-2008 (R08-009 – Braaksma)**

An excerpt from the minutes of the public hearing held on July 28, 2008 and the related staff report dated June 27, 2008 were provided for the committee's information as background for consideration of adoption of zoning amending bylaw 4066-2008 (R08-009 – Braaksma).

RC10/470  
SEP. 07/10

**Minutes of the Regular Meeting of Council (Public Hearing) held on July 26, 2010**

The minutes of the regular meeting of council (Public Hearing) held on July 26, 2010 were provided for the committee's information.

It was noted that the minutes required minor amendments as follows:

- (a) the word "PERC" should be changed to "percolation rate" or "water percolation", as indicated by the context of each of the sentences in which it appears on page 3; and
- (b) the words "rule of" be changed to "rural" on page 7.

There was no request for a third reading report.

**5. ENGINEERING AND PUBLIC WORKS**

Councillor Gidda assumed the Chair.

RC10/471  
SEP. 07/10

**Bear Awareness Communication Strategy**

Moved by Councillor Horn, and

**RECOMMENDED:** That staff implement the following actions to raise awareness and improve safety for both people and bears, returning to council for resources as necessary:

- (a) erect signage regarding bear attractants and conflict avoidance in prominent locations throughout the District, similar to what has been posted for the sprinkling ban;
- (b) affix bear awareness signage to the sides of curbside collection vehicles;
- (c) repeat bear awareness articles on the City Page of the Mission Record;
- (d) place a direct link to the Bear Awareness page on the homepage of the Mission website; and
- (e) purchase bumper stickers, at \$2.00 per sticker, for all District vehicles, and also make them available to Mission residents at cost.

**CARRIED**

RC10/472  
SEP. 07/10

**2010-2011 Flood Protection Program Application**

Moved by Mayor Atebe, and

RECOMMENDED:

1. That \$271,203 be funded by the accumulated surplus to fund improvements to the Mission City dike along Harbour Avenue, and that the District's financial plan be updated accordingly; and
2. That staff submit a preliminary Tier 3 application for evaluating the capacity and required improvements to the Lane Creek pump station.

CARRIED

RC10/473  
SEP. 07/10

**LATE ITEM – Request for Variance from Noise Bylaw 1091-1981**

Moved by Councillor Horn, and

RECOMMENDED:

1. THAT the request from Lafarge Canada Inc. to vary noise bylaw 1091-1981 to allow transportation of aggregate between the hours of 8:00 p.m. to 7:00 a.m. on weekdays be denied; and
2. That staff contact the Ministry of Transportation about an alternative plan.

CARRIED

**6. PARKS, RECREATION AND CULTURE**

Councillor Scudder assumed the Chair.

RC10/474  
SEP. 07/10

**Establishing a Water Source at Centennial Park Off-Leash Area**

Moved by Councillor Horn, and

RECOMMENDED:

1. That staff proceed with the creation of an off-leash area in Centennial Park as set out in the report from the director of parks, recreation and culture dated August 11, 2010; and
2. That staff provide a status report three months after the establishment of such area that includes information on the issues of fencing and water provision.

CARRIED

RC10/475  
SEP. 07/10

**Communities in Bloom National Symposium**

Moved by Councillor Stevens, and

RECOMMENDED:

1. That the District of Mission provide funding to the Communities in Bloom committee in the amount of \$632.50 for Myrna Matthews to attend the

Communities in Bloom National Symposium on October 27, 2010; and

2. That the municipal grant-in-aid arts and cultural account number 20500-340 be utilized as the funding source.

CARRIED

Staff were directed to, in the future, provide further details with requests for funding such as suggested funding sources and the benefits to the community as a whole.

## 7. ADMINISTRATION AND FINANCE

Councillor Stevens assumed the Chair.

RC10/476  
SEP. 07/10

### **Dog Licensing and Animal Control and Impounding Bylaw 1782-1988**

Moved by Mayor Atebe, and

RECOMMENDED: That consideration of amending dog licensing and animal control and impounding bylaw 1782-1988 be deferred pending receipt of further information from staff regarding the possibility of a reduction of adoption fees in cases where the animal has already been spayed or neutered.

CARRIED

RC10/477  
SEP. 07/10

### **Draft Policy FIN.45 – Use of Gaming Funds**

Moved by Mayor Atebe, and

RECOMMENDED: That policy FIN.45 Use of Gaming Funds be adopted as follows:

“The District of Mission receives gaming monies pursuant to the District’s Host Financial Assistance Agreement with the Province of British Columbia. This Agreement allows for gaming funds to be used for any municipal purpose. District council has established a reserve fund known as the “Gaming Reserve Fund”, via bylaw 5080-2009, to administer the District’s gaming funds. This bylaw does not restrict or limit the use of gaming funds. Council now wishes to clarify its intention when it comes to the use of gaming funds.

The District’s gaming funds shall not be used for core funding. Council has chosen not to place any further specific restrictions on the use of gaming funds. Specific uses of gaming funds will be considered and approved by council on a case by case basis and reflected in the District’s financial plan.”

OPPOSED: Councillor Horn  
Councillor Stevens

CARRIED

RC10/478  
SEP. 07/10

### **Downtown Mission Neighbourhood Meeting**

Moved by Councillor Stewart, and

RECOMMENDED: That District of Mission council, in partnership with the Mission Downtown Business Association (DBA), host a meeting on Wednesday, October 6<sup>th</sup>

at 6:30 p.m. inviting downtown merchants and commercial building owners within the Business Improvement Area (BIA) to a structured community forum where current challenges and potential solutions specific to downtown can be discussed.

CARRIED

RC10/479  
SEP. 07/10

**Draft Downtown/Waterfront Development Focus Group Terms of Reference**

Moved by Councillor Horn, and

RECOMMENDED: That the Downtown/Waterfront Development Focus Group terms of reference be adopted as amended.

CARRIED

RC10/480  
SEP. 07/10

**Fraser River Heritage Park Operations and Maintenance and Lease Agreements**

Moved by Mayor Atebe, and

RECOMMENDED: That the District of Mission (DOM) enter into agreements for both the operation and maintenance and the lease of the Fraser River Heritage Park with the Fraser Valley Regional District (FVRD) beginning January 1, 2011 for a term of 25 years.

CARRIED

**8. RESOLUTION TO RISE AND REPORT**

Mayor Atebe resumed the Chair.

RC10/481  
SEP. 07/10

Moved by Councillor Horn, seconded by Councillor Gidda, and

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

CARRIED

**9. ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

RC10/482  
SEP. 07/10

Moved by Councillor Horn, seconded by Councillor Scudder, and

RESOLVED: That the recommendations of the committee of the whole, as contained in items RC10/466 to RC10/481, except items RC10/468 (rezoning application R10-012) and RC10/477 (FIN.45), be adopted.

CARRIED

Councillor Stevens gave notice of a motion to rescind the resolution related to rezoning application R10-012 at the next committee of the whole meeting on September 20, 2010.

RC10/483  
SEP. 07/10

Moved by Councillor Horn, seconded by Councillor Scudder, and

RESOLVED: That the recommendation of the committee of the whole, as contained in item RC10/468 (rezoning application R10-012), be adopted.

OPPOSED: Councillor Plecas  
Councillor Stevens  
Councillor Stewart

CARRIED

RC10/484  
SEP. 07/10

Moved by Councillor Scudder, seconded by Councillor Plecas, and

RESOLVED: That the recommendation of the committee of the whole, as contained in item RC10/477 (FIN.45), be adopted.

OPPOSED: Councillor Horn  
Councillor Stevens

CARRIED

## 10. BYLAWS

RC10/485  
SEP. 07/10

Moved by Councillor Horn, seconded by Councillor Scudder, and

RESOLVED: That the readings of all bylaws included in the Bylaws section of the September 7, 2010 regular council agenda be approved as follows:

- |     |  |               |
|-----|--|---------------|
| (a) | District of Mission Zoning Amending Bylaw 4066-2008 (R08-009 - Braaksma) – a bylaw to rezone property at 12520 Cathy Crescent from RU-1 Rural One zone to RS-2A One Unit Rural Residential zone  | Adoption      |
| (b) | District of Mission Zoning Amending Bylaw 5144-2010-5050(12) (R10-008 – McPherson/Toor) – a bylaw to rezone property at 8228 and 8186 Nelson Street from RU16 (Rural 16 Zone) to S36s (Suburban Secondary Dwelling Zone), and to rezone property at 31576 Kenney Avenue from S36 (Suburban 36 Zone) to S36s (Suburban Secondary Dwelling Zone) | Third Reading |
| (c) | District of Mission Soil Deposit Amending Bylaw 5164-2010-3550(2) – a bylaw amendment to require a permit to deposit soil on land designated as agricultural land reserve  | Adoption      |
| (d) | District of Mission Dog Licensing and Animal Control and Impounding Amending Bylaw 5168-2010-1782(23) – a bylaw to incorporate adoption regulations and fees   | DEFERRED      |

CARRIED



RC10/486  
SEP. 07/10

Moved by Councillor Horn, seconded by Councillor Scudder, and

RESOLVED: That District of Mission zoning amending bylaw 5165-2010-5050(21) (R10-012 – Meakin) – a bylaw to rezone the water lease area located on the Fraser River and described as District Lots 6379 and 7347, together with un-surveyed foreshore or land covered by water being part of the bed of the Fraser River, Group 1, New Westminster District, containing 0.67 hectares more or less, from the ING zone (Industrial General zone) to the CD – 22 zone (Comprehensive Development 22 zone), be read a first and second time.

CARRIED

## 11. MINUTES

RC10/487  
SEP. 07/10

Moved by Councillor Stevens, seconded by Councillor Gidda, and

RESOLVED:

1. That the minutes of the regular meeting of council held on July 26, 2010 (public hearing) be adopted as amended; and
2. That the minutes of the regular meeting of council held on August 16, 2010 be adopted.

CARRIED

## 12. OTHER BUSINESS

There was no other business.

## 13. CHIEF ADMINISTRATIVE OFFICER'S REPORT

The chief administrative officer did not report.

## 14. MAYOR'S REPORT

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

## 15. COUNCILLOR'S REPORTS ON COMMITTEES, BOARDS AND ACTIVITIES

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

## 16. QUESTION PERIOD

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

Jim Allard:

- (a) Is there a truck route bylaw?

The director of engineering and public works responded that the District does have a truck route bylaw.

(b) Why would they not require a variance for the truck route bylaw?

Councillor Horn responded that the truck route bylaw reads that a person must stay on a designated truck route for as long as possible, only varying from it when there is no other choice.

(c) Are the hours that you can run your truck on the truck route restricted by the noise bylaw?

Councillor Horn responded that hours of work are set out in the noise bylaw.

(d) When are we going to get the road report listing the options available to council for regulating the use of the District's road to optimize public safety? The August 16<sup>th</sup> minutes say that council already received it prior to the final decision on the Caswell Pit.

Councillor Horn responded that Mr. Allard was speaking of two separate documents; one being a general report on the regulation of District roads which has not yet been back before council; the other being part of a comprehensive report from staff with information about the noise, dust and traffic impacts of the Caswell Pit operation. This is the report that had been received by council prior to making a final decision on the temporary use permit at the Caswell Pit.

(e) There are health, safety and reclamation codes for mines in BC that set out certain requirements for roads being used as haul routes. As Keystone Avenue and Caswell Street now being used as haul roads, will staff investigate to make sure these roads are meeting those requirements?

Councillor Horn responded that staff are already looking into it and will deal directly with the operator of the Caswell Pit.

Ron Taylor:

(a) Is the city still holding a sum of roughly \$1.2 million against the possibility of buying the upland lot (Meeker property) in the future?

Mayor Atebe responded that all discussions regarding that property have been held in closed meetings, therefore cannot, by law, be discussed in an open council meeting.

(b) Why was inaccurate information given in relation to the information available on parking? The staff report and council has said that there is no information, however a parking plan has been brought to the meeting tonight.

Mayor Atebe responded that the staff report does mention the parking plan, and also states that it is not part of this application because the registered owner of the property has not signed the development application.

Randy Hawes:

(a) Has the city now got a policy where applicants for development proposals are discouraged from approaching council directly before there is any public hearing and while they are in the application process or before the process, when they are making inquiries? Do you openly discourage people from speaking to their elected officials?

Mayor Atebe responded that there was no such policy.

- (b) Why did the deputy director of planning send a letter sent to Mr. Meakin asking him to refrain in the future from copying council with his various submissions?

Mayor Atebe responded that the letter has been taken out of context. Council had asked Mr. Meakin to submit a development application like everyone else.

- (c) Is the letter reflective of council policy?

Mayor Atebe responded that it is not, and that he meets with developers on a regular basis.

RC10/488  
SEP. 07/10

Moved by Councillor Horn, seconded by Councillor Gidda, and

RESOLVED: That the meeting be extended to the end of Question Period.

CARRIED

Howard Meakin commented further on the steps he has taken so far with his development proposal and his communications with council.

Frank Tong asked why it has taken so long to get this development through, and why a referendum wasn't held about the potential spending of \$1.2 million of public money.

Ron Taylor asked council to consider making a public statement stating that the District has no further interest in purchasing that property.

Terry Mortimer:

- (a) Why would council consider spending \$5,000 to put water in a park, and wouldn't there be vandalism at the water source if it was put there?

Councillor Horn responded that council has not decided to spend that money. He further stated that it is not controversial to have a water source in a park, although if it was built only for dogs, then it would become controversial.

- (b) Who will clean up after the dogs in the park?

Mayor Atebe responded that the owners of the dogs would be responsible for cleaning up after them.


**17. ADJOURNMENT**

Moved by Councillor Plecas, seconded by Councillor Stevens, and

RESOLVED: That the meeting be adjourned.

CARRIED

The meeting was adjourned at 10:03 p.m.

  
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JAMES ATEBE, MAYOR

  
\_\_\_\_\_  
KELLY RIDLEY, DEPUTY DIRECTOR  
OF CORPORATE ADMINISTRATION