The Minutes of the Municipal Council Meeting held on April 28, 2009 at 7:00 p.m. in the Council Chamber of the Municipal Hall, 11995 Haney Place, Maple Ridge, British Columbia for the purpose of transacting regular Municipal business.

PRESENT

Elected Officials
Mayor E. Daykin
Councillor C. Ashlie
Councillor J. Dueck
Councillor A. Hogarth
Councillor L. King
Councillor M. Morden
Councillor C. Speirs

Appointed Staff
J. Rule, Chief Administrative Officer
P. Gill, General Manager, Corporate and Financial Services
M. Murray, General Manager of Community Development,
Parks and Recreation Services
F. Quinn, General Manager Public Works and Development
Services
C. Goddard, Acting Director of Planning
C. Marlo, Manager of Legislative Services
A. Gaunt, Confidential Secretary
Other Staff as Required
B. McDonald, Director of Licences, Permits and Bylaws

Note: These Minutes are also posted on the Municipal Web Site at www.mapleridge.ca

The meeting was filmed by Shaw Communications Inc.

100 CALL TO ORDER

200 OPENING PRAYERS

Pastor Ed Bradley - The Highway Church

300 INTRODUCTION OF ADDITIONAL AGENDA ITEMS AND APPROVAL OF AGENDA
R/09-154
April 28, 2009
Council Meeting
Procedure

It was moved and seconded

That the agenda be approved as circulated noting the change in proceedings to include as item 400 Business License Revocation for Mr. Jagdev Singh Athwal.

CARRIED

400 BUSINESS LICENSE REVOCATION FOR MR. JAGDEV SINGH ATHWAL

401 Presentation of staff report dated April 20, 2009

The Director of Licences, Permits and Bylaws provided a PowerPoint presentation summarizing the staff report and providing visual evidence of the state of disrepair of the units and common property owned by Mr. J. Athwal at Northumberland Court. He spoke to the staff recommendation that Mr. Athwal’s business license be cancelled due to poor management of his business which has resulted in:
- contraventions of the District’s bylaws
- contraventions of provincial building and fire regulations
- concerns for public safety
- concerns regarding the use and enjoyment of neighbouring properties
- a high demand for municipal and police services

402 Presentations by affected owners and occupants of Northumberland Court

None presented

403 Presentation by the business license holder, Mr. Jagdev Singh Athwal

Mr. Athwal stated that he has been a landlord for 35 years and that upon receiving his business license had not been given conditions to adhere to. He felt that a business license should be required only when a person is managing another person’s property, not when they are managing their own. Mr. Athwal expressed that the strata property is safe and livable and that standards have been maintained. He noted that major repairs are underway at the complex, however, conveyed
that he felt the court appointed administrator was a hindrance to any work being carried out.

Mr. Athwal questioned the District's interference in respect to persons he rents to but he acknowledged that the District should play a role in terms of concerns over safety. In this respect, Mr. Athwal advised that he has met with the Director of Licences, Permits and Bylaws and he will work on the list of requirements they developed. He stated that currently the roof of the building does not leak, the plumbing works and the electrical is in better condition than some of the neighbouring units. He will carry out repairs in the coming months.

Mr. Athwal addressed the number of RCMP calls to Northumberland and felt that the percentage indicated as to responses to units owned by him was not correct. He also felt that addressing crime is not his responsibility as a landlord rather it is a police matter.

In terms of the clean up of the common property, Mr. Athwal indicated that he did not have control over this as it is the responsibility of the court appointed administrator. He did not agree with the assessment of poor management, indicating that repairs on his units are done upon complaint from a tenant and stated that he is not responsible for crime committed by tenants.

Mr. Athwal stated that repairs as discussed with the Director of Licences, Permits and Bylaws and Manager of Inspection Services will be done and that the District will be notified should any obstacles arise to repairs being completed on time.

At the request of Council, the Director of Licences, Permits and Bylaws clarified that Mr. Athwal has had a business license since 2007. He advised that under the terms of the Maple Ridge Business Regulation and Licensing Bylaw, a business license is required by any individual who owns 2 or more properties which are rented out. He also advised that another property owner at Northumberland Court owns two dwellings that are rented and he will be contacted to ensure a business license is obtained.

Council expressed concerns of the poor business and management practices of Mr. Athwal, continuing public safety issues at the strata which include contravention of provincial building and fire regulations, the negative effect on the neighbourhood due to issues at the strata, the high demand placed on municipal services such as police and fire as well as lack of follow through on previous promises made to bring Northumberland Court up to standard.
R/09-155
Revocation of Business License
J. S. Athwal

It was moved and seconded

Whereas Section 60(2) of the Community Charter and S. 2.28 of the Maple Ridge Business Licensing and Regulation Bylaw provides that Council may suspend or cancel a business licence for reasonable cause;

Whereas Mr. Jagdev Singh Athwal has a business licence with the District to rent up to 30 dwelling units for 2009 under Business Licence #09-101368.

Whereas Council has heard the evidence and arguments presented by Mr. Athwal and District of Maple Ridge officials regarding concerns raised in respect of Mr. Athwal’s business of renting dwelling units;

Now therefore, the Council of the District of Maple Ridge, in open meeting assembled, resolves as follows:

1. That Council hereby considers that Mr. Athwal has poorly managed his business giving rise to the issues raised in the District’s staff report dated April 20, 2009 and accordingly that the District of Maple Ridge Business License issued to a Mr. Jagdev Singh Athwal under Licence #09-101368 for the business of renting dwelling units be cancelled.

CARRIED

500 ADOPTION AND RECEIPT OF MINUTES

501 Minutes of the Regular Council Meeting of April 14, 2009

It was moved and seconded

That the minutes of the Regular Council Meeting of April 14, 2009 be amended on page 47, paragraph 2, to replace the phrase “school and park sites” with “school/park sites” and that the minutes as amended be adopted.
502 Minutes of the Special Council Meeting of March 30, 2009

R/09-157 Minutes Special Council March 30, 2009

It was moved and seconded

That the minutes of the Special Council Meeting of March 30, 2009 be deferred to the May 4, 2009 Council Workshop.

CARRIED

503 Minutes of the Development Agreements Committee Meetings of April 22, 2009

R/09-158 Minutes Development Agmt Committee

It was moved and seconded

That the minutes of the Development Agreements Committee Meetings of April 22, 2009 be received.

CARRIED

600 PRESENTATIONS AT THE REQUEST OF COUNCIL

601 GamesTown 2010 - J. Lemire, P. Vandermoor - Parks and Leisure Services

Mr. Lemire and Ms. Vandermoor gave a Powerpoint presentation which outlined the story behind GamesTown 2010 and highlighted the World Healthy Living Challenge Pledge contest on the GamesTown 2010 website.

700 DELEGATIONS - Nil

800 UNFINISHED BUSINESS
801  2010 - 2014 Business Planning Guidelines

Staff report dated March 31, 2009 recommending that the Business Planning Guidelines for 2010 through 2014 be approved.
R/09-159
2010-2014
Business Planning Guidelines
It was moved and seconded
That the Business Planning Guidelines for 2010 through 2014 be approved.
CARRIED

900 CORRESPONDENCE - Nil

1000 BY-LAWS

Bylaws for Final Reading

1001 Maple Ridge Public Art Steering Committee Bylaw No. 6659-2009
To establish a Public Art Steering Committee
Final reading

R/09-160
BL No. 6659-2009
Final reading
It was moved and seconded
That Bylaw No. 6659-2009 be adopted.
CARRIED

1002 267 Street Local Area Service

1002.1 267 Street Water Services Bylaw No. 6623-2008
To establish a Local Area Service for water services on 267 Street
Final reading

R/09-161
BL No. 6623-2008
Final reading
It was moved and seconded
That Bylaw No. 6623-2008 be adopted.
CARRIED
1002.2 Maple Ridge Water Service Amending Bylaw No. 6655-2009
To amend Bylaw No. 6002-2001 to reflect actual average costs and to extend the Rothsay Service Area to include 12 properties on 267 Street (addresses from 11716 to 11989)
Final reading

R/09-162
BL No. 6655-2009
Final reading

It was moved and seconded

That Bylaw No. 6655-2009 be adopted.

CARRIED

COMMITTEE REPORTS AND RECOMMENDATIONS

1100 COMMITTEE OF THE WHOLE

Minutes - April 20, 2009

R/09-163
Minutes
COW
April 20, 2009

It was moved and seconded

That the minutes of the April 20, 2009 Committee of the Whole Meeting be received.

CARRIED

Public Works and Development Services

1101 RZ/054/02, 22600 136 Avenue, A-2 to R-1 and RST

Staff report dated April 14, 2009 recommending that Maple Ridge Official Community Plan Amending Bylaw No. 6642-2009 and Maple Ridge Zone Amending Bylaw No. 6643-2009 to permit the development of 38 single family units and 2 four-plex street townhouse building be given first reading and be forwarded to Public Hearing.
1. That Bylaw No. 6642-2009 be given first reading and be forwarded to Public Hearing.

2. That in accordance with Section 879 of the Local Government Act opportunity for early and ongoing consultation has been provided by way of posting Bylaw No. 6642-2009 on the municipal website and requiring that the applicant host a Development Information Meeting, and Council considers it unnecessary to provide any further consultation opportunities, except by way of holding a public hearing on the bylaw;

3. That Bylaw No. 6642-2009 be considered in conjunction with the Capital Expenditure Plan and Waste Management Plan;

4. That it be confirmed that Bylaw No. 6642-2009 is consistent with the Capital Expenditure Plan and Waste Management Plan.

5. That Bylaw No. 6643-2009 be given first reading and be forwarded to Public Reading.

6. That the following terms and conditions be met prior to final reading:
   i. Registration of a Rezoning Servicing Agreement as a Restrictive Covenant and receipt of the deposit of security as outlined in the Agreement.
   ii. Amendment to Part IV, Figure 2 (Land Use Plan) and Figure 4 (Trails/Open Space) of the Silver Valley Area Plan of the Official Community Plan.
   iii. Registration of a geotechnical report as a Restrictive Covenant which addresses the suitability of the site for the proposed development.
   iv. Park dedication as required.
   v. Pursuant to the Contaminated Site Regulations of the Environmental Management Act, the subdivider will provide a Site Profile for the subject land.

CARRIED
1102 RZ/059/08, 11873 and 11865 Burnett Street, RS-1 to RM-2

Staff report dated April 1, 2009 recommending that Maple Ridge Zone Amending Bylaw No. 6653-2009 to permit construction of a 39-unit apartment building be given first reading and be forwarded to Public Hearing.

R/09-165 RZ/059/08 BL No. 6653-2009

First reading

1. That Bylaw No. 6653-2009 be given first reading and be forwarded to Public Hearing.
2. That the following terms and conditions be met prior to final reading:
   i. Registration of a Rezoning Servicing Agreement as a Restrictive Covenant and receipt of the deposit of security as outlined in the Agreement;
   ii. Registration of a geotechnical report as a Restrictive Covenant which addresses the suitability of the site for the proposed development;
   iii. A Statutory right of way plan and agreement for the proposed bikeway along the southern edge of the subject sites must be registered at the Land Title Office;
   iv. Road dedication as required;
   v. Consolidation of the development site;
   vi. Removal of the existing buildings;
   vii. Registration of a Restrictive Covenant protecting the Visitor Parking.

CARRIED

1103 RZ/110/08, 22960, 22970, 22976, 22980, 22986, 22998, 23012, 23030, 23040, 23052, 23070, 23086, 23100, 23110, 23120, 23126, 23132, 23136, 23140, 23146, 23150, 23156, 23160 and 23170 Gilbert Drive; 13719, 13751, 13819 and 13829 232 Street; and Parcel B of SE ¼ Section 32, Township: 32, NWD Reference Plan RP6048, CD-3-98 and A-2 to R-1, R-3, new RST-SV, RM-1 and P-1

Staff report dated April 14, 2009 recommending that Maple Ridge Official Community Plan Amending Bylaw No. 6649-2009 and Maple Ridge Zone Amending Bylaw No. 6650-2009 to permit the development
of 145 townhouse units, 39 single family lots and 19 street townhouse units be given first reading and be forwarded to Public Hearing.

R/09-166  
RZ/110/08  
BL No. 6649-2009  
BL No. 6650-2009  
First reading

It was moved and seconded

1. That Bylaw No. 6649-2009 be given first reading and be forwarded to Public Hearing;
2. That in accordance with Section 879 of the Local Government Act opportunity for early and on-going consultation has been provided by way of posting Bylaw No. 6649-2009 on the municipal website and requiring that the applicant host a Development Information Meeting, and Council considers it unnecessary to provide any further consultation opportunities, except by way of holding a public hearing on the bylaw;
3. That Bylaw No. 6649-2009 be considered in conjunction with the Capital Expenditure Plan and Waste Management Plan;
4. That it be confirmed that Bylaw No. 6649-2009 is consistent with the Capital Expenditure Plan and Waste Management Plan;
5. That Bylaw No. 6650-2009 be given first reading and be forwarded to Public Hearing; and
6. That the following terms and conditions be met prior to final reading:
   i. Notification to the Ministry of Water, Land and Air Protection, Fish and Wildlife Branch for work in and around the watercourse.
   ii. Registration of a Rezoning Servicing Agreement as a Restrictive Covenant and receipt of the deposit of security as outlined in the Agreement.
   iii. Amendments to Part IV, Figure 2 (Land Use Plan) and Figure 4 (Trails/Open Space) of the Silver Valley Area Plan of the Official Community Plan;
   iv. Registration of a Section 219 Covenant for a Geotechnical Report that addresses the suitability of the site for the proposed development;
   v. A Statutory right of way plan and agreement must be registered at the Land Title Office to permit access to the playground Park from Gilbert Avenue;
vi. Road dedication on 232 Street as required;
vii. Park dedication as required, including construction of a trail on 137 Avenue right-of-way;
viii. An Amenity Restrictive Covenant must be registered at the Land Title Office for the future subdivision and development of the area to be zoned R-1 (Residential District), R-3 (Special Amenity Residential District) and RST-SV (Street Townhouse - Silver Valley);
ix. Removal of the existing buildings;
x. A disclosure statement must be submitted by a Professional Engineer advising whether there is any evidence of underground fuel storage tanks. If there is evidence, a site profile pursuant to the Waste Management Act must be provided in accordance with the regulations.
xi. Pursuant to the Contaminated Site Regulations of the Environmental Management Act, the subdivider will provide a Site Profile for the subject lands.
xii. Registration of a Restrictive Covenant protecting the Visitor Parking on the RM-1 zoned site.

CARRIED
1. That Bylaw No. 6660-2009 be given first reading and be forwarded to Public Hearing;
2. That in accordance with Section 879 of the Local Government Act opportunity for early and on-going consultation has been provided by way of posting Bylaw No. 6660-2009 on the municipal website and requiring that the applicant host a Development Information Meeting, and Council considers it unnecessary to provide any further consultation opportunities, except by way of holding a public hearing on the bylaw;
3. That Bylaw No. 6660-2009 be considered in conjunction with the Capital Expenditure Plan and Waste Management Plan;
4. That it be confirmed that Bylaw No. 6660-2009 is consistent with the Capital Expenditure Plan and Waste Management Plan;
5. That Bylaw No. 6661-2009 be given first reading and be forwarded to Public Hearing;
6. That the following terms and conditions be met prior to final reading:
   i. Amendment to Schedule “B” of the Official Community Plan;
   ii. Road dedication on 108 Avenue as required.

CARRIED

1105 RZ/005/09, Text Amendments to Maple Ridge Zoning Bylaw No. 3510-1985

Staff report dated April 14, 2009 recommending that Maple Ridge Zone Amending Bylaw No. 6647-2009 to permit clarification and updating of various sections of Maple Ridge Zoning Bylaw No. 3510-1985 be given first reading and be forwarded to Public Hearing.

R/09-168
RZ/005/09
BL No. 6647-2009 First reading

It was moved and seconded

That Bylaw No. 6647-2009 be given first reading and be forwarded to Public Hearing.

CARRIED
1106  **Excess Capacity/Extended Services Agreement LC 134/09, 232 Street and Anderson Creek Drive**

Staff report dated April 9, 2009 recommending that Latecomer Charges be imposed and that the Corporate Officer be authorized to sign and seal Latecomer Agreement LC 134/09.
Latecomer Agreement
LC 134/09

It was moved and seconded

That with respect to the subdivision of lands involved in subdivision SD 05/06 located at 232 Street and Anderson Creek Drive, be it resolved:

1. That the cost to provide the excess or extended services are, in whole or in part, excessive to the municipality and that the cost to provide these services shall be paid to by the owners of the land being subdivided, and
2. That Latecomer Charges be imposed for such excess or extended services on the parcels and in the amounts as set out in the staff report dated April 9, 2009; and further
3. That the Corporate Officer be authorized to sign and seal Excess Capacity Latecomer Agreement LC 134/09 with the subdivider of the said lands.

CARRIED

Financial and Corporate Services (including Fire and Police)

1131 Disbursements for the month ended March 31, 2009

Staff report dated April 6, 2009 recommending that disbursements for March 2009 be approved.

It was moved and seconded

That the “disbursements as listed below for the month ended March 31, 2009 now be approved “.

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<th>Description</th>
<th>Amount</th>
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CARRIED
1132 Master Agreement for the Construction of a New Animal Shelter

Staff report dated April 9, 2009 recommending that the Corporate Officer be authorized to sign the “Master Agreement” with the BC SPCA for the construction of a new animal shelter.

R/09-171 Agreement BC SPCA Animal Shelter Sign

It was moved and seconded

That the Corporate Officer be authorized to sign the “Master Agreement” with the BC SPCA for the construction of a new animal shelter as attached to the staff report dated April 7, 2009.

CARRIED

1133 2009 Tax Rates

Staff report dated April 16, 2009 recommending that Maple Ridge Tax Rates Bylaw No. 6663-2009 be given first, second and third readings.

R/09-172 2009 Tax Rates BL No. 6663-2009

It was moved and seconded

That Bylaw No. 6663-2009 be given first, second and third readings.

CARRIED

Community Development and Recreation Service

1151 Funding for Arts Council Executive Director Search

Staff report dated April 17, 2009 recommending that the request of the Maple Ridge and Pitt Meadows Arts Council for one time financial assistance to conduct an executive search for a new Arts Council Executive Director be approved.
R/09-173
Arts Council
Executive Director
Search Funding
It was moved and seconded
That the request of the Maple Ridge and Pitt Meadows Arts Council for one time financial assistance in the amount of $10,000 to offset a portion of the cost to conduct the executive search for the new Arts Council Executive Director be approved noting that the use of a professional recruiting firm is a requirement in the Arts Council Fee for Service agreement and noting that funding is available for this purpose from the Community Development, Parks and Recreation 2008 year end surplus.

CARRIED

Correspondence - Nil

Other Committee Issues - Nil

1200 STAFF REPORTS

1201 Road Improvements - 240 Street: 114A Avenue to Dewdney Trunk Road

Staff report dated April 18, 2009 recommending that the contracts with Double M Excavating Ltd. and McElhanney Consulting be amended as outlined.

R/09-174
Road Improvements Contract Amendment

It was moved and seconded
That staff be authorized to rehabilitate and resurface 240 Street from 114A Avenue to Dewdney Trunk Road; and

That staff be authorized to amend the contract with Double M Excavating Ltd. up to a total contract value of $3,351,540.00 plus GST as outlined in the staff report titled “Road Improvements - 240 Street: 114A Avenue to
Dewdney Trunk Road ”; and further

That staff be authorized to amend the contract with McElhanney Consulting Services Ltd. up to a total contract value of $372,000 plus GST as outlined in the staff report titled “Road Improvements – 240 Street: 114A Avenue to Dewdney Trunk Road ”.

CARRIED

1300 RELEASE OF ITEMS FROM CLOSED COUNCIL - Nil

1400 MAYOR’S REPORT

1401 Our Spirit - Our Town

Mayor Daykin gave a PowerPoint presentation which provided details on the ‘Our Spirit - Our Town’ initiative. He thanked Mr. E. Beaudin and Ms. I. Beokhorst of the Downtown Maple Ridge Business Improvement Association for their participation.

Mayor Daykin attended a breakfast meeting at an Urban Development Institute Professional Development event entitled Maple Ridge: Introducing Vancouver’s Investment & Lifestyle Jewel. He reminded residents of the Home Show on May 1, 2 and 3 and encouraged all to attend. He also advised that Metro Vancouver will be holding a public information session pertaining to the regional growth strategy on May 29 at the Ridge Meadows Seniors Society Centre.

1500 COUNCILLORS ’ REPORTS

Councillor Hogarth
Councillor Hogarth attended the breakfast meeting at an Urban Development Institute Professional Development event.

Councillor Dueck
Councillor Dueck attended Earth Day celebrations and the Farmers’ Market. She also attended a Metro Vancouver Board meeting.

Councillor Ashlie
Councillor Ashlie attended a Real Estate Board Municipal Update meeting and an Agricultural Advisory Committee meeting;
**Councillor Speirs**
Councillor Speirs attended a Lower Mainland Treaty Advisory Committee meeting, the ‘Goodbye Chums’ event, the Earth Day celebrations and Arts Week Battle of the Bands as well as the Arts Week gala.

**Councillor Morden**
Councillor Morden attended the 100 day countdown for the 2009 BC Disability Games, a meeting of the Economic Advisory Committee and the Real Estate Board Municipal Update meeting.

**Councillor King**
Councillor King attended the Earth Day events in Memorial Park and the Maple Ridge Heritage Tea organized by the Maple Ridge Historical Society.

1600 OTHER MATTERS DEEMED EXPEDIENT - Nil

1700 NOTICES OF MOTION AND MATTERS FOR FUTURE MEETINGS - Nil

1800 QUESTIONS FROM THE PUBLIC - Nil

1900 ADJOURNMENT - 8:30 p.m.

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E. Daykin, Mayor

Certified Correct

C. Marlo, Corporate Officer