

We feel that Council's decision making will be assisted by some clarification of points raised in the staff report. Because of the time constraints we are copying each Council member by Email in addition to asking staff to include our comments as a late item at the council meeting.

Summary:

- As the staff report indicates options 1 & 2 would amount to rejection as they would make financing of the project impossible
- Option 3 would allow the project to move forward to the next stage. It would allow the public to express their views. If Council approves the project in principle the application could then be held after a third reading until all the requirements specified in the staff report and any additional requirements identified in the Public Hearing process are met. Should any of those requirements not be met no land uses would change and no potential land uses or current landowners would be compromised in any way.
- Although an application for the upland lot cannot be submitted at this stage, a plan for its use has been submitted. This plan shows parking layout, landscaping, lighting and signage and can, at least, be regarded as a "proof of concept."

Options 1 & 2:

Each of these options would, in effect, amount to a rejection of the project. Granting only first and second reading, then requiring purchase of the upland lot without approval in principle, would necessitate an extremely unwise investment decision and make financing impossible. First and second readings do not, in any way, indicate Council support for the project.

Given the previous uses of the land there is a moderate to high probability that there is significant contamination, requiring extremely expensive remediation for any use other than our planned parking use. The purchase cost of the land plus the cost of remediation would, almost certainly, exceed the value of the remediated land.

The purchase of that lot only makes economic sense if there is an assurance that our planned usage would meet Council approval, subject to any conditions Council may impose upon receipt of a third reading report.

The situation is further complicated by Council's previous interest in purchasing that land. Potential investors in our project have serious doubts as to whether approval could be forthcoming if Council still has an interest in purchase.

Option 3:

Option 3 would give Council the opportunity to hear the public's views consistent with Council's usual practice of not rejecting applications without first seeking public input.

If, after hearing public input, Council is supportive of the project the application could be given 3rd reading but with the proviso that it would not receive adoption until the upland lot is purchased and all other conditions imposed by Council are agreed to.

In these circumstances no land uses would be changed. If the conditions were not to be met no harm would have occurred and the status quo would remain.

We are aware that some members of Council have expressed reservations about our ability to finance the project. We would like to emphasise that we have no doubt about our ability to finance once approval in principle (i.e. third reading with conditions) has been obtained. For Council's information, we are providing under separate cover a portfolio of recent projects which clearly demonstrate our bona fides.

We believe that, if allowed to proceed to Public Hearing our project will receive wide support in Mission. We also believe it will be the much needed catalyst to kick-start development of Mission's waterfront and provide a much needed boost to many local businesses.. Council has already received input from many tourist and economic development related authorities throughout the Fraser Valley expressing the view that it will attract visitors from a much wider area to Mission's benefit.

Parking Lot Layout, Landscaping and Related Issues:

As previously stated, although an application for the upland lot cannot be submitted at this stage, a plan for its use has been submitted. This plan shows parking layout, landscaping, lighting and signage and can, at least, be regarded as a "proof of concept."

For Council's information we are providing these details under separate cover.

DISTRICT OF
Mission
ON THE FRASER



Engineering and Public Works
Memorandum

File Category: INF.SOI.OPE
File Folder: Lafarge Canada Inc.

To: Chief Administrative Officer
From: Manager of Environmental Services
Date: September 7, 2010
Subject: **Request for Variance from Noise Bylaw 1091-1981**

Recommendations

1. That Lafarge Canada Inc. be permitted to vary from Noise Bylaw 1091-1981 and transport aggregate from their pit at 10590 Dewdney Trunk Road to the intersection of Nelson Street and Lougheed Highway between the hours of 8PM to 7AM on weekdays save statutory holidays between September 8 and December 23, 2010. This variance is conditional to trucking the material using Dewdney Trunk Road, Keytsone Ave, Hayward Street and Lougheed Highway.

Background

Lafarge Canada Inc. has been awarded a contract from Ministry of Transportation and Infrastructure to deliver 140,000 tonnes of aggregate to construct the intersection at Nelson Street and Lougheed and west for 800m. A request has been made to allow transport of the aggregate to occur during the night hours. At this time, the thought is that trucking will occur from 7PM to 4AM but flexibility will be required.

It is estimated that the trucking will need to take place over a 3-4 month period during weekdays only with approximately 75 truck and trailers making the trip each night when construction is at its peak. Trucking is scheduled to start within the next week.

Trucking at night is required for several reasons. This type of work has recently resulted in unacceptable impact to the traffic resulting in safety concerns to workers and the travelling public. The amount of room required to access the site is not available during the day when traffic volumes are high. The funds available for the project expire March 31, 2011 and the work in the immediate vicinity of the intersection must be carried out during the fisheries instream work window which expires the end of September.

The District's Noise Bylaw prohibits the transport of soil between the hours of 8PM and 7AM but the Clerk may give written approval where it is impossible or impractical to meet these conditions. Given the scale of this operation, staff felt that Council should consider the variance in this instance.

A handwritten signature in black ink, appearing to read 'ME', is written over a horizontal line.

Michael Younie
Manager of Environmental Services

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