

**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 Monday, December 13, 2010 commencing at 6:30 p.m.

Council Members Present: Councillor Terry Gidda, Acting Mayor  
Councillor Paul Horn  
Councillor Danny Plecas  
Councillor Mike Scudder  
Councillor Heather Stewart

Staff Members Present: G. Robertson, chief administrative officer  
K. Ridley, deputy director of corporate administration  
T. Takahashi, administrative clerk

Council Members Absent: Mayor James Atebe  
Councillor Jenny Stevens

**1. DELEGATIONS, PRESENTATIONS AND PROCLAMATIONS**

PH10/072  
DEC. 13/10

**BC Civil Liberties Association**  
**Michael Vonn, Barrister and Solicitor, Policy Director**

Ms. Vonn referred to a letter dated November 13, 2010 that she sent to the District of Mission council on behalf of the BC Civil Liberties Association (BCCLA) expressing profound concern about complaints received by the BCCLA regarding the district's inspections under the Controlled Substance Property Bylaw. She explained that the BCCLA believes that residents have suffered serious violations of their rights. She suggested that the fee being charged is more properly characterized as a fine because, according to Section 8 of the Controlled Substance Property Bylaw, the fee is only charged to residences that are found to be controlled substance properties.

Ms. Vonn stated she believes the inspections are administrative procedures and, as such, the rules of natural justice must be followed, meaning that process must be fair, but that what has been occurring in relation to these bylaws is unfair. She said that the complaints received by the BCCLA include insufficiency of evidence for deeming a residence a controlled substance property, misapplication of purported evidence, relocation of occupational premises on insufficient grounds, lack of procedural fairness at various stages of investigatory and hearing process, and no effective process for review. She noted that all of this makes the district ripe for numerous kinds of lawsuits, including class actions.

Ms. Vonn commented that the pursuit of a social good like safety is never license to violate the rights of innocent citizens. She noted that mistakes may be made, but in such cases, immediate correction is necessary in the form of apology and redress. The BCCLA believes that the District of Mission has done exactly the opposite, but that council has the ability to remedy the situation.

The acting mayor thanked Ms. Vonn for her presentation.

PH10/073  
DEC. 13/10

**Pat Newton, Maureen Newton, and Tera LeMire**  
**Re: Secondary suite billing**

Mr. and Mrs. Newton reported that they bought their house with their daughter, Tera LeMire, and son-in-law, and everyone who lives in the house are family and owners on title. There are currently four adults living in the house. She noted that the in-law suite will never be rented out or used for financial gain. It is only for family use. They believe that they do not produce any more garbage than any other single family

residence. They feel that it is unfair to have to pay for a secondary suite because all residents of the home are owners and family members.

In response to a question from Councillor Horn, Mr. and Mrs. Newton said when they had spoken with staff about how to remedy this situation, they were told they needed to appear before council to make their request.

Barclay Pitkethly, deputy director of planning, explained that Mr. and Mrs. Newton should speak with the inspections services department to find out how to have their secondary suite designation removed. Mr. Pitkethly provided them with the appropriate contact information.

The acting mayor thanked Mr. and Mrs. Newton for their presentation.

## 2. NEW BUSINESS

PH10/074  
DEC. 13/10

### Amendments to Refuse Collection & Disposal Bylaw, Water Rates Bylaw, and Sewer User Rates Bylaw

A report from the deputy director of finance dated December 6, 2010 regarding amendments to Refuse Collection & Disposal Bylaw, Water Rates Bylaw, and Sewer User Rates Bylaw was provided for council's information.

PH10/075  
DEC. 13/10

### 2011 Fees and Charges Review

A report from the deputy treasurer/collector dated November 30, 2010 regarding 2011 Fees and Charges Review was provided for council's information.

Moved by Councillor Horn, seconded by Councillor Plecas, and

RECOMMENDED:

1. That the following new fees and proposed rates be added to the bylaws effective January 1, 2011.

<u>Bylaw</u>	<u>Description</u>	<u>Proposed 2011 Rate</u>
Fire Inspection Bylaw #3281-1999 Schedule "A" 9	Filling of Self-Contained Breathing Apparatus (SCBA) Cylinders (per cylinder)	\$15.00
Fees & Charges Bylaw #4029-2007 Schedule 1 (B) (6)	Private Fire Hydrant Maintenance	\$125.00
Building Bylaw #3590-2003 Schedule "A" 9 (a)	Pre-site Inspection Fee	\$71.50
Building Bylaw #3590-2003 Schedule "A" 9 (b)	Pre-move inspection Fee per hour rate	\$71.50
Building Bylaw #3590-2003 Schedule "A" 9 (c)	Geotech report review fee	\$50.00
Building Bylaw #3590-2003 Schedule "A" 11	To assist in the cost of preparing permanent construction records:	
Building Bylaw #3590-2003 Schedule "A" 11 (a)	For all new single family dwellings: 0.02% of the construction value, subject to a minimum of \$20.00 to a maximum of \$50.00	0.02% \$20.00 min \$50.00 max
Building Bylaw #3590-2003	For all new and/or additions of	0.02%

Schedule "A" 11 (b)	commercial, industrial, institutional and multi-family projects: 0.02% of the construction value, subject to a minimum of \$50.00 to a maximum of \$120.00	\$50.00 min \$120.00 max
Building Bylaw #3590-2003 Schedule "A" 11 (c)	For all other permits (such as single family additions, accessory buildings, farm buildings, sign, plumbing, fire sprinkler, irrigation, tenant improvement permits, etc.): 0.01% of the construction value, subject to a minimum of \$10.00 to a maximum of \$50.00	0.01% \$10.00 min \$50.00 max
Traffic Regulation Bylaw #1698-1987 Section 5.04 Temporary Street Use Permit	The Municipal Engineer may, on application by a person or corporation, issue a temporary street use permit, subject to an application fee of \$75.00, authorizing the placement of barricades for a particular purpose; said permit to state the nature of the work to be undertaken, the type of barricading required, and the period of time it may remain. This provision does not apply to work being carried out by the District of Mission.	\$75.00
Sewer Bylaw #5033-2009 Schedule "D" Sanitary Sewer Use Rates	<b>SANITARY SEWER USE RATES</b> All sanitary sewer use rates shall be paid by the User in accordance with this Bylaw and the Sewer Use Rates Bylaw #1922-1989, where applicable. The following table specifies sewer use rates for those discharges to sanitary sewer that are metered.	
	<b>Non-Residential Users:</b> 1 – 10,000 m <sup>3</sup> 10,001 – 100,000 m <sup>3</sup> 100,001 + m <sup>3</sup> Residential Users and Multiple Use with Residential Users	\$0.62/m <sup>3</sup> \$0.57/m <sup>3</sup> \$0.49/m <sup>3</sup> \$0.84/m <sup>3</sup>

2. That the proposed rates below replace the existing fees for 2011 effective January 1, 2011.

<u>Bylaw</u>	<u>Description</u>	<u>Proposed 2011 Rate</u>
Building Bylaw #3590-2003 Schedule "A" (2) (e) (i)	<b>Plumbing Permit Fees</b> For the first sprinkler head	\$71.50
Building Bylaw #3590-2003 Schedule "A" (3)	<b>Equivalency Proposal Fee</b> The fee for each additional hour of staff time if the initial equivalency proposal is not acceptable and revisions are	\$71.50

	submitted, shall be (minimum payable)	
Building Bylaw #3590-2003 Schedule "A" (6)	<b>Temporary Building Permit Fee</b> The fee for a temporary building permit shall be	\$150.00
Building Bylaw #3590-2003 Schedule "A" (7)	<b>Demolition Permit Fee</b> The fee for a demolition permit shall be	\$150.00
<b>Traffic Regulation Bylaw #1698-1987</b> 6.03 Extraordinary Traffic Permits – General (e) (new #e)	A permit valid for a single trip and subject to an application fee of \$75.00	\$75.00

3. That the following user fees and charges be deleted effective January 1, 2011.

<u>Bylaw</u>	<u>Description</u>	<u>2011 Rate</u>
Traffic Regulation Bylaw #1698-1987 Part 6.04	One Time Permit	Delete entire Section
Traffic Regulation Bylaw #1698-1987 Part 6.05	Annual Permit	Delete entire Section
Sewer Bylaw #5033-2009 Schedule "D" Sanitary Sewer Use Rates	All sanitary sewer use rates shall be paid by the user in accordance with the District's User Fees and charges Amending Bylaw 4030-2007.	Delete entire section

4. That the following housekeeping amendments be approved effective January 1, 2011.

<u>Bylaw</u>	<u>Description</u>	<u>Change to:</u>
Sewer Bylaw 5033-2009 Schedule "C" 1 (b) (i) & (ii) Sanitary Sewer Connection	The administration fee for each application for a connection, irrespective of diameter, shall be: 2011: \$184.75	(i) The administration fee for the initial application for a connection, irrespective of diameter, for 2011 shall be: \$50.00 (ii) The administration fee to complete the application for a connection, irrespective of diameter, for 2011 shall be: \$134.75, for a total of \$184.75
Sewer Bylaw 5033-2009 Schedule "C" 2 (b) (i) & (ii) Storm Sewer Connection	The administration fee for each connection, irrespective of diameter, shall be: 2011: \$184.75	(i) The administration fee for the initial application for a connection, irrespective of diameter, for 2011 shall be: \$50.00 (ii) The administration fee to complete the application for a connection, irrespective of diameter, for 2011 shall be: \$134.75, for a total of \$184.75
Water Bylaw #2196-1990	Administration fee	(i) The administration fee for the

Schedule "A" Water Connection	for each connection irrespective of diameter: 2011: \$184.75	initial application for a connection, irrespective of diameter, for 2011 shall be: \$50.00  (ii) The administration fee to complete the application for a connection, irrespective of diameter, for 2011 shall be: \$134.75, for a total of \$184.75
Highway Access Bylaw #1705-1987 Schedule "A" (2)	Administration fee for each connection irrespective of diameter: 2011: \$224.00	(i) The administration fee for the initial building permit application for access for 2011 shall be: \$50.00  (ii) The administration fee to complete the building permit application for access for 2011 shall be: \$174.00, for a total of \$224.00
Sewer Bylaw #5033-2009 Schedule "D" (3)	Volume calculations for Large Industrial Users and customers, with Sanitary Sewer meters or Water meters on private wells, shall be determined on a bi-annual basis.	Volume charges for Large Industrial Users and customers with Sanitary Sewer meters or Water meters on private wells, shall be calculated and invoiced on a bi-annual basis.
Sewer Bylaw #5033-2009 Schedule "D" BOD and TSS Waste Charges	BOD and TSS Waste Charges table – remove the column heading "2009"	BOD and TSS Waste Charges table – insert the column heading "Rate"

CARRIED

### 3. BYLAWS

PH10/076  
DEC. 13/10

Moved by Councillor Horn, seconded by Councillor Scudder, and

**RECOMMENDED:** That the readings of all bylaws included in the Bylaws section of the December 13, 2010 regular council agenda be approved as listed.

- |     |   |                                  |
|-----|---|----------------------------------|
| (a) | District of Mission Refuse Collection and Disposal Amending Bylaw 5185-2010-1387(50) – a bylaw to allow for various tipping fee increases | First, Second and Third Readings |
| (b) | District of Mission Water Rates Amending Bylaw 5186-2010-2197(19) – a bylaw to allow for a 15% rate increase                              | First, Second and Third Readings |
| (c) | District of Mission Sewer Rates Amending Bylaw 5187-2010-1922(17) – a bylaw to allow for a 10% rate increase                              | First, Second and Third Readings |

- (d) District of Mission User Fees and Charges Bylaw 5188-2010 – a bylaw to update the user fees and charges within other bylaws First, Second and Third Readings

CARRIED

#### 4. QUESTION PERIOD (on new business only)

There were no questions from the public.

#### 5. PUBLIC HEARING

Acting Mayor Gidda called the public hearing to order and outlined the procedures to be followed.

Michael Vonn approached the microphone and asked for clarification as to whether questions could be asked about the delegations.

The acting mayor explained the procedure for the question period. He said that when he called for questions from the public during question period, nobody came forward to ask any questions and, therefore, he declared the question period closed and moved on to the next agenda item.

Ms. Vonn again said that if no questions would be allowed for the delegations, she would like it noted for the record.

The acting mayor replied that question period was finished and no questions would be allowed.

PH10/077  
DEC. 13/10

**District of Mission Zoning Amending Bylaw 5158-2010-5050(17) (R10-014 – Toor) – a bylaw to make amendments to Section 602 Residential Compact Secondary Dwelling Zones, and to rezone properties at 33100, 33102, 33116, 33128, 33134, 33142, 33156, 33160 Tunbridge Avenue and 33157, 33149, 33141, 33135, 33123, 33115, 33109, 33103 Pinchbeck Avenue from Residential Compact 372 zone (RC372) to Residential Compact 372 Secondary Dwelling zone (RC372s)**

Marcy Bond, planner, provided information regarding District of Mission Zoning Amending Bylaw 5158-2010-5050(17), in the name of Toor, which proposes to amend District of Mission Zoning Bylaw 5050-2009 by amending the zoning of the following legally described properties:

Parcel Identifier: 027-846-938 Lot 42, Section 28, Township 17, New Westminster District Plan BCP40247

Parcel Identifier: 027-846-946 Lot 43, Section 28, Township 17, New Westminster District Plan BCP40247

Parcel Identifier: 027-846-954 Lot 44, Section 28, Township 17, New Westminster District Plan BCP40247

Parcel Identifier: 027-846-962 Lot 45, Section 28, Township 17, New Westminster District Plan BCP40247

Parcel Identifier: 027-846-971 Lot 46, Section 28, Township 17, New Westminster District Plan BCP40247

Parcel Identifier: 027-847-004 Lot 47, Section 28, Township 17, New Westminster District Plan BCP40247

Parcel Identifier: 027-847-021 Lot 48, Section 28, Township 17, New Westminster District Plan BCP40247

Parcel Identifier: 027-847-039 Lot 49, Section 28, Township 17, New Westminster District Plan BCP40247

Parcel Identifier: 027-847-047 Lot 50, Section 28, Township 17, New Westminster District Plan BCP40247

Parcel Identifier: 027-847-055 Lot 51, Section 28, Township 17, New Westminster District Plan BCP40247

Parcel Identifier: 027-847-063 Lot 52, Section 28, Township 17, New Westminster District Plan BCP40247

Parcel Identifier: 027-847-071 Lot 53, Section 28, Township 17, New Westminster District Plan BCP40247

Parcel Identifier: 027-847-080 Lot 54, Section 28, Township 17, New Westminster District Plan BCP40247

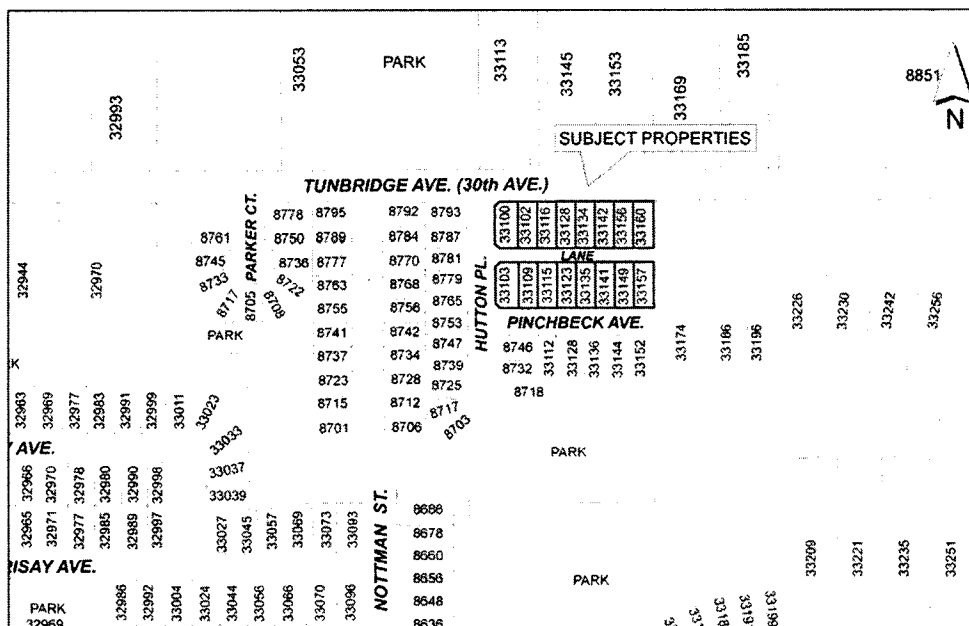
Parcel Identifier: 027-847-098 Lot 55, Section 28, Township 17, New Westminster District Plan BCP40247

Parcel Identifier: 027-847-101 Lot 56, Section 28, Township 17, New Westminster District Plan BCP40247

Parcel Identifier: 027-847-110 Lot 57, Section 28, Township 17, New Westminster District Plan BCP40247

from Residential Compact 372 zone (RC372) to Residential Compact 372 Secondary Dwelling zone (RC372s).

The planner stated that the location of the subject properties is 33100, 33102, 33116, 33128, 33134, 33142, 33156 & 33160 Tunbridge Avenue and 33157, 33149, 33141, 33135, 33123, 33115, 33109 & 33103 Pinchbeck Avenue (as shown on the following map):



Ms. Bond explained that the purpose of the proposed amendment is to provide one single family dwelling with a secondary dwelling on each compact single-family lot. She noted that no amendment to the Official Community Plan is required for this application. Ms. Bond explained that one additional on-site parking space is required for each secondary dwelling unit. The planner noted that there were no engineering requirements as all the services are currently in place.

The planner stated that the following requirements would need to be met prior to adoption of the zone amending bylaw:

- Any items that council may require as a result of this public hearing

The deputy director of corporate administration stated that the following correspondence was received regarding this application:

One letter was received from Rob and Lisa Brandsma, who are opposed to the development because they are concerned about the size of the lots and the basement suite potential.

Jim Hinds said he is opposed to the rezoning because the lots are small and there is not enough infrastructure in place to support secondary suites in the area.

Terry Mortimer commented that he believes the lots are too small to support secondary suites.

Jeanette Smith said she agrees with the previous speakers. She asked whether all the lots are the same size and wondered why coach houses are being considered for some lots, but not for others.

The planner explained that the coach houses would be located at the rear of the lots.

Councillor Horn clarified that the coach house would be located above the detached garage on some of the lots, but the number of buildings would be the same on all lots.

The planner explained that secondary suites would only be allowed on 16 lots, the first row fronting Tunbridge Avenue, as well as the second row of houses.

Ms. Smith asked for clarification about whether the density would be doubled and the planner confirmed that it would.

Darren Hall, who is a designer with the company that provided the designs for the houses, explained that all 16 houses were originally approved with detached garages and the footprints have not changed. He commented that the suites being proposed are very small and he doesn't think that the increase in the amount of people would be significant.

Gary Toor explained that the planning department had approached the developers about building coach houses as they thought it was a good location to try it.

Jeanette Smith asked whether the garages would be large enough for two vehicles.

Ms. Bond explained that each garage would house two vehicles and an additional single-vehicle parking space would be built beside the garage for the utilization of the carriage house occupants. She further noted that the rear setback has been moved to the rear lot line for these carriage houses so there will not be enough room for vehicles to be parked partially on the lane, but rather will have to be in the garage. Ms. Bond also explained that coach houses are being considered only for this particular row of houses because there is access via the lane, which is not available to other houses in the development.



Councillor Stewart asked for clarification about whether the lots are already serviced. The planner replied that they are already serviced.

Councillor Horn asked for a general comment from staff about the likely occupancy of the area if the suites are not regulated.

Barclay Pitkethly, deputy director of planning, said there is a high incidence of illegal suites in the area.

Councillor Horn asked for clarification that by zoning the area for suites, the district is better able to provide for off-street parking, which is not possible if the suites are illegal.

Ms. Bond confirmed that statement to be correct, which is the reason it is being supported by the planning department.

Councillor Horn asked whether regulation allows for increased permeability for the parking spaces.

The planner explained that the developer is being required to pave two wheel strips rather than the entire parking pad, which decreases the hard surface on the lots.

Councillor Horn asked if this development is going to be in keeping with the neighbourhood character as it is anticipated by the planning department.

Ms. Bond replied that it is.

Councillor Horn asked about traffic flow, whether engineering has any concerns about additional cars on road in terms of wear and tear.

The planner replied that no traffic impact study was required because there are only 16 additional parking spaces being created and the amount of traffic generated from 16 vehicles, in staff's opinion, did not warrant a study.

Councillor Horn asked that a traffic study to be provided in a third reading report.

Councillor Plecas asked if there is any way to restrict parking in the laneway.

Ms. Bond replied that it is already illegal to park in laneways. She noted that because the garages will be built right on the rear of the lot line, so there will be no room to park on the lane and vehicles would be towed if parked in the lane.

Councillor Scudder asked if there will be signage in the laneway marking it as a fire lane or if the signs would simply indicate that no parking is allowed.

The planner replied that she was unsure, but would look into it.

Councillor Scudder requested that information about the signage also be provided in a third reading report.

Councillor Horn asked that engineering provide information at third reading about whether it is possible to design the gutters in laneways to make it more difficult to park across the gutter.

Salem Abushawashi, deputy director of engineering, described a type of lane grading that eliminates the need for gutters for drainage.

The deputy director of planning explained that barrier curbs, which are more difficult to park across, require more space than rollover curbs because of the let-downs necessary.

Hearing no further questions or comments the acting mayor declared the public

hearing on District of Mission Zoning Amending Bylaw 5158-2010-5050(17) (R10-014 – Toor) closed.

PH10/078  
DEC. 13/10

**(i) District of Mission Zoning Amending Bylaw 5177-2010-5050(28) (R10-023 – Toor/McPherson) – a bylaw to rezone properties at 32895 and 32911 Sylvia Avenue from Suburban 36 zone (S36) to Compact Residential 372 zone (RC372), and to rezone property at 8566 Cedar Street from Suburban 36 zone (S36) to Compact Residential 280 zone (RC280)**

**(ii) District of Mission Official Community Plan Amending Bylaw 5181-2010-4052(12) (R10-023 – Toor/McPherson) – a bylaw to redesignate properties at 32895 and 32911 Sylvia Avenue from Parks, Recreation and Open Space and Urban Residential to Urban Residential-Compact on Maps 1 and 1b**

Erik Wilhelm, planner, provided information regarding District of Mission Zoning Amending Bylaw 5177-2010-5050(28), in the name of Toor/McPherson, which proposes to amend District of Mission Zoning Bylaw 5050-2009 by amending the zoning of following legally described properties:

Parcel Identifier: 011-185-716 Lot 1, Section 28, Township 17, New Westminster District Plan 6298

Parcel Identifier: 002-030-071 Lot 2, Section 28, Township 17, New Westminster District Plan 70106

Parcel Identifier: 005-468-001 Lot 43, Section 28, Township 17, New Westminster District Plan 56771

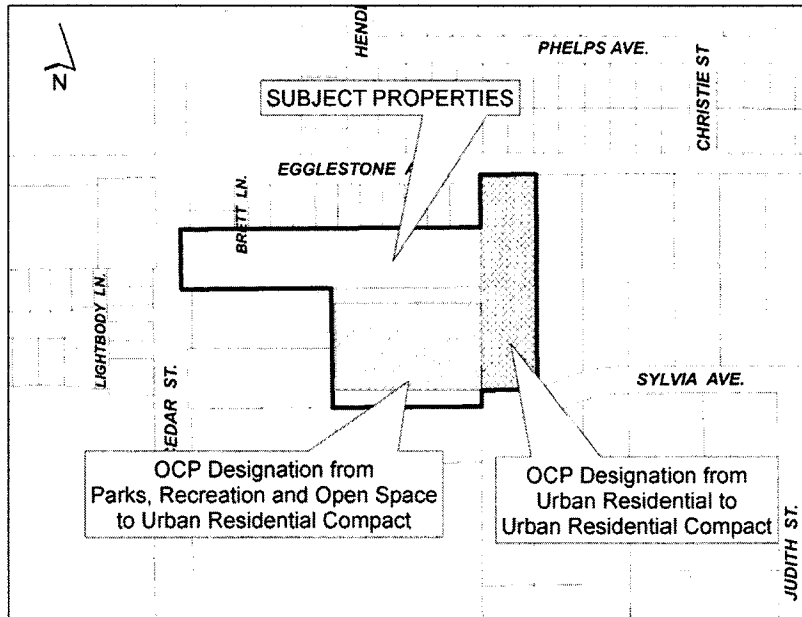
from S36 Suburban 36 zone to RC372 Compact Residential 372 zone (32895, 32911 Sylvia Avenue and 8566 Cedar Street) except for the western portion of 8566 Cedar Street which is to be rezoned to RC280 Compact Residential 280 zone.

Mr. Wilhelm also provided information regarding District of Mission Official Community Plan Amending Bylaw 5181-2010-4052(12), in the name of Toor/McPherson, which proposes to amend District of Mission Official Community Plan 4052-2008 for the preceding legally described properties:

from Parks Recreation and Natural Open Space to Urban Residential-Compact (portion of 32895 Sylvia Avenue); and

from Urban Residential to Urban Residential-Compact (32911 Sylvia Avenue).

The planner explained that the location of the subject properties is 8566 Cedar Street, 32895 and 32911 Sylvia Avenue (as shown on the following map):



Mr. Wilhelm explained that the purpose of the proposed amendment is to accommodate the subsequent subdivision of the properties into thirty-nine (39) urban compact lots of a minimum 372 square metres (4,004 sq. ft.) and four (4) lots of a minimum 280 square metres (3013 sq. ft.) for a total of 43 urban compact lots.

The planner said that a park is envisioned for the future in the Judith Street area when development takes place in that area. Mr. Wilhelm also noted that 140 trees would be planted with this development.

The planner stated that the following requirements would need to be met prior to adoption of the zone amending bylaw:

- Receipt of community amenity contribution in the amount of \$107,200 (\$2,680 x 40 lots)
- Any other items that council may require as a result of this public hearing

The deputy director of corporate administration stated that the following correspondence was received regarding this application:

Two letters in opposition were received from Robert and Debora Phippen, one on December 6, 2010 addressed to mayor and council, and another on December 10, 2010 addressed to the planning department. Mr. and Mrs. Phippen feel that the development is incompatible with the established neighbourhood, and negatively affects their opportunity to develop their own property in the future.

One supporting letter was received on December 13, 2010 from Cindy Sandhu.

One letter was received from Peter and Robbie Laslo on December 13, 2010 opposing the development because of concern about increased traffic congestion.

One letter was received via email on December 13, 2010 from Rob and Lisa Brandsma opposing the development because it will take away park space and increase traffic.

Debora Phippen submitted a letter and photographs to council. She said she is opposed to the development because it is incompatible with established

neighbourhood on Sylvia Avenue. She commented that, until further development takes place, the half road along their fence line would be the only access for 26 lots and noted that she and her husband would have to pay to finish the road if they decide to develop their own property in the future. Mrs. Phippen feels that is too heavy a burden. She indicated that she had spoken with the planning department about several alternatives to make the situation better and asked council to consider alternatives, such as a transition buffer or moving the road, before making a decision.

Jim Hinds asked about the size of required setbacks for the four lots between Cedar Street and Brett Lane.

The planner answered that the required setback is 1.5 metres.

Owen Skonberg said he is opposed to the development for the same reasons as Mr. and Mrs. Phippen.

Chris Skonberg said she is opposed to the development because it is too much of a burden on Mr. and Mrs. Phippen.

Debbie Miller said she is concerned about the 18 trees on the side of her home because they are very large and have caused a lot of damage to her house and vehicles during heavy wind storms. She said she would like to know who will be liable for future damage if those trees are not removed.

Dave Jackson said he is also concerned about having the trees removed and who will pay for damages if they are not removed.

The owner of 32876 Sylvia Avenue said he supports this development.

Prabhdeep Dhaliwal said he supports the proposal.

Hardeep Dhaliwal said he supports the development.

Dan Renaud said he is opposed to this proposal due to the unfair burden it will place on his neighbours, Mr. and Mrs. Phippen.

Gary Toor said he wonders why no objection was raised to the half road five years ago when the neighbourhood conceptual plan was developed by the planning and engineering departments. He noted that many half roads have been built in Mission in the past and they have worked out well.

Jatinder Sahota said he is in support of the development.

Heather Jackson said she is concerned about the lots on Brett Lane with regard to a lack of parking and problems with the trees.

Jeanette Smith commented that she objects to eliminating the parkland designation because it will not be replaced. She wonders why the district would pay lots of money to have put the Official Community Plan in place and then overturn it a short time later.

The deputy director of planning explained that cash in lieu of parkland will be collected to buy parkland in the future. He noted that the parkland in this development is very close to other parkland areas, so it can be taken away.

Peter Laslo said he is concerned about whether Sylvia Avenue will go through to Cedar Street in the future. He asked if upgrades would happen when development takes place.

The planner said there is a conceptual plan in-house document that shows Sylvia

continuing on to Cedar Street. He noted that the subdivision bylaw just requires that improvements are made on the frontages of the development properties but not on the existing properties.

Devon Dhaliwal commented that it would help the safety of the area if Sylvia Avenue were to go through to Cedar Street.

Rob Phippen commented that Sylvia Avenue is very quiet as it is now. He explained that the road Mr. Toor referred to in the conceptual plan from five years ago was a full road that was deemed undoable because it was immediately against Mr. Phippen's house and there was no room for it.

Konrad von Hardenberg said he is not opposed to development, but sympathizes with the Phippens. He thinks this is an unfair burden on them.

Debora Phippen questioned why the developers of Egglestone from Cedar Street up to 32911 didn't share the burden if it is common practise for developers to do so.

The planner explained that it was a previous development application and at the time it was not perceived that there would be a roadway running on the eastern edge of that particular lot.

Darren Hall commented that there is another development on Egglestone in the works where the developers are taking the full burden of the road.

Jim Douglas said he is concerned about the burden on the Phippens for the half road.

Moved by Councillor Horn, seconded by Councillor Plecas, and

Recommended: That following questions be addressed in a third reading report.

- 1) What options exist with respect to providing transition and buffering to allow for privacy separation between the new development and, particularly the Phippen property?
- 2) Is there a possibility for a walkway to be created along the corridor between the property line of the Phippen property and the southwestern boundary of the new development?
- 3) Please clarify whether Sylvia Avenue needs to be a throughway to Cedar Street in the future.
- 4) Please comment as to what the District of Mission practice is with respect to lot yield and road alignments when the lot sizes are not of equal size and when a property would be required to have half roads and/or laneways on more than one property line.
- 5) Please comment as to what the current development activity is along Sylvia Avenue, in other words, are there other existing applications along Sylvia Avenue?
- 6) Please clarify how staff see proceeding with the tree questions that were asked at the public hearing around hazard control.
- 7) How can we address the issues that have been expressed around parking on Brett Lane?
- 8) Can the engineering department please clarify whether they have any concerns around the descending turn from Sylvia Avenue onto Judith Street?

- 9) Is there a way, if the trees are removed, for another lot alignment to be considered to address some of the concerns raised by and for the Phippens at the public hearing?
- 10) Clarify any other concerns by the engineering department with regard to traffic and roads in the area.

CARRIED

Hearing no further questions or comments the acting mayor declared the public hearing on District of Mission Zoning Amending Bylaw 5177-2010-5050(28) (R10-023 – Toor/McPherson) and District of Mission Official Community Plan Amending Bylaw 5181-2010-4052(12) (R10-023 – Toor/McPherson) closed.

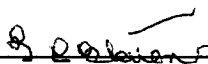
## 6. ADJOURNMENT


Moved by Councillor Plecas, seconded by Councillor Scudder, and

RESOLVED: That the meeting be adjourned.

CARRIED

The meeting was adjourned at 8:21p.m.

  
\_\_\_\_\_  
JENNY STEVENS, ACTING MAYOR

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