

**TO:** CITY MANAGER

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT:** **REZONING REFERENCE # 98 -13**  
**5060 CANADA WAY**  
**RESPONSE TO PUBLIC HEARING COMMENTS**

1999 February 12

**Purpose:** To provide Council with information on the concerns raised at the Public Hearing for the subject rezoning.

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**RECOMMENDATION:**

1. **That** Council receive this report for information purposes.

**REPORT**

On 1998 October 27, a Public Hearing was held for this rezoning, which involves rezoning the subject property to CD Comprehensive Development District (based on P5 Community Institutional District guidelines), in order to permit the development of a mosque. While the majority of those who spoke at the Public Hearing were supportive of the rezoning, some concerns were raised by area residents. On 1998 November 2, Council gave Second Reading to Rezoning Reference #98 -13 and directed staff to report back on the issues of noise emanating from the minaret and the adequacy of the parking to be provided.

With regard to the issue of noise, concern was expressed that there would be call to prayer announced from the minaret, which occurs from mosques outside of North America, and that there could be loud speakers outside of the mosque. Staff had previously been advised verbally and since the Public Hearing, the British Columbia Muslim Association has confirmed in writing, that they have no intention of having an amplified sound system on the exterior of the mosque and that there would be no call to prayer from the minaret. The B.C. Muslim Association advises that only maintenance personnel will have access to that part of the building and that the general public will not be admitted.

The issue of parking was the subject of considerable discussion with the applicant prior to the submission of the Public Hearing plans and the Public Hearing report in order to ensure that the parking provided satisfied the bylaw requirements and was generally as much as could practically be provided on the site. The bylaw requirements for this development could have been based on

two different classifications for parking requirements. The first possible classification, which is for churches, requires one space for each ten seats, plus one space for each 19 m<sup>2</sup> (204.52 sq. ft.) of gross floor area in areas without fixed seating used for assembly within a church building or church hall. The second classification, which is for places of public assembly, including assembly halls and meeting halls, requires 1 space for each 9 m<sup>2</sup> (96.88 sq. ft.) of floor area used in areas without fixed seats which are intended to be used for public assembly. In recognition of the fact that the mosque will not utilize fixed seating in its prayer halls, the applicant was advised that they must provide enough parking to satisfy the second classification, which generated the higher parking requirement. Utilizing the higher parking requirement of 1 space for each 9 m<sup>2</sup> (96.88 sq. ft.) and based on a total floor area of 396 m<sup>2</sup> (4,262.6 sq. ft) within two separate prayer halls, the applicant was required to provide 44 parking spaces. The Public Hearing plans indicated 44 parking spaces, all of which are under the main floor of the mosque.

Since that time, the applicant has submitted another plan of development for the parking level which shows an additional three parking spaces to be provided. This was done by extending the underground parking closer to the south property line along Canada Way. The provision of additional parking in this area may influence the type of trees that can be planted within the front setback area. However, we will work with the applicant to minimize the impact the additional parking will have on the landscape plan. It appears that 47 parking spaces is the maximum number of parking spaces that can be accommodated on this site, which exceeds the bylaw requirement by three spaces.

This is for the information of Council.



D. G. Stenson  
Director Planning and Building

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