

1998 OCTOBER 27

A Public Hearing was held in the Council Chamber, City Hall, 4949 Canada Way, Burnaby, B.C. on Tuesday, 1998 October 27 at 7:30 p.m.

PRESENT: Mayor D.P. Drummond (In the Chair)
Councillor D.G. Evans
Councillor D.N. Johnston
Councillor D.A. Lawson
Councillor C.M.H. Redman
Councillor J. Young

ABSENT: Councillor D.R. Corrigan
Councillor L.A. Rankin
Councillor N. M. Volkow

STAFF: Mr. D. G. Stenson, Director Planning and Building
Mrs. A.L. Lorentsen, Administrative Officer I

The Public Hearing was called to order at 7:36 p.m.

1. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 46, 1998" - BYLAW NO. 10803

TEXT AMENDMENT

The purpose of the proposed Text Amendment is to permit self-improvement schools in the C8 Hastings Village Commercial District.

No one appeared in connection with this proposed Text Amendment.

The Advisory Planning Commission wish to advise Council that following its consideration of this Text Amendment, a decision was reached to SUPPORT the Text Amendment ,
Bylaw No. 10803.

There were no further submissions received in connection with this rezoning application.

MOVED BY COUNCILLOR LAWSON
SECONDED BY COUNCILLOR JOHNSTON

"THAT this Public Hearing relating to the Text Amendment, Bylaw No. 10803 be now terminated."

CARRIED UNANIMOUSLY

2. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 47, 1998" - BYLAW NO. 10824

Rez. #98-13

5060 Canada Way - located on the northeast corner of the intersection of Canada Way and Sperling Avenue

Lot 172, D.L. 85, Grp. 1, NWD, Plan 41000

From: R4 Residential District

To: CD Comprehensive Development District (based on P5 Community Institutional District guidelines and in accordance with the Development Plan entitled "Burnaby Mosque Project" prepared by Studio Senbel)

The purpose of the proposed zoning bylaw amendment is to permit the development of a mosque.

Graham Farstad, Arlington Group, 800, 626 W. Pender Street, Vancouver, rezoning applicant, appeared before Council in support of the application and provided a brief history of the B.C. Muslim Association's search for an appropriate site for a new mosque. Mr. Farstad advised that this particular site was chosen because of its central location; excellent exposure and good visibility; proximity to public transit; safe access, particularly once the current upgrading and signalization project at the intersection at Canada Way and Sperling is complete and; complementary land uses including residential, commercial, institutional and; the lastly, the heavy tree cover. The speaker advised he and the B.C. Muslim Association has worked extensively with the Burnaby Planning Department to put forward a proposal that would satisfy the goals and expectations of both.

In brief response to the concerns expressed in the report submitted by the Advisory Planning Commission, Mr. Farstad provided the following: the number of parking spaces for the development fully complies with the requirements of the Zoning Bylaw, within the more restrictive of two standards that could apply to the development, and in addition will be completely underground; he does not see that there should be any interference to fire trucks on Sperling Avenue because of the improved signalization; stormwater management is proposed; and lastly, the cedar trees referred to are not on the subject property and therefore cannot be included in the covenant, but the applicant has agreed to protect all trees on or near the site during construction.

Sharif Senbel, 201 - 304 W. Cordova, Vancouver, architect for the subject development, provided a number of drawings, plans and a scale model for Council's information and then provided a brief review of the construction plans for the site. Mr. Senbel advised he has been working on a plan of development that meets both the Burnaby Planning Department's vision for the future for this particular neighbourhood and the Muslim community's aspirations for their first place of worship in Burnaby.

In meeting the Planning Department's guidelines for this development the building design is as follows: a two storey building with the building form broken up and the massing cascading down to Canada Way in order to avoid a massive facade along Canada Way; front yard setbacks have been provided along Canada Way as well as along Sperling Avenue; setbacks are well landscaped with minimum paved surfaces as requested and, additionally, there will be boulevard trees planted within the road dedication along the Canada Way corridor; an arborist has visited the site and it has been determined the project will not threaten the survival of any of the trees both on-site or on any of the neighbouring properties and it was recommended and agreed to that an arborist be on-site during erection of the protection fencing and during excavation in order that any roots that may be uncovered are handled appropriately; all parking has been placed below grade to achieve a parklike setting and the number of spaces provided is in accordance to the Public Assembly District requirements (more restrictive than the church requirement); the minaret, an important architectural element of a mosque, has been located in design to form a composition with the taller Lombardi Poplars along the east property line and the proposed spire-like spruces; the principal cladding material for the building will be brick, with a copper dome on the entry portal and a smaller dome to be clad in zinc, all materials are earth tones and expected to improve with age.

Aspha Dada, 4782 Manor Street, Vancouver appeared before Council members on behalf of the Burnaby Branch, B.C. Muslim Association, proponents of the subject rezoning application, to explain his community's need for a mosque in Burnaby. Mr. Dada advised that a mosque is a symbol of the aims and purposes of a Muslim's collective life and one of the main functions of any Muslim community is to establish prayer. Through the telling of an allegorical story, Mr. Dada, illustrated the importance to having a place of worship and the importance that worship plays in a human being's life and the part it plays in a human being's relationship with others -- friends, community, neighbourhood. A mosque, explained the speaker, does more for the human spirit than can be demonstrated by abstract terms like, its a place of prayer, a place of guidance, an educational place, a place for support or a place for solidarity.

Nizam Dean, 7670 14th Avenue, Burnaby appeared before Council members advising that as a real estate agent he has been involved in the search for a place of worship for his community and the Burnaby Branch of the B.C. Muslim Association for the past five years and he fully supports the site proposed for rezoning. Mr. Dean advises that in the past five years a number of sites have been identified and discarded and only recently came across this particular location a few months ago. At present, there is no place of worship in Burnaby, but a congregation of about 200 people have been using the Jubilee Hall in Metrotown, on a temporary basis, for Friday prayers between 12 noon to 1:00 p.m. There is a great need for a place of worship in the Burnaby community explained Mr. Dean. With respect to any concerns there may be concerning traffic, Mr. Dean suggested that the hours of worship are such that there would be no impact on traffic during rush hours.

Ye Hasiung Lee, 4951 Claude Avenue, Burnaby appeared before Council and, with the assistance of an interpreter, advised that he is the owner of property bordering the subject site to the northeast. Mr. Lee is concerned that the subject proposal may result in a devaluation of his property and that there could be significant noise coming from the mosque during time of prayer. Parking is also of concern to Mr. Lee as he does not believe the 44 spaces provided will be adequate and could result in vehicles being parked in front of him home. In conclusion, the speaker advised that Mr. Lee is against the proposal.

Linda Verbeek, 5170 Sperling Avenue, Burnaby, came before Council, advising that her property is approximately one block away from the subject site and she does have some concern about the proposal. The speaker advised that she is not opposed, in principal to having a place of worship in the neighbourhood, however, she is concerned about possible noise from the proposed mosque. Ms. Verbeek informed Council that, in her experience, a mosque will often use loudspeakers or some other manner of calling worshippers to prayers and requested that there be some clarification on this issue. The speaker advised that if there will be any noise pollution she is opposed to the proposal, but if there is to be no noise, she has no objection.

In response to a query from Council, Mr. D.G. Stenson explained that Planning Department staff have inquired about this and they have been informed that there is no intention of using loudspeaker to call worshippers to prayer.

Dr. Mohamed Ahmed, 5811 Hardwick Street, Burnaby appeared before Council to express his support for the rezoning change. Dr. Ahmed advised that he is a long time resident of Burnaby and does not believe that there will be any decrease in property value to properties surrounding the subject site if the mosque is approved.

Manuel Borlinha, 7749 Rayside Street, Burnaby appeared before Council advising that he is opposed to the rezoning application because of the impact it will have on traffic. Mr. Borlinha informed Council that he and his neighbours have been waited 20 years to get a traffic signal at the intersection of Sperling Avenue and Canada Way; but now that it has finally happened, this proposal has come forward that will bring even more traffic to the Canada Way corridor. The speaker suggested it would be a bad decision for Council to support this application.

Edward Stanek, 5070 Canada Way, Burnaby appeared before Council advising that he is the owner of the property immediately east of the subject site. Mr. Stanek has two concerns that he would like addressed: firstly, what are the plans for the management and drainage of water for the development and secondly, are there plans to control speed along the Canada Way corridor? With regard to traffic volume and speed, Mr. Stanek, suggested that if the mosque is approved there will be more traffic, more pedestrians and more children and suggested Council should give serious consideration to reducing the speed limit in this area.

Loveleen Lohia, 6865 Noelani Place, Burnaby addressed Council members to express her support for the proposed mosque. The speaker noted that concerns regarding traffic would be an issue no matter what is developed at the subject site and further that the hours of worship as explained should not conflict too much with peak traffic hours. A church, suggested Ms. Lohia, is an expected use in any densely residential area and can integrate well into the community. Churches located at Canada Way and Boundary and Willingdon and Moscrop are an example of how this has been done previously, the speaker pointed out. In conclusion, Ms. Lohia suggested that the proposed use is far better than many other types of businesses that would consider developing this site.

Bob Ibrahim, 4541 Watling Street, Burnaby appeared before Council to express his support for the subject rezoning. Mr. Ibrahim advised he does not believe there will be a negative impact on traffic as a result of the proposed development nor does he believe property values will go down but could possibly even increase. Currently, Mr. Ibrahim is taking his family to worship in Richmond but he would prefer to worship in Burnaby, where he lives, rather than fighting traffic into another community.

Tony Razak, 8031 Brynlor Drive, Burnaby came before members of Council to express support for the proposed mosque. Mr. Razak advised that he currently travels to either Surrey or Richmond for worship, cannot stress to Council enough the need for Burnaby to have its own mosque and asks Council's support for this development.

Name unknown, formerly of 7740 Rayside Avenue, appeared before members of Council expressing her support for the proposed mosque. The speaker advised that there is only one mosque to serve the growing Muslim community in Burnaby. Traffic will slow down in the area, once the traffic signalization is complete and since there has been little residential growth in this neighbourhood the speaker feels this would be a good location for a mosque.

Abudlah Causevic, 1455 Robson Street, Vancouver appeared before Council in support of the subject application. The speaker advised that as a member of the Bosnian Muslim community he would welcome the opportunity to worship in Burnaby. The speaker advised that project will integrate well into the environment, be free of noise or air pollution and will add new beauty to the environment.

** Councillor Young retired from the Council Chamber at 8:35 p.m.

Isan Razak, 8031 Brynlor Drive, Burnaby appeared before Council members to express support for the proposed development. The speaker advised he is very involved with the youth of his community and views this project as a focal point for youth activities. Mr. Razak suggested that development done responsibly and carefully can be good for an area; whereas when there is no development some issues, such as traffic and youth support, go unchecked and can be bad for a neighbourhood. The speaker strongly urged Council to support this project.

Gary Herberts, 5832 Walker Avenue, Burnaby, owner of the subject property, appeared before Council seeking support for this proposal. Mr. Herberts advised he has been attempting to develop this site for a number of years and several different proposals have already been turned down by the City. This particular project, informed Mr. Herberts, would have the least impact on traffic than any use proposed for this site thus far. The speaker strongly supports this application.

** Councillor Young returned to the Public Hearing at 8:39 p.m. and took his place at the Council table.

Bonami Stanek, 5070 Canada Way, Burnaby appeared before Council in support for the subject application. The speaker advised that there needs to be some form of development in this area and she feels a mosque would bring life and vibrancy to her neighbourhood.

Omar Mohamed, 8190 19th Avenue, Burnaby appeared before Council members to speak in support of the rezoning proposal. The speaker advised that he finds it difficult to take his family to another municipality for worship. Mr. Mohamed feels it would be better for his children, in particular, to have a place in their own community where they can worship, gather with friends and be part of their community.

** Councillor Redman retired from the Public Hearing at 8:42 p.m.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rez. #98-13, Bylaw No. 10824.

Arising from its consideration of Rez #98-13 the Advisory Planning Commission adopted the following motion for Council's consideration:

"THAT, with regard to Rez #98-13, the Advisory Planning Commission express to Council its serious concerns regarding the following:

1. That the 44 parking spaces provided in compliance with the Zoning Bylaw are not sufficient for the proposed use;
2. That further consideration be given to the impact the proposal will have on egress of fire trucks along Sperling Avenue, from the Fire hall to Canada Way;
3. That a stormwater management plan be implemented, to protect adjacent waterways, following completion of the development; and
4. That the significant row of cedar trees existing on the site also be included in the Section 219 Covenant required for rezoning."

There were no further submissions received in connection with this rezoning application.

MOVED BY COUNCILLOR LAWSON
SECONDED BY COUNCILLOR YOUNG

"THAT this Public Hearing relating to Rez. #98-13, Bylaw No. 10824 be now terminated."

CARRIED UNANIMOUSLY

** Councillor Redman returned to the Council Chamber at 8:50 p.m. and took her place at the table.

3. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 48, 1998" - BYLAW NO. 10825

Rez. #98-19

3700 Gilmore Way & 4401 Sanderson Way - located north of Sanderson Way, west of Willingdon Avenue and east of Gilmore Way, within the overall Discovery Place (B.C.I.T.) site

Lot 1 exc: Part Subdivided by Plan LMP21978, Plan LMP17320; Lot 14 exc: Firstly, Pcl. A (Bylaw Plan 60615); Secondly, Part Subdivided by Plan 60616; Thirdly, Part Subdivided by Plan 64401; Fourthly, Part Subdivided by Plan 80047; Fifthly, Part Subdivided by Plan LMP12752; Sixthly, Part Subdivided by Plan 17320; and Seventhly, Part Subdivided by Plan LMP21978, Plan 59477; all of D.L.'s 71 & 72, Grp. 1, NWD

From: CD Comprehensive Development District (based on M8 Advanced Technology Research District and M5 Light Industrial District and Discovery Place Community Plan)

To: Amended CD Comprehensive Development District (based on M8 Advanced Technology Research District use and density and Discovery Place Community Plan and in accordance with the Development Plan entitled "Creo Products Inc., 3700 Gilmore Way/4401 Sanderson Way" prepared by Bunting Coady Architects)

The purpose of the proposed zoning bylaw amendment is to permit phased expansion of an existing advanced technology research and office facility as well as construction of a new office and research facility and an underground parkade.

A letter dated 1998 October 27 was received from Dennis Danielson, 4086 Spruce Street advising he is not opposed to the subject application and appreciates the openness the applicant has demonstrated to this point; however he does ask Council to do what they can to ensure that dialogue between Discovery Place tenants and the community be made a permanent feature of the overall development.

A letter dated 1998 October 27 was received from Parvin Chami, 3710 Kalyk Avenue, Burnaby advising that she does not object to the proposed rezoning but does have a number of points to raise that are important to ensure this development proceeds in a responsible manner.

A memorandum, dated 1998 October 23, was received from the Director Planning & Building advising of a change in the phasing plan for the proposed development. A copy of the memorandum is on file in the City Clerk's Office and the text is as follows:

“In the original proposal presented to Council the phasing plan for the development consisted of a first phase 208,908 sq.ft. (19,408m²) of the new building on Lot H would be constructed. Phase 2 was to consist of an addition of 90,000 sq.ft. (8,361 m²) to the new building on Lot H, as well as an addition of 20,426 sq.ft. (1,898 m²) to the existing building on Lot F, and an underground parkade on Lot F to the west of the existing building.

Creo has reassessed the timing of their space requirement and are now projecting a need for a larger space earlier than was initially anticipated. As a result, the applicant is requesting to revise the phasing plan to have a larger first phase with 235, 324 sq.ft. (21,862 m²) of the new building constructed on Lot H in Phase 1. Phase 2 would then consist of an additional 64,000 sq.ft. (5,946 m²) to the new building on Lot H, as well as the addition of 20,426 sq.ft. (1,898 m²) to the existing building on Lot F, and the underground parkade on Lot F.

This change in the size of Phase 1 of the development plan for Lot H does not alter the overall scope or design of the development as presented in the 1998 October 05 report. The revised development statistics for floor area and parking provisions for Lot H are outlined in Attachment “A” and the affected statistics will replace those presented in the 1998 October 05 report. The adjustment in the phasing plan is reflected in the drawings being presented at the Public Hearing on 1998 October 27.”

Tom Bunting, W. 14th Avenue, Vancouver, representing Bunting Coady Architects, the rezoning applicant, appeared before members of Council to briefly review the proposed project. The speaker advised, at present, Creo owns two buildings in Discovery Place and is projecting their expansion for the next several years to be achieved upon completion of a 300,000 sq.ft. building with two layers of parking below grade, in two phases, as well as a two storey addition to one of the existing buildings. Extensive consideration has been given to landscaping the site in order to minimize disturbance of trees, an extensive tree survey has been undertaken and as many of the trees as possible will be retained with remediation to take place both before and after construction.

Parvin Chami, 3710 Kalyk Avenue, Burnaby appeared before Council advising that she does not object to the subject application; however she wished to bring to Council attention a number of issues that need to be addressed in the development, including: proper protective fencing around existing trees; parking both during and after construction; quiet roof-top air handling units; left turn from Canada Way to Gilmore Way; porous paving, and on-site environmental monitor. In conclusion, the speaker expressed her appreciation to Creo for its openness in communicating with area residents and hopes that this will continue in the future.

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Kevin Leader, representing the property owner of 3680 Gilmore Way, Burnaby appeared before Council to express support for the subject application. Mr. Leader advised that there is a concern, however, regarding the possibility of dump trucks parking along Gilmore Way during the construction phase of this project. The speaker informed Council that this situation did occur during a previous construction project, resulting in interference with vehicles turning left out of their driveway and with little resolution by either the City or the construction company. Mr. Leader inquired if Council could give consideration to installing a stop sign at the driveway onto Sanderson Way.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to SUPPORT Rez. #98-19, Bylaw No. 10825.

There were no further submissions received in connection with this rezoning application.

MOVED BY COUNCILLOR LAWSON
SECONDED BY COUNCILLOR JOHNSTON

"THAT this Public Hearing relating to Rez. #98-19, Bylaw No. 10825 be now terminated."

CARRIED UNANIMOUSLY

4. "BURNABY ZONING BYLAW 1965, AMENDMENT
BYLAW NO. 49, 1998" - BYLAW NO. 10826

Rez. #98-32

4741 Rumble Street - located on the north side of Rumble Street between Nelson Avenue and Waverley Avenue

Lot 18, D.L. 99, Grp. 1, NWD, Plan 2458

From: R4 Residential District

To: R5 Residential District

The purpose of the proposed zoning bylaw amendment is to permit the subdivision of the site into two smaller lots.

Form letters, comprising a petition, containing 7 signatures has been received in support of the subject application. The text of the petition is as follows:

"I/WE are the property owners of (address is provided) Rumble Street in Burnaby. I/We have no objection to Mrs. Davey's application to rezone her property at 4741 Rumble Street from R4 to R5 to accommodate the subdivision of the site into two smaller lots.

If you have any questions we can be reached at (telephone number provided)."

Alma Davey, 4741 Rumble Street, Burnaby, the rezoning applicant, appeared before Council to outline her reasons for wanting to rezone the subject property. Ms. Davey advised she has resided in Burnaby for many years and has seen it grow into the large urban centre it now is and she would like to stay in this community that she cares for so much. This neighbourhood is changing, the speaker informed Council, but change is good and will happen no matter what. Ms. Davey would like to see this change include two smaller, more affordable homes occupying this site which will enable young families to have the same benefit she did of living in this wonderful city. Ms. Davey concluded by urging Council to support this rezoning application.

Vladimir Vekic, 8451 Browngate, Richmond, B.C. appeared before Council to speak in favour of the rezoning application. Mr. Vekic, speaking as both a personal friend of the applicant and a professional realtor who worked considerably in Burnaby, advised that two single family homes on this site would benefit the community. Not only would two lots bring more taxes dollars into Burnaby, but more importantly it would provide smaller, more affordable housing that would satisfy a growing housing need.

Jeanette O'Keefe, 1298 Evelyn Street, North Vancouver, came before Council to speak in favour of the application, by her mother, Mrs. Davey. Ms. O'Keefe clarified one detail of her mother's presentation being, that 4757 Rumble Street is a 35 foot lot.

The Advisory Planning Commission wish to advise Council that following its consideration of this rezoning application, a decision was reached to NOT SUPPORT Rez. #98-32, Bylaw No. 10826.

There were no further submissions received in connection with this rezoning application.

MOVED BY COUNCILLOR LAWSON
SECONDED BY COUNCILLOR YOUNG

"THAT this Public Hearing relating to Rez. #98-32, Bylaw No. 10826 be now terminated."

CARRIED UNANIMOUSLY

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ADJOURNMENT

MOVED BY COUNCILLOR JOHNSTON
SECONDED BY COUNCILLOR YOUNG

"THAT this Public Hearing (Zoning) do now adjourn."

CARRIED UNANIMOUSLY

The Public Hearing (Zoning) adjourned at 9:23 p.m.

Confirmed:

Certified Correct:


MAYOR


ADMINISTRATIVE OFFICER I