

**REPORT TO THE SUBDIVISION AND
DEVELOPMENT APPEAL BOARD**

DATE: January 9, 2025	APPEAL NO.: SDAB2024-0082 FILE NO.: DP2024-08304
APPEALS BY: Alison Karim-McSwiney, International Avenue BRZ and Cindy Law	
FROM A DECISION OF THE DEVELOPMENT AUTHORITY where a Change of Use: Place of Worship - Small. was approved at <u>2008 36 Street SE.</u>	LAND USE DESIGNATION: C-COR2 f2.0h12 Discretionary
COMMUNITY OF: Forest Lawn	DATE OF DECISION: December 2, 2024
APPLICANT: Musa Raimi, Prime Design Solutions	OWNER: Thang Kim Nguyen

Notes:

- Notice has been given of the hearing pursuant to the *Municipal Government Act* and Land Use Bylaw, including notices to parties who may be affected by the appeal. The final determination of whether a party is an “affected person” will be made by the Board if required.
- This Report is provided as a courtesy only. The Board’s record may include additional materials, including notifications to affected parties and correspondence of a procedural or administrative nature. The Board’s record may be viewed at the Appeal Board office at: 4th Floor, 1212 31 Avenue NE, Calgary, Alberta during regular office hours.

In accordance with Sections 678 and 686 of the Municipal Government Act and The City of Calgary Bylaw 25P95, as amended, an appeal to the Subdivision and Development Appeal Board must be filed within the legislated time frame and each Notice of Appeal must be accompanied by the legislated fee.

Municipal Address of Site Under
Appeal [required] 2008 36 Street SE

Development Permit/Subdivision
Application/File Number
[required] DP2024-08304

Name of Appellant [required] Alison Karim-McSwiney for International Avenue BRZ

Agent Name (if applicable)

Street Address [required] 250-3515 17 AVE SE

hdnFullAddress 250-3515 17 AVE SE Calgary AB T2A 0T2

City [required] Calgary

Province [required] Alberta

Postal Code [required] T2A 0T2

Residential Phone # [required] (403) 248-7288

Business Phone #

Email Address [required] intave@shaw.ca

APPEAL AGAINST

Required field. Check one item only: for multiple appeals you must submit another Notice of Appeal.

Development Permit Approval

I do hereby appeal the decision of the Subdivision/Development Authority for the following reasons [required]

We wish to appeal the Development Permit application for Change of Use: Place of Worship - Small at 2008 36 ST SE. Our organization is an affected party and was not circulated on the Discretionary Change of Use-Place of Worship by the Development Authority. The proposed use has impacts to surrounding existing uses. The language in the Land Use Bylaw regarding Place of Worship-Small is not specific enough to define what 'occasional refuge' entails, in terms of both capacity and time (amount of days) that people may seek shelter at the facility. The use allows for the potential of this use being misinterpreted and misused for programming that would instead require further planning and policy processes such as Land Use Redesignation, comprehensive community engagement, and other service provider certifications and regulations.

In addition, we have concerns about lack of parking and the associated impacts that would result for a use of this type.

In order to assist the Board in scheduling, please answer the following questions to the best of your ability:

Estimated Presentation Time 40 minutes

Will you be using an agent/legal counsel? [required] Unknown

Do you anticipate any preliminary issues with your appeal? (i.e. jurisdiction, parties status as affected persons, adjournment, etc.)? [required] No

If yes, what are the issues?

Do you anticipate bringing any witnesses/experts to your hearing? [required] Yes

If yes, how many will you be bringing? 1

I confirm and acknowledge that

- *I have read and understood this form;*
- *The information I have provided is accurate to the best of my knowledge; and*
- *I am responsible for paying the appeal fee and my notice of appeal will not be considered filed until my appeal fee has been received.*

Submission Date

2024-12-12 16:30:12 MST

This personal information is collected under the authority of the Freedom of Information and Protection of Privacy Act, section 33(c) and the Municipal Government Act, Sections 678 and 686. THIS INFORMATION WILL BE USED FOR PROCESSING YOUR APPEAL AND WILL BECOME PART OF A PUBLIC AGENDA. If you have any questions regarding the collection of this information, contact the Tribunal Coordinator, City Appeal Boards at 403-268-5312 or PO Box 2100, Stn "M", #8110, Calgary, AB, T2P 2M5.

If you require further information regarding appeal deadlines and procedures, please contact the SDAB office at:

Website: calgary.ca/sdab

Phone: (403) 268-5312

Email: info@calgarysdab.ca



In accordance with Sections 678 and 686 of the Municipal Government Act and The City of Calgary Bylaw 25P95, as amended, an appeal to the Subdivision and Development Appeal Board must be filed within the legislated time frame and each Notice of Appeal must be accompanied by the legislated fee.

Municipal Address of Site Under Appeal [required] 2008 36 STREET SE

Development Permit/Subdivision Application/File Number [required] 2024-0082

Name of Appellant [required] Cindy Law

Agent Name (if applicable)

Street Address [required] 322, 919 Centre Street NW

hdnFullAddress 322, 919 Centre Street NW Calgary AB T2E 2P6

City [required] Calgary

Province [required] Alberta

Postal Code [required] T2E 2P6

Residential Phone # [required] (403) 703-8833

Business Phone #

Email Address [required] cindy.law@shaw.ca

APPEAL AGAINST

Required field. Check one item only: for multiple appeals you must submit another Notice of Appeal.

Development Permit Approval

I do hereby appeal the decision of the Subdivision/Development Authority for the following reasons [required]

Please see attached Word Doc for reasons to appeal the Development Authority.

In order to assist the Board in scheduling, please answer the following questions to the best of your ability:

Estimated Presentation Time 15 minutes

Will you be using an agent/legal counsel? [required] Unknown

Do you anticipate any preliminary issues with your appeal? (i.e. jurisdiction, parties status as affected persons, adjournment, etc.)? [required] Unknown

If yes, what are the issues?

Do you anticipate bringing any witnesses/experts to your hearing? [required] Unknown

If yes, how many will you be bringing?

I confirm and acknowledge that

- I have read and understood this form;*
- The information I have provided is accurate to the best of my knowledge; and*
- I am responsible for paying the appeal fee and my notice of appeal will not be considered filed until my appeal fee has been received.*

Submission Date 2024-12-31 14:19:53 MST

This personal information is collected under the authority of the Freedom of Information and Protection of Privacy Act, section 33(c) and the Municipal Government Act, Sections 678 and 686. THIS INFORMATION WILL BE USED FOR PROCESSING YOUR APPEAL AND WILL BECOME PART OF A PUBLIC AGENDA. If you have any questions regarding the collection of this information, contact the Tribunal Coordinator, City Appeal Boards at 403-268-5312 or PO Box 2100, Stn "M", #8110, Calgary, AB, T2P 2M5.

If you require further information regarding appeal deadlines and procedures, please contact the SDAB office at:

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APPEAL # DP2024-0082

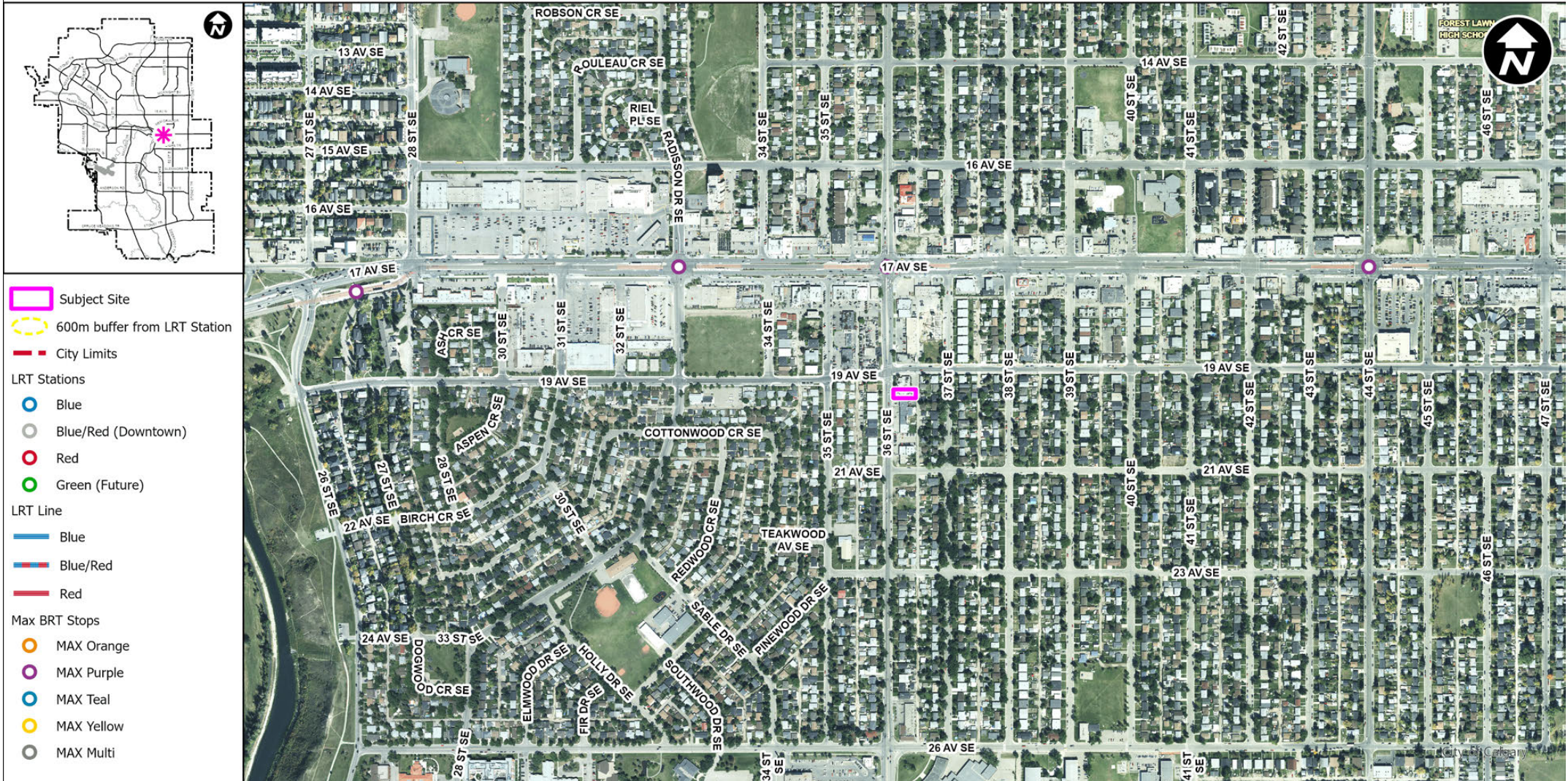
DP # DP2024-08304

Location: 2008 – 36 STREET SE, Calgary, AB.

- Place of worship's normally have high attendance. The existing parking on site does not have proper curb cuts to allow for proper vehicle entrance into the stalls from the 36 Street. Overflow parking will take away from restaurant and retail spaces located on this street.
- The nature of the proposal would mean a use that generates heavy parking traffic at various times of the day. The existing parking is not sufficient for staff nor worshippers and would put a heavy strain for the parcel and for other existing uses in the area. There is residential street parking, but that parking is generally reserved for residences. Other parking adjacent to the parcel is reserved for other business on that strip such as the restaurant. The decision must take into account the other businesses on this block.
- The C-COR2 district encourages pedestrian connections from sidewalks and between buildings. The removal of the existing retail and consumer use for a place of worship, would not necessarily serve the immediate existing residences and parking may also overflow into the street parking in front of their residences.
- Policy discourages a cannabis store within 30m of a place of worship. There is an existing cannabis store within the proposed place of worship and within view of the place of worship.
- 36 Street is a major street with high volume traffic. Most C-COR2 sites have feeder streets that enter to the parcel for safer access. There is also lane access. But note that the lane is shared with the adjacent residential district.
- The appeal board should also consider the majority of the Forest Lawn commercial area and along 36 Street is zoned MU-1 and MU-2. We believe the city missed an opportunity to also rezone the remaining parcels along this 36 Street to be the same. MU-1 and MU-2 encourages active street front and discourages uses such as place of worship on the ground level. This parcel is less than 30m from this active street front zoning.
- The decision or permit does not account or address for the proposed change in parking stalls, proposed parking stalls or the proposed walkway. The permit should also be for changes to site plan which does not appear to have addressed the site access issues or appears to have been properly reviewed. As well, appears garbage enclosures have been removed to accommodate the site change.
- A place of worship should have a dedicated parking lot as opposed to a frontage driveway.

Submitted by:
Cindy Law

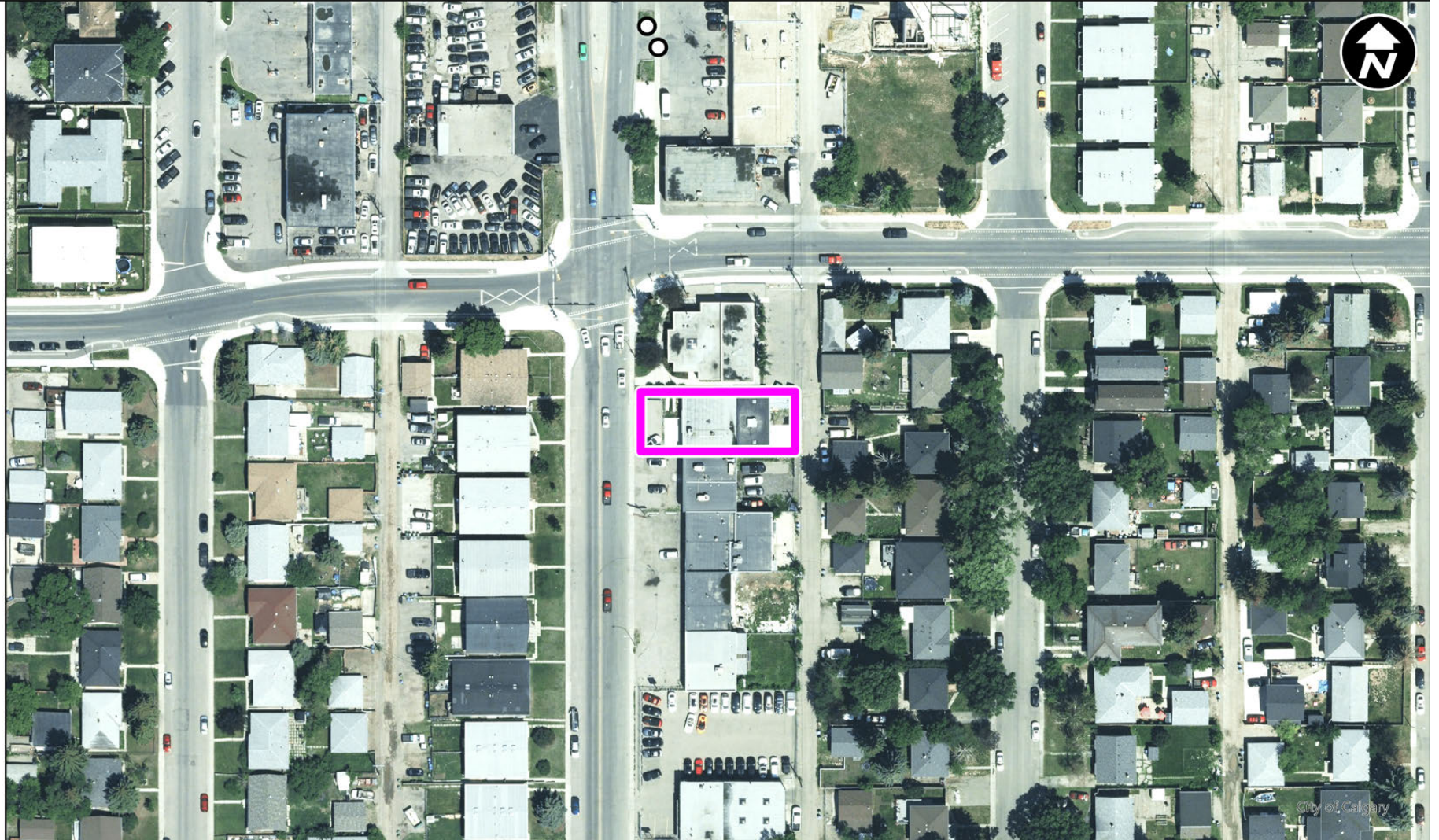
Community Context₉ SDAB2024-0082



SDAB2024-0082

Site Context SDAB2024-0082

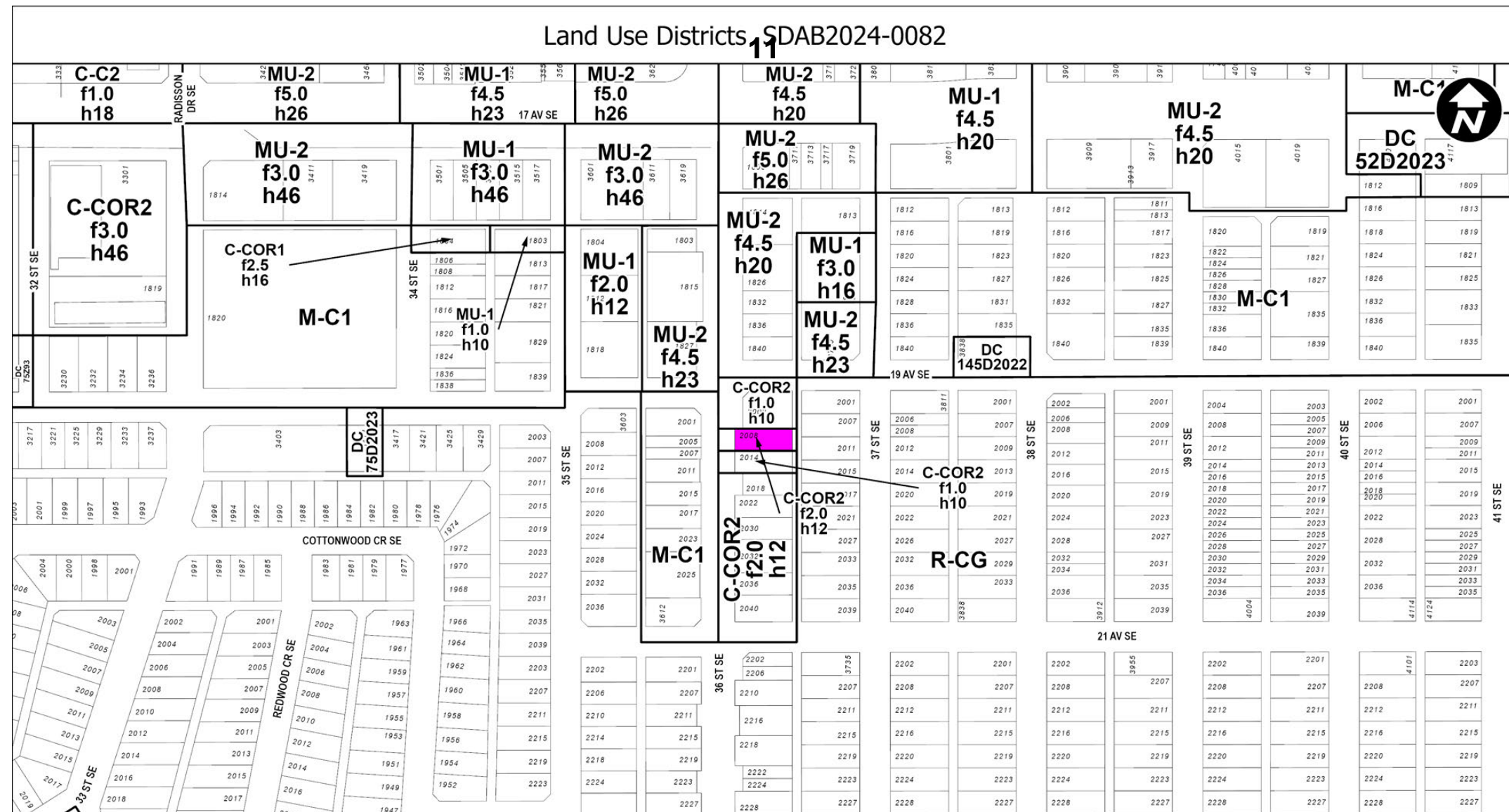
- Subject Site
- 600m buffer from LRT Station
- City Limits
- LRT Stations**
 - Blue
 - Blue/Red (Downtown)
 - Red
 - Green (Future)
- LRT Line**
 - Blue
 - Blue/Red
 - Red
- Max BRT Stops**
 - MAX Orange
 - MAX Purple
 - MAX Teal
 - MAX Yellow
 - MAX Multi
 - Bus Stop



SDAB2024-0082

Land Use Districts SDAB2024-0082

11



12



SDAB2024-0082



December 2, 2024

PRIME DESIGN SOLUTIONS

Musa Raimi



Dear Applicant:

RE: Notification of Decision: DP2024-08304

Subject: Change of Use: Place of Worship - Small

Address: 2008 36 ST SE

This is your notification of decision by the Development Authority to approve the above noted application on December 2, 2024.

Read all of the Permanent Conditions of approval carefully as they form part of the approval decision. Advisory Comments, if applicable, are also attached and are intended to be of assistance in obtaining additional permits and supplementary information for the successful completion of your development.

Development approved by this permit must commence by December 2, 2025 or the development permit shall cease to be valid. The decision will be advertised beginning December 5, 2024 at www.calgary.ca/publicnotices, which is the start of the mandatory 21-day appeal period. This appeal period will conclude at midnight December 26, 2024. Release of the permit will occur within 2-4 business days following the conclusion of the appeal period and upon receipt of all Prior to Release requirements.

If you wish to appeal, submit your appeal with reasons and the \$200.00 filing fee to the Subdivision and Development Appeal Board within 21 days of this notice of decision being given. The appeal may be filed online at www.calgarysdab.ca or in person or by mail.

Please note that this letter is to advise you of the conditions of approval, the mandatory advertising appeal period and the timeframe in which you may appeal this decision. If no appeals have been filed during the appeal period, your Development Permit will be released. Should you require clarification of the above or further information, please contact me at 403-651-5459 or by email at Mathew.Wilkinson@calgary.ca and assist me by quoting the Development Permit number.

Yours truly,

Mathew Wilkinson
Senior Planning Technician
Planning and Development
Attachment(s)



14
DEVELOPMENT PERMIT
LAND USE BYLAW NO 1P2007

DP2024-08304

This permit relates to land in the City of Calgary municipally described as:

2008 36 ST SE

Community: **Forest Lawn**

L.U.D.: **C-COR2 f2.0h12**

and legally described as:

6101GW;13;24

6101GW;13;25

(See attachment for complete list of legal desc.)

and permits the land to be used for the following development:

Change of Use: Place of Worship - Small

The present owner and any subsequent owner of the above described land must comply with any attached conditions.

The development has been approved subject to any attached conditions and to full compliance with the approved plans bearing the stamp of approval and the above development permit number.

Decision By: **Development Authority**

Date of Decision: **December 2, 2024**

Development Authority: **Marie K Rupert**

File Manager: **Mathew
Wilkinson**

Release Date: _____

This permit will not be valid if development has not commenced by: December 02, 2025

This Development Permit was advertised on: **December 05, 2024**

This is NOT a Building Permit

In addition to your Development Permit, a Building Permit may be required, prior to any work commencing. further information, you should contact the City of Calgary, Planning, Development & Assessment - Building Regulations Division.

WARNING

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Applicant: **PRIME DESIGN SOLUTIONS**
Address: **255 - 720 28 St NE**
City: **CALGARY, AB, T2A 6R3**
Phone: [REDACTED]



15
DEVELOPMENT PERMIT
LAND USE BYLAW NO 1P2007

DP2024-08304

Complete Address and Legal Description listing for Development Permit DP2024-08304

Address Type	Address	Legal Description
Building	2008 36 ST SE	
Parcel	2008 36 ST SE	6101GW;13;24 6101GW;13;25



Conditions of Approval – Development Permit

Application Number:	DP2024-08304
Application Description:	Change of Use: Place of Worship - Small
Land Use District:	Commercial - Corridor 2
Use Type:	Discretionary
Site Address:	2008 36 ST SE
Community:	FOREST LAWN
Applicant:	PRIME DESIGN SOLUTIONS
Planning:	MATHEW WILKINSON 403-651-5459 Mathew.Wilkinson@calgary.ca

Permanent Conditions

The following permanent conditions shall apply:

Planning

1. The development shall be completed in its entirety, in accordance with the approved plans and conditions. The stamped and signed plans are a legal document.
2. No changes to the approved plans shall take place unless authorized by the Development Authority. If changes to the development occur or are proposed, a new development permit or revised plan application may be required.

Advisory Comments

The following advisory comments are provided as a courtesy to the Applicant and registered property owner. The comments represent some, but not all of the requirements contained in the Land Use Bylaw that must be complied with as part of this approval.

Planning

3. The Applicant may appeal the decision of the Development Authority, including any of the conditions of the development permit. If you decide to file an appeal, please refer to the notification of decision letter for the appropriate appeal body and appeal process.
4. The approval of this development permit does not limit in any way the application of any federal, provincial, or municipal law, policy, code, regulation, bylaw, and/or guideline, nor does it constitute any permit or permission under any federal, provincial, or municipal law, policy, code, regulation, bylaw, and/or guideline.
5. This development permit has not been reviewed for potential issues with the National Building Code - current Alberta Edition. You may require a Building Permit in addition to this development permit in which case compliance with the Code will be assessed through a Building Permit application. Should a Building Permit review require changes to the approved development permit, the changes must be to the satisfaction of the Development Authority and are potentially subject to a new development permit.
6. There are many types of caveats and other agreements that can be registered on the title of the property that can restrict the ability to develop. The City has not reviewed or considered all instruments registered on the title to this property. Property owners must evaluate whether this development is in compliance with any documents registered on title.



18
APPLICATION FOR A DEVELOPMENT PERMIT
LAND USE BYLAW NO 1P2007

550030281-001

Taken By:

Application Date **Nov 25, 2024**

APPLICATION NO DP2024-08304

I/We hereby make application for a Development Permit under the provisions of the Land Use Bylaw in accordance with these plans and supporting information submitted herewith and which form part of this application.

Total Fees: \$624.00

Cart #:

Applicant: PRIME DESIGN SOLUTIONS

Address: 255 - 720 28 St NE

City: CALGARY, AB, T2A 6R3

Phone:

Contact: Raimi, Musa

Phone:

Fax:

e-mail:

Parcel Address: 2008 36 ST SE

Legal: 6101GW;13;24

Building Address: 2008 36 ST SE

Legal:

L.U.D.: C-COR2 f2.0h12

Community: FOREST LAWN

Sec. Number: 10E Ward: 09

Description: Change of Use: Place of Worship - Small

Proposed Development is: Discretionary

Proposed Use: Place Of Worship - Small

I agree to receive correspondence via electronic message related to this application.

By signing below, I confirm that the contact information provided above is accurate and further, acknowledge the ability of the General Manager - Planning and Development to inactivate and cancel incomplete applications.

Applicant / Agent Signature: _____

Date: _____

The personal information on this form is being collected under the authority of The Municipal Government Act, Section 640, and The City of Calgary Land Use Bylaw 1P2007 (Part 2) and amendments thereto. It will be used for the permit review and inspection processes. It may also be used to conduct ongoing evaluations of services received from Planning, Development & Assessment. The name of the applicant and the nature of the permit will be available to the public. Please send inquiries by mail to the FOIP Program Administrator, Planning, Development & Assessment, PO Box 2100, Station M, Calgary, AB T2P 2M5 or contact us by phone at 311.

Track your application on-line with **VISTA** Go to: www.calgary.ca/vista and enter your JOB ACCESS CODE (JAC) **DP2024-08304-**

or call our Planning Support Centre at (403)268-5311.

SDAB2024-0082



19 Development Permit Application Requirement List

Discretionary or Permitted with Relaxation Change of Use

Before You Apply

SECTION 1: Application resources

- Visit [Calgary.ca/startbusiness](https://calgary.ca/startbusiness) to find more information about [fees](#), timelines and more.
- Review our [Digital document criteria](#) prior to submitting your application.
- Remove all personal information on plans.

Prepare Your Application

SECTION 2: Applicant details

☐ Property Owner ☒ Representing Owner

Applicant's Name:

Musa Raimi

Company Name (if applicable):

Prime Design Solutions Ltd.

Applicant's Email:

[REDACTED]

Applicant's Phone Number (during business hours):

[REDACTED]



Correspondence and approval notification will be sent to only the applicant.

SECTION 3: Application requirements for planning approval (Development Permit)

Supporting Documents

- ☒ Complete the [Use Questionnaire](#)
- ☐ Attach any of the applicable forms listed below:
 - [Care Facility Information Form](#) (i.e., addiction treatment, assisted living, or residential care)
 - [Child Care Service Information Form](#)
 - [Instructional Facility Information Form](#)
 - [Health Care Services Information Form](#) (i.e., medical clinics, counselling services, or service organizations where treatments are being provided)
 - [Payday Loan / Pawn Shop Information Form](#)
 - [Public School Information Form](#)

Plans



Plans must be uploaded as one complete drawing set. Plans should not be uploaded as separate documents.

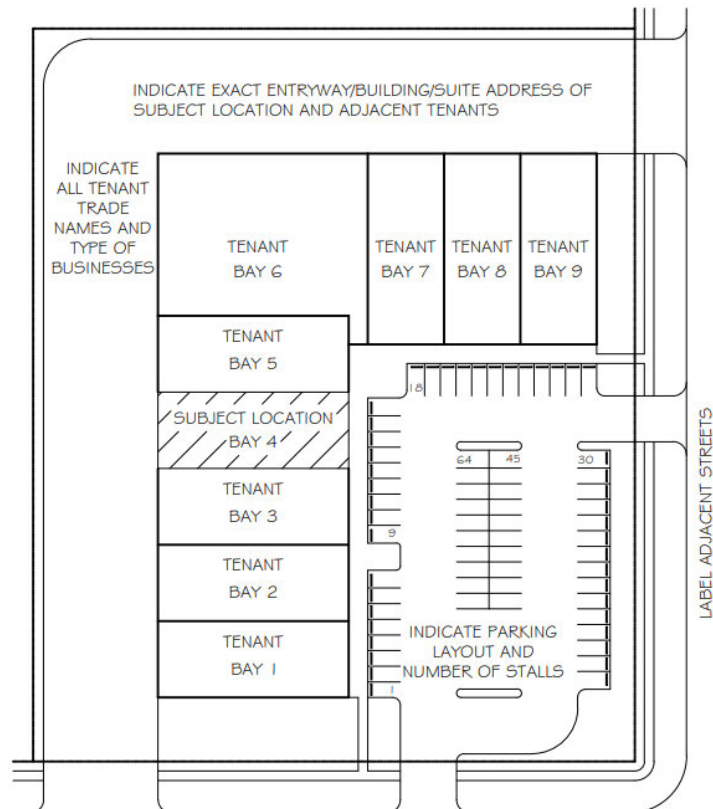
- ☒ Submit one (1) copy of you **Key Plan** showing the location of the unit within the building
- ☒ Submit one (1) Copy of your **Site Plan**– Download the [Sample Drawings](#)



*A site plan is only required if any part of the business is an **automotive business** (e.g. sales, servicing, rentals, etc) OR will be located **outside** (e.g. Outside Storage) OR **Pick-Up / Drop-Off stalls are required** (e.g., Child Care Service, School - Private, School Authority - School).*

Your **Site Plan** must include the following:

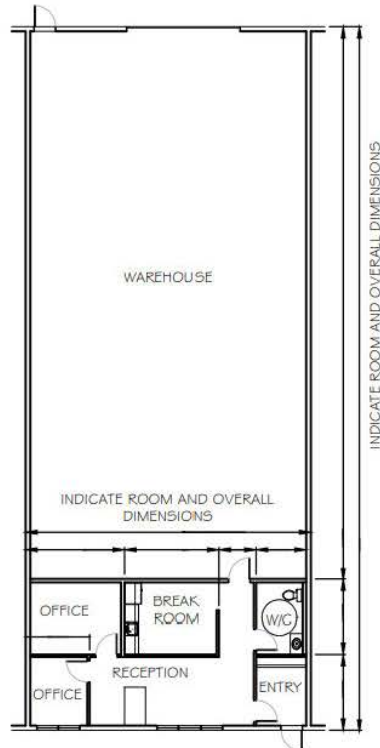
- ☐ 1 **North arrow**, pointing to top or left of page
- ☐ 2 **Municipal address** (ie, street address) and **legal address** (ie, plan/block/lot)
- ☐ 3 **Property Lines**
- ☐ 4 **Names of adjacent streets**
- ☐ 5 Outline and **Dimensions of all buildings** on parcel
 - Label tenant locations within the building
 - Label location of all doors (including entry and overhead doors)
- ☐ 6 **Parking and loading areas, drive aisles and circulation roads**
 - Label Parking stalls (i.e dwelling, live/work or visitor/guest)
 - Label location and dimension of any loading stalls
 - For automotive businesses – label stalls that are for the exclusive use for customers, employees and for display/inventory vehicles
- ☐ 7 If applicable, indicate and dimension all areas used for **outdoor storage**
 - Outline areas used for outdoor storage
 - Label type of storage (i.e. vehicles, equipment, materials)
 - Provide details and screening of storage area
- ☐ 8 If applicable, indicate and dimension all areas used for **outdoor display**
 - For gas stations only, dimension the distance between building entrances and gas pump island
- ☐ 9 If applicable, details of **signage**
 - Refer to appropriate requirement list for signage, available on Calgary.ca/carls



☒ Submit one (1) Copy of your Floor Plan(s)– Download the [Sample Drawings](#)

Your Floor Plan must include the following:

- ☐ 1 **North arrow**, pointing to top or left of page
- ☐ 2 **Municipal address** (ie, street address) and **legal address** (ie, plan/block/lot)
- ☐ 3 Dimensions and purpose of all rooms/ spaces (i.e. showroom, kitchen, bathroom, internal stairways, mechanical room)
- ☐ 4 Location of all walls, partitions, doorways, windows, and other openings
- ☐ 5 If applicable, public areas for food and beverage consumption:
 - Include a seating plan that clearly indicates the area that the public will have access to
 - Identify areas used for food preparations.
 - Identify areas where entertainment is provided (i.e. dance floor, live music stage, live performances, recorded music)
- ☐ 6 If applicable, assembly and seating areas
 - Label the gross usable area for the largest possible assembly area
 - Outline areas that have fixed seating
 - Provide seating count and/or length of bench seating
 - Dimension areas with non-fixed seating
 - Label maximum intended occupancy



This application does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land

The Development Authority or Safety Code Officer may require additional materials considered necessary to properly evaluate the proposed development (as stated in Part 2, Section 26(3) of Land Use Bylaw 1P2007, section 5(1) of Bylaw 39M2018 and the current National Building Code – Alberta Edition)

Apply

Apply online

Apply **online** by visiting apply.calgary.ca



Create a myID account to apply online at myid.calgary.ca

- OR -

Apply in-person

Apply **in-person** by visiting the [Planning Services Centre](#) 3rd floor, Municipal building [800 Macleod Trail SE](#)

Applicant's declaration for in-person applications

☒ By submitting this application to The City of Calgary (the "City"), I understand and acknowledge that, as part of the City's process in reviewing, evaluating, and processing this application, the City will be required to circulate hard or electronic copies of my application materials to members of City Administration, members of the public who may be affected by the application's approval, and to relevant Community Associations' Boards of Directors, including their Planning Committees. The City will also make my application materials available online for public viewing through its website, www.calgary.ca. I hereby consent to the City's copying of these application materials, solely for the purposes of such circulation, dissemination and online viewing as aforesaid, provided that those parties to whom the copies are circulated or made available online are made aware that their use of the copies is specific and limited to providing input on my application and that any further reproduction and distribution of the plans is strictly prohibited.

If you do not want to make your application materials available online for public viewing, you must send an email to planninghelp@calgary.ca within 48 hours of submitting your application and we will consider your request. If your request is accepted our website will reflect that the applicant has chosen not to have their application materials online for public viewing.

The personal information on this form is being collected under the authority of section 5 of The Safety Codes Permit Bylaw 39M2018 and amendments thereto, as well as section 33(c) of the [FOIP Act](#). This information is being collected for the purpose of permit review and inspection processes and may be communicated to relevant City Business Units, utility providers, and Alberta Health Services. It may also be used to conduct ongoing evaluations of services received from Planning & Development.

The name of the applicant and the nature of the permit will be available to the public through general inquiries, paid subscription reports for permit data and resources found online, as authorized by the FOIP Act.

You may direct questions about the collection, use or disclosure of your personal information by the City of Calgary at 800 Macleod Trail SE Calgary, Alberta in relation to this program by contacting the FOIP Program Administrator for Planning and Development through telephone at 403-268-5480 or by writing to PO Box 2100, Station M, Calgary, AB T2P 2M5.



Need help or have questions? Contact the [Planning Services Centre](#) by visiting [Calgary.ca/development/contacts.html](https://calgary.ca/development/contacts.html)

**Before you apply:**

- For instructions on how to submit this application, refer to the appropriate permit requirement list on Calgary.ca/carls
- If this application is related to a new or moved business, please start the process with a business licence application. For instructions on applying for a business licence, visit the 'How to Apply' section on: Calgary.ca/startbusiness

SECTION 1: Who is applying?Applicant ☐ Business Owner ☐ Agent Representing Business Owner

Applicant Name:

MUSA RAIMI

Company Name (if applicable):

PRIME DESIGN SOLUTIONS LTD.

Email:

Phone Number (during business hours):

SECTION 2: Business Information

Business Address (including the unit number):

2008, 36 ST SE CALGARY

What floor is the Business on:

Total area of the Business:

3196

☒ ft²
☐ m²

Name of the Business:

AL HUDA ISLAMIC CENTER

Business Identification Number (BID):

SECTION 3: How will you be operating?

1 Will the Business be: (check one that applies)

☐ Taking over an existing business☐ Making changes to the current business☐ Taking over an existing business and making changes☒ New to this location

2 Describe the type of Business (i.e. retail, restaurant, or warehouse):

PLACE OF WORSHIP

3 Describe any changes being made to the business (i.e. adding business activities or square footage):

☐ N/A

INTERIOR PARTITIONING AND CHANGE OF USE APPLICATION FOR A PLACE OF WORSHIP.

SECTION 4: Building Code

1 Are you proposing any construction or alterations to the space?

☒ Yes
☐ No

2 Are you the first tenant to occupy the space?

☐ Yes
☒ No

3 Are you moving, replacing or constructing new walls, mezzanines or floor assemblies?

☒ Yes
☐ No

4 Are you sharing space with another tenant?

☐ Yes
☒ No

SECTION 5: Additional Information

1 Does the proposal involve a school, child care facility, overnight medical facility, residence, or food, drink and/or cannabis business, as either the primary or ancillary use? ☐ Yes ☒ No

2 Is a waste management, recycling, or wastewater treatment facility being proposed? ☐ Yes ☒ No

NOTE: The [Subdivision and Development Regulation](#) prohibits alcohol, hospital, food establishment, and residential uses from being approved within waste management facility setbacks. [Click here](#) for more information.

SECTION 6: Automotive Business Types

☒ N/A

- **Passenger Vehicles** includes those such as cars, trucks, and vans
- **Commercial Vehicles** includes those such as buses, cube vans, dump trucks, flatbed trucks, or tractor trailers (4536 kg or greater)
- **Recreational Vehicles** includes those such as motor homes, travel trailers, fifth wheel travel trailer, or boats (provides accommodation)

1 Will the Business: (check all options that apply)

☐ **Repair or Servicing Vehicles:**
(check all that apply)

- ☐ Passenger Vehicles (3 or less at a time)
- ☐ Passenger Vehicles (4 or more at a time)
- ☐ Commercial Vehicles
- ☐ Recreational Vehicles

☐ **Auto Body/Paint Shop**

☐ **Vehicle Sales:**
(check all that apply)

- ☐ Passenger Vehicles (5 or less at a time)
- ☐ Passenger Vehicles (6 or more at a time)
- ☐ Commercial Vehicles
- ☐ Recreational Vehicles

☐ **Car Wash**

☐ **Vehicle Rentals:**
(check all that apply)

- ☐ Passenger Vehicles (5 or less at a time)
- ☐ Passenger Vehicles (6 or more at a time)
- ☐ Commercial Vehicles

☐ **Gas Bar**

☐ **Other**

NOTE: For Change of Use Development Permits, if any part of the proposed business activity is located outside (i.e. Auto Sales or Outside Storage) one copy of a Site Plan is required with this submission. For details on the Site Plan requirements, please refer to this [checklist](#) and [click here](#) for sample drawings.

SECTION 7: Industrial, Warehouse, Manufacturing Business Type

☒ N/A

1 Will there be the production or storage of food products? ☐ Yes ☐ No

2 Will there be a sales and/or display area? ☐ Yes ☐ No

If yes, what is the total size of the sales and/or display area? ☐ ft² ☐ m²

3 Provide a detailed description of your business:

SECTION 8: Food Preparation Business Types			<input checked="" type="checkbox"/> N/A
1 Will the Business: (check all options that apply)			
<input type="checkbox"/> Restaurant/Bar: Will you be selling alcohol? <input type="radio"/> Yes <input type="radio"/> No If yes, minors (under 18) are: <input type="radio"/> Allowed at all times <input type="radio"/> Restricted at certain times <input type="radio"/> Restricted minors at all times	<input type="checkbox"/> Nightclub (allows for entertainment area over 10 m ²) <input type="checkbox"/> Catering Service (food preparation/delivery, no customer pick-up) <input type="checkbox"/> Dinner Theatre (minors allowed at all times) <input type="checkbox"/> Take Out (pick-up or delivery only, no dine in)	<input type="checkbox"/> Concession or Accessory Food (i.e. juice bar within an existing gym) <input type="checkbox"/> Specialty Food (i.e. deli, bakery etc.) <input type="checkbox"/> Outdoor Café (outdoor eating and drinking area)	
2 Seating areas for dine-in establishments:			<input type="checkbox"/> N/A
<input type="checkbox"/> Existing – with no changes	<input type="checkbox"/> New seating area		
<input type="checkbox"/> Existing – with changes			
What is the size of the seating area? (both new or existing)			<input type="checkbox"/> ft ² <input type="checkbox"/> m ²

SECTION 9: Culture and Leisure Type Businesses		<input checked="" type="checkbox"/> N/A
1 Will there be four or more mechanical or electronic games?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
2 Will the primary business be for the rental of billiard tables, pool tables or similar games to the public?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
3 Will internet or computer games be provided to four or more customers?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
4 Provide a detailed description of your business:		

SECTION 10: Care, Health Fitness and Instruction Business Type		<input checked="" type="checkbox"/> N/A
1 For Child Care, what is the total number of children and staff at any given time?		<input type="checkbox"/> N/A
Children:	Staff:	
2 For existing Child Care, will you be increasing the number of children and staff at any given time?		<input type="checkbox"/> Yes <input type="checkbox"/> No
3 For Instructional Facilities, what is the total number of students and staff at any given time?		<input type="checkbox"/> N/A
Students:	Staff:	
4 Provide a detailed description of your business:		

Office Use Only	
Is a BP required?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Notes:	
Is there a parcel warning about Subdivision and Development Regulation prohibited use setbacks?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Applicant's Declaration:

In relation to the submission of this application, I confirm that I am

- i. An owner of the parcel, an authorized agent of the owner of the parcel, or other person having legal or equitable interest in the parcel, and
- ii. If the parcel has a condominium board, I have consent from the condominium board to submit this application.

In addition, I certify that all information submitted with this application, including information shown on plans and documents, to be true and correct. Incomplete or inactive applications may be cancelled or refused at the discretion of the proper authority in accordance with their respective bylaw.

☐ I agree to receive correspondence via electronic message related to this application.

The personal information on this form is being collected under the authority of The Freedom of Information and Protection of Privacy (FOIP) Act, Section 33(c). It will be used to provide operating programs, account services and to process payments received for said services. It may also be used to conduct ongoing evaluations of services received from Planning & Development. Please send inquiries by mail to the FOIP Program Administrator, Planning & Development, PO Box 2100, Station M, Calgary, AB T2P 2M5 or contact us by phone at 311.

27

Medina United Muslims Friendship of Calgary

owner(s)

Mohammed Ibrahim

contact name

#140,5701 17 Ave SE Calgary, AB T2A 0W3

City of Calgary
Planning & Development
P.O. Box 2100, Stn. M, # 8108
Calgary, AB, Canada T2P 2M5

To Whom It May Concern,

With regards to 2008, 36 ST SE CALGARY AL HUDA ISLAMIC CENTER
property address project name (if applicable)

Please be advised that I, Mohammed Ibrahim am:
full name

(select one)

- ☐ the owner of the above mentioned property, and that I authorize
☐ an officer or director of the owner(s) of the above mentioned property,
and that I am authorized by that owner to authorize

PRIME DESIGN SOLUTIONS LTD. and/or its IRFAN KHAN / MUSA RAIMI
agent or company name applicant, consultant, contractor (if applicable)

to apply for any and all DEVELOPMENT AND BUILDING PERMIT
permit type

for the above mentioned property.

I further agree to immediately notify The City of Calgary, in writing, of any changes regarding the above information.

Oct 22, 2024

date signed


signature of owner

Mohammed Ibrahim
name of owner (printed)

FOIP DISCLAIMER: The personal information on this form is being collected under the authority of The Freedom of Information and Protection of Privacy (FOIP) Act, Section 33(c). It will be used to provide operating programs, account services and to process payments received for said services. It may also be used to conduct ongoing evaluations of services received from Planning & Development. Please send inquiries by mail to the FOIP Program Administrator, Planning & Development, PO Box 2100, Station M, Calgary, AB T2P 2M5 or contact us by phone at 311.

28



VIEW FROM 36 STREET

SDAB2024-0082



VIEW FROM 36 STREET



VIEW FROM 36 STREET



Re: DP2024-08304 COMPLETENESS REVIEW - 2008 36 ST SE

Dear Applicant,

I am the file manager who will be leading the review of your development permit application.

A review of your application has been undertaken and it has been determined that your application is a complete application. A comprehensive review is now underwa

For more information about the development permit process please visit www.calgary.ca/dpprocess.

Please track your application, using your Job Access Code (JAC) DP2024-08304-30281, at www.calgary.ca/vista.

Should you have any questions or concerns, please contact me at your convenience.

Regards,

MATHEW WILKINSON
Senior Planning Technician
Mathew.Wilkinson@calgary.ca
403-651-5459
www.calgary.ca/PDMap

Samnick, Cyrille

From: Alison Karim-McSwiney [REDACTED] >
Sent: Monday, December 9, 2024 4:00 PM
To: Wilkinson, Mathew
Subject: Re: [External] Missed on circulation of church Change of Use

This Message Is From an External Sender

This message came from outside your organization.

ATTENTION: Do not click links or open attachments from external senders unless you are certain it is safe to do so. Please forward suspicious/concerning email to spam@calgary.ca

Thanks Matt: Yes it is just outside our border however we will still very much be impacted ie: parking, place of refuge i.e. hand out food and create an increase in unhoused population and extra garbage from free handouts etc.

Best Regards,

Alison Karim-McSwiney, MIPM(UK), BA, BREC, AP(Just Communities-USA)

Executive Director.

She/her

International Avenue BRZ | EmergeHUB

250, 3515 17 Avenue SE, Calgary, AB

[REDACTED] C

www.intlave.ca

INTERNATIONAL AVENUE | Calgary's Culinary and Cultural Capital |

The rich multicultural history of International Avenue precedes settlement, it is important to recognize. In fact, Greater Forest Lawn is located on the traditional territories of the Métis Nation of Alberta (Region 3) and the peoples of Treaty 7, including the Blackfoot Confederacy (Siksika, Kainai, Piikani), Stoney Nakoda Nations, and Tsuut'ina Nation.

NOTE: This communication is intended ONLY for the use of the person or entity named > above and may contain information that is confidential or legally privileged.

> If you are not the intended recipient named above or a person responsible for

> delivering messages or communications to the intended recipient, YOU ARE

> HEREBY NOTIFIED that any use, distribution, or copying of this communication

> or any of the information contained in it is strictly prohibited. If you have

> received this communication in error, please notify me immediately by

> telephone and then destroy or delete this communication. Thank you for your

> attention and cooperation.



On Mon, 9 Dec 2024 at 15:32, Wilkinson, Mathew <Mathew.Wilkinson@calgary.ca> wrote:

Hi Alison,

The application for a Change of Use – Place of Worship Small, DP2024-08304, was completed and went into advertisement on December 5th. I had checked the [Business Improvement Areas \(BIAs\)](#) map and it fell outside of the BIA boundary which was why I did not circulate this to you. Since a decision was made on it, there is no longer an option to circulate this, however I can arrange access to view the plans with our property research centre if you wish. Alternatively, I can answer any questions you might have regarding this application.

Thanks,

Mathew Wilkinson, AT

Senior Planning Technician

Development & Subdivision Application Services | Community Planning

Planning and Development Services

403-651-5459

Mathew.wilkinson@calgary.ca



From: Alison Karim-McSwiney <[REDACTED]>
Sent: Monday, December 9, 2024 11:16 AM
To: Wilkinson, Mathew <Mathew.Wilkinson@calgary.ca>
Subject: [External] Missed on circulation of church Change of Use

This Message Is From an External Sender

This message came from outside your organization.

ATTENTION: Do not click links or open attachments from external senders unless you are certain it is safe to do so. Please forward suspicious/concerning email to spam@calgary.ca

Hi Matt: Would you mind circulating us on the Change of use for a church at 2008 36 St SE? It seems we were not circulated on this one. Thanks

Best Regards,

Alison Karim-McSwiney, MIPM(UK), BA, BREC, AP(Just Communities-USA)

Executive Director.

She/her

International Avenue BRZ | EmergeHUB

250, 3515 17 Avenue SE, Calgary, AB

[REDACTED]

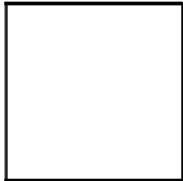
www.intlave.ca

INTERNATIONAL AVENUE | Calgary's Culinary and Cultural Capital |

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- > attention and cooperation.





Development Authority Appeal Response

Appeal Number: SDAB2024-0082

Development Permit Number: DP2024-08304

Address: 2008 36 ST SE

Description: Change of Use: Place of Worship - Small

Land Use: Commercial - Corridor 2 (C-COR2)

Community: Forest Lawn

Identified Appeal Body:

Subdivision and Development Appeal Board (SDAB)

Development Authority Attendance: No

Use: Discretionary

Notice Posted: Land Use Bylaw section 27 does not require this type of application to be notice posted.

Public Response(s) Received? Yes, responses included in the Board Report

Applicable Planning Policies:

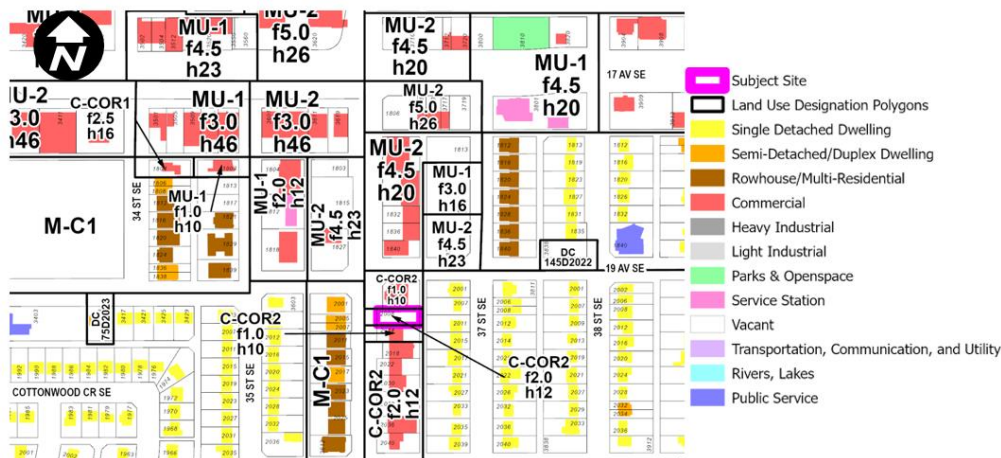
- Municipal Development Plan
- Forest Lawn – Forest Heights/Hubalta Area Redevelopment Plan (ARP)

Bylaw Relaxations:

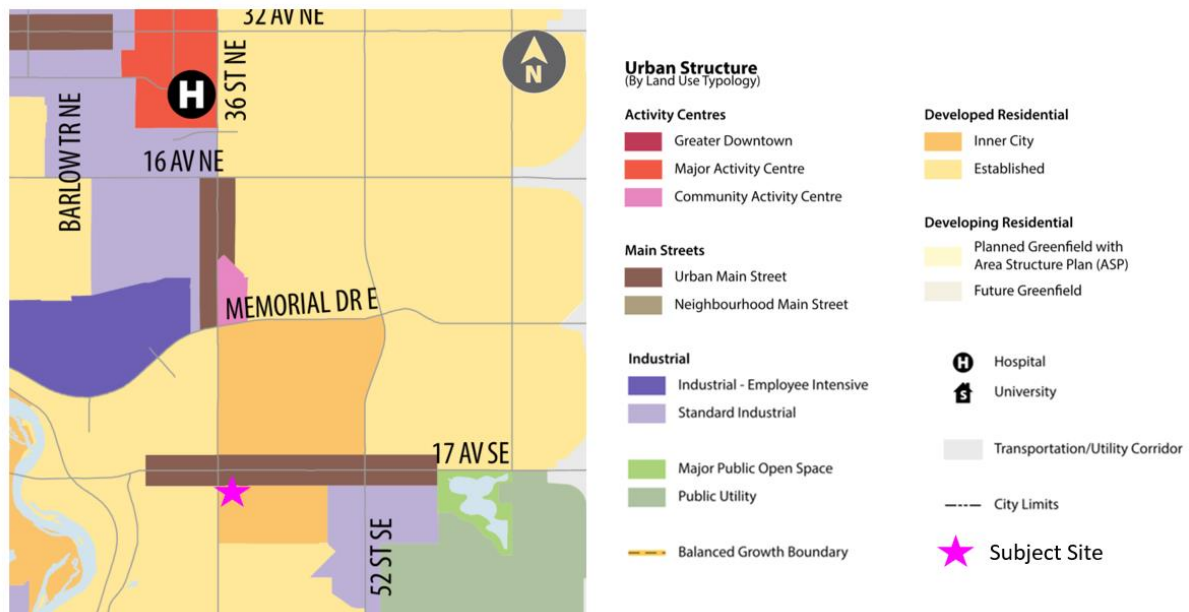
The development does not require Land Use Bylaw relaxations.

Additional Factors, Considerations, and/or Rationale:

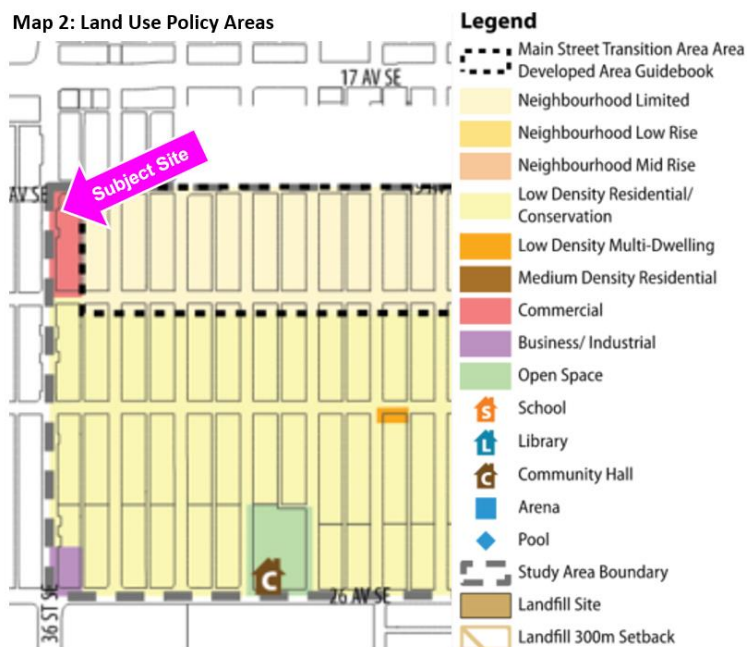
1. In the C-COR2 land use district, the use of a place of worship – small is a discretionary use. The Development Authority’s decision was made based on Sections 35, 36, and 37 of the Land Use Bylaw.
2. The proposed development complies with the Land Use Bylaw.
 - a) S.262 defines and outlines the regulations for the specific use of a Place of Worship - small.
 - b) The definition refers to a venue where individuals gather for religious or spiritual purposes, with the largest assembly area being 300 square metres or smaller [s.262 (a)(i) and (ii)]. The site plan indicates the assembly area is approximately 176 square metres which includes both men’s and women’s prayer areas.
 - c) While the applicant does not propose periodic refuge for people, this space could be utilized for that purpose without requiring an additional development permit, as it falls within the definition of a place of worship [s.262 (a)(iii)].
 - d) The floor plan shows an office for the place of worship [s.262.(a)(iv)].
 - e) The information form submitted with the application states there will not be child care services. This space could include a child care service if it complies with the Land Use Bylaw rules [s.262(a)(v) and s.262(c)].
 - f) The floor plan shows a small kitchen area that contains a refrigerator, counter and sink for the users of the place of worship [s.262(a)(vi)].
 - g) A maximum of three dwelling units is allowed. The proposal does not include a dwelling unit [s.262(a)(vii)].
 - h) Bicycle parking stalls – class 1 are not required [s.262(e)].
 - i) According to section 133(4), a change of use application does not require additional bicycle parking or loading stalls when it involves a building that was legally constructed or approved. Given that the building in question meets these criteria, section 262(f) is not applicable.
3. The subject parcel is located approximately one block south of 17 Avenue SE which has multiple bus routes. The nearest MAX BRT station is at the intersection of 36 Street SE and 17 Avenue SE, offering an alternative transportation option for members to access the parcel via public transportation.
4. Adjacent parcels to the north and south are commercial and the adjacent parcels to the west are low rise multi-residential buildings. Adjacent parcels to the east are low density residential.



5. The MDP identifies the subject parcel within the Inner City land use typology on the Urban Structure Map 1.



- a) S.2.2.4.b.viii Communities should be planned according to the following criteria for complete communities and provide local schools, social infrastructure, places of worship and community services.
6. The ARP has identified the subject parcel as being within the commercial area, as shown on Map 2: Land Use Policy Areas. The ARP does not provide specific policies regarding commercial areas or their uses; instead, it focuses on issues related to landfills and potential soil contamination within these commercial areas.



7. In response to the Notice of Appeal:

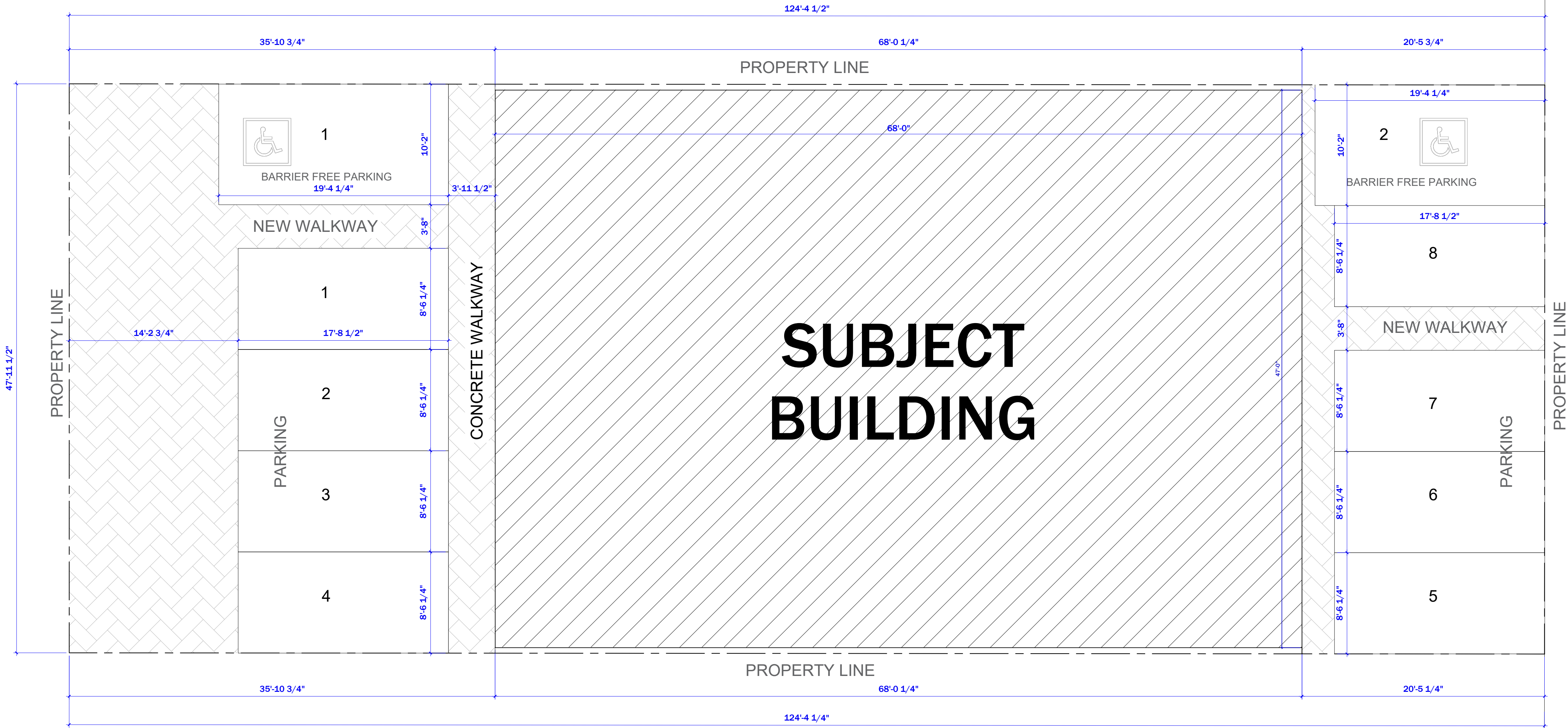
- a) Engaging in food handling and offering refuge are not only common but anticipated activities associated with these spaces. Providing refuge could be a permanent function of the place of worship as outlined in the definition however, the people staying there are temporary.
- b) As per section 27 of the Land Use Bylaw the application was not notice posted.
- c) The Development Permit was approved on December 2, 2024. As per section 39 of the Land Use Bylaw, the decision was published on [Public notices](#). The advertising period was from December 5, 2024, to December 27, 2024. See attached Public Notice.
- d) The advertising date is noted on the signed Development Permit.
- e) Along with the legislated requirements outlined in the Land Use Bylaw, the plans were made available on the City of Calgary's Development Map allowing anyone, including the Business Improvement Area (BIA), to contribute comments.
- f) All procedural requirements for a discretionary use development permit were met.
- g) Although not required by the Land Use Bylaw or MGA, the practice is to circulate to community associations and business improvement areas as a courtesy. The subject parcel is not situated within the International Business Revitalization Zone and, therefore, was not notified about this matter.



8. The Development Authority may provide additional materials prior to the merit hearing.

2008 36 STREET S.E.

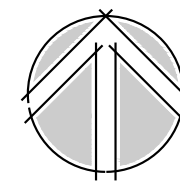
CITY SIDEWALK



1 SITE PLAN
A2.0
3/16" = 1'-0"
NO OF PARKING - 10

SEAL

TRUE NORTH



THIS DRAWING MUST NOT BE SCALED.
THE CONTRACTOR SHALL VERIFY ALL LEVELS, DISTANCES AND
DIMENSIONS PRIOR TO COMMENCEMENT OF WORK. ALL
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AL HUDA ISLAMIC CENTER
2008 36 St SE
CALGARY, AB

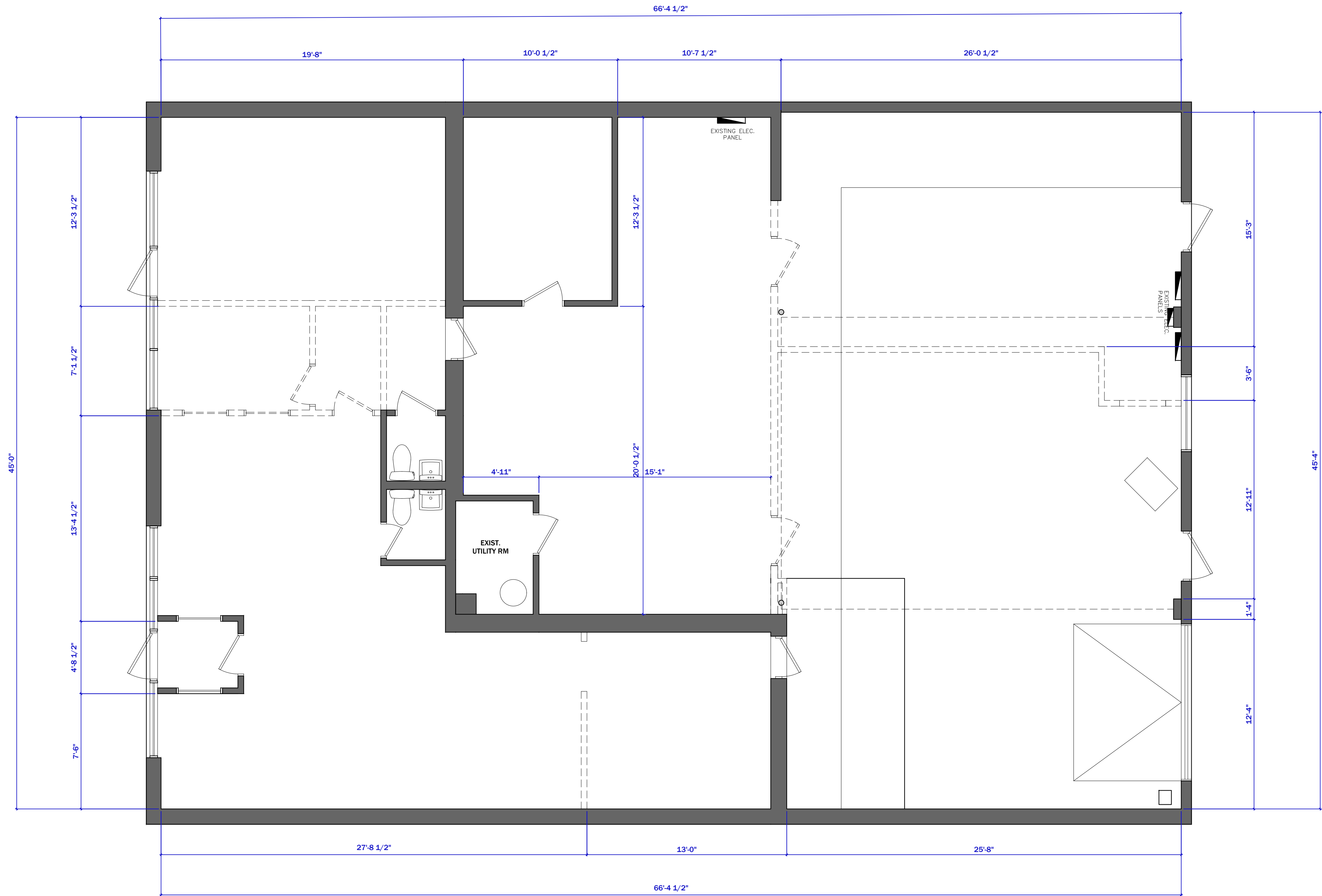
PROJECT NO.	C24090
REVISION	DATE
1 CLIENT REVIEW	09/11/2024
2 CLIENT REVIEW	09/25/2024
3 IFDP	22/11/2024
4	
5	
6	
7	
8	
9	

SITE PLAN

SCALE: AS SHOWN

A1.0

DATE: SEPT.25, 2024
DRAWN BY: I.K.









1 EXISTING / DEMOLITION FLOOR PLAN
A2.0 GROSS AREA: ± 3,196 FT² 1/4" = 1'-0"

SYMBOL	DESCRIPTION
	EXISTING WALL TO BE DEMOLISHED
	EXISTING WALL TO REMAIN

PROJECT NO.	C24090
REVISION	DATE
1 CLIENT REVIEW	09/11/2024
2 CLIENT REVIEW	09/25/2024
3 FPD	22/11/2024
4	
5	
6	
7	
8	
9	




SYMBOL	DESCRIPTION
	NEW INTERIOR 2x4 OR 2x6 WOOD STUD WALL
	EXISTING WALL TO REMAIN

WALL TYPE LEGEND		
TAG	SYMBOL	DESCRIPTION
E1		<u>EX. DEMISING WALL- FRR</u> <u>G.C. TO CONFIRM ON SITE</u> 8" BLOCK WALL 5/8" TYPE "X" GYPSUM BOARD 3 5/8" 20 ga STEEL STUDS @ 24" O/C 3 1/2" MINERAL FIBRE BATT INSULATION (FIRE RATED COMPLETED SILL STUD CAVITY) 5/8" TYPE "X" GYPSUM BOARD
E2		<u>EX. INTERIOR PARTITION WALL</u> <u>G.C. TO CONFIRM ON SITE</u> 1/2" GYPSUM BOARD 3-5/8" STEEL STUDS @ 24" O/C 1/2" GYPSUM BOARD
P1		<u>NEW INTERIOR PARTITION WALL</u> 1/2" GYPSUM BOARD 3-5/8" STEEL STUDS @ 24" O/C 1/2" GYPSUM BOARD
P2		<u>NEW INTERIOR PARTITION WALL</u> 1/2" GYPSUM BOARD 6" STEEL STUDS @ 24" O/C 1/2" GYPSUM BOARD
NOTES <ul style="list-style-type: none"> - REFER TO ENCLOSED COPY OF THE ULC DESIGN LISTING FOR THE PROPOSED DEMISING WALL CONSTRUCTION - UNLESS NOTED OTHERWISE, ALL FIRE SEPARATION INTERIOR PARTITIONS TO EXTEND TO UNDERSIDE OF STRUCTURE ABOVE - ALL NEW INTERIOR PARTITIONS TO EXTEND MINIMUM 6" ABOVE FINISHED CEILING - ALL WALLS, COLUMNS SUPPORTING 45min FRR TO BE 45min FRR. - FIRE STOP MATERIAL TO CONFIRM TO CANULC S115 - MOISTURE RESISTANT GYPSUM WALL BOARD TO BE USED AT ALL SINK LOCATIONS - ALL DIMENSIONS SHOWN ARE TO FACE OF STUD (FRAMING) UNLESS NOTED OTHERWISE. - PROVIDE WOOD BLOCKING IN WALL FRAMINGS FOR ALL ACCESSORIES INCLUDING BUT NOT LIMITED TO: TOWEL BARS, TOILET PAPER HOLDERS, SHELVING ATTACHMENT, ROBE HOOKS, GRAB BARS, ETC. 		
AREAS:		
NET AREA OF CONSTRUCTION: ± 3916 ft ²		

SEAL

TRUE NORTH



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THE CONTRACTOR SHALL VERIFY ALL LEVELS, DIMENSIONS AND
DIMENSIONS PRIOR TO COMMENCEMENT OF WORK. ALL
ERRORS AND OMISSIONS MUST BE REPORTED TO THE
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PROJECT NO.	C24090
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4	
5	
6	
7	
8	
9	

PROPOSED FLOOR PLAN

SCALE: AS SHOWN

A2.0

DATE: SEPT. 25, 2024

DRAWN BY: I.K.