

## **SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

File: 3011.65

March 24, 2026

APPELLANT: SARASOTA HOMES AND GARY ACHESON

MUNICIPAL ADDRESS(S): 65 CARLETON DRIVE

LEGAL DESCRIPTION: LOT 9; BLK 8; PLAN 0625845

LAND USE CLASSIFICATION: BUSINESS PARK 2 (BP2)

DATE OF HEARING: APRIL 01, 2026

PROPOSED DEVELOPMENT: TO CONSTRUCT A NEW MOSQUE

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### **Background**

The appellant is appealing the issuance of a development permit DP073108 to construct a new mosque. The mosque is categorized as a “Religious assembly” use in accordance with Section 5.12(3)(xxi)(b) of Land Use Bylaw 18/2024. “Religious assembly” is a discretionary use in the BP2 land use district in which this lot is located.

A discretionary use development permit is subject to mandatory notification to adjacent properties within a 30m radius who have the right to file an appeal against the issuance of the permit within 21-days of receipt of notice. An appeal was filed on March 11, 2026.

Development within the City is regulated by Land Use Bylaw 18/2024. Section 5.12 establishes the regulations for development within the Business Park 2 District. The land use bylaw also speaks to permitted and discretionary uses as follows:

### **2.13 PERMITTED AND DISCRETIONARY USES**

(1) The Development Authority shall review each Development Permit application to determine whether the development constitutes a Discretionary Use or a Permitted Use.

(2) The Development Authority shall issue a Development Permit for a Permitted Use if the application conforms to this Bylaw.

(3) The Development Authority may issue a Development Permit for a Discretionary Use if the application conforms to this Bylaw.

(4) The Development Authority shall refuse to issue a Development Permit: (a) For a proposed Permitted Use that does not conform to this Bylaw; or (b) For a proposed Discretionary Use that conforms or does not conform to this Bylaw, or that, in the opinion of the Development

Authority, is not suitable for its intended location on the basis of applicable land use planning considerations or principles.

Based on the review of the project and its conformation with the regulations of Section 5.12 administration determined that the permit would be issued. There are no variances applied to the permit – see the attached permit in your report for conditions. The plans submitted for review are (Exhibit 1).

## **PARKING**

Condition #3 of DP073108 speaks to the parking for the project as follows:

Parking for the building has been calculated based on the provisions of Section 4.6(30) of the Land Use Bylaw. The Transportation Planning Engineer has reviewed the submitted Transportation Impact Assessment (TIA) document and is satisfied that based on the information provided by the applicant in terms of the attendance numbers and peak times of operation that the existing road network and parking provided will be acceptable. Future development of the site shall be subject to additional review, and new documents may be required.

Section 4.6(30) of the Land Use Bylaw states that parking is required for a religious assembly use at (i) one stall per eight seats; or (ii) one stall per 50 square metres of gross floor area whichever is greater. The Muslim religion uses prayer mats rather than fixed seating.

Based on the information from the applicant there could be 500 people attending the Friday prayer (Jum'ah). Based on this number and calculating parking at 1 stall per 8 seats the required parking would be 63 stalls. The site plan shows 140 stalls. The term seats in this case has been replaced with prayer mats as shown in the plans.

The information shown on page A2.8 (Exhibit 2) of the plans shows the main and upper floor prayer mat layouts and bench seating, with no mats being shown in the basement plan. The total of mats and bench seats for the main and upper floor plan is 531. Divided by 8 = 67 stalls. The site plan shows 140 stalls.

If we use the square footage calculation of 1 stall per 50 square metres the parking is required as follows.

Main floor: 9475 sq. ft

Upper floor: 3925 sq. ft.                    **Total:** 22,275 sq. ft. or 2069.41 sq. m.

Basement floor: 8875 sq. ft.

2069.41 sq. m divided by 50 sq. m. = 42 stalls required. The site plan shows 140 stalls.

The Traffic Impact Assessment (TIA) document (Exhibit 3) was reviewed and accepted by the City Transportation Planning Engineer. The report addresses parking and road network calculations.

Page 29/35 of the TIA states that the site provides 141 stalls however since the writing of the report one stall has been removed from the site plan they used. 140 stalls are now available on site.

The Development Authority issued the Development Permit with no variances.

It may interest the Board to note the following:

- It should be noted that in accordance with Section 3.3(3) of the Land Use Bylaw, when determining heights the sections reads:

“Notwithstanding section (1), the following are not considered part of the building for the purpose of measuring building height: elevator housing, mechanical housing, rooftop stairway entrance, ventilation fan, skylight, steeple, chimney, smokestack, parapet wall, flagpole, or similar feature not structurally essential to the building.”

The building meets the height regulations for the land use district of 18.0m

- Condition number 8 states that there shall be no exterior speakers installed on the building and in accordance with information provided by the applicant there will be no call to prayer (Adhan) to announce the start of prayers at the mosque.
- The site plan shows a future building which will require separate development permit approval with parking calculations.
- Administration considered the contents of the Campbell Business Park North: Design Guidelines (June 14, 2011) in reviewing the application.



Kathleen Short  
Development Officer II

Attachments:

- Exhibit 1 (stamped approved DP plans)
- Exhibit 2 (page A2.8)
- Exhibit 3 (TIA)