

PUBLIC SUBMISSION FORM



In accordance with sections 43 through 45 of [Procedure Bylaw 35M2017](#), the information provided **may be included** in the written record for Council and Council Committee meetings which are publicly available through www.calgary.ca/ph. Comments that are disrespectful or do not contain required information may not be included.

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

Personal information provided in submissions relating to matters before Council or Council Committees is collected under the authority of Bylaw 35M2017 and Section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act of Alberta, and/or the Municipal Government Act (MGA) Section 230 and 636, for the purpose of receiving public participation in municipal decision-making and scheduling speakers for Council or Council Committee meetings. Your name and comments will be made publicly available in the Council agenda. If you have questions regarding the collection and use of your personal information, please contact City Clerk's Legislative Coordinator at 403-268-5861, or City Clerk's Office, 700 Macleod Trail S.E., P.O. Box 2100, Postal Station 'M' 8007, Calgary, Alberta, T2P 2M5.

- I have read and understand that my name and comments will be made publicly available in the Council agenda. My email address will not be included in the public record.

First name (required)	CHRIS
Last name (required)	STATHONIKOS
Are you speaking on behalf of a group or Community Association? (required)	No
What is the group that you represent?	
What do you wish to do? (required)	Submit a comment

How do you wish to attend?

You may bring a support person should you require language or translator services. Do you plan on bringing a support person?

What meeting do you wish to attend or speak to? (required)	Council
Date of meeting (required)	Mar 29, 2022

What agenda item do you wish to comment on? (Refer to the Council or Committee agenda published [here](#).)

PUBLIC SUBMISSION FORM



(required - max 75 characters)

Royal Vista business park

Are you in favour or opposition of the issue? (required)

In favour

If you are submitting a comment or wish to bring a presentation or any additional materials to Council, please insert below.

Comments - please refrain from providing personal information in this field (maximum 2500 characters)

I am in favor of the rezoning.

March 21, 2022

City Council
City of Calgary

Re: CPC2022-0023/LOC2021-0170
Royal Vista Business Park

Dear Council Members,

I am writing this letter as the owner of 35 Royal Vista Drive NW in response the above Land Use Redesignation application.

As an owner for years in the park, I can personally attest to the need address the current zoning in the business park in order to see it reach its full potential. There are currently some existing developments that have trouble finding tenants because of restrictions imposed by the current zoning.

Most of the zoning is related to Industrial – Business, which is really intended for office development. Office demand is obviously not what it was, and so we would like to see more commercial opportunities introduced.

I am strongly in favour of the proposed amendment, because it will provide more flexibility for existing and future developments and will result in a more vibrant and attractive business park, which is beneficial to everyone.

The introduction of more auto-oriented uses just along the east side of the park also makes sense, because over the years most of these sites have already been rezoned for this reason, due to the close proximity of the Northwest Auto Mall.

Thank you for considering my comments, and I look forward to a successful conclusion to the matter.

Yours truly,



Chris Stathonikos
CMD Properties

CMD Properties 4610 – 112 AVE SE
403-613-7209



Application Notice LOC2021-0170

November 12, 2021

The City of Calgary has received an application to redesignate the land at the below address(es).

If you have questions or concerns related to this application, please contact the file manager directly at any point in the process.

Application Details

File Number: LOC2021-0170
File Manager: ALLAN SINGH Allan.Singh@calgary.ca (403) 268-5398
Address: 7819 112 AV NW **Legal Description:** 0813886;1;1
Community: ROYAL VISTA **Ward:** 01
Application Description: Land Use Amendment to accommodate DC
Existing Land Use District: DC, I-C, I-B f1.0h16, S-CRI, S-UN, I-B f1.0h30, I-B f1.0h24
Proposed Land Use District: DC/I-B, DC/I-B, DC/I-B, DC/I-B, DC/I-B, DC/I-B, DC/I-B

Please note that any written submissions made in response to the application will form part of the official record, and upon final decision of the application the correspondence will be available for public viewing.

Please return your response to: Circulation Control
Planning and Development
P.O. Box 2100 Station M
IMC 8201
eMail: cpag.circ@calgary.ca

This information is released and may only be used for the sole purpose of your organizations meeting to discuss the recommendations of comments to be made to the City of Calgary on this permit.

Please check the corresponding box below and forward any comments to the above sender.

No Objection

Comments Attached

Name: BRUCE WHALE

Date: MARCH 21, 2022

Organization: NW CALGARY DELEGATE PRODUCERS Comments are due by: **March 21, 2022**

(If representing an organization)

BURNCO

LAFARGE

Volker Stevin
Contracting Ltd.

INLAND

STONEY TRAIL AGGREGATE RESOURCE
BLY GROUP

March 21, 2022

To: Circulation Control – Planning and Development

Cc: Sonya Sharp – Councillor - Ward 1
Tomi Neilson - Chief Constituent and Issues Coordinator– Ward 1
Marley Gillies - Executive Advisor – Ward 1

From: NW Calgary Aggregate Producers

RE: LAND USE APPLICATION – LOC 2021-0170

To Whom It May Concern

The NW Calgary Aggregate Producers (NWCAP) would like to provide comment on the above noted Land Use Application for the parcels. This proposed re-designation is located on a major long term truck route with significant seasonal gravel haul volumes which should be included as a planning consideration in this areas development.

The NWCAP represent the operators of the 5 major gravel sites located within Ward's 1 & 2 as shown on the attached map. These long standing operations provide critical aggregate, asphalt and concrete products used throughout Calgary. This includes the development and maintenance of city roadways & infrastructure, residential homes & communities, and commercial & institutional buildings. The fact that these aggregate deposits are located in close proximity to their end use provides all Calgarian's access to low cost, environmentally sustainable and high quality products but has created challenges to industry, developers and adjacent communities' from past planning decisions as the City has expanded towards the gravel sites and the associated truck routes.

The NWCAP is currently working with the City of Calgary Truck Route Committee, CAP Levy Committee and the local communities to improve the industries hauler performance and seek enhancements to the haul route network to address existing neighborhood concerns. We believe all further development in the area should be reviewed in the context of the current and future peak gravel haul days as well as the design work already completed to-date for proposed improvements to the 85th Street / 112 Avenue intersection needed to address those concerns.

NWCAP cannot support the Land Use changes being proposed in their current form. The application covers numerous properties adjacent to one of the busiest truck routes in the City and the main users not included in any public engagement processes. This truck route is already under pressure and NWCAP believes that any Land Use changes should be providing a clear plan to support and improve existing traffic conditions before adding on new traffic.

We request that the Applicant, City of Calgary and NWCAP work proactively to review the traffic attributes in the area and develop more detailed plans prior to a land use re-designation proceeding.

Regards

James Wilson
GM Aggregates
Lafarge

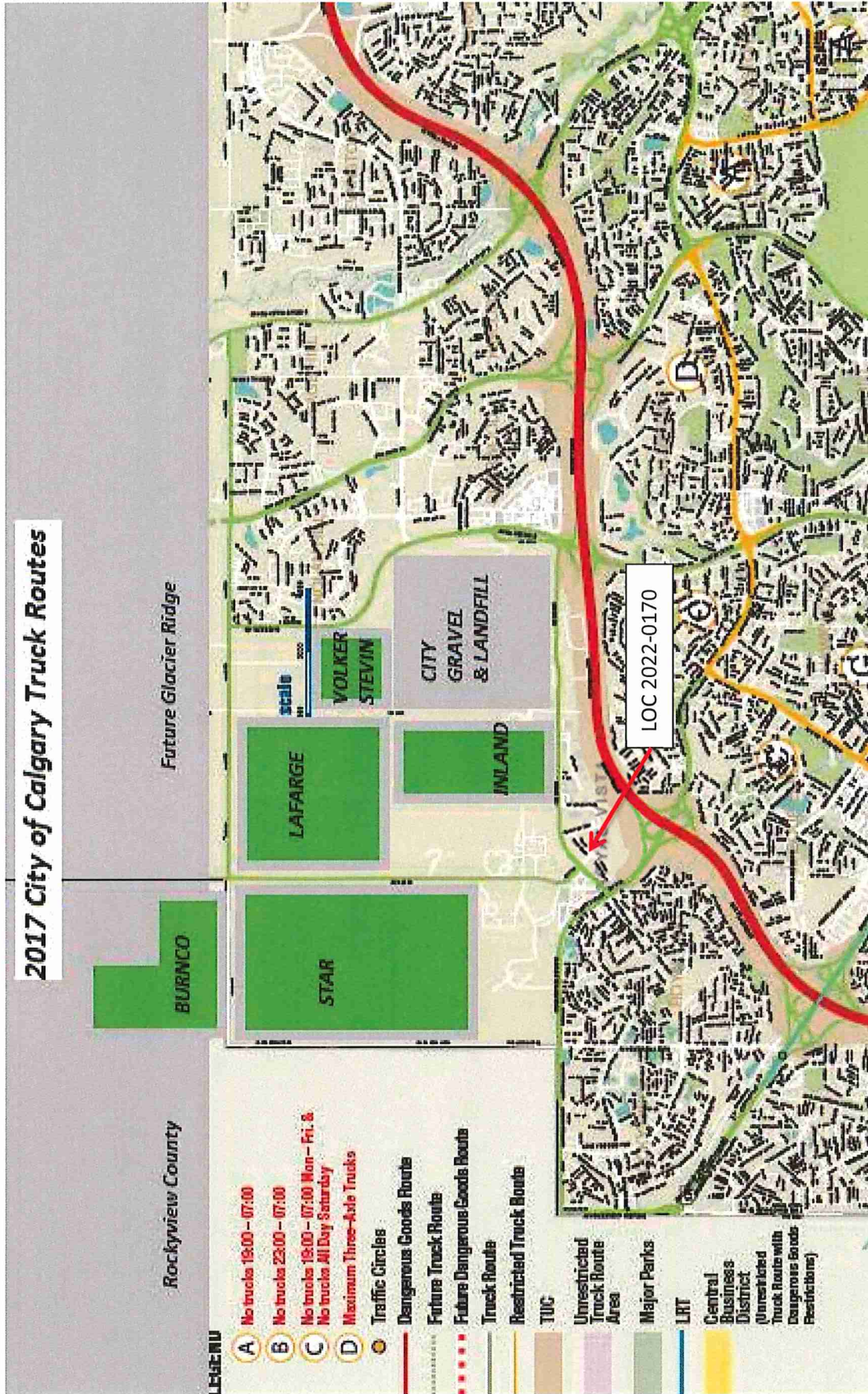
Travis Coates
Sr Land Manager
BURNCO

Lee Therres
Area Manager
Inland Aggregates

Corey Stasiuk
General Manager
Volker Stevin

Bruce Whale
Manager
STAR Pit

Truck Route Map with Gravel Pits Identified



certus Developments Inc.

March 16, 2022

Office of the City Clerk
The City of Calgary
700 Macleod Trail SE
P.O. Box 2100,
Postal Station 'M'
Calgary, Alberta
T2P 2M5

Submitted online to: [Calgary.ca/PublicSubmissions](https://calgary.ca/PublicSubmissions)

Certus Developments Inc.
Written Submission to The City of Calgary
**In regards to March 29, 2022 Public Hearing Agenda Item #5;
Land Use Amendment in Royal Vista (Ward 1) at multiple addresses
LOC2021-0170, 51D2022, 52D2022 and 53D2022**

Certus Developments Inc. (Certus) is submitting this material to The City of Calgary (City) in regards to the above agenda Item #5. Certus is a Calgary based commercial developer carrying on business in the Calgary area for over 25 years. Certus principals are Mr. Ron Ghitter and Mr. Jim Mitchell.

Certus is making this submission in regards to the above agenda item as Certus is a land owner of commercial projects both adjacent to and within the Royal Vista Business Park (RVBP).

RELEVANT HISTORY

- Certus purchased and subsequently developed both the 3.5 acre site known as **Royal Oak Place** (DP2010-4216) and the 9.5 acre site known as **Royal Oak Park** (DP2011-1635).

Royal Oak Place

- Royal Oak Place contains 2 buildings – a free standing Shoppers Drug Mart and a 2 story building housing Starbucks, TD Bank and numerous other medical tenants.
- This site was not part of the RVBP however the City Planners and Councillors encouraged Certus to develop this site as the “Gateway” site for the business park.
- Throughout the development permit process, **the City restricted Certus from doing a gas bar tenancy as well as prevented any food service drive through tenants.** Certus accepted these restrictions and moved forward with other development options.

Royal Oak Park

- The Royal Oak Park site is a commercially zoned C-C2 site that **the City sold to Certus on the understanding that it was and would be the only commercially zoned non IB or IG site within the RVBP.**
- The project was developed as a 9 building site with a mix of tenancies. There are 7 retail buildings, a two story retail & commercial building, and a Shell Gas Bar.
- The **City placed a number of very onerous development restrictions on Certus** as the site planning and development went forward; these are outlined below:
 1. **No food service drive throughs** were permitted.
 2. The **buildings were to be orientated along 112 Ave and 85th Street complete with a large pedestrian corridor at the NW corner of 112/85** to provide pedestrian circulation to the rest of the RVBP. (Of note – City has allowed the development of the Prime Real Estate Group site at the SE corner of 112 Ave and 85th Street to proceed in a way to totally isolate it from the pedestrian access that was required to be built on Certus’s Royal Oak Park site.)

3. At the behest of the City, **Certus also adhered to all of the Architectural Controls of the RVBP.**
4. The **City mandated Certus to carry out extensive Transportation Studies** out of concern for traffic levels, and the impact of our development on the intersection of 112 Ave and Country Hills Blvd.
5. **A Market Study was required** to assess the demand for further retail in this area.
6. The **City required Certus to undertake extensive Community Engagement sessions.**

It must be stated here that it is apparent that ***this most recent rezoning effort by the City has not required any such traffic or market studies, which would suggest that the City is in a conflict of interest wherein they do not abide by their own stated requirements when they are applying to rezone their own lands.***

CURRENT REZONING INITIATIVE – ROYAL VISTA BUSINESS PARK – FALL 2021

- The City has now embarked on a rezoning initiative to rezone the RVBP. This is being done through four proposed Direct Control By-laws for all of the lands within the RVBP, both City owned and privately owned (save and except for the Certus site).
- **This rezone activity is of great concern to Certus, not only because of the manner in which it has been carried out, but as well, because of the detrimental affect it will have on the overall future of the RVBP.**

Applicant and City led Outreach

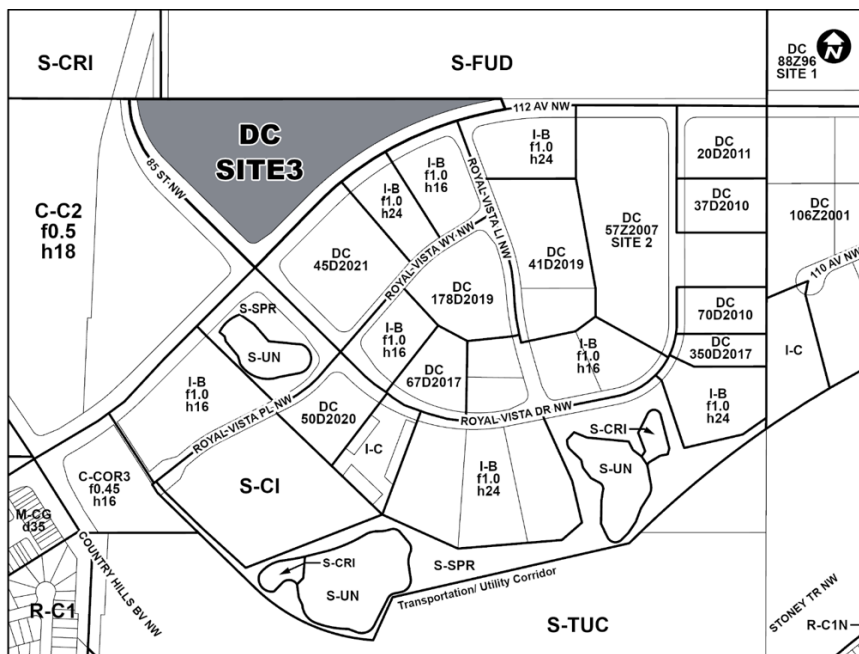
- The city says that there was outreach extended to all affected stakeholders – **neither Certus or First Capital REIT (Royal Oak Centre) was contacted about this initiative** despite being the two largest landowners within the immediate area. The **Rocky Ridge Royal Oak Community to our knowledge was also never contacted**, despite being the largest of the resident population in the trade area.
- The City indicates that they are making this rezoning recommendation based upon statistical analysis and studies. However, these has been **no evidence of market studies** to evaluate

market growth and market demand, **no gap analysis undertaking** to determine needs and wants in the area, and **no transportation or traffic studies** to determine the eventual impact on the area (despite current transportation issues being acknowledged as a problem).

Proposed Zoning Changes

The current zoning in place, which includes I-C, I-G, I-B, and DC, is now being considered for a comprehensive rezone. **Certus is opposed to certain aspects of this rezoning initiative.**

BYLAW Number 52D2022



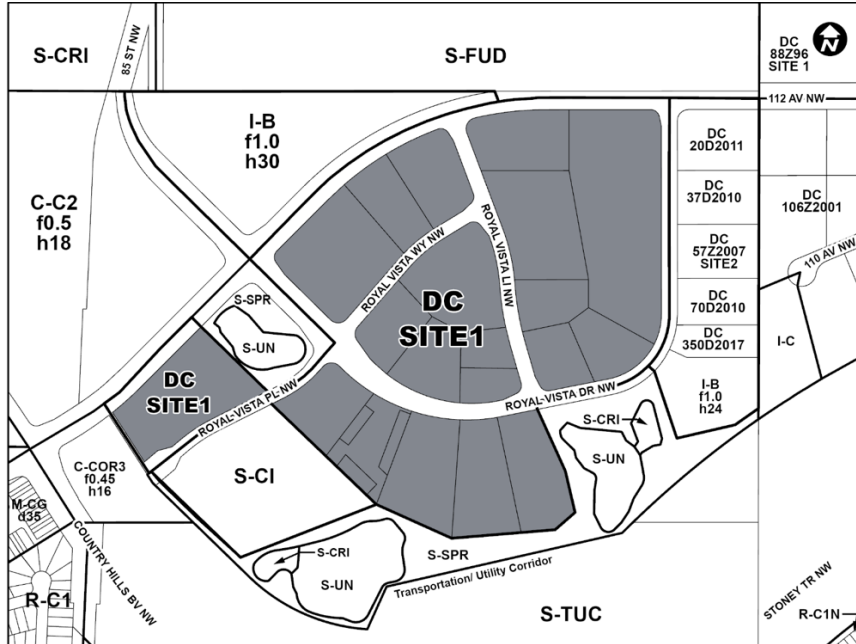
DC District (Area 3) – existing I-B district:

- This represents the single 18.5 acre site. Certus has no opposition to these changes to a DC based upon the Commercial – Community (C-C2) District, as long as the proposed restriction to prohibit Gas Bar, Car Wash (Multi and Single), and Drive Through is kept in place as in the current draft. This restriction makes sense as it is somewhat within the original intent of the RVBP. Certus is also recommending that the bylaw be revised such that any Retail and Consumer Service uses must be a minimum of 232.25 m² or 2500 ft.². This avoids a further dilution of the retail within the RVBP which avoids detracting from the original intention of the vision for the park.

Recommendation:

Therefore, Certus recommends that the proposed restriction to prohibit Gas Bar, Car Wash (Multi and Single), and Drive Through must be kept in place as is proposed in the current draft bylaw. In addition, Certus recommends that the Retail and Consumer Services uses must be a minimum of 232.25 m² or 2500 ft.².

BYLAW Number 50D2022



DC District (Area 1) – existing I-B, I-G, I-C & DC districts:

- This rezone affects a majority of the RVBP (44.36 acres). Development has commenced on a large number of these 18 sites. **Certus feels that the proposed changes to relax development constraints and turn these properties into more of a traditional retail/commercial area is, and was, a mistake.**
- It will result in a plethora uses and projects that will compete with and dilute the existing Royal Oak Park and Royal Oak Centre. The current onset of commercial condo construction combined with more lenient rules on retail uses will result in an over saturation of similar tenancies. **This will put downward pressure on rents, downward land values and eventually eroded real estate tax revenue to the city.** This has been proven out in the Westwinds area of NE Calgary where a proliferation of retail condo sales has led to a lower overall quality of maintenance and upkeep.

- In order to preserve the initial integrity and intent of the RVBP, we suggest that the proposed DC by-law be amended to put an immediate moratorium on the current discretionary uses of Gas Bar and Drive Through, therefore prohibiting any of those uses in the future.

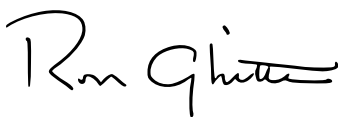
Recommendation:

Certus recommends that the proposed DC by-law be amended to put an immediate moratorium on the current discretionary uses of Gas Bar and Drive Through, therefore prohibiting any of those uses in the future.

Conclusion

Certus Developments Inc. has done an exhaustive and intensive review of the City of Calgary's recent re-zoning proposals. As Certus has a vested interest in the real estate in the area, and as Certus is desirous to see the Royal Vista Business Park continue to thrive and succeed, we have put forward these observations and recommendations. **We feel strongly that the process to date has had its shortcomings and that we, and others, as adjacent land owners & stakeholders deserve to be heard and that our observations and recommendations need to be considered.**

CERTUS DEVELOPMENT INC.



Ron Ghitter



Jim Mitchell