



## PUBLIC SUBMISSION FORM

Please use this form to send your comments relating to an upcoming Council or Committee matter, or to request to speak on an upcoming public hearing item.

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](http://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 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.

**Please note that your name and comments will be made publicly available in the Council agenda. Your e-mail address will not be included in the public record.**

I have read and understand the above statement.

## ENDORSEMENT STATEMENT ON TRUTH AND RECONCILIATION, ANTI-RACISM, EQUITY, DIVERSITY, INCLUSION AND BELONGING

The purpose of The City of Calgary is to make life better every day. To fully realize our purpose, we are committed to addressing racism and other forms of discrimination within our programs, policies, and services and eliminating barriers that impact the lives of Indigenous, Racialized, and other marginalized people. It is expected that participants will behave respectfully and treat everyone with dignity and respect to allow for conversations free from bias and prejudice.

I have read and understand the above statement.

First name (required) Todd

Last name (required) Nielsen

Are you speaking on behalf of a group or Community Association? (required) Yes

What is the group that you represent? CAL FUND INVESTMENTS INC.



## PUBLIC SUBMISSION FORM

What do you wish to do?  
(required)

Request to speak

How do you wish to attend?

In-person

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

No

What meeting do you wish to attend or speak to? (required)

Council

Date of meeting (required)

May 16, 2023

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

(required - max 75 characters)

LAND USE REDESIGNATION APPLICATION: 3025 - 12TH ST. NE - LOC2022-0175

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

In opposition

If you are submitting a comment or wish to bring a presentation or any additional materials to Council, please insert below.  
Maximum of 15 MB per submission (5 attachments, 3 MB per pdf document, image, video)  
If you have additional files to attach, email them to [publicsubmissions@calgary.ca](mailto:publicsubmissions@calgary.ca)

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

The following pictures will be sent to [publicsubmissions@calgary.ca](mailto:publicsubmissions@calgary.ca) and referenced at the public hearing by Todd Nielsen.  
Pictures (April 28, 2023) Private Property Signage.  
Pictures (April 28, 2023) Parking  
Pictures (April 27, 2023) Parking;  
Pictures (April 21, 2023) Parking;  
Pictures (May 5, 2023) Outdoor Kitchen;  
Pictures (April 28, 2023) Outdoor Kitchen;  
Pictures (April 28, 2023) Garbage Empty;  
Pictures (May 5, 2023) Garbage;  
Pictures (April 27, 2023) Garbage;  
Pictures (May 1, 2023).

May 9, 2023

**EMAIL SUBMISSION: Tuesday, May 9<sup>th</sup>**  
**Calgary.ca/PublicSubmissions**

**OFFICE OF THE CITY CLERK**

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

**RE: LAND USE REDESIGNATION – 3025 – 12 ST NE (PLAN 7811365, Block 13, Lot 5), LOC2022-0175  
from I-B f1.0 to I-G, Applicant: BAB UI HAWAJI CULTURAL AND SPIRITUAL CENTER OF CALGARY.**

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CAL-FUND INVESTMENTS writes in opposition to an amendment of the current land use designation Application made by the Bab UI Hawaiji Cultural and Spiritual Center of Calgary. We believe such an amendment will significantly have a direct and negative effect on the operations and value of our building.

We believe the applicant has purchased this building as there was a pending Transfer of Land, Mortgage and Caveat, awaiting registration at Land Titles and we also believe the applicant is an existing tenant in the Lot 5 building.

Please accept our documentation of facts which support our position in **objecting the proposed redesignation**. This will be addressed by Todd Nielsen, Vice president of Cal Fund Investments Inc. in a five (5) minute summary the **City Council, Public Hearing in Council Chamber, Calgary Municipal Building 800 Macleod Trail SE on Tuesday, May 16<sup>th</sup> at 9:30am.**

Attached documentation to be included in the Council Agenda and distributed to Members of Council for their consideration when addressing the issue of the subject matter before them include the following:

- 1) Zoning Changes Letter (Oct 22, 2022);
- 2) Survey Plan;
- 3) Status of Application (April 24, 2023);
- 4) Open House Letter RE: Acquisition of Bab UI Hawaij Center (January 27, 2023);
- 5) Copy of Notice of Public Hearing on Planning Matters (City of Calgary);
- 6) Written submission by Hardy Nielsen, President of Cal Fund Investments to Planning & Development to Giyan Brenkman, File Manager IMC#8117 (email: [giyan.brenkman@calgary.ca](mailto:giyan.brenkman@calgary.ca) sent in October 2022, objecting to the Land Use Amendment proposed;
- 7) Pictures (April 28, 2023) Private Property Signage.
- 8) Pictures (April 28, 2023) Parking
- 9) Pictures (April 27, 2023) Parking;
- 10) Pictures (April 21, 2023) Parking;
- 11) Pictures (May 5, 2023) Outdoor Kitchen;

- 12) Pictures (April 28, 2023) Outdoor Kitchen;
- 13) Pictures (April 28, 2023) Garbage Empty;
- 14) Pictures (May 5, 2023) Garbage;
- 15) Pictures (April 27, 2023) Garbage;
- 16) Pictures (May 1, 2023).

Please contact Todd Nielsen directly at 403-540-8282 if you have any questions pertaining to the above matter.

Submitted by email [Calgary.ca/PublicSubmissions](mailto:Calgary.ca/PublicSubmissions) by the undersigned this 5<sup>th</sup> day of May, 2023.

CAL-FUND INVESTMENTS INC.  
105 – 4950 McCall Way NE.  
Calgary, Alberta T2E 2B9  
Todd Nielsen, Vice President  
C: 403-540-8282  
EMAIL: [Todd@ncigroup.ca](mailto:Todd@ncigroup.ca)





**PLANNING & DEVELOPMENT**  
[www.calgary.ca/development](http://www.calgary.ca/development)

8201

CAL FUND INVESTMENTS INC.  
105-4950 MCCALL WAY NE  
CALGARY, AB  
T2E 2B9

**Application For Land Use Amendment: LOC2022-0175**

**Location :** 3025 12 ST NE

The City of Calgary has received an application for a Land Use Amendment on the subject property highlighted on the attached sketch. As the owner of an adjacent property, you may wish to submit written comments on the application.

The application proposes to redesignate the land use for the property listed above:

**From:** I-B f1.0  
**To:** I-G

Learn more or comment at: [www.calgary.ca/development](http://www.calgary.ca/development) or **403.268.5311**

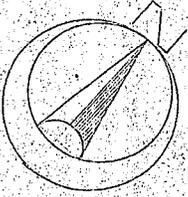
This application is currently being circulated to City departments, external referees and all adjacent owners. Circulation comments will be duly considered and a recommendation on the application will go forward to the Calgary Planning Commission.

The Calgary Planning Commission will review the application and make a recommendation to be forwarded to a public hearing of City Council for the final decision. You will be notified by letter when this item is scheduled to be heard at the public hearing and how you can be involved in the process should you wish to make representation to City Council, either in person or by filing a written submission.

If you have any comments regarding this Land Use Amendment application, please send your written response by November 8, 2022 to:

**GIYAN BRENKMAN File Manager IMC# 8117**  
**800 Macleod Trail SE P.O. Box 2100, Postal Station 'M' Calgary, Alberta T2P 2M5**  
**Phone: 403-268-2678 Email: [giyan.brenkman@calgary.ca](mailto:giyan.brenkman@calgary.ca)**

The personal information on submissions made regarding this application is being collected under the authority of The Freedom of Information and Protection of Privacy (FOIP) Act, Section 33(c) and amendments thereto. The submission may be included in the public meeting agendas of either, or both, the Calgary Planning Commission and City Council and as such the personal information included in the submission will be publicly available. 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, IMC#8115, PO Box 2100, Station M, Calgary, AB T2P 2M5 or contact us by phone at 311.



LEGAL DESCRIPTION

LOT 5  
BLOCK 13  
PLAN 781 1565  
SITE AREA 109 ACRES DP80/471  
**REVISED**  
10-9-80

TREES

10' (3M) HIGH SPRUCE  
3/2' (85MM) Ø NW POPLAR

BLDG. AREA

GROSS 16 100 SQ. FT. 14957 SQ. M.  
NET 13 969 1272.4

PARKING

REQ'D @ 1746 SQ. M. 35 CARS  
PROVIDED 45 CARS

CITY OF CALGARY PLANNING DEPARTMENT  
THESE ARE THE PLANS REFERRED TO IN DEVELOPMENT  
PERMIT NO. *8838*  
ISSUED *10/10/23*  
WHICH HAS APPROVED SUBJECT TO THE ALTERNATIONS  
TO BE SHOWN HEREIN IN RED OR AS OTHERWISE  
NOTED AT THE DEVELOPMENT PERMIT.

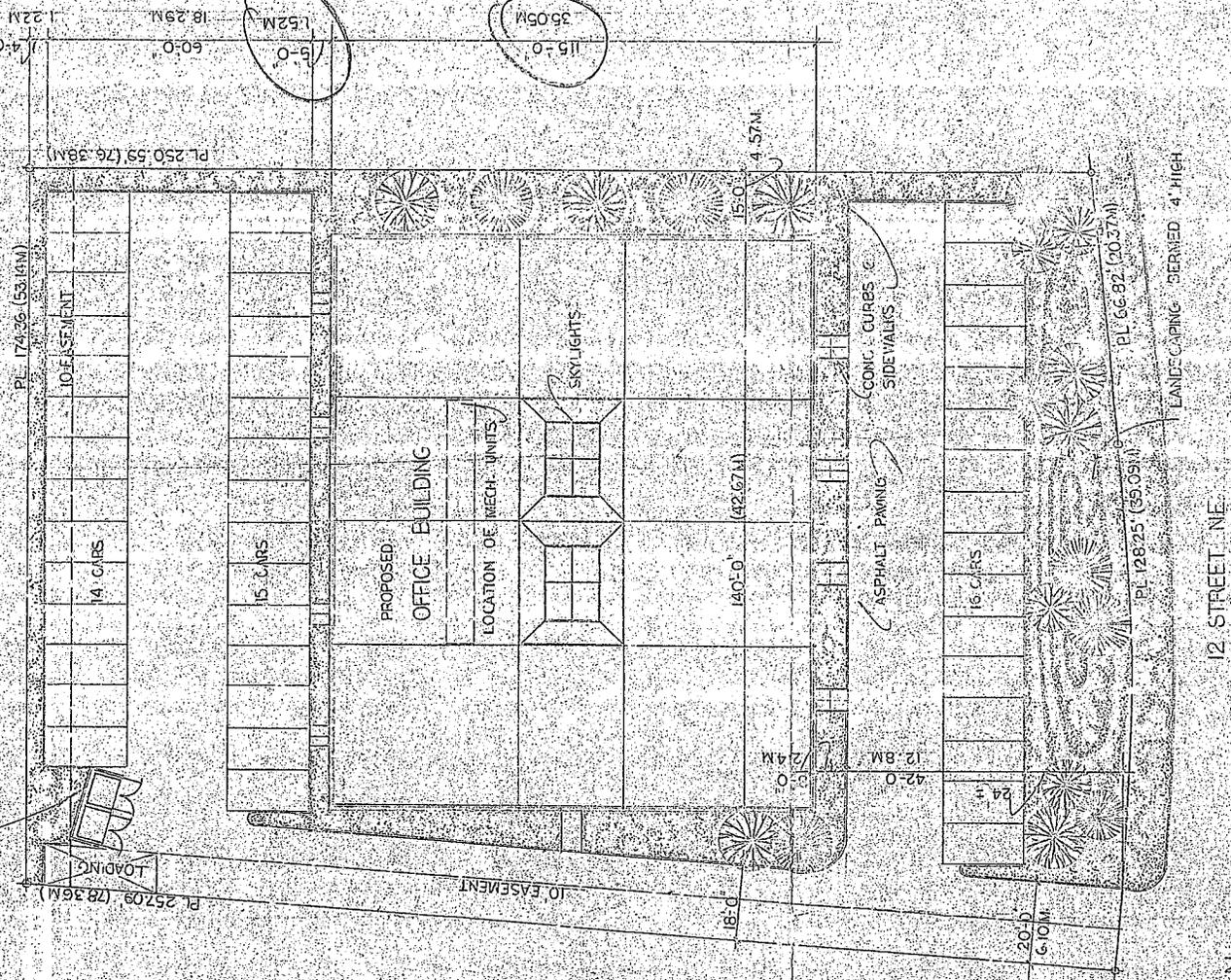
VICINITY MAP



SEP - 9 2023

FILE 706  
SCALE 1:20  
DATE 29 JUL 2023  
DRAWN PC  
1 OF 3

ANNEXELL, COLLEY, INCORPORATED  
CALGARY, ALBERTA  
MURDOCH - 722 5613  
CALGARY - 483 1011



SITE PLAN

PROPOSED OFFICE BUILDING  
12 STREET NE  
CALGARY ALTA

**Company Name: Bab Ul Hawaij Cultural & Spiritual Center of Calgary**

**Applicant's Name: Faizan Kazmi**

**Date: Thursday, September 15, 2022**

Bab Ul Hawaij Cultural & Spiritual Center of Calgary, a registered charitable organization (Charity# CH193010856595 with its previous location at #404 4656 Westwinds Drive NE, has been operating in Calgary for the past 8 to 9 years. In addition to meeting our local community's cultural and spiritual needs, we have been offering faith-based education to our youth through the Sunday school. Moreover, the Bab Ul Hawaij Cultural & Spiritual Center has also served the greater needs of our Calgary community by being one of the largest donor to the Calgary Food Bank, and has helped several Syrian refugee families in their settlement in our city

For the past several years, due to our increasing membership and the influx of fellow Muslims from other parts of Canada, our population has increased significantly thus making it impossible for us to accommodate them in our current space. Limited parking space and logistical fire and safety code regulations have thus compelled us to seek a larger place at a location which would be easily accessible from all four quadrants of the City. This place is located only one block away from the Deerfoot, thus making the premises easily accessible to all patrons from across the city of Calgary and also Airdrie. We also considered easy bus route accesses and the current location meets the needs of our patrons who live in the vicinity of these premises. Moreover, one of rationale behind the purchase of this current property 3025 12<sup>th</sup> Avenue NE was its close proximity to other places of worship. The objective behind this choice was that our community, and specially our youth will be better integrated to invoke interfaith dialogue, cooperation, collaboration with people of different faiths. This would allow them to join hands in rendering services directed towards the greater good of our society at large. Another reason behind the choice of this place was to ensure the traffic-related safety of our patrons – especially the children, and to avoid any transport congestion other distractions to our neighbouring places of worship and the business.

Please note that in terms of usage and the occupancy, our Sunday School functions only one day of the week (three to four hours/week) and for 9 months, whereas our religious gatherings (not exceeding more than 70 days/year) are to occur in the evenings - after the conventional work hours (i.e. after the sunset and for three to four hours only). Thus, the place will be used primarily for regular Friday Prayers, lectures and seminars during couple of months of special historic significance and to host interfaith conferences, charity fundraising etc.

We also feel that our presence in the neighbourhood will support local businesses and contribute to supporting the economy.

Should you require any additional information, please do not hesitate to contact us.



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**Application Number:** LOC2022-0175  
**Site Address:** 3025 12 ST NE  
**Community:** SOUTH AIRWAYS

**Description:** From: I-B f1.0  
To: I-G

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Date: January 27, 2023

Re: Acquisition of Bab Ul Hawaij Center  
3025 12 Street N.E.  
Calgary, AB T2E 7J2

Dear Sir/Madam,

We take this opportunity to introduce ourselves as your new friendly neighbour and look forward to working together with you in the future to make the entire neighbourhood a friendly and highly functional workplace.

Bab Ul Hawaij Center of Calgary, a registered (both provincially and federally) charitable organization (Charity Number# 193010856595) with its previous location at (#404, 4656 Westwinds Dr NE, Calgary, AB T3J 3Z5) has been operating in Calgary for the past 9 years. In addition to meeting our local community's religious and social needs, we have been offering faith and culture-based education to our youth through the Sunday school. Moreover, the Bab Ul Hawaij Center has also served the greater needs of our Calgary community by being one of the largest donors to the Calgary Food Bank, and has helped several Syrian refugee families in their settlement in our city. Our community services have been recognized by several elected members of the provincial and federal parliamentarians.

For the past several years, due to our increasing membership and the influx of members from other parts of Canada, our affiliated community numbers have increased significantly thus making it impossible for us to accommodate them at our previous space. Limited parking space and logistical fire and safety code regulations have thus compelled us to seek a larger place at a location, which will be easily accessible from all four quadrants of the city. As a result, our community came together and made an offer to purchase the previously designated Dorset House as our new meeting place. This property has since been purchased by us and is located only one block away from the Deerfoot Trail, thus making the premises easily accessible to all patrons from across the city of Calgary. We also considered easy bus route accesses and the current location meets the needs of our patrons who live in the vicinity of these premises.

Please note that in terms of usage and the occupancy, our Sunday School functions only one day of the week (three to four hours/week) and for 9 months of a year, whereas our social and faith-based gatherings (not exceeding more than 70 days/year) are to occur in the evenings - after the conventional work hours (i.e. after the sunset and for three to four hours duration only).

Moreover, our attendance for programs does not generally exceed 40-50 members. Thus, the place will be used primarily only for regular Friday Prayers, Lectures and seminars during the month of Ramazan and Muharraum, and to host interfaith conferences, charity fundraising etc. Our yearly activities will not therefore, be disruptive to any of the neighbours as almost 95% of the programs are to be held after the work hours. We also deem that our designated parking space should suffice for our needs, thus eliminating any parking slot occupancy issues with any of our neighbours.

We strongly believe and commit to that our activities will be least disruptive to the functionality of all of our neighbours, and we hold these commitments close to our hearts. During the past 9 years, even though we shared the space with many businesses but we have never had an issue with space sharing with our former neighbours. We also feel that our presence in the neighbourhood will support local businesses, contribute to supporting the economy and enhance the functionality of the entire area near our occupancy.

We would also like to extend an invite to you to visit the premises during an open house. We will be delighted to serve refreshments and to answer any further questions that you may have.

Looking forward to working with you in the future. For further information, do not hesitate to contact Faizan Kazmi at (403) 585-2087 or at [f.kazmi@icloud.com](mailto:f.kazmi@icloud.com)

Best Regards,

Bab Ul Hawaij Team

**\*\*\* OPEN HOUSE \*\*\***

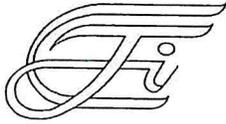
**Bab Ul Hawaij Centre of Calgary**

**3025 12 Street N.E.**

**Date: Thursday February 2, 2023**

**Time: Between 4 pm & 6 pm**

***Looking forward to meeting with all of you at the open house***



**CAL - FUND INVESTMENTS INC.**

**Attention: Giyan Brenkman file manager IMC# 8117**

**Re: File LOC2022-0175**

We write to your letter regarding the Application for Land Use Amendment made by the Bab Ul Hawaiji Cultural and Spiritual Center of Calgary.

The undersigned is the President of Cal Fund Investments Inc and we write in opposition to any amendment to the current land use designation. We believe that such an amendment will significantly increase vehicular and pedestrian traffic to the subject property. Such an increase in traffic will have a direct and negative effect on the operations and value of our building.

Some background:

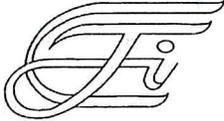
Cal Fund owns the building known as Hampshire Court immediately to the south of the subject building. The legal description of our building is: Plan 7811365, Block 13, Lot 6 ("lot 6"). The application relates to 3025-12 Street NE, which is the building immediately to the north of Lot 6 and its legal description is: Plan 7811365, Block 13, Lot 5 ("lot 5").

We believe that the applicant has purchased this building as there is a current pending Transfer of Land, Mortgage and Caveat, awaiting registration at Land Titles and we also believe that the applicant is an existing tenant in the Lot 5 building.

In 1993, Sun Life Assurance Company of Canada, the then current owner of the two lots, entered into an Easement Agreement Pursuant to Section 71 of the (then) Land Titles Act of Alberta. We believe that it was recognized by Sun Life as the owner of both Lots 5 and 6, that access to the respective parking lots and the restrictive nature of the available parking, (especially for the Lot 6 tenants), that the Easement would be necessary to accommodate both buildings. The easement effectively provides for (and we refer you to the specific document registered on title to both lots):

- 1) To provide for the mutual right of vehicular access over and through the area designated as Area B of the Easement so that vehicles could proceed to each lot's designated parking; and
- 2) To provide for parking rights over the lot 5 lands for the benefit of lot 6 and this is evidenced by the parking designation set out in Area B of the Easement.

This easement was for the mutual benefit of both lots 5 and 6 and has been in place since 1993 and Cal Fund has relied upon this easement to provide for parking in its dealings with its tenants throughout its ownership of lot 6.



**CAL - FUND INVESTMENTS INC.**

We understand that the application to amend the Land Use from I-B fl.0 to I-G is to provide for the discretionary use of, inter alia, 'place of worship' and 'instructional facility'. Should this application be granted and in view of the intended purposes as outlined in the Applicants letter of September 15, 2022 we believe that approval of the discretionary uses would significantly increase vehicular and pedestrian traffic which will cause serious negative effects on the operations carried on by the lot 6 tenants and the value of the lot 6 building.

Notwithstanding the Applicants efforts to minimize the impact of the increased traffic flow over the indicated time usages, we believe that the following will occur:

- 1) There will be (albeit at certain periods of time) a substantial increase in traffic volume which will affect traffic flow into and out of the Lot 6 using the Easement area during these periods.
- 2) This will additionally cause traffic congestion along 12 street as vehicles jockey for parking within the lot 5 property. There is no parking along 12 Street NE.
- 3) We also believe that the intersection of 12 Street and 32 Avenue (now controlled by a traffic light) will be significantly impacted. We know this intersection is jammed at certain periods of time now.
- 4) In the event parking is unavailable on lot 5, there will be a tendency to park where parking is evident and that would be on lot 6. We must advise that this will not be tolerated, and parking will not be made available to any lot 5 patrons at any time. This prohibition will impact the Applicant's people and would necessarily result in them seeking other parking stalls from other business—or the street.
- 5) All of the above creates a danger for those using 12 street.

For the above reasons, Cal Fund Investments objects to the Land Use Amendment proposed.

Yours truly

Cal Fund Investments Inc

Hardy Nielsen  
President