



Public Submission

CC 968 (R2024-05)

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 or Council Committee agenda and minutes.** 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.

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

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First name [required]

Franco

Last name [required]

Vignone

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 comment on? [required]

Council

Date of meeting [required]

Apr 8, 2025

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

[required] - max 75 characters

Land Use designation 5495 61 Ave SE -LAND USE REDESIGNATION STARFIELD

Are you in favour or opposition of the issue? [required]

In opposition



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ATTACHMENT_01_FILENAME shelter letter 03.31.2025.docx

ATTACHMENT_02_FILENAME

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

WELCO EXPEDITING

5475 61 Avenue SE
Calgary, Alberta
403.279.8683

March 31, 2025

OFFICE OF THE CLERK
PO Box 2100 Stn M.
Calgary AB T2P-2MS

Dear Calgary Council

Re: Concern Regarding Proposed Shelter at 5495 61 Ave SE (Plan 1311314 block 6, lot 4)

We are writing to express our concern and opposition to the proposed shelter planned for the property next door located at 5475 61 Avenue SE LAND USE REDESIGNATION STARFIELD LOC2024-0323 BYLAW 63D202. We understand that the council is in the process of considering rezoning this development, and we would like to formally submit my objections based on the following points:

1. Impact on the Local Business Community:

Our primary concern is the potential negative impact the shelter may have on the local community. We worry about increased traffic, noise, and safety issues that could arise because of this development on the highly trafficked truck traffic route on 61st Ave. The introduction of a shelter in this area may attract individuals who require services and could create disruptions that affect the peace and security of the neighborhood businesses.

2. Zoning and Property Value Concerns:

Given the commercial nature of this area, we are concerned about the compatibility of a shelter with the existing zoning and its potential effects on property values. The change in the local environment may negatively impact the desirability of the area for potential buyers or businesses.

3. Lack of Consultation with Local Businesses:

We believe that there has been insufficient consultation with local businesses regarding this proposed shelter. As affected parties, we should have been given the opportunity to provide input and voice our concerns before such a significant decision is made.

4. Potential Safety Issues:

Another concern we have is related to the safety of workers adjacent to the proposed shelter. We are apprehensive about the possibility of an increase in crime or antisocial behavior as a result of the shelter, which could undermine the security and well-being of our business community based on the shelter being across from a national distributor of a regulated Pharmaceuticals.

We respectfully urge the council to reconsider the approval of this shelter based on these concerns. We are more than willing to discuss this matter further or attend any meetings that would allow me to raise my concerns in person.

Thank you for your time and consideration. I look forward to hearing back from you and hope that the council will take my objections seriously.

Yours sincerely,

Welco Expediting



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First name [required]

Bonnie

Last name [required]

Anderson

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 comment on? [required]

Council

Date of meeting [required]

Apr 8, 2025

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

[required] - max 75 characters

LOC2024-0323 - 5495 61 Ave SE - Starfield - Rezoning IG to DC for Shelter -

Are you in favour or opposition of the issue? [required]

In opposition



Public Submission

CC 968 (R2024-05)

ATTACHMENT_01_FILENAME

LOC2024-0323 - 5495 61 Ave SE - Starfield - Rezoning IG to DC for Shelter - Rose
LLP Letter for Andlauer - April 1 2025.pdf

ATTACHMENT_02_FILENAME

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

Bonnie J. Anderson

Phone: (403) 229-9445

Email: Bonnie.Anderson@RoseLLP.com

April 1, 2025

File No.: 11128.001 BJA

VIA EMAIL – LEGISLATIVE CLERK

City of Calgary
Calgary Municipal Building
800 Macleod Trail SE
Calgary, AB**Attention: Mayor Gondek and Members of Council**

Dear Sirs/Mesdames:

Re: LOC2024-0323: Rezoning Site I-G to DC for Shelter Use
Subject Site: 5495 61 Ave SE, Starfield
Applicant: The Mustard Seed
Adjacent Landowner: Andlauer Properties and Leasing Inc. (5480 61 Ave SE)
Public Hearing: April 8, 2025
Letter of Objection on behalf of the Adjacent Owner

We have been retained by an immediately adjacent owner, Andlauer Properties and Leasing Inc., to assist with their review of the proposed rezoning and development permit applications. Our client operates a business at this location. It should be noted that our client and other neighbours that we have contacted, first received notice of this rezoning application two business days ago.

Our client and others appreciate the importance of the proposed use. However, the proposed use at this location is incompatible with surrounding uses and the area. Our client is opposed to this application and requests Council not approve the rezoning of this Site. That said, our client is solution oriented, and they look forward to proper engagement with neighbours and the Applicant to collectively assess options.

1. Insufficient Stakeholder Consultation

The CPC report and related presentation by Administration which we reviewed on video, indicates that the Applicant contacted neighbouring businesses. The report suggests the Applicant went door to door and provided information and opportunity for feedback. Our client has no record of this occurring. In speaking with close to 10 businesses in the immediate area, they had a similar experience. All that we spoke to were surprised about the rezoning application, all having first received notice within the last couple business days. Stakeholder consultation has not occurred.

2. Insufficient Time to Respond to this Application

Two business days to review and respond to the rezoning application, to gather all relevant details about the two applications given that they provide no specific details, and to conduct meaningful discussions with other stakeholders and the Applicant, is insufficient. This is a sensitive use and a use that no one denies is important. However, written submission deadlines with two-days notice, and a public hearing the following week, is not procedurally fair or reasonable.

3. Use is Incompatible with Surrounding Uses

Our client's 200,000 sf facility is immediately across 61 Avenue from the Site.

This area is different from where the Applicant's current facility is located. Their current facility is in Foothills Industrial District which is typical of an older industrial area with associated surrounding uses. The proposed Site is within a newer business industrial area known as Starfield, which has more business/industrial uses. There has been no stakeholder consultation to gather input or address concerns of those that operate businesses on sites adjacent to the proposal.

In particular, the proposed use is incompatible with the functions of our client's facility and other businesses in the area. Those other businesses will articulate their concerns in separate submissions.

4. Absence of Any Details

The rezoning application is tied to the DP application for the shelter use. The shelter use is the only reason for the DC's existence. There are no other uses proposed in the DC. There is no other reason for the DC.

While the two applications are linked, we cannot find any concrete particulars in either application about what exactly is being proposed on this Site - other than reference to what goes on at the current facility which is not particularly helpful.

5. Proposed Building is Almost Double the Size of the Current Facility

The proposed building is almost double the size of the building currently used by the Applicant.

The current building is ~28,000 sf. The proposed building is ~48,000 sf.

The materials suggest that the current facility holds 370 occupants. As best we can determine, the proposed building could hold 600+ occupants. That is significant – with impacts on the surrounding businesses, some of which run 24/7, to be significant.

Coupled with that, there are no restrictions in the proposed DC to limit occupancy numbers, limit size of the facility, or to limit anything of substance.

6. DC Bylaw has No Detail or Meaningful Regulations

As stated above, the DC's sole existence is for this shelter use. The purpose statement confirms the shelter use. The shelter is added as a discretionary use. The I-G rules and uses are incorporated into the DC. The only unique rule is that any DP is limited to 5 years.

Although shelter use is added as "discretionary", it will be difficult to challenge the use at the DP stage. Any statutory appeal options for a DC specifically created for a specific use (with no restrictions in the DC) is severely limited. Thus, it is critically important that stakeholders engagement occur prior to rezoning, where meaningful input can be incorporated and site suitability determined, because approving what is proposed means that the shelter use at this Site is a **fait accompli**.

The justification for the move to the new Site is that it is a temporary move, and that the shelter use will move back to its current facility. That is not captured in the DC. There is no assurance that the use will return to the current facility in the near future, or at all.

7. Limited Term Permits are Not in fact Limited

The only rule in the DC is that DPs can only be for a maximum of 5 years. The 5- year limit suggests this use is “temporary”. However, that is not the case if the current facility is any indication. The current facility has been permitted with renewed DPs for close to 20 years – initially 1-year DPs (under 2P80) and later 5-year DPs (DC under 1P2007). Thus, once a “temporary” use is in place, it may never move.

While some may be inclined to separate the rezoning application from the DP application, delinking the two ensures no meaningful input at the rezoning stage for relevant stakeholder input, and limited input and appeal options at the DP application stage.

The two applications must be assessed together, and sufficient details provided on each application, such that commitments made are actually incorporated into the DC.

8. Roof and Structural Repairs at Current Location Uncertain

The CPC materials suggest, and we have been advised, that the reason for the DC and DP is due to the fact that current facility needs roof repairs, and that in assessing roof repairs, further structural repairs were discovered. This would suggest that the move to the new Site is temporary. However, there is no commitment to that effect in the DC or otherwise.

If the current facility is any indication, and if repairs of the current facility become uneconomical or otherwise not completed, once the shelter use moves to the Site, it could be there for decades with no effective means to change that as the DC provides no regulations or rules requiring it move back to the current facility.

9. \$3 Million in Liens against the Site

In our review of the Site details, it appears there is \$3 million dollars in liens registered against title to the Site. We have concerns that this location was chosen for reasons other than it being a compatible location with appropriate stakeholder input to determine that fundamental question.

10. Design Review Committee

The Restrictive Covenant registered on title to the Site and adjacent properties requires the Guidelines be followed. The Guidelines specifically state that they were “**created to.... protect owners, lessees and/or tenants of buildings within Starfield against incompatible... use of other building sites..**”. See attached. The branch of the City tasked with reviewing DP applications (Design Review Committee) has an obligation to engage neighbouring properties in that review, which has not occurred, and that review should occur prior to rezoning – rather than after rezoning.

11. No Evaluation of Occupant Impact on Surrounding Area

If we are correct that the number of occupants in the new building is between 370 and 600+, that results in a significant amount of people in the area of neighbouring properties and 61 Avenue at peaks times. The peak times would be in the morning when the shelter shuts down (approx. 7:30-8:00 a.m.) and in late afternoon when the shelter reopens (approx. 4:00 p.m.).

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Thus, 370-600 people will be in the immediate area and on 61 Avenue at the same peak periods as truck traffic. There are no shelter-supportive facilities or amenities in the area, there are limited public transportation options, and there is no pedestrian crossing anywhere in the vicinity.

It should be noted that these are our initial comments based on information we could find on short notice and based on limited communications we have had with our neighbours. We reserve the right to provide further comments once meaningful stakeholder engagement has occurred with our neighbours and the Applicant.

In closing, while our client is strongly opposed to this rezoning application, they are solution oriented. Thus, they look forward to proper engagement with all parties soon to discuss options.

Yours truly,

Bj. Anderson

Bonnie J. Anderson

/bj



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First name [required] Chris

Last name [required] Federchuk

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 comment on? [required] Council

Date of meeting [required] Apr 8, 2025

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

[required] - max 75 characters Public Hearing Notice

Are you in favour or opposition of the issue? [required] In opposition



Public Submission

CC 968 (R2024-05)

ATTACHMENT_01_FILENAME 10 Smed.pdf

ATTACHMENT_02_FILENAME

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

April 1, 2025

Re: Land Use Amendment in Starfield (Ward 9) at 5495 61 Avenue SE, Calgary

To Whom It May Concern,

I am writing to you on behalf of the owners of 10 Smed Lane in Calgary in response to the NOTICE OF PUBLIC HEARING ON PLANNING MATTERS ("Notice") received at our offices on March 31, 2025.

As a stakeholder in this community, we would like to express our concerns and provide feedback on the application received by the City of Calgary to amend the Land Use Designation (zoning) for 5495 - 61 Avenue SE (Plan 1311314, Block 6, Lot 4) from Industrial – General (I-G) to Direct Control (DC) District to accommodate a Temporary Shelter.

Firstly, we must highlight the implausibility of providing an effective response within the given timeframe. The Notice was received on March 31, 2025, with a response deadline of noon today, April 1, 2025. This less-than-30-hour window is insufficient for a thorough and thoughtful response to such an impactful proposal.

Regarding the application to change the zoning from I-G to DC, we understand that each of Calgary's Direct Control (DC) Districts has a unique set of uses and rules. As owners of a 1 million square foot industrial property, we recognize that the property's value is largely determined by its zoning, which affects its lease and sale potential. Introducing a discretionary use, such as a temporary shelter, would significantly decrease the property's value and severely limit our ability to lease or sell it.

Commercial and industrial districts are vital to the local economy. The presence of the shelter will deter business investment in the surrounding area, with many clients and prospective tenants choosing to avoid the area altogether. This will lead to a tangible decline in revenue and raise serious questions about the long-term viability of operating a business under such conditions. With the supply chain slowdowns and the US Tariff threats, our industrial property at 10 Smed Lane already faces significant challenges in attracting new leasing to the building. The Rockwell district is able to offer newer products while paying substantially less in realty taxes, making existing competition extremely challenging. As a prudent landlord and real estate manager, we have invested millions of dollars into the asset over the years to ensure proper upkeep and long-term viability. In our experience with this type of suggested use (a shelter), tenants will perceive an immediate threat, and the increased security costs forced upon the landlord to appease the tenants will further distance our property from our competition, ultimately leading to an undervalued and underperforming asset.

We understand that the Mustard Seed shelter requires a temporary relocation (i.e., 9-12 months) while their current property, located at 7025 44 St SE, completes the appropriate capital work. We are aware that this operator, in their current configuration, can accommodate up to 370 clients at one time within the existing 28,000 square foot floor plan, which is already concerning. Adding that the floor plan at 5495 61 Ave SE is 34,000 square feet would suggest enough room for up to 450 clients each day. Knowing that the shelter's hours of continual housing are only in effect following dinner, there is a major concern that their patrons are forced to wander within the area between the hours of 8:00 am – 6:00 pm.

The community surrounding 5495 61 Ave SF does not offer any employment services, assisted housing services, chaplaincy services, or diversion assistance whatsoever. As such, it is a struggle to understand how such relocation to the area was first suggested by any City Planner with little to no concern for the welfare of the clients of the Mustard Seed.

With less than 48 hours' notice to respond to this letter, we are unable to provide examples by way of written responses from our tenants at 10 Smed Lane. However, we do have their permission to share their concerns with this proposed rezoning and relocation, specifically surrounding the highly sensitive and confidential nature of their own businesses within our property that would negatively co-exist with a shelter.

In closing, we ask that you take into consideration the following concerns that we have expressed throughout our response:

- Timing of the delivery of the Notice to the adjacent property owners
- Zoning changes affecting the values and leasability of industrial properties within a designated industrial area
- A staged capital expenditure program vs. a full relocation
- The tenure of the permit requested (i.e., 5 years?) for 9-12 months of work

We urge the City of Calgary to question not only the request to amend the Land Use Designation (zoning) for 5495 - 61 Avenue SE (Plan 1311314, Block 6, Lot 4) from Industrial – General (I-G) to Direct Control (DC) District but also the need to accommodate the “relocation” of the shelter at all. Instead, we suggest effectively managing and staging the capital at the existing location so that the clients using the shelter can continue to receive the supporting services nearby.

Thank you for your consideration.

Sincerely,
NORTHAM REALTY ADVISORS LIMITED



Chris Federchuk
Vice President, Property Management