

9526 - 106 Avenue NW

Position of Administration: Support



Summary

Bylaw 21193 proposes a rezoning from a Direct Control Zone (DC2.1246) to a new Direct Control Zone (DC) to allow the existing year-round, 24/7 shelter to continue operating (The Mustard Seed Central Shelter).

Public engagement for this application included a pre-application notice (from the applicant), a mailed notice, site signage, and information on the City's webpage. Administration heard from 10 people, all in opposition. Most concerns were related to increasing challenges in the area, including crime, the safety and security of people and property, and a concentration of social services and year-round shelters in McCauley.

Administration supports this application because it:

- Allows the continued operation of a year-round 24/7 shelter, in alignment with The City Plan's "Inclusive and Compassionate" Big City Move.
- The proposed Direct Control Zone is compatible in scale with the existing surrounding development.

Application Details

This application was submitted by The Mustard Seed. The proposed Direct Control Zone (DC) would allow The Mustard Seed to continue operating a year-round shelter (Community Service use in the Zoning Bylaw) in the existing building on site. The year-round shelter (Community Service use in the Zoning Bylaw) currently expires on July 1, 2025. This application proposes to remove the deadline. The proposed rezoning also includes administrative updates to align the DC Zone with Zoning Bylaw 20001's uses and general definitions. No changes to allowable building height, scale, or intensity are proposed.

Site and Surrounding Area

	Existing Zoning	Current Development
Subject Site	Direct Control Zone (DC2.1246)	The Mustard Seed Central Shelter
North	Small Scale Residential Zone (RS)	Small scale residential and walk up apartment
East	Medium Scale Residential Zone (RM h16.0)	Small scale residential
South	Medium Scale Residential Zone (RM h16.0) Public Utility Zone (PU)	Small scale residential & City of Edmonton Refuelling Station
West	Medium Scale Residential Zone (RM h16.0)	Small scale residential



View of the site looking north from 106 Avenue NW (Google Maps, 2024).

Community Insights

This application was brought forward to the public using a basic approach. This approach was selected because no changes to allowable building height, scale, or intensity are proposed, and the purpose of the application is to allow an existing 24/7 year-round shelter (Community Service use in the Zoning Bylaw) to continue operating. The basic approach included:

Pre-Application Notice (from applicant), January 24, 2025

- Notification radius: 60.0 metres
- Number of recipients: 142
- Number of responses (as reported by the applicant): 2
- Main comments received (as reported by the applicant):
 - The existing shelter is having negative impacts on nearby homes and businesses (e.g. safety concerns, losing customers, trespassing, drug use, garbage accumulation, negative impact to surrounding property values).
 - Concern about property taxes being used to fund emergency shelter operations.
 - A desire to secure nearby properties (e.g. fence installation).

Mailed Notice, March 14, 2025

- Notification radius: 60.0 metres
- Recipients: 144
- Responses: 10
 - In support: 0
 - In opposition: 10
 - Mixed/Questions only: 0

Site Signage, April 7, 2025

- One rezoning information sign was placed on the property so as to be visible from 106 Avenue NW.

Webpage

- edmonton.ca/rezoningapplications

Notified Community Organizations

- McCauley Community League

Common comments heard (number of similar comments in brackets beside comments below):

- Increasing challenges in the area, including crime (e.g. theft, trespassing, breaking and entering, drug use, property damage/vandalism, fires, loitering, harassment, threats, disorderly conduct, fights, etc) (9).
- There is a concentration of emergency shelters and support services in McCauley (8).
- Concern about safety, security, and health for people and property (8).
- Accumulation of garbage, hazardous waste, and associated odours (8).
- Noise at the shelter, despite the security guard presence (e.g. sirens, yelling) (8).
- The Mustard Seed have not assisted with off-site challenges (7).
- Challenges in the area have worsened since the Mustard Seed Central Shelter opened (7).
- The shelter is a dry shelter, which prohibits alcohol and illegal substance use on site. Substances are used off-site near other properties, which has negative impacts (7).
- Do not want additional shelters and support services in McCauley (7).
- Concern about the shelter remaining at this location permanently (7).
- Emergency response is expensive, and has increased (e.g. additional 911 calls required, increased first responder presence, and diversion of allocated resources from elsewhere) (6).
- Nearby properties have taken security measures to limit damages, at their own expense (e.g. fencing and locks) (5).
- Broader concerns about houselessness in Edmonton:
 - The river valley and ravine system is negatively impacted (e.g. encampments, garbage, and fires) (5).
 - Concerns about public drug use the implications of not addressing this issue (5).
- Uniformed police should be present 24/7 if emergency shelters and social services remain in the city (5).

- Unfair that surrounding residents are expected to carry costs that should be at the expense of the social service agency, and governments (5).
- Social services should not be located in residential areas (5).
- Locate social services at the periphery of the city, utilizing a zone that only allows for social services (5).
- Understand the need for additional shelter spaces in Edmonton, but there are challenges associated with shelters (4).

Administration heard many concerns from respondents relative to people's activities and behaviour occurring at or near the Mustard Seed Central Shelter (as summarized above). The Zoning Bylaw regulates land use, not users and is not the appropriate regulatory tool to address these concerns. Other legislation and bylaws contemplate the behaviour of people (e.g. the Community Standards Bylaw and the Criminal Code of Canada), and are more appropriate tools to address these concerns.

The concentration of shelters and social support services in the area was also a concern for respondents. Additional information about this topic and relevant land use impacts are included in the Land Use Compatibility section below.

Application Analysis

The City Plan

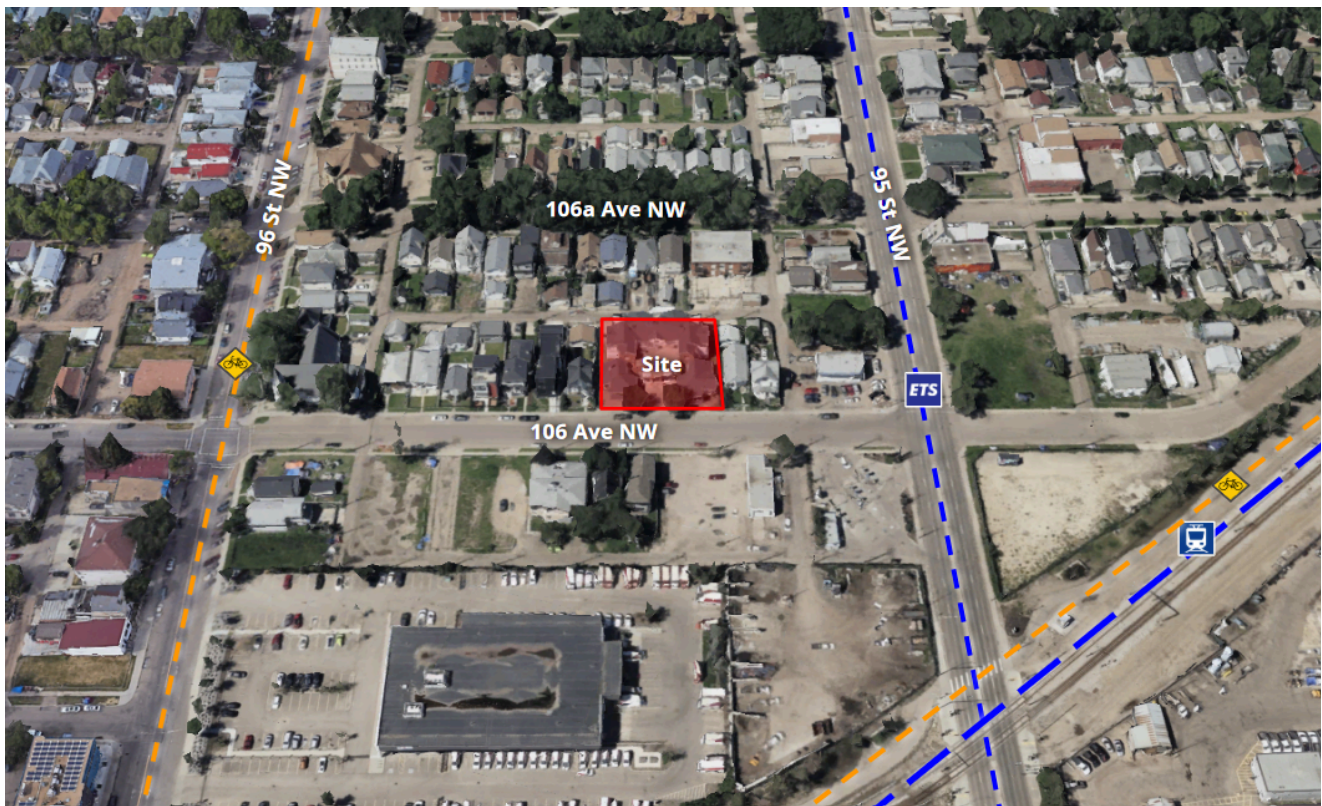
The City Plan is a high level policy document describing the strategic goals, values and intentions that direct how Edmonton will grow from 1 million to 2 million people. One of the Big City Moves in The City Plan is Inclusive and Compassionate. Targets associated with this move include that nobody is in core housing need and that there is no chronic or episodic houselessness in Edmonton. The proposed rezoning would allow The Mustard Seed Central Shelter to continue offering year-round, 24/7 shelter (Community Service use in the Zoning Bylaw) on site.

This application aligns with the outcomes, intentions, and directions in The City Plan by: establishing basic amenities throughout the city including community service uses (1.1.1.1), and increasing access to supports and resources (2.2.2.3).

Central District Plan

The site is within the Central District Plan and is within the boundaries of Centre City which includes Edmonton's highest density and mix of land uses. The application aligns with policy by supporting emergency and immediate basic needs through a variety of housing options, public amenities, and support services (4.2.3.3).

Land Use Compatibility



Site analysis context

The Mustard Seed Central Shelter operates out of the existing building on site, offering year-round, 24/7 shelter (Community Service use in the Zoning Bylaw) and wrap-around support services. The current Direct Control Zone (DC2.1246) includes a sunset clause which prevents the operation of the year-round shelter component beyond July 1, 2025. The sunset clause is:

"Any Development Permit for Supportive Housing for the purpose of providing temporary accommodation for persons requiring immediate shelter and assistance shall be temporary and shall expire on July 1, 2025. "

No other uses have time limitations in the current DC Zone (DC2.1246). The proposed Direct Control Zone (DC) removes the sunset clause which would allow the year-round shelter (Community Service use in the Zoning Bylaw) component to continue operating beyond July 1, 2025.

The proposed rezoning also includes administrative updates to align the DC Zone with Zoning Bylaw 20001's uses and general definitions. When the current DC Zone (DC2.1246) was written, the Supportive Housing use included temporary shelter services. Under the current Zoning Bylaw, the Community Service use includes seasonal shelters, and year-round shelters, and is the appropriate use for the year-round shelter component of the Mustard Seed Central Shelter. No changes to allowable building height, scale, or intensity are proposed.

If redevelopment were to occur in the future, the built form allowed under the proposed DC Zone would be compatible with surrounding development, and is identical to the built form permitted under the current DC2.1246 Zone.

The Location of Social Services in Edmonton:

While there is direction to establish basic amenities throughout the city for people experiencing houselessness (The City Plan direction 1.1.1.1.), there are no policies or plans which require the decentralization, or relocation of existing emergency shelters, or prevent the addition of new emergency shelters or support services within central Edmonton.

Land Use Impacts and Trade-offs:

Administration recognizes that there are land use impacts to surrounding neighbours, for example: improper waste disposal, noise, and sirens from emergency response; however, Administration weighed these impacts against the applications alignment with The City Plan. The year-round shelter offers a 24/7 format that is rare in Edmonton and as such provides a much needed service in alignment with The City Plan's inclusive and compassionate big city move.

Mobility

Neighbourhood Renewal is ongoing in McCauley and Boyle Street. Improvements in the vicinity of this site include the narrowing of 106 Avenue NW to accommodate wider sidewalks and landscaping, curb extensions at intersections, and raised unidirectional bike lanes on 96 Street NW.

ETS currently operates frequent bus service nearby on 95 Street connecting transit users between Westmount Transit Centre and Coliseum Transit Centre and LRT Station. Rapid transit bus service and local bus service is also available along 97 Street.

A frequent mass transit bus route is anticipated to operate nearby on 97 Street as part of the future mass transit network associated with the 1.25 million population scenario of the Edmonton City Plan. This route is anticipated to follow similar routing as current ETS frequent bus route 5 in the area.

Utilities

The proposed rezoning is not anticipated to have a significant impact to the existing sanitary and storm sewer systems in the area, and these existing service connections can continue to be utilized. In the case of redevelopment, sanitary and storm sewer requirements will need to be reassessed.

Low Impact Development (LID) is recommended for the development allowed under the proposed zone. Details of any proposed LID would be reviewed at the Development Permit stage.

Edmonton Fire Rescue Services has performed a risk-based Infill Fire Protection Assessment and determined that upgrades are not required, and that the existing infrastructure is sufficient. This could potentially be re-evaluated at the development permit stage.

The applicant/owner will be responsible for all costs associated with infrastructure changes required by this application.

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