



In accordance with Sections 678 and 686 of the *Municipal Government Act* and The City of Calgary Bylaw 25P95, as amended, an appeal to the Subdivision and Development Appeal Board must be filed within the legislated time frame and each Notice of Appeal must be accompanied by payment of a non-refundable \$25 filing fee. Non payment of the fee will result in no hearing being scheduled before the Board.

ISC: Unrestricted

Online Store Information			Date Received Stamp	
Confirmation Number	Order Number	Online Form Processed		
10125826	4764622	10/31/2013 11:30:15 AM		
Site Information				
Municipal Address of Site				
90, 94, 98 MISSION ROAD SW				
Legal Description of Site (must be completed for Subdivision appeals)				
Development Permit Number or Subdivision Number				
DP 2012-5065				
Appellant Information				
Name of Appellant		Agent Name (if applicable)		
RICK MOSES				
Street Address (for notification purposes)				
51 34TH AVE SW			(Office Use Only)	
City	Province	Postal Code	Residential Phone #	
CALGARY	ALBERTA	T2S 2Y9	587-333-1899	
Business Phone #	Fax #	Email Address		
403-860-3147		rickmoses@telus.net		

APPEAL AGAINST (Check ONE Box Only) for multiple appeals you must submit another Notice of Appeal

Development Permit	Subdivision Application	Notice of Order
<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Approval	<input type="checkbox"/> Notice of Order
<input type="checkbox"/> Conditions of Approval	<input type="checkbox"/> Conditions of Approval	
<input type="checkbox"/> Refusal	<input type="checkbox"/> Refusal	

REASONS FOR APPEAL Sections 678 and 686 of the *Municipal Government Act* require that the written Notice of Appeal must contain specific reasons for the appeal.

I do hereby appeal the decision of the Subdivision/Development Authority for the following reasons:

Additional discussion is provided in an email which follows. **SUMMARY OF GROUNDS FOR APPEAL** The proposed development does not adhere to the Land Use By-Law 1P2007. 1. The proposal does not reflect the purpose of the Land Use by-law. Section 576 requires that the proposed development: (e) has Multi-Residential Development of low height and low density; (f) allows for varied building height and front setback areas in a manner that reflects immediate context (g) is intended to be in close proximity or adjacent to low density development. The immediate neighbourhood is single family dwelling units with substantial green space. If density must be increased, it must be done in a manner that does not adversely affect the community. The massing of this development is out of context with virtually everything in the neighbourhood. Density for this proposed development is eight times more than the former use and other uses in the neighbourhood. The massing and height of the proposed development does not reflect the immediate context of the neighbourhood. The proposal is out of context compared with neighbouring build forms. 2. Insufficient On-Site Parking The immediate area suffers already from too much street parking and heavy traffic which create safety concerns. On-site parking calculations reveal a shortage of at least one parking space which will exacerbate parking problems in the immediate neighbourhood. 3. No parking for proposed commercial use. 4. Unsafe access/egress on 34th Avenue. 5. Unsafe front parking. 6. Massing of the proposed building on the alley (North elevation) is too high. 7. Massing of the proposed building too high from East elevation. 8. Insufficient setback in alley for proposed building. 9. Lack of Amenity Space There is very little usable on-site amenity space or greenspace, there are no local parks or alternative greenspace. **SUMMARY:** Redevelopment of Mission Road is inevitable and welcome to most people who live in this neighbourhood. However, this proposed development is simply too high, too massive and too dense to fit well within the existing community. The solution would be to reduce the density and height, and to provide greater setbacks in the alleyway. This reduction would permit the applicant to supply adequate on-site parking for tenants, visitors and retail staff and clients. **RESPECTFULLY SUBMITTED:** Mr. Rick Moses

This personal information is collected under the authority of the *Freedom of Information and Protection of Privacy Act*, Section 33(c) and the *Municipal Government Act*, Sections 678 and 686.

THIS INFORMATION WILL FORM PART OF A FILE AVAILABLE TO THE PUBLIC. If you have any questions regarding the collection of this information, contact the City Appeal Boards

(403) 268-5312 or PO Box 2100 Stn. "M", #8110, Calgary, AB, T2P 2M5.

FOR OFFICE USE ONLY						
Final Date of Appeal	SDAB Appeal Number	Fee Paid	Hearing Date	Date Applicant Notified	Date Appellant Notified	
YYYY MM DD		<input type="checkbox"/> Yes <input type="checkbox"/> No	YYYY MM DD	YYYY MM DD	YYYY MM DD	