

DEVELOPMENT PERMITS

APPLICATION FOR A DEVELOPMENT PERMIT PERMIT 930624

DATE

TIME

LAND USE BY-LAW 2P80

19/03/1993 15:43

APPLICATION NO: DP93/0624

I/WE HEREBY MAKE APPLICATION FOR A DEVELOPMENT PERMIT UNDER THE PROVISIONS OF THE LAND USE BY-LAW IN ACCORDANCE WITH THEIR PLANS AND SUPPORTING INFORMATION SUBMITTED HEREWITH AND WHICH FORM PART OF THIS APPLICATION.

APPLICANT: THE CITY OF CALGARY

ADDRESS: 800 MACLEOD TR SW

CITY: CALGARY PROV: AL POSTAL CODE: T2P 1M5

AGENT: LOMBARD NORTH GROUP

CONTACT: VICTOR KALLOS ADDRESS: 300, 239 10 AV SW

CITY: CALGARY PROV: AB PHONE: (403)264-4433 FAX:

POSTAL CODE: T2G 0V9

OWNER: THE CITY OF CALGARY

ADDRESS: P 0 BOX 2100 STATION M

CITY: CALGARY PROV: AB POSTAL CODE: T2P 2M5

DEV ADDRESS: 101 2 ST SW

COMMUNITY: EAU CLAIRE

LEGAL DESC: 8811354

L.U.D.: DC

SEC NO: 18E 22C

PROPOSED USE: TOWNHOUSES

DESCRIPTION: 25 UNIT TOWNHOUSE

PROPOSED DEVELOPMENT IS A: DISCRETIONARY USE

APPLICATION TYPE: NEW

GROSS BLDG AREA: 1521.83 M2 DWELLING UNITS: 25 NO OF STOREYS: 2

BLDED HGT:

11.86 M \PARKING STALLS: 29 NO OF BLDGS: 4

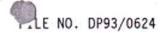
TAKEN BY! RCW

FEE AMT: \$691.00

APPL DATE: 93 03 19

APPLICANT OR AGENT

SIGNATURE:



ORDER OF THE DEVELOPMENT APPEAL BOARD of THE CITY OF CALGARY, IN THE PROVINCE OF ALBERTA, dated Thursday, the 28th day of October, 1993.

Development Appeal Board members present: Chairman Robert F. Goss; Alderman Barry Erskine; Alderman Dale Hodges; Alderman Joanne Kerr; Jacqueline Battistella; Manu Chugh; Linda Fox-Mellway; Anthony Friend; Wade Gibbs; Rolf Stuber.

IN THE MATTER OF the Planning Act, R.S.A. 1980, c.P-9;

AND IN THE MATTER OF The City of Calgary Land Use By-law 2P80;

AND IN THE MATTER OF a decision made on the 30th day of June, 1993 by the Calgary Planning Commission of The City of Calgary (hereinafter referred to as the Commission) wherein the Commission approved the application of The City of Calgary for 25 Residential Units (23 Townhouses and 2 Semi-Detached Units) at 101 2 Street S.W.

AND IN THE MATTER OF an appeal by John L. Simonot; Hillhurst Sunnyside Community Association; Jim Besse, "Friends of Prince's Island"; Eau Claire Community Association; and one other from the said decision of the Commission.

This appeal having come on to be heard before the Development Appeal Board on the 30th day of September, 1993 in the presence of Development Officer Lauren Johnson, the appellants, the applicant and other interested parties.

UPON having heard the verbal submissions of the Development Officer;
John Simonot, Chairman, Citizens Advisory Committee, Urban Park Master Plan;
Barry Worbets (Rosedale Community) and Shirley-anne Reuben (Inglewood Community),
representing the Bow Center Planning Advisory Committee; Dennis Horobin, Vice
President of the Eau Claire Community Association; Bill Morrison, Chairman of the
Public Service Committee, Highland Park Community Association, member of the Nose
Creek Public Advisory Committee and the Citizens Advisory Committee for Urban
Parks Master Plan; Jim Besse, representing the "Friends of Prince's Island";
Jack Long, Architect, summing up for the previous speakers; Paul Spencer, a
concerned citizen; and Andre Gareau, a private citizen and heavy user of the
bicycle path and Prince's Island; in favour of the appeal; Bruce Green, Q.C.,
representing the Eau Claire Market for the developer; Victor Kallos, representing
Lombard North Group, the developer; Denis Binette, the Designer of the project;
and Glen Lyons, Executive Director of the Downtown Business Revitalization Zone;
opposed to the appeal;

AND UPON the appeal having been adjourned for revised plans addressing the concerns of the Board;

AND UPON the appeal having come on to be heard before the Development Appeal Board again on the 28th day of October, 1993, in the presence of the same parties;

AND UPON having heard further verbal submissions of the Development Planner; June Crichton, representing the Bow Center Planning Advisory Committee; and Bill Morrison; in favour of the appeal; Bruce Green, Q.C.; and Rick Singleton, Architect; opposed to the appeal;

AND UPON the application having complied with the Calgary General Plan and any other applicable statutory plans.

AND UPON having regard to the Land use By-law and other relevant planning policies;

AND UPON considering the relevant planning evidence adduced at this hearing and the circumstances and merits of this application;

IT IS ORDERED:

- That the decision of the Calgary Planning Commission be upheld and that the appeal be denied.
- That a development permit shall be issued as approved by the Calgary Planning Commission, subject to the revised plans presented to the Board today, including the reduction in the number of units to 23.

Reasons for Decision:

The Board expressed sympathy to the urban parks plan people and their concern, however, it explained that this is not a land use decision, it is a planning decision. The decision of what type of project will go on this site has already been decided by City Council, and the Board does not have the jurisdiction to change that.

The Board recognized that this area of the Bow River is a very sensitive area for development. Options available for development in this area could have been a high rise type of building, or a hotel, as was previously planned for this site. The Board agreed that it should be trying to encourage residential development in the downtown and the proposed project is a good project to do it with.

The density is low. The developers have decreased the number of units by two, making a total of 23.

Parking has been increased by seven stalls so there should not be a problem with parking on the street. Many people live in the downtown area for the convenience of being near everything so that they do not require a vehicle.

The concerns the Board had with regard to the massing of the development have been improved with the breaking up of the units, alleviating the solid wall as proposed on the initial plans.

The Board found the wrought iron fence surrounding the site to be much preferable to a solid fence. This also helps to open up the site, but still provide security to the people living in the project.

The landscaping has been improved with the increase in the number of trees and shrubs from 110 to 131. The buildings have been opened up with landscaping between the buildings.

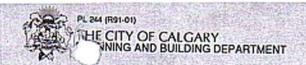
The Board noted that the icing on the bicycle pathway was not addressed, however, it was pointed out that the precedent for shadowing has already been set by some high rises south of the proposed development.

The setbacks from the river are still a concern, however, the Board noted that this was a decision of Council and it did not have the jurisdiction to change that.

Overall, the Board agreed that this new proposal is far more sensitive. It is far more attractive. It addresses excellent landscaping and is a very attractive inner City development which will encourage people to use this area, and at the same time respect the rights of the people that will be living there.

For these reasons the appeals were denied.

Chairman, Development Appeal Board



DEVELOPMENT COMPLETION PERMIT

DEVELOPMENT COMPLETION PERMIT NUMBER

OWNER: NAME	A STATE OF	101	12.7	2	4	SW		9811354	BLOCK LOT(S)
ADDRESS		RIVE	R RUN	DEVI	LOPME	NTS LTD.	WILLIAM TURNBUL	L	YELEPHONE 233-033
1730, 407 - 2 St S.W.									POSTAL CODE T2P 273
as above									TELEPHONE
ADDRESS		as al	oove						POSTAL CODE
SIGNATURE							DATE YY MM	DD DEVELOP	MENTIAWNING/CANOPY PERMIT NUMB
			none.			DEVELO	PMENT SECTION		
PERMIT CONDITIONS	YES	NO	YY	DATE	DD	INSPECTOR'S INITIALS	DESCRIPTION OF DEVELO	PMENT:	
ANDSCAPING		-	95	2	12	41	12 kudenbal	1/1/2	
PAVING			25	7	27	les	N IESCHING	4/11/5	(1000年) (1000年) (1000年) (2000年) (1000年) (1000年)
ENCING		4	95	2	23	14			A DOMESTIC OF THE RESIDENCE OF THE RESID
SARBAGE INCLOSURES			25	3	23	M			
SCREENING ROOF APPARATUS)		111	1						
URBING		سب	95	3	22	M			
ARKING TALLS						1			
LTERNATE ARKING		111					SPECIAL CONDITIONS:		
LEVATIONS/ XTERIOR INISH		J	95	3	23	11			
IGNAGE		114				1			
in Chris		-	25	3	23	4			
PHILIS			95	3	23	14		Turber and the	
7665			91	3	23	11	LIMITED TERM DEVELOPMENT PERMIT	EXPIRES: CROS	SS REFERENCE NUMBER
CURITY	100	ORM OF SECUR	THE REAL PROPERTY.	ERTIFIE		LETTER AOR:CREDIT	OTHER SECURITY EXPRAY	STATE OF THE STATE	B95-41
APPROVED		REFUSE	D)	REAS	ONS				W/3-71
CAUTE NAME OF THE	1711	Barren .	SECURE 2	THE PROPERTY.	STATE STATE	THE PROPERTY OF THE PARTY OF TH			