

APPENDIX A

LIST OF NAMED APPELLANTS DP2025-05349 (132 Varsity Estate Drive NW)

CHRISTOPHER DAVIS LAW, agent for the APPENDIX A “NAMED APPELLANTS”

	LAST NAME	FIRST NAME	ADDRESS
1	Beavis	David	1015 Varsity Estates Drive
2	Funk	Kristen	1023 Varsity Estates Drive
3	Giesbrecht	Mike	4 Varsity Estates Court
4	Han	Clarissa	112 Varsity Estates Place
5	Kothari	Emil	120 Varsity Estates Place
6	Kothari	Neena	120 Varsity Estates Place
7	Lay	Warren	112 Varsity Estates Place
8	Lee	Mitchell	907 Varsity Estates Drive
10	Leung	Albert Ah-Tat	42 Varsity Estates Close
11	McLeod	Bob	911 Varsity Estates Drive
12	McLeod	Shirley	911 Varsity Estates Drive
13	McTaggart Cowan	Penney	903 Varsity Estates Drive
14	O'Neill	David	1019 Varsity Estates Drive
15	O'Neill	Debbie	1019 Varsity Estates Drive
16	Quinn	Rob	604 Varsity Estates Place
18	Roberts	Melina	124 Varsity Estates Place
20	Rohmann	Hans	124 Varsity Estates Place
21	Schick	Jared	108 Varsity Estates Place
22	Schick	Darija	108 Varsity Estates Place
23	Smith	Murray	1009 Varsity Estates Place
24	Smith	Barbara	1009 Varsity Estates Place
25	Stach	Misty	4 Varsity Estates Court
26	Trowell	Mike	1023 Varsity Estates Drive
27	White	David	116 Varsity Estates Place
28	White	Arlene	116 Varsity Estates Place
29	Wong	Kelly	907 Varsity Estates Drive
30	Yong	Yoke	128 Varsity Estates Place

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APPENDIX B

SUMMARY OF REASONS IN SUPPORT OF APPEAL DP2025-05349 (132 Varsity Estate Drive NW)

CHRISTOPHER DAVIS LAW, agent for the “NAMED APPELLANTS” (see APPENDIX A)

1. The Appellants are “affected persons” pursuant to sections 686(1)(b) and 685(2) of the *Municipal Government Act* (MGA).
2. A single-detached residence is currently located on the property at 132 Varsity Estates Place NW (legal description: Lot 4, Block 21, Plan 751 0331; the “Subject Site”). This portion of the Varsity community was substantially developed in the late 1960’s and 1970’s, with the Subject Site being subdivided by plan in 1975.
3. The Subject Site is owned by 2685880 ALBERTA LTD. (the “Owners”).
4. This site was districted as “R-C1” (residential contextual one) prior to the Calgary-wide blanket rezoning in 2024. It was up-zoned to the “R-CG” (residential “contextual” grade-oriented infill) district on August 6, 2024 as a result of the blanket up-zoning bylaw (Bylaw 21P2024).
5. LOC Amendment. On or about May 26, 2025, the Owners retained Horizon Land Surveys (the “LOC Applicant”) to make a land use amendment application for the Subject Site to convert it from R-CG to H-GO (the “LOC Amendment”).
6. In fact, the Subject DP has been affiliated with the LOC Amendment, and the application was not before CPC on July 9th, and, in the result, no public hearing date has been set.
7. DP Application. On or about August 29, 2025, the Owners retained Andison Residential Design (the “DP Applicant”) to apply for a development permit for a “New: Rowhouse Building (2 buildings)”. The permit number associated with this application was DP2025-05349 (the “Subject DP”). LOC Amendment. From the inception of this application, the Subject DP has been affiliated with the LOC Amendment.
8. On the City’s “DMAP” planning information webpage (“DMAP”), four (4) sets of plans are posted and downloadable:
 - a. 2025-09-16
 - b. 2026-02-18
 - c. 2026-04-14
 - d. 2026-07-17

9. The first three sets of plans state that the land use district designation associated with the application is “H-GO” (housing -grade oriented) with the plans described as “rowhouse”. Only the latest set of plans (July 17, 2026) state they apply to the “R-CG” district. They remain labelled as for a “rowhouse” application.
10. The Appellants have recently been informed by the Development Authority that the LOC Applicant has either withdrawn the Land Use Amendment or will be withdrawing it.
11. Concurrent applications. City of Calgary Development Authority’s practices and policies allow for development permit applications to be submitted concurrent with a land use amendment application (an “LOC”), despite the land use amendment being subject to a public hearing with no guarantee of Council’s subsequent approval. The City makes it clear – via its posted policies and information - that the risk associated with any failure of such “concurrent applications” is to be borne by the landowner and / or applicant.
12. Resubmission required. Calgary Development Authority practice requires that a development permit application associated with an uncertain and speculative land use amendment must be resubmitted where such land use amendment application is “unsuccessful”. Such applications are referred to as a “Concurrent LOC / DP Submission Process”. The underlying driver behind this concurrent process is to “cut red tape” by allowing an applicant to save time. However, there is no guarantee of a Council approval. The landowner and / or applicant takes on such risk and the City requires that landowners and / or applicants must sign a declaration acknowledging that the Subject DP cannot be approved by the Development Authority unless and until City Council approves the underlying land use amendment. In effect, a “conditional dependency” is created by the Development Authority in such circumstances.
13. The Appellants’ position is that where a land use amendment application is withdrawn, it is “unsuccessful” as it has not been approved by City Council following a public hearing. The underlying “conditional dependency” continues.. As such, the Subject DP is no longer valid and a new development permit application is required for the Subject Site.
14. On or about July 22, 2026 the Development Authority advised one or more of the Appellants that it had made the decision to allow the Subject DP Applicant to “convert” the Concurrent LOC / DP to an R-CG application despite its stated association with the contemplated H-GO application.
15. The City “DMAP” planning information page currently states that the Subject DP is for “New:Semi-detached Dwelling, Rowhouse Building” (August 8, 2026). DMAP states that the Subject DP is both “under review” and “pending decision”.

16. Underlying policy grounds. The policy reasons supporting why a development permit cannot be converted from its “conditional dependency” on the land use district under which it was either initially made or subsequently converted to include but are not limited to the following:
- a. Tied to the failed, cancelled or abandoned redistricting: A concurrent development permit is tailored to respond to the rules, setbacks, and density of the proposed land use district. If that land use amendment fails (or is otherwise cancelled or withdrawn), the design is unlikely to be structurally compliant with the existing land use district.
 - b. Policy on major amendments: City policies and practice do not allow an applicant to dramatically alter an active development permit to a completely different built form (e.g., trying to change a design) mid-stream. The City requires any “concurrent applicant” to sign an acknowledgment form to that effect.
 - c. Automatic Refusal or Cancellation: Once an underlying dependant land use application is unsuccessful (in whatever form), the Development Authority’s practice is to compel an applicant to withdraw the development permit or to formally refuse the application. The failure to adhere to conventional policy was a procedural error that should void or make voidable the Subject DP.
 - d. Public engagement transparency. All communications and engagement regarding the land use amendment and associated development permit have been predicated on the co-relationship between the two applications. The administrative “conversion” of the associated development permit from one district to another district changes the nature and character of the application.
 - e. Reputational risk. The City’s failure to adhere to established practices and procedures could bring the City reputational risk and damage.
 - f. The Process requires a new DP application. The conversion of the Subject DP from one district to another does not reflect the broader principles of procedural fairness, transparency, and meaningful public engagement that the City has consistently committed to promoting.
17. The Development Authority, in deviating from its conventional practices with regard to “concurrent LOC / DP submissions” (as confirmed by its published practices, forms and materials) has committed an error of law or a breach of procedural fairness, as in such deviation the Development Authority has committed one or more of the following:
- a. breached the rules of natural justice;
 - b. committed an abuse of its discretion or process; or
 - c. has otherwise acted in bad faith.

18. Pursuant to subsections 685(2) & (2.1) of the *Municipal Government Act*, RSA 2000, c. M-26 (the “MGA”) any person (or persons) affected by a decision made or issued by a development authority may appeal the decision to the subdivision and development appeal board (“SDAB”).
19. The Appellants seek a ruling from the SDAB that rescinds, revokes or otherwise varies the decision of the Development Authority to allow the Subject DP to be converted from a concurrent DP tied to the proposed H-GO land use amendment to an application under another land use district, without requiring a new development permit application.
20. Such other reasons as presented in the written submissions and verbal submissions at the anticipated “merit” hearing.

The “Named Appellants” (see attached Appendix A)

As submitted by their agent:

Christopher Davis Law / Christopher Davis

August 8, 2026