

DP2016-4802

This document is intended to provide a short summary of the review process for the development permit; response to concerns raised by the Community Association; and rationale for any relaxations of the Land Use Bylaw granted by the Development Authority. Only the approved plans and conditions of approval are the subject of an appeal.

Planning Review

During the review, the Development Authority considered Land Use Bylaw regulations, applicable Municipal Development Plan (MDP) and Calgary Transportation Plan (CTP) policies, the Ertton Area Redevelopment Plan, and the appropriateness of the proposed development within the context of the neighbourhood. The MDP and ARP provide direction for infill development that is compatible with the scale of surrounding developments. The changes to the design from what was originally proposed, specifically around grade-orientation and building mass, render the application compliant with these policies.

The development is a discretionary use in the Multi-Residential - Contextual Grade-Oriented (M-CG) District. The applicant has made significant changes to the design from what was originally submitted to minimize impact on adjacent neighbours. Minor relaxations to height (east and west chamfer), amenity space provided, percentage of hardscaping, and planting requirements are proposed. These Bylaw discrepancies are identified in the table below and are supported by Administration.

Bylaw Discrepancies April 5, 2017

Regulation	Standard	Provided
585,13 Building Height and Cross Section (max.)	<p>(3) Max building height on a parcel that shares a property line with a parcel that has a building with a height that does not exceed 6.0 metres above grade at that shared property line, and where the other parcel is designated with a low density residential district or M-CG District</p> <p>(a) is 6.0 m measured from grade at the shared property line; and</p> <p>(b) increases proportionately to a max. of 12.0 m measured from grade at a distance of 6.0 m from</p>	<p>Plans indicate portions of the east and west elevations as being within the height chamfer.</p> <p>Relaxation granted</p> <p>The proposed building height (10.82 m) is below the maximum allowed in the district (12 m), additionally the building mass has been reduced to accommodate ground orientation to 31 Ave SE for the two rear units. This has reduced the overall building size; the additional space on the second floor is required for functional living space.</p> <p>Additionally, the submitted shadow study shows that the relaxation to building height does not impede access to sunlight in at least</p>

	the shared property line.	one yard (rear or front) at all times during summer months and to afternoon sun in the rear yards of the two adjacent properties during winter months.
557 Amenity Space	Private amenity space (b) have no minimum dimensions of less than 2.0 metres.	Plans indicate the north patios as being 1.37m (-0.63m) in depth. Relaxation granted The north units (1&2) also have access to the front yard as amenity space.
551 Specific Rules for Landscaped Areas	(3) The max. hard surfaced landscaped area is: (b) 40.0 % of the req. L.S. area, in all other cases.	Plans indicate the hard landscaped area as being 120.26m ² (+30.50m ²) or 53.59% (+13.59%) Relaxation granted The % of hard landscaped area has been reduced by 15.18% from the original design through a reduction in overall building mass and changes to the site design from the original proposal. The requirement to provide pedestrian access and area for waste and recycling make achieving further reduction in the amount of hard landscaping difficult. Overall the soft landscaping provided meets the intent of section 551.
552 Planting Requirements	(2) A min. of 1.0 tree and 2.0 shrubs must be planted for every 45.0 m ² of provided landscaped area.	Plans indicate 9 (-1) shrubs provided Relaxation granted Overall the plantings provided meet the intent of section 552. The likelihood of additional shrubs surviving for the life of the development is unlikely.

Community Association Comments

A response to the comments submitted by the Windsor Park Community Association is provided below:

- The use
Multi-residential development is a discretionary use within the M-CG district.
- The site design
The front yard setbacks have been increased from what was originally proposed so that front of the proposed building lines up within 0.05 – 0.08 metres of the two adjacent neighbours. The overall amount of landscaping has been greatly increased from what was originally proposed to provide a buffer to adjacent neighbours, including the protection of three existing trees.
- The building design
The overall size of the building has been reduced 19.97 square metres to accommodate a larger front yard setback and ground-orientation for the rear units.