

Background and Planning Evaluation

Background and Site Context

The approximately 0.04 hectare (0.1 acres) parcel is located in the inner-city community of Hillhurst on the east side of 10A Street NW, north of Kensington Road NW. The parcel measures 9.1 metres wide and 38 metres deep. The parcel contains a single detached dwelling with a detached garage. The parcel is part of a larger residential area designated as Multi-Residential – Contextual Grade-Oriented (M-CG) District, surrounded by one and two-storey residential developments. Vehicular access to the site is available from the lane abutting the south and east sides of the parcel though direct access to Kensington Road from 10A Street NW is closed.

Surrounding lands to the south are designated Commercial – Corridor 1 f2.8h13 (C-COR1f2.8h13) District and lands to the east are designated Direct Control (DC) District ([Bylaw 22D2014](#)). Development adjacent to the lane includes a five-storey multi-residential building, single-storey commercial developments to the east and southwest, and single detached dwellings to the west and north of the site.

The subject site is located one block north of the Kensington Road commercial area along Kensington Road NW and 10 Street NW. The site is within 600 metres (a 10-minute walk) of the Sunnyside LRT Station.

Community Peak Population Table

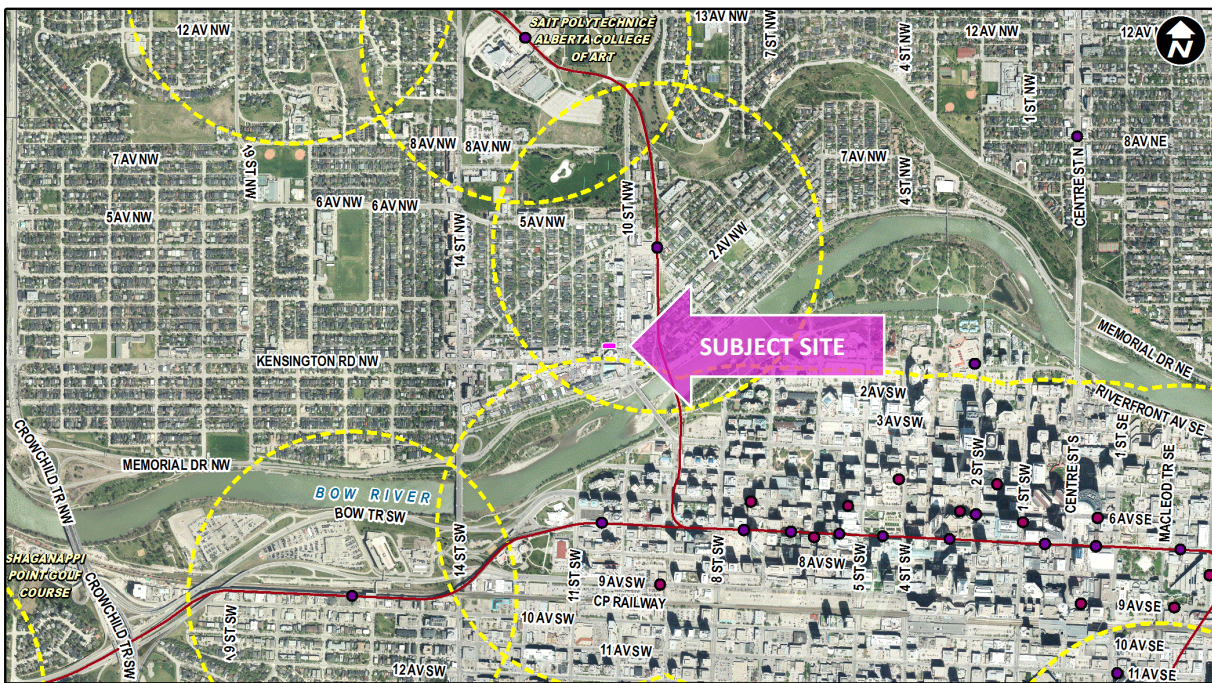
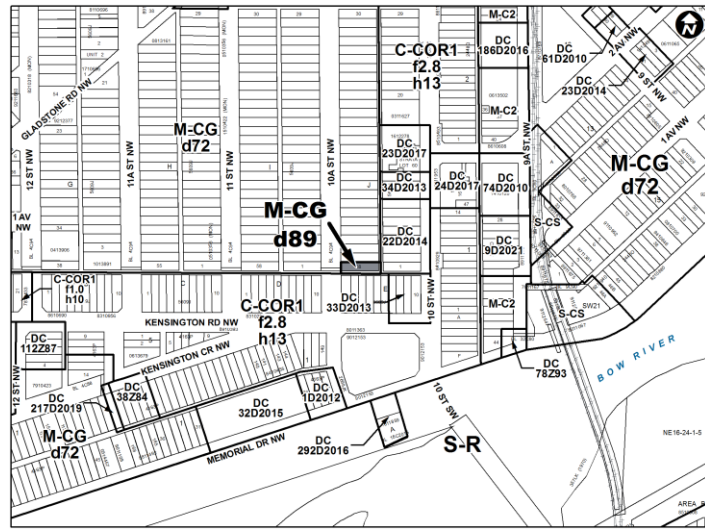
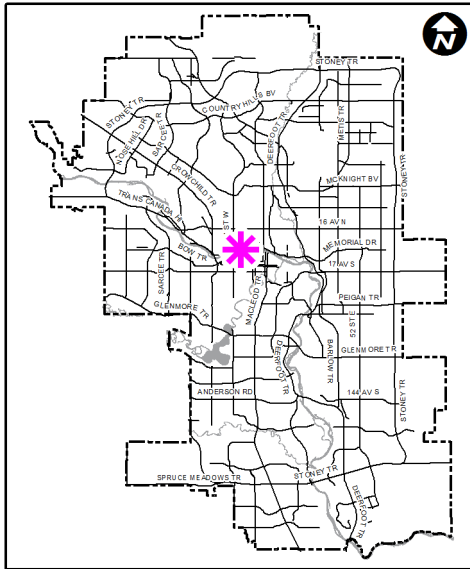
As identified below, the community of Hillhurst reached its peak population in 2015.

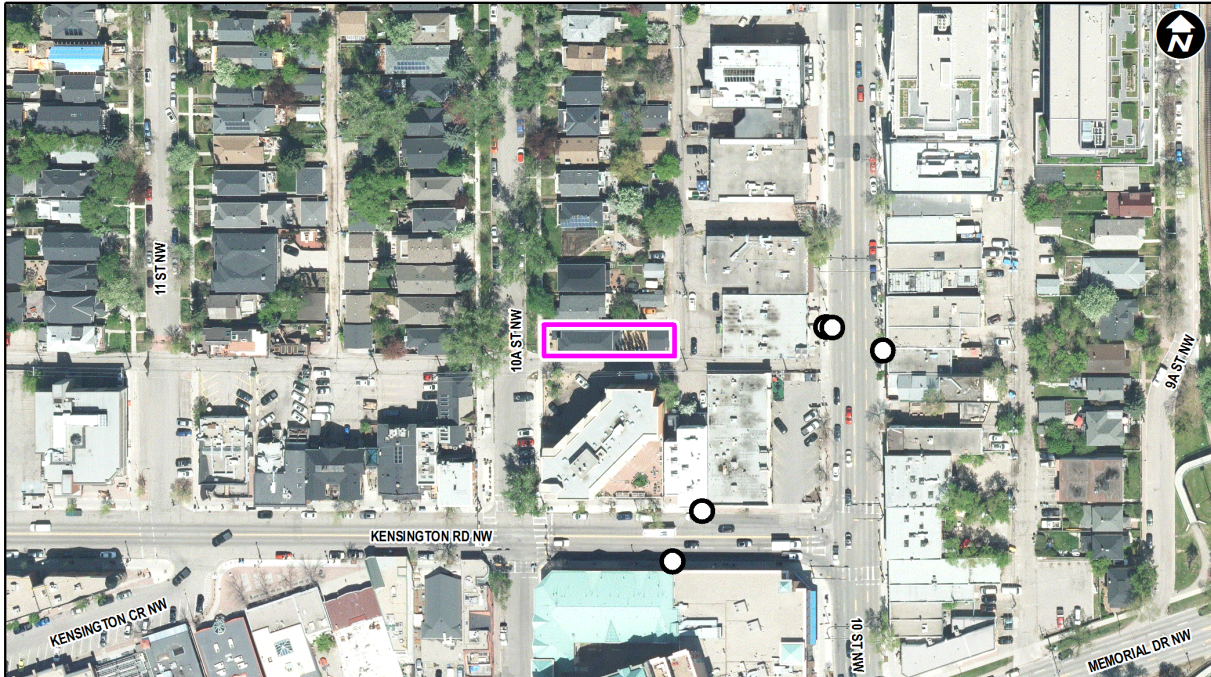
Hillhurst	
Peak Population Year	2015
Peak Population	6,737
2019 Current Population	6,558
Difference in Population (Number)	-179
Difference in Population (Percent)	-2.66%

Source: *The City of Calgary 2019 Civic Census*

Additional demographic and socio-economic information may be obtained online through the [Hillhurst Community Profile](#).

Location Maps





Previous Council Direction

At the 2021 January 11 Public Hearing, Council approved a land use redesignation at the subject site from M-CGd72 to M-CGd89. Following approval of the land use amendment (LOC2021-0040/CPC2021-1687), Council directed Calgary Planning Commission to assume the role of Development Authority on the associated Development Permit. Development Permit DP2021-1502 was considered by Calgary Planning Commission on 2022 June 17. Commission refused that permit largely based on the number of Bylaw relaxations required.

In alignment with Council's direction, this redesigned proposal is also being brought to Calgary Planning Commission for decision.

Planning Evaluation

Land Use

The existing M-CGd89 District is applied in the Developed Area and accommodates multi-residential development of low height and density, intended to be located adjacent to low-density residential development. The district allows for typically higher numbers of dwelling units and traffic generation than other low-density residential districts with some or all units designed to provide direct access to grade. The M-CGd89 District allows for a maximum building height of 12 metres and a maximum density of 89 dwelling units per hectare. Based on the subject site parcel area, this would allow up to three dwelling units.

Development and Site Design

This application proposes a multi-residential building containing three dwelling units. The existing two-storey single detached dwelling structure will be retained and incorporated into the multi-residential building. Pedestrian access is provided from the public sidewalk at the front of the site. Vehicle access to and from the site is provided from the lane at the east side of the site. The garage includes a vehicle lift to provide parking for up to four vehicles.

There are two primary areas of concern that Administration identified with this application:

- 1) the proposed elevator structure location on the building, and
- 2) the number of relaxations requested as part of the development.

Administration directed the applicant team to explore options to minimize impacts on adjacent properties and relocate the elevator to a less prominent location on the building. The applicant team advised that alternate locations for the elevator were investigated. The proposed location of the structure at the front of the site is intended to minimize the required retrofit of the existing building and to provide access to the elevator for all residents of the future development. The requested relaxations are necessary due to the limitations of working with the footprint of the existing building, as well as the difficulty inherent to intensifying a 9.1-metre wide inner-city parcel.

Site and Building Design

The proposed building is three storeys in height (12 metres) and comprises three dwelling units. A third storey and building addition at the rear of the existing building is proposed to utilize the existing structure. A new elevator and extended internal staircase are proposed at the front of the existing building for access to the second and third storeys.

The proposed landscaped area at grade is 31.92 percent of the site area and comprised of both hard and soft landscaping features. Exterior finishing materials include stucco, stone and glazing. The colour palette used for the development includes white, black and shades of grey.

Outdoor Amenity Spaces

The building includes a large (130 square metre) rooftop amenity space for the residents. This common outdoor amenity includes hard and soft landscaped areas, tables, seating and a barbeque. Shrubs are proposed along the north side of the rooftop amenity space to mitigate overlooking privacy concerns.

City Wide Urban Design

The application was reviewed by the City Wide Urban Design team. The modified infill form represents a transition between the higher-intensity development to the south and the single detached dwellings to the north. Concerns were shared with the applicant regarding loss of the one-storey entry condition that is visible from the street and loss of the roofline similarity with the abutting neighbour. The applicant revised the building design to make the main floor entry visible from 10A Street NW with a first story canopy roofline. Comments were also provided suggesting improvements to the design to mitigate negative impacts from the prominent elevator tower and stair location. The applicant investigated alternate locations for these elements of the proposed building. According to the Applicant, changes to the proposed elevator location were not possible due to the existing single detached dwelling location on the site and for resident access to the elevator.

Transportation

The subject site is in close proximity to services, amenities and transit located on Kensington Road NW and 10 Street NW. The site is located within 600 metres (a 10-minute walk) of the Sunnyside LRT Station. Bus stops are located approximately 75 metres (a one-minute walk) from the subject site. These stops provide access to Route 1 (Bowness/Forest Lawn) on Kensington Road, and to Routes 4 (Huntington), 5 (North Haven), and 104 (Sunnyside/University of Calgary) on 10 Street NW.

Vehicular access to the subject site is from the rear lane, however given the gate restriction on 10A Street NW from Kensington Road NW, access to the lane is only from 10 Street NW, 3 Avenue NW or Kensington Road NW via the 10A Street NW cul-de-sac. On-street parking on 10A Street NW is controlled by the Residential Permit Program. A corner cut through the rear corner of the site is required to allow safe vehicle movements through the lane.

A Traffic Impact Assessment was not required for this application.

Environmental Site Considerations

No environmental concerns were identified.

Utilities and Servicing

Water and sanitary mains are available and can accommodate potential redevelopment of the subject site without the need for off-site improvements at this time.

Legislation and Policy

South Saskatchewan Regional Plan (2014)

Administration's recommendation aligns with the policy direction of the [South Saskatchewan Regional Plan](#), which directs population growth in the region to cities and towns, and promotes the efficient use of land.

Growth Plan (2022)

Administration's recommendation aligns with the policy direction of the Calgary Metropolitan Region Board's [Growth Plan](#) (GP). The proposed development builds on the principles of the GP by promoting efficient use of land and regional infrastructure, and establishing strong, sustainable communities.

Municipal Development Plan (Statutory – 2009)

The subject parcel is located within the Developed Residential - Inner City area as identified on Map 1: Urban Structure in the [Municipal Development Plan](#) (MDP). The applicable MDP policies encourage redevelopment and modest intensification of inner-city communities to make more efficient use of existing infrastructure, public amenities and transit, and delivers small and incremental benefits to climate resilience. Such redevelopment is intended to occur in a form and nature that respects the scale and character of the neighbourhood context.

The proposal is in keeping with relevant MDP policies as the proposed development represents a modest increase in density in a form that is compatible with existing adjacent development in terms of height, scale and massing.

Calgary Climate Strategy (2022)

Administration has reviewed this application in relation to the objectives of the [Calgary Climate Strategy – Pathways to 2050](#) programs and actions. The applicant has proposed the following three climate measures as part of the development permit application:

- solar electricity;
- electric vehicle charging stations; and
- green roof construction.

Hillhurst/Sunnyside Area Redevelopment Plan (Statutory – 1988)

The subject parcel is located within Residential Character Area 4 of the [Hillhurst/Sunnyside Area Redevelopment Plan](#) (ARP). General development guidelines for this area include policies on height compatibility, privacy, roof forms, materials and finishes, setbacks and amenity spaces. These policies have been taken into consideration during the review of the land use amendment application.

The proposal is in keeping with the relevant policies of the ARP which encourage the provision of a variety of housing forms within this area. Reuse of the existing building combined with use of the rooftop as amenity space are the main factors that preclude residential roof pitches similar to those of adjacent houses and larger front yard setbacks for taller buildings that are encouraged in the ARP. The proposed development aligns with the privacy guidelines of the ARP, including minimal window openings on the north side wall, primary entries oriented towards the front of the property and screening of the rooftop amenity to mitigate overlooking to the north. Given the site’s location adjacent to both the Urban Mixed-Use policy area and Specialty Mixed-Use policy area of the ARP (Map 3.1 Land Use Policy Areas), a multi-residential development including three dwelling units is appropriate.

Riley Communities Local Area Plan

The site is located in the Riley Communities area, which includes Hillhurst and surrounding communities. Administration is currently developing the [Riley Communities Local Area Planning Project](#). Development applications are being accepted for processing while the project is in progress; however, applications are reviewed using existing legislation and Council approved policy only, including the *Hillhurst/Sunnyside ARP*. The proposal is in alignment with the applicable urban form category and building scale modifier for the subject site in draft *Riley Communities Local Area Plan* (LAP).

Land Use Bylaw 1P2007

Administration highlights the following relaxations to the Land Use Bylaw 1P2007 in the table below. Administration has reviewed each relaxation individually and considers each relaxation to be acceptable for the reasons outlined.

Additionally, Administration reviewed the Development Permit history on the site. The existing house was constructed under DP2010-4140 and established many of the setbacks for the proposed development, as well as interior layouts (such as stairwells), which pre-determined portions of the interior layouts for the proposed development.

Bylaw Relaxations			
Regulation	Standard	Provided	Administration Response
583 Building Setbacks (min.)	(2) Where the contextual multi-residential building setback is 3.0 m or greater, the min. building setback from a property line shared with a street is the greater of: (a) the contextual multi-residential building setback less 1.5m;	Plans indicate the west setback area as being 2.95m (-0.18m).	This is a 35 centimetre difference from the previous setback established under DP2010-4140.

583 Building Setbacks (min.)	(4) The min. building setback from a property line shared with a lane is 1.2m	Plans indicate the south setback area as being 0.85m (-0.35m) to the main building and per the elevations and floor plans the stairwell encroaches 0.11m into city property. Note: The stairwell still shows as encroaching on the main floor plan. 2 nd and 3 rd floors have been corrected.	The 0.85m setback results from projections from the main floor façade. The bulk of the main floor façade complies. Administration considers this relaxation acceptable. PTR#3 requires removal of encroachment onto City property.
549 Projections Into Setback Areas (max.)	(1) Unless otherwise referenced in subsections (2), (3), (4), (5), (6), and (7), a building or air conditioning units must not be located in any setback area.	Plans indicate portions of the proposed building as being within the South and West setback areas.	Projections into the side setback were approved on DP2010-4140. The magnitude of the current proposed relaxation is identical to that previously approved.
585 Building Height and Cross Section (max.)	(1) Unless otherwise referenced in subsections (2) and (3), the max. building height is 12.0 m.	Plans indicate the east elevation as being 12.08m (+0.08m).	This is a minor relaxation that Administration considers acceptable.
585 Building Height and Cross Section (max.)	(2) The maximum building height on a parcel that shares a property line with another parcel that has no buildings or that has a building with a height greater than 6.0 m above grade at that shared property line, and where the other parcel is designated with a low density residential district, M-CG or H-GO District (a) is 8.0m measured from grade at the shared property line; and (b) increases proportionately to a max. of 12.0m measured from grade at a distance of 4.0m from the shared property line.	Plans indicate the north portion of the building as being within the height chamfer.	With interior stairwell location established, additional wall height is required to accommodate the third storey.
585 Building Height and Cross Section (max.)	(4) The max. area of a horizontal cross section through a building at 10.5m above average grade must not be greater than 40.0 % of the max. area of a horizontal cross	Plans indicate the area of the proposed building at 10.5m from average grade as being 100% (+60%) or 217.61m ² (+130.57m ²).	With interior stairwell location established, reduction of the third floor cross-section is difficult to achieve in a meaningful way.

	section through the building between average grade and 9.0m.		
581 At Grade Orientation of Units	(2) A unit in a Multi-Residential Development that is located on the floor closest to grade must have: (b) an entrance that is visible from the street that the unit faces.	Plans do not indicate a direct access to the unit closest to grade. Access is through a public vestibule.	The nature of the proposed development requires a vestibule entrance to access the upper units.
550 General Landscaped Area Rules	(7) All setback areas adjacent to a street or another parcel, except for those portions specifically required for motor vehicle access, must be a landscaped area.	Plans indicate the proposed building as being within the north and west setback areas.	The existing building footprint is largely established. Landscaping is provided in all available at grade areas.
550 General Landscaped Area Rules	(8) All setback areas adjacent to a lane, except for those portions specifically required for motor vehicle access, motor vehicle parking stalls, loading stalls or garbage facilities must be a landscaped area.	Plans indicate the proposed building as being within the south setback area.	The existing building footprint is established. Landscaping is provided in all available at grade areas.
553 Landscaped Area Reductions – Multi-Residential Development	The minimum landscaped area of 40.0% for Multi-Residential Development may be reduced by the three options as referenced in sections 554, 555 and 556 individually or in combination, to a total available reduction of 10.0% of the area of a parcel.	Plans indicate 31.92% (-2.08%) or 110.95m ² (-7.23m ²) of landscaping provided at grade.	Significant portion of the site at rear is impacted by lane corner cut.
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 82.05% (+42.05%) or 96.97m ² (+49.70m ²) of hard surface landscaping. Note: The applicant indicates rubber mulch, 73.30m ² , which was counted as hard landscaping. If this were to be changed to a wood mulch then the site would	PTR #2 removes this relaxation.

		be 20.03% hard landscaped.	
552 Planting Requirements	(3) 25.0% of all trees provided must be coniferous.	Plans indicate a total of 8 (-1) coniferous trees provided.	Minor relaxation. All other tree planting requirements met.