

**LAND USE AMENDMENT  
WILDWOOD (WARD 8)  
WINDERMERE ROAD SOUTH OF SPRUCE DRIVE SW  
BYLAW 70D2018**

**MAP 13W**

**EXECUTIVE SUMMARY**

This land use amendment application seeks to redesignate a single residential parcel from a Residential – Contextual One Dwelling (R-C1) District to a Residential – Contextual One Dwelling (R-C1s) District to allow for either a Secondary Suite or a Backyard Suite as an additional use. The site contains an existing single detached dwelling. To Administration’s knowledge there is not an existing suite located on the parcel and the application was not submitted as a result of a complaint.

**PREVIOUS COUNCIL DIRECTION**

On 2013 September 16, Council directed Administration to remove fees associated with land use amendment and development permit applications for secondary suites to encourage the development of legal and safe secondary suites throughout the city.

**ADMINISTRATION RECOMMENDATION(S)**

2017 December 14

That Calgary Planning Commission recommends **APPROVAL** of the proposed Land Use Amendment.

**RECOMMENDATION(S) OF THE CALGARY PLANNING COMMISSION**

That Council hold a Public Hearing on Bylaws 70D2018; and

1. **ADOPT** the proposed redesignation of 0.07 hectares ± (0.17 acres ±) located at 191 Windermere Road SW (Plan 1248HM, Block 4, Lot 35) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District, in accordance with Administration’s recommendation;
2. Give three readings to the proposed Bylaw 70D2018.

**REASON(S) FOR RECOMMENDATION:**

The proposed R-C1s district, which allows for one of two forms of secondary suite uses (Secondary Suite or Backyard Suite), is compatible with and complementary to the established character of the community. The proposal conforms to relevant policies of the Municipal Development Plan and will allow for development that has the ability to meet the intent of Land Use Bylaw 1P2007.

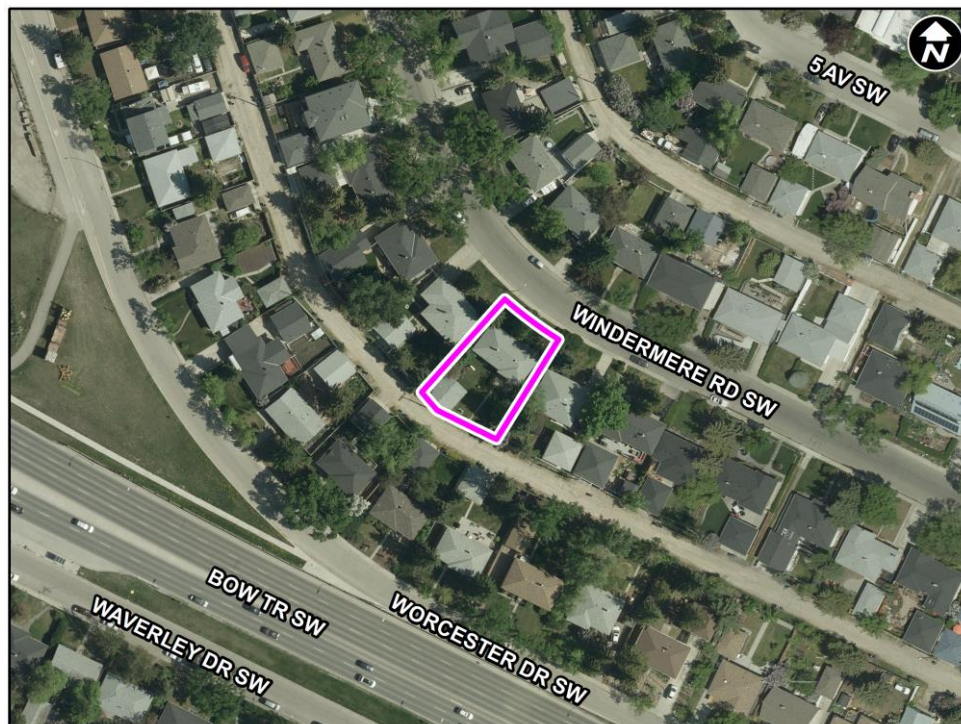
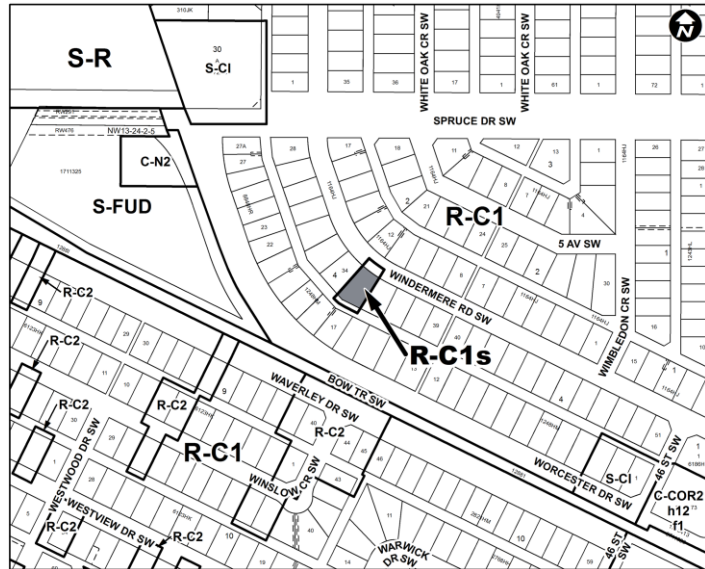
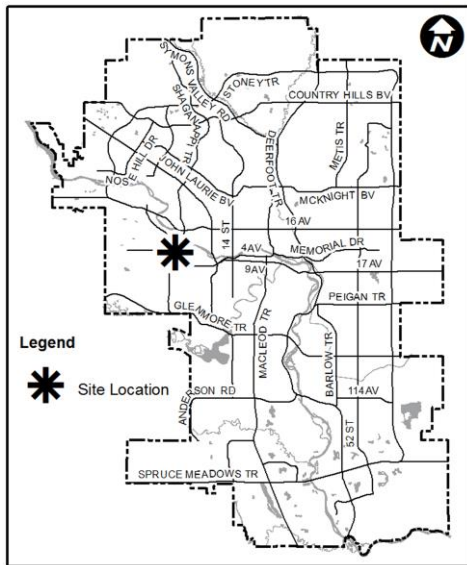
**ATTACHMENT**

1. Proposed Bylaw 70D2018
2. Public Submission

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LOCATION MAPS



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**ADMINISTRATIONS RECOMMENDATION TO CALGARY PLANNING COMMISSION**

Recommend that Council **ADOPT**, by bylaw, the proposed redesignation of 0.07 hectares ± (0.17 acres ±) located at 191 Windermere Road SW (Plan 1248HM, Block 4, Lot 35) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: L. Juan**

**Carried: 9 – 0**

**2017 December 14**

**MOTION:**

Amend Administration's Recommendation, to align with Council recent decision to review the Secondary Suite process, by adding a Recommendation 3 to read:

“Direct Administration to forward the Report and proposed Bylaw for LOC2017-0303 to the 2018 March 12 Public Hearing of Council, and advertise accordingly.”

**Moved by: R. Vanderputten**

**Carried: 9 – 0**

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**Applicant:**

Robert Pashuk Architecture

**Landowner:**

Joseph Thomas Schuck

**PLANNING EVALUATION**

**SITE CONTEXT**

Located in a low density residential R-C1 setting in the community of Wildwood, the site is approximately 18 metres by 32 metres in size and is developed with a one-storey single detached dwelling and a two-car garage that is accessed from the rear lane. Low-density residential exist to the north, east, south, and west of the site. The parcel is approximately 300 metres from the top slopes and off-leash area of Edworthy Park and approximately 350 metres from an elementary school with playfields.

According to data from The City of Calgary 2017 Census, the following table identifies Wildwood's peak population and year, current population and the population amount and percentage difference between the peak and current populations.

<b>Wildwood</b>	
Peak Population Year	1968
Peak Population	4,294
2017 Current Population	2,629
Difference in Population (Number)	-1,665
Difference in Population (Percent)	-39%

**LAND USE DISTRICTS**

The proposed R-C1s district allows for an additional dwelling unit (either a permitted use Secondary Suite or a discretionary use Backyard Suite) on parcels that contain a single detached dwelling.

Approval of this land use application would allow for an additional dwelling unit (either a Secondary Suite or Backyard Suite) to be considered via the development permit process. A development permit is not required if a Secondary Suite conforms to all Land Use Bylaw 1P2007 rules – only a building permit would be required.

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## **LEGISLATION & POLICY**

### South Saskatchewan Regional Plan (SSRP)

The recommendation by Administration in this report has considered and is aligned with the policy direction of the South Saskatchewan Regional Plan (SSRP).

### Municipal Development Plan (2009)

The site is located within a “Residential Developed – Established Area” on the Urban Structure Map (Map 1) in the Municipal Development Plan (MDP). While the MDP makes no specific reference to this site, this land use proposal is consistent with MDP policies including the Developed Residential Areas policies (subsection 3.5.1), the Neighbourhood Infill and Redevelopment policies (subsection 2.2.5) and the Housing Diversity and Choice policies (subsection 2.3.1).

There is no local area plan for Wildwood.

## **TRANSPORTATION NETWORKS**

The subject site is located approximately 105 metres from a transit stop servicing Route 93 with service to the Westbrook and 45 Street LRT stations, and Route 70 with service to the downtown core. The site is also located 1.5 kilometres from Primary Transit at the 45 Street LRT station.

The subject site has lane access and no parking restrictions however parking should be provided at the time of development permit. Any development permit submitted shall meet all the required specifications and bylaw requirements for parking, parking stall size, etc.

## **UTILITIES & SERVICING**

Water, sanitary, and sewer services are available and can accommodate the potential addition of a Secondary Suite without the need for off-site improvements at this time.

## **ENVIRONMENTAL ISSUES**

An Environmental Site Assessment was not required.

## **GROWTH MANAGEMENT**

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The proposed amendment does not trigger capital infrastructure investment and therefore there are no growth management concerns at this time.

**PUBLIC ENGAGEMENT**

**Community Association Comments**

The Wildwood Community Association provided a letter of objection (APPENDIX II) to the proposed application. Stated reasons for objection included:

- the proposed R-C1s District would allow for a backyard suite, which would not be in keeping with the character of the community, and
- the land use district would be tied to the property and not the owner.

**Citizen Comments**

No comments were received by the CPC report submission date.

**Public Meetings**

No public meetings were held by the Applicant or Administration.

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APPENDIX I

APPLICANT'S SUBMISSION



**Land Use Redesignation Applicant's Submission**  
**Secondary Suites**  
(R2017-07)

This form is to be filled out by the applicant and provided to The City of Calgary at the time of submission. These comments are included in a report which is presented to the Calgary Planning Commission and a Public Hearing of City Council. Your comments **must** be limited to the area designated on this page to ensure it will fit the space requirements of the report.

- 1) What are the benefits of the redesignation, for you, the surrounding community and the City of Calgary?

The benefits of this redesignation is it will potentially increase the value of the property for resale in the future. It will also provide more space on the property that can potentially be rented out, but more likely will be used for additional space for the primary residents of the property without rebuilding a large single family home. Increasing density with a minimal footprint in an established community with easy access to amenities benefits Calgary and would provide a better use of land.

- 2) Provide information on how you engaged with the neighboring land owners and/or the Community Association?  
What was the response?

The neighbours, nor the Community Association have not been engaged. A representative will be willing to answer any questions that might arise.

- 3) Identify how you will provide the required parking for both the primary dwelling and the secondary suite on your parcel?

Parking will be provided for both the primary dwelling and the secondary suite by means of a double garage or a garage and parking pad combination. All located within the property setbacks.

- 4) Are there any potential negative impacts of this development that you are aware of?

There are no potential negative impacts that I am aware of.

D. Pomreinke

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APPENDIX II

LETTERS SUBMITTED

**Wildwood Community Association**  
P.O. Box 34161 RPO Westbrook Postal Outlet  
Calgary, AB T3C 3W2

November 10, 2017

Circulation Controller  
Planning and Development IMC 8201  
P.O Box 2100 Station M  
Calgary, AB T2P 2M5

Attention: Derek Pomreinke

Re: Land Use application LOC2017-0303 191 Windermere Road SW

Wildwood Community Association (WCA) appreciates the opportunity afforded it by the development process to provide comments on specific development or land use applications. As a general policy, the WCA encourages development within Wildwood that is diverse in design yet recognizes our existing R-C1 context and respects people in our community.

We have reviewed the above application and we would like to submit our comments. We have been in contact with the owners to get a sense of their immediate plans, although those are not at issue in terms of this application. We have also attempted to communicate with directly affected neighbours. We have asked that they also submit their comments to you for review while making your decisions. The Community Association would like to make it clear that **we are opposed** to this rezoning. Some of our reasoning is listed below:

The current issue with this and all other land use re-designations from R-C1 to R-C1s is it would enable all types of suites. The range of suite types granted by this single application includes in-home above or below grade suites, ground level backyard suites or above-the-garage suites. That range extends well beyond the scale and character of Wildwood. This is a highly visible property from a main street with a bus route, Windermere Road, where an above-the-garage suite would be highly out of context with other built forms in the neighbourhood.

It is unmanageable to have a process for change that doesn't specifically define and limit the type of suite that is being enabled. Applicants should be assisted/directed to engage neighbours in the process of re-designation and be able to be specific about the type of development proposed. Agreement from a minimum number of directly affected neighbours should be a requirement for re-designation.

The other failing of the current process is that the Land Use change is granted with no connection to the owner of the property. While we appreciate any property is rentable there is an increased likelihood of regular maintenance when the owner is also a resident. With no connection to the owner of the property, an R-C1s designation will mean something different to each successive owner.

This open-ended process leaves neighbours and the Community Association no choice but to object based on the current and future development potential enabled by a re-designation. The Association respectfully requests that this application be denied or deferred until the Land Use Bylaw can be amended to link R-C1s re-designation requests to a specific type of suite.

Thank you.



Robyn Birdsell  
Wildwood Development Committee

D. Pomreinke



**APPENDIX III**

**IMPORTANT TERMS**

While there are specific Land Use Bylaw 1P2007 definitions and development rules for Secondary Suite and Backyard Suite uses, the following information is provided to simply and enhance general understanding of these two different uses (Secondary Suite or Backyard Suite).

## Important terms



**Secondary suite:** A self-contained dwelling unit within the main residence that has separate living, cooking, sleeping and bathroom facilities. These are commonly referred to as basement suites or in-law suites.

**Backyard suite:** A self-contained dwelling unit in a detached building that has separate living, cooking, sleeping and bathroom facilities. These are commonly referred to as garage suites, garden suites, or laneway homes.

