

LAND USE AMENDMENT  
BRENTWOOD (WARD 4)  
NORTH OF BRISEBOIS DRIVE NW AND NORTHMOUNT DRIVE  
NW  
BYLAW 111D2018

MAP 31C

**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)**

2018 February 08

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 Bylaw 111D2018; and

1. **ADOPT** the proposed redesignation of 0.05 hectares  $\pm$  (0.12 acres  $\pm$ ) located at 4520 Brisebois Drive NW (Plan 367JK, Block 7, Lot 38) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District, in accordance with Administration's recommendation; and
2. Give three readings to the proposed Bylaw 111D2018.

**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.

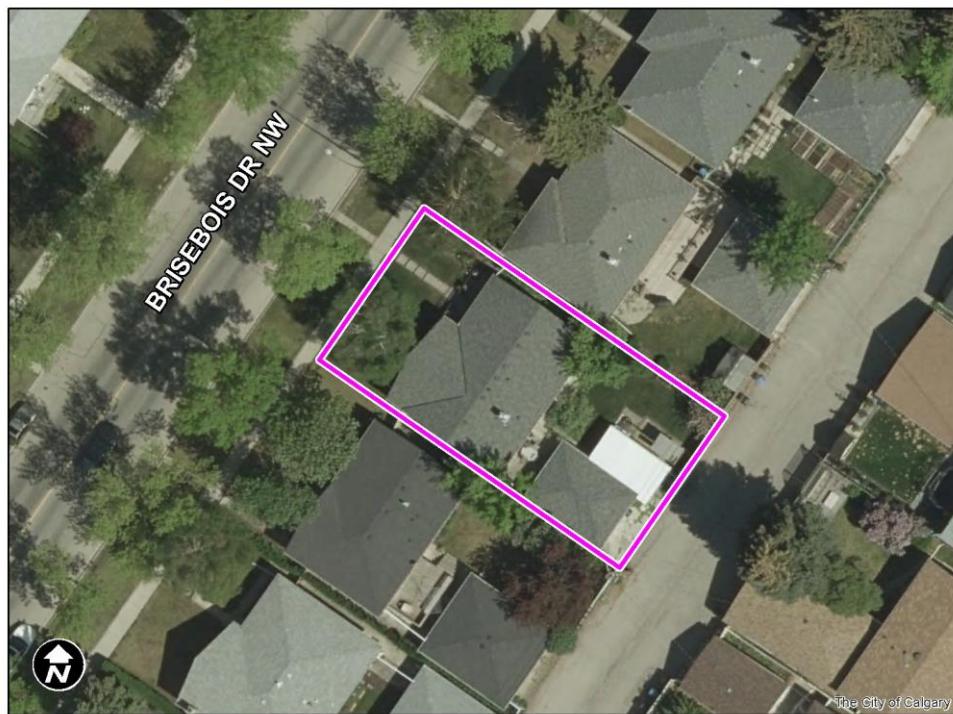
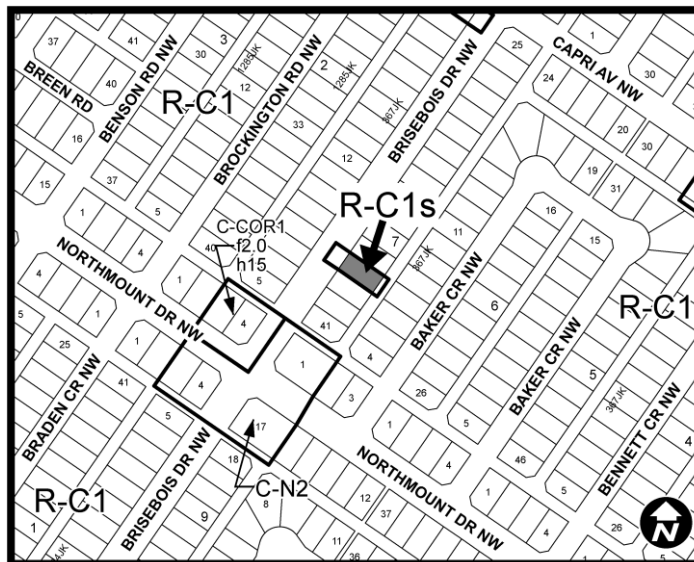
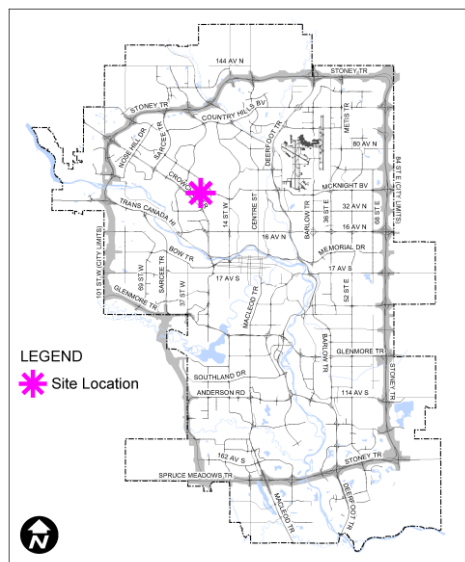
**ATTACHMENT**

1. Proposed Bylaw 111D2018

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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 0.05 hectares  $\pm$  (0.12 acres  $\pm$ ) located at 4520 Brisebois Drive NW (Plan 367JK, Block 7, Lot 38) from Residential – Contextual One Dwelling (R-C1) District **to** Residential – Contextual One Dwelling (R-C1s) District.

**Moved by: L. Juan**

Absent: E. Woolley and R. Vanderputten

**Carried: 7 – 0**

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**Applicant:**

Andrea Gough

**Landowner:**

Andrea Gough

**PLANNING EVALUATION**

**SITE CONTEXT**

Located in a low density residential R-C1 setting in the community of Brentwood, the site is approximately 15 metres by 30 metres in size and is developed with a one-storey single detached dwelling with a one-car garage and one-car carport that is accessed from the rear lane. Single detached dwellings exist to the north, east, south, and west of the site. Commercial development with a Commercial – Neighbourhood 2 (C-N2) District designation is located to the south of the site at the intersection of Brisebois Drive NW and Northmount Drive NW.

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

<b>Brentwood</b>	
Peak Population Year	1969
Peak Population	9,086
2017 Current Population	7,132
Difference in Population (Number)	-1,954
Difference in Population (Percent)	-22%

**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 allows 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 (2014)

The site is located within the “City, Town” area as identified on Schedule C: South Saskatchewan Regional Plan Map in the *South Saskatchewan Regional Plan* (SSRP). The SSRP makes no specific reference to this site. The land use proposal is consistent with the SSRP policies including the Land Use Patterns policies (subsection 8.14).

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 Brentwood.

**TRANSPORTATION NETWORKS**

Pedestrian access to the site is available from Brisebois Drive NW and vehicular access is available via the rear lane. The area is served by Calgary Transit bus service with a bus stop location within approximately 100 metre walking distance of the site on Brisebois Drive NW. On-street parking adjacent to the site is unregulated.

**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. Adjustments to on-site servicing may be required if a Backyard Suite is proposed at the development permit stage.

**ENVIRONMENTAL ISSUES**

An Environmental Site Assessment was not required.

**GROWTH MANAGEMENT**

This land use amendment proposal does not require additional capital infrastructure investment, and therefore no growth management concerns have been identified at this time. The proposal is in alignment with MDP references associated with growth management matters.

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**PUBLIC ENGAGEMENT**

**Community Association Comments**

Administration received a letter of no objection to the application from the Brentwood Community Association (APPENDIX II).

Reasons stated for no objection are summarized as follows:

- the applicant has contacted the Brentwood Community Association;
- the applicant intends to build a basement suite and remain in the primary dwelling;
- there is sufficient parking on site; and,
- the Brentwood Community Association has received no comments from adjacent landowners on this application.

**Citizen Comments**

Administration did not receive any responses from citizens.

**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

PL 1264 (R2017-09)

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?  
Benefits of a secondary suite in my home for me: provides supplementary income to help cover mortgage costs to be able to live in an inner-city neighborhood; provides affordable accommodation to adult children going to school; potential accommodation for elderly parents  
Benefits for the community: providing affordable accommodation for post-secondary students attending U of C/SAIT/Alberta College of Art; providing accommodation that is in close proximity to U of C/SAIT/ACA and to bus routes and C-train; providing increased accommodation to support housing need for students/families interested in inner-city living close to amenities such as parks, pool, library, shopping mall; reduces need for new housing development in area  
Benefits for the City of Calgary: provides alternative housing that is affordable and sustainable, no need for new development reducing urban sprawl; low-impact residence helping to absorb population growth; increase in local resident population helps to support more frequent transit service
- 2) Provide information on how you engaged with the neighboring land owners and/or the Community Association?  
What was the response?  
Contact made with representative of Brentwood Community Redevelopment Association. They gave an explanation of criteria needed to be met so the association would not oppose this rezoning application.  
1) Owner of home is also a resident of home, not an investor who will not reside there.  
2) Sufficient parking is available for suite tenants so as not to disturb neighbor parking.  
3) It is not a garage or laneway structure.  
This application meets all three of these criteria. Recommendation was also made to contact neighbors, as the BCRA will be sending flyers notifying the adjacent neighbors of the proposal for rezoning and the potential development of a basement suite. Contact was made with adjacent neighbor to explain our intent to create a suite for use of adult children to go to school, or for elderly parents. They expressed enthusiasm and encouragement for taking on this project for this use.
- 3) Identify how you will provide the required parking for both the primary dwelling and the secondary suite on your parcel?  
Currently existing single car garage will be used by owner.  
Attached carport will provide parking space for tenant of secondary suite.
- 4) Are there any potential negative impacts of this development that you are aware of?  
I am not aware of any potential negative impacts of this development.

4520 Brisebois Drive NW Calgary  
Plan 367JK/Block 7/Lot 38

**NOTE:** Applications must be submitted without personal information on any plans. Omitting this information will protect builders and tenants by reducing the risk of any personal information being wrongfully displayed, while also following the Province of Alberta's FOIP Act. If you consider the information to be personal, do not put it on the plans

ISC: Protected

C. Khandl

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**APPENDIX II**

**LETTERS SUBMITTED**



**Brentwood Community Association**

Mailing Address 5107 – 33<sup>rd</sup> St. NW, Calgary, Alberta T2L 1V3

Tel. (403) 284-3477 Fax. (403) 284-3951 [brntwdca@telus.net](mailto:brntwdca@telus.net)

[www.brentwoodcommunity.com](http://www.brentwoodcommunity.com)

January 8, 2018

Attn: Christine Khandl, File Manager, City of Calgary  
[Christine.Khandl@calgary.ca](mailto:Christine.Khandl@calgary.ca)  
Circulation Control, Planning and Development, [cpag.circ@calgary.ca](mailto:cpag.circ@calgary.ca)

Application # LOC2017-0353  
Application Type: Change of Land Use from R-C1 to R-C1s

Address: 4520 Brisebois Drive N.W.

**Response from the Brentwood Community Association**

The Brentwood Community Association receives many comments regarding secondary suites from area residents. Some do not feel secondary suites should be allowed at all in R-C1 neighbourhoods while others are not opposed provided certain conditions are met. **All would prefer to see owner-occupied suites.** The majority of complaints we hear appear to be cases where both the main home and the secondary suite are rented out so there is an absentee landlord. While we realize only the use, not the user, can be regulated, we hear from our residents that having an owner on site tends to lessen potential problems with property upkeep, garbage handling, yard maintenance and unruly tenants. While those issues fall under the Community Standards Bylaw, our residents report that enforcement appears to be sporadic and largely ineffective.

**Regarding the property at 4520 Brisebois Drive NW:**

The BCA has received no comments from neighbours on this application. The applicant has contacted the BCA in advance of the application and we appreciate her willingness to do so. The applicant intends to build a basement suite and to remain as the landlord in the house. There is also sufficient parking on site. We have no objection to this application.

**Regarding the Redesignation Process:**

The BCA Board is concerned that the current R-C1s designation does not distinguish between a basement suite and a backyard / garage / laneway unit. We feel that the application should specify which type is being applied for and the applicant can then ONLY build that type of unit. The BCA does not support laneway / garage or other forms of detached secondary suites.

**The BCA opposes the current application process in which applications are not specific as to the type of suite.** As noted on all applications,

*The proposed R-C1s district has the ability to accommodate a secondary suite or backyard suite on parcels that already contain a single detached dwelling on a single parcel. The suite may take one of the following two types:*

- *Secondary suite as a permitted use (located within the main residential building and secondary to the main residential use).*
- *Backyard suite as a discretionary use (located in a detached building located behind the front facade of the main residential building and secondary to the main residential use).*



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## Brentwood Community Association

Mailing Address 5107 – 33<sup>rd</sup> St. NW, Calgary, Alberta T2L 1V3

Tel. (403) 284-3477 Fax. (403) 284-3951 [brntwdca@telus.net](mailto:brntwdca@telus.net)

[www.brentwoodcommunity.com](http://www.brentwoodcommunity.com)

*Approval of this land use application does not constitute approval of a specific secondary suite type, but rather it allows for a secondary suite to be considered via the development or building permit process. If the secondary suite is a permitted use and meets all Land Use Bylaw rules, a development permit is no longer required.*

Backyard, laneway or garage suites have significant impact on adjacent properties in terms of massing, shadowing and privacy. A neighbour might not be opposed to an owner-occupied home with a secondary suite in a basement but may be greatly opposed to a new second storey over a garage overlooking his property (especially in an area where most homes are single-storey bungalows).

The current system means that either is possible and in fact, adjacent neighbours do not even know which is planned. It is almost impossible for them to submit accurate comments.

The BCA recommends that the Planning Department should consider separate designations, for example R-C1s (basement), R-C1g (over garage) and R-C1L (laneway). Under the current system, an applicant is given leeway to build any type of suite (although some may be discretionary) and neighbours are at a significant disadvantage.

Thank you for the opportunity to comment on this application.

Melanie Swailes  
on behalf of the  
Development and Transportation Committee  
Brentwood Community Association

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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 simplify 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.

