

**REPORT TO THE SUBDIVISION AND  
DEVELOPMENT APPEAL BOARD**

<b>DATE:</b> June 1, 2023; June 22, 2023	<b>APPEAL NO.:</b> SDAB2023-0023 <b>FILE NO.:</b> DP2023-00720
<b>APPEAL BY:</b> Brentwood Community Association represented by Melanie Swailes	
<b>FROM A DECISION OF THE DEVELOPMENT AUTHORITY where a</b>  <b>New: Secondary Suite (basement)</b>  <b>was approved at <u>4220 Brisebois Drive NW.</u></b>	<b>LAND USE DESIGNATION: R-C1</b>  <b>Discretionary</b>
<b>COMMUNITY OF:</b> Brentwood	<b>DATE OF DECISION:</b> April 17, 2023
<b>APPLICANT:</b> Mark Sze	<b>OWNERS:</b> Kim Ying & Yim Keong Sze

The hearing commenced on June 1, 2023, with consideration of procedural and jurisdictional issues. The Board adjourned the matter to June 22, 2023.

**Notes:**

- Notice has been given of the hearing pursuant to the *Municipal Government Act* and Land Use Bylaw, including notices to parties who may be affected by the appeal. The final determination of whether a party is an “affected person” will be made by the Board if required.
- This Report is provided as a courtesy only. The Board’s record may include additional materials, including notifications to affected parties and correspondence of a procedural or administrative nature. The Board’s record may be viewed at the Appeal Board office at: 4<sup>th</sup> Floor, 1212 31 Avenue NE, Calgary, Alberta during regular office hours.

In accordance with Sections 678 and 686 of the Municipal Government Act and The City of Calgary Bylaw 25P95, as amended, an appeal to the Subdivision and Development Appeal Board must be filed within the legislated time frame and each Notice of Appeal must be accompanied by the legislated fee.

Municipal Address of Site Under Appeal [required]	4220 Brisebois Drive NW
Development Permit/Subdivision Application/File Number [required]	DP2023-00720
Name of Appellant [required]	Brentwood Community Association
Agent Name (if applicable)	
Street Address [required]	Brentwood Community Association, 5107 - 33rd Street NW
hdnFullAddress	Brentwood Community Association, 5107 - 33rd Street NW Calgary AB T2L 1V3
City [required]	Calgary
Province [required]	Alberta
Postal Code [required]	T2L 1V3
Residential Phone # [required]	(403) 284-3477
Business Phone #	(403) 284-3477
Email Address [required]	office@brentwoodcommunity.com

## APPEAL AGAINST

Required field. Check one item only: for multiple appeals you must submit another Notice of Appeal.

Development Permit Approval

<b>Final Date of Appeal</b> <b>2023-May-11</b>	<b>SDAB Number</b> <b>SDAB2023-0023</b>	<b>Fee Paid?</b> 	<b>Hearing Date</b> <b>2023-Jun-01</b>	<b>Date received</b> <b>May 10, 2023</b>
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ISC: Unrestricted

1/3

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May 10, 2023

10:18:44 AM

**SDAB2023-0023**

I do hereby appeal the decision of the Subdivision/Development Authority for the following reasons [required]

The Brentwood Community Association is appealing the approval of DP2023-00720: the application does not comply with the parking requirements for a dwelling with a secondary suite. A report will be sent via email and other factors may be introduced at the Hearing.

In order to assist the Board in scheduling, please answer the following questions to the best of your ability:

Estimated Presentation Time 30 minutes

Will you be using an agent/legal counsel? [required] No

Do you anticipate any preliminary issues with your appeal? (i.e. jurisdiction, parties status as affected persons, adjournment, etc.)? [required] No

If yes, what are the issues?

Do you anticipate bringing any witnesses/experts to your hearing? [required] Yes

If yes, how many will you be bringing? 1

*I confirm and acknowledge that*

- I have read and understood this form;*
- The information I have provided is accurate to the best of my knowledge; and*
- I am responsible for paying the appeal fee and my notice of appeal will not be considered filed until my appeal fee has been received.*

Submission Date 2023-05-10 10:14:57 MST



*This personal information is collected under the authority of the Freedom of Information and Protection of Privacy Act, section 33(c) and the Municipal Government Act, Sections 678 and 686. THIS INFORMATION WILL BE USED FOR PROCESSING YOUR APPEAL AND WILL BECOME PART OF A PUBLIC AGENDA. If you have any questions regarding the collection of this information, contact the Tribunal Coordinator, City Appeal Boards at 403-268-5312 or PO Box 2100, Str "M", #8110, Calgary, AB, T2P 2M5.*

If you require further information regarding appeal deadlines and procedures, please contact the SDAB office at:

Website: [calgary.ca/sdab](https://calgary.ca/sdab)

Phone: (403) 268-5312

Email: [info@calgarysdab.ca](mailto:info@calgarysdab.ca)



**Appeal Board rec'd: May 24, 2023**  
**Submitted by: M. Swailes for Brentwood CA, Appellant**

**From:** [Melanie Swailes](#)  
**To:** [Calgary SDAB Info](#)  
**Cc:** [Brentwood Community Association](#); ["Peter Johnson"](#); [Chu, Sean](#); [CLWARD4 - Andrew Chin](#)  
**Subject:** [External] SDAB2023-0023  
**Date:** Wednesday, May 24, 2023 10:02:24 AM  
**Attachments:** [image.png](#)  
[CA Feedback DP2023-00720 at 4220 Brisebois Dr.pdf](#)  
[SDAB2023-0023 at 4220 Brisebois Drive NW.pdf](#)

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[info@calgarysdab.ca](mailto:info@calgarysdab.ca)

Subdivision and Development Appeal Board  
P.O. Box 2100, Station M  
Calgary AB T2P 2M5

**Appeal #: SDAB2023-0023**

**Application: DP2023-00720**

Application Type: New: Secondary Suite (basement)

Address: 4220 Brisebois Dr NW

Land Use Designation: R-C1

Proposed Development is: Discretionary

Proposed Use: basement suite

Dear Chairperson and Board members,

The Brentwood Community Association (BCA) respectfully submits this response for the Appeal against the approval by the Development Authority of DP2023-00720, a secondary suite at 4220 Brisebois Drive NW.

Attached are 2 documents, the original BCA feedback for the DP, plus the slide deck which will be used during the Hearing.

If there are any problems with either document, please let us know.

Thank you.

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

**BRENTWOOD COMMUNITY ASSOCIATION**

Mailing Address: 5107 – 33<sup>rd</sup> Street NW, Calgary, AB T2L 1V3

Delivery Address: 1520B Northmount Drive NW, Calgary, AB T2L 0G6

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

Phone (403) 284-3477 Fax (403) 284-3951

**SDAB2023-0023**



# Brentwood Community Association

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March 15, 2023

Alicia Devine  
 Planning and Development,  
 City of Calgary  
 alicia.devine@calgary.ca  
 (587) 225-6273

**Application: DP2023-00720**

Application Type: New: Secondary Suite (basement)  
 Address: 4220 Brisebois Dr NW  
 Land Use Designation: R-C1  
 Proposed Development is: Discretionary  
 Proposed Use: basement suite

Dear Ms. Alicia Devine,

The Development and Transportation Committee (DTC) has reviewed this DP and offers the following comments:

**Description:** The Brentwood CA has received an application for a Development Permit (DP) to allow for a secondary suite. The proposed 2-bedroom suite is solely contained in the basement. Kitchen and living areas, and sanitation facilities are also required. A suite amenity space will be provided in the yard. The applicant has indicated that suite parking is provided in the existing single garage, with lane access.

**Comments from affected neighbours:**

The Brentwood Development and Transportation Committee has circulated the nearby neighbours by delivering Neighbour Notifications. We have received comments from affected neighbours indicating support for secondary suites in general, but concerns regarding parking.

Verbatim comments:

*".... we LOVE the idea of improved land use and the availability of further people joining our beautiful neighborhood. Adding capacity is certainly the way to go to provide further housing in a tight market."*

*"However, my concern is the parking with further development. In the description provided by our community association, it clearly states that suite parking is provided in the existing garage. Quite simply - this is not the case as the pictures attached show. We are constantly having issues with access of traffic in the laneway including garbage trucks getting access to bins. The pictures attached show the house making the request for development and clearly show the existing tenants both below and above in this property parking in the laneway everyday. The access to the garage in the rear is not available to the existing tenants. Further development and adding more people will only increase vehicles in the laneway and can block our vehicles from getting out of our garage. In the winter this is further amplified as the laneway is obviously not plowed (due to the gravel surface) and the cars park further away from the house into the laneway."*

*"Will they be providing access to the garage AND creating a car port on the existing land to alleviate this existing issue without simply making things worse?"*



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### Brentwood CA Review:

In reviewing this application, the parking conditions are best viewed on a map. The subject property has an alley in the back, with a single car garage. The DP application indicates that the suite entrance is on the left when facing the home, and this is also the location of another alley directly from Brisebois Drive.

Based on Google map images over the past few years, it appears that there are often vehicles parked close to this suite entrance, which means in the alley.

The image below shows a vehicle parked in the alley: further street view images are attached on the last page, also repeatedly showing vehicle(s) parked in the alley on the side of the property.



### 1. Alley parking must comply with Calgary Parking Bylaws.

**Section 27(1) In alley - within 1.5m,** the bylaw says:

*"No owner or operator of a vehicle shall stop or park or permit the stopping or parking of the vehicle on either side of any alley in front of or within one and one half meters of a driveway or garage entrance entering into the alley."*  
 Purpose

*This section ensures that vehicles have safe access to garages and driveways. Vehicles parked too close to garages and driveways limit visibility and are a safety concern to motorists and pedestrians."*

Since there is a garage directly across from the area of the alley being used for parking, the space on the side of 4220 Brisebois Drive in effect becomes a "No Parking Zone" as per the Parking Bylaw.

As per comments received by the BCA, when vehicles are parked in this section of the alley, they cause conflicts with access of City vehicles picking up garbage or recycling, as well as with vehicles trying to exit / enter the garage across the lane.



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## **2. The application does not comply with the parking requirements for a Secondary Suite as per LUB Section 122 “Standards for Motor Vehicle Parking Stalls”.**

As noted on the application, the only parking is for a single vehicle in the garage accessed from the lane.

As per the City of Calgary, Legalize an Existing Secondary Suite:

<https://www.calgary.ca/PDA/pd/Pages/Home-building-and-renovations/Legalize-an-existing-suite.aspx>

The permit requirements include:

*A parking stall for the tenant(s) on the parcel, in addition to the parking stall(s) required for the property, with the following minimum dimensions:*

*2.5m (8'3") x 5.9m (20') when not abutting a structure (like a house or garage)*

*2.85m (9'5") x 5.9m (20') when abutting a structure on one side*

*3.0m (9'10") x 5.9m (20') when abutting a structure on both sides*

*Street parking does not count toward the requirement, nor tandem parking stalls located directly behind or in front of other required stalls.*

As per LUB1P2007, Section 122

(14) *Motor vehicle parking stalls must not be provided as tandem parking unless otherwise allowed in this Bylaw.*

(15) *Motor vehicle parking stalls for a Backyard Suite, Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Secondary Suite, Semi-detached Dwelling and Single Detached Dwelling must be:*

(a) *hardsurfaced; and*

(b) *located wholly on the subject parcel.*

There is only one parking spot on the subject site (in the garage), but there must be another spot for the occupant of the main dwelling.

The side alley spots which appear to be currently used for parking are not located wholly (or even partially) on the subject parcel. They also cause conflicts with neighbouring property access as well as with City bin pickup vehicles so a relaxation is not supported.

## **3. “Bylaw requirements must take priority over the Policy (Policy to Guide Discretion for Secondary Suites) and does not support the one stall parking relaxation. In addition, these Bylaw parking requirements are mandatory (“must”) directives while the Policy requirements are optional (“could”) requirements.”**

(SDAB2021-0017)

Proximity to transit is not a reason to relax parking, but rather a condition to be met once it had been determined that the parking requirements could not be met. In this case, there are no compelling reasons why the parking requirements cannot be met.

Parking for the Secondary Suite must be wholly located on the subject parcel as per the Bylaw and therefore there cannot be reliance on street parking or alley parking.

## **4. There are no physical barriers that would preclude adding off-street, backyard parking.**

The parcel can easily accommodate one additional parking stall next to the existing garage. Photos show the parcel is wide, the grade is flat and no trees would have to be removed; only removal of some fencing adjacent to the lane would be required.

## **5. Spillover parking negatively impacts neighbouring properties.**

The best way to help mitigate spillover is to provide the required number of on-site parking spaces. The DP remains in effect on the property regardless of ownership or tenant preferences (i.e. vehicle ownership).

Sound planning practices take into account the impact on neighbours and in this case, there is no valid reason to allow the parking relaxation.



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

### **6. Tenants have assurance of safety standards if the suite is on the Registry.**

The Brentwood Development and Transportation Committee members support efforts to ensure that all suites in our area are both safe and compliant with all relevant building codes. Tenant safety and good living conditions are important, and the Registry provides assurances that all safety considerations have been met.

Not all of the applications received by the BCA complete the secondary suite process and appear on the Registry. Please provide the applicant with the information regarding the next steps for this application (i.e. building permits and inspection) as well as the Registry process.

As required by Bylaw 11M2018, a Bylaw of the City of Calgary to Establish a Registry of Secondary Suites and Backyard Suites, we expect that any approved secondary suite will be registered with the Chief Building Inspector in a timely manner.

Provided that the required parking is added as a Condition of Approval for this DP, the BCA does not oppose this basement suite application. Spillover parking from secondary suites is a frequent complaint to the BCA and a relaxation will not be supported.

Thank you for the opportunity to comment on this application.

Sincerely,

Melanie Swailes  
 Peter Johnson  
 On behalf of the Development and Transportation Committee  
 Brentwood Community Association

[alicia.devine@calgary.ca](mailto:alicia.devine@calgary.ca) -- Planning File Manager  
[dp.circ@calgary.ca](mailto:dp.circ@calgary.ca) -- City's document circulation controller  
[office@brentwoodcommunity.com](mailto:office@brentwoodcommunity.com) -- Brentwood Community Association  
[CLWARD4@calgary.ca](mailto:CLWARD4@calgary.ca) – Ward 4 Councillor Sean Chu





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Photos showing vehicles frequently parked in the alley near the side entry of the home.

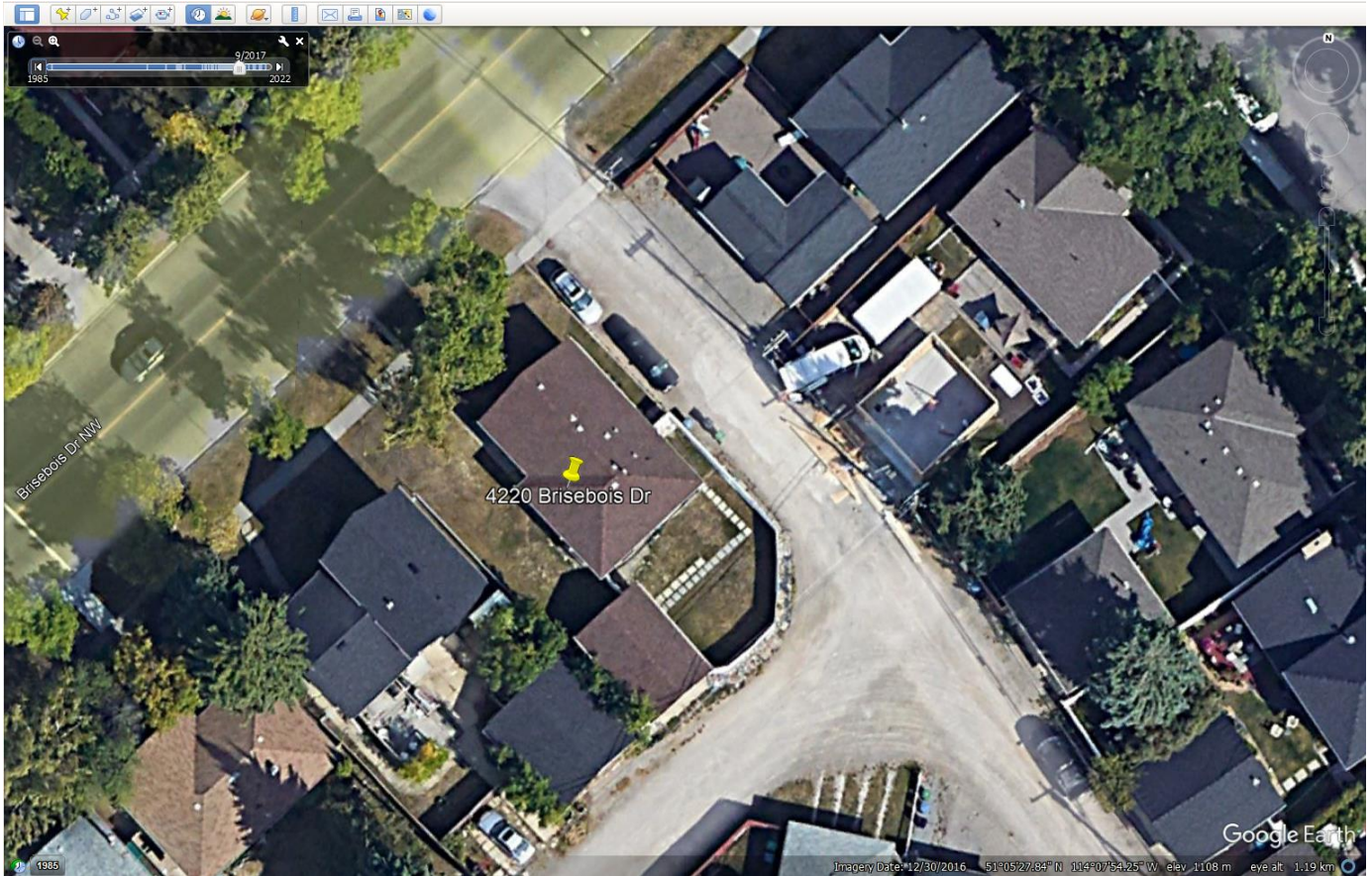






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**SDAB2023-0023**



**SDAB2023-0023**  
**for**  
**DP2023-00720**  
**4220 Brisebois Drive NW**



**Brentwood Community Association**

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June 1, 2023

## Overview

The Brentwood CA received this application for a Development Permit (DP) to allow for a secondary suite. The proposed 2-bedroom suite is to be solely contained in the basement. Kitchen and living areas, and sanitation facilities will be provided, and a suite amenity space will be provided in the yard. The applicant has indicated that suite parking is provided in the existing single garage, with lane access.

In reviewing the application, consideration was given to:

1. the Land Use Bylaw 1P2007
2. the Policy to Guide Discretion for Secondary Suites and Backyard Suites (Policy)
3. the compatibility and impact of the proposed development on adjacent developments and neighbourhood.

Consideration was also given to the site conditions. There are no physical barriers that would preclude adding off-street backyard parking. The parcel can easily accommodate one additional parking stall next to the existing garage. Photos show the parcel is wide, the grade is flat and no trees would have to be removed; only removal of some fencing adjacent to the lane would be required.

The secondary suite and parking by-laws are conditions property owners must meet to have a secondary suite. This property could meet requirements, either through the provision of a different garage or a gravel parking pad in the back yard. If it is possible the property must meet by-law requirements, even if the property owner incurs expense or inconvenience.

## Community Context



Brisebois Drive is the main connector road between Crowchild Trail (bottom left) and Northmount Drive (east to west at top).

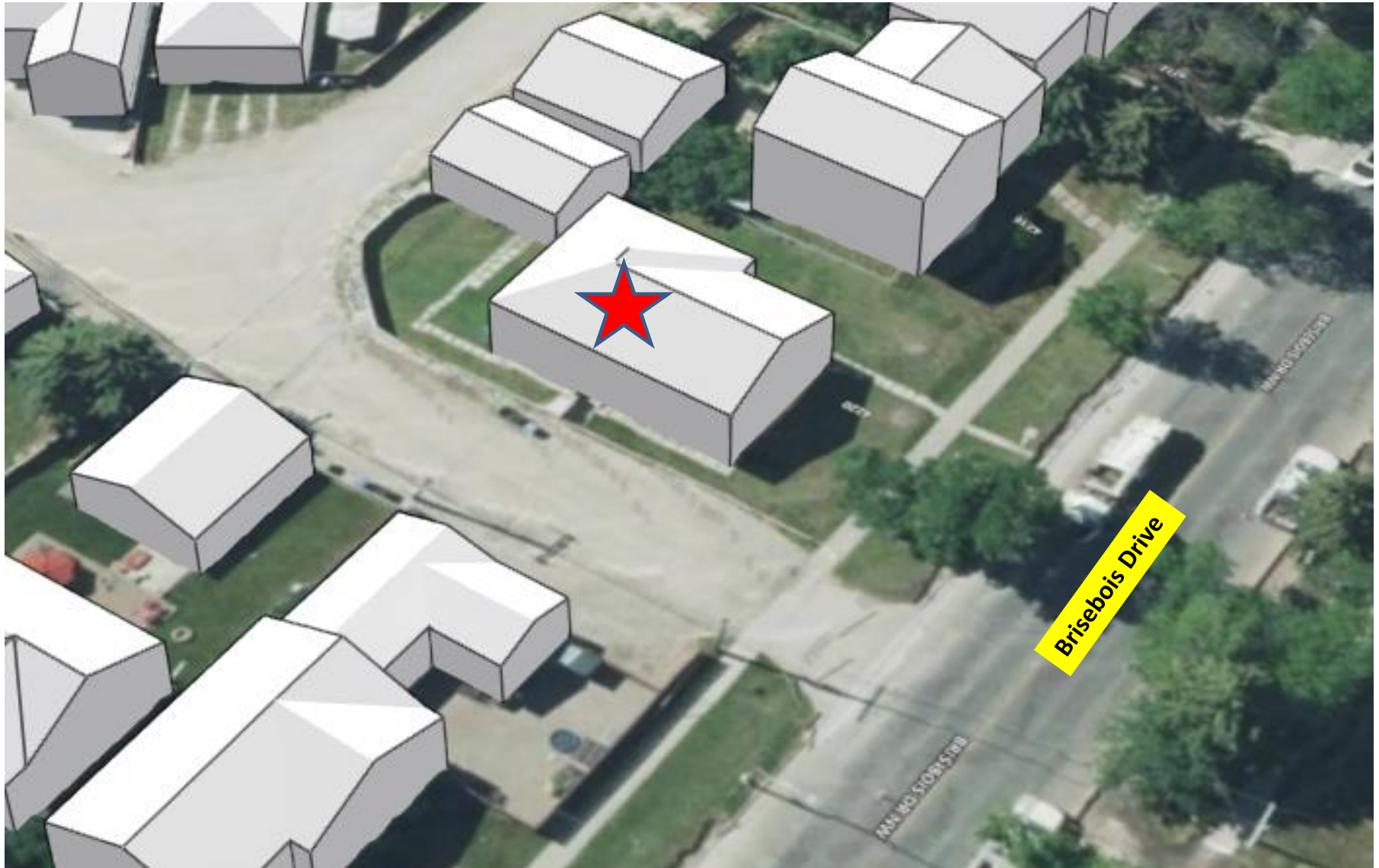
Brisebois Drive accommodates high volumes of traffic in peak times and is a “Snow Route” in winter.

SDAB2023-0023 for DP2023-00720 at 4220 Brisebois Drive NW

**SDAB2023-0023**



## Site Context



SDAB2023-0023 for DP2023-00720 at 4220 Brisebois Drive NW

**SDAB2023-0023**

## Satellite Image



Brisebois Drive is the main connector road between Crowchild Trail (bottom left) and Northmount Drive (east to west at top).

SDAB2023-0023 for DP2023-00720 at 4220 Brisebois Drive NW

**SDAB2023-0023**



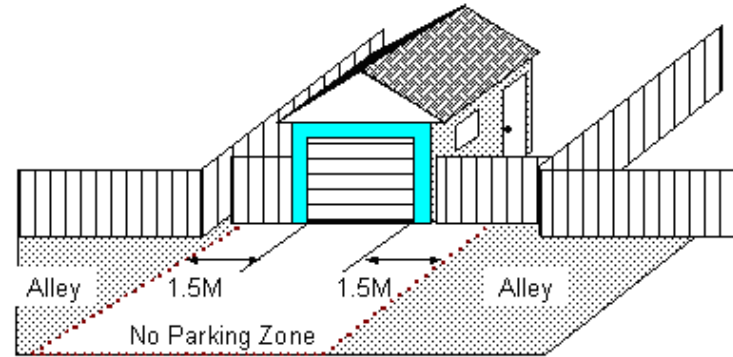
## Street View Photos



SDAB2023-0023 for DP2023-00720 at 4220 Brisebois Drive NW

**SDAB2023-0023**

## Alley Parking



Alley parking must comply with Calgary Parking Bylaws.

Section 27(1) In alley - within 1.5m, the bylaw states:

*"No owner or operator of a vehicle shall stop or park or permit the stopping or parking of the vehicle on either side of any alley in front of or within one and one half meters of a driveway or garage entrance entering into the alley."*

*"Purpose*

*This section ensures that vehicles have safe access to garages and driveways. Vehicles parked too close to garages and driveways limit visibility and are a safety concern to motorists and pedestrians."*

Since there is a garage directly across from the area of the alley being used for parking, the space on the side of 4220 Brisebois Drive in effect becomes a "No Parking Zone" as per the Parking Bylaw.

As per comments received by the BCA, when vehicles are parked in this section of the alley, they cause conflicts with access of City vehicles picking up garbage or recycling, as well as with vehicles trying to exit / enter the garage across the lane.

Alley parking is also a potential impediment to both emergency and utility services accessing the rear of properties (utilities are in the alley above ground in this part of the neighbourhood), which is another reason for not providing a relaxation for alley parking. This may affect emergency and utility services from accessing the rear of properties or utility installations (above ground in this part of Brentwood).

## Parking Requirements and Rationale

The Policy highlights parking and amenity spaces to ensure the proposed developments are respectful of neighbours.

Determining parking requirements considers the following:

1. the Land Use Bylaw 1P2007
2. the Policy to Guide Discretion for Secondary Suites and Backyard Suites (Policy)
3. the compatibility and impact of the proposed development on adjacent developments and neighbourhood.

### **1. The Land Use Bylaw 1P2007**

An R-C1 dwelling has a minimum requirement of one motor vehicle parking stall per dwelling unit, located wholly on the subject parcel. Secondary Suites require their own separate on-site parking stalls: therefore, this development requires two motor vehicle parking stalls.

The existing site has only one parking spot for the main dwelling (in the detached single unit garage) but can accommodate further parking stalls. The parcel can easily accommodate one additional parking stall next to the existing single vehicle garage. The photos show the parcel is wide, the grade is flat and no trees would have to be removed; only removal of some fencing adjacent to the lane would be required. The DP as approved will continue to apply even in the case of a change in ownership: future homeowners and tenants may have different vehicle needs and situations than the current occupants of the parcel.

The side alley spots which appear to be currently used for parking are not located wholly (or even partially) on the subject parcel. They also cause conflicts with neighbouring property access as well as with City bin pickup vehicles.



## Parking Requirements and Rationale

### The Land Use Bylaw 1P2007

The application does not comply with the parking requirements for a Secondary Suite as per LUB Section 122 “Standards for Motor Vehicle Parking Stalls”.

As per the City of Calgary, Legalize an Existing Secondary Suite:

<https://www.calgary.ca/PDA/pd/Pages/Home-building-and-renovations/Legalize-an-existing-suite.aspx>

The permit requirements include:

*A parking stall for the tenant(s) on the parcel, in addition to the parking stall(s) required for the property, with the following minimum dimensions:*

*2.5m (8'3") x 5.9m (20') when not abutting a structure (like a house or garage)*

*2.85m (9'5") x 5.9m (20') when abutting a structure on one side*

*3.0m (9'10") x 5.9m (20') when abutting a structure on both sides*

*Street parking does not count toward the requirement, nor tandem parking stalls located directly behind or in front of other required stalls.*

As per LUB1P2007, Section 122

(14) *Motor vehicle parking stalls must not be provided as tandem parking unless otherwise allowed in this Bylaw.*

(15) *Motor vehicle parking stalls for a Backyard Suite, Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Secondary Suite, Semi-detached Dwelling and Single Detached Dwelling must be:*

(a) *hardsurfaced; and*

(b) *located wholly on the subject parcel.*

## Policy to Guide Discretion for Secondary Suites

### 2. The Policy to Guide Discretion for Secondary Suites and Backyard Suites

#### *Relaxation Considerations for Parking*

*a. The Development Authority may consider a parking relaxation for a secondary suite or backyard suite based on the proximity of the suite to the Centre City and to frequent transit service. The Development Authority may consider relaxing the minimum parking requires for a secondary suite or backyard suite where the suite is located:*

*ii. in Area 2 of the Parking Areas Map and within:*

*A. 600 metres of a capital funded Light Rail Transit platform;*

*B. 400 metres of a Bus Rapid Transit stop; or*

*C. 400 metres of a bus service which generally has frequency of at least one bus every 20 minutes on weekdays from 6:30 AM to 6:00 PM and a frequency of at least one bus every 30 minutes on weekday evenings from 6:00 PM to the end of service and on weekends during times of service.*

*b. The Development Authority should consider natural and human-made barriers (e.g. waterbodies, landforms, skeletal and arterial roads) to accessing frequent transit service when considering a parking a relaxation for a Secondary Suite or Backyard Suite*

## Parking Requirements and Rationale

### 2. The Policy to Guide Discretion for Secondary Suites and Backyard Suites

The Policy outlines criteria when considering parking stall relaxations.

The Development Authority may consider a parking relaxation for a Secondary Suite if the development parcel is located in Area 1 of the Parking Areas Map. This site is not located in Area 1; it is Area 2.

For Area 2, the LUB requires that the parcel which contains the Secondary Suites must be located within 600.0 metres of an existing or approved capital funded LRT platform. Both the University LRT stations and the Brentwood LRT station are not within 600.0 metres of the proposed development.

The Policy includes specific criteria about the proximity to a frequent transit service.

The parcel is not within the Policy stipulated distance of an LRT platform, Bus Rapid Transit Stop, or frequent bus service.

The parcel does not meet the definitions of frequent transit service: it doesn't meet the 20-minute frequency during daytime hours required under the Policy. It is likely the tenant(s) will need a vehicle for day-to-day activities. These shortcomings will likely create the situation where at least some of the residents of the Secondary Suites will possess motor vehicles.

## Parking Areas Maps

The subject parcel is in the Low-Density Residential area, Map 2: Land Use Policy in the ARP 2.1.3.2.

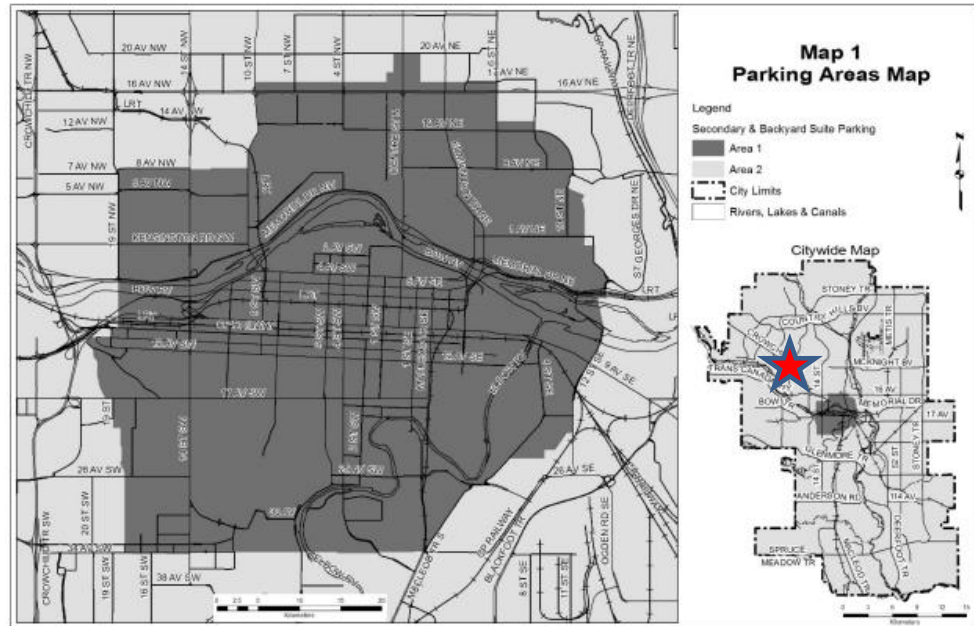
# Calgary Residential Parking Zones Map

<https://maps.calgary.ca>

This map shows communities which have residential parking zones established to help communities control the number of non-resident vehicles parked there.



### Map 1: Parking Areas Map



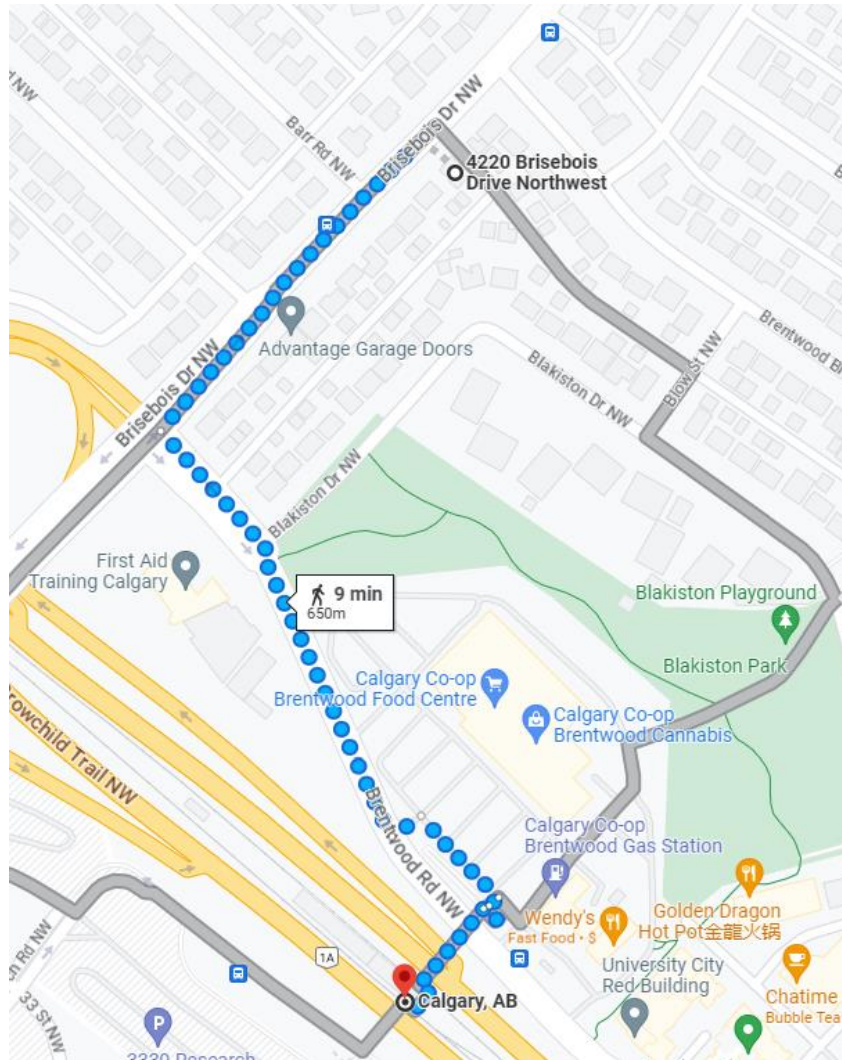
SDAB2023-0023 for DP2023-00720 at 4220 Brisebois Drive NW

SDAB2023-0023

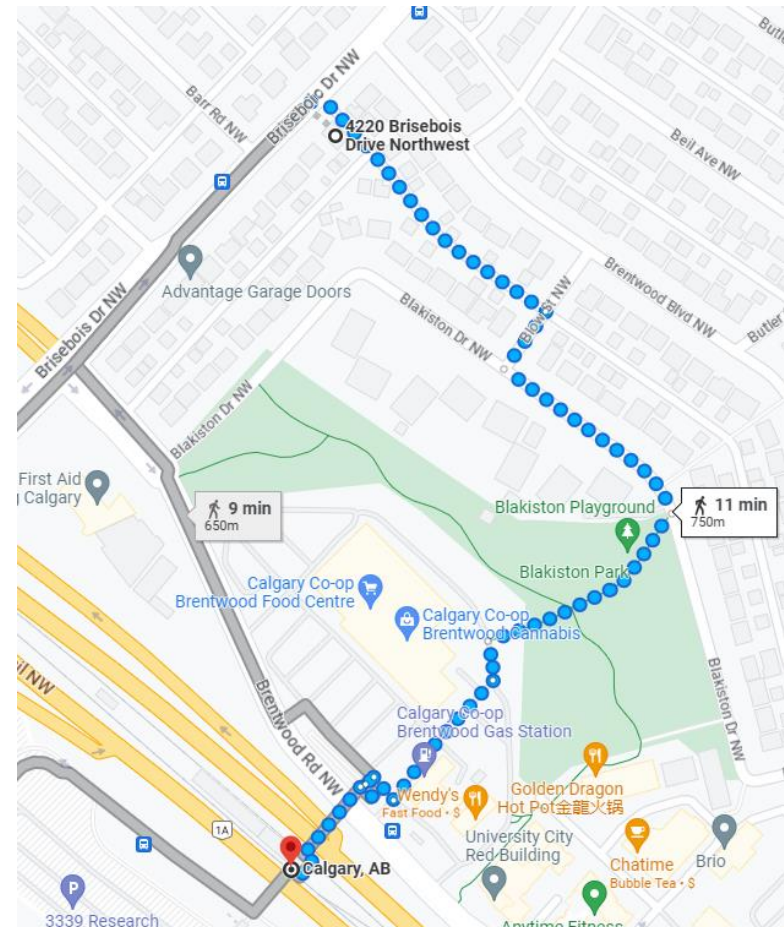


## Transit Station

The shortest route to walk to the Brentwood LRT station is 650m.



The alternate quieter (less traffic) route is 750m.

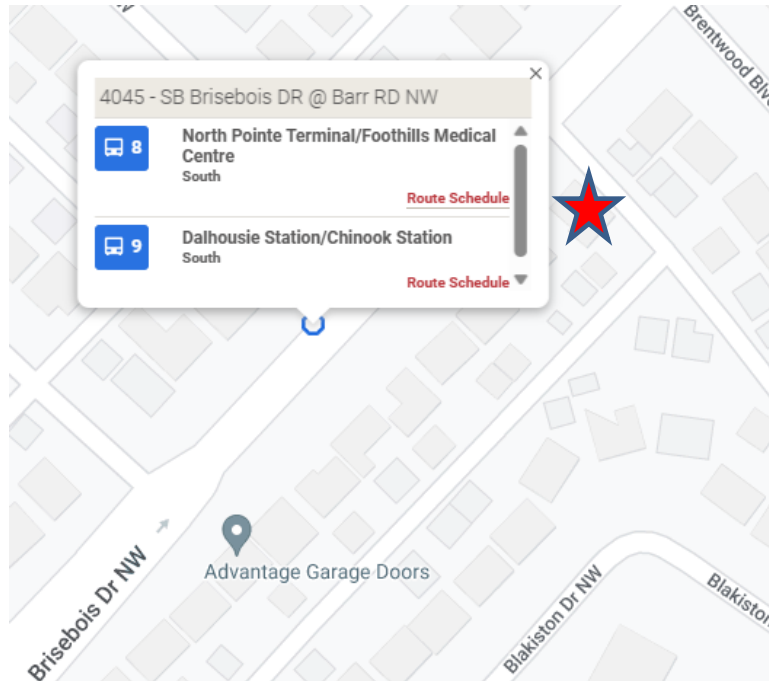


SDAB2023-0023 for DP2023-00720 at 4220 Brisebois Drive NW

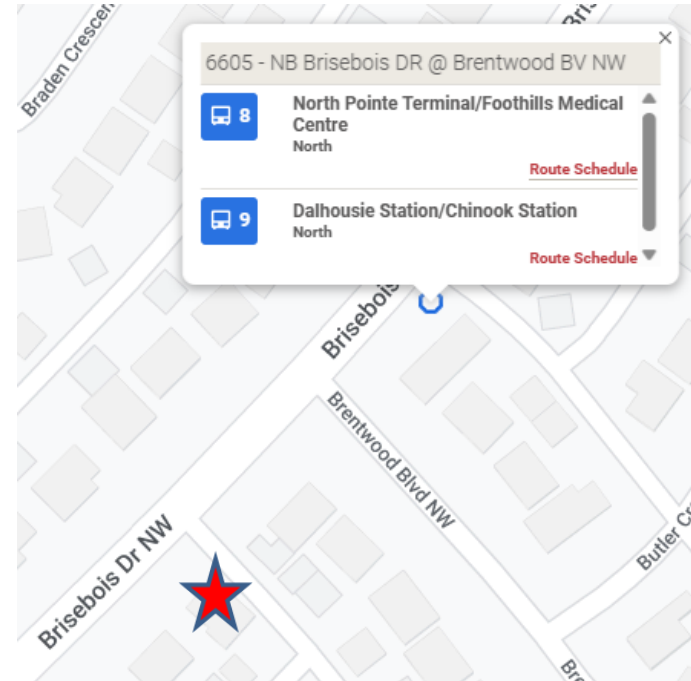
## Transit routes

<https://hastinfo.calgarytransit.com/HastinfoMVCWeb/>

### Southbound Transit



### Northbound Transit



Southbound Transit – every 25 minutes in peak hours, every 35 minutes evenings

4045 - SB Brisebois DR @ Barr RD NW	07:55 AM	08:20 AM	08:45 AM	09:10 AM	09:35 AM	10:00 AM	10:25 AM	10:50 AM
4045 - SB Brisebois DR @ Barr RD NW	05:55 PM	06:20 PM	06:45 PM	07:10 PM	07:35 PM	08:05 PM	08:40 PM	09:15 PM
4045 - SB Brisebois DR @ Barr RD NW	08:05 PM	08:40 PM	09:15 PM	09:50 PM	10:25 PM	11:00 PM	11:35 PM	12:10 AM

Northbound Transit – every 25 minutes in peak hours, every 31 minutes evenings

6605 - NB Brisebois DR @ Brentwood BV NW	07:17 AM	07:42 AM	08:07 AM	08:32 AM	08:57 AM	09:22 AM	09:47 AM	10:12 AM
6605 - NB Brisebois DR @ Brentwood BV NW	05:28 PM	05:59 PM	06:30 PM	07:01 PM	07:32 PM	08:03 PM	08:34 PM	09:05 PM
6605 - NB Brisebois DR @ Brentwood BV NW	08:34 PM	09:05 PM	09:36 PM	10:07 PM	10:38 PM	11:09 PM	11:40 PM	12:06 AM

SDAB2023-0023 for DP2023-00720 at 4220 Brisebois Drive NW

**SDAB2023-0023**

## Parking Requirements and Rationale

### **3. The compatibility and impact of the proposed development on adjacent developments and neighbourhood**

The purpose of requiring parking stalls for Secondary Suites is that the proposed development will provide on-site parking so it will not have a negative effect on the neighbourhood.

The subject site could easily accommodate the required Secondary Suite parking on the parcel: the existing single garage could be enlarged or at least expense, a parking pad could be constructed directly next to the existing garage. Therefore, it is the current condition of the property and not the intrinsic nature of the property that prevents the provision of an onsite parking for the secondary suite. The requirements of the by-law can be met without undue difficulty.

The relaxation for the on-site parking stall for the Secondary Suite does not meet the test for relaxation under Section 687(3)(d) of the MGA.

Allowing the relaxation for the required on-site parking stall for the Secondary Suite would force tenants to park on the street or the alley unduly interfering with the amenities (streets) of the neighbourhood and materially interfering with and affecting the use, value or enjoyment of neighbouring parcels of land; thereby, not meeting the test for relaxation under Section 31 of the Bylaw.

## Parking Requirements and Rationale

LUB, Section 35

*When making a decision on a development permit for a discretionary use the Development Authority must take into account:*

- a) any plans and policies affecting the parcel;*
- b) the purpose statements in the applicable land use district;*
- c) the appropriateness of the location and parcel for the proposed development;*
- d) the compatibility and impact of the proposed development with respect to adjacent development and the neighbourhood;*
- e) the merits of the proposed development;*
- f) the servicing requirements;*
- g) access and transportation requirements;*
- h) vehicle and pedestrian circulation within the parcel;*
- i) the impact on the public transit system; and*
- j) sound planning principles.*

Subsection 35(d) of the Bylaw centres on the compatibility and impact of the development with respect to adjacent development and the neighbourhood. This includes the merits of the development and sound planning principles, among other things, must be taken into account.

While there are significant transit options near the proposed development, the Bylaw requirements must take priority over the Policy and does not support the one stall parking relaxation. In addition, these Bylaw parking requirements are mandatory ('must') directives while the Policy requirements are optional ('could') requirements.



## Summary

The proximity of transit is not a reason to relax parking, but rather a condition to be met once it has been determined that the parking requirement cannot be met. It is not the presence of the relaxations that should be driving the process, but rather the ability to meet the requirement.

Occasionally, there may be a rare circumstance that renders the addition of a parking stall physically impossible. Perhaps it is difficult due to excavation of large amounts of dirt in an uneven lot. Perhaps it requires the removal and rebuilding of a retaining wall. Perhaps the lot is an inverted pie shape, and a narrow lane access cannot accommodate the parking stall. Perhaps it is a safety issue, as exiting the parking stall onto a busy street from a front driveway. Other considerations could be tree removal, or the benefit of retention.

Should the addition of a parking stall be deemed difficult, physically or for some other reason, then an alternative solution could be explored. There has to be a reason to look beyond the requirement.

Only if the situation warrants it, and only if all other conditions of the Guide are met, a relaxation may be considered. That is not the case here.

Appeal Board rec'd: May 24, 2023  
Submitted by: Development Authority



The City of Calgary  
Planning & Development Services

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# Development Authority Appeal Response

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**Appeal Number:** SDAB2023-0023

**Development Permit Number:** DP2023-00720

**Address:** 4220 BRISEBOIS DR NW

**Description:** New: Secondary Suite (basement)

**Land Use:** Residential - Contextual One Dwelling (R-C1)

**Community:** Brentwood

**Identified Appeal Body:**  
Subdivision and Development Appeal Board (SDAB)

**Development Authority Attendance:** No

**SDAB2023-0023**

**Use:** Discretionary

**Notice Posted:** Completed as per Bylaw

**Public Response(s) Received?** Yes, responses included in the Board Report

**Applicable Planning Policies:**

- Municipal Development Plan
- Policy to Guide Discretion for Secondary Suites and Backyard Suites

**Bylaw Relaxations:**

The development requires the following Land Use Bylaw relaxations:

Regulation	Standard	Provided
<b>295 Secondary Suite</b>	(c) requires a minimum of 1.0 motor vehicle parking stall.	Plans indicate 0 (-1) secondary suite parking stalls.

**Additional Factors, Considerations, and/or Rationale:**

1. The Development Authority accepts Secondary Suite applications in different forms
  - a. For new developments, applicants must submit architectural drawings and those drawings are used to determine compliance with the Land Use Bylaw.
  - b. For existing developments, applicants may either submit drawings or complete an existing secondary suite information form.
    - i. The applicant opted to complete the information form.
    - ii. For a suite to be considered existing, the following components must have been in place prior to March 12, 2018:
      - Bathroom, cooking facilities, and an entrance without passing through the main dwelling
2. The application proposes to approve an existing Secondary Suite within the basement of an existing Single Detached Dwelling.
  - a. Secondary Suite is a discretionary use in the R-C1 District.
  - b. The Development Authority applied sections 35 and 36 of the Land Use Bylaw in making their decision.
3. The site is a corner parcel with lane access. The parcel is 499.8 m<sup>2</sup> and has a parcel width of 16.75 metres and a parcel length of 30.48 metres. The parcel has a Single Detached Dwelling and an Accessory Residential Building (garage). The parking for the house is in the rear detached garage.
4. Two motor vehicle parking stalls are required: one for the main residence and one for the secondary suite.
5. The Policy to Guide Discretion for Secondary Suites and Backyard Suites outlines criteria when considering parking relaxations. It includes specific criteria about the proximity to frequent transit services; within 600 metres of an LRT station or 400 metres of a bus rapid transit stop or a frequent bus service.
  - a. Frequent bus service is at least one bus every 20 minutes on weekdays from 6:30 AM to 6:00 PM and at least one bus every 30 minutes on weekday evenings.

- b. The secondary suite is within the policy-stipulated distance of an LRT platform (Brentwood) and a frequent bus service (routes 8 and 9)

Considerations for Parking											
a. The Development Authority may consider a parking relaxation for a Secondary Suite or Backyard Suite based on the proximity of the suite to the Centre City and to frequent transit service. The Development Authority may consider relaxing the minimum parking requirements for a Secondary Suite or Backyard Suite where the suite is located:	i. in Area 1 of the Parking Areas Map		Not applicable.								
	ii. in Area 2 of the Parking Areas Map and within:	A. 600 metres of a capital funded Light Rail Transit platform;	BRENTWOOD LRT STATION								
		B. 400 metres of a Bus Rapid Transit stop; or	N/A								
		C. 400 metres of a bus service which generally has frequency of at least one bus every 20 minutes on weekdays from 6:30 AM to 6:00 PM and a frequency of at least one bus every 30 minutes on weekday evenings from 6:00 PM to the end of service and on weekends during times of service.	Route #	Route Name	AM Peak	Mid Day	PM Peak	Evening	Sat. Day	Sat. Eve.	Sun.
			8	North Pointe/ Foothills Medical Centre	21	21	21	21/ 33	25	35	25
			9	Dalhousie Chinook	10/ 20	20	10 20	20 30	31	31	31
	82		Nolan Hill	15/ 30	30	30	30	/	/	/	
105	Dalhousie Lions Park	30	30	30	30	40	40	40			

6. The proposed development complies with the following Land Use Bylaw rules:
  - a. 351 (2.1) No maximum floor area for a secondary suite wholly located in a basement.
    - i. The proposed secondary suite is wholly located in the basement of the existing house.
  - b. 351 (4) A secondary suite must have a private amenity space located outdoors and has a minimum area of 7.5 m<sup>2</sup>.
    - i. A rear yard outdoor amenity space is provided for the secondary suite.
7. The development uses existing services.
8. Access is provided via an existing rear lane.
9. Secondary Suites increase the diversity and affordability of housing in neighbourhoods. Because suites cannot be sold separately from the primary house, they supply rental housing that contributes to a mix of tenures. By promoting suites that are designed to fit within existing neighbourhoods the Secondary Suite policy and Land Use Bylaw support the implementation of Municipal Development Plan policies by:
  - a. Facilitating moderate intensification in a form and nature that respects the scale and character of the neighbourhood. (Policy 3.5.1a)
  - b. Increasing housing diversity and choice providing for a wider range of housing types, tenures (rental and ownership) and densities to create diverse neighbourhoods with a range of housing choices to meet affordability, accessibility, life cycle and lifestyle needs of different groups (Policy 2.3.1.a)

- c. Promoting methods to efficiently use or adapt existing housing stock to enable changing households to remain in the same home or neighbourhood for many years (Policy 2.3.1.d)
  - d. Creating affordable housing through rental accommodation that is affordable to low and moderate income households. (Policy 2.3.1.f. vi)
10. Upon careful consideration of the rules, policy, context, sound planning principles and provisions of section 35, the Development Authority approved the development.
11. The Development Authority may submit additional materials prior to the merits meeting.

## Policy to Guide Discretion for Secondary Suites and Backyard Suites

Adopted by Council resolution March 12, 2018  
 Amended by PUD2018-1323 January 14, 2019  
 Amended by PUD2019-1203 November 18, 2019

### A. Planning Objectives

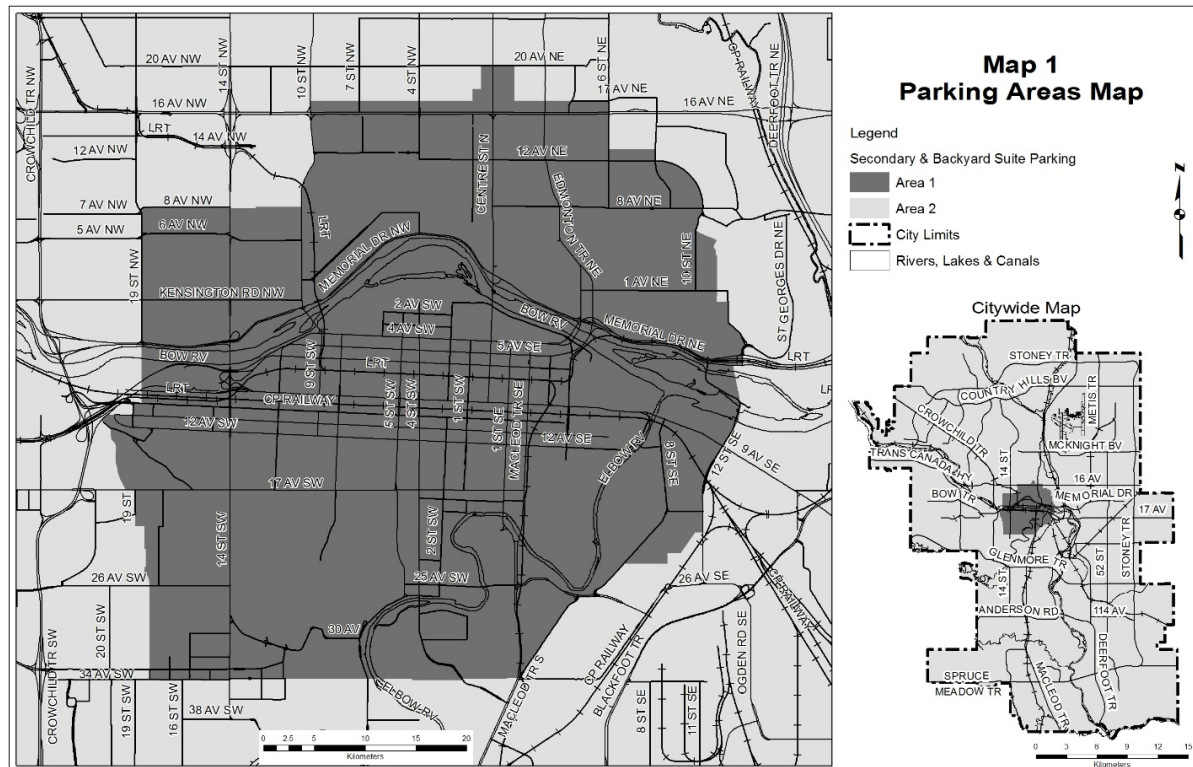
1. To provide guidance to the Development Authority in the use of discretion when evaluating suites.
2. To ensure opportunities for suites are balanced with the potential impacts they may have on communities.
3. To manage privacy issues related to Backyard Suites.

### B. Planning Principles for Secondary Suites and Backyard Suites

1. Parking
  - a. Unless otherwise referenced in Policy B.2, the required motor vehicle parking stall for a suite shall be provided on the parcel.
  - b. The required motor vehicle parking stall(s) for the primary Dwelling Unit shall not be considered as providing the required motor vehicle parking for a suite.
  - c. Required motor vehicle parking stalls for a suite are intended for the exclusive use of the suite and:
    - i. Should be accessed from a lane where a rear or side lane provides access to the parcel;
    - ii. Should be accessed from an existing front driveway where no rear or side lane provides access to the parcel;
    - iii. Where both a lane and front driveway exist, parking for the suite should be located in a convenient, accessible location with preference being from the lane, where possible;
    - iv. When accessed from a street, parking should be located such that the loss of on-street parking is minimized;
    - v. Should have unobstructed access to and from the adjacent street for vehicles using that motor vehicle stall;
    - vi. Shall not obstruct access to and from the adjacent street for vehicles using any other parking stall on the parcel.
  - d. The Development Authority may consider relaxing the parcel width requirements of the District when it is demonstrated the required motor vehicle parking stall is provided.
  - e. The Development Authority may consider relaxing the allowable maximum driveway width to accommodate a motor vehicle parking stall.
  - f. The Development Authority may consider relaxing the maximum parcel coverage in the District when the required motor vehicle parking stall is not provided in a private garage. Unless located on an existing driveway the stall should not be paved and should be on a permeable surface.

- a. The Development Authority may consider a parking relaxation for a Secondary Suite or Backyard Suite based on the proximity of the suite to the Centre City and to frequent transit service. The Development Authority may consider relaxing the minimum parking requirements for a Secondary Suite or Backyard Suite where the suite is located:
  - i. in Area 1 of the Parking Areas Map
  - ii. in Area 2 of the Parking Areas Map and within:
    - A. 600 metres of a capital funded Light Rail Transit platform;
    - B. 400 metres of a Bus Rapid Transit stop; or
    - C. 400 metres of a bus service which generally has frequency of at least one bus every 20 minutes on weekdays from 6:30 AM to 6:00 PM and a frequency of at least one bus every 30 minutes on weekday evenings from 6:00 PM to the end of service and on weekends during times of service.
- b. The Development Authority should consider natural and human-made barriers (e.g. waterbodies, landforms, skeletal and arterial roads) to accessing frequent transit service when considering a parking a relaxation for a Secondary Suite or Backyard Suite.

## Map 1 Parking Areas Map



3. Amenity Space
  - a. The required amenity space for a suite should be provided on the parcel.
  - b. The design and orientation of a suite should ensure direct access with the required private amenity space.
4. Compatibility with other uses
  - a. The Development Authority may consider the compatibility of a proposed suite with other existing approved uses on the parcel. Should the parcel contain uses such as Home Occupations or Home Based Child Care Services, consideration should be given to the cumulative impacts when evaluating the appropriateness of a suite.
5. Cul-de-sacs
  - a. Parcels located on end bulbs of cul-de-sacs where no lane exists may present specific challenges in terms of on-street and off-street parking. The Development Authority shall consider the compatibility of a proposed suite when located on the bulb of a cul-de-sac. Consideration should be given to the cumulative impacts when evaluating the appropriateness of a suite in these locations.
6. Flood Hazard Areas
  - a. Secondary Suites are encouraged to be above grade when located in the Flood Fringe. Should the suite be located below grade, it must comply with the flood mitigation rules of the Land Use Bylaw.
7. Heritage
  - a. When a parcel is listed on the City Inventory of Evaluated Historic Resources, the Development Authority may consider relaxations to the required motor vehicle parking stalls (including the ability to accommodate the required parking off-site) in order to accommodate a Secondary Suite or Backyard Suite while retaining the existing building on the parcel.

### C. Additional Policies for Backyard Suites

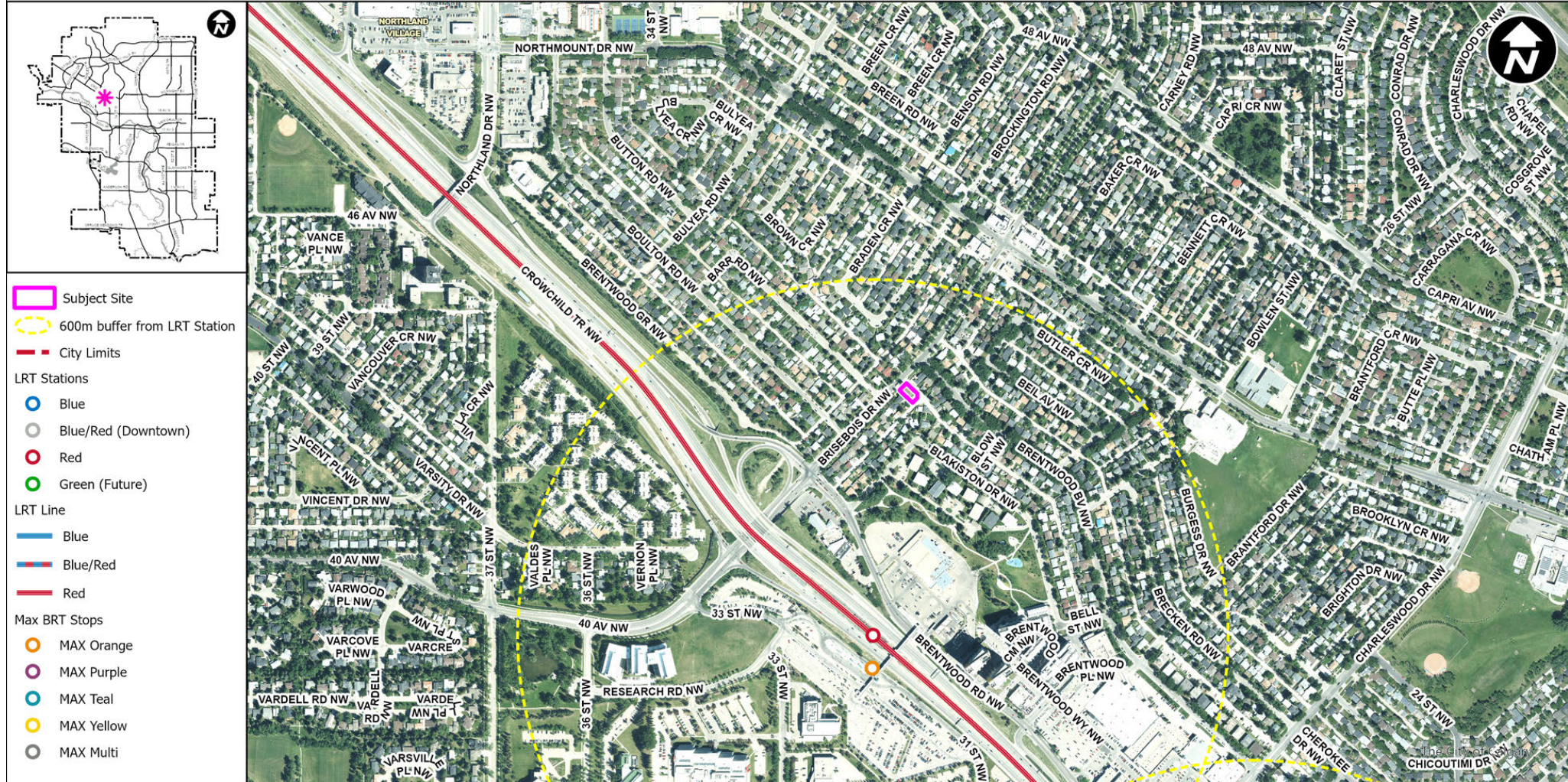
1. In addition to the previous policies, a Backyard Suite is subject to the following additional policies:
  - a. The maximum floor area for a Backyard Suite should not be considered as part of the maximum floor area for an Accessory Residential Building when located on the main floor of the building.
  - b. A balcony for a Backyard Suite is not considered a balcony for an Accessory Residential Building.
  - c. Balconies should orient towards the lane, or street if on a corner parcel.
  - d. Where a balcony would result in overlooking on an adjacent parcel, the proposed amenity space shall be relocated to the front or side of the Backyard Suite in the form of a deck or patio.



- e. Window placement should allow light penetration into the suite while respecting the privacy of adjacent parcels. Off-setting, frosting, and placing windows to face the lane or street should be considered.
- f. Screening should be considered to mitigate privacy concerns with adjacent parcels. Screening may be achieved using landscaping, tree plantings or constructed screens.
- g. The building mass of a Backyard Suite should be moderated with respect to neighbouring properties using architectural elements such as stepped or sloped rooflines and articulated façades.
- h. Relaxation of the maximum building height may be supported to accommodate the peak portions of a sloped roof where the sloped roof reduces the scale and mass of the Backyard Suite.

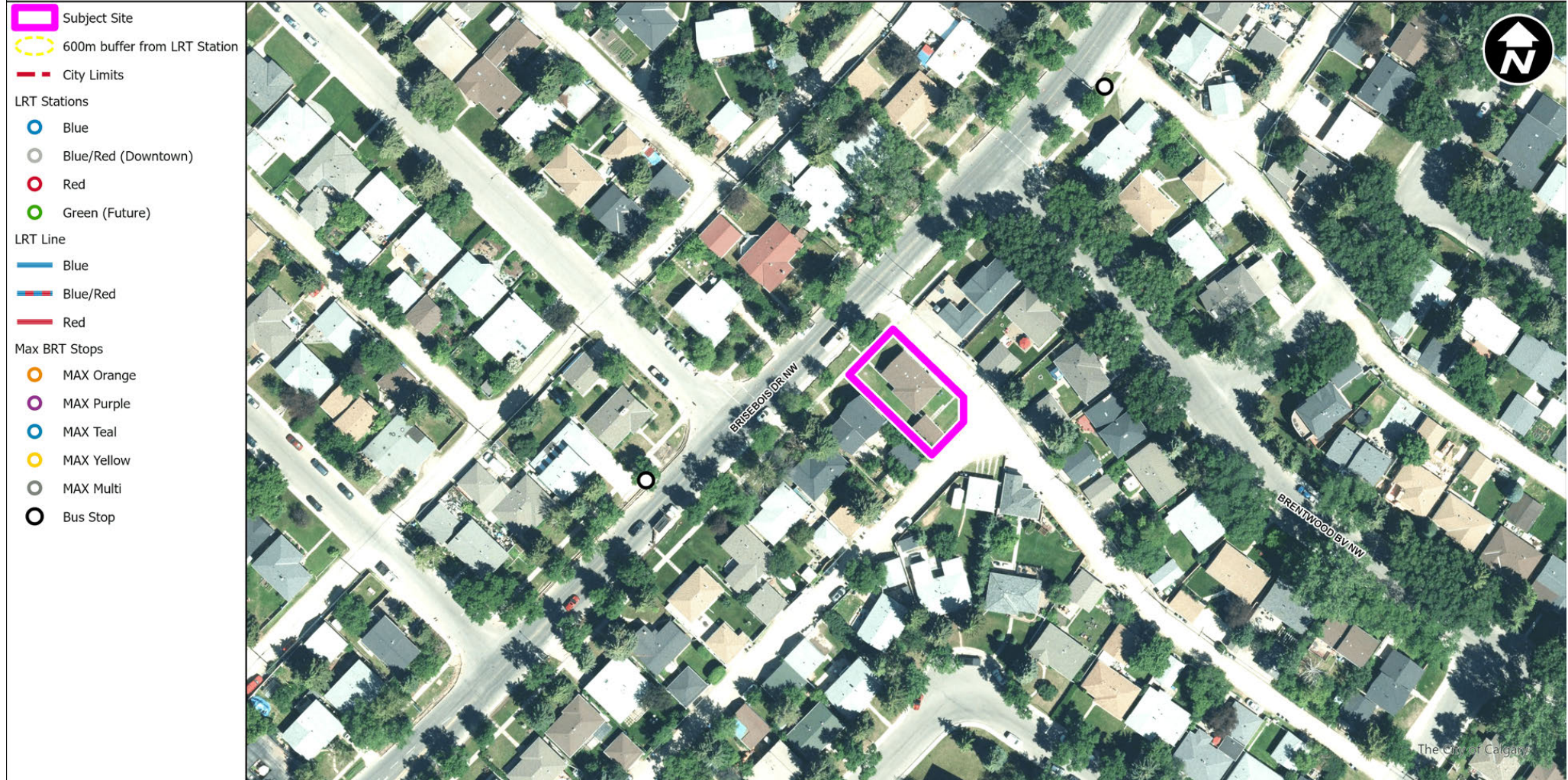


## Community Context SDAB2023-0023



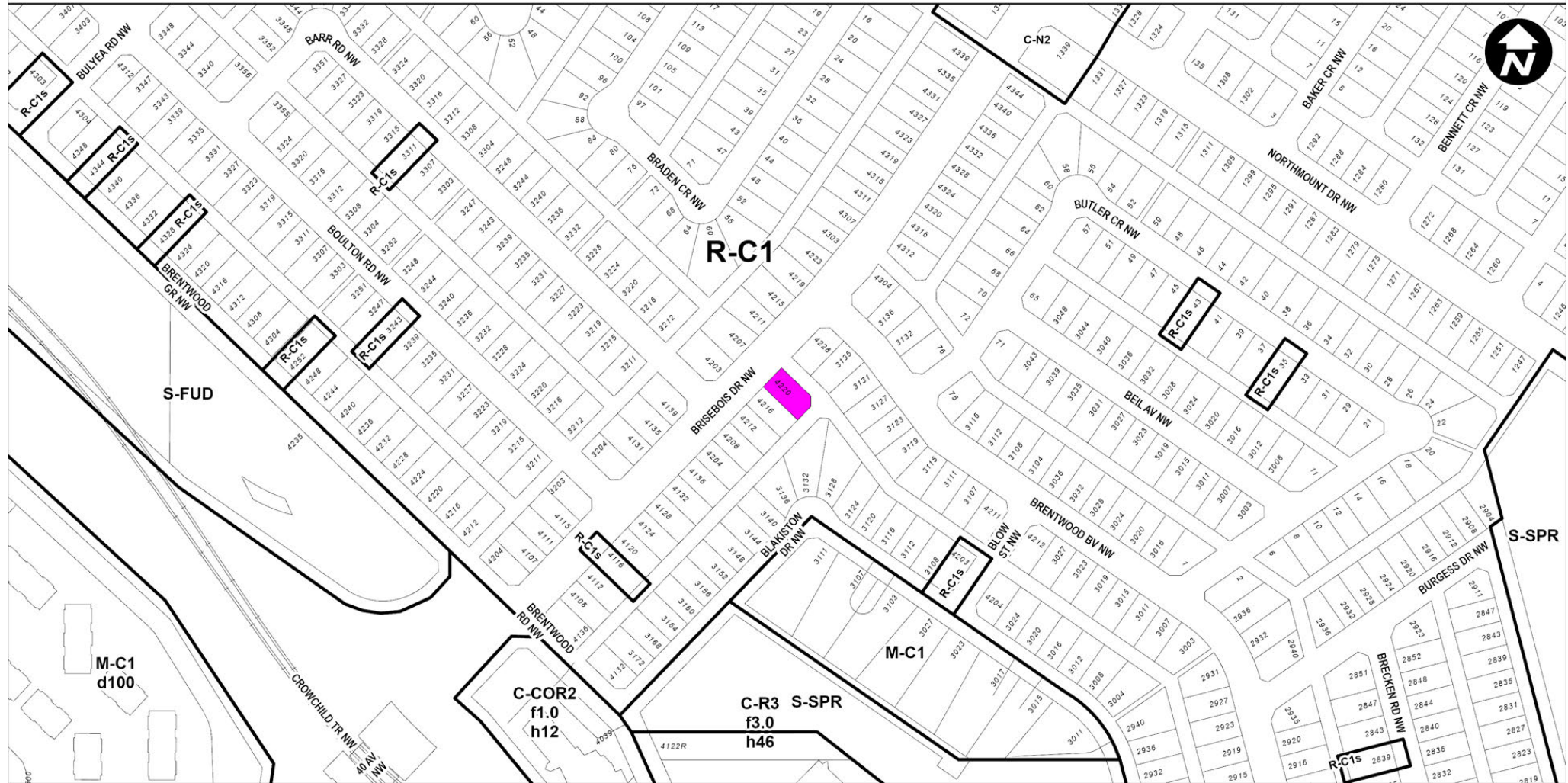


## Site Context SDAB2023-0023





## Land Use Districts SDAB2023-0023









April 18, 2023

Size, Mark



Dear Applicant:

**RE: Notification of Decision: DP2023-00720**

**Subject: New: Secondary Suite (basement)**

**Project:**

**Address: 4220 BRISEBOIS DR NW**

This is your notification of decision by the Development Authority to approve the above noted application on April 17, 2023.

Read all of the Permanent Conditions of approval carefully as they form part of the approval decision. Advisory Comments, if applicable, are also attached and are intended to be of assistance in obtaining additional permits and supplementary information for the successful completion of your development.

Development approved by this permit must commence by April 17, 2025 or the development permit shall cease to be valid.

The decision will be advertised beginning April 20, 2023 at [www.calgary.ca/publicnotices](http://www.calgary.ca/publicnotices), which is the start of the mandatory 21-day appeal period. This appeal period will conclude at midnight May 11, 2023. Release of the permit will occur within 2-4 business days following the conclusion of the appeal period and upon receipt of all Prior to Release requirements.

If you wish to appeal, submit your appeal with reasons and the \$200.00 filing fee to the Subdivision and Development Appeal Board within 21 days of this notice of decision being given. The appeal may be filed online at [www.calgarysdab.ca](http://www.calgarysdab.ca) or in person or by mail.

Please note that this letter is to advise you of the conditions of approval, the mandatory advertising appeal period and the timeframe in which you may appeal this decision. If no appeals have been filed during the appeal period, your Development Permit will be released. Should you require clarification of the above or further information, please contact me at 587-225-6273 or by email at [alicia.devine@calgary.ca](mailto:alicia.devine@calgary.ca) and assist me by quoting the Development Permit number.

Sincerely,

Alicia Devine  
Senior Planning Technician  
Planning and Development  
Attachment(s)







**DEVELOPMENT PERMIT  
LAND USE BYLAW NO 1P2007**

**DP2023-00720**

This permit relates to land in the City of Calgary municipally described as:

**4220 BRISEBOIS DR NW**

Community: **Brentwood**

L.U.D.: **R-C1**

and legally described as:

**6JK;14;30**

and permits the land to be used for the following development:

**New: Secondary Suite (basement)**

The present owner and any subsequent owner of the above described land must comply with any attached conditions.

The development has been approved subject to any attached conditions and to full compliance with the approved plans bearing the stamp of approval and the above development permit number.

Decision By: **Development Authority**

Date of Decision: **April 17, 2023**

Development Authority: **Maurie Loewen**

File Manager: **Alicia Devine**

Release Date: \_\_\_\_\_

**This permit will not be valid if development has not commenced by: April 17, 2025**

This Development Permit was advertised on: **April 20, 2023**

**This is NOT a Building Permit**

In addition to your Development Permit, a Building Permit may be required, prior to any work commencing. further information, you should contact the City of Calgary, Planning, Development & Assessment - Building Regulations Division.

**WARNING**

**This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.**

Applicant: **Sze, Mark**

Address:

City: , ,

Phone: [REDACTED]



**DEVELOPMENT PERMIT  
LAND USE BYLAW NO 1P2007**

**DP2023-00720**

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**Complete Address and Legal Description listing for Development Permit DP2023-00720**

<b>Address Type</b>	<b>Address</b>	<b>Legal Description</b>
Building	4220 BRISEBOIS DR NW	
Parcel	4220 BRISEBOIS DR NW	<b>6JK;14;30</b>



## Conditions of Approval – Development Permit

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<b>Application Number:</b>	<b>DP2023-00720</b>
<b>Application Description:</b>	New: Secondary Suite (basement)
<b>Land Use District:</b>	Residential - Contextual One Dwelling
<b>Use Type:</b>	Discretionary
<b>Site Address:</b>	4220 BRISEBOIS DR NW
<b>Community:</b>	BRENTWOOD
<b>Applicant:</b>	[REDACTED]
<b>Planning:</b>	ALICIA DEVINE 587-225-6273 alicia.devine@calgary.ca

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## Permanent Conditions

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The following permanent conditions shall apply:

### Planning

1. A development completion permit must be issued for the development before the use is commenced or the development occupied. A development completion permit is independent from the requirements of City of Calgary Building Regulations inspections and permission for occupancy. Call Development Inspection Services at 403-268-5311 to request a site inspection for a development completion permit.
2. This approves one (1) Secondary Suite within the existing Single Detached Dwelling located on the parcel. The development shall be completed in its entirety, in accordance with the conditions.
3. (1) Unless outlined in condition (2) below, the development must meet all the applicable rules of the Land Use Bylaw as of the date of decision, including but not limited to:
  - a) There must be only one (1) Secondary Suite associated with the Dwelling Unit
  - b) There must not be a Backyard Suite located on the parcel
  - c) A private outdoor amenity space must be provided for a Secondary Suite
  - d) The motor vehicle parking stalls required by this approval must not be provided in tandem to each other
  - e) One (1) motor vehicle parking stalls must be provided on the parcel for a Dwelling Unit

Track your application on-line with VISTA. Go to: [www.calgary.ca/vista](http://www.calgary.ca/vista) and enter your JOB ACCESS CODE (JAC) from the application form or call Planning Services Counter at (403) 268-5311.

Page 1 of 3

(2) The following relaxations are approved:

- a) The Secondary Suite does not require a motor vehicle parking stall.

## Advisory Comments

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The following advisory comments are provided as a courtesy to the Applicant and registered property owner. The comments represent some, but not all of the requirements contained in the Land Use Bylaw that must be complied with as part of this approval.

### Planning

4. The Applicant may appeal the decision of the Development Authority, including any of the conditions of the development permit. If you decide to file an appeal, please refer to the notification of decision letter for the appropriate appeal body and appeal process.
5. The approval of this development permit does not limit in any way the application of any federal, provincial, or municipal law, policy, code, regulation, bylaw, and/or guideline, nor does it constitute any permit or permission under any federal, provincial, or municipal law, policy, code, regulation, bylaw, and/or guideline.
6. This development permit has not been reviewed for potential issues with the National Building Code - 2019 Alberta Edition. You may require a Building Permit in addition to this development permit in which case compliance with the Code will be assessed through a Building Permit application. Should a Building Permit review require changes to the approved development permit, the changes must be to the satisfaction of the Development Authority and are potentially subject to a new development permit.
7. All plumbing services including sanitary, storm and water must be verified onsite by the owner and/or builder to ensure the size and location is compliant with the National Plumbing Code of Canada for the number of fixtures being installed. The waterline must be of the size that is indicated on the grade slip, but in no case smaller than 1 in size.
8. There are many types of caveats and other agreements that can be registered on the title of the property that can restrict the ability to develop. The City has not reviewed or considered all instruments registered on the title to this property. Property owners must evaluate whether this development is in compliance with any documents registered on title.





# APPLICATION FOR A DEVELOPMENT PERMIT LAND USE BYLAW NO 1P2007

417790476-001

Taken By:

Application Date **Feb 3, 2023**

## APPLICATION NO DP2023-00720

I/We hereby make application for a Development Permit under the provisions of the Land Use Bylaw in accordance with these plans and supporting information submitted herewith and which form part of this application.

Total Fees: **\$0.00**Cart #: Applicant: **Sze, Mark**

Address:

City:

Phone:

Parcel Address: **4220 BRISEBOIS DR NW**Legal: **6JK;14;30**Building Address: **4220 BRISEBOIS DR NW**

Legal:

L.U.D.: **R-C1**Community: **BRENTWOOD**Sec. Number: **31C**Ward: **04**Description: **New: Secondary Suite - Attached Below Grade  
(existing basement)**Gross Floor Area: 1000 feet -  
squared  
Dwelling Units: 1Proposed Development is: **Discretionary**Proposed Use: **Secondary Suite - Attached Below Grade**

I agree to receive correspondence via electronic message related to this application.

By signing below, I confirm that the contact information provided above is accurate and further, acknowledge the ability of the General Manager - Planning and Development to inactivate and cancel incomplete applications.

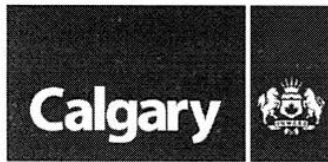
Applicant / Agent Signature: \_\_\_\_\_

Date: \_\_\_\_\_

The personal information on this form is being collected under the authority of The Municipal Government Act, Section 640, and The City of Calgary Land Use Bylaw 1P2007 (Part 2) and amendments thereto. It will be used for the permit review and inspection processes. It may also be used to conduct ongoing evaluations of services received from Planning, Development & Assessment. The name of the applicant and the nature of the permit will be available to the public. Please send inquiries by mail to the FOIP Program Administrator, Planning, Development & Assessment, PO Box 2100, Station M, Calgary, AB T2P 2M5 or contact us by phone at 311.

Track your application on-line with **VISTA** Go to: [www.calgary.ca/vista](http://www.calgary.ca/vista) and enter your JOB ACCESS CODE (JAC) **DP2023-00720-90476**  
or call our Planning Support Centre at (403)268-5311.

**SDAB2023-0023**



## Home Improvement Service Application Form

Please visit [calgary.ca/myhome](http://calgary.ca/myhome) to find more information on rules, requirements and fees. If you are applying online through [apply.calgary.ca](http://apply.calgary.ca), this information will be requested through the online application and you will **not** need to fill out this form.

### SECTION 1: Where is the work happening?

Address:

4220 Brisbois Drive NW Calgary AB T2L 2E7

### SECTION 2: Who is applying?

Applicant ☐ Property Owner ☒ Representing Owner

Applicant Name:

Mark See

Company Name (if applicable):

Email:

[Redacted]

P [Redacted]

### SECTION 3: Who is doing the work?

Builder ☐ Property Owner ☐ Licensed Contractor

Business Name (if applicable):

Property Owner Contact ☒ N/A Property Owner is applicant

Owner Email:

N/A

### SECTION 4: What are you applying for?

Home Renovation Permits

Home renovation projects are projects you complete inside your home or that increase the area of your home (Check all that apply. Click the underlined text for checklist)

☒ Basement

Square Feet: \_\_\_\_\_

☐ Addition

Square Feet: \_\_\_\_\_

☐ Porch

Square Feet: \_\_\_\_\_

☐ Indoor Fireplace

# of Fireplaces: \_\_\_\_\_

☐ Wood ☐ Gas ☐ Both

☐ Interior, Exterior, or Structural Alterations

Estimated Cost: \_\_\_\_\_

Describe the scope of work:

\_\_\_\_\_



SECTION 4: Continued			
Outdoor Projects		Outdoor projects are projects completed outside of your home. (Check all that apply. Click the <u>underlined text</u> for checklist)	
<input type="checkbox"/> <u>Uncovered Deck</u>	Square Feet: _____	<input type="checkbox"/> <u>Balcony</u>	Square Feet: _____
<input type="checkbox"/> <u>Garage, Shed, Carport, Greenhouse</u>	Estimated Cost: _____ Square Feet: _____	<input type="checkbox"/> <u>Outdoor Fireplace</u>	# of Fireplaces: _____ <input type="checkbox"/> Wood <input type="checkbox"/> Gas <input type="checkbox"/> Both
<input type="checkbox"/> <u>Hot Tub, Pool</u>	Estimated Cost: _____	<input type="checkbox"/> <u>Covered deck, Pergola</u>	Square Feet: _____
<input type="checkbox"/> <u>Retaining Wall</u>	Estimated Cost: _____	<input type="checkbox"/> <u>Driveway</u>	
<input type="checkbox"/> <u>Fence</u>		<input type="checkbox"/> <u>Solar Panel(s)</u>	
Suite Project		Suites come in two types Secondary (inside or attached to a house) or Backyard (above a detached garage). (Check <b>ONE</b> option below only. Click the <u>underlined text</u> for checklist)	
<input type="checkbox"/> <u>Proposed Secondary Suite</u> (built after March 12, 2018)	Estimated Cost: _____ Square Feet: _____	<input checked="" type="checkbox"/> <u>Existing Secondary Suite</u> (built prior to March 12, 2018)	Estimated Cost: <u>10,800</u> Square Feet: <u>1,550</u>
<input type="checkbox"/> <u>Backyard Suite</u>	Square Feet: _____		

SECTION 5: Are you doing any Electrical and/or plumbing work? (Check all that apply)	
<input type="checkbox"/> <u>Homeowner Electrical Permit</u>	Describe what you are doing: _____
<input type="checkbox"/> <u>Homeowner Plumbing Permit</u>	Describe what you are doing: _____
<b>Declaration:</b> <input type="checkbox"/> declare that I am the legal landowner of the property stipulated on this application, that this is my primary place of residence, and I will be performing the work.	

NOTE: Your Building Permit will be reviewed and issued in a digital format. You will receive access to the stamped and approved digital copy once the permit has been issued

<b>Applicant's Declaration:</b> In relation to the submission of this application, I confirm that I am i. An owner of the parcel, an authorized agent of the owner of the parcel, or other person having legal or equitable interest in the parcel, and ii. If the parcel has a condominium board, I have consent from the condominium board to submit this application.  In addition, I certify that all information submitted with this application, including information shown on plans and documents, to be true and correct. Incomplete or inactive applications may be cancelled or refused at the discretion of the proper authority in accordance with their respective bylaw. <input checked="" type="checkbox"/> I agree to receive correspondence via electronic message related to this application.
---

FOIP DISCLAIMER: The personal information on this form is being collected under the authority of The Calgary Building Permit Bylaw 64M94 (Section 5) and amendments thereto, as well as section 33(c) of the FOIP Act. This information is being collected for the purpose of permit review and inspection processes and may be communicated to relevant City Business Units, utility providers, and Alberta Health Services. It may also be used to conduct ongoing evaluations of services received from Planning & Development. The name of the applicant and the nature of the permit will be available to the public, as authorized by the FOIP Act. You may direct questions about the collection, use or disclosure of your personal information by the City of Calgary at 800 Macleod Trail SE Calgary, Alberta in relation to this program by emailing the FOIP Program Administrator for Planning and Development at plngbldg@calgary.ca or by telephone at (403)268-5311.





















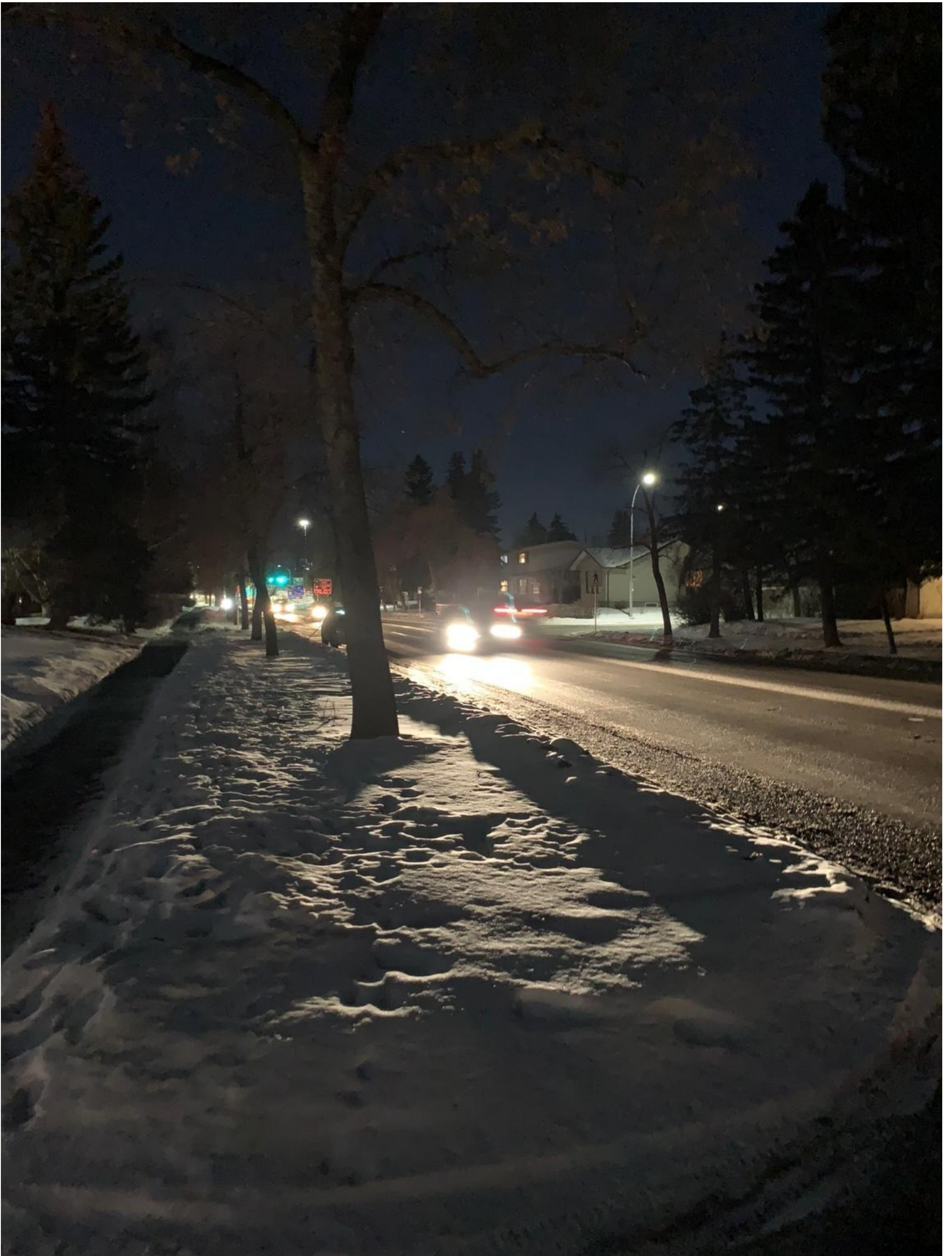


























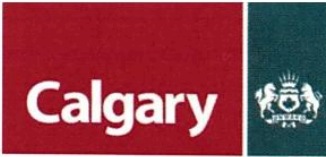












## Existing Secondary Suite Owner's Declaration

I, KIMSZE, declare that:  
[name]

I am the (or, one of the) registered owner(s) of the premises located in the City of Calgary, in the

Province of Alberta at: 4220 Brisbois Drive NW Calgary AB T2L 2E7  
[street address]

and declare that:

1. The premises contain an Existing Secondary Suite as outlined in City of Calgary Advisory titled "Secondary Suites - Existing Prior to March 12<sup>th</sup>, 2018" which came into effect January 1, 2022.

2. I make this declaration for the purpose of confirming to City of Calgary officials that the following requirement has been satisfied:

"The existing secondary suite at the address noted above has been in existence prior to March 12<sup>th</sup>, 2018".

3. I also understand that should it be determined that this declaration is false and the secondary suite did not predate March 12, 2018 that it will result in removal of the suite from the registry and obligate the owner(s) to comply with the full application of the current building code including all related fees including those to re-apply for the Secondary Suites Registry.

Date: Feb 7, 2023

Name of Owner / Declarant: KIMSZE

Signature of Owner / Declarant: [Signature]

**FOIP DISCLAIMER:** The personal information on this form is being collected under the authority of The Municipal Government Act, Section 640, The City of Calgary Land Use Bylaw 1P2007 (Part 2) and The Calgary Building Permit Bylaw 64M94 (Section 5) and amendments thereto, as well as section 33(c) of the FOIP Act. This information is being collected for the purpose of permit review and inspection processes and may be communicated to relevant City Business Units, utility providers, and Alberta Health Services. It may also be used to conduct ongoing evaluations of services received from Planning & Development. **The name of the applicant and the nature of the permit will be available to the public through general inquiries, paid subscription reports for permit data and resources found online,** as authorized by the FOIP Act. You may direct questions about the collection, use or disclosure of your personal information by the City of Calgary at 800 Macleod Trail SE Calgary, Alberta in relation to this program by contacting the FOIP Program Administrator for Planning and Development through telephone at 403-268-5480 or by writing to PO Box 2100, Station M, Calgary, AB T2P 2M5.





## Existing Secondary Suite Information Sheet

This worksheet is mandatory for all Existing Secondary Suite applications that do not include plans. For more information, visit [calgary.ca/suites](http://calgary.ca/suites).

Do not include personal information in comments.

Plans will be required in circumstances where bylaw or other regulations add complexity to the application. For more information regarding your specific suite, contact the [Planning Services Centre](#).

### SECTION 1: Suite Information

- 1 Main dwelling unit address: 4220 Brisbois Drive NW Calgary AB T2L 2E7
- 2 Where is the secondary suite located in the house?
  - ☒ Basement Size not required
  - ☐ Main floor Size: \_\_\_\_\_ ☐ square metres ☐ square feet
  - ☐ Upper floor Size: \_\_\_\_\_ ☐ square metres ☐ square feet
- 3 When looking at the front of the house where is the suite entrance located?
  - ☐ Front ☐ Rear ☒ Left ☐ Right
- 4 Is the suite accessible from outside without passing through the main dwelling unit? (A shared stairwell is acceptable, but each unit must have a private entrance.) ☒ Yes ☐ No
- 5 Provide the size of window opening for all applicable bedrooms. (If the suite has more than three bedrooms please provide information in comments).
  - ☒ Bedroom 1 Size: 2.5 ft x 2.5 ft ☐ metres ☒ feet
  - ☒ Bedroom 2 Size: 2.5 ft x 2.5 ft ☐ metres ☒ feet
  - ☐ Bedroom 3 Size: \_\_\_\_\_ x \_\_\_\_\_ ☐ metres ☐ feet

**Note:** See the [egress window guidelines](#) for more information about bedroom windows

- 6 Is there more than one suite on the property or in the building?
    - ☒ No. Proceed with the application below
    - ☐ Yes. Contact the Planning Services Centre for further assistance
- Additional comments (if required):

### SECTION 2: Outside of the Suite – Amenity Space

An amenity space is an outside area tenants can use for recreation. A secondary suite requires an amenity space with the following:

- a minimum area of 7.5 square metres,
- a minimum width or length of 1.5 metres;
- and located outside, accessible to the tenants.

- 1 A portion of the yard will be available as an amenity space. ☒ Yes ☐ No

**SECTION 3: Parking**

The Land Use Bylaw typically requires one additional parking stall to be provided for a secondary suite.

All required parking must be located on the property and meet the following dimensions:

2.5 x 5.9 metres where both sides are free of a physical barrier or property line

2.85 x 5.9 metres where one side is against a physical barrier or property line

3.0 x 5.9 metres where both sides of the stall are against a physical barrier or property line

*(Please note: A physical barrier is anything which physically prevents a car door from fully opening; for example, a fence, retaining wall, or garage wall)*

1 Indicate below the location and size of ALL your parking area(s), for both the dwelling and the suite.

☐ Front garage

How many vehicles can the space accommodate?

☐ 1 ☐ 2 ☐ 3

Size: \_\_\_\_\_ x \_\_\_\_\_

☐ metres ☐ feet

☐ Front driveway or ☐ Front parking pad

How many vehicles can the space accommodate?

☐ 1 ☐ 2 ☐ 3

Size: \_\_\_\_\_ x \_\_\_\_\_

☐ metres ☐ feet

How are the stalls surfaced?

☐ Gravel ☐ Pavement ☐ Paving stone

☒ Rear garage

How many vehicles can the space accommodate?

☒ 1 ☐ 2 ☐ 3

Size: 10 x 10

☐ metres ☒ feet

☐ Rear parking pad

How many vehicles can the space accommodate?

☐ 1 ☐ 2 ☐ 3

Size: \_\_\_\_\_ x \_\_\_\_\_

☐ metres ☐ feet

How are the stalls surfaced?

☐ Gravel ☐ Pavement ☐ Paving stone

2 If your suite parking is provided in an attached garage, have you provided a separate exit for the occupant to enter and exit from, in addition to the overhead garage door, that does not connect to the main residence? ☐ Yes ☐ No

N/A

Comments (optional):



**Applicant's Declaration:**

- ☒ In relation to the submission of this application, I confirm that I am
- i. An owner of the parcel, an authorized agent of the owner of the parcel, or other person having legal or equitable interest in the parcel, and
  - ii. If the parcel has a condominium board, I have consent from the condominium board to submit this application.

In addition, I certify that all information submitted with this application, including information shown on plans or documents, to be true and correct. Incomplete or inactive applications may be cancelled or refused at the discretion of the proper authority in accordance with their respective bylaw.

I agree to receive correspondence via electronic message related to this application.

- ☒ By submitting this application to The City of Calgary (the "City"), I understand and acknowledge that, as part of the City's process in reviewing, evaluating, and processing this application, the City will be required to circulate hard or electronic copies of my application materials to members of City Administration, members of the public who may be affected by the application's approval, and to relevant Community Associations' Boards of Directors, including their Planning Committees. The City will also make my application materials available online for public viewing through its website, [www.calgary.ca](http://www.calgary.ca). I hereby consent to the City's copying of these application materials, solely for the purposes of such circulation, dissemination and online viewing as aforesaid, provided that those parties to whom the copies are circulated or made available online are made aware that their use of the copies is specific and limited to providing input on my application and that any further reproduction and distribution of the plans is strictly prohibited.

If you do not want to make your application materials available online for public viewing you must send an email to [planninghelp@calgary.ca](mailto:planninghelp@calgary.ca) within 48 hours of submitting your application and we will consider your request. If your request is accepted our website will reflect that the applicant has chosen not to have their application materials online for public viewing.

FILE: DP2023-00720

DATE RECEIVED: February 9, 2023

APPLICATION ADDRESS: 4220 BRISEBOIS DR NW

Bylaw Discrepancies											
Regulation	Standard		Provided								
295 Secondary Suite	(c) requires a minimum of 1.0 motor vehicle parking stall.		Plans indicate 0(-1) secondary suite parking stalls.								
Notes: 400m bus buffer does not fall within Brentwood LRT station bus area.											
Parcel Width: 16.75m AVPA: N/A Floodway / Flood fringe: N/A											
Considerations for Parking											
a. The Development Authority may consider a parking relaxation for a Secondary Suite or Backyard Suite based on the proximity of the suite to the Centre City and to frequent transit service. The Development Authority may consider relaxing the minimum parking requirements for a Secondary Suite or Backyard Suite where the suite is located:	i. in Area 1 of the Parking Areas Map		Not applicable.								
	ii. in Area 2 of the Parking Areas Map and within:	A. 600 metres of a capital funded Light Rail Transit platform;	BRENTWOOD LRT STATION								
		B. 400 metres of a Bus Rapid Transit stop; or	N/A								
		C. 400 metres of a bus service which generally has frequency of at least one bus every 20 minutes on weekdays from 6:30 AM to 6:00 PM and a frequency of at least one bus every 30 minutes on weekday evenings from 6:00 PM to the end of service and on weekends during times of service.	Route #	Route Name	AM Peak	Mid Day	PM Peak	Evening	Sat. Day	Sat. Eve.	Sun.
			8	North Pointe/ Foothills Medical Centre	21	21	21	21/ 33	25	35	25
			9	Dalhousie Chinook	10/ 20	20	10 20	20 30	31	31	31
	82		Nolan Hill	15/ 30	30	30	30	/	/	/	
105	Dalhousie Lions Park	30	30	30	30	40	40	40			
b. The Development Authority should consider natural and human-made barriers (e.g. waterbodies, landforms, skeletal and arterial roads) to accessing frequent transit service when considering a parking a relaxation for a Secondary Suite or Backyard Suite.			FM to review.								



## Brentwood Community Association

Mailing Address 5107 – 33<sup>rd</sup> St. NW, Calgary, Alberta T2L 1V3  
 Tel. (403) 284-3477 Fax. (403) 284-3951 office@brentwoodcommunity.com  
 www.brentwoodcommunity.com

March 15, 2023

Alicia Devine  
 Planning and Development,  
 City of Calgary  
 alicia.devine@calgary.ca  
 (587) 225-6273

### Application: DP2023-00720

Application Type: New: Secondary Suite (basement)  
 Address: 4220 Brisebois Dr NW  
 Land Use Designation: R-C1  
 Proposed Development is: Discretionary  
 Proposed Use: basement suite

Dear Ms. Alicia Devine,

The Development and Transportation Committee (DTC) has reviewed this DP and offers the following comments:

**Description:** The Brentwood CA has received an application for a Development Permit (DP) to allow for a secondary suite. The proposed 2-bedroom suite is solely contained in the basement. Kitchen and living areas, and sanitation facilities are also required. A suite amenity space will be provided in the yard. The applicant has indicated that suite parking is provided in the existing single garage, with lane access.

### Comments from affected neighbours:

The Brentwood Development and Transportation Committee has circulated the nearby neighbours by delivering Neighbour Notifications. We have received comments from affected neighbours indicating support for secondary suites in general, but concerns regarding parking.

Verbatim comments:

*".... we LOVE the idea of improved land use and the availability of further people joining our beautiful neighborhood. Adding capacity is certainly the way to go to provide further housing in a tight market."*

*"However, my concern is the parking with further development. In the description provided by our community association, it clearly states that suite parking is provided in the existing garage. Quite simply - this is not the case as the pictures attached show. We are constantly having issues with access of traffic in the laneway including garbage trucks getting access to bins. The pictures attached show the house making the request for development and clearly show the existing tenants both below and above in this property parking in the laneway everyday. The access to the garage in the rear is not available to the existing tenants. Further development and adding more people will only increase vehicles in the laneway and can block our vehicles from getting out of our garage. In the winter this is further amplified as the laneway is obviously not plowed (due to the gravel surface) and the cars park further away from the house into the laneway."*

*"Will they be providing access to the garage AND creating a car port on the existing land to alleviate this existing issue without simply making things worse?"*





## Brentwood Community Association

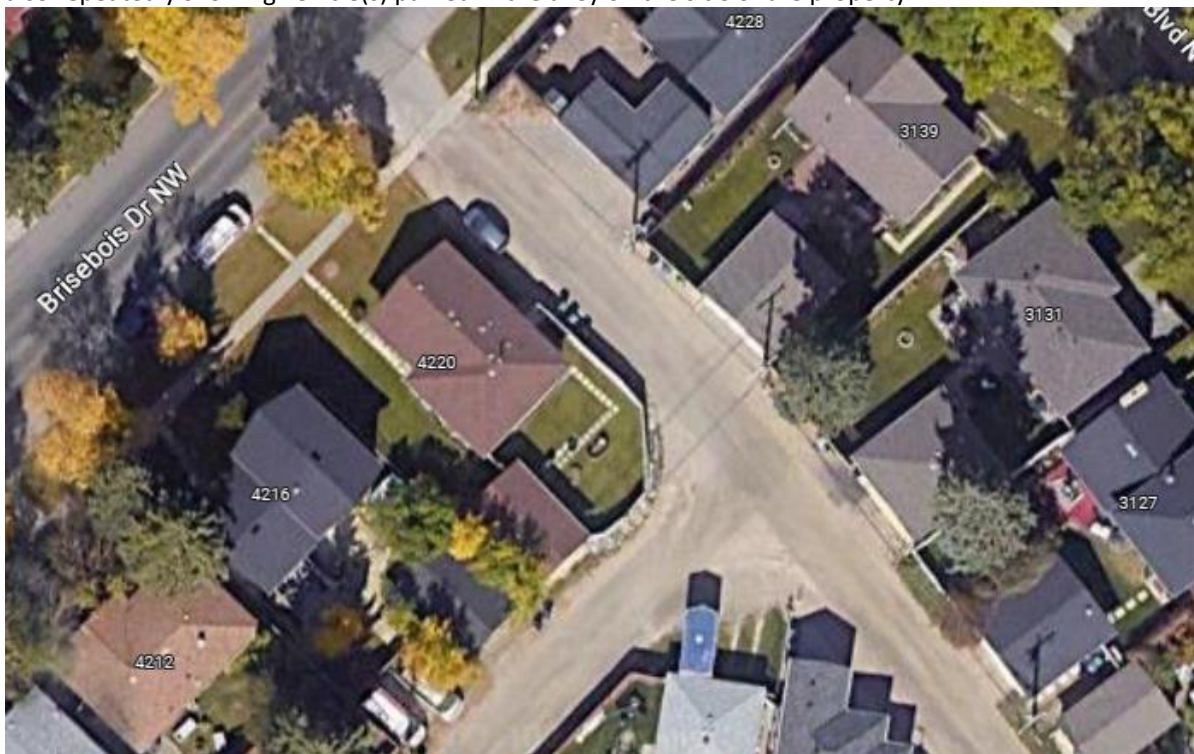
Mailing Address 5107 – 33<sup>rd</sup> St. NW, Calgary, Alberta T2L 1V3  
 Tel. (403) 284-3477 Fax. (403) 284-3951 office@brentwoodcommunity.com  
 www.brentwoodcommunity.com

### Brentwood CA Review:

In reviewing this application, the parking conditions are best viewed on a map. The subject property has an alley in the back, with a single car garage. The DP application indicates that the suite entrance is on the left when facing the home, and this is also the location of another alley directly from Brisebois Drive.

Based on Google map images over the past few years, it appears that there are often vehicles parked close to this suite entrance, which means in the alley.

The image below shows a vehicle parked in the alley: further street view images are attached on the last page, also repeatedly showing vehicle(s) parked in the alley on the side of the property.



### 1. Alley parking must comply with Calgary Parking Bylaws.

**Section 27(1) In alley - within 1.5m,** the bylaw says:

*"No owner or operator of a vehicle shall stop or park or permit the stopping or parking of the vehicle on either side of any alley in front of or within one and one half meters of a driveway or garage entrance entering into the alley."*  
**Purpose**

*This section ensures that vehicles have safe access to garages and driveways. Vehicles parked too close to garages and driveways limit visibility and are a safety concern to motorists and pedestrians."*

Since there is a garage directly across from the area of the alley being used for parking, the space on the side of 4220 Brisebois Drive in effect becomes a "No Parking Zone" as per the Parking Bylaw.

As per comments received by the BCA, when vehicles are parked in this section of the alley, they cause conflicts with access of City vehicles picking up garbage or recycling, as well as with vehicles trying to exit / enter the garage across the lane.





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### **2. The application does not comply with the parking requirements for a Secondary Suite as per LUB Section 122 “Standards for Motor Vehicle Parking Stalls”.**

As noted on the application, the only parking is for a single vehicle in the garage accessed from the lane.

As per the City of Calgary, Legalize an Existing Secondary Suite:

<https://www.calgary.ca/PDA/pd/Pages/Home-building-and-renovations/Legalize-an-existing-suite.aspx>

The permit requirements include:

*A parking stall for the tenant(s) on the parcel, in addition to the parking stall(s) required for the property, with the following minimum dimensions:*

*2.5m (8'3") x 5.9m (20') when not abutting a structure (like a house or garage)*

*2.85m (9'5") x 5.9m (20') when abutting a structure on one side*

*3.0m (9'10") x 5.9m (20') when abutting a structure on both sides*

*Street parking does not count toward the requirement, nor tandem parking stalls located directly behind or in front of other required stalls.*

As per LUB1P2007, Section 122

(14) *Motor vehicle parking stalls must not be provided as tandem parking unless otherwise allowed in this Bylaw.*

(15) *Motor vehicle parking stalls for a Backyard Suite, Contextual Semi-detached Dwelling, Contextual Single Detached Dwelling, Duplex Dwelling, Secondary Suite, Semi-detached Dwelling and Single Detached Dwelling must be:*

(a) *hardsurfaced; and*

(b) *located wholly on the subject parcel.*

There is only one parking spot on the subject site (in the garage), but there must be another spot for the occupant of the main dwelling.

The side alley spots which appear to be currently used for parking are not located wholly (or even partially) on the subject parcel. They also cause conflicts with neighbouring property access as well as with City bin pickup vehicles so a relaxation is not supported.

### **3. “Bylaw requirements must take priority over the Policy (Policy to Guide Discretion for Secondary Suites) and does not support the one stall parking relaxation. In addition, these Bylaw parking requirements are mandatory (“must”) directives while the Policy requirements are optional (“could”) requirements.”**

(SDAB2021-0017)

Proximity to transit is not a reason to relax parking, but rather a condition to be met once it had been determined that the parking requirements could not be met. In this case, there are no compelling reasons why the parking requirements cannot be met.

Parking for the Secondary Suite must be wholly located on the subject parcel as per the Bylaw and therefore there cannot be reliance on street parking or alley parking.

### **4. There are no physical barriers that would preclude adding off-street, backyard parking.**

The parcel can easily accommodate one additional parking stall next to the existing garage. Photos show the parcel is wide, the grade is flat and no trees would have to be removed; only removal of some fencing adjacent to the lane would be required.

### **5. Spillover parking negatively impacts neighbouring properties.**

The best way to help mitigate spillover is to provide the required number of on-site parking spaces. The DP remains in effect on the property regardless of ownership or tenant preferences (i.e. vehicle ownership).

Sound planning practices take into account the impact on neighbours and in this case, there is no valid reason to allow the parking relaxation.



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

### **6. Tenants have assurance of safety standards if the suite is on the Registry.**

The Brentwood Development and Transportation Committee members support efforts to ensure that all suites in our area are both safe and compliant with all relevant building codes. Tenant safety and good living conditions are important, and the Registry provides assurances that all safety considerations have been met.

Not all of the applications received by the BCA complete the secondary suite process and appear on the Registry. Please provide the applicant with the information regarding the next steps for this application (i.e. building permits and inspection) as well as the Registry process.

As required by Bylaw 11M2018, a Bylaw of the City of Calgary to Establish a Registry of Secondary Suites and Backyard Suites, we expect that any approved secondary suite will be registered with the Chief Building Inspector in a timely manner.

Provided that the required parking is added as a Condition of Approval for this DP, the BCA does not oppose this basement suite application. Spillover parking from secondary suites is a frequent complaint to the BCA and a relaxation will not be supported.

Thank you for the opportunity to comment on this application.

Sincerely,

Melanie Swailes  
 Peter Johnson  
 On behalf of the Development and Transportation Committee  
 Brentwood Community Association

[alicia.devine@calgary.ca](mailto:alicia.devine@calgary.ca) -- Planning File Manager  
[dp.circ@calgary.ca](mailto:dp.circ@calgary.ca) -- City's document circulation controller  
[office@brentwoodcommunity.com](mailto:office@brentwoodcommunity.com) -- Brentwood Community Association  
[CLWARD4@calgary.ca](mailto:CLWARD4@calgary.ca) – Ward 4 Councillor Sean Chu



## Brentwood Community Association

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

Photos showing vehicles frequently parked in the alley near the side entry of the home.

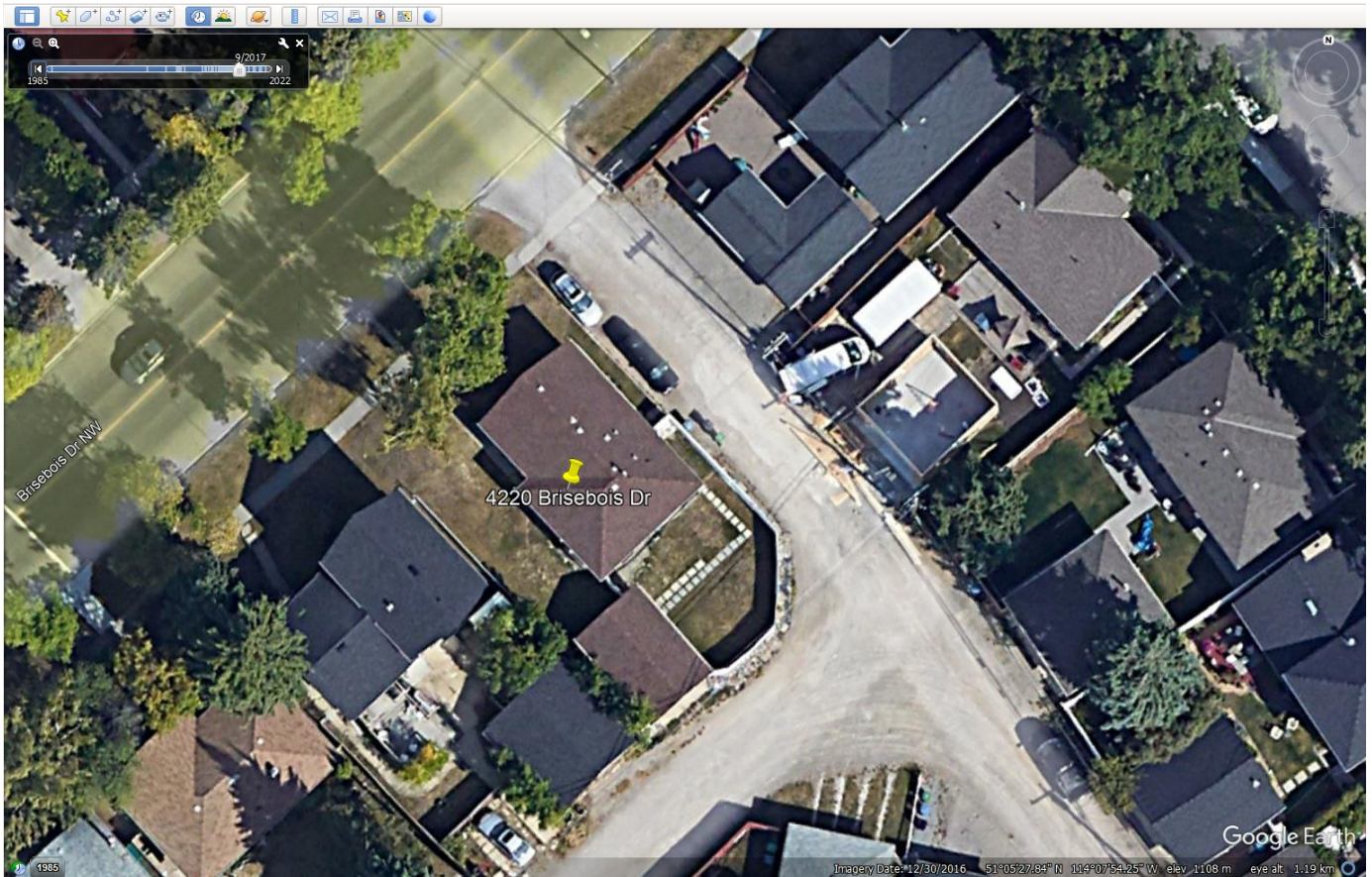






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[www.brentwoodcommunity.com](http://www.brentwoodcommunity.com)



**SDAB2023-0023**

**Samnick, Cyrille**

---

**From:** Melanie Swailes [REDACTED]  
**Sent:** Thursday, April 27, 2023 8:48 PM  
**To:** Loewen, Maurie; Devine, Alicia  
**Cc:** 'Peter Johnson'; Brentwood Community Association  
**Subject:** RE: [External] DP2023-00720 at 4220 Brisebois Drive NW

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Hi Maurie,

Thanks for sending this so that we didn't have to wait for the delay period for the Records and Information Management staff. It is helpful for us to have the Conditions of Approval and we appreciate your effort in sending it promptly.

Melanie

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



**BRENTWOOD COMMUNITY ASSOCIATION**

Mailing Address: 5107 – 33<sup>rd</sup> Street NW, Calgary, AB T2L 1V3  
 Delivery Address: 1520B Northmount Drive NW, Calgary, AB T2L 0G6  
 BCA Website: [www.brentwoodcommunity.com](http://www.brentwoodcommunity.com)  
 Phone (403) 284-3477 Fax (403) 284-3951

---

**From:** Loewen, Maurie [<mailto:Maurie.Loewen@calgary.ca>]  
**Sent:** Wednesday, April 26, 2023 2:01 PM  
**To:** Melanie Swailes [REDACTED]

Cc: Devine, Alicia <Alicia.Devine@calgary.ca>  
 Subject: RE: [External] DP2023-00720 at 4220 Brisebois Drive NW

Hi Melanie;

Alicia informs me that there's an 15 day delay in getting information from our RIM Centre to view the files requested below. These inquiries go through RIM to ensure there is a FOIP review and that all person information is redacted. That said, 15 days is a long wait when there is a 21 day appeal period. We've redacted the personal information from the Conditions of Approval and attached them. All other documents must be reviewed through RIM or, if you appeal, they will be forwarded to the SDAB to be included in the Board Report.

Regards,

**Maurie Loewen**

Leader, Development Services  
 Development & Subdivision Applications Services  
 Community Planning  
 Planning & Development  
 T. 403.333.5348 | E. [maurie.loewen@calgary.ca](mailto:maurie.loewen@calgary.ca)



Check out [www.calgary.ca/pdmap](http://www.calgary.ca/pdmap) to learn more about the development activity in your community.

---

From: Melanie Swailes <[REDACTED]@a>  
 Sent: Friday, April 21, 2023 10:31 AM  
 To: Devine, Alicia <Alicia.Devine@calgary.ca>  
 Cc: 'Peter Johnson' <[REDACTED]@brentwoodcommunity.com>; Brentwood Community Association <office@brentwoodcommunity.com>  
 Subject: [External] DP2023-00720 at 4220 Brisebois Drive NW

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Good morning Ms. Devine,

Re: DP2023-00720 – New: Secondary Suite (basement)  
 Address: 4220 Brisebois Dr NW



According to the Dmap, this application was approved on April 17, 2023.

Could you please send an email with the following information?

- Conditions of Approval
- Notification of Approval
- Reasons for Approval (if applicable)

Thank you for your assistance on this.

Melanie

Melanie Swailes

On behalf of the Development and Transportation Committee

Brentwood Community Association



**BRENTWOOD COMMUNITY ASSOCIATION**

Mailing Address: 5107 – 33<sup>rd</sup> Street NW, Calgary, AB T2L 1V3

Delivery Address: 1520B Northmount Drive NW, Calgary, AB T2L 0G6

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

Phone (403) 284-3477 Fax (403) 284-3951

---

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**Samnick, Cyrille**

---

**From:** Mark Davy [REDACTED]  
**Sent:** Thursday, March 9, 2023 8:07 PM  
**To:** Devine, Alicia; DP Circ; Brentwood Community Association; CLWARD4 - Andrew Chin  
**Subject:** [External] Application DP2023-00720 Comments (Brentwood Community)  
**Attachments:** car street 2.jpg; car street.jpg  
  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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Application: DP2023-00720  
 Application Type: New secondary suite (basement)  
 Address: 4220 Brisebois Dr. NW  
 Land Use Designation: R-C1  
 Proposed Use: Secondary Suite  
 Proposed Development: Discretionary

Good evening to all parties involved:

I'd like to add a few comments regarding this change in development in our Brentwood neighborhood. First, I'd like to add that we LOVE the idea of improved land use and the availability of further people joining our beautiful neighborhood. Adding capacity is certainly the way to go to provide further housing in a tight market.

However, my concern is the parking with further development. In the description provided by our community association, it clearly states that suite parking is provided in the existing garage. Quite simply - this is not the case as the pictures attached show. We are constantly having issues with access of traffic in the laneway including garbage trucks getting access to bins. The pictures attached show the house making the request for development and clearly show the existing tenants both below and above in this property parking in the laneway everyday. The access to the garage in the rear is not available to the existing tenants. Further development and adding more people will only increase vehicles in the laneway and can block our vehicles from getting out of our garage. In the winter this is further amplified as the laneway is obviously not plowed(due to the gravel surface) and the cars park further away from the house into the laneway.

Will they be providing access to the garage AND creating a car port on the existing land to alleviate this existing issue without simply making things worse?

I really appreciate your time, consideration and going through the due process. I am more than happy to discuss further or provide further pictures to assist in the process.

Warmest regards,

**81**

Mark Davy  
Owner/ Brentwood Resident

[REDACTED]

[REDACTED] 1





**SDAB2023-0023**

Appeal Board Rec'd May 24, 2023  
Submitted by: Appellant/Community Association



## **Brentwood Community Association**

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

Delivery Address: 1520B Northmount Drive NW, Calgary, Alberta T2L 0G6

Tel. (403) 284-3477 Fax. (403) 284-3951

Email: [office@brentwoodcommunity.com](mailto:office@brentwoodcommunity.com)

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

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May 24<sup>th</sup>, 2023

SDAB Admin  
City Appeal Boards, Appeals and Tribunals  
City Clerk's Office | The City of Calgary | Mail Code #8110  
PO Box 2100, Station M  
Calgary, AB  
T2P 2M5

As President of the Brentwood Community Association (BCA), I authorize Melanie Swailes, Kirk Osadetz and Peter Johnson to represent the BCA and to receive and present information on any SDAB appeals involving the Brentwood Community Association.

Thank you,

A handwritten signature in blue ink that reads "Bonita McCurry".

Bonita McCurry  
President  
Brentwood Community Association  
403-988-4839

Appeal Board Rec'd June 14, 2023  
Submitted by: K Osadetz, V.P. of Community Association/Appellant

**Cody, Kimberly**

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**From:** Kirk Osadetz <Kirk.Osadetz@cmcgghg.com>  
**Sent:** Wednesday, June 14, 2023 11:43 AM  
**To:** Calgary SDAB Info  
**Cc:** melanie.brentwoodDTC@shaw.ca; Peter Johnson  
**Subject:** \*KC\*[External] RE: SDAB2023-0023 (DP2023-00720, 4220 Brisebois Drive NW, Submission for this Appeal.  
**Attachments:** BCA -4220 Brisebois.docx  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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To the Calgary SDAB, Ms. Swailes and Mr. Johnson:

Attached is a letter that the Executive and Board of Directors of the Brentwood Community Association wish to entire for consideration in the appeal SDAB2023-0023 (DP2023-00720, 4220 Brisebois Drive NW). We thank you for providing the opportunity to make this submission.

Sincerely,  
Kirk

Kirk Osadetz,  
V.P. Brentwood Community Association,  
E: [osadetzkirk@gmail.com](mailto:osadetzkirk@gmail.com), or,  
E: [kirk.osadetz@cmcgghg.com](mailto:kirk.osadetz@cmcgghg.com)  
T: 403-210-7108  
C: 403-919-4492

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**From:** Calgary SDAB Info <Info@calgarysdab.ca>  
**Sent:** Thursday, June 1, 2023 10:50 AM  
**To:** Kirk Osadetz <Kirk.Osadetz@cmcgghg.com>  
**Cc:** Calgary SDAB Info <Info@calgarysdab.ca>  
**Subject:** RE: SDAB2023-0023 (DP2023-00720, 4220 Brisebois Drive NW, Participation of Kirk Osadetz

Thank you – we have updated our contact list for the next hearing. Should you wish to provide a personal or Community Association email (we see Peter has one) instead of your work one, please let us know.

**SDAB Admin**

City Appeal Boards, Appeals and Tribunals  
City Clerk's Office | The City of Calgary | Mail Code #8110  
PO Box 2100, Station M | Calgary, AB T2P 2M5



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**From:** Kirk Osadetz <[Kirk.Osadetz@cmcghg.com](mailto:Kirk.Osadetz@cmcghg.com)>**Sent:** Thursday, June 1, 2023 9:10 AM**To:** Calgary SDAB Info <[Info@calgarysdab.ca](mailto:Info@calgarysdab.ca)>**Cc:** Bonita McCurry <[bmccurry@shaw.ca](mailto:bmccurry@shaw.ca)>; Lisa Boychuk <[Lisa.Boychuk@brentwoodcommunity.com](mailto:Lisa.Boychuk@brentwoodcommunity.com)>; Linda Van Holst <[Linda.VanHolst@brentwoodcommunity.com](mailto:Linda.VanHolst@brentwoodcommunity.com)>**Subject:** [External] SDAB2023-0023 (DP2023-00720, 4220 Brisebois Drive NW, Participation of Kirk Osadetz)**This Message Is From an Untrusted Sender**

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To whom it concerns:

My name is Kirk Osadetz and I the Vice-President of the Brentwood Community Association and a member of the Development and Transportation Committee, which is led by Ms. Melanie Swailes. Melanie will be leading the procedural hearing for appeal SDAB2023-0023 (DP2023-00720, 4220 Brisebois Drive NW) today.

Sincerely,  
Kirk

Kirk Osadetz,  
Vice-President of the Brentwood Community Association.

Programs Development Manager



Carbon Management Canada Inc.,  
3535 Research Road N.W., Calgary AB T2L 2K8

E: [kirk.osadetz@cmcghg.com](mailto:kirk.osadetz@cmcghg.com)

T: 403-210-7108

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## BRENTWOOD COMMUNITY ASSOCIATION

Mailing Address: 5107 – 33<sup>rd</sup> Street NW, Calgary, AB T2L 1V3  
 Delivery Address: 1520B Northmount Drive NW, Calgary, AB T2L 0G6  
 BCA Website: [www.brentwoodcommunity.com](http://www.brentwoodcommunity.com)  
 Phone (403) 284-3477 Fax (403) 284-3951

2023, June, 14 prior to noon MDT.

SDAB Admin  
 City Appeal Boards, Appeals and Tribunals  
 City Clerk's Office | The City of Calgary | Mail Code #8110  
 PO Box 2100, Station M | Calgary, AB T2P 2M5  
 General Phone Line: 403.268.5312 | [calgarysdab.ca](http://calgarysdab.ca)

RE: SDAB2023-0023 (DP2023-00720, 4220 Brisebois Drive NW)

To the Chair and Members of the Subdivision and Development Appeal Board:

The Brentwood Community Association is currently appealing a development application for a secondary suite at 4220 Brisebois Drive NW, Appeal SDAB2023-0023. The primary appeal is being presented by Ms. Melanie Swailes and other members of the BCA's Development and Transportation Committee under separate submissions to the SDAB..

However, the Executive and Board of Directors of the Community Association feel that this particular appeal could set an important precedent regarding the parking requirements as outlined in the pertinent City By-law 1p2007 ([land-use-by-law-1p2007.pdf](#)). Thus we lend our voice to the appeal and Ms. Swailes' presentation through this letter.

It is the opinion of the BCA Executive and Board of Directors that secondary suite parking requirements must meet the motor vehicle parking requirements as stated on [Secondary Suites development permit requirements \(calgary.ca\)](#), which requires:

*“Secondary suites are only allowed within single detached dwellings or contextual single detached dwellings. There must not be more than one suite located on a property.*

*Please identify the following on your site plan:*

### **Parking**

- *One parking stall for the tenant(s) on the parcel, in addition to the parking stall(s) required for the property, with the following minimum dimensions:*
  - *2.5m (8'3") x 5.9m (20') when not abutting a structure (like a house or garage)*
  - *2.85m (9'5") x 5.9m (20') when abutting a structure on one side*
  - *3.0m (9'10") x 5.9m (20') when abutting a structure on both sides*

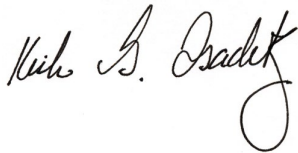
*Note: Street parking does not count toward the requirement, nor do tandem parking stalls located directly behind or in front of other required stalls."*

It is the opinion of the BCA Executive and Board that that DP2023-00720, for 4220 Brisebois Drive NW, does not comply with these requirements as alley parking is effectively street parking. This clearly does not comply with the requirements of By-law 1p2007. It is clear, however, that the application could be remedied by the construction of a parking pad on the property next to the existing garage, to which the BCA Executive and Board would not object. Based on this specific consideration, the BCA Executive and Board of Directors request that SDAB find for the Appellant by rescinding the inferred wrongful approval of DP2023-0072 as it was submitted.

In making Secondary Suites a "Discretionary Use" the City clearly intended that this use should occur only where specified building and fire code, amenity space and parking conditions were met. Compliance with these requirements is not at the discretion of the property owner.

We thank the SDAB for their consideration of our application as presented by Ms. Swailes and others and this letter.

Sincerely,



Kirk Osadetz,  
Vice-President of the Brentwood Community Association  
403-919-4492  
[osadetzkirk@gmail.com](mailto:osadetzkirk@gmail.com), or [kirk.osadetz@cmcghg.com](mailto:kirk.osadetz@cmcghg.com)



Appeal Board Rec'd May 24, 2023  
Submitted by: M Davy, neighbour

**Cody, Kimberly**

---

**From:** Mark Davy <davymc\_99@yahoo.com>  
**Sent:** Wednesday, May 24, 2023 5:10 PM  
**To:** Calgary SDAB Info  
**Subject:** \*KC\* [External] Fw: notes  
**Attachments:** SDAB2023-0023 photos - Copy.docx

**Follow Up Flag:** Follow up  
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Application: DP2023-00720  
Application Type: New secondary suite (basement)  
Address: 4220 Brisebois Dr. NW  
Land Use Designation: R-C1  
Proposed Use: Secondary Suite  
Proposed Development: Discretionary

Good evening to all parties involved:

I'd like to add a few comments regarding this change in development in our Brentwood neighborhood.

First, I'd like to add that we LOVE the idea of improved land use and the availability of further people joining our beautiful neighborhood. Adding capacity is certainly the way to go to provide further housing in a tight market.

However, my concern is the parking with further development. In the description provided by our community association, it clearly states that suite parking is to be provided in the existing garage. Quite simply - this is not the case as the pictures attached show.

We are constantly having issues with access of traffic in the laneway including garbage trucks getting access to bins. The pictures attached show the house making the request for development and clearly show the existing tenants both below and above in this property parking in the laneway everyday. The access to the garage in the rear is not available to the existing tenants. Further development and adding more people will only increase vehicles in the laneway and can block our vehicles from getting out of our garage.

In the winter this is further amplified as the laneway is obviously not plowed (due to the gravel surface) and the cars park further away from the house into the laneway.

Will they be providing access to the garage AND creating a car port on the existing land to alleviate this existing issue without simply making things worse? Of note the house right beside this home in question- just added a cement car port in addition to the garage they already use. Can this not be applied to the home in question as well.

I really appreciate your time, consideration and going through the due process. I am more than happy to discuss further or provide further pictures to assist in the process.

Warmest regards,

Mark Davy

Owner/ Brentwood Resident

3135 Brentwood Blvd. NW

403-874-2191

<CA Feedback DP2023-00720 at 4220 Brisebois Dr.pdf>



