

**Subject:**Secondary Suites update - May 2 Council proposed changes - M-2016-004

**Date:**Tue, 26 Apr 2016 11:22:22 -0600

**From:**Melanie Swailes

Hi all,

It's been a long time since our group has sent out an update on secondary suites. If you no longer wish to be on our list, please just reply to this mail, and I will immediately remove your name. If you are interested in recent events, then read on!

We have recently updated our website and you can find additional and more detailed information there: <http://not4rz.ca/>

On May 2, 2016, some proposed amendments regarding the Land Use Bylaw for Secondary Suites and Backyard Suites will go before City Council. You can read the Administration Report here: [http://www.calgary.ca/ layouts/cocis/DirectDownload.aspx?target=http%3a%2f%2fwww.calgary.ca%2fPDA%2fpd%2fDocuments%2fcalgary\\_planning\\_commission%2fagenda%2f2016-004.pdf&noredirect=1&sf=1](http://www.calgary.ca/ layouts/cocis/DirectDownload.aspx?target=http%3a%2f%2fwww.calgary.ca%2fPDA%2fpd%2fDocuments%2fcalgary_planning_commission%2fagenda%2f2016-004.pdf&noredirect=1&sf=1)

### **What are the Amendments?**

“The proposed amendment would remove specific parcel depth and area requirements, reduce the parcel width to the typical minimum for the district [which is only 7.5 m for R-C2 lots] or 9.0 metres, whichever is greater, and increase the allowable floor area for suites to 100.0 square metres. The proposed amendments would not change which districts allow accessory suites.”

### **What does this mean?**

- **It applies only to districts where suites are already allowed.** It does **not** add new districts or permit suites in areas that are not currently zoned for them.
- In areas where suites are already allowed, **the size of the property that may contain a suite has been reduced:** a suite could now be built on a smaller property than previously required. The parcel width would be reduced to 9.0 meters or as little as 7.5 meters in some districts where this is the typical minimum.
- In areas where suites are already allowed, **the size of the suite itself will increase.** Currently, a suite can be only up to 70 sqm (about 750 sq. ft.) if in a basement or slightly larger (75 sqm) if it is a backyard or garage suite. The new proposal would allow suites to be up to 100 sqm (1070 sq. ft.).

### **How does this affect R-1 or R-C1 homeowners?**

- It sets the precedent for suites in terms of sizes and property sizes.
- Any R-C1 homeowner can apply to City Council for a rezoning to R-C1s. At a recent Council meeting, 21 out of 26 applications were approved, about 80% of them. Even if you live in an R-C1 area, your neighbor can apply to rezone his property.
- If your neighbor applies for a rezoning to allow for a suite (R-C1s), then the new rules will

affect what he is allowed to build, and consequently what can be built next to you.

#### Why are narrow lots a concerns?

- Narrow lots with secondary suites may cause crowding and parking concerns, especially lots as narrow as 7.5 meters (24 feet) wide.
- Backyards will have little room for trees or green space if they create parking spaces for multiple vehicles.

#### Why are 1070 sq.ft. maximum size suites a concern?

- The reason the size increase was proposed because in the case of a larger home, an owner might actually have to block off part of his basement because the suite would otherwise be too large to comply.
- The concern is that a suite should truly be “secondary” to the main house. If we allow for extra large suites, at what point does it become more like a duplex?
- The number of potential tenants becomes much higher if there are multiple bedrooms. Parking concerns might also increase.
- An investor could tear down a home in an RC-1 neighborhood and rebuild it with a 1070 sq. ft. secondary suite with a separate entrance plus the main house, again, essentially creating a duplex.

#### What is the bigger concern?

- The 1070 sq. ft. secondary suite could also be a backyard, laneway or garage suite.
- A rezoning approval changes the Land Use Designation to R-C1s, but **it does not specify which type of suite will be built**. The wording on a rezoning application has been changed in the past year, and now reads in part:

***Approval of this land use application does not constitute approval of a specific secondary suite type, but rather it allows for a secondary suite to be considered via the development or building permit process.***

- An applicant can apply for a basement suite, then later sell the property or change his mind and later build a backyard or laneway suite. (see samples of laneway houses here: <http://www.avenuecalgary.com/City-Life/Laneway-Housing-Calgary/>)
- You might be in agreement with your neighbor building a basement suite, but a backyard or garage suite is much more visible and could affect your property through shadowing, loss of privacy, and change of neighborhood build form. While backyard and garage suites would be discretionary (neighbors can comment on them), the onus is on neighbors to “fight” against them, and they will likely still be approved.

#### What NOT4RZ proposes instead:

1. **Keep the minimum lot width at 9 meters**; do not allow secondary suites on 7.5 meter wide properties. Narrow lot widths create too many potential problems, especially with parking. Property depth minimums are not as crucial, largely because they don't affect available parking frontage.

2. **The increase in suite size to 100 sqm (1070 sq. ft.) should be allowed only if below grade (i.e. basements).** The original intent was to allow for a homeowner to develop a legal suite even if his basement was larger than the current 750 sq. feet.
3. **No increase in size for above grade suites such as laneway houses, backyard suites or garage suites.** They should remain at 75 sqm. If suites as large as 1070 sq. ft. are allowed, this is essentially like building a full second home the size of many bungalows on a property. With the potential for 3 bedrooms and higher rental rates, this becomes an attractive option for investors. That was never the intent of the proposed size increase.
4. **The type of suite needs to be specified on the original application, and only that type can be built.** An applicant should not be allowed to apply for a basement suite and later build a garage suite instead. Neighbors need the chance to comment on an application and to do so, they need to know what will be built next to them.

If you wish to comment on these issues, you can send a letter to all 14 Councillors who will be voting on the proposed amendments at [Councillorweb@calgary.ca](mailto:Councillorweb@calgary.ca), as well as the mayor at [themayor@calgary.ca](mailto:themayor@calgary.ca). Letters must be submitted prior to Monday, May 2, 2016, so I would suggest by the end of this week.

Please remember that this Motion before Council is only to discuss the above amendments, not a general debate over secondary suites. There are some sample letters on our website, and your comments should focus on the proposed property size and suite size amendments.

You can also attend the Council meeting on Monday, May 2, 2016, and you can speak at the meeting as well. The agenda will be set in the middle of this week so you can see where this item falls on the schedule. <http://agendaminutes.calgary.ca/sirepub/meetresults.aspx>

Thank you for your continued interest.

Melanie Swailes,  
on behalf of NOT4RZ