

Rutland Park Community Association Concerns Regarding Land Use Bylaw 1P2007 Amendments for Secondary Suites and Backyard Suites

Positive Elements of the Amendment Proposal

- A map designating affected areas avoids the unnecessary complexity of parcel redesignation (pg. 6)
- Changes are intended to provide additional sources of affordable housing in inner city communities
- Changes are also intended to allow Council to focus on higher profile/higher impact developments as opposed to low density residential; possible further refinement could include new procedures and a review board for low density residential
- The *City's goal is to reduce the number of illegal and unsafe suites*
- Some communities, even those in the next "ring" out from the inner city, may actually be interested in redesignation to R-C2 as a means of increasing property value and revitalizing their communities, or of being included in Suites Area 1 of Map 2.1; this may be something Council would like to pursue further

Some of the Proposed Changes Overstep Provisions of the Municipal Development Plan

--The MDP Promotes:

- Reinforcing the character, quality and stability of neighbourhoods Section 2.2*
- Lessening the impact on stable, low-density areas Section 2.2.1*
- The City promotes infilling that is sensitive, compatible and complementary to the existing physical patterns and character of neighbourhoods Section 2.2.5*

--The proposal to remove the current minimum lot widths for secondary suites (pg. 36) would have a huge detrimental impact on all unsubdivided/unredeveloped R-C2 lots, and this impact has not been made clear to residents

--I have confirmed with City Planners that, *"under the proposed amendments they would have the potential to subdivide and put two single detached and two secondary suites on two 7.5m wide lots"*; **this would quadruple the potential density for these lots**

--Over 40% of our community's low density residential lots would be affected by this proposed change alone (without considering additional dwelling units in our R-C1 homes) since we as a community, have only recently had our first infill development applications

The Proposed Amendment Downplays some of our Key Concerns

--pg 12--*While the rate of applications may increase further pending the approval of these amendments, the number of applications for suites in any given community will most likely continue to be a reasonably low number*

-- Several times on pg 12 it is reiterated that there will be a potentially low number of suites as a result of the proposed changes. This is not the case for our community if the current minimum lot widths for secondary suites are removed, because we have had limited redevelopment to date, and also because of our proximity to Mount Royal University and Currie Barracks.

-- I would also like to point out that at this time, only 36% of our dwelling units are single family homes (combining both R-C1 and R-C2) as opposed to the 76% average that is purported across Ward 11. We are not predominantly a low density area, we do offer affordable and subsidized housing within our community boundaries, and **we are trying to maintain the balance and variety of housing that is currently available**, which includes single family homes. Removing the current minimum lot widths for secondary suites in our community jeopardizes this balance.

--pg 18—*It is likely that these existing {illegal} suites will represent the majority of landowners who initiate applications for permits. While some applications for new suites are expected, with the majority being unpermitted suites seeking compliance, the population increase will not likely be significant.* **Again, on pg 18, the proposal downplays the number of suites that are likely to result from the proposed amendments, as well as the impact of the Backyard Suite built form in affected communities. Both of these changes have the potential to have a huge impact in our un-subdivided/un-redeveloped community.**

--As a counter consideration to pgs 12 and 18, if new applications will be predominantly for existing suites and given how little impact the City purports in terms of new suite generation—why are ineffectual changes being proposed in the first place?

Regarding the Preferential Treatment of Communities

--Painting most communities with the same brush and applying all amendments without regard for unique community character and mitigating factors does not *avoid the perception of preferential treatment for communities (pg 12)*, when you also note the existence of communities such as Mount Royal on --pg 11-- *These communities are generally the older parts of the city, and therefore, the DC Bylaws are from a variety of decades and exist in residential areas for a variety of reasons. The option to revisit a DC Bylaw can be done in partnership with landowners governed by a DC Bylaw. Any changes would require a public hearing and decision by Council.*

--Existing DC bylaws allow for direct landowner input in the case of Mount Royal, while the City chooses to override CPR caveats in our community which are intended to maintain our community character and scale

--Removing the current minimum lot widths for secondary suites would have a huge negative impact on our community, and likely not the same impact on communities which have already redeveloped;

accordingly, we are looking to either maintain the current minimum lot widths for secondary suites for all communities, or we are looking for preferential treatment because of our unique circumstances

The Current Proposal is Incomplete

--pg 1 and 51 indicate that *Council directed Administration to prepare a report outlining the procedures and implications of a licensing system for secondary suites*; this document is intended to help alleviate residents' concerns regarding the proposed amendments and their implementation, and therefore needs to become part of the discussion and approval of the amendments

--pg 2, and 49-51 indicate a focus shift by Council: Sep 22, 2014 *from exploring the impact of allowing secondary suites as a discretionary use in R-1, R-C1 and R-C1L land use districts, including preparing draft requirements, procedures, and citizen application forms to use in exercising such discretion*, to Dec 15, 2014 *preparing Bylaw amendments allowing secondary suites in all R land use districts in wards 7,8,9 and 11*

--communities and stakeholders were not engaged as part of this decision, raising questions about transparency and alignment with the MDP—the MDP Section 2.3 specifically states-- *Policies in this section are aimed at promoting individual and community health and promoting a good quality of life by: Providing citizens with opportunities to become involved in decision-making processes and effectively engaged in shaping their local communities*

--shifting the focus from secondary suites as a discretionary use to a permitted use without community engagement restricted the ability of citizens to help shape their local communities

--pg 4 – indicates that *Council direct Administration to develop a monitoring program for a period of up to 24 months from the date of implementation, to evaluate the effects of the Land Use Bylaw changes*. With the economic downturn and the prediction that most development permit applications will initially be to make illegal suites compliant, a short term monitoring program will likely indicate minimal impact and not be an effective use of tax dollars. Allocating those tax dollars to illegal suite enforcement would be a more prudent directive.

--pg 13—Administration acknowledges that *effective enforcement is an important component of implementation of any regulations*. However, Administration is mistakenly under the impression that it has a history of successful enforcement of existing unpermitted suites. Enforcement is restricted by the bylaws and policies governing it, as well as the budget it has been given. The bylaws and policies regarding illegal suites in R-C1 and R-C1L properties will need further upgrading to require property owners to either make the suites compliant, or permanently remove the 220 wiring for a stove, as well as kitchen sink and cupboards. It is not sufficient to have a property owner remove a stove or hotplate if we are looking at allowing secondary suites as permitted uses for R-C1 and R-C1L zoning.

--pg 17--*The City has a Community Standards Bylaw (5M2004) that can be used to take enforcement action for properties that are in unsightly condition, or have noisy occupants. This bylaw should also be amended to allow for stricter enforcement, to help alleviate the concerns created by secondary suites.*

Further Changes are Required to the Proposal, and in Conjunction with the Proposal, to Support Secondary Suites in R-C1 and R-C1L Properties

--with appropriate changes to this proposal, and in conjunction with changes to bylaw policies and enforcement, there could be a lot of homeowner support for including secondary suites in R-C1 and R-C1L properties

--without the appropriate changes, this proposal oversteps the provisions of the MDP and has a negative impact on the character and stability of existing neighbourhoods; further revisions are required

--The current minimum lot widths for secondary suites must be maintained as written in the LUB, not removed for Suites Area 1 as indicated in the amendment proposal

-- The Community Standards Bylaw (pg 13) provides a mechanism to address issues such as noisy neighbours and unsightly properties. This will require amendment as well as an increase in budget, to allow for stricter enforcement.

--Pgs 11 and 51 suggest a period of exemption (18 months) to allow homeowners to bring illegal suites into compliance. A 6 month application exemption should be adequate—communities do not want illegal suites thrown in now where none existed. It might also be prudent to time secondary suite amendments to provide needed economic stimulus

-- A licensing system for secondary suites needs to form part of this proposal (pgs 1 and 51), before amendments are approved

--Changes to Bylaw policies and enforcement (pg 13) need to restrict secondary suites in R-C1 and R-C1L properties to either compliance or complete removal of kitchen facilities including 220 wiring, kitchen sink and kitchen cupboards

--Maintaining current minimum lot widths for secondary suites, strengthening bylaw enforcement policies and budgeting around illegal suites, and increasing landlord accountability through changes to the Community Standards Bylaw (5M2004) and a licensing system, would sway support in terms of allowing secondary suites in R-C1 properties in our community

Respectfully submitted on behalf of the Rutland Park Community Association by

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