



Your Community, Your Association, Your Voice

February 21, 2018

Mayor Nenshi and Members of the Calgary City Council
700 Macleod Trail S.E.
Calgary AB T2G 2M3

Dear Mayor Nenshi and City Councillors:

We are writing to object to the proposed changes to LUB 1P2007 which would make secondary suites (both basement and backyard) discretionary in R-C1. These changes would in effect be a re-designation of all R-C1 properties within our community.

We understand your need to address the inordinate amount of time which Council spends addressing land use re-designation to allow for secondary suites, and appreciate that this process needs to be revised to minimize the time commitment which is required of Council given our current Land Use Bylaw.

Rutland Park is a unique community that already exceeds the 60 year density goals set out in the MDP. Only 12% of our residences are zoned as single family, and it helps to maintain a variety of housing options for our residents, including providing bungalows for our seniors. Eighty-eight percent of our housing is already R-C2 or higher density.

There is a drastic difference in terms of the impact of a basement suite, as opposed to a backyard suite, on a neighbourhood. Any motion making secondary suites a discretionary use in R-C1 should specify basement suites only. Backyard suites need to continue to be processed through the R-C1s re-designation process.

Your own City documentation-- [Developed Areas Land Supply Infographic 2016](http://www.calgary.ca/PDA/pd/Pages/Planning-and-development-resource-library/Publications.aspx#growth), found here-- <http://www.calgary.ca/PDA/pd/Pages/Planning-and-development-resource-library/Publications.aspx#growth> indicates that we are already on track to exceed our 2039 MDP density goals without the proposed motion to make secondary suites a discretionary use in R-C1. "To achieve the targets of the MDP, we need to accommodate 70,500 more housing units in the Developed Areas by 2039. We are on our way to reaching this target through existing capacity in land use, policy and outline plans. Land Use--We could develop up to 57,200 housing units without rezoning any land on vacant and underutilized lots. Local Area Plans (2014)-- We could develop up to 62,700 housing units if all developed areas were built accordingly to their current local area plans. e.g. Westbrook Village ARP East Village



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ARP Stadium Shopping Centre. ARP Outline Plans--There is a capacity for an additional 27,100 units in approved outline plans. e.g. WestCampus Currie Barracks Shawnee Park."

In addition, a recent U of C graduate research paper, (Kylee v d P) soon to be filed with the FCC, indicates that **72% of all illegal suites in Calgary are already permitted by land use, so it would appear that land use and changes to the LUB are not the issue.** 60% of these are investor owned rather than homeowners living with a suite in their homes. 46% of all suites which are illegal because of land use, are located in the northeast quadrant of the City. **Sweeping changes to the LUB will have negative consequences for many communities, when in reality, there are communities which would appear to embrace the change— a secure ballot vote by R-C1 homeowners would give you your answer, and could be included with the mailout of property taxes.**

Your own research data indicates that any changes to R-C1 are unnecessary at this point to meet our MDP density goals, especially since secondary suites are not currently included in density calculations. We object to the proposed motion, and would like to point out some additional concerns that would need to be addressed:

We do NOT support garage and backyard suites as automatically becoming a discretionary use for R-C1 lots-- they should still require a land use re-designation to R-C1s.

Unfortunately, "discretionary" simply means that the development has to fit within certain parameters in order to be approved, and allows very limited input from affected neighbours. **There need to be additional guidelines in place when dealing with these applications, which will allow for and heavily weigh neighbour input, and uphold any restrictive covenants on the properties** (even though these covenants are not tied to the LUB).

Meaningful changes will also need to be made to the Community Standards Bylaw to enable better enforcement around issues such as the exterior appearance of a property, as well as noise and parking concerns. This will require an increase in budget for additional enforcement, as well as enforcement around illegal suites in these properties.

Council needs to reinstate the fees for land use re-designation to R-C1s, etc, as well as the development application and fees for basement suites in R-C1/single family



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properties-- given the budget cuts the City has to make, these fees should be covered by the user, not the taxpayer.

We are also very concerned that Council maintains a minimum lot width which precludes secondary suites on 25 ft lots-- we do not want our R-C2 properties becoming 4 plexes.

Council needs to clearly stipulate no relaxations with regards to the minimum number of onsite parking stalls for all suite applications.

With any change intended to facilitate additional secondary suites, we request an administrative change that includes secondary suites in all calculations for density. Using secondary suites as a means of achieving our 60 year MDP goals, and then not including them in the calculations is unacceptable-- this practice needs to change. In addition, our Council representation and community funding is based on density calculations-- secondary suites need to be included in these calculations.

As Rutland Park is a unique community that already exceeds the 60 year density goals set out in the MDP, and given the fact that only 12% of our residences are zoned as single family, all of which have restrictive covenants on them to restrict them to single family homes, if changes are made to make suites discretionary in our properties, we ask that City procedures dictate that our restrictive covenants be upheld. We do not want to be pitting neighbour against neighbour in the Courts.

In the event of the proposed changes to the LUB, we ask that you **add a specific section on the development application indicating that any restrictive covenant prohibiting the proposed development needs to be addressed before the application will be considered**, and that a copy of title and any RC be included with the application. These restrictive covenants were set up as a building scheme to plan our neighbourhood before the introduction of the LUB, and have done a great job so far—we want to see them upheld.

Thank you for your time and consideration.

Regards,

Leanne Ellis
President Rutland Park Community Association