

**SUPPLEMENTARY REPORT TO CPC2017-047- LAND USE AMENDMENT BRENTWOOD  
(WARD 7) SECOND AND THIRD READING OF BYLAW 51D2017**

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**EXECUTIVE SUMMARY**

The 2017 February 13 agenda for the combined meeting of Council included nine land use amendment applications from a single landowner. Each application was intended to facilitate the development of a Secondary Suite on his various rental properties throughout the city. Council referred these items back to Administration with direction to meet with the landowner and help to identify problem areas and proactive solutions for addressing property maintenance issues moving forward. This report has been prepared to address the direction provided by City Council and facilitate further consideration of the recommended land use amendments.

In responding to the Council direction, Administration has informed the landowner on the Community Standards Bylaw (CSB), explaining responsibilities of various stakeholders in maintaining community standards, highlighting best practices for landlords and discussed creative solutions which the Applicant could voluntarily implement moving forward.

Given the efforts of Administration and the Applicant to ensure sufficient awareness and acknowledgement of common community standards issues and responsibilities of property owners, this report recommends giving second and third reading to Bylaw 51D2017 as per the CPC2017-047 report and to move forward with the consideration of the remaining tabled items.

**ADMINISTRATION RECOMMENDATION(S)**

That Council give second and third readings to Bylaws 51D2017.

**PREVIOUS COUNCIL DIRECTION / POLICY**

On 2017 February 13 Council passed the following motion as it relates to CPC2017-047:

*REFER, Moved by Councillor Carra, Seconded by Councillor Colley-Urquhart, that Council withhold second and third readings of Bylaw 51D2017, until the Applicant and Administration meet and establish mutually acceptable standards for the upkeep of this and the Applicant's potential other secondary suite applications, to return no later than 2017 June.*

At the same meeting, Council also passed the following motion as it related to this landowner's remaining land use amendment applications:

*TABLE, Moved by Councillor Carra, Seconded by Councillor Colley-Urquhart, that Report CPC2017-049, Land Use Amendment, Dover (Ward 9), Dovely Crescent SE and 26A Street SE, Bylaw 53D2017 be tabled to the 2017 June 12 Combined Meeting of Council and the following Reports be brought forward and tabled to the 2017 June 12 Combined Meeting of Council:*

**7.12 LAND USE AMENDMENT, DOVER (WARD 9), 26A STREET SE AND DOVELY PLACE SE, BYLAW 54D2017, CPC2017-050**

**SUPPLEMENTARY REPORT TO CPC2017-047- LAND USE AMENDMENT BRENTWOOD  
(WARD 7) SECOND AND THIRD READING OF BYLAW 51D2017**

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- 7.14 *LAND USE AMENDMENT, PENBROOKE MEADOWS (WARD 10), SOUTH OF MEMORIAL DRIVE SE AND EAST OF 52 STREET SE, BYLAW 56D2017, CPC2017-052*
- 7.15 *LAND USE AMENDMENT, ERIN WOODS (WARD 10), ERIN PARK BAY SE AND ERIN PARK CLOSE SE, BYLAW 57D2017, CPC2017-053*
- 7.16 *LAND USE AMENDMENT, RUNDLE (WARD 5), RUNDLEFIELD CRESCENT AND RUNDLEFIELD ROAD NE, BYLAW 58D2017, CPC2017-054*
- 7.17 *LAND USE AMENDMENT, MIDNAPORE (WARD 14), MIDRIDGE ROAD SE AND MIDLAKE BOULEVARD SE, BYLAW 59D2017, CPC2017-055*
- 7.19 *LAND USE AMENDMENT, QUEENSLAND (WARD 14), QUEENSLAND GATE SE AND QUEENSLAND ROAD SE, BYLAW 61D2017, CPC2017-057*
- 7.21 *LAND USE AMENDMENT, SOUTHWOOD (WARD 11), SPRINGWOOD DRIVE SW AND SINCLAIR CRESCENT SW, BYLAW 63D2017, CPC2017-059*
- 7.22 *LAND USE AMENDMENT, SOUTHWOOD (WARD 11), SOUTH OF SOUTHLAND DRIVE SW AND EAST OF ELBOW DRIVE SW, BYLAW 64D2017, CPC2017-060*

**BACKGROUND**

On 2017 February 13, Council held a public hearing to discuss CPC2017-047; a land use amendment application in the Community of Brentwood. The report from Calgary Planning Commission recommended a redesignation of the subject property from R-C1 to R-C1s to facilitate the development of a secondary suite. This landowner had a total of nine properties that were subject to similar land use redesignation applications on the 2017 February 13 meeting agenda.

From a procedural perspective, Council held the public hearing for CPC2017-047 and gave first reading to the associated bylaw (51D2017). During the consideration of CPC2017-047, members of Council referred to a variety of public submissions made regarding other items on the agenda that suggested this landowner's properties were the subject of on-going maintenance and upkeep issues. In response to submissions about sub-standard property maintenance across the owner's portfolio, Council then passed a motion to withhold second and third reading of this bylaw and refer the item back to Administration until further consultation with the applicant had occurred. In this regard it was directed that "the Applicant and Administration meet and establish mutually acceptable standards for the upkeep of this and the Applicant's potential other secondary suite applications, to return no later than 2017 June".

The above referenced motion was passed during consideration of CPC2017-047 but it is important to highlight that Council passed a subsequent motion to table the remaining eight

**SUPPLEMENTARY REPORT TO CPC2017-047- LAND USE AMENDMENT BRENTWOOD  
(WARD 7) SECOND AND THIRD READING OF BYLAW 51D2017**

---

applications from the same landowner and return with the associated CPC reports to the 2017 June 12 meeting of Council.

**INVESTIGATION: ALTERNATIVES AND ANALYSIS**

The 2017 February 13 referral directs that Administration meet with the landowner to establish mutually acceptable standards for the upkeep of his portfolio of rental properties. In consideration of the Council direction, it is important to recognize that the Municipal Government Act (MGA) authorizes municipalities to pass bylaws respecting the safety, health and welfare of people and protection of people and property. The City relies on its CSB to outline minimum standards for the upkeep of properties within Calgary. In view of this Administration has relied primarily on the existing provisions of the CSB in communicating and establishing minimum standards for upkeep of the owner's various land holdings.

To address the direction of Council, Administration informed the landowner and conducted a critical assessment of the outstanding community standards enforcement issues in dealing with the referral motion. To address the referral motion, allow for the consideration of Bylaw 51D2017 and move forward with the consideration of the remaining eight applications, Administration has conducted individual information sessions with the Applicant on the CSB, responsibilities of various stakeholders in maintaining community standards, best practices for landlords and discussed potential solutions which the applicant could voluntarily implement moving forward. The efforts and investigation completed by Administration are detailed further below. Administration has also considered 3-1-1 Service Request (SR) data to gauge the overall compliance history and help identify target areas for discussion with the Applicant.

Compliance History/Investigation

Calgary Community Standards (CCS) conducted analysis of 3-1-1 SR data related to these properties. Upon investigation CCS found that the properties in question were not in major violation of the Community Standards Bylaw (or other bylaws). In total over the past three years, there were three, 3-1-1 bylaw complaints received for all nine properties in question. These complaints related to waste/sign and behaviour concerns.

Administration-led Education

Representatives from Calgary Building Services (CBS), CCS and Planning and Development (PD) held an in-person meeting with the landowner on 2017 April 25. Discussions at the meeting were aimed at providing education on community standards and common issues that lead to complaints within our communities. Administration provided an overview of the CSB and the responsibilities of landowners in maintaining these standards. The intent of this discussion was to ensure that there was an understanding of the expectations and consequences for not maintaining proper upkeep and help the landowner to better mitigate future community standards issues on the properties. Administration also provided some additional information on courses that are offered by the Calgary Residential Rental Association (CRRRA) that provides information to property owners on dealing with landlord and tenancy issues.

**SUPPLEMENTARY REPORT TO CPC2017-047- LAND USE AMENDMENT BRENTWOOD  
(WARD 7) SECOND AND THIRD READING OF BYLAW 51D2017**

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Applicant Response

Further to this meeting, the applicant has signed a written acknowledgement (signed 2017 May 11) that confirms his understanding with Administration on this topic and provides some additional proactive steps that he intends to implement in moving forward with the operation of his rental properties. This acknowledgement is found in Attachment 1. In general the memo addresses the following:

- History of compliance
- Acknowledgement of common community standards issues
- Proactive steps to implement in moving forward

Associated Reporting

Additionally on 2017 February 13, Council provided direction for Administration to undertake a scoping report for a review of current challenges to the successful enforcement of the CSB, with specific attention to problem properties where multiple and recurring issues remain unresolved and report back no later than 2017 April. This report was provided to Council on 2017 April 24 and provided an overview of CCS' enforcement practices and tools, resource allocation, education and awareness efforts, and collaboration opportunities with other City business units and agencies. Specifically the report speaks to an identified opportunity to increase effective communications and expand the Coordinated Safety Response Team (CSRT) process to enable the committee's mandate to include occupied problem properties and address citizen concerns by strengthening the existing collaborative approach. Administration intends to present the amended Terms of Reference for the CSRT to Council through the SPC on Planning and Urban Development in 2017 June.

**Stakeholder Engagement, Research and Communication**

This report is a result of direction from Council to meet and establish mutually acceptable standards for the upkeep of this property, and the Applicant's other potential secondary suite locations. In-person meetings, and a number of other communications have been provided to the Applicant in this regard. Required stakeholder engagement has occurred as directed by City Council.

**Strategic Alignment**

The recommendations outlined in this report would facilitate further consideration of land use bylaw amendments which serve to implement the objectives of the Municipal Development Plan.

**Social, Environmental, Economic (External)**

N/A

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**Financial Capacity**

**Current and Future Operating Budget:**

This report has no impact on current or future operating budgets.

**Current and Future Capital Budget:**

This report has no impact on current or future capital budgets.

**Risk Assessment**

There is risk that if Council does not proceed with the recommendations that the recommended land use amendments will be further delayed.

**REASON(S) FOR RECOMMENDATION(S):**

Administration has met with the Applicant to address the objectives outlined in Council's 2017 February 13 referral motion. Administration has led targeted education with the Applicant on the CSB, responsibilities of various stakeholders in maintaining community standards, best practices for landlords and discussed creative solutions which the applicant could voluntarily implement moving forward. The Applicant has signed an acknowledgement letter that indicates an understanding of common property maintenance issues and has identified specific proactive measures that will be implemented moving forward.

**ATTACHMENT(S)**

1. T. Esmail Acknowledgment of Community and Property Standards – 2017 May 11
2. Bylaw 51D2017