

From: [Smith, Theresa L.](#)
To: [Public Submissions](#)
Subject: FW: [EXT] Formal Complaint re: Application for Land Use Amendment: LOC2017-0304 at 9012 Fairmount Dr. S.E. to Redesignate from R-C1 to R-C1s (Secondary Suite)
Date: Friday, March 02, 2018 8:03:52 AM
Importance: High

From: slyee@telus.net [mailto:slyee@telus.net]
Sent: Friday, March 02, 2018 12:04 AM
To: City Clerk <CityClerk@calgary.ca>
Cc: stevenyee@shaw.ca
Subject: [EXT] Formal Complaint re: Application for Land Use Amendment: LOC2017-0304 at 9012 Fairmount Dr. S.E. to Redesignate from R-C1 to R-C1s (Secondary Suite)
Importance: High

Laura M. Kennedy, City Clerk
Office of the City Clerk
The City of Calgary
700 Macleod Trail S.E.
P.O. Box 2100, Postal Station "M"
Calgary, AB T2P 2M5

Dear Ms. Laura M. Kennedy:

This letter is to register a formal complaint regarding the **Application for Land Use Amendment: LOC2017-0304 at 9012 Fairmount Dr. S.E. (Plan 7174HS, Block 9, Lot 26) to redesignate the site municipally from Residential – Contextual One Dwelling (R-C1) District to Residential – Contextual One Dwelling (R-C1s) District [Secondary Suite] – Acadia Bylaw 80D2018.**

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Our family has lived at 9008 Fairmount Dr. S.E. since 1969. Our property is adjacent to 9012 Fairmount Dr. S.E. We have continually maintained our property inside and out, performed necessary home improvements, renovated the residence over the years, and conformed to city residential bylaws.

Our family formally became aware about this Application for Land Use Amendment when we received a letter from the City of Calgary (Planning & Development), via Canada Post on November 20, 2017, which included the Land Use Redesignation Applicant's Submission (Secondary Suites). Note that this letter was postmarked on Thursday, November 16, 2017. This letter from the City of Calgary suggested that any written responses regarding this Land Use Amendment Application to be sent by November 16, 2017 to Jihad Bitar. This is a clear oversight of the management of this land use review. This did not allow our family or any concerned and affected residents in the neighbourhood sufficient time to voice their concerns.

Our family e-mailed Jihad Bitar on Nov. 23, 2017 about our concerns. Jihad replied to this e-mail on

Nov. 23, 2017, apologizing that the letter from the City of Calgary reported Nov. 16, 2017 as the deadline. Jihad stated that the due date for sending in concerns and comments was Dec. 4, 2017. Jihad specified that he would add all of our concerns to the report regarding this file before the council. He also expressed that we could send in any further concerns or comments all the way until the file was discussed at the council.

The handwritten "Land Use Redesignation Applicant's Submission (Secondary Suites)" by these owners references to the engagement with neighbouring land owners, stating that "*the neighbours are OK with it*". This is deceitful, dishonest, and misleading. The owners of 9012 Fairmount Dr. S.E. never engaged with any member of our household regarding their application for land use redesignation. Our family was never notified verbally or in writing by these owners about this application for land use amendment for a secondary suite. Furthermore, several neighbours adjacent and behind 9012 Fairmount Dr. S.E. conferred on the evening of Nov. 22, 2017 regarding this application. All expressed equal concern and disagreement, and none were consulted as alluded by the applicant.

Our family spoke via phone to one of the owners of the home, Maryann Murzello, at 9012 Fairmount Dr. S.E. in early April 2014 regarding our concerns about their old, deteriorating fence next to our property. We requested the owners repair their degenerating fence, which was falling over onto our property. We had to use wires, strings, and adjacent bushes to prevent this fence from completely collapsing onto our property. This fence is within their property line and is their responsibility to fix. Maryann stated that she would speak to her husband about our concerns and would have this fence repaired by the end of that same month. This fence was never repaired and remains dilapidated as a result of neglect. We never heard back from the owners since.

The legal owners have never lived in the house at 9012 Fairmount Dr. S.E. since they purchased the property in 2013. Instead, there have been multiple renters (at least five separate groups) residing at this house since 2013. Police have been dispatched to this house several times due to disturbances among the renters. This has disrupted our usual peaceful community in Acadia. Please confer with Calgary Police Services on the incidents and dates.

The double garage, which was reported on this application, is in a state of disrepair and does not appear to be appropriate for parking. The garage door opening does not face the alley and does not have a functioning overhead door. The pad parking, noted on this application, only allows for two small vehicles to park on the back property. There is a pile of multiple concrete boulders adjacent to the garage in the alley which may be a safety hazard to the general public. The attached photos show portions of the neglected and deteriorating fence, the manner of parking on the property and in the alley, and some of the concrete boulders behind the silver Honda vehicle.

Home occupants typically do not park their vehicles in front of their residences on Fairmount Drive S.E. since it is a busy street, a major City Transit bus route (#10), and a declared Snow Route in the winter. Instead, occupants have a tendency to park their vehicles in the alley or in the garages at the back of their respective properties.

Redesignation to a secondary suite at 9012 Fairmount Dr. S.E. would have negative impacts to this

neighbourhood. It would create issues with congestion due to the increased number of vehicles parking in the alley. In addition, this would subsequently cause a hindrance to garbage and recycling pick-up in our community.

Any landlord who chooses to own a property in this neighbourhood must be responsible and not just see this as an unattended and easy investment. This has truly not been the case.

Our family supports secondary suites as a strategy to provide affordable housing if certain conditions are met, such as proper maintenance and improvements to residences, and approval and support from neighbouring land owners. However, as adjacent neighbours to the property at 9012 Fairmount Dr. S.E., **we strongly oppose** the Application for Land Use Amendment, LOC2017-0304. We feel that the legal owners of 9012 Fairmount Dr. S.E. are irresponsible and neglectful of their property. These owners never considered our opinion and did not seek our support or approval prior to their application. We perceive their application to be predominantly based on amplifying rental income from a non-owner inhabited residence.

Please kindly reply to this e-mail to confirm acknowledgement of receipt of this message. Thank you for your time and thoughtful consideration.

Sincerely,

Yick Kwong and Lai Ngor Yee and Family





