

CITY OF CALGARY  
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APR 29 2019

ITEM: 10.1.3 PUD2019-0336  
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PUD2019-0336  
ATTACHMENT 1

Copy of Notice of Motion C2018-0512

Item 10.1.3

Report Number: C2018-0512

Meeting: Regular Meeting of Council

Meeting Date: 2018 April 23

## NOTICE OF MOTION

**RE: Improving Safety for Thousands of Calgary Households**

**Sponsoring Councillor(s):** Councillor Gian-Carlo Carra

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WHEREAS studies suggest up to 60,000 households exist illegally in conditions associated with secondary suites;

AND WHEREAS a large portion of these illegal dwellings are mistakenly considered illegal secondary suites but are instead multi-family conditions existing within semi-detached housing forms that have been illegally converted into four-plexes;

AND WHEREAS the condition exists ubiquitously in many wards throughout Calgary in a specific semi-detached form mostly constructed in the 1960s;

AND WHEREAS throughout the secondary suite debates there was broad consensus among City Council and Calgarians that life safety is of broad concern for all Calgarians regardless of individual positions regarding secondary suites;

AND WHEREAS there is no path to safety where there is no path to legality and thousands of Calgarians are living within illegal four-plexes;

AND WHEREAS City Council has on numerous occasions established a path to safety for one-off examples of this condition through owner-initiated conversion to the R-CG land use;

NOW THEREFORE BE IT RESOLVED that City Council direct Administration to:

- a) explore options for a path to legality for illegal dwellings existing within this four-plex condition throughout the city potentially through City-initiated conversion to R-CG or by some other appropriate means; and
- b) explore enforcement mechanisms for landlords unwilling to bring these four-plexes into compliance with the Building Code once a path to safety through legality has been established; and
- c) report back to Council through the Standing Policy Committee on Planning and Urban Development with a scoping report no later than Q2 2019.

### Semi-detached Dwelling Statistics

Administration estimates there are 27,472 Semi-detached Dwellings (13,736 buildings).

The following table provides a breakdown of the number of Semi-detached Dwellings per land use district:

#### Low Density Residential

R-C1	R-C1N	R-C2	R-1	R-1N	R-2	R-2M	R-CG	R-G	R-Gm	<b>Total</b>
140	3	11630	2	1	1856	1431	251	34	99	15447

#### Multi Residential

M-CG	M-C1	M-C2	M-G	M-1	M-2	M-H1	M-H2	M-H3	M-X1	M-X2	<b>Total</b>
3807	4695	165	305	931	210	22	19	3	80	4	10241

#### Direct Control

1613	<b>1613</b>
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#### Other

171	<b>171</b>
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<b>Total</b>	<b>27472</b>
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The following table outlines where Semi-detached Dwellings, Secondary Suites, and Semi-detached Dwellings with Secondary Suites are currently allowed in the Land Use Bylaw:

District	Semi-detached Dwelling		Secondary Suite		Semi with Suite	
	Permitted	Discretionary	Permitted	Discretionary	Permitted	Discretionary
R-C1	Not listed but 140 buildings exist			✓		
R-C1N				✓		
R-C1L				✓		
R-C2	✓	✓	✓			
R-CG		✓	✓			✓
R-CGex						
R-1				✓		
R-1N				✓		
R-2	✓		✓			
R-2M	✓		✓			
R-G	✓		✓			✓
R-Gm	✓		✓			✓
M-CG		✓	✓			
M-C1		✓	✓			
M-C2		✓	✓			
M-H1		✓	✓			
M-H2		✓	✓			
M-H3		✓	✓			
M-X1		✓	✓			
M-X2		✓	✓			
CC-MH		✓	✓			
CC-MHX		✓	✓			

### Secondary Suite Process Reform Information

On 2018 March 13 Council adopted the *Secondary Suite Process Reform*. This included Land Use Bylaw amendments that removed the land use redesignation requirement to allow a suite in a Single-detached Dwelling, created policy to assist with decision making on development permits, waived fees for development permits, created a Suite Registry for legal and safe suites. It also established a two-year “amnesty period” for illegal suites where enforcement is focused on education and actively working with landowners to bring their suite into compliance.

On 2018 May 01 this strategy moved into the implementation stage. This saw Development Compliance Inspectors and Safety Codes Officers conducting coordinated inspections of properties so that all the required and necessary advice and direction to bring the illegal suite into compliance could be delivered in one visit. Those owners wishing to begin the approval process are offered the service of processing a development permit on-site, right in their own home. This is the first time such a service has been offered by Administration with over 120 applications processed in the field to date.

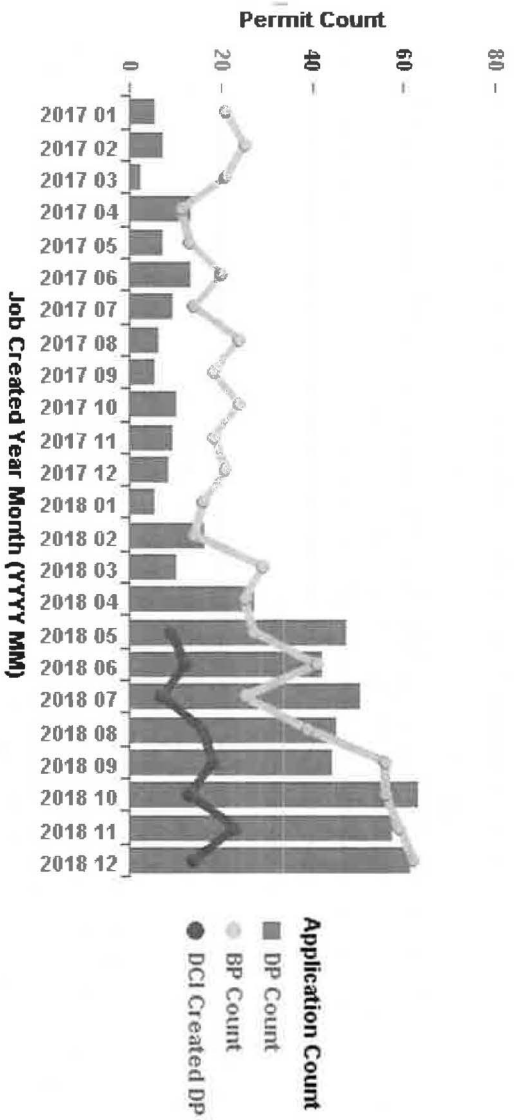
In addition to typical citizen complaints received throughout the year, the last six months of 2018 saw approximately 800 illegal suites identified via proactive enforcement methods. These owners were sent an advisory letter along with an informational pamphlet on the requirements to make their suite legal and safe.

Through the efforts of proactive enforcement with mailout notifications combined with coordinated inspections, the number of development permit applications for Secondary Suites rose 500 percent from 94 in 2017 to 469 in 2018. 411 of these were received in the last six months of 2018. Almost a quarter of these applications were processed in the field by Development Compliance Inspectors.

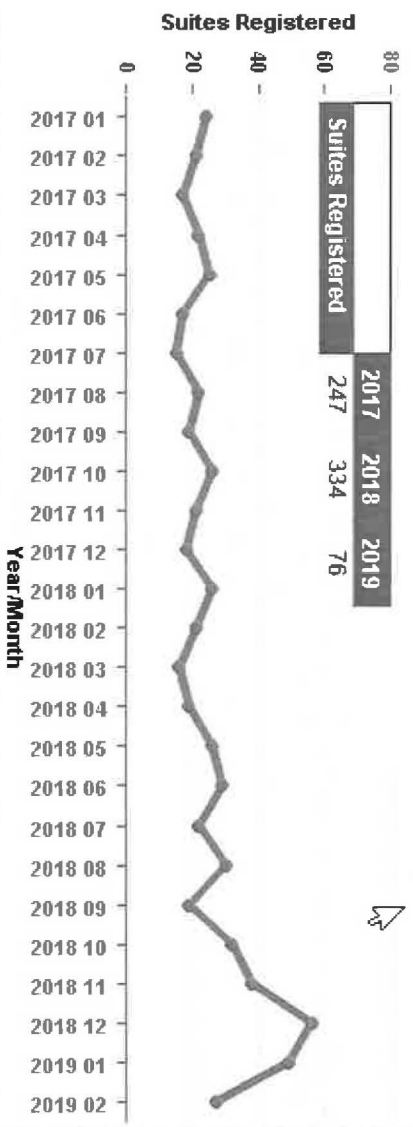
The first two months of 2019 have shown that there is excellent uptake in this service and this trend will continue and the number of suites receiving occupancy and registration will continue to rise.

	2017	2018	2019 (Jan-Feb)
<b>Development Permit Applications</b>	94	475	133
<b>Field Applications</b>	N/A	121	29
<b>Sites Inspected (since May 2018)</b>	N/A	646	357

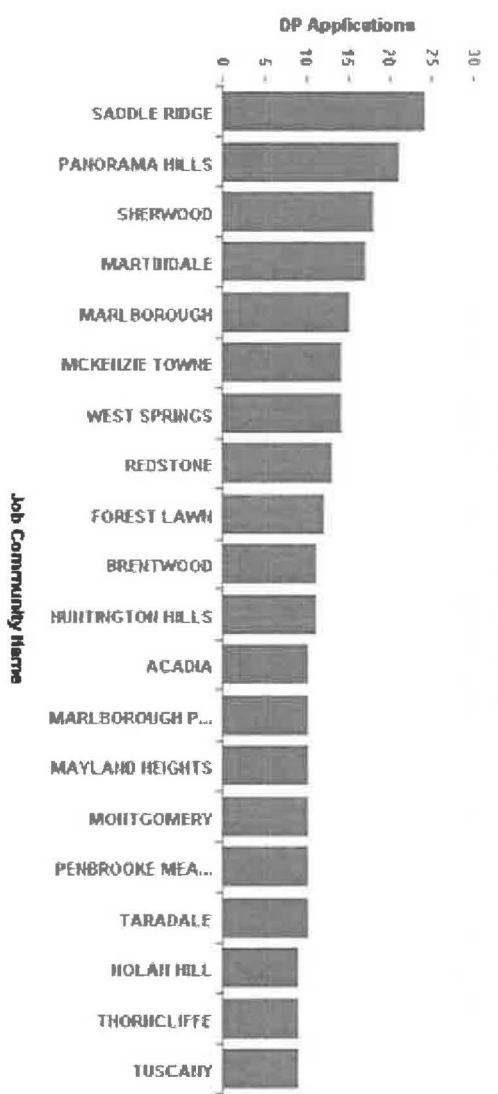
Secondary Suite Applications



Suites Added to Registry



Top 20 Communities by Application



## Issues to Consider for each Option

### Option #1 – City Initiated Redesignations

1. *Scope creep*: redesignations establishes a path to compliance, however it necessitates a planning exercise for each site, including policy review and community consultation which exceeds the scope of the Notice of Motion. This requires an analysis of the site's physical characteristics, its surrounding environment and its applicable policy. There is the strong possibility that R-CG may not be the most appropriate district for a parcel meaning that some redesignations may be refused. Furthermore, redesignating to R-CG may mean an amendment to the local area plan is required.
2. *Increased development potential*: the R-CG district will increase the development potential beyond what is currently provided for on these sites. It will create a situation where a parcel with an existing Semi-detached Dwelling with illegal suites has the benefit of a free land use redesignation with great development potential than an adjacent parcel with a Semi-detached Dwelling on it that has chosen to not develop illegal suites. Compounding this, redesignating to R-CG may result in the loss of the suites as the landowner may choose to redevelop their site to a different building form that does not include Secondary Suites.
3. *Ongoing work*: there is the risk that Administration may not identify all the parcels that are targeted for redesignation resulting in continuous work for the foreseeable future.

### Option #2 – Allowing Secondary Suites in Semi-detached Dwellings

1. *Amendments to the Bylaw and/or the Policy to Guide Discretion for Secondary Suites and Backyard Suites (the Policy)*: the R-C2 district will have to be amended to allow Secondary Suite in a Semi-detached Dwelling, change several rules, and clarify whether a development permit is required. A development permit would be subject to the Policy.
2. *Opportunity for new suites*: amending the Bylaw to allow a Secondary Suite in a Semi-detached Dwelling creates a path to legality for existing buildings in this condition. It allows for existing Semi-detached Dwellings without Secondary Suites to construct a suite or for new Semi-detached Dwellings to be constructed with suites. Creating rules to allow a suite in a Semi-detached Dwelling for existing buildings only would be difficult for Administration to enforce. It would also only give illegal suites development potential without considering the benefits of suites in new Semi-detached Dwellings. The *Secondary Suite Process Reform* removed barriers to legality for illegal suites and simplified the process for landowners wanting to develop a new suite. Allowing Secondary Suites in Semi-detached Dwellings aligns with this strategy.

### Option #3 – Include with the Renewed Land Use Bylaw work

1. *Timeline*: this work is a long-term project and would not support landowners who are looking to legalize their Secondary Suite in the immediate future.
2. *Piecemeal*: redesignations and Bylaw amendments (Option #1 and #2) may compromise the relationship with stakeholders and detract from the comprehensive approach of the Renewed Land Use Bylaw project.

## Recommended Option #2 Scoping

### Summary

Amending the definition of Semi-detached Dwelling to allow for Secondary Suites in the districts where they are allowed will create an efficient path to compliance by removing the requirement for a land use redesignation. This approach aligns with the *Secondary Suite Process Reform* and creates consistency across residential areas in the City where a Secondary Suite may be developed.

#### 2019 May to 2019 September

- Rules and policy analysis
  - Permitted use vs. discretionary use
    - Permitted
      - Applicant proceeds to building permit
    - Discretionary
      - Development permit required
      - The *Policy to Guide Discretion for Secondary Suites and Backyard Suites* considered on development permit decision
      - Opportunity for appeal
  - Parking requirement
    - Current rules likely mean development permit refusals for many sites
    - To support a permitted use:
      - Reduce parking requirement in the Bylaw
    - To support a discretionary use:
      - Parking requirement stays the same
      - Amendments to *Policy to Guide Discretion for Secondary Suites and Backyard Suites* to support relaxations
  - Supporting *Policy to Guide Discretion for Secondary Suites and Backyard Suites* amendments
- Public communication
  - Focus:
    - Information campaign designed to encourage the audience to find out if they are affected by proposed changes, what the proposed changes are and their options for participating at the Public Hearing
  - Digital
    - Calgary.ca project page with continuous updates as project milestones reached
    - Calgary.ca web ads
    - Social media
  - Print
    - Newspapers including those identified in Ethnic Marketing Strategy research
  - Other
    - Media relations
    - Customer Service Call Centre

- Key stakeholder information packages
- Council information packages
- Cost
  - \$50,000
- Implementation coordination and preparation with Calgary Building Services
  - Application intake
  - Inspection training
  - Suite Registry updates

2019 October

- Calgary Planning Commission
  - Present proposed Land Use Bylaw and policy amendments for technical review

2019 November

- Standing Policy Committee on Planning and Urban Development
  - Final proposed Land Use Bylaw and policy amendments recommended to Council

2019 December

- Meeting of Council and Public Hearing

