

RICHMOND/KNOB HILL COMMUNITY ASSOCIATION

Hi George

To reiterate, the Richmond/Knob Hill Community Association has several concerns with the proposed changes to the rules for Secondary Suites and Backyard Suites in Wards 7, 8, 9 and 11 (the "Four Wards"), including the following:

Exclusion of Low-Density DC Areas

Despite suggestions to the contrary in Administration's report to City Council, the proposed changes will NOT apply to all remaining low-density areas within the Four Wards, as they will not apply to the many low-density areas within the Four Wards that have DC land use designations. These low-density DC areas include, for example:

- 1) a small portion of Richmond/Knob Hill and a large portion of Killarney/Glengarry, where the DC land use designations are based on the R-2 rules under the previous Land Use Bylaw 2P80 -- how does it make sense to open up all R-C1 areas in the Four Wards to suites while at the same time leaving these R-2-based areas closed to suites???.; and
- 2) two large portions of Mount Royal, one of which expressly allows for suites within the primary residence -- again, how does it make sense to apply the proposed changes to R-C1 areas while not applying them to areas that already allow for at least one type of suite???.

In discussions with Administration we requested that:

- 1) their report to City Council be revised to:

(a) make it clear that the proposed changes will not apply to all remaining low-density areas within the Four Wards; and

(b) provide the total number of low-density DC parcels within the Four Wards that are to be excluded from the proposed changes; and

- 2) the Ward maps attached to their report be revised to highlight these excluded low-density DC areas, rather than continue to hide them by leaving them coloured white to blend in with roads, parks, schools and commercial/industrial areas.

Unfortunately none of these requested changes appear to have been made, and as a result we consider the report to City Council to be misleading.

Proposed Removal of Minimum Parcel Width Restriction

We are also concerned that elimination of the minimum parcel width restriction may result in Secondary Suites being approved for single detached dwellings on subdivided 7.6m (25ft) wide R-C2 parcels either:

- 1) as a permitted use by providing for 3 x 2.5m wide parking stalls across the rear of the parcel with no physical barrier (eg. wall or fence) on either side; or
- 2) as a discretionary use by relaxing the minimum parking stall width requirements.

Although we are not fundamentally opposed to secondary suites being allowed on subdivided 7.6m (25ft) wide R-C2 parcels, our general view is that:

- 1) such added density may only be appropriate in certain areas of our community, such as along major transit corridors or other collector roads;
- 2) adding yet another level of potential density to already densifying R-C2 areas should not be allowed until suites are also allowed in ALL other low density residential districts (DC or otherwise) in ALL Wards.

Requirement for Landlord to Live On-Site

We also note that Administration takes the position on page 19 of their report that "rules cannot be created which require a landowner to live on the property". However, it would be possible for the City to impose a requirement that a suite could only be occupied by:

- 1) an occupant of the primary residence (ie. either the owner of the property, or a tenant who has leased the entire property from the owner, decides to use both the primary residence and the suite for their own purposes);
- 2) a tenant of the occupant of the primary residence (ie. either the owner of the property or a tenant who has leased the entire property from the owner decides to live in the primary residence (or the suite) and rent the suite (or the primary residence) out to a (sub)tenant); or
- 3) a family member or guest of 1) or 2).

Such a requirement would accommodate all of the "Mom and apple pie" scenarios that Administration likes to trot out (eg. young couples who need suite income to be able to afford to buy their first home, or middle-agers who would like to have a place close by for their adult children or aging parents to live, or seniors who need suite income to be able to afford to continue living in their existing home, etc.) but would help to address the absentee landlord scenario by ensuring that the landlord of the suite (or primary residence) tenant lives on-site, and therefore would be able to keep an eye things and would presumably be at least as affected as the neighbours by any bad behaviour on the part of the suite tenant.

There is already a precedent for this approach in the Land Use Bylaw 1P2007, which currently requires that any business carried on in the business portion of a Live/Work Unit must be carried on by the occupant of the residence portion of that unit. In other words, the owner of a Live/Work Unit cannot lease the business portion of the unit to one tenant and the residence portion of the unit to another tenant.

We raised this concept in our discussions with Administration, and were disappointed to see that no mention of it was made in the final version of their report to City Council.

Feel free to call or email me if you have any questions regarding the above.

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