



THE SCHOOL OF PUBLIC POLICY

MASTER OF PUBLIC POLICY

CAPSTONE PROJECT

Examining the Politics behind Secondary Suites in Calgary

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CAPSTONE EXECUTIVE SUMMARY

Rolled as an election promise by Mayor Naheed Nenshi, secondary suites have gone from being the best idea among 12 Smart Ideas of Mayor Nenshi for Calgary, to being an issue, that has seen a long, tiring tug-of-war between Councillors every time it was on table for a vote, but always resulted in a stalemate. Both sides of the argument have their own reasons for voicing for or against allowing city-wide secondary suites.

With around 50% of the Calgary City Council's time spent on debating upon the homeowner's applications for secondary suites in single family dwelling units, the policy paralysis continues to exist. The issue has been procrastinated to be discussed around the next municipal elections in 2017. While the tight rental market keeps widening the gap between demand and supply of affordable housing, status quo on secondary suites has only worsened the situation of housing in Calgary.

In this paper, we begin by stating the land-use regulations that guide the zoning of Calgary city, provincial regulations that govern the building types in Calgary and then state the arguments of those for and against secondary suites based on the issues of land use and building codes. We provide a theoretical base to the politics of land use by relating the problem to the Home Voter Hypothesis of William Fischel and examine the viewpoint of City Councillors in the light of the theory. We then suggest various remedies to overcome the political stalemate on secondary suites using the Median Voter Theorem, and learning from various cities that have successfully implemented the idea in Canada.

1. Introduction:

On June 29, 2015, Calgary City Council sent the idea of allowing secondary suites in Calgary, back to shelf by a 9-6 vote. It was for the 40th time since 2010 that the issue of legalizing secondary suites in Calgary had come up on the City Council's table for a vote. Rolled as an election promise by Mayor Naheed Nenshi, secondary suites have gone from being the best idea among 12 Smart Ideas of Mayor Nenshi for Calgary, to being an issue, that has seen a long, tiring tug-of-war between Councillors every time it was on table for a vote, but always resulted in a stalemate.

A rope of controversies and endless debates has been tied to the balloon of legalizing secondary suites ever since 2010, when Mayor Nenshi proposed to rezone Calgary wards in order to accommodate secondary suites in single family dwelling units (R1 Zones) besides the multiple family dwelling units. A report by Manning Centre states that the City Councillors devoted around 50% of their time in the Council debating individual secondary suite applications in the year 2014.¹ Despite spending so much time, the policy paralysis on secondary suites remains pretty much the same as it was when the issue was brought on the table first.

Secondary suites have been treated like a tug-of-war game for five years now. Those who support allowing secondary suites across Calgary assert that they are the best way to have affordability guaranteed in Calgary's housing market and make the best option for first time homeowners and renters in the lower to middle income bracket. Those who are against allowing secondary suites in R1 zoned wards, shade them as being perilous to privacy in neighborhood and property values. With too much weight attached to both these arguments,

¹ Farkas, Jeremy. "Calgary City Council: 2014 Performance Report." Manning Foundation. December 18, 2014. Accessed July 13, 2015. <http://manningfoundation.org/Docs/2014-Council-Performance-Report.pdf>.

the debate of secondary suites remains on a deadlock owing to one primary reason- *the right of home owners to decide upon their properties.*²

Where so much importance is accorded to a particular interest group: the home owners (home voters henceforth), who also vote to elect Councillors, it is an interesting idea to examine the political incentives governing City Councillors debating for and against secondary suites in Calgary. For the sake of theoretical support, we seek to build upon our work based on the Home Voter Hypothesis that explains how the value of housing property influences the local government's decisions on land-use policies.³ To supplement the hypothesis, we fall back on the interview responses from three Councillors of the City of Calgary: Councillor Ward Sutherland, Councillor Sean Chu and Councillor Brian Pincott.

We then recommend a solution to the stalemate based on Median Voter Theorem addressing issues and listing gaps that may arise if the rendered solution is to be implemented, and where a further research could be conducted.

1.1 Historical Background-Lack of Affordable Housing in Calgary:

Housing forms an integral part of the communities in Calgary. It is a means towards the physical, mental, social and economic security of an individual and of families. Housing has been the source of networking between families comprising healthy and inclusive neighborhoods. Families tracing their origin from diverse places and backgrounds, make for a higher degree of socio-cultural mix, giving opportunities of interaction among people and exchange of ideas within the same community and neighborhood.

² Pincott, Brian. "Pincott: Secondary Suites Are All about Choice." Calgary Herald. July 10, 2015. Accessed July 13, 2015. <http://calgaryherald.com/opinion/columnists/pincott-secondary-suites-are-all-about-choice>.

³ Fischel, William. "The Homevoter Hypothesis: How Home Values Influence Local Government Taxation, School Finance, and Land-Use Policies." Land Economics 78, no. 4 (2002): 627-30.

Homeownership is considered to be one of the biggest assets of families. Being able to afford a house adds stability to the family, gives access to greater opportunities of communication in the neighborhoods, and looks after the health and safety of the family members. Affordable housing is an issue that has been crippling the growth of many modern cities. It requires that the means of attaining a house is easily accessible to an aspiring homeowner, and that the availability of housing supply accounts for those who consider housing types, at different times and in different locations before they plan to build an asset for life.

In Calgary, the issue of affordable housing has been at the core of local governance ever since the prices of housing started rising just after 2005. The Best City to Live in Canada (Calgary) has gone from being a fairly affordable city to live in and own a house, to being one of the most highly priced cities in Canada. “The population of Calgary grew by 38,508 compared to previous years’ population to become 1, 195,194 in 2014. The latest census suggested that 28,017 more people moved into the city compared to those who moved away from it between April 2013 and April 2014.”⁴

However, the census also shows that the increase in number of housing units stands almost ten times less than the number of new people who moved into the city. It shows that number of houses available for occupancy had fallen to 9,315, compared to 11,782 in 2013. This is a decrease of 2,467 against 26, 107 new people coming to the city. At the time of this census, the over all vacancy rate was 2.01% which is said to have come down to zero percent currently. This phenomenon deteriorated the situation for people seeking affordable housing in the city, and heated the debate over reforms in regulations concerning secondary suites.

⁴ Schmidt, Colleen. "Record Growth Reported as Calgary's Population Nears 1.2M Mark." *CTV Calgary*, July 22, 2014. <http://calgary.ctvnews.ca/record-growth-reported-as-calgary-s-population-nears-1-2m-mark-1.1926235>.

The City of Calgary defines secondary suites as “autonomous family units containing a separate entrance, kitchen, washroom and bedroom and can be located either within a house as a basement suite or as a detached unit in the backyard or garage.”⁵ The origins of the debate about secondary suites, date back to the 2010 election promise of Mayor Naheed Nenshi, who in alignment to his 12 Smart Idea for Calgary, touted secondary suites as being a solution to address shortage of affordable housing in Calgary. Thus, the reason why secondary suites came into lime light, was the skyrocketing rental market and lack of affordable housing in Calgary highlighted by a prospect candidate for Mayoral elections in Calgary.

1.2 Secondary Suites: Regulations

According to the Canada Mortgage and Housing Corporation (CMHC), secondary suites are often created by altering the internal structure of a house and can be added as units in the basement, on a floor or attic, depending upon the size and design of the house.⁶ Secondary suites are subject to various municipal and provincial regulations. These regulations generally take the form of Zoning, Building codes, Parking and Inspections and Licensing.⁷

Land Use By-Law IP2007 permits construction of secondary suites only in certain Land Use Districts. In zones where construction of secondary suites are not permitted by default, single family home-owners are required to apply for a Land Use Redesignation to allow for the construction of a secondary suite.⁸

⁵ "Applying for a Secondary Suite." The City of Calgary. Accessed July 4, 2015.

<http://www.calgary.ca/PDA/pd/Pages/Permits/Projects/Applying-For-A-Secondary-Suite.aspx?redirect=/suites>.

⁶ "How the Strategy Works - Permitting Secondary Suites | CMHC." CMHC. Accessed July 13, 2015.

http://www.cmhc-schl.gc.ca/en/inpr/afhoce/afhoce/afhostcast/afhoid/pore/pesesu/pesesu_001.cfm.

⁷ Ibid.1

⁸ "Land Use Designation (Zoning) and How to Redesignate Your Land Use." The City of Calgary. Accessed July 14, 2015. <http://www.calgary.ca/PDA/pd/Pages/Zoning.aspx>.

Development Permit is required in order to ensure that the size and dimensions of the home are sufficient enough to allow for the construction of secondary suites. This is decided upon by the Councillors taking into consideration whether the proposed suite is a permitted use (meets all the rules laid down in the Land Use By Law) or a discretionary use (involves a visible change in the property and hence requires the neighbors to be consulted before the actual suite is constructed).

Provincial regulations governing the construction of new secondary suites and legalizing of existing illegal secondary suites in Calgary are the **Alberta Building Code** and the **Alberta Fire Code**. These two codes combine to form a regulatory package called **Albert Safety Codes Act**. The requirements under this package include the following as per the City of Calgary guidelines:

- o At least one exit direct to outside
- o Minimum one bedroom window of a minimum size, and certain style
- o Window wells of a certain size
- o Minimum ceiling height
- o Fire and or smoke separation between dwelling units and heating equipment (basement suite)
- o Independent heating (furnace, floor heating, and wall mount heating units) and ventilation systems (separate ductwork or Heat-Recovery Ventilator system).
- o Hot water supply and certain water receptacles (kitchen sink, toilet, etc.)
- o Accessible laundry area.⁹

⁹ "Applying for a Secondary Suite." The City of Calgary. Accessed July 4, 2015.
<http://www.calgary.ca/PDA/pd/Pages/Permits/Projects/Applying-For-A-Secondary-Suite.aspx?redirect=/suites>.

These rules also apply to the existing suites built before 1970 that are termed legal but “nonconforming”¹⁰. Homeowners of such suites are required to apply for Development Permit, and Building Permit and must meet the rules of Alberta Building Code. Alberta Fire Code rules, in addition to the Alberta Building Code also apply to those secondary suites that were built prior to December 2006.¹¹

City Council also gives equal opportunity to neighbours, to voice their concerns if an applicant living in their neighbourhood applies for Land Use Redesignation and/ or Development Permit if the suite is given discretionary use. Application process includes individual home owners coming to appeal for Land Use Redesignation before Council in public hearings.

Concurrence between the city legislation (the Land Use By-law) and the provincial legislation (Alberta Safety Acts) remains a concern and is the point of contention between Councillors favoring and opposing existing secondary suites legalization and new construction.

1.3 Policy Issue: Political Stalemate over Land Use By Law Amendment and Secondary Suites:

The issue of legalizing existing secondary suites and adding new suites has become highly politicized. Applicants who want to build new secondary suites in wards that require rezoning need to appear before the Council to get a Land Use Redesignation permitted by the Council. This process is time consuming and expensive in terms of earning opportunities lost due to the Council hearing.

¹⁰ Ibid.1.

¹¹ Ibid.1.

With regards to this, the City Council at Calgary had been debating on how to make the process of application more efficient for both, the homeowner and the City Council. The initiative to change the Land Use By Law was taken in December 2014, when the Council directed the Planning, Development and Assessment to prepare a set of amendments allowing secondary suites in the residential land use districts of four of the inner city wards (7, 8, 9 and 11).¹² The amendment was poised to change the application process by eliminating the need of single family home owners in (lands zoned R-1, R-C1, and R-C1L) in these wards to apply for Land Use Redesignation. Public inputs and approval from the City Council would then give a green signal to homeowners to build secondary suites. It was estimated that the change in by-law would have made about 35,395 single family dwellings eligible for secondary suites without first rezoning the properties. The applicants would still require Development Permit and abide by Building codes for safety.

After the proposal for changing the by-law was brought in the Council in December 2014, it went through its first reading on May 12, 2015. It passed its first reading and was scheduled to return for a second reading on June 29, 2015, when the proposal was voted down by a 9-6 vote. This is where the issue of secondary suites in Calgary came on a complete standstill until it would be considered for a debate before the 2017 elections.

Examining the political stalemate on the amendment of the Land Use By-Law is important if a solution to the status quo over secondary suites in Calgary has to be found.

¹² "Secondary Suite Bylaw Amendments for Wards 7, 8, 9 and 11." The City of Calgary. Accessed July 15, 2015. <http://www.calgary.ca/PDA/pd/Pages/Calgary-Land-Use-bylaw-1P2007/Secondary-Suite-Bylaw-Amendments.aspx>.

2. Literature Review:

Land use regulation is a subject matter of municipal governance, and is a political, rather than a planning issue. Theorists have long offered different models about political motivations underlying zoning decisions in municipalities.¹³ Major ones include the public interest model and the public choice theory. Besides, there are various theorems that guide municipal officials of which policies will be supported by what kind of voters. A very famous model in this regards is the Median Voter Theorem.

2.1 Public Interest Model:

The public interest model maintains that municipal officials (primarily Councillors) that frame zoning laws do so to protect residents of their city from the evils of incompatible land use consequences like industrial pollution, over population and unwanted commercial developments.¹⁴ In other words, public interest theorists believe that municipal officials work in the interest of the well-being of their city residents.

Land use regulations, according to the public interest model, protect the city from “incompatible” land uses like extreme density, immense pollution due to industrial locations and extreme commercialization.¹⁵ These phenomena are seen are being adverse to the efficient growth of the city.

2.2 Public Choice Model:

The public choice model on the other hand, maintains that the municipal officials are motivated by personal interests like reelection in their wards or money for their election

¹³ Been, Vicki, Josiah Madar, and Simon McDonnel. "Urban Land Use Regulation: Are Homevoters Overtaking the Growth Machine?" Accessed July 16, 2015. http://www.law.nyu.edu/sites/default/files/ECM_PRO_075062.pdf.

¹⁴ Weisbrod, Burton Allen, and Joel F. Handler. "Housing, Zoning and the Public Interest." In Public Interest Law: An Economic and Institutional Analysis. Berkeley: University of California Press, 1978.

¹⁵ Been, Vicki, Josiah Madar, and Simon McDonnel. "Urban Land Use Regulation: Are Homevoters Overtaking the Growth Machine?" Accessed July 16, 2015. http://www.law.nyu.edu/sites/default/files/ECM_PRO_075062.pdf.

propaganda. Public choice model sees the role of interest groups as being the accelerating factor behind zoning changes. Besides monetarily supporting the Councillors with their election propaganda, interests groups also contribute to the Councilor's electoral progressions by providing manpower, post-government employment opportunities and are also efficient in lobbying various land use change proposals across public officials. Aligning with this model is the Home Voter hypothesis proposed by William A. Fischel. *The hypothesis postulates that the owners of single family homes are primary determinants influencing zoning decision of municipal officials*

2.3 Median Voter Theorem:

Median Voter Theorem maintains that in a majority voting system, the outcome that is most preferred by the median voter will be selected.¹⁶ Based on the assumptions that the voters place all election outcomes on a left-right political spectrum and choose the alternative closest to their own view, the median voter theorem holds that the voters are always ready to vote for the candidates who propose a policy that serves their interests the best.¹⁷ The theorem has its own limitations in that the assumptions hold true only in some democracies and majority voting systems, but can be of a great use in estimating the demand for specific policies in governments following majoritarian election system.

2.4 Land Use and Home Voters:

Home owners (home voters henceforth) are the biggest organized interest group and interest group politics can directly be applied to land use regulation.¹⁸ There are various interest groups that can be studied in context with land use regulation. The first group

¹⁶ "Median Voter Theorem." Wikipedia. Accessed August 17, 2015.

https://en.wikipedia.org/wiki/Median_voter_theorem.

¹⁷ Ibid.

¹⁸ Benson, Bruce L. 1981. Land use regulation: A supply and demand analysis of changing property rights. *Journal of Libertarian Studies* 5:435-451.

comprises developers, renters, building trades and owners of developable land, who would all benefit if the zoning permitted construction on developable land.¹⁹ The second, and the biggest interest group is that of home voters. Their interests are driven by a common source of asset- **their homes**. Home Voters have an advantage over the first type of interest group mentioned above: they live in close proximity with other home voters. Their children go to the same schools, run by the same local government which zones land uses.²⁰ This adds to their capacity of organizing themselves as an interest group and negate any development initiative they deem as being pernicious to the value of their homes.

Seen from the lens of Home Voter Hypothesis, not only are the Home Voters able to influence the land use regulations at the city level, but are also able to persuade municipalities to make zoning exclusionary, often threatening ward Councillors by their precious vote and in the process, are also able to drive up the housing costs.²¹ Policy makers are receptive of the demands of Home Voters. These demands include low density housing and high rate of return on their homes primarily besides low property taxes. Ward-based voting and log rolling make home owners a formidable interest group of voters that gives them political force in large cities.²²

Speaking generally, Home Voter Hypothesis states that municipal officials appease home voters by drafting zoning rules in a way that prohibit further development in the areas of single family home owners. This reaction is governed by the apprehensions of Home Voters that new developments, resulting in congestion will deteriorate the value of their homes and

¹⁹ Fischel, William, Barbara Hale, and William Hale. "Political Structure and Exclusionary Zoning: Are Small Suburbs the Big Problem?" 2007.

²⁰ Fischel, William. "Why Voters Veto Vouchers: Public Schools and Community-specific Social Capital." *Economics of Governance* 7, no. 2 (2006): 109-32.

²¹ Been, Vicki, Josiah Madar, and Simon McDonnel. "Urban Land Use Regulation: Are Homevoters Overtaking the Growth Machine?" Accessed July 16, 2015. http://www.law.nyu.edu/sites/default/files/ECM_PRO_075062.pdf.

²² Ibid.8.

decrease the rate of return on their biggest investment- homes. The zoning rules can also be framed in a way that prohibit a specific kind of housing type in wards that have a majority of single family home owners.

Although Fischel maintains that Home Voters often make efficient and cost-effective decisions, we shall pick only a part of his theory that revolves around how home voters as an interest group are able to organize themselves.

3. Methodology:

3.1 Conceptual Model:

We examine the application of Home Voter Hypothesis in context of municipal politics on secondary suites in Calgary City Council. For this, we divide the 15 City Councillors of the Calgary City Council into three groups.

1. Group A: comprises of Councillors who always vote for allowing secondary suites across Calgary, irrespective of single family home units (in favor of amending Land Use By Law unconditionally).
2. Group B: comprises of Councillors who always vote against allowing secondary suites in areas that are zoned as single family residences (against amending Land Use By Law unconditionally).
3. Group C: comprises those Councillors who are ready to allow secondary suites in Calgary given some conditions (in favor of amending Land Use By-Law with some conditions).

The political inclination of Councillors in each group is judged by the reasons cited for or against allowing secondary suites in Calgary by the Councillors in various published news articles and journals. News articles and journals are referred to because they are easily

available records and are collected as frequently as the events on an issue develop. For the sake of simplicity, we only consider three kind of single family dwelling zones, namely R-1, R-C1, and R-C1L. These three zones are also considered keeping in mind the policy issue of stalemate over the amendment of Land Use By Law. Since there are no statistical models used in validation, the research still remains open to empirical testing by the use of regression analysis.

3.2 Interviews of Councillors:

In order to supplement the general opinions of each group, we conducted interviews of three City Councillors: Councillor Ward Sutherland (ward 1), Councillor Sean Chu (Ward 4) and Councillor Brian Pincott (Ward 11).²³ These three Councillors, by the virtue of their political stance on secondary suites, each belong to one of the three groups mentioned in the earlier section.

4. Findings:

4.1 Home Voter Hypothesis and the Three Groups of Councillors:

Home Voter Hypothesis posits that while specific decision on land uses will differ from one jurisdiction to another depending upon the interests of Home Voters, there are some general observations that are realized in all the municipalities. Research findings however, do not all confirm to the Home Voter Hypothesis. Some of the observations confirm with the public interest model discussed before.

1. Group A confirms more to the Public Interest Theory:

Group A Councillors are those who have been repeatedly voting in favor of amending the Land Use By Law to allow secondary suites across Calgary. These include Mayor Naheed Nenshi, Councillor Druh Farrell, Councillor Evan Wooley, Councillor Gian-Carlo Carra,

²³ Complete interviews of the Councillors can be found in the Appendices.

Councillor Colley-Urquhart and Councillor Brian Pincott. According to these Councillors, secondary suites are the first step towards creating more affordable homes for low-income earners in Calgary. They also help the first time homeowners in paying their mortgages. In her message to the Parkdale Community Associations, Councillor Druh Farrell, a staunch advocate of Land Use By Law amendment, stated that secondary suites at no cost to the City, provide a simple and market based solution to the problem of acute housing affordability.²⁴ They act as added revenues to homeowners and provide a way to seniors and young families to live with dignity in a settled place.²⁵

Other reasons commonly cited by the supporters of amendment to Land Use By Law adding leading to addition of secondary suites are that secondary suites allow communities to be diverse, learning from other major cities in Canada like Ottawa, Edmonton and Vancouver that adopted secondary suites and have a comparatively affordable rental market, and that secondary suites allow people in need of caregivers to have them in their proximity. They are also assumed to be voicing the concern of many non-profit organizations that work towards or are associated with affordable housing solutions.

On the reasons behind the stalemate on passing the By Law amendment that would legalize suites in wards 7, 8, 9 and 11 along with neighborhoods within 600 meters of LRT station and primary transit stops, different Councillors have varied opinions. Some see it as a sheer political game play and some think it to be a lack of leadership initiative. Councillor Evan Wooley called for more leadership initiative from the Mayor on this issue while

²⁴ "Message from Druh Farrell on Secondary Suites." Parkdale Community Association. May 23, 2014. Accessed July 17, 2015. <http://parkdalecommunity.com/message-druh-farrell-secondary-suites/>.

²⁵ Ibid.1.

Councillor Druh Farell called in for more support from the other Councillors.²⁶ Councillor Brian Pincott holds a different opinion on why the issue keeps itself at a stalemate. According to him, the issue has been given undue importance from both, the supporters and the opposition.

Councillor Pincott in his interview, favored the blanket rezoning for permitting secondary suites. He highlights that there are about 500-550 legal, right land use secondary suites in the city. He indicates that there are some legal non confirming secondary suites that have existed since 1980 but do not meet the existing land use laws. He also guesses the number of illegal suites in Calgary to be around 30,000. To Councillor Pincott, the main issue that homeowners wanting to rezone their land face is the risk of coming to Council for a public hearing and getting the rezoning denied, only to know that they lose their chance completely. The problem from renters' perspective is that there is no place to complain.

To Councillor Pincott, the issue of legalizing secondary suites is a pure political matter unlike Councillor Sutherland, who maintains it is more of a practical implementation issue and then a political stunt. When asked if problems in enforcing the provincial laws (Alberta Safety Acts) is the main reason why Councillors opposing the amendment vote against it, Councillor Pincott opines that the issue at hand is about the Land Use first and then the Building Codes. The Land Use By Law, being the prerogative of the City needs to be resolved first and the Building Codes enforcement shall follow. It is the Land Use piece that is highly politicized and is the initial barrier.

To Councillor Pincott, since the City of Edmonton was politically inclined to legalizing secondary suites in the city they were able to do it and the City of Calgary is on a stalemate

²⁶ "Inner-city Councillors Pushing for Secondary Suites Face Another Delay - 660 NEWS." 660 NEWS. June 10, 2014. Accessed July 17, 2015. <http://www.660news.com/2014/06/10/inner-city-councillors-pushing-for-secondary-suites-face-another-delay/>.

only because there is political backlashing. Councillor Pincott's ward was expected to change the most if the proposed amendment had come into effect. Councillor Pincott's ward had Community Associations that were opposed to legalizing secondary suites. He gave the example of Lakeview Community Association. However, Councillor Pincott emphasized that since there is a disconnect between the members of Community Associations and the community families, decision of Community Association is not representative of the whole community. Opinions of community members matter the most since it is their neighbourhoods that would be changed. This can be resolved by having conversations. Councillor Pincott holds that changing people's minds about secondary suites involves discussing the issue with them in person. He gives an example of a community he picked up in 2010 from a Councillor who was against secondary suites. At that time, a polling showed that 70% of the community members were opposed to secondary suites. It was the first issue that Councillor Pincott remembers to have discussed with them. In a recent poll, 60% of the community members voted for secondary suites in their community. Councillor Pincott attributes this change to the repeated conversation he had with the community members.

On issue of plebiscite, Councillor Pincott opines that plebiscite is just another way of procrastination by Councillors unwilling to agree on finding a solution to secondary suites legalization. He maintains that public opinion can best be harnessed by the reelection of the Councillors to the ward. Councillor Pincott is also open to the province intervening to find a breakthrough to this problem. Councillor Pincott also added that Edmonton adopted secondary suites and the world didn't end. So did Ottawa. It is a completely political game.

Opinions held by Group A Councillors refute the Home Voter Hypothesis and instead emphasize on Public Interest Model. These Councillors aim at working towards the betterment

of the city residents as a whole. Councillor Brian Pincott, in his interview also revealed that some communities in his ward were against having secondary suites and his support for the issue could mean that he lost the next election. He however remains positive about the role played by secondary suites in overall welfare of Calgarians.

2. Group B confirms more to the Home Voter Hypothesis:

Group B comprises those Councillors who hold secondary suites under the lens of destroyer and thus, have been constantly voting against them. The groups comprises Councillor Ward Sutherland, Councillor Andre Chabot, Councillor Richard Pootmans and Councillor Jim Stevenson. We interviewed Councillor Ward Sutherland and studied the press statements of Councillor Jim Stevenson following votes on By Law amendment to suit secondary suites in inner city wards.

Councillor Sutherland addresses the issue of secondary suites by saying that there are 125000 residences that are legally zoned to have secondary suites and they are choosing not to. To him, most of the problem happens to deal with illegal suites that are either:

- a. Unsafe: they do not meet the safety codes.
- b. In an area that are not zoned for secondary suites (they are single-family housing units majorly).

Councillor Sutherland finds that the proposed amendment in the Land Use By Law shall not serve the purpose of adding to the existing stock of secondary suites as the landlords of most of the illegal secondary suites in Calgary do not want to make high investments on making the secondary suites safe. Some of the landlords do not want the secondary suites legalized since they do not intend to disclose the revenue they earned from renting those suites to be declared to Revenue Canada. There was a project completed in 2013 by Council

where they spent half a million dollars with 40 different landlords: some had illegal suites and some had legal. The project was to get the secondary suites up to safety standards. Within the first two months, over 40% of the landlords dropped out. At the end of the project, none of the landlords had a safe suite. This also shows that there is a lack of demand for legalizing secondary suites among single-family homeowners.

Providing incentives to the single-family home owners to come forward and invest on safety of their basements/ secondary suites on one hand and providing them incentives large enough to negate their intentions of black marketing the rent earned from the suites are two major issues that the proposed changes in the existing Land Use By Law fail to address. Besides, Councillor Sutherland also raised concerns about the change in consistency with Provincial law: Alberta Safety Acts that the amendment in the By Law would bring about. The Tenant and Landlord Act is provincial, while the Land Use is governed by the municipal government. The question that whether the agency that ensures safety standards are met in rezoned homes, is provincial or municipal will arise once the By Law is amended. The enforcement of the proposed changes will be a complex issue for the municipal government.

Councillor Sutherland suggests to rewrite the Neighbourhood By Laws to deal with the issues of visible change in the physical appearance of the yards once the backyard suites are built. This would be landlord-friendly and at the same time be a liability for anyone who lives in the secondary suites and maintains them. *Sticker and Seal* safety measure is another proposal Councillor Sutherland gives towards maintaining safety of tenants renting secondary suites. Under this solution, once the suite is inspected and meets the safety code, the landlord will be issued a sticker for the door and it would also be on the City of Calgary

website under the “Approved Safe Suites Section” to indicate that the suite meets the Building Codes and the Fire Codes too.

The proposal does not however address the issue of Land Use. Open Houses for blanket zoning in four inner wards suggested that there were 30% of the single family homeowners who were passionately against blanket rezoning for secondary suites, 30% passionately for and there were 40% who were fine with the rezoning of their communities if some of their conditions were met. One of the conditions of those who were ready to have secondary suites in their communities was that the homeowner renting out the secondary suite has to live in the same house. The Calgary City Council can only govern the Land Use not the land user. Thus, controlling the homeowners is not permitted by the Municipal Government Act.

To Councillor Sutherland, the system of application is broken and rolling a proposal of blanket rezoning will only add about a 100 suites over a year. Instead providing incentives to the city builders from the province to build additional affordable rental housing up to a capacity of 3000 homes a year makes for a more viable option. Councillor Sutherland is also completely against the provincial government intervening in the matter of City and legislate the secondary suites like the Ontario government did for Ottawa.

Another of Councillor Sutherland’s concern has been that how adding secondary suites to single-family neighborhoods would change the neighborhood characteristics in terms of parking spaces. Towards this direction, he points the problems associated with narrowing down to the number of cars allowed per house or number of single family homes per street with a permissible secondary suite.

Councillor Sutherland is thus, concerned about the way neighborhoods would react to a randomly selected number of houses to have permissible secondary suites if the proposed amendment was to pass.

The least Councillor Sutherland agrees to, is having a plebiscite to decide what Calgarians have to say on this issue. However, here too, he has his concerns on the measure of a winning majority. Would it be 51% or a 67% or any random figure of majority? Public opinion thus matters to Councillor Sutherland, and he firmly supports neighbor inputs in the application process i.e. an applicant must have consent from the neighbors for building a secondary suite in his/her house.

Councillor Jim Stevenson has repeatedly voted against the issue of legalizing secondary suites in R-1 neighborhoods ever since 2007. According to Councillor Stevenson, allowing secondary suites in single family home neighborhoods would infringe on their property rights and affect their property values.²⁷

Both, Councillor Sutherland and Councillor Jim Stevenson maintain that public input is a must on the matter of allowing secondary suites in a community of single-family units and that people, by their votes, will cast their decisions in a democracy. Thus, group B confirms to the general observation of the Home Voter Hypothesis that the municipal officials work in tandem with the demand of Home Voters.

3. Group C – Highlights the Existence of a Median Voter Slot:

This group comprises those Councillors who decide to vote for or against the proposed amendment based given some conditions are met. The group includes Councillor Joe

²⁷ Thomas, Myke. "Council Again Sours on Secondary Suites." Calgary Sun. July 4, 2015. Accessed July 17, 2015. <http://www.calgarysun.com/2015/07/03/council-again-sours-on-secondary-suites>.

Magliocca, Councillor Sean Chu, Councillor Shane Keating, Councillor Ray Jones and Councillor Peter Demong.

While Councillor Keating and Councillor Demong want neighbourhood consultation and buy-in rules incorporated in the draft amendment, Councillor Sean Chu and Councillor Joe Magliocca have occasionally voted for the issue. We interviewed Councillor Sean Chu, as a representative sample of the group.

According to Councillor Sean Chu, legalizing secondary suites will not solve the problem of lack of affordable housing. This is primarily because of two reasons- there is no demand from home owners to rezone their property for secondary suites and that even if people apply to rezone their houses, the rents charged will not leave secondary suites as an affordable option.

On demand side, Councillor Chu said that there are already 32,334 homes eligible for building secondary suites in wards 7, 8, 9 and 11- where the proposed change in Land Use By Law would be effective, if passed. Since 2007, only 213 homeowners have applied for rezoning of which, only about 195 homes got approved for rezoning. There is no demand on paper for secondary suites despite so many homes eligible to apply for rezoning.

On the matter of affordability, Councillor Chu said that even if the amendment was passed and the By Law changed to eliminate the need for Land Use Redesignation, the provincial package would still apply to the homeowners. Building secondary suites in the homes means having two separate heaters, water supply systems and adequate spaces to vacate in case of fire, which adds to the building costs of homeowners. It is difficult that after spending so much hard earned money, homeowners would charge less amount to the renters of secondary suites. Thus, according to Councillor Chu allowing secondary suites will not

make any difference to the affordability issue in Calgary, despite the benefits that the secondary suites bring with them, like spaces for caregivers, aging elders and new immigrants.

When asked about the influence of demographics of a ward on the Councillor's decision on whether to vote for or against secondary suites, Councillor Chu opined that it depends upon the family mix in the neighborhoods. He elaborated by giving his own example that Chinese would want the entire family to reside in the same home whereas it would not hold true for people from other parts of the world. However, in his opinion, *it made more sense to ask homeowners in various communities by a plebiscite in the next election if they wanted secondary suites in their neighborhoods or not.*

A point of concern for Councillor Chu was that once the proposed amendment got passed and secondary suites will be allowed in the four inner city wards, it would lead to a gentrification in these wards gradually, as he believes, has happened in Vancouver. More houses will not be owner occupied and thus, be rented out to small businesses running their offices in the homes. This could lead to congestion in those wards and create problem of lack of parking spaces, thereby negatively impacting the property values in the communities. The results would then be reflected in the upcoming election.

Councillor Chu also did not see the option of allowing secondary suites in neighborhoods within 600 meters of LRT stations because to him, this would not be a viable solution, given the extra ordinary long duration of winters in Calgary. People would still need cars and the problem of parking spaces shall worsen even in those communities that currently enjoy the open spaces owing to their proximity with the stations.

Group C Councillors thus show that there is an existence of a **median voter slot** along the left-right political continuum on the issue of amending Land Use By-Law- home owners who are comfortable with secondary suites under certain circumstances and given the existence of this median voter patch who are also Home Voters, there are Councillors who can help, find a compromise solution to the stalemate over proposed amendment.

5. Policy Implications:

5.1 The Median Voter's Choices: A Solution to the Stalemate:

The existence of a median voter slot shows that if the opinion of the median voter is harnessed on the amendment to Land Use by Law, the stalemate on the issue can be resolved. Mayor Nenshi suggested reformists lobby to five of the Councillors whom he considered thoughtful, smart and open-minded on the issue of legalizing secondary suites in the four inner city wards.²⁸

This confirms to the chief proposition of median voter theorem that politicians usually adopt positions appealing to the median voter, i.e. they tend to support policies that are not at two extreme ends on the left-right political continuum. Majority of the voters are located at the center of the left-right distribution. The vote maximizing candidates- the candidates in Group C, who want to get reelected in the upcoming election of 2017 will agree to the Land Use By Law amendment with some conditions. This indicates that the Councillors in Group C expect majority of voters to align with them if they adopt the proposed changes in the By Law with some alterations.

²⁸ Markusoff, Jason. "Hall Monitor: Nenshi Targets Five "thoughtful" Councillors on Suites - What about the Rest of Them?" Calgary Herald. December 14, 2014. Accessed July 19, 2015. <http://calgaryherald.com/news/local-news/hall-monitor-secondary-suites-are-facing-five-thoughtful-councillors-and-four-unmovable-ones>.

5.2 Plebiscite: Harnessing the Number of Residents in the Median Voter Slot:

In terms of policy implementation, this means harnessing the exact number of voters who want secondary suites legalized in Calgary. This can be done by conducting a “plebiscite”. Although the City Council staff, in June 2015 came up with a report stating that a plebiscite on secondary suites could cost the City \$390,000, it seems a viable option to conduct a non-binding referendum given the contentious nature of the problem in question.

Major concerns with conducting a plebiscite are drafting the question of the referendum, the time of conducting the referendum, the statistical measure of majority over the plebiscite and the nature of plebiscite (ward-wise versus community-wise). The question of the referendum has to be drafted by the City Councillors with a joint consensus. Question asked should primarily be a “Yes” or “No” kind so as to keep it simple. Statistical majority of 66.7% should be adopted as the best measure of majority given that some referendums in the past have been conducted with the same statistical majority. A community-wise referendum seems to have more support from City Councillors than a ward –wise referendum since legalizing secondary suites in wards, significantly changes communities in the wards. Also, often times, a ward may comprise of a mix of communities that favor secondary suites and oppose secondary suites. It would be unfair if those communities favoring secondary suites in their neighborhoods remain devoid of the facility whereas those who oppose it, have to tolerate them, despite their dislike for multiple-family dwellings.

5.3 Provincial Government’s Intervention and Learning from the City of Edmonton:

If the Council still remains on a deadlock after the plebiscite, it only calls for the provincial government to intervene in the matter- which has not only taken a lot of productive time of the Council, but also remained on a stand still. Learning from the City of

Edmonton can be another solution since Edmonton has been able to legalize secondary suites, with the same provincial safety package of Alberta Building Code and Alberta Fire Code. This would save the Calgary City Council, time sent on trying to figure out a solution to the implementation of provincial laws if the proposed changes in the Land Use By Law are enacted, at the same time addressing the concerns of Councillors regarding safe secondary suites.

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Appendix 1: Transcripts of the Interviews of Councillors.

Interview 1: Councillor Ward Sutherland, Ward 1

Q: What is your opinion on legalizing existing secondary suites and creating new secondary suites for addressing shortages in rental market?

A: Ok so, we need to differentiate on what that means since people would get confused. When we say legalizing does that mean that it's the incorrect land use and we're changing the zoning or that the suite is unsafe and dangerous and doesn't meet the code? There are two separations of the process and it has become very complicated. It's actually more complicated than people make it. For example, right now there are over 125000 residences that are legally zoned to have secondary suites and they choose not to. So, most of the problem happens to deal with the illegal suites. Illegal means:

1. They are unsafe and don't meet the safety codes, or
2. They're in an area that is not zoned for secondary suites in our ward.

So, there was a project completed in 2013 by Council, where they spent over half a million dollars with 40 landlords, some having illegal suites, some had legal etc. and the project was to get the secondary suites up to the safety standards. At the end of the one year project, within the first two months, over 40% of the landlords dropped out. At the end of the project, not one single landlord achieved a safe suite. No the summary from that project (it's available online on the City of Calgary's website) was that the participants said that the main reason why they didn't want to make suits safe is one, they didn't want to spend money and secondly, they didn't want Revenue Canada know they are renting because they don't want to pay taxes on the money they are earning. What that is telling that many of these illegal suites, if we blanket suites, isn't going to necessarily, create any new suites and does not provide incentive to people having illegal suites to come forward and make their suites safe.

Q: A lot of times you have mentioned in your press statements that the safety of landlords, neighbors and tenants is not in our hands. Could you elaborate on this?

A: Correct. The problem with the system is and I personally am not against secondary suites. They're necessary in many different ways like they're very necessary for aging places, there's medical situation, there's nannies, there's all good reasons to have secondary suites. However, how it's set up right now is that at the municipal level we are not allowed to govern the landlord or the neighbour. We only regulate the land use, not the owner. The laws and the regulation are at different levels of government. Like the Tenant and Landlord Act is provincial not municipal. A better approach to this system is "One Entry Point and One Agency" that handles this all. So there is one agency that can protect the tenant, the

landlord and the neighbour. So I think it will take a long process since we're dealing with different levels of government. If we have this agency, will this be a municipal agency or a provincial agency. Who does the enforcement? All this becomes a little complicated. What we have tried to do in some of this process is to deal with is somewhat we can do at the municipal level. So we are going to re-write the neighbourhood by laws and that will happen in the course of eight months. one of the common things that comes out is when you drive by you can say who is the landlord, the way the yard is and everything. I'm saying is should it matter if it's a landlord or if it's a bad neighbour? They should have the responsibility of what the yard should look like. So I don't want to target landlords. I want to target anybody who doesn't follow the laws. So we're going to re-write the laws and tighten up the laws so that deals with one issue.

The second issue is about the safety. The proposal is we come up with a Sticker and Seal. Once a suite has been inspected and it meets the safety code, the landlord will be issued a sticker for the door and then it will also be on the City of Calgary's website. So you know that the suite meets the fire safety code. What is doesn't address is the Land Use Issue. They did the open houses for four wards. They said 30% were passionately against, 30% were passionately for the issue and the rest 40% said that they would be fine with the secondary suites given some conditions.

For example, one of the condition that has always come up is that the landlord who is renting the secondary suite must live there. But under the law we cannot regulate the landlord. You have to do the land, not the user. We have to see if we can through MGA, find a way out of this. Regulating the user would solve a lot of the problems. So, the problem is in today's world, everything sounds light, and it's a much more complicated system and I still think we need to have an agency that protects everybody and deal with it. But we have more advancement of how we're going to deal with it right now, than we have had in the last seven years. Dealing with how we're going to deal with this situation. The day I got elected I have always have said, why we're rolling out a broken system, we're just going to cause more problems but I also said let's get some teams work on it and we're coming to better solutions. Even the GM of rolling stones has said that even if we blanket them, we're only going to have a net gain of a hundred suites a year, which is nothing. We're focusing so much press energy on this and we're having so much debate on this. It's really non-productive. We need to have what incentives between the city and the province for builders to build apartments as rentals. We say this many rentals and if you build them we're going to give you these tax breaks and stuff. The way it is right now, we could have 3000 rentals a year. So we're talking about secondary suites which is a hundred per year and then we're talking about rentals which is 3000! And as that market increases, prices come down so it won't be as expensive and you're adding more to the housing market.

Q: That doesn't involve provincial government enforcing laws compulsorily on the City?

A: We need cooperation with the province in order to give incentives or grants.

Q: So you don't want the province to intervene on this issue and regulate secondary suites (for example what happened in Ottawa)?

A: Absolutely not. 100% not. This is the rational. We're right now working on the City Charter. The purpose of this is to create legislation for the city so we could be more efficient and independent than the other cities. Right now under the MGA, our rules are no different than a crowd of 200. We actually waste money because we have to follow some old rules in the axe since it's law and we don't have a choice. The charter gives us more independence and so it becomes hypocritical if on one hand we ask for independence and on the other hand say Oh by the way I don't like how a councilor votes we're going to come run to you and you decide for the whole province. It's either you're independent or you're not independent. And that's why I'm completely against province making that decision.

Q: What would be one change that you want in the report on secondary suites that is being drafted right now?

A: We're looking at a licensing proposal. This gives us an opportunity to do exactly what I said. You would have a license for nanny, an agent etc., and we would be able to monitor. What we can't do is that we have a street with 14 houses and now we've blanket zoned. So can all 14 houses have suites? Do 10 have them? How many houses get to have secondary suites and how would it change the characteristics of the street?

Q: With that you mean the parking spaces?

A: Well, yes. When you have 14 out of 14 it sure will change. But, what's the number? What's happened for example in Bowness, which is a pro-secondary suites community, but there already are many secondary suites. If you add more, they don't want it because it has become way too congested. They're upset about it.

Q: How do you choose those houses or arrive at the number of houses that should have secondary suites?

A: I don't have answer for that. All I'd prefer to see is that there be a plebiscite during the next election and the plebiscite be a community wise, not by ward because there are certain communities where it makes sense and there are certain others where it doesn't. I appreciate it because every community has different characteristics. I have 13 communities, their demographics and everything is different. So, for

example, in my ward in Montgomery, everyone is okay with secondary suites. I have other communities where they are saying “No way”. So I don’t think it’s right for me as elected official to infringe upon anyone’s property rights. There’s property rights on both the ends. There’s one side where I bought an R-1 on purpose, I did a lifetime investment, I did due diligence, this is what I bought and that’s what I expect. Then there’s person on the other side who says, I bought my house and I follow the safety rules, why can’t I have a secondary suite. Which one is a wrong view? Neither are wrong. So that’s why it’s such an emotional issue than a practical pragmatic issue.

Q: Do you think that the demographics and cultural composition of communities affects the decision of the community to allow secondary suites?

A: I would say so, yes. Obviously it would. The age of the community, the demographics, the location of it (like the outside communities like Valley Ridge and Rocky Ridge, they don’t make any sense for secondary suite). They are closed- in communities, public transportation is not good, those are communities that are forced to use cars. The demographics in the area wouldn’t want secondary suites. But in Royal Oak, Tuscany that are close to LRT stations, they should have secondary suites.

I don’t even know what should be the percentage in plebiscite. 51%, 76% how much.

Q: Who decides that?

A: We decide it. The council decides that. We will have to decide the plebiscite and then we have to decide what percentage. We have to formulate the question. In plebiscites, for example we have the Community Improvement Fund where you go out knock on the doors, and if everybody signs it, if you get 66.7% people to sign it, then it becomes a forced policy in a community. So in their tax they pay additional like \$80 a year and it goes on to beautify the community. So in order to do that, the legislation says it has to be 66.7%. So when we do the plebiscite should it be 66.7% or 51%.

Q: Why is there no answer to any of these questions regarding secondary suites?

A: It has become such a political problem and an emotional one too. We have all these businesses that say we want secondary suites. But when we go out asking questions, they have no answers to our questions.

Q: Do you think neighbours should have a role to play in the secondary suites issue?

A: If the applicant gets all the neighbours to sign it, they get their application passed. It’s not a rule right now, but that’s what has been happening this year. It should be like that since it’s democracy. But what we haven’t gone into yet is that when one neighbour gets the application accepted and then another

resident files an application to have a secondary suites and the other neighbours decline saying we're fine with one but we don't want two. What happens then is the problem.

When I thought about it from a 10,000 feet above I thought let's do a percentage within the whole community. Like let us say if you have 800 houses and you say you allow 10% houses to have secondary suites. It may be all over but within one community but you have to have 80 houses with secondary suites.

A lot of time invested in a potential 100 suites a year. This is only going to lead into more unsafe suites. A lot of landlords say that well, I'm going to rent it out, but I'm not going to make it as per the safety standards.

Interview 2: Councillor Sean Chu, Ward 4

Q: What is your opinion on addressing the issue of housing shortage by legalizing existing secondary suites and easing the restrictions on construction of new secondary suites?

A: I think, legalizing secondary suites is not going to solve the problem. Let me tell you why. Right not the proposal of four wards 7, 8, 9, and 11, there's already 32334 homes eligible, already zoned for secondary suites. Guess how many people applied for it so far since 2007? **213**. Out of these 191 or 195 homes actually got approved. So, the demand's not there on paper. I think the fundamental issue. If you want to get secondary suites passed, it would be changing provincial- federal laws. In there, in every house, you have to have two separate heater, water supplies and from what we're told it would take at least \$25000 to fix those things. Once that's done, if you're the owner will you charge less for that? No. Of course. You need your money back. So affordable, I think it's a wishful thinking. But, it's not going to happen. Use the name, its affordable housing, but it's not going to help. It's going to help you (owners) make more money.

Q: And so, if this stands true for existing suites, do you believe construction of new suites is going to worsen the problem further?

A: It's going to help housing stocks, no doubt about it. But being affordable, I don't know.

Q: Coming to demographics. Do you believe that demographics and cultural composition of a particular ward or community influences the decision of that community or ward in whether they want secondary suites in their ward?

A: well, let's put it this way. People buy R1 for a reason, they like R1, they pay premium for it. If people want to buy R2, they buy a place in R2 area. Been a Chinese myself, as you now Asians, have a little different family dynamic. We're more so as "everyone lives together". The very common is where you see three or four generations living together, even relatives too. In that sense, yes. And if there's no difference then, for example Italian families have a lot of family gathering in the basement kitchen. Like Asians, a lot of people live in the same household. So, it does not depend which demography you belong to, it depends more on what you are.

Q: The new draft that you are debating in the council for four inner city wards, if that gets passed, do you want to see more neighbours contributing to appeals of their neighbours? (Public input)

A: Yes. I have said that before too. This is a contentious issue. Big time. We should put to the people. Plebiscite during election. People say "Oh it's going to cost a lot of money". No. Election time, just print it on the ballot. It's very simple. And some people say no, we are elected people. We must make

decisions. Yes we are elected people, but when you have something so contentious and could have a lot of effect on people's life, I think then people should decide.

Q: Do you suggest the plebiscite be ward-wise or community-wise? One of your colleague has suggested a community-wise Plebiscite.

A: I have always suggested, it should be community-based. From day one, it has been my suggestion that the plebiscite should be community by community. We get a lot of phone calls and personally I call everybody back, any day. Even people don't agree with secondary suites. If you explain to people (for plebiscite) they say "yes, let's do it!" You know why? Because, in our society, people understand democracy. Doesn't matter you agree on certain issue or not, but you always respect democracy.

Q: Would there be a threshold on that plebiscite say for example if 57% of the population in a community says they want secondary suites only then that community will be allowed to have secondary suites?

A: Majority wins. If it's 51%, so be it.

Q: A lot of communities in Ward4 have supported secondary suites, like Throncliffe and Highland Parks. So, what are your concerns? Would you be favoring them if the communities want it or would you still vote against it?

A: If there's a plebiscite and the communities decide they want it, I want it. I am here, speaking on behalf of the residents of ward 4. They want it, I want it. In Highland Parks, a lot of people have said no too. I am open-minded on it.

Q: On the inner- city wards, you have said it will change boundaries of the ward. Could you please elaborate on that point a little?

A: That's why I prefer plebiscite being community based. Four wards, in the future, in2017, ward boundaries are going to change. They're not going to be the same. So it will bring big time difference.

Q: So, how does a ward's boundary change?

A: Every 8 years, or so, the city changes ward boundaries, once in 2 terms

Q: what are your suggestions on taking this issue forward? What changes would you like to see in the draft report for four inner city wards and what changes would like to see in terms of scaling it up for rest of the communities in Calgary?

A: So, on these four wards, again I'm heavily in favor of plebiscites. And if that turns out in the report, I'm hoping I will vote in favor of the report.

If there's any provision that changes the lawn size, shrinking the size of the front, and the basement size, it's not good. If you change the law, you can have three suites, upstairs, downstairs and the backyard. **People don't see it, but it will be all businesses in those houses.** All not owner-occupied houses. If you had money what would you do? Of course you can rent it out to businesses. It makes money three times right? What you'll see is **gentrification**, like Vancouver. Owners are going to make money.

Q: what do you have to say about the parking space issues associated with secondary suites?

A: That's always number one! Doesn't matter if a lot of Councillors want to make city a non-traffic city, people don't drive cars, everybody rides bikes, and it's not going to happen. It's Calgary. We have long winters. People are going to drive cars. Most of Councillors drive vehicles too, even those Councillors say no. So parking is always important. You've got to have ample parking.

Q: Legalizing or constructing more secondary suites, will result in a shortage of parking?

A: Of course. You increase population, you increase everything. Including Pipes! Could you imagine, if in a neighbourhood, there are 5000 people, all of a sudden become double (10000), or triple the number of pipes have to change too. Right now, inner city pays levy. Inner city and outer city there's a map, and that area is not paying nothing.

Q: Is there a specific reason why you don't mind construction of secondary suites or legalizing secondary suites near LRT?

A: It makes more sense. But again, I want to put it to the people.

Q: Is there something from cities like Edmonton and Ottawa that you would want to see in Calgary, for an issue like secondary suites?

A: Yes. The more information, the better. But again, I want a plebiscite.

Interview 3: Councillor Brian Pincott, Ward 11

Q: What is your opinion on addressing the issue of housing shortage by legalizing existing secondary suites and easing the restrictions on construction of new secondary suites?

A: Well, I believe that we should have secondary suites, legalize use across the city. That's what I have always advocated for. We don't have that many legal suites. We have something like 500 legal suites. But we have a bunch of legal, non-confirming. They were in existence before 1980, so they're legal because they were legal at that time. But they're non-confirming in that they don't exactly fit in the existing land use. We have only 500- 550 that are actually full on legal, have the right land use in the city. We've got a guesstimate on how many illegal suites we have. It's anywhere from 20 to a 100. It's probably in the 30,000 range. It's absolutely no way that there's a 100000 illegal suites. I don't know where the number 100000 came from. The City estimates them to be close to 30000.

You have to look at the barriers for someone wanting to legalize. If it's an illegal suite, and isn't meeting to the code, they have to spend a lot of time and money bringing it up, which is good, because it's illegal and to make it legal you have to go through the land use process. This is honestly, a crap shoot when you come to Council. They're actually taking a chance that they'll lose it completely. From a homeowner's stand you're actually losing it completely. Challenge for a tenant is that they have no rights and nowhere to complain to as if they complain they'll just be out of a place to live to.

Q: I was thinking it to be a political issue more, but it seems like it is more of an implementation issue?

A: It is all purely politics.

Q: I interviewed a couple of your colleagues, and they're of the view that the City does not have the authority to implement the safety package (Alberta Fire Code and Alberta Building Code), which is why it is taking so long to let the issue pass in Council.

A: Well, yes, there are discrepancies in the Building Code and some of the requirements in the provincial code are a problem but that's not the barrier. Because even before you get to the Building Code piece, you have the land use piece first and it's the land use piece that is purely political. So there's no point talking about the Building Code first before you get the land use done.

Q: So does it work that way in the flow? Dealing with the land use first and then the provincial code?

A: Exactly. The land use issue is the initial barrier.

Q: Once the land use problem is solved and we come to the next level, how do you implement the provincial code?

A: I mean we still have to get that changed at the provincial level. But the barriers at the provincial level are around having a separate heating, separate entrance issue and those are things that we are talking to the province about changing and we are trying to change.

Q: I wonder if the Calgary City Council has anything to take away from the Edmonton City Council considering that they allow secondary suites in Edmonton, given that they have to deal with the same provincial codes.

A: Yes. We can. They overcame the political barrier. They have a city council that was willing to make a political decision.

Q: Your ward was bound to change the most had the proposed By-Law change passed its reading. In a recent survey done in your ward community associations, 59% of the Community Associations said voted for secondary suites but 41% voted against them. Given that the issue comes up again, would you take any specific measures to convince them?

A: It's about having a conversation and I have ever since I got elected have talked about why it is important to have secondary suites. So I take every opportunity to have a conversation with the community. It's not so much the Community Associations. Giving an example, Lakeview Community Association came out very strong opposed to secondary suites. Not once did the Community Association ask members of the community whether they agreed or not.

Q: Do you think there's disconnect between the Community Associations and the members of the communities?

A: Always! Community Associations can only represent the membership and the membership is 200 odd people. It's about always having a conversation. An example is that I haven't actively gone out changing their minds. I have one community association of the community I picked up in 2010. They were not mine before, they were some other councilors. The former councilor of that community was strictly opposed to secondary suites. When I picked up that community there were 70% community members opposed to secondary suites. Honestly, they kept asking, where do you stand on secondary suites? That's the first issue that community talked to me about. I said I'm completely in favor of secondary suites. That community did the poll again after I have been their councilor for four years. 60% of the now favor secondary suites. It's about having the conversation and this is where the politics comes in. As a politician if you want to make decisions based on the angry e-mails in your inbox, you will not do anything because

the angry e-mails always don't want any change. But, if actually you believe in having a conversation and say why you believe in secondary suites and talk, people are ready, they understand that. I use that community as an example. That's a significant change and the change has been because a Councillor is going and having the conversation.

Q: Do you favor plebiscite?

A: I was always opposed to plebiscite.

Q: Is there another way, you know if Calgarians support secondary suites?

A: Yes, I get elected. I always talk about secondary suites and I get elected. The thing is we're not here just to go out and say we have to make a decision what do rest of the Calgarians say. People who hide behind a plebiscite are not making a decision.

Q: Would you want the province to intervene on this matter? Like in Ottawa?

A: Ideally not. If the province says we're mandating it. The reason Ontario did it was because municipalities couldn't do it just like Calgary.

Q: How many times has the issue come to Council? Is this the issue they have discussed the most?

A: I guess it about 40 times. They talked about cigarettes more! I'd rather that we were actually able to make a compromise on it. What was with the 4 wards was a compromise.

Q: Do you think that demographics of the communities influence

A: No I don't think so. I think it boils down to issues of age, potentially issues of income, but I also think it is a classic urban-sub-urban split. More urban communities are in favor of them because they understand the value of having a broader demographic, they are typically younger, they typically understand the notion of density, walkability and all of those things that come from a quality of life perspective out of that. But I think when you look at the more sub-urban communities, a lot of times they're older, they're more concerned about their car, how they get around in car. So for them, density is not a positive thing. I think there's a very solid age-split.

Q: Do you think it is just a matter of time?

A: Oh God Yes! It has to happen. Other municipalities have done this. They haven't gone through the tortured process that we have subjected ourselves to. But Edmonton did it and the world did not cease to exist. I wish we could do something about it!