



Special Development Services Committee Minutes

May 22, 2018, 5:30 PM to 7:00 PM

Council Chamber

Meeting No. 10

All Members of Council

Attendance

Mayor Frank Scarpitti
Deputy Mayor Jack Heath
Regional Councillor Jim Jones
Regional Councillor Joe Li (6:00)
Regional Councillor Nirmala Armstrong
Councillor Valerie Burke
Councillor Alan Ho
Councillor Don Hamilton
Councillor Karen Rea
Councillor Colin Campbell
Councillor Amanda Collucci (6:00)
Councillor Alex Chiu

Andy Taylor, Chief Administrative Officer
Arvin Prasad, Commissioner of Development Services
Trinela Cane, Commissioner of Corporate Services
Chris Alexander, Acting Manager, By-law Enforcement and Regulatory Services
Ron, Blake, Senior Development Manager
Catherine Conrad, City Solicitor and Acting Director of Human Resources
Geoff Day, Senior Planner, Zoning & Special Projects
Dave Decker, Fire Chief
Biju Karumanchery, Director of Planning and Urban Design
Kimberley Kitteringham, City Clerk
Jody Parsons, Court Administration Coordinator
Brad Roberts, Manager, Zoning and Special Projects
Jason Scovell, Fire Prevention Officer
Mark Visser, Senior Manager Financial Strategy & Investment
Kitty Bavington, Council/Committee Coordinator

Regrets

Councillor Logan Kanapathi

The Special Development Services Committee convened at the hour of 5:37 p.m. in the Council Chamber with Regional Councillor Jim Jones in the Chair.

The purpose of this meeting is to review the proposed by-laws relating to Phase 3A of Markham's New Comprehensive Zoning By-Law Project, and to discuss suggested changes to the Development Services Committee resolution of May 14, 2018, prior to consideration by Council on May 29, 2018.

1. DISCLOSURE OF PECUNIARY INTEREST

None declared

2. **COMMUNICATIONS**

There were no communications.

3. **RECOMMENDATION REPORT:
PHASE 3A OF MARKHAM'S
NEW COMPREHENSIVE ZONING BY-LAW PROJECT
– ROOMING HOUSES, SHORT-TERM ACCOMMODATIONS
AND SECOND SUITES
FILE NO. PR 13 128340 (10.5)**

For background information, the Committee had before it the following documents and the staff report considered at the May 14, 2018 Development Services Committee. An amended draft of the Nuisance By-law was also provided.

[Presentation](#) [Report](#)

[Presentation](#)

[Licence Fees By-law](#)

[Fire Fees By-law](#)

[OPA – Rooming Houses and Short-Term Accommodation](#)

[Public Nuisances By-law](#)

[Registration Second Suites By-law](#)

[Rooming House By-law](#)

[Second Suites By-law](#)

[Short-Term Accommodation By-law](#)

Brad Roberts, Manager, Zoning and Special Projects, gave a presentation to review the following recommendation approved at the May 14, 2018 Development Services Committee meeting:

- “1) *That the report dated May 14, 2018 titled, “RECOMMENDATION REPORT: Phase 3A of Markham’s New Comprehensive Zoning Bylaw Project – Rooming Houses and Short-Term Accommodations and Second Suites – File No. PR 13 128340” be received; and,*
- 2) *That the Draft Zoning By-law **to define** Rooming Houses attached as Appendix ‘A’ be finalized and enacted without further notice; and,*
- 3) *That the proposed modifications to the 2014 City of Markham Official Plan to define and **adopt the criteria as amended to remove the reference to townhouses for** Rooming Houses be finalized and adopted without further notice; and,*
- 4) *That the proposed modifications to the 2014 City of Markham Official Plan attached as Appendix ‘B’, as amended only **to define** Short-term Accommodations be finalized and adopted without further notice; and,*

- 5) *That the Draft Licensing By-law for Short-term Accommodations attached as Appendix 'C' be **denied**; and,*
- 6) *That the Draft Public Nuisance By-law attached as Appendix 'D' be **approved in principle** and enacted **as soon as possible** without further notice; and,*
- 7) *That a Zoning By-law **only to define** Short-term Accommodations attached be finalized and enacted without further notice; and,*
- 8) *That the Draft Registration By-law for Second Suites attached as Appendix 'F' be finalized and enacted without further notice; and,*
- 9) *That the Draft Zoning By-law to permit Second Suites attached as Appendix 'G' be **denied**; and,*
- 10) *That Council **deny** an increase in the Fire Department full-time complement, for the hiring of one additional Fire Prevention Officer and associated vehicle; and,*
- 11) *That the proposed fee increases and new fees **be referred to the May 29, 2018 Council meeting** as follows;*

<i>Department</i>	<i>Fee</i>	<i>Current</i>	<i>Proposed</i>
<i>Fire</i>	<i>Two Unit Residential Inspection Fee</i>	<i>\$339.50</i>	<i>\$1,800.00</i>
	<i>Two Unit Residential Registration Fee</i>	<i><u>\$169.50</u></i>	<i><u>\$200.00</u></i>
		<i>\$508.50</i>	<i>\$2,000.00</i>
	<i>Multiple Occupancy Residential Additional Re-inspection Fee</i>	<i>\$163.85/inspection</i>	<i>\$100.00/hour</i>
<i>By-Laws</i>	<i>Second Suite Property Inspection Fee</i>	<i>None</i>	<i>\$475.00</i>
	<i>Second Suite Additional Re-Inspection Fee</i>	<i>None</i>	<i>\$100.00/hour</i>
<i>By-Laws</i>	<i>Short-term Accommodation Company Fee</i>	<i>None</i>	<i>\$5,000.00 one-time fee per company + \$1/night booked</i>
	<i>Short-term Accommodation Licensing Fee</i>	<i>None</i>	<i>\$50.00/operator/year</i>

- 12) *That during the next Fee By-law update, the Building Department review and adjust their Accessory Apartment Fee as necessary, to achieve full administrative cost recovery, based on volume, in accordance with the Building Code Act **subject to Council decision of the fee schedule**; and,*

- 13) *That staff monitor the volumes and impacts of Second Suites and Short-term Accommodations and, if necessary, bring forward changes to staffing levels and/or fees to attempt to maintain full administrative cost recovery when deemed appropriate; and further,*
- 14) *That Staff be authorized to do all things necessary to give effect to this resolution.”*

The Committee discussed the following:

Rooming Houses

- The criteria of being within the urban boundary was questioned

Short-term Accommodations

- As proposed, a by-law amendment would be required to permit this use
- The cost of planning applications and revenue from fines were noted
- It was suggested that the definition be amended from 180 to 60 days

Draft By-law for STA

- No comments

Draft Public Nuisance By-law

- An amended draft by-law was provided to the Committee
- Minor revisions were noted, and Section 2.3 was reviewed with respect to not prohibiting lawful demonstrations and similar events
- The by-law is broad in scope in order to apply to all the listed public nuisances, not just party-related STA nuisances, and not just in residential areas
- The by-law has been structured to address specific complaints received from the public and is intended to deal with matters/behaviours that exceed the boundaries of the subject property and that impact neighboring properties and residents
- The by-law will not hinder or replace Police authority
- Penalties (Sec. 5.1) for second offences, and daily fines, were clarified and will be reviewed
- There is a separate by-law for noise from barking dogs
- This by-law can be considered a consolidation of several of Markham's existing regulations and can be used as an effective tool for staff and the Police
- It was suggested by one member of Council that a modified version of Guelph's Nuisance Party By-law be implemented, with the possible inclusion of smoking and graffiti issues, to ensure this initiative is not too heavy-handed. Staff advised that smoking and graffiti are included in Markham's Property Standards By-law.

Zoning By-law to define Short-Term Accommodations

- The 180-day timeframe was considered
- Rezoning requirements to permit the use were discussed

Draft Registration By-law for Second Suites

- This modernizes the 1997 registration by-law

Draft Zoning By-law to permit Second Suites

- The Committee did not support permitting Second Suites
- Requirements under the Planning Act were reviewed. Although Provincial Policy requires municipalities to adopt by-laws to permit second suites, the timeframe for the City to permit the use is not specified in provincial legislation

Increase in Fire Department complement

- The Committee did not support increasing the complement
- It was questioned how the safety of affordable housing will be achieved without increasing the complement
- Fire Department staff discussed managing and monitoring the demand

Proposed fee increase

- Draft By-laws are being provided

Fee By-law update

- This matter is deferred to Council
- A separate Public Meeting is required

Staff will monitor volumes and impacts

- There were no comments

This matter will be considered by Council on May 29, 2018. The Committee directed that the presentation be separated into four categories (Rooming Houses, Second Suites; Short-term Accommodations, Nuisance By-law) for easier understanding, and that public notification be provided on the City page of the local newspaper.

Moved by: Councillor Colin Campbell

Seconded by: Councillor Don Hamilton

- 1) That the staff presentation regarding Phase 3A of Markham's New Comprehensive Zoning By-Law Project – Rooming Houses, Short-Term Accommodations and Second Suites, and the draft Nuisance By-law, be received; and,
- 2) That the presentation to Council on May 29, 2018 be separated into four categories (Rooming Houses, Second Suites; Short-term Accommodations, Nuisance By-law); and further,
- 3) That public notification of the Council meeting on this matter be provided on the City page of the local newspaper.

CARRIED

4. ADJOURNMENT

The Special Development Services Committee meeting adjourned at 6:53 PM.

Alternate formats for this document are available upon request.
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