



## **Special Development Services Committee Minutes**

March 27, 2018, 7:00 PM to 10:00 PM

Council Chamber

Meeting No. 5

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### **All Members of Council**

#### **Development Services Issues**

Chair: Regional Councillor Jim Jones  
Vice-Chair: Councillor Don Hamilton

#### **Attendance**

Mayor Frank Scarpitti  
Deputy Mayor Jack Heath  
Regional Councillor Jim Jones  
Regional Councillor Joe Li (arrived at 7:35pm)  
Regional Councillor Nirmala Armstrong  
Councillor Valerie Burke  
Councillor Alan Ho  
Councillor Don Hamilton  
Councillor Karen Rea  
Councillor Colin Campbell  
Councillor Amanda Collucci (arrived at 7:16pm)  
Councillor Alex Chiu

Andy Taylor, Chief Administrative Officer  
Trinela Cane, Commissioner of Corporate Services  
Brian Lee, Acting Commissioner of Development Services  
Brenda Librecz, Commissioner of Community & Fire Services  
Ron, Blake, Senior Development Manager  
Catherine Conrad, City Solicitor and Acting Director of Human Resources  
Kimberley Kitteringham, City Clerk  
Geoff Day, Senior Planner, Zoning & Special Projects  
Biju Karumanchery, Director of Planning and Urban Design  
Brad Roberts, Manager, Zoning and Special Projects  
Mark Visser, Senior Manager, Financial Strategy & Planning  
Adam Grant, Deputy Fire Chief  
Christopher Alexander, Acting Manager, By-law Enforcement & Regulatory Services  
Alida Tari, Council/Committee Coordinator

#### **Regrets**

Councillor Logan Kanapathi

The Special Development Services Committee convened at the hour of 7:05 p.m. in the Council Chamber with Regional Councillor Jim Jones in the Chair.

Development Services Committee recessed at 9:10 PM and reconvened at 9:20 PM.

#### **DISCLOSURE OF PECUNIARY INTEREST**

None disclosed.

**1. PHASE 3A OF MARKHAM'S  
NEW COMPREHENSIVE ZONING BY-LAW PROJECT  
ROOMING HOUSES, SHORT-TERM ACCOMMODATIONS  
AND SECONDARY SUITES  
FILE NO. PR 13 128340 (10.5)  
[Presentation](#)**

**Note: For background information, attached is the staff report considered at the  
February 26, 2018 Development Services Committee.  
[Report](#) [Appendix 1](#) [Appendix 2](#) [Appendix 3](#)**

Brad Roberts, Manager, Zoning and Special Projects delivered a PowerPoint presentation regarding second suites, rooming houses and short-term accommodations.

Mark Visser, Senior Manager, Financial Strategy & Planning delivered a PowerPoint presentation regarding second suites, rooming houses and short-term accommodations outlining the financial implications.

Christopher Alexander, Acting Manager, By-law Enforcement & Regulatory Services addressed the Committee and outlined the key benefits to licensing short term accommodations.

The Committee discussed the following with respect to second suites:

- Whether residents will come forward to comply with the proposed by-law if they have a second suite in their dwelling
- What other surrounding jurisdictions encountered on residents complying when they enacted a by-law to permit second suites
- Does a registered second suites increase the property value through the Municipal Property Assessment Corporation (MPAC) assessment
- Provincial legislation relative to the permission of second suites

The Committee discussed the following relative to rooming houses:

- How can other municipalities apply distance separations, but the City of Markham is not recommending it

The Committee discussed the following regarding short-term accommodations:

- Difference between bed and breakfast versus short-term accommodations

Billy V. Gardanis addressed the Committee regarding second suites, rooming houses and short-term accommodations and spoke in opposition to permitting rooming houses. He believes that more work needs to be completed prior to a final decision.

Soo Kim addressed the Committee with respect to second suites, rooming houses and short-term accommodations and spoke in opposition with permitting these uses. She stated concerns with homes in her neighbourhood that are currently renting their dwelling through Airbnb and have noisy and distributive individuals renting it.

Christine Bergaurer-Free addressed the Committee regarding second suites, rooming houses and short-term accommodations and stated concerns with permitting these uses.

Laura Galati, on behalf of Markville Village Conservation Resident Association addressed the Committee with respect to second suites, rooming houses and short-term accommodations and stated concerns with permitting these uses.

Linda Ngo-Chan addressed the Committee regarding second suites, rooming houses and short-term accommodations and stated concerns with permitting these uses.

Jim Bilkas addressed the Committee with respect to second suites, rooming houses and short-term accommodations and spoke in opposition with permitting these uses.

Lauren Rego addressed the Committee regarding second suites, rooming houses and short-term accommodations and spoke in opposition with permitting these uses. She believes the community safety must come first.

Victoria Bisbach addressed the Committee with respect to second suites, rooming houses and short-term accommodations and stated concerns with permitting these uses.

Sam Orrico addressed the Committee regarding second suites, rooming houses and short-term accommodations.

Mohamed Chebaro addressed the Committee with respect to second suites, rooming houses and short-term accommodations and stated concerns with permitting these uses especially the use of Airbnb rentals.

Ann Robertson addressed the Committee with respect to second suites, rooming houses and short-term accommodation and spoke in opposition with permitting these uses. She believes that these permissions are associated with illegal activities.

There was discussion regarding condos having the ability to include prohibitions against short-term rentals in their condominium rules and declarations.

Kevin Finn addressed the Committee regarding second suites, rooming houses and short-term accommodations and spoke in opposition with permitting these uses. He believes enforcement is essential.

Alan Adams addressed the Committee with respect to second suites, rooming houses and short-term accommodations and stated concerns with permitting these uses. He believes that there should be a fee associated if these uses are permitted.

Vivelinda Ribau addressed the Committee regarding second suites, rooming houses and short-term accommodations and spoke in opposition with permitting these uses. She believes that the main issues with these permissions is safety for the existing communities.

Geoff Pine addressed the Committee with respect to second suites, rooming houses and short-term accommodations. He supports staff proposal to not permit rooming houses. Mr. Pine supports the permission of second suites. He believes that short-term accommodations should only be permitted in an owner occupied dwelling, and with various other restrictions.

The Committee discussed the difficulties associated to delivering the enforcement with the rules associated to permitting short-term accommodations.

Priti Sehgal addressed the Committee regarding second suites, rooming houses and short-term accommodations and stated concerns with permitting these uses. She believes that the increase in absentee homes owners who are not concerned with the safety of their neighbours when renting their dwelling as a short-term accommodation.

Tarum Dewan addressed the Committee with respect to second suites, rooming houses and short-term accommodations and stated concerns with permitting these uses.

Alick Siu addressed the Committee regarding the second suites, rooming houses and short-term accommodations and stated concerns with permitting these uses.

Peter Miasek addressed the Committee with respect to second suites, rooming houses and short-term accommodations and believes that ensuring enforcement is essential for any of these permitted uses.

The Committee inquired what the average fines have been achieved with zoning infractions. It was noted that the Judge determines the fine amount of an infraction not the City.

David Kim addressed the Committee regarding short-term accommodations and spoke in opposition. He believes that there is no benefit to the municipality permitting short-term accommodations.

The Committee inquired whether short-term accommodations are currently permitted in Markham. Staff advised that there is currently no definition of “short-term accommodation” in any of the City’s by-laws. The absence of a regulatory framework makes enforcement very problematic on a number of fronts. Enforcement staff currently are addressing issues associated with the short-term rental use (parking, noise, debris, etc.) but are unable to address the use itself in an effective manner. There was discussion regarding whether or not the City can use existing zoning regulations to prohibit short-term accommodation. The Committee was advised that it is not possible under current regulations to prohibit the uses. Staff noted that a licensing geime would provide the City with significant additional powers to regulate how these businesses operate.

The Committee discussed the difficulty with balancing the force of innovation such as the various online platforms, and the need to create a regulatory framework to address issues associated with short-term accommodations.

Staff noted that any regulations adopted must take into account the resources required for administration and enforcement.

There was brief discussion regarding the potential to require online platforms companies to remove problem listings, and whether they should pay a licensing fee.

Moved by Regional Councillor Nirmala Armstrong  
Seconded by Councillor Karen Rea

That the presentations by Brad Roberts, Manager, Zoning and Special Projects; Mark Visser, Senior Manager, Financial Strategy & Planning and Christopher Alexander, Acting Manager, By-law Enforcement & Regulatory Services regarding second suites, rooming houses and short-term accommodations be received; and,

That the depositions from Billy V. Gardanis, Soo Kim, Christine Bergaurer-Free, Lauren Rego, Victoria Bisbach, Mohamed Chebar, Geoff Pine, Priti Sehgal, Tarum Dewan, Sam Orrico, Linda Ngo-Chan, Jim Bilkas, Ann Robertson, Kevin Finn, Alan Adams, Vivelinda Ribau, Laura Galati, Alick Siu, Peter Miasek and David Kim, be received.

Carried

## **ADJOURNMENT**

The Special Development Services Committee meeting adjourned at 11:26 PM.

<b>Alternate formats for this document are available upon request.</b>
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