

Rooming Houses and Short Term Accommodations Policy Recommendations

**Development Services Committee
September 25, 2017**

Background

- March 2016 –DSC directed staff to advance work on Secondary Suites, Rooming Houses and Short term Accommodations (phase 3A of Markham Comprehensive Zoning project)
- July 2016 Special DSC meeting held to discuss options for Rooming Houses and Short Term Accommodations
- October 2016—Public Open House
- December 2016—Statutory Public Meeting of Phase 3A—Matter referred back to staff to explore policy criteria
- June 2017—Council approves staff report recommending that Statutory Public Meeting be held in Fall 2017 regarding Official Plan policies for Rooming Houses and Secondary Suites

Rooming Houses



- Rooming Houses are not permitted anywhere in Markham “as of right”
- There have been concerns with some illegal rooming houses operating in Markham
- Main issues are neighbourhood compatibility and safety

Rooming Houses-Official Plan



- Rooming houses are included in the “shared housing small scale” category in the Official Plan
- Markham Official Plan Section 11.2 defines “shared housing small scale” as housing where 3 to 10 persons share accommodation with or without supports
- “Shared housing large scale” is where more than 10 persons share accommodation
- Shared housing is also mentioned in the Housing and Specific Use Provision sections of the Official Plan

Rooming Houses - Existing Markham Zoning

Rooming Houses are not permitted in any zone in Markham:

- By-law 90-81 includes boarding and rooming houses in the definition of “dwelling” and By-law 1229 includes definition of “boarding or lodging house”
- By-law 2004-196 for Markham Centre includes a definition of “suite” which incorporates rooming houses and boarding houses



Rooming Houses Recommendations



- Do not permit rooming houses as of right in any zone in Markham
- Define rooming houses in the zoning by-law to assist with enforcement
- Add criteria in the Official Plan to assist in evaluating applications for rezoning

New Rooming Houses Zoning By-law Definitions

“**Rooming House Small Scale** means a building where lodging is provided in return for remuneration or services (or both) in 3 to 5 lodging rooms and where lodging rooms do not have both bathroom and cooking facilities for the exclusive use of individual occupants and may include one *dwelling unit* in addition to the lodging rooms, but does not include a residential use with support services.”

“**Rooming House Large Scale** means a building where lodging is provided in return for remuneration or services (or both) in more than 5 lodging rooms and where lodging rooms do not have both bathroom and cooking facilities for the exclusive use of individual occupants and may include a *dwelling unit* in addition to the lodging rooms, but does not include a residential use with support services.”

”A **Dwelling Unit** means a unit consisting of one or more rooms, which contains cooking, eating, living and sanitary facilities and is not a *rooming house*.”

Official Plan Criteria for Rooming Houses

Criteria in the 2014 Official Plan (Phrase in red to be added).

In considering an application to amend the zoning by-law to permit the establishment of shared housing, Council shall be satisfied:

- i. that shared housing small scale shall be accommodated within a permitted building type in accordance with all applicable codes, bylaws and regulations; and
- ii. that the location of shared housing large scale and shared housing long term care and shared housing supervised shall be restricted to permitted building types on an arterial or collector road **served by public transit** and built in accordance with all applicable codes, by-laws, regulations and other policies of the Plan.

Short Term Accommodation(STA) - Background

- Short Term Accommodation refers to temporary accommodation (less than 30 days) through rental arrangement but does not include uses such as motels, hotels, bed and breakfasts
- The introduction of web based sites advertising short term rental accommodation has raised concerns in a number of municipalities across North America
- Municipalities are struggling on how to control for these types of rentals
- In Markham a few houses have been rented out as party houses on weekends using these services and causing problems for neighbours



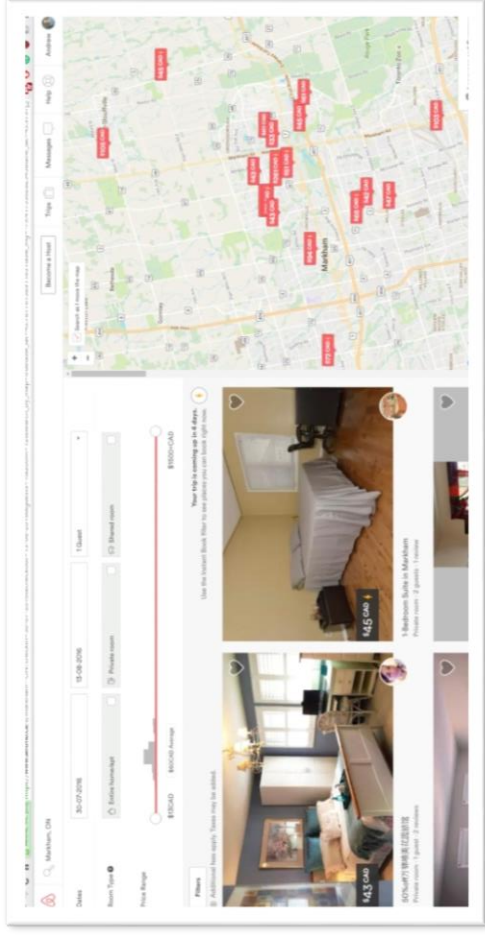
STAs –Official Plan and Zoning controls

- The Official Plan defines a ‘bed and breakfast establishment’, but is silent on short term accommodation
- The zoning by-law allows a “bed and breakfast inn” in the Main Street Heritage area
- Other similar uses, such as hotel, apartment, hotel, motel and tourist establishment are defined in various Markham zoning by-laws

STAs in Markham

From AirBnB (August 2017):

- 210 active hosts
- Over 2,000 guests last year
- Active listings by type
 - 34%--entire house
 - 64% --private space
- Nine complaints filed with By-law Enforcement over the past 2 years



STAs –Zoning Recommendations

- Do not include Short Term Accommodation as a permitted use in any zone
- Add the following definition in the zoning by-law:

“Short Term Accommodation means an establishment that operates or offers a place of temporary residence, lodging or occupancy by way of concession, permit, lease, license, rental agreement or similar commercial arrangement for overnight accommodation, for one or more periods of less than (30) consecutive days and not more than 60 days over the duration of the calendar year, within a single dwelling that is the principal residence of the proprietor of the establishment. ”

STAs –Official Plan Recommendations

- Add STA definition to the Official Plan
- Provide for STAs in Residential and Mixed Use Areas, through a rezoning and subject to meeting specific use criteria
- Add a new Specific Use Section to the Official Plan that would limit STAs to permitted building types in accordance with all applicable codes, by-laws, regulations and Official Plan policies.

QUESTIONS/COMMENTS?

