

**SUBJECT:** INFORMATION MEMORANDUM  
Update on Phase 3A of Markham's New Comprehensive  
Zoning By-law Project & Next Steps  
File No. PR 13 128340

**PREPARED BY:** Anna Henriques, MCIP, RPP, ext. 7922  
Senior Planner – Zoning Special Projects

**REVIEWED BY:** Tom Villella, MCIP, RPP, ext. 2758  
Manager – Zoning & Special Projects

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**RECOMMENDATION:**

- 1) THAT the memorandum dated November 21, 2016 entitled, "INFORMATION MEMORANDUM: Update on Phase 3A of Markham's New Comprehensive Zoning By-law Project & Next Steps – File No. PR 13 128340" be received as background information to the Public Meeting scheduled for December 6, 2016;

**PURPOSE:**

The purpose of this memo is to provide an update on Phase 3A of Markham's New Comprehensive Zoning By-law Project and to outline next steps for moving forward with the project.

**BACKGROUND:****Phase 3A New Comprehensive Zoning By-law Project**

In March 2016, Gladki Planning Associates (GPA) was retained by the City to complete work on Phase 3A of the New Comprehensive Zoning By-law Project, being a review of potential zoning and licensing regulations for secondary suites, rooming houses and short-term accommodations. This project is slated to be completed in Q1 2017.

Phase 3B, being the completion of the remaining work on the New Comprehensive Zoning By-law, is slated to begin in Q1 2017 and be completed in Q2 2018.

**Open House was held in October 2016 to obtain public comment**

An Open House and presentation was held on October 11, 2016 to obtain feedback on preliminary recommendations made by GPA for addressing secondary suites, rooming houses and short-term accommodations in Markham. The Open House was well attended with approximately 100 members of the public and 11 members of Council present. The majority of comments received pertained to rooming houses and short-term accommodations, with most not in support of permitting these forms of accommodation anywhere in Markham. A summary of all comments received is outlined below.

Secondary Suites

The comments provided at the Open House were generally supportive of secondary suites, subject to certain conditions such as ensuring units are safe for inhabitants, and that entrances to these units are appropriately located.

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### Rooming Houses

The majority of the comments provided at the Open House were not supportive of permitting rooming houses in Markham. However, some comments were made suggesting that the City consider permitting rooming houses only in intensification areas (higher density areas with good access to social services and transit).

### Short Term Accommodations (i.e. AirBnB, VRBO, etc.)

The majority of the comments received at the Open House were not supportive of permitting short-term accommodations anywhere in Markham. In addition to the comments received, a petition with 12 signatures opposed to short-term accommodations was also presented.

A resident who has rented her home for short-term accommodation spoke in favor of permitting them, provided that the dwelling is occupied by a principal resident, as is proposed in Vancouver.

In addition to the above feedback, there was considerable discussion regarding enforcement of City by-laws and strengthening enforcement capacity.

## **OPTIONS/DISCUSSION:**

### **Revised recommendations and draft by-laws to be presented at statutory Public Meeting on December 6, 2016**

Based on the feedback received at the October 11, 2016 Open House, GPA has revised its original draft recommendations and draft by-laws as follows:

#### Secondary Suites

- Recommended that a Zoning By-law Amendment be adopted by Council, **to permit secondary suites city-wide in detached, semi-detached and row house dwellings** (excluding Special Policy Areas) provided:
  - ✓ both the principle dwelling unit and the secondary dwelling unit are wholly contained within the same detached, semi-detached or row housing dwelling;
  - ✓ no more than two dwelling units are permitted on the same lot;
  - ✓ the secondary dwelling unit has a floor area of not less than 35 m<sup>2</sup>;
  - ✓ no more than one dwelling entrance is contained within any main wall facing a street; and
  - ✓ the entrance to either the principal or secondary dwelling unit is not through the garage door.
- Recommended that a registration by-law for Secondary Suites be forwarded to Council, and that existing By-law 308-97 be repealed.

#### Short Term Accommodations

- Recommended that a Zoning Bylaw Amendment be adopted by Council to define “short-term accommodation” in all Markham zoning by-laws be forwarded to Council, **but not permit this use “as-of-right” in any area of Markham.**
- Providing a definition in the City zoning by-laws would be instrumental in assisting with proper enforcement, as officers will have a clear indication, from a zoning perspective, of what constitutes a “short term accommodation” in Markham.
- Those wishing to establish a “short-term accommodation” use in Markham would be required to apply for a Minor Variance or Zoning By-law Amendment to permit the use on any particular property, which would trigger neighbourhood notice and a public meeting in each case.

#### Rooming Houses

- Recommended that a Zoning By-law Amendment be adopted by Council to define “rooming house large scale”, “rooming house small scale” and “dwelling unit” in all Markham zoning by-laws, **but not permit the use “as-of-right” in any area of Markham.**
- Providing a definition in the City zoning by-laws would be instrumental in assisting with proper enforcement, as officers will have a clear indication, from a zoning perspective, of what constitutes a “short term accommodation” in Markham.
- Those wishing to establish a rooming house in Markham would be required to apply for a Minor Variance or Zoning By-law Amendment to permit the use on any particular property, which would trigger neighbourhood notice and a public meeting in each case.

#### **Next Steps**

Following the statutory public meeting, staff will prepare a final recommendation report, including final draft zoning and licensing by-laws, for consideration by Development Services Committee in Q1 2017.

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**FINANCIAL CONSIDERATIONS:**

N/A

**HUMAN RESOURCES CONSIDERATIONS:**

N/A

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

N/A

**BUSINESS UNITS CONSULTED AND AFFECTED:**

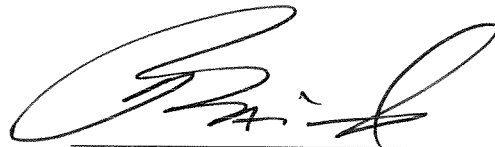
N/A

**RECOMMENDED**

**BY:**



Ron Blake, MCIP, RPP  
Senior Development Manager,  
Planning & Urban Design



Jim Baird, MCIP, RPP  
Commissioner, Development Services