

Appendix B:

Notice of April 16, 2008 Public Open House

April 16, 2008 Powerpoint Presentation

April 16, 2008 Public Open House/Meeting Notes

Notice of Public Open House

Proposed Policy to Permit Second Suites (Including Basement Apartments)

Members of the public are invited to an Open House to learn about and provide input on Markham's proposed new policy on second suites:

Wednesday, April 16, 2008

6:00 p.m. - 8:30 p.m.

(Open House: 6:00 p.m.; Presentation: 7:00 pm)

Town of Markham Civic Centre (Great Hall)

101 Town Centre Boulevard

What is a second suite?

A second suite is a common name for a **basement apartment**, an accessory apartment or another form of secondary residential unit in a house that contains no more than one other residential unit.

What is Markham's current policy for second suites?

Houses with second suites are generally not permitted in Markham, except in specific areas where the zoning permits them, or where a second suite existed on November 16, 1995 and is recognized as a permitted use under provincial legislation.

A house containing a second suite *must* be registered with the Town and comply with building and fire safety codes and property standards.

What is Markham's proposed new policy for second suites?

In February 2008, Council decided to hold an Open House to receive input from the public on a proposed new policy for second suites that would include:

- **Zoning:** Equitable zoning permission for second suites in single detached and semi-detached houses across Markham, subject to specified zoning and property standards, and compliance with the Town's new by-law to control extended driveways.
- **Safety:** Improved life safety and landlord accountability by requiring registration of houses with second suites every three (3) years (or upon change of ownership), to maintain compliance with all building and fire safety codes, property standards, etc.
- **Education:** A public education program providing information on how to register a second suite and comply with building and fire safety codes and property standards.

Those interested in second suites (basement apartments) are strongly encouraged to attend.

For more information, a copy of the Subcommittee on Second Suites Recommendations Report is available on the Town's website at www.markham.ca under "Quick Links – Major Planning Studies," at the Development Services Counter at the Markham Civic Centre or by phoning Development Services Inquiry at 905-477-7000 ext. 4861.



Frequently Asked Questions

General facts about second suites in Markham

What's the difference between a second suite and a rooming house?

A second suite is one single self contained (with a locked door) additional unit to a house and is not considered part of a rooming, boarding or lodging house, where multiple households share kitchen and bathroom facilities. The proposed policy for second suites will not change the current permissions for rooming, boarding or lodging houses in Markham.

Are second suites legal in Markham?

To be considered legal, a second suite must be permitted in the Town's zoning by-law and inspected and registered under the Town's Registration By-law. Houses with second suites are generally not permitted in Markham except where: the zoning is in place (e.g. Markham Centre), or the second suite existed on November 16, 1995 and is recognized (grandfathered) as a permitted use under provincial legislation.

What are the benefits of second suites?

Second suites create more rental housing opportunities for small households including young adults, seniors, etc. They may also provide single homeowners with a greater sense of security as a result of not being alone in the home (e.g. seniors). Second suites provide rental income to homeowners and flexibility to offset ownership or maintenance costs. They also have less physical and visual impact than rental apartment buildings, and they help to sustain household populations and municipal service delivery in Markham.

Why is the Town considering wider zoning permission for second suites? What are the benefits of a wider zoning permission for second suites?

Second suites exist throughout Markham, even without zoning permission. Second suites without zoning permission and municipal regulation result in life safety concerns. Wider zoning permission and regulation will increase the life safety of residents in houses with second suites and increase landlord accountability for complying with building and fire safety codes and zoning and property standards.

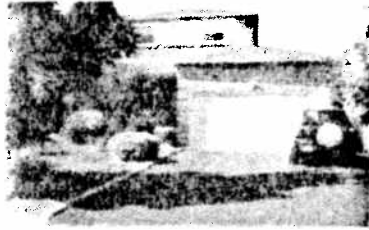
Wider zoning permission will allow more Markham homeowners and tenants to realize the potential benefits of second suites, if they choose. This would provide equitable zoning for second suites across Markham.

Will the introduction of zoning to permit second suites result in a sudden influx of additional residents that will overwhelm my single family residential neighbourhood?

Where municipalities have permitted second suites as-of-right in single family residential neighbourhoods, there is no evidence to suggest that they have experienced a deluge of second suite requests or experienced any significant problems in any given neighbourhood.

The Town did not experience any significant problems when second suites were permitted as-of-right throughout the Province under Bill 120 legislation between 1994-1996.

Where second suites are not permitted by zoning, many second suites have gone unreported, most blending into the physical appearance of neighbourhoods in the Town. In view of this fact, it is not expected that new zoning provisions to permit second suites will result in an overwhelming demand for second suites, but rather an incremental increase in existing suites being inspected and registered and new suites being created over time. Zoning to permit second suites neither creates market demand nor dictates timing of homeowner decisions to introduce second suites.



Markham's Proposed Policy for Second Suites

April 16th, 2008 Public Open House

Presentation Outline



- Background Context
- Detailed Review
- Proposed New Policy
- Public Comment on Proposed New Policy



Markham's Proposed Policy for Second Suites

Background Context

Chronology of Council Actions

- June 2002: Direction to prepare a strategy
- March 2003: Request for analysis of strategy options
- March 2005: Adoption of new procedures
- June 2006: Adoption of new Driveway By-law
- June 2007: Establish Subcommittee
- March 2008: Decision to hold Open House



What is a second suite?



- A second suite is a single self-contained rental apartment in a house
- Many second suites are basement apartments, but they can be installed on any floor of a house
- A second suite has its own locked entrance and contains its own kitchen and bathroom

Potential Benefits



- Increase rental housing supply
- Provide rental housing opportunities for small households including young adults, seniors, etc.
- Provide income to homeowners and flexibility to offset ownership or maintenance costs
- Less physical and visual impact than rental apartment buildings
- Contribute to the “sustainability” of existing housing stock and service delivery in Markham

Current Town Policy

- Official Plan provides for second suites
- Second suites generally *not* permitted by zoning except:
 - in Markham Centre, Cornell
 - where a second suite existed on November 16, 1995 and is recognized as a permitted use under provincial legislation
- Houses with second suites *must* be inspected and registered and comply with building and fire safety codes and property standards

New Procedures



- March 2005: New inspection and registration procedures
- Inspection and registration initiated by:
 - a complaint from tenants, neighbours
 - a request from landlord/owner or tenant
- Fire Services inspects both units in the house for a fee of \$300
- When a house with a second suite fully complies with codes and by-laws it can be registered for a fee of \$150

New Driveway Standards

- June 2006: New standards for front and exterior yard parking address:
 - concerns about the excessive width of driveways
 - the impacts of front and exterior yard parking on the character of a dwelling and a neighbourhood
- By-law now prohibits parking in a front or exterior yard except on a driveway leading to a garage
- On-street overnight parking program not expanded



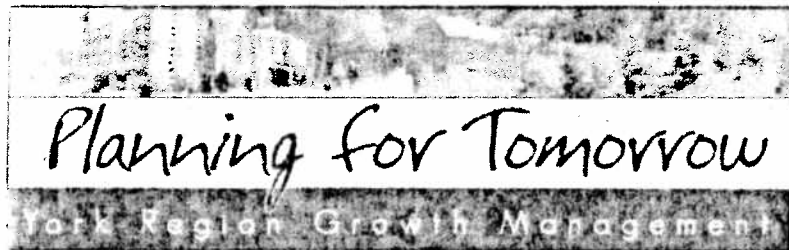
New Provincial Policy



- Oct 2006: Bill 51 Planning Reform
- Promotes a range and mix of housing types
- Municipalities can adopt second suite policies without being subject to appeal
- Markham can pass a zoning by-law to implement second suites policies without being subject to appeal
- Provincial Growth Plan supports creation of second suites within developed communities

Regional Policy

- In 2008, the Region will more thoroughly examine the role of second suites
- Second suites help achieve affordability and intensification targets
- Regional Official Plan: “to support zoning provisions that are flexible enough to permit a broad range of housing forms, types, sizes and tenures including second suites in houses....”



Markham's Proposed Policy for Second Suites

Detailed Review of Second Suites in Markham

Subcommittee on Second Suites



- June 2007: Subcommittee asked to look at options for a new strategy that would apply wider zoning permissions for second suites
- March 2008: Council adopted Subcommittee recommendations that:
 - a Public Open House be held to receive input on a new strategy
 - staff report back on action plan for implementation
 - a Public Meeting be held to consider zoning

Review of second suites



Review of second suites from several perspectives:

- second suites exist throughout Markham
- potential for second suites in existing and new housing stock
- life safety concerns when second suites not regulated
- zoning permission and regulation increases landlord accountability
- process changes will improve customer service

Review of other municipalities

- Other communities reviewed to gather input on appropriate development standards and zoning requirements
- Common requirements:
 - permission in existing and new development
 - single detached and semi detached houses
 - must be secondary in size to principal dwelling unit
 - second suite must be a minimum size
 - one parking space for second suite
 - no alteration to exterior appearance of house



Guiding Principles



Guiding principles for a new strategy:

- Improving life safety is a priority
- Town-wide options will ensure more equitable zoning
- Increase opportunity for legal suites
- Council and public will benefit from better information
- Development and Property Standards need to be updated and monitored
- Driveway and Parking requirements are a key component of new strategy
- Re-inspection and registration renewal increase landlord accountability

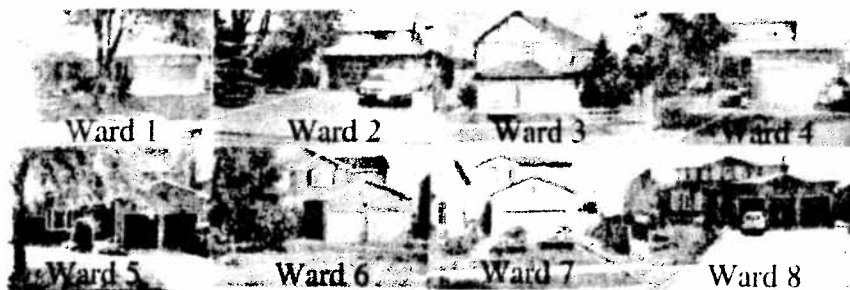


Markham's Proposed Policy for Second Suites

Subcommittee Findings

Subcommittee Findings: Town-wide options

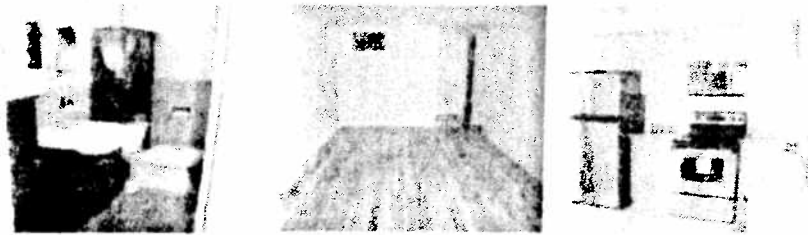
- The Subcommittee reviewed pros and cons of:
 - Option A: Town-wide (Existing and New Development)
 - Option B: Town-wide (New Development Only)
- The Subcommittee concluded the best option would be to permit second suites Town-wide in:
 - single detached and semi-detached dwellings
 - existing housing stock and new housing stock
 - residential areas



Subcommittee Findings: Zoning Standards

Zoning permission for second suites should require that the second suite:

- must be smaller than the principal unit
- must meet a minimum size
- shall not be conspicuous from the street



Subcommittee Findings: Development Standards

A house with a second suite must comply with the driveway width standards and the parking space requirements



Subcommittee Findings: Standards and Regulations



- New internal property standards will help regulate second suites and the activities of absentee landlords
- A requirement for re-inspection and registration renewal (every 3 years or upon change in property ownership) will increase landlord accountability for compliance with codes and standards



Markham's Proposed Policy for Second Suites

Proposed New Policy for Second Suites

Proposed New Policy

- The Subcommittee has recommended a proposed new strategy for second suites for public review and input
- The key strategy components are:
 - a second suites zoning by-law
 - amendments to the Town's Registration By-law and Property Standards By-law
 - a comprehensive public education program
 - an 18 month monitoring program



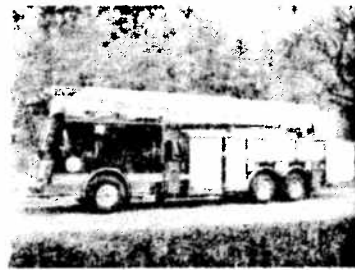
Zoning

- Second suites in single detached and semi-detached houses subject to specified standards, including:
 - must be secondary to the principal dwelling unit
 - a minimum gross floor area requirement
 - shall not be conspicuous from the street or change the appearance of the dwelling
- This provides equitable zoning for second suites across Markham and maximizes the potential use of housing stock



Safety

- Re-inspection and registration every three years or upon change of ownership will help maintain compliance with building and fire safety codes
- This will increase the life safety of residents in houses with second suites



Compliance

- Requirement for more frequent re-inspection and registration
- Revocation of registration if compliance with relevant standards is not maintained
- New Internal Property Standards requirements
- This will increase landlord accountability for compliance with all building and fire safety codes, zoning and property standards, including driveway width and parking standards



Education

- A public education program to:
 - educate residents about the benefits of second suites
 - provide information on how to register a second suite
 - promote registration including an incentive program
 - promote life safety and encourage compliance
- This will increase public knowledge of second suites and ensure the highest level of customer service

Monitoring

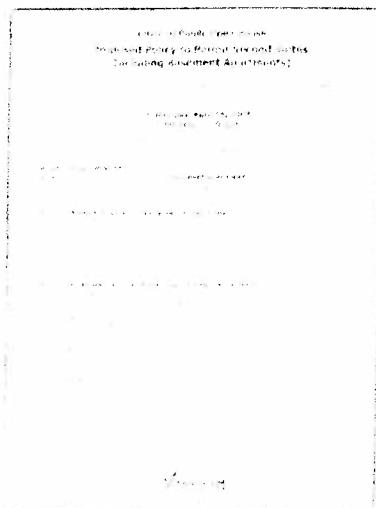
- An 18 month monitoring program to track:
 - inspection and registration including effect of incentive program
 - internal property standards inspections
 - registration renewal
 - need for licensing in the future
- This will measure the success of strategy and report on any further changes required to strategy components



Markham's Proposed Policy for Second Suites

Public Input on Proposed
New Policy for Second Suites

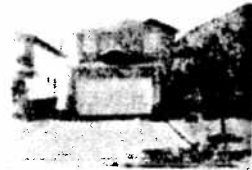
Opportunity for Public Comments



Opportunities for public input:

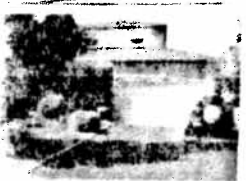
- April 16th Open House discussion / comment sheet
- Town website material / submit comment sheet
- www.markham.ca under Quick Links - Major Planning Studies
- Phone or email Town staff or Subcommittee members
- Development Services Committee Public Meeting / written submissions or deputations (to be scheduled)

Next Steps



- Public Open House Discussion
- Public Comment Period
- Staff Report to Development Services Committee
- Development Services Committee Public Meeting
- Staff Report to Council

Discussion



Questions and Answers

Subcommittee:

- Chair Tony Wong
- Vice Chair Jack Heath
- Councillor John Webster
- Councillor Logan Kanapathi

Staff:

- Murray Boyce - Planning Policy
- Dave Miller - Planning Zoning
- Glenn Dick - Fire Prevention
- Bill Wiles - By-law Enforcement
- Catherine Harrison - Corporate Communications

Markham's Proposed Policy for Second Suites
April 16th, 2008 Public Open House
Canada Room, Markham Civic Centre
Meeting Notes

Attendance:

- Council and Town Staff Attendees: 16
- Number of Residents in Attendance: Approx. 114

Jack Heath, Deputy Mayor	Val Shuttleworth, Director, Planning & Urban Design
Tony Wong, Regional Councillor	Tim Lambe, Manager, Policy & Research
Valerie Burke, Councillor Ward 1	Murray Boyce, Senior Policy Coordinator
Erin Shapero, Councillor Ward 2	Glenn Dick, Acting Deputy Fire Chief Support Services
John Webster, Councillor Ward 5	Bill Wiles, Manager, Bylaw Enforcement & Licensing
Logan Kanapthi, Councillor Ward 7	Dave Miller, Senior Project Co-ordinator, Zoning
Alex Chiu, Councillor Ward 8	Catherine Harrison, Manager, Communication Services
Jim Baird, Commissioner, Dev. Services	Wendy Bond, Admin. Assistant Planning

Introductions:

- Regional Councillor Tony Wong welcomed everyone and introduced attending Councillors and Town staff
- Informed everyone that the purpose of the meeting is to provide information on Second Suites, current and proposed. Town staff are interested in obtaining input from the community. No decisions would be made during evening. Input from community would be collected, documented and reported back to Council, a further Public Meeting of Development Services Committee would be required, and a report back to Council on a decision would follow.

Presentation:

- Staff provided a powerpoint presentation outlining the background context, the detailed review completed over the past five years, the role of the Subcommittee on Second Suites and their findings, and the proposed new policy for second suites which has been recommended for public review and input.
- The purpose of the presentation was to provide those attending the open house with the opportunity to learn more about second suites (what they are and where they are currently permitted); possible changes in policy, legislation and procedures respecting second suites, and Markham's proposed new policy for regulating second suites through:
 - zoning permission;
 - mandatory inspection and registration;
 - enforcement of driveway/parking standards and property standards;
 - educating landlords, tenants and the general public on regulatory procedures; and
 - monitoring the reinspection and renewal of registration of second suites at regular intervals.
- Staff informed the participants that the open house was just one opportunity to receive input from the community on the proposed policy, and that in addition to the newspaper notice published for three consecutive weeks, notices were sent to over 500 registered second suites owners as well as those who had requested to be notified

- Information regarding Second Suites will continue to be posted on the Town of Markham website as well as an electronic comment sheet for the next month.
- A Statutory Public Meeting will be held at a future date and in addition to the notice in the newspaper, those who provided contact information on sign-in sheet will receive notice by mail.

Introduction of Community Input and Questions:

- Councillors present provided a few introductory remarks
- Deputy Mayor Jack Heath received a number of e-mails, many indicating if the Second Suites by-law was passed, there would be a need for more enforcement.
- Councillor John Webster initially was against Second Suite legislation but now believes a policy has been developed that he can support. Illegal Second Suites are in the community, they need to be safe. There will be no decision tonight; input is being sought from the community.
- Councillor Logan Kanapathi indicated this is an opportunity for residents to have their say.
- Councillor Valerie Burke was at the meeting to listen and learn. Her concern is to ensure the safety of the units is addressed.
- Councillor Erin Shapero believes the meeting is for the residents to provide input, and is pleased with the number of people who have attended. Residents in her ward have concerns.
- Councillor John Webster was introduced and facilitated the question and answer period.

Public, Subcommittee and Staff Comments:

Public Comment:

- For the average citizen, the greatest living expense is the interest on a home mortgage. If a person was offered a way to cut a mortgage payment in half this would help contribute to a good standard of living for the homeowner. Second Suites can help the average person with living expenses, provide the funds for an improved standard of living for his/her family. Second suites must comply with building and safety codes and property standards. I want to thank the Town. This is a good thing you are doing.

Public Comment:

- Opposed to increase in legal second suites, but if second suites were to be permitted, they should only be permitted by a street referendum where at least 60% of the residents on a street agree to the second suite permission. Where second suites are permitted, a municipal surcharge should be introduced to cover the cost of enforcement.
- Take issue with impact of second suites on property values for the neighbours of a second suite property. It may increase the value for the second suite property owner but not the neighbour. Several suites will not increase neighbourhood land property values only individual property values.
- Also concerned with impact of second suites on traffic/transportation network. Where is the logical connection between increase in second suites and increase in traffic?

Public Comment:

- Is Markham proceeding before the Region's review of second suites is complete? Should Markham not be waiting?
- A consulting firm, Price Waterhouse Coopers wrote a report in 2002 and they did not recommend second suites for all areas because various areas were opposed to the addition of second suites. Price Waterhouse recommended second suites be allowed in only a couple of wards. Why does the Town want to go into areas that had been identified in 2001-2002 who opposed second suites?
- Most second suites are located in the basement and in general tenants have no stake in the community. They do not maintain the outside appearance of the units. ie: garbage, outside storage. There are not enough By-law enforcement officers and the Town cannot afford as many that would be required. The majority of tenants are terrible.

Staff Comment:

- Price Waterhouse Coopers was retained by the Town to organize and make recommendations on how to implement the Markham Task Force on Affordable Housing recommendations. In 2002, the consultants reported back to Council with a recommendation to prepare an appropriate second suites strategy, and Council amended the recommendation and asked staff to prepare a strategy for second suites in Wards 7 or 8 or appropriate as determined. Subsequently, at the request of the Ward 7 and 8 Councillors, staff were asked to not consider an option that would isolate the permission to Wards 7 and 8 only. The Subcommittee on Second Suites further recommended an equitable zoning treatment across all Wards in Markham.

Subcommittee Comment:

- Illegal suites exist in all areas of Markham and there is a concern regarding safety in those units. A By-law enforcement officer can only access a dwelling to examine for an illegal second suite with the permission of the homeowner, but the Fire Dept. can enter to verify proper fire safety for the house. If an illegal second suite is identified, the Second Suite is removed. If legalized, there may be some increase in the actual number of second suites but more likely to bring existing illegal suites into compliance, therefore, the number would change marginally. If legislation for second suites were introduced it would be tough to ensure personal safety and to ensure all aspects of the suite would be regulated by the municipality.
- Based on other municipalities, the number of second suites did not increase when they were legalized, but the by-law improved the existing situation.
- The Town cannot legislate resident attitudes or behaviours, regardless of whether they are owners or renters.

Public Comment:

- I moved into a single family home and would like the area to stay this way. Have traffic studies been undertaken to review the increase in traffic associated with Second Suites? Markham should remain a single family community. This is not a good idea.

Public Comment:

- In the interest of safety, legalize second suites in all zones because they are there and they will continue to be there even if we do not permit them.

Public Comment:

- There is a need to review traffic congestion on streets in which tenants' park and public transit operate. Parked cars and transit buses create difficult situations. There is a need for "traffic calming solutions."
- Town should build affordable housing projects instead of legalizing second suites.

Subcommittee Comment:

- Second suites legislation could not proceed without a Driveway Standards By-law that would address the widening of driveways, parking on the street, etc.
- Agree that more affordable housing projects are needed but it is difficult to build due to the lack of funding and at this time Markham has not received the funding nor has the funds. The time will come when funding will be available.

Public Comment:

- I rented a basement apartment as a student, became a contractor building basement apartments, and now offers one in my home and as a realtor sell homes that contain second suites.
- Second suites exist in the community, they fulfill a need for affordable housing, and they need to be regulated. I would like to see a limit on the number of vehicles and tenants
- Second suites would allow a greater use of the infrastructure and there is an immediate need of housing
- You attract who you promote – if you build a unit of high standing then you attract the people who want and respect that standard.

Public Comment:

- Second suites are not going away. I think we should endorse this initiative being taken by Council

Public Comment:

- I agree there is a need for second suites, but if permitted, I am concerned with the number of cars and residents associated with second suites. What are the rules and regulations to be applied to second suites?
- My daughter could not enrol in first choice courses at her local high school for college/university requirement because of the number of temporary residents in the area. It is an unfair practice to permanent residents whose children should have first choice of selections.

Subcommittee Comment:

- There are two issues with regard to the question asked. With multiple generations and extended families, the number of family members in one house can be large and it is legal. The second suites policy does not deal with rooming house situations. As

to second suites, the second suite would be limited to a certain size and therefore would limit the number of people.

- Agree the issue of school enrolment needs to be examined; the Town is in correspondence with the school boards.

Staff Comment:

- The answer to the question of controlling how many people live in a house or who resides in a house can be found in the Frequently Asked Questions and Answers handout. Municipalities cannot introduce legislation to control the number of people who live in a house or distinguish whether the people who live in the house are related or unrelated, ie. multiple family occupancies.
- We have checked with the School Boards, our own Community Services Commission and Engineering Departments on the impact of second suites on community infrastructure. In general the service consumption of a household with a second suite does not result in a demand beyond the design capacity of the average household.
- The school boards are monitoring the number of multiple family occupancies across the Region, ie. newly arriving immigrant families and the number of children. Families can invite other family members to live with them, increasing the number of children attending local schools, but this does not constitute having a second suite in the house. Second suites tend to have fewer school-age children living in them than single family dwellings.

Public Comment:

- I am a Newmarket resident. Initially, I fought against the new permission for second suites in Newmarket and then changed my mind. Second suites exist and regulation is required. There is no consequence if an illegal suite is found, enforcement is necessary as a deterrent.
- Once established, enforcement and compliance are necessary and penalties if regulations are not followed
- Tenant turnover is high, affecting schools and property standards if properties are not maintained.

Public Comment:

- Second suite entrances should be visible from the street, providing security for the occupants.

Public Comment:

- It is important to keep the neighbourhood clean. The residents in my community as a group pick up garbage twice a year to maintain the appearance of the neighbourhood. People in general do not care and throw their garbage in the street, 20% of the homes in the area are used as an investment property. Would like to see a fee collected to cover the additional expenses of second suite tenants.

Public Comment:

- The problems in Markham are due to illegal underground suites, if they were legalized there would be better control from the municipality. The municipality needs to do it right.

- There is evidence that second suites exist. If they were legal and someone breaks the law, there will be means to stop, change, and eliminate illegal activities and guarantee safety within the units.

Public Comment:

- How will the Town control tenants in second suites that behave poorly? I am afraid of my neighbour and it is unfair the Town will do nothing about it. If the second suite did not exist, then my neighbour who behaves poorly would not exist either.
- Residents moving into established areas had a clear understanding of what their neighbourhood was about. Markham should not impose change in those areas, but legalized second suites into specific new communities for people who purchase homes knowing the new regulations. One solution should not be imposed on all.

Public Comment:

- Do not support change to zoning of existing neighbourhoods. Should permit in specific new developments only. Equal treatment is not the same as fair treatment.

Public Comment:

- There is a need to legalize second suites so that low income families have an opportunity to succeed in Canada, otherwise it could be considered discrimination. Can Markham not provide this opportunity as in other areas of the GTA?

Public Comment:

- I support the ideas, there is a need for control and assurance the area is respected. If second suites are not regulated, there is no control.

Public Comment:

- People are for and against, the Town of Markham cannot erase second suites but by legalizing them, they can control the standards. If it is illegal to rent a basement apartment, then it should be illegal to rent out an entire house. The same issues can occur. ie: neighbours behaving badly whether it be homeowners or tenants that do not have a stake in the neighbourhood, etc.

Public Comment:

- There needs to be a mutual respect for the people and the community. A solution needs to be found that will assist all.

Concluding remarks from Staff and Chair of Subcommittee:

Glenn Dick - Acting Deputy Fire Chief Support Services:

- The Fire Department is regulated under provincial legislation. Their concern is for life safety. The fire code covers registered units only. The role of the Fire Dept. is to inspect and control four areas: Fire separation (walls), exits, protection (smoke alarms), and electrical. It is much easier to handle a fire if it is known a second suite exists.
- The majority of fire inspections are in illegal suites. Homeowners are instructed to remove the second suite. The homeowner who wants to have an illegal second suite

knows the means of getting around the law. ie; the removal of doors, separate locks, etc. and once the re-inspection occurs they put everything back into place.

- The By-law cannot supersede the provincial code.

Bill Wiles - Manager Bylaw Enforcement & Licensing:

- The By-laws are written to reflect the conditions of the time, ie: property standards once was only 20 pages long, now is over 100 pages.
- Input is needed from the community to improve and address concerns.

Tony Wong - Regional Councillor, Chair of Subcommittee:

- Requested the public send in comments, questions and concerns through e-mail, look on the Town of Markham website.
- Another public meeting will be held.

Adjourn: 8:45pm.