

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 21, 2017

Item 4, Report No. 6, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 21, 2017.

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**CITY-WIDE SECONDARY SUITES STUDY
APPROVAL OF DRAFT OFFICIAL PLAN POLICIES, ZONING STANDARDS
AND IMPLEMENTATION STRATEGY
FILE 15.112
WARDS 1 TO 5**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management and the Director of Policy Planning and Environmental Sustainability, dated February 7, 2017, be approved;**
- 2) That the presentation by Mr. Leo DeLoyde, Principal, DeLoyde Development Solutions, Surrey Drive, North Bay, and C5, presentation material titled "*City of Vaughan Secondary Suites Implementation*", be received;**
- 3) That the following deputations and Communication, be received:**
 - 1. Mr. Sam Goldberg, SL Goldberg Consulting, Song Meadoway, North York, Toronto;**
 - 2. Mr. Adriano Volpentesta, America Avenue, Vaughan;**
 - 3. Mr. Guy Solomon, Penguin Basements Ltd., Upper Post Road, Maple;**
 - 4. Mr. Joseph Disimono, Lamar Street, Vaughan; and**
 - 5. Mr. Joel Ginsberg, Hefhill Court, Thornhill, and C6, copy of correspondence from the Office of the Minister, Ministry of Housing and Municipal Affairs, submitted at the meeting; and**
- 4) That the following Communications be received:**
 - C2. Ms. Danielle Chin, Senior Manager, Policy & Government Relations, Building Industry and Land Development Association (BILD), Upjohn Road, Toronto, dated February 6, 2017; and**
 - C3. Ms. Anna Bortolus, Westridge Drive, Kleinburg, dated February 6, 2017.**

Recommendation

The Deputy City Manager, Planning and Growth Management and the Director of Policy Planning and Environmental Sustainability recommend:

- 1. THAT the Official Plan Amendment (File 15.112 City-wide Secondary Suites Study) to amend Section 7.5 Housing Options, of Vaughan Official Plan 2010 to permit secondary suites, as shown in Attachment 1 BE APPROVED;**
- 2. THAT the Zoning By-Law Amendment (File 15.112 City-wide Secondary Suites Study) to amend Zoning By-law 1-88 to permit secondary suites based on development standards as shown in Attachment 2 BE APPROVED;**
- 3. THAT the Zoning By-law amendment be enacted following Council's approval of the Secondary Suites Implementation Strategy and the finalization of Activities 1 through 5 of the Secondary Suites Implementation Strategy, Contingent Work Plan;**

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4. THAT Stakeholders that participated in the Secondary Suites Study including Ratepayers and the Building Industry And Land Development Association (BILD) and other organizations be provided with Council's decision (related to File 15.112 City-wide Secondary Suites Study) in the City's on-going effort to keep stakeholders informed of the City's direction for secondary suites as an affordable housing option; and,
5. THAT the By-law 123-2013, the Site Plan Control By-law, be updated to reflect amendments to the Vaughan Official Plan 2010 requiring a secondary suite accessory to a detached house, semi-detached house or townhouse located in a Heritage Conservation District be subject to site plan control where an alteration or addition impacts the exterior of the site.

The Deputy City Manager, Planning and Growth Management, the Deputy City Manager, Legal and Human Resources, the Deputy City Manager, Community Services, the Director of Building Standards, the Fire Chief, Fire and Rescue Service, the Director of By-law and Compliance, Licensing and Permit Services, and the Director of Corporate Communications, recommend:

6. THAT in conjunction with recommendations 1 to 5 above, staff be directed to implement the City-wide Secondary Suites Implementation Strategy as outlined in this report and the advice received in the Secondary Suites Readiness and Implementation Strategy report (Attachment # 3) dated October 28, 2016, prepared by DeLoyde Development Solutions.

Contribution to Sustainability

The Province of Ontario (Province) and York Region (Region) have identified affordable housing as a key component of a sustainable housing strategy. Secondary suites (currently referenced as second units in the Provincial legislation) are an affordable housing option that meets the needs of a variety of people such as singles, students, seniors, extended family members, and people with fixed incomes. Since secondary suites are contained within existing buildings, they help optimize the use of the existing housing stock and infrastructure, and re-populate neighbourhoods with declining populations. Secondary suites can offer a greater range of housing opportunities within the City while allowing a broader demographic to live closer to work thus increasing Vaughan's competitiveness and attractiveness to business and industry.

This report is consistent with the goals and objectives outlined in Green Directions Vaughan, the City's Community Sustainability and Environmental Master Plan, specifically:

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|----------------|--|
| Goal 2: | To ensure sustainable development and redevelopment. |
| Objective 2.3: | To create a City with sustainable built form. |

Economic Impact

A total of \$75,000 was budgeted to complete the Secondary Suites Study which was led by the Policy Planning Department. Subsequently, funding for this study was increased by \$30,000 as approved by Council on December 10, 2013. The primary reason for increasing the funding from the original amount of \$45,000 was to accommodate further public consultation measures directed by Council. These measures included additional consultation with the Secondary Suites Task Force.

No further economic impact to the City is expected related to the preparation and enactment of the Official Plan Amendment policies and/or the Zoning By-law amendment.

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Costs associated with the preparation of the implementation strategy, which is intended to accompany enactment of the Official Plan and Zoning By-law amendments, amount to \$20,000.00 to-date, to provide for the retention of an outside consulting service. This amount was budgeted by the Building Standards Department in the 2016 operating budget.

The report prepared by DeLoyde Development Solutions has recommended utilizing existing regulatory tools for enforcement and compliance related to secondary suites. Additionally, it should also be noted that in order to encourage property owners to comply with the relevant policies and regulations applicable to secondary suites, no additional fees are being recommended to augment the existing building permit fees. An application for a secondary suite will be subject to the existing building permit fee structure.

The report from DeLoyde Development Solutions also recommends additional staff resources for the Building Standards Department in order to process the increase in Secondary Suites building permit applications and related inspections within the legislative framework including prescribed turnaround times. Similarly, other enforcement related departments, i.e. Vaughan Fire and Rescue Service and By-law and Compliance, License and Permit Services are also likely to be impacted. A full resource assessment analysis for all the three impacted departments will be conducted following the endorsement of this report by Council and will be addressed through a future report to the Finance, Administration and Audit Committee of Council.

Communications Plan

The statutory public hearing for the proposed Official Plan and Zoning By-law amendments took place on March 3, 2015. The communication plan used for the Public Hearing relied on a number of channels to increase public awareness. This included advertising in the Vaughan Citizen and the Vaughan Liberal newspapers on Thursday February 12, 2015, and Thursday February 19, 2015, providing the Notice of a Statutory Public Hearing by mail to all Registered Community Ratepayers Associations, and sending an e-mail blast to all those who had requested notification throughout the course of the study. Other methods of notification employed for the statutory Public Hearing which took place on March 3, 2015 are set out below:

1. On Vaughan TV at City Hall
2. In the *City Update*, the City of Vaughan's eNewsletter
3. On the *City Page Online*
4. Through the City of Vaughan's Twitter and Facebook accounts
5. On the Policy Planning departmental webpage, accessible through the City of Vaughan website
6. Placing a "Buck Slip" notice in the 2015 Interim Tax Bill to approximately 55,000 residents, which was mailed during the week of February 16, 2015
7. Notification sent out through the Local Councillor's Ward Newsletters

Although there is no statutory requirement to notify the public of the Committee of the Whole meeting through the *Planning Act*, notice of this meeting was sent to those individuals and groups requesting notification during the study process. This Notice was sent via e-mail blast on Thursday January 19, 2017 and posted through the following methods:

1. Posting on the *City Update*, the City of Vaughan's eNewsletter
2. Posting on the *City Page Online*
3. Posting on the Policy Planning webpage, dedicated to the City-wide Secondary Suites Study accessible through the City of Vaughan website
4. By mail to all Registered Community Ratepayers Associations

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Upon Council's approval of the Planning instruments and the Implementation Strategy, the City's Corporate Communications Division will launch a communications plan (public education campaign) timed with the roll-out of the Implementation Strategy. The intention of the communications plan is to increase public awareness of the new policies and educate residents, the development industry, homeowners and potential landlords and tenants about secondary suites. Key messages will revolve around life safety, Code compliance methods for establishing new secondary suites, and the benefits of obtaining permits and inspections.

A range of communication channels will be used to advertise the public education campaign including media outreach, eCommunications (social media, eNewsletters), digital signage (inside and outside of City facilities), web content, targeted stakeholder communications (BILD and Registered Ratepayer Associations), and advertising among other methods.

Purpose

The purpose of this report is two-fold. First, this report will respond to the requirements of the *Planning Act* in regard to the provision of secondary suites. It is intended to address the *Planning Act* matters for the purpose of approval and finalization of the Official Plan and Zoning By-law amendments and for the purpose of enactment By Council. In doing so, the City will have addressed the *Planning Act* requirement that local municipalities provide Official Plan policies and Zoning By-laws introducing secondary suites as a permitted use.

Second, this report recommends that Council approve a community based Secondary Suites Implementation Strategy that focuses on administration, compliance and enforcement and public education to support a Secondary Suites program, in relation to the recommended changes to the Official Plan and the Zoning By-law.

Background - Analysis and Options

Executive Summary

This report is structured into sections which provide the following information:

- 1) Secondary Suites Policy Context
- 2) Current Zoning By-law Requirements
- 3) Comments Received from the Public
- 4) Consultation Strategy and Study Structure
- 5) Issues Identified through the Consultation Process
- 6) Process Undertaken by the Secondary Suites Implementation Team
- 7) DeLoyde Development Solutions Report Methodology, Findings and Recommendations
- 8) Planning Tools to be Applied to Secondary Suites
- 9) Next Steps Related to the Secondary Suites Implementation Strategy

1. Secondary Suites Policy Context

The Province, Region and City have all committed to addressing the issue of housing affordability through the various policies as identified below:

- a. Bill 140, the *Strong Communities through Affordable Housing Act, 2012* affirms the Province's interest in pursuing a range of affordable housing options. It identified the private sector as playing a significant role in increasing the stock of market rental units. Secondary suites are identified as one way of providing additional rental units. Bill 140 clarified the roles and responsibilities of both the provincial and municipal governments in facilitating greater affordable housing at the local level.

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- b. The Provincial government through the *Planning Act* requires in Section 16(3) that Official Plans contain policies that authorize the use of a second residential unit. Furthermore, under Sections 17(24.1) and 17(36.1) there are no public appeals to the approval of Official Plan policies permitting second units. Similarly, there is no appeal to Zoning By-laws that give effect to the policies of Section 16(3) to permit second units. (Section 34(19.1).
- c. In 2016, the Province passed Bill 7 (formerly Bill 204), *Promoting Housing Affordability Act, 2016*. Bill 7 is intended to address affordable housing issues by providing a legislative framework which enables inclusionary zoning in the Province of Ontario. Although this report does not address matters related to inclusionary zoning, Bill 7 is one more example of the Province's commitment to addressing matters related to housing affordability.

Bill 7 also contains amendments to the Development Charges Act. The current Development Charges Act 1997 (DCA) prohibits imposing charges when up to two additional dwelling units are being created in prescribed classes of existing residential buildings. Bill 7 included amendments to the DCA that will prohibit imposing charges on a second dwelling unit in prescribed classes of new residential buildings. Bill 7 received Royal Assent on December 8, 2016. The DCA amendment will come into full force on a date to be proclaimed. The associated Regulations yet to be issued will provide details on the type of dwellings that will be exempt from paying development charges on secondary suites.

- d. The York Region Official Plan (YROP) adopted by York Regional Council on December 16, 2009 and approved by the Ministry of Municipal Affairs and Housing on September 7, 2010, was substantially approved by the Ontario Municipal Board as of June 2013. In November 2015 the YROP was fully approved save and except for Regional policy 6.4.8 which addresses unrelated matters.

The YROP addresses issues of housing affordability and specifically identifies secondary suites in sub-section 3.5.22 by requiring,

“...local municipalities to adopt official plan policies and zoning by-law provisions that authorize secondary suites as follows:

- a. The use of two residential units in a house if no ancillary building or structure contains a residential unit; and,
- b. The use of a residential unit in a building or structure ancillary to a house if the house contains a single residential unit.”

It is noted that sub-section 3.5.22 YROP remains the subject of an area/site specific appeal.

- e. In keeping with the policies outlined in the YROP requiring local municipalities to incorporate affordable housing where opportunities exist, Vaughan Official Plan 2010 (VOP 2010) has addressed the affordable housing issue and directly references secondary suites. Section 7.5 *Housing Options* states “It is the Policy of Council: ...7.5.1.2 to work with York Region in implementing its affordable housing policies as follows: ...”. The section further references secondary suites specifically by stating, “It is the policy of Council: ... 7.5.1.4 to support and prioritize the following housing initiatives: allowing secondary suites where deemed appropriate by a City-initiated study.”

Section 7.5.1 titled Ensuring a Range of Housing Options of VOP 2010 has been approved by the Ontario Municipal Board. This provides the policy basis for undertaking the City-wide Secondary Suites Study. As such, an amendment to VOP 2010 is required to introduce the new secondary suites policies into VOP 2010, the City's Official Plan.

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The Draft Official Plan Amendment appended as Attachment 1 was circulated and has been reviewed by a number of departments as part of the study process. Departments that were circulated the draft Official Plan include; Development Planning; By-law and Compliance, Licensing and Permits; Legal Services; Vaughan Fire and Rescue Services; Building Standards; Development Engineering and Infrastructure Planning; and Transportation Services, Parks and Forestry Operations.

2. Current Zoning By-law Requirements

Currently By-law 1-88, the City's comprehensive zoning by-law, does not permit secondary suites. However, as a result of the provincial, regional, and municipal direction on housing affordability and specifically the requirement to accommodate secondary suites, the City-wide Secondary Suites Study proposed updated zoning standards which would result in amendments to By-law 1-88. Policy Planning staff have consulted extensively with the Building Standards Department regarding the structure and content of the proposed amending by-law. The draft Zoning By-law was circulated to the following departments and sections: Development Planning; By-law and Compliance, Licensing and Permit Services; Office of the City Solicitor; Vaughan Fire and Rescue Service; Building Standards (Zoning Section and Building Inspections Section); Development Engineering and Infrastructure Planning; and Transportation Services, Parks and Forestry Operations. The draft implementing by-law is appended as Attachment 2 and is the product of these deliberations.

3. Comments Received from the Public

A number of methods were utilized to notify the public throughout the study process. As a result, members of the public not only attended public meetings to discuss their views on secondary suites, but also voiced their opinions through written submissions and responses to an on-line survey. The following list itemizes the issues related to secondary suites noted by the public through written correspondence.

- Impact on Development Charges;
- Permitting Secondary Suites in Townhouses and Semi-detached dwellings;
- Additional parking needed to accommodate a secondary suite;
- On-street parking;
- Justification for the minimum 9m lot frontage;
- Concerns respecting safety;
- Impact on assessment and taxes;
- Conversion of garages for secondary suite uses;
- Concerns respecting the construction of units related to Building and Fire Code requirements; and,
- Impact on public services such as garbage pick-up.

4. Consultation Strategy and Study Structure

From the outset, the secondary suites work plan included an extensive public and agency consultation strategy. Participants included: A Project Team made up of representation from the affected City departments and the consulting team; the Secondary Suites Task Force; the broader community; and external stakeholders (e.g. governments and agencies) through a Technical Advisory Committee. The consultation strategy had two purposes: First, it was intended to educate and inform the community on the topic of secondary suites by introducing the issues surrounding such matters as the reasons for permitting secondary suites (e.g. Provincial Legislation), the issues to be addressed in the development of secondary suites policies and standards, and the resulting approaches to permitting secondary suites. Second, it provided an

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opportunity to gather feedback from all affected and to identify their concerns respecting the options for allowing secondary suites. The consultation measures taken to-date are discussed below.

a. Methods of Notification

A major component of the consultation strategy was the approach to outreach and public notification. Staff undertook an extensive notification program to ensure an optimal outcome respecting public outreach and involvement. Notification was provided through the following channels:

- i. On the landing page of the City of Vaughan's website;
- ii. On Vaughan TV at City Hall;
- iii. In the *City Update*, the City of Vaughan's eNewsletter;
- iv. On the *City Page Online*;
- v. Through the City of Vaughan's Twitter and Facebook accounts;
- vi. On the Policy Planning webpage, accessible through the City of Vaughan's website;
- vii. Through material placed at the City's 10 Community Centres and 7 Public Libraries;
- viii. Through telephone calls and mail-outs to the Registered Community Ratepayer Associations;
- ix. Through the Secondary Suites Task Force (word-of-mouth);
- x. E-blasts to persons requesting notification of the study milestones;
- xi. Advertising in the Vaughan Citizen and the Vaughan Liberal newspapers; and,
- xii. Notice in the Interim Tax Assessment through inclusion of a 'buck slip'.

At the December 3, 2013 Committee of the Whole (Working Session) meeting, concerns were expressed respecting the methods of public notification being used and the resulting attendance at the public meetings. Council requested that additional methods be considered. In response, Policy Planning staff, with the cooperation and assistance of the Financial Services Department, arranged for an additional method of notification, a 'buck-slip' which substantially broadened the notification base for the April 2, 2014 Public Open House, and for the statutory Public Hearing which took place on March 3, 2015. (For more information respecting the 'buck-slip' please see Attachment 6, the March 3, 2015 Public Hearing Report)

b. Record of Public Consultation and Engagement Events

The following section provides a synopsis of the process and events used to secure input from both the public and technical perspectives. This consultation included public meetings/open houses, the work with the Task Force, updates to Committee of the Whole and meetings of the Technical Advisory Committees and the staff working group.

- i. **The Kick-off Meeting-** The initial public consultation meeting/public open house took place on the evening of May 27, 2013. Located at City Hall, it was attended by approximately 20 people. The Kick-Off meeting introduced the policy context and reason for initiating the study, including the requirement of Bill 140, *Strong Communities through Affordable Housing Act, 2012*. The presentation was followed by a question and answer session allowing those in attendance to voice their opinions and concerns. Finally, it provided an opportunity to inform the audience of the recruitment process for the members of the Secondary Suites Task Force. Those interested in joining were provided information on how to apply and the application deadline. Applicants were subsequently reviewed and approved by Council.

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- ii. **Workshop Meetings** - The second Public Open House/Workshop was held in two sessions on the evenings of December 2nd and 4th, 2013. The December 2nd session was held at City Hall (for residents east of Highway 400); and, the December 4th session was held at the Vellore Community Centre (for residents located west of Highway 400). The two sessions allowed attendees ease of access based on where they resided. As the second Public Open House included a workshop component having two sessions allowed for smaller groups where all participants had a greater opportunity to take part in the discussions. There were two main objectives to the second Public Open House; first, to provide an opportunity to share information on secondary suites and second, to hear from the participants on how best to develop a “Made in Vaughan” approach to addressing the matter of secondary suites.
 - iii. **Presentation of the Draft Official Plan Policies and Zoning Regulations** - The third and final Public Open House was held on April 2, 2014 and provided staff and the consulting team with the opportunity to introduce the draft Official Plan policies and Zoning regulations to the public. This open house allowed for discussion and feedback on the subsequent implementation measures. Staff and the Project Team began the meeting with a presentation which introduced the study and the process undertaken to develop the draft Official Plan policies and Zoning regulations. Following the presentation an extensive question and answer session took place where members of the Project Team sat as a panel prepared to answer questions from the audience respecting the draft policies and regulations and the further processing of the study.
- c. Reports to Council
- Throughout the study process staff provided Council with status updates mapping out the progress made during the course of the study. Staff reported to Council, Committee of the Whole and Committee of the Whole (Working Session) on 6 separate occasions: January 25, 2010; February 16, 2010; June 5, 2012; May 7, 2013; December 3, 2013; December 2, 2014; and, the March 3, 2015 statutory Public Hearing. Aside from the status updates identified above, staff also provided a memorandum to the Mayor and Members of Council on March 28, 2014 advising of the ‘buck-slip’ and the draft Official Plan policies and Zoning regulations.
- d. The Secondary Suites Task Force

A key component of the City-wide Secondary Suites Study was the recruitment and operation of the Secondary Suites Task Force, which assisted in the development and evaluation of Secondary Suite options and policies. The Secondary Suites Task Force was facilitated and supported by information provided by SHS Consulting (in association with Planning Alliance), City Staff (Project Team) and guest speakers from the Secondary Suites Technical Advisory Committee (TAC) and other stakeholders (e.g. Ministry of Municipal Affairs and Housing, York Region, MPAC). The Secondary Suites Task Force was responsible for reviewing and providing comments on a range of planning and development issues relevant to secondary suites. The Task Force provided Council with its recommendations based on their experience and knowledge and the information gathered through the study process and its findings. The recommendations proceeded to Council on December 2, 2014.

The number of Secondary Suites Task Force meetings was increased and budgeted for as a result of Council’s action on December 10, 2013. The original work plan provided for three Task Force meetings. It was augmented by the addition of four meetings to bring the budgeted total to seven meetings. The Secondary Suites Task Force met on the following dates: July 25, 2013; September 26, 2013; October 24, 2013; November 21, 2013; January 30, 2014; March 20, 2014; and, April 24, 2014. (See Attachment 6, March 3, 2015 Public Hearing report for details on each meeting.)

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The delivery of the Secondary Suites Task Force recommendations to Council at the December 2, 2014, Committee of the Whole meeting concluded the Task Force's responsibilities as established in the Secondary Suites Task Force Terms of Reference. Having been appointed by Council, the Secondary Suites Task Force mandate ended with the conclusion of the term of the last Council.

The Secondary Suites Task Force was thanked for their contribution, by resolution in the March 3, 2015 report prepared for the statutory Public Hearing. For a detailed response to each Task Force recommendation see Attachment 4.

e. The Project Team

The Policy Planning and Environmental Sustainability Department with the participation of the Building Standards Department, By-law and Compliance, Licensing and Permit Services, and the Vaughan Fire and Rescue Service, worked with the consulting team (consisting of SHS Consulting and the Planning Alliance), to form the Project Team. The Project Team was responsible for providing technical support to the Secondary Suites Task Force on key issues and topics respecting secondary suites. The Project Team met on a monthly basis to discuss concerns raised by the Task Force and on issues related to the study. In addition to the work with the Task Force, the project team was also responsible for analyzing information respecting best practices, the review of legislation and the provision of technical input into the policy development process. This information gathering and analysis is reflected in the City of Vaughan Secondary Suites Policy Development Policy Report dated January 2015, prepared by SHS Consulting in association with the Planning Alliance. (See Attachment 6 to this report)

f. The Technical Advisory Committee (TAC)

In addition to the Task Force, a Technical Advisory Committee (TAC) was also established. The TAC consisted of internal City departments and divisions including Building Standards, Development Planning, the Vaughan Fire and Rescue Service, By-law and Compliance, Licensing and Permit Services, Development Engineering and Infrastructure Planning, Accessibility Vaughan, Community Services, Legal Services, Finance, and, Economic Development.

The TAC also included participation of external agencies such as York Region Long Range Planning, York Region Catholic and York Region District School Boards, York Regional Police, BILD, Canada Mortgage and Housing Corporation (CMHC), and the Ministry of Municipal Affairs and Housing (MMAH) currently known as the Ministry of Municipal Affairs. The first TAC meeting was held on August 20, 2013.

The role of each TAC member was to provide technical expertise in their specific area of knowledge throughout the study process. As part of the policy development phase of the study, the TAC also had an opportunity to review and comment on the Summary of Key Issues and Draft Potential Approaches chart (prepared by the consulting team) and provide a technical perspective on the efficacy of the potential approaches.

g. The Secondary Suites Implementation Team (SSIT)

In May of 2016, an inter-departmental team comprised of Policy Planning and Environmental Sustainability, Development Planning, Building Standards Department, By-law and Compliance, Licensing and Permit Services, and Vaughan Fire and Rescue Service, the Office of the City Solicitor, and Corporate Communications was formed. SSIT worked closely

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with an external consultant, DeLoyde Development Solutions. Building upon the initial work undertaken by the Project Team (including SHS Consulting in association with Planning Alliance) and the Task Force, DeLoyde Development Solutions was engaged to identify best practices respecting administrative measures in various comparable municipalities across Ontario and to provide a report with recommendations that are tailored for the City of Vaughan on the vital components of a successful secondary suites readiness and implementation strategy.

5. Issues Identified through the Consultation Process

The draft Official Plan policies and Zoning By-law standards evolved from information gathered through the Task Force Meetings, the public consultation process, input from the TAC, an online survey, comments received from members of Council at the Committee of the Whole (Working Session), and research conducted on best practices and market analysis. Based on this information, four thematic areas emerged as priority consideration, including:

- a) Neighbourhood Character;
- b) Health and Safety;
- c) Strain on Infrastructure; and,
- d) Community Awareness.

In addition to informing the *Planning Act* related matters (the Official Plan and Zoning By-law), the process also identified the need to address a number of practical considerations related to the implementation of a secondary suites program. Being administrative and regulatory in nature these matters needed to be addressed and the required measures put in place prior to the enactment of the Official Plan and Zoning By-law amendments.

Since the March 3, 2015 statutory Public Hearing, further consideration has been given to each of the four thematic areas resulting in further clarification of the issues and the City's approach to addressing them, as set out below.

- a. Neighbourhood Character: In consideration of Neighbourhood Character the following issues were raised; i) Location; ii) Parking; iii) Absentee Landlords; iv) Property Standards; and, v) Enforcement of Municipal By-laws. Additional details are provided below:

- i. **Location** – The issue of where secondary suites should be located came about as a result of concerns over their potential location in higher density neighbourhoods. In response, it was determined that secondary suites should not be restricted based on a specific land use designation or zone or exclusively in a specified existing housing type. Instead, a criteria based approach was considered to be the best solution. In other words, if a ground related dwelling unit could meet a certain set of criteria (development standards) a secondary suite would be permitted. However, upon further review and consideration, it was determined that secondary suites should not be permitted within the City's Special Policy Area (SPA) as shown on Schedule 8 of VOP 2010 due to life safety issues. Secondary suites will not be a permitted use within ground related condominium developments, where it is unlikely that the established zoning standards can be achieved. The location of a secondary suite has been addressed by the standards contained in the draft Zoning By-law.
- ii. **Parking** – The matter of parking was raised as a major concern by a number of stakeholders as it impacts on-street congestion and the appearance of a property (in instances where the paving of front yards significantly reduces landscaping). Through presentations provided by City staff to the Task Force, the issue of parking was

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discussed, particularly in the context of newer neighborhoods that were designed using new urbanism and alternative right-of-way standards. Consideration was also given to what the appropriate number of parking spaces should be, or if any additional spaces would be required. Currently, single, semi-detached and townhouse dwellings require a minimum of 2 to 3 parking spaces, depending on the zoning category. The practicality of enforcement of a dedicated secondary suite parking space on private property once a secondary suite was permitted was also assessed. It was determined that requiring a minimum of three parking spaces on a lot before a secondary suite is permitted was considered to be the best approach. The number of required parking spaces has been addressed in the draft Zoning By-law through the criteria outlined in the development standards for a secondary suite.

- iii. **Absentee Landlords** – This issue was raised as a potential cause of declines in property maintenance and appearance. Aside from anecdotal examples, there is little concrete evidence of any negative impact on neighbourhood character. Furthermore, neither an Official Plan policy nor the Zoning By-law, the two tools available through the *Planning Act*, can address the issue of absentee landlords. In addition, there are no other Provincial or Municipal regulations related to absentee landlords.
 - iv. **Property Standards** – Another concern that was raised respecting neighbourhood character was the overall impact that a secondary suite may have on neighbourhood appearance by possibly altering the exterior facade of any existing residential dwelling. Concerns of increased levels of garbage and noise were raised as was the requirement for a separate exterior entrance, and where the entrance would be located or how it would be accessible. Requirements for a separate entrance and the location of the entrance have been addressed in the draft Zoning By-law. (See Attachment 2).
 - v. **Ensuring Local By-laws are enforced** – There are municipal by-laws in place to address property standards. The current enforcement of property by-laws is predominately dealt with on a complaint basis. There are concerns that any additional work stemming from the regulation of Secondary Suites will result in resource issues for the affected departments (e.g. staffing levels). Although this matter is beyond the scope of the land use planning exercise further information is available in Section 7 of this report.
- b. Health and Life Safety: Concerns respecting Health and Life Safety are paramount and were raised respecting; i) Ensuring the safety of Secondary Suites for Tenants; ii) Insurance for Tenants; and, iii) Ensuring Neighborhood Safety:
- i. **Ensuring the Life Safety of Secondary Suites for Tenants** – Secondary suites must comply with all applicable regulations including the Fire Code, Building Code, and related City By-laws. The administration and enforcement of regulations provides challenges associated with the limited power of entry as prescribed within the applicable legislation and may require additional resources to ensure timely response. Furthermore, it should be clarified that only those landlords who undertake the compliance process (e.g. zoning conformity, building permit approval, and fire code compliance) and maintain their secondary suites at the required standard can be considered safe. Through the public consultation process the Project Team heard that there was a desire for a monitoring program, in the form of a registration or licensing regime, which would have an associated fee. The fee charged should not be so onerous that it works as a deterrent to identifying the suite, making it safe in accordance with all code requirements. The decision on how best to monitor and the parameters to monitoring secondary suites will be discussed further in Section 7 of this report.

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- ii. **Insurance for Tenants** – A suggestion was made by the stakeholders that tenants be required to have insurance. Requiring that either the landlord or tenant have and provide proof of insurance goes beyond the scope of the planning exercise as it is not a land use matter to be dealt with through the zoning by-law or an official plan policy. The issue of tenants insurance was a consideration if it was determined that the City should proceed with a licensing regime. Staff recommends not creating a licensing regime and instead has opted for tracking permitted secondary suites using existing tools such as the permit information system. For further information respecting the preferred option please refer to Section 7 of this report.
- iii. **Ensuring Neighbourhood Safety** – Stakeholders expressed a general concern over ensuring that neighborhoods remain safe.
- c. **Strain on Infrastructure:** The potential strain on infrastructure, including both soft and hard services was also raised as an issue. Through the presentations and discussion with TAC members it was confirmed that the City's water and wastewater capacity is sufficient to accommodate secondary suites. Furthermore, permitting secondary suites could result in better data on the number and general location of units, which can assist in the future planning of soft services such as community services and institutional uses. For further information on the data collection method, refer to Section 7 of this report.
- d. **Community Awareness:** Community Awareness as a focus for discussion addressed the following issues; i) Public Education; ii) Understanding the Legislation/Regulatory Framework; and iii) Understanding the Costs of creating compliant Secondary Suites.
 - i. **Public Education** – Residents and stakeholders expressed the need to introduce an education campaign as part of the implementation program for permitting secondary suites. This campaign would set out the process for recording new secondary suites; the standards that would have to be met, (e.g. Code requirements, by-laws); and, application and submission requirements. A Public Education campaign will be discussed further in Section 7 of this report.
 - ii. **Understanding Legislation/Regulatory Framework** – Above and beyond the Official Plan policies and Zoning By-law regulations being developed to permit secondary suites, there is a body of legislation related to the rights and responsibilities of both landlords and tenants. Links to this information should be provided through an education program.
 - iii. **Understanding the Costs of Creating Compliant Secondary Suites** – Potential secondary suite providers should be aware of the impact of a secondary suite on their property tax and property value when considering the introduction of a secondary suites. Links to this information or relevant resources such as MPAC should be part of this program.

6. **Process Undertaken by the Secondary Suites Implementation Team (SSIT)**

Following the March 3, 2015 statutory Public Hearing and in recognition of the need for a planned approach to implementation, which was determined by the earlier work conducted by the Project Team, staff took several steps towards the development of an implementation strategy. These steps included:

- a. Creating an inter-departmental committee called the Secondary Suites Implementation Team (SSIT) to begin preparations for the implementation of Vaughan's new secondary suite regulations and to provide guidance and subject matter expertise to an external

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Consultant to be retained to develop the strategy. SSIT is comprised of various City departments including, Policy Planning and Environmental Sustainability, Development Planning, Buildings Standards, Vaughan Fire and Rescue Service and By-law and Compliance, Licensing and Permit Services.

- b. Retaining an external consultant, DeLoyde Development Solutions in May 2016, to research and identify best practices for secondary suite programs in large Ontario municipalities and to make recommendations on the vital components of a successful Secondary Suite implementation strategy.

DeLoyde Development Solutions delivered the final report titled Secondary Suites Readiness and Implementation Strategy in October 2016 (see Attachment 3). The report is designed to provide a strategy for secondary suites implementation consistent with Council's expectations, the City's Secondary Suites Task Force findings, previous staff and policy consultant reports, provincial policy and municipal best practices.

7. DeLoyde Development Solutions, Report Methodology, Findings and Recommendations

a. Methodology

As a first step, DeLoyde Development Solutions completed an extensive background document review of Vaughan's Secondary Suites study, including the draft Official Plan policies, staff reports, Secondary Suites Task Force Recommendations, draft Secondary Suites Zoning By-law regulations, the SHS Consultants report, and the minutes of the 2015 statutory Public Hearing on Secondary Suites.

Subsequently and with the advice of the SSIT, DeLoyde Development Solutions prepared a list of 10 municipalities for the purpose of best practice research based on various factors, including geographical location, population and experience with an operating secondary suites program. DeLoyde Development Solutions reviewed the Secondary Suite Official Plan and Zoning regulations and websites of the target municipalities to gain an understanding of their regulatory regime and communications strategies prior to developing a questionnaire and making contact with the concerned staff of those municipalities. An average of three representatives from the municipalities were contacted.

Municipalities that responded to the best practices questionnaire were: Markham and Richmond Hill (York Region), Brampton and Mississauga (Peel Region), Oakville and Burlington (Halton Region), Oshawa (Durham Region), Toronto, Guelph and Ottawa.

b. Findings

Three main themes emerged from the best practices research among surveyed municipalities, as set out below that helped inform the recommendations contained in the Secondary Suites Readiness and Implementation Strategy report:

- i. **Achieving Excellence in Communications and Public Education:** Best practice municipalities make it easy for the public to understand the rules and procedures involved in creating secondary suites or bringing their units into compliance with the applicable laws. Effective communications ensure that tenants, landlords and builders understand the life safety and compliance implications of establishing secondary suites and the benefits of obtaining permits.

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- ii. **Selecting a Preferred Secondary Suite Code Compliance Approach:** Clarity and consistency of regulatory compliance methods was a very important consideration for the surveyed municipalities. The preferred method was to apply the Ontario Building Code and Ontario Fire Code in effect with the year of construction of the secondary suites. This method is explained in detail under sub-section c. below.
- iii. **Organizational Readiness:** Organizational readiness came out as another important aspect of implementation strategy. Best practice municipalities ensure that staff is trained on new regulatory changes and procedures. Similarly, different departments involved in the regulation of secondary suites work collaboratively as a team in helping citizens understand the regulatory requirements.
- c. Recommendations Contained in the Secondary Suites Readiness and Implementation Strategy Report

Based on the best practice review of target municipalities, the recommendations can be categorized under the following themes:

- i. Record Keeping and Monitoring;
 - ii. Administrative Process and Technology Enhancements;
 - iii. Customer Service and Operational Readiness;
 - iv. Regulatory Compliance and Enforcement;
 - v. Financial Impact; and
 - vi. Public Education
- i. Record Keeping and Monitoring: New administrative and technological procedures will need to be developed and implemented in order to ensure that Secondary Suites related building permit applications are recorded and processed in a manner that ensures consistency and good data collection practice. There are number of potential record keeping methods identified in previous policy reports such as registration and licensing. Based on best practices review of target municipalities and consideration of other factors including citizen experience, the most effective method recommended in the Secondary Suites Readiness and Implementation Strategy report and by Staff is:
- *A register of secondary suites be created in Vaughan's property information system to ensure good record keeping of building permit applications.*

The implementation of this method means that secondary suite information is recorded in the building permit and property information system (AMANDA) when a building permit application is made by an applicant. This method is already in use for other type of building occupancies including, residential, industrial and commercial projects. However, a unique identifier/code will be created in the property information system for secondary suites. This method is simple, relatively easy to implement and is cost effective because it leverages existing technology. There are several municipalities who utilize this method of record keeping as identified in the Secondary Suites Readiness and Implementation Strategy. In comparison, licensing, which is another method of recording information, is more onerous and less effective in regulating secondary suites. None of the municipalities surveyed uses licensing as a method of record keeping.

Data on secondary suites can be generated by staff from the property information system for generating reports and tracking data. Such information can also be shared with other City departments and public agencies as needed. Similarly, demands placed on enforcement activities will also be monitored by the impacted enforcement departments

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to determine future resource implications. The Secondary Suites Readiness and Implementation Strategy report recommends that the Secondary Suites Implementation Team steer the start-up, implementation, communications and customer service issues to ensure a smooth transition from the current regulatory system that does not permit Secondary Suites.

- ii. Administrative Processes and Technology Enhancements: In order to ensure that regulatory requirements and policies are consistently applied by City staff, the Secondary Suites Readiness and Implementation Strategy report recommends that:

- *Standard operating guidelines be created by staff to guide secondary suite approvals prior to the effective date of the new secondary suites zoning regulations.*

Standard Operating Guidelines (SOGs) are internal documents prepared for City staff to standardize operations. Consistency of operational practice demonstrates professionalism and provides superior customer service to citizens. SOGs will be prepared by impacted enforcement departments, namely Building Standards Department, Vaughan Fire and Rescue Service and By-law and Compliance, Licensing and Permits.

The effective implementation of the Secondary Suite regulations will be reliant on a robust property information system that optimizes the use of the available technology. In this respect, the Secondary Suites Readiness Implementation Strategy report recommends:

- *All existing secondary suite databases in the Fire, Building Standards and By-law and Compliance, Licensing and Permit Services departments be consolidated in Vaughan's existing property information system.*
- *Vaughan's property information system database be linked to the City's geographic information system (GIS) when the system is available in future.*

An integrated property information system will ensure easy retrieval of information and generation of Secondary Suite statistics. However, in order to achieve this goal, modifications and enhancements will be required to the existing property information system. Staff will assess the resources required to implement such changes.

- iii. Customer Service and Operational Readiness: Upon enactment of the Zoning by-law, City staff can expect an increasing number of enquiries and permit applications. All impacted departments must be prepared to deal with such enquiries as the public expects prompt, courteous and accurate information. Therefore, the Secondary Suites Readiness and Implementation Strategy report recommends that:

- *Front-line customer service staff and designated approval professionals be fully trained prior to the effective date of the new secondary suites zoning regulations.*
- *An expert inter-departmental staff team, comprised of Building, Fire and By-law Enforcement staff, be created to process secondary suite approvals and that citizens and builders should be able to access secondary suite services quickly and efficiently.*

There will be a need for enhanced coordination among impacted departments to ensure that the awareness of the regulatory changes and approval processes is consistent throughout the Corporation. A training session will be led by the Building Standards

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Department involving other departments for Staff identified by Departments as having a role in Secondary Suites Implementation.

- iv. Regulatory Compliance and Enforcement: Upon enactment of the new Zoning By-law, owners and citizens are expected to come forward when proposing to construct a new Secondary Suite or make an existing Secondary Suite compliant with applicable laws. The following recommendation is contained in the Secondary Suites Readiness Implementation Strategy report:

- *The three-stream approval approach outlined in Option 1 in Section 3.2 of this report be implemented.*

This approach ensures that the City apply the Ontario Building Code and Ontario Fire Code requirements commensurate to the year of construction of the Secondary Suite as per provincial legislations. Any secondary suite constructed on or prior to July 14, 1994 is required to comply with the Fire Code requirements on fire safety. Any Secondary Suite constructed after that date will be required to comply with the more enhanced Building Code requirements on health and safety. This approach not only facilitates compliance with provincial legislations but is also expected to reduce construction costs for the owners in many cases. Furthermore, By-law and Compliance, Licensing and Permit Services through the inter-departmental staff team will have carriage of enforcement related activity relating to the new Zoning By-law regulations once passed. For more details and advantages of this approach, refer to Attachment 3, Option 1 of Section 3.2.

- v. Financial Impact: DeLoyde Development Solutions has noted in the report that none of the surveyed municipalities imposed any substantial fees for processing Secondary Suite permit applications. The rationale being that minimal fees encourage owners to come forward and seek compliance with applicable laws. Therefore, the Secondary Suites Readiness and Implementation Strategy report recommends that:

- *Vaughan's existing building permit fees schedule be applied to secondary suites.*

No new fees are being proposed and existing building permit fee schedule applicable to residential dwellings will apply.

The Building Standards Department will be the primary point of contact for building permit applications and therefore it is critical that as an initial step to support the implementation of the program, the department has the necessary resources to deal with the anticipated surge of Secondary Suite enquiries and applications. In anticipation of this surge, Secondary Suites Readiness and Implementation Strategy report recommends:

- *Two additional staff resources be secured by the Building Standards Department to respond to the anticipated demand for approvals of existing and future secondary suites and that management monitor the volume and turnaround times of secondary suite approvals and make any necessary resource adjustments.*

New staffing resources are expected to be required in processing the increase in volume of Building Permit applications without negatively impacting customer expectations and to facilitate the issuance of building permits within legislative timeframes. A full resource assessment analysis for all three affected enforcement departments (Building Standards, Vaughan Fire and Rescue Service and By-law and Compliance, License and Permit Services) will be conducted following the endorsement of this report by the Council.

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The need for additional staff resources and funding options, if required will be dealt with in a future report to a Finance, Administration and Audit Committee of Council meeting. With respect to the Building Standards Department, as the departmental operations is fully funded by Building Permit fees and Building Standards Continuity Reserve, the financial impact of supporting any new approved positions will be managed through the existing building permit fee revenues, with no financial impact on the municipal tax base. However, any additional resources within Vaughan Fire and Rescue Service and By-law and Compliance, Licensing and Permit Services are independent of the above and will need to be considered through the appropriate Additional Resource Request process, within the appropriate annual budget cycles.

vi. Public Education: Public education is a key element of the implementation strategy and Secondary Suites Readiness and Implementation Strategy report recommends:

- *Vaughan's new secondary suites approval and compliance system be easy to understand by stakeholders.*
- *The compelling life safety reasons for bringing secondary suites into compliance with Ontario's Building and Fire Codes be highlighted in the secondary suite public education program.*
- *The City of Vaughan's website and e-communications channels be used to communicate secondary suite related education materials, application forms, zoning information and approvals process flow charts.*
- *Vaughan's Corporate Communications take the lead in concert with the Secondary Suites Implementation Team in executing the internal and external communications and public education strategies outlined in Appendix 1 of DeLoyde Development Solutions report.*

Corporate Communications, in consultation with the Secondary Suites Implementation Team, will be developing public education material that will consider all the above recommendations contained in the Secondary Suites Readiness and Implementation Strategy report. In addition, the public education materials will also be informed by the recommendations in the 2015 SHS Planning report. The key messaging will revolve around public safety, housing affordability, and Vaughan's streamlined approval process. Staff will keep the messaging simple, easy to understand and accurate.

The Region of York has a mandate of advancing affordable housing options. The City has approached the Region regarding their interest and involvement in public education.

8. Planning Tools to be Applied to Secondary Suites

The purpose of the City-wide Secondary Suites Study was to develop new Official Plan policies, Zoning By-law regulations, and to identify other regulatory tools necessary to permit secondary suites. The Official Plan policies and Zoning By-law regulations are the land use planning tools that will regulate where secondary suites will be permitted and their physical form, including unit size, building access, parking requirements and impact on the external aesthetics of the dwellings and hence the neighbourhoods. A draft set of Official Plan policies and Zoning By-law regulations, which reflect input from the Task Force, were made available for comment at the April 2, 2014 Public Open House. Subsequently, the Project Team and the Secondary Suites Task Force further advanced the development of the draft Official Plan and Zoning By-law amendments to bring them to the public for further comment at the statutory Public Hearing which

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took place on March 3, 2015. These policies and regulations are further summarized as recommended policies and tools in sub-section 4.2.1 and 4.2.2 of the City of Vaughan Secondary Suites Policy Development, dated January 2015 and prepared by SHS Consulting in association with Planning Alliance.

Following the March 3, 2015 Public Hearing, further work was conducted to refine both the draft Official Plan and Zoning By-law amendments.

a. The Recommended Secondary Suites Official Plan Policies (Attachment 1)

In response to the issues identified and upon further consideration and review, policy language has been modified to create consistency with VOP 2010. Additional policy language itemized as policies 'c' and 'd' have been added to the draft Official Plan Amendment, building on the policies proposed in the Public Hearing report (see Attachment 6). The amendment provides for the following:

- “1. Deleting Policy 7.5.1.4 d. (“allowing secondary suites where deemed appropriate by a City-initiated study.”)
2. Adding the following new Policy 7.5.1.5 and renumbering the existing Policies 7.5.1.5, 7.5.1.6 and 7.5.1.7 accordingly:

7.5.1.5 Secondary Suites shall be subject to the following policies:

- a) A Secondary Suite shall only be permitted on a lot developed with a detached house, semi-detached house or a townhouse. The implementing zoning by-law will establish standards that must be met before a secondary suite can be considered to be in conformity with the official plan and zoning by-law.
- b) That a secondary suite may be permitted in a detached house, semi-detached house or townhouse, or on a lot where the use is a residential detached house, semi-detached house or townhouse provided that:
 - i. A maximum of one secondary suite shall be permitted;
 - ii. All requirements of the Ontario Building Code, Fire Code and City By-laws are satisfied.
- c) Where permitted, a Secondary Suite shall only be located on the same lot as the detached house, semi-detached house or townhouse.
- d) Any additions or alterations that impact the exterior elevations of a detached house, semi-detached or townhouse resulting from the development of a secondary suite on a residential lot located within a Heritage Conservation District shall be subject to Site Plan Control pursuant to the *Planning Act*, Section 42 of the Ontario Heritage Act and and Heritage Vaughan approval.
- e) Vaughan Council may adopt further regulatory measures regarding the implementation of a program to permit secondary suites in accordance with the policies of this Plan. Such measures may include, but not be limited to, the monitoring and provision of public education.

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7.5.1.6 That notwithstanding the policies of 7.5.1.5 a) through to e) secondary suites shall not be permitted on the lands subject to the Special Policy Area as shown on Schedule 8, titled Special Policy Areas of this Plan.”

b. The Recommended Secondary Suites Zoning Standards (Attachment 2)

In keeping with the concept of criteria based zoning standards, the following zoning standards are recommended.

i. Definitions:

Initially the definitions for Single Family Detached Dwelling, Semi-Detached Dwelling and Duplex Dwelling were all considered for revision. Upon further consideration and consultation with the Zoning Section of the Building Standards Department, it was determined that these definitions would remain and if necessary will be reviewed and revised through the comprehensive review of By-law 1-88 which is currently underway.

The final version of the draft zoning by-law has provided the following definition for “SECONDARY SUITE”.

“SECONDARY SUITE – Means an accessory dwelling unit which is located within a Single Family Detached, Semi-Detached or Street Townhouse dwelling unit.”

ii. Regulations and Standards:

1. The Public Hearing report noted that Section 3.8, “Parking Requirements”, needed to be amended to add the following: “Residential – Single Detached, Semi-Detached, Street Townhouse with Secondary Suite” as a type of use with a minimum of “3.0 parking spaces per dwelling unit”. Parking standards required for residential units have already been addressed in By-law 1-88. Therefore, including a clause in Section 4.1.8 requiring a minimum of three parking spaces be provided on a lot where a secondary suite is located was sufficient. It should be noted that the requirement for three parking spaces is not specific to the secondary suite, but for the principal residential use. An example of this would be where the existing residential lot already provides three parking spaces; no additional space would be required for the proposed secondary suite. One of the provisions set out in sub-section 4.1.8 establishes the requirement for parking.
2. In Section 4.1, “General Provisions” for Residential Zones, include a new Sub-section entitled “4.1.8 Secondary Suites” stating that one (1) Secondary Suite may be permitted accessory to a Single Family Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling unit, subject to the following provisions:
 - a) The addition of a Secondary Suite in a Single Family Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling shall not change the use of the subject lands;
 - b) A maximum of one (1) secondary suite shall be permitted;
 - c) A minimum 9.0 metres of frontage is required;
 - d) The minimum gross floor area of a secondary suite shall be 35 square metres;
 - e) A secondary suite shall not occupy more than forty-five percent (45%) of the above finished grade gross floor area of the dwelling within which it is located;
 - f) Entrances to secondary suite shall:

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- Be separate from the main entrance to the Single-Family Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling, either as separate exterior entrance located on the side or rear elevation of a dwelling or from a common indoor vestibule;
 - Be accessible from the street via a paved walkway or driveway;
 - Not be located closer to the front lot line than the main entrance of the residential dwelling unit on the abutting lot; and,
 - Be setback a minimum of 1.2m from the interior side lot line, except where the minimum interior side yard setback requirement to an entrance is greater.
- g) New entrances for secondary suites in existing dwellings shall not be permitted on the façade facing a public or private road; and,
- h) A secondary suite will not be permitted in the same Single Family Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling unit accommodating Boarders, or containing a Home Occupation, Private Home Tutor, Private Home Daycare, Bed and Breakfast Establishment, or Correctional or Crisis Care Group Home.
3. Add a provision to Section 4.1.5: “A home occupation will not be permitted in a dwelling unit where a secondary suite has been permitted.”
4. Notwithstanding any of the provisions listed above, secondary suites shall not be permitted in the Woodbridge Special Policy Area (SPA). A schedule outlining the lands subject to the SPA will be attached and form part of the implementation by-law. This provision is in keeping with VOP 2010 policies in Section 7.3.2 of Part B of the Woodbridge Centre Secondary Plan which states:
- “j. Notwithstanding new lot or unit creation shall be prohibited in the Low-Rise Residential designation of the Special Policy Area.”
- and
- “k. Notwithstanding intensification shall be prohibited in the Low-Rise Residential designation in the Special Policy Area.”
5. It should be noted that reference to where secondary suites may be permitted has been limited to “...within a Single Family Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling...”

Secondary suites in detached garages are recognized as one option for where a secondary suite can be located. However, further review of best practices respecting secondary suites in detached garages revealed that there has been limited application of this option throughout the GTA. It is typically challenging to retrofit existing structures due to Ontario Building Code (OBC) requirements. As a result, staff are generally not supportive of such a situation. However, staff will further consider the permission for secondary suites within a detached garage including criteria and standards that would have to be met taking into consideration the OBC and other relevant requirements and if determined to be appropriate will provide zoning provisions at a future date in conjunction with the comprehensive review of Zoning By-law 1-88.

The information referenced above in sub-Sections 8a. and 8b of this report has been included in the recommended Official Plan and Zoning By-law amendments attached to this report as Attachments 1 and 2.

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c. Site Plan Control By-Law

In addition to the creation of draft Zoning By-law regulations, By-law 123-2013, the Site Plan Control by-law will also require amendment to address the requirement for site plan approval related to secondary suites within Heritage Conservation Districts. The draft Official Plan Amendment also provides policies related to the requirement for Site Plan approval in the Heritage Conservation Districts.

Minor amendments to an approved site plan for street townhouse units will not be required for a door to a unit to facilitate a secondary suite.

9. Next Steps Related to the Secondary Suites Implementation Strategy

Following Council's endorsement and direction to staff, the Secondary Suites Implementation Team working with Corporate Communications will proceed with implementing the Strategic measures outlined in this report based on the following work plan:

Contingent Work Plan*

Activities	Lead Departments	Estimated Target Timeframe
Public education material to be prepared and made available to the general public	Corporate Communications assisted by Secondary Suites Implementation Team	Q2 2017
Standard Operating Guidelines and Enforcement Protocols	Building Standards, Vaughan Fire and Rescue Service, By-law and Compliance, Licensing and Permit Services	Q2 2017
Resource Assessment and Funding	Building Standards, Vaughan Fire and Rescue Service, By-Law and Compliance, License and Permit Services	Q2 2017
Staff Training	Building Standards, Vaughan Fire and Rescue Service, By-law and Compliance, License and Permit Services, Access Vaughan	Q2 2017
Changes to building permit and property information system	Building Standards Department, Office of the Chief Information Officer	Q3 2017
Zoning By-law enactment	Policy Planning and Environmental Sustainability	Q3 2017
Progress report to Council	Secondary Suites Implementation Team	Q4 2020

* This timetable assumes that the enactment of the Secondary Suites Zoning regulations comes into effect in Q3 2017. Should the enactment date change, the subsequent time frames will be adjusted accordingly.

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

This report is consistent with the Term of Council Service Excellence Strategy objective to:

- Create and manage affordable housing options (secondary suites)

Regional Implications

Representatives from the Long Range Planning Division at the Region of York were represented on the Technical Advisory Committee (TAC) and have presented at the Secondary Suites Task

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Force Committee. This report also responds to direction provided in the York Region Official Plan in regard to the provision of affordable housing, including secondary suites.

Conclusion

Staff have worked closely with key members of the Technical Advisory Committee and Project Team in developing the final draft of the Official Plan and Zoning By-law amendments while taking into consideration the comments received from the public and Council at the Public Hearing. In addition to the *Planning Act* matters, it will be necessary to address a number of administrative issues resulting from the Task Force's Recommendations. The proposed administrative measures necessary to implement the Secondary Suites policy have been addressed through the Secondary Suites Implementation Strategy and are set out in this report. This effort is being led by the Secondary Suites Implementation Team comprised of various City departments. It is the intent that the measures being recommended by the Secondary Suites Implementation Team be in place coincident with the Zoning Amendment coming into force. Therefore it is recommended that the recommendations of this report be approved to proceed with the finalization and implementation of the City's Secondary Suites Strategy.

Attachments

1. Draft Official Plan Amendment
2. Draft Zoning By-law Amendment
3. Secondary Suites Readiness and Implementation Strategy Report, dated October 28, 2016, prepared by DeLoyde Development Solutions
4. Staff Follow-up Response to Task Force Recommendations
5. Staff Follow-up Response to Summary of key issues and Draft potential approaches related to implementation identified in SHS Consulting report
6. Statutory Public Hearing Report, dated March 3, 2015

Report prepared by:

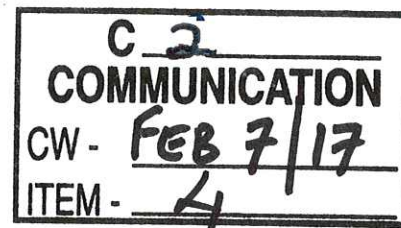
Arminé Hassakourians, Senior Planner, ext. 8368

Nadim Khan, Manager of Policy and Regulatory Services, Building Standards, ext. 8232

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)



BUILDING A GREATER GTA
Building Industry and Land
Development Association



February 6, 2017

Mayor Bevilacqua and members of Council
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Dear Mayor and members of Council,

RE: City-Wide Secondary Suites Study – Approval of Draft Official Plan Policies, Zoning Standards and Implementation Strategy

With more than 1,450 member-companies, BILD is the voice of the land development, home building and professional renovation industry in the Greater Toronto Area (GTA). Our industry is essential to the GTA's long-term economic strength and prosperity. In 2015 alone, the residential construction industry generated 196,603 on-site and off-site jobs in new home building, renovation and repair – one of the GTA's largest employers. These jobs paid \$11.4 billion in wages and contributed \$30.2 billion in investment value to the economy. In York Region specifically, there were over 20,000 jobs in 2015, amounting to \$1.1 billion in wages, and \$3 billion in investment value. Residential renovation is essential to the Greater Toronto Area's economic foundations, job creation, housing quality and long-term prosperity.

On behalf of the BILD York Chapter and Renovator Council members, we applaud the City of Vaughan for producing a comprehensive study on City-Wide Secondary Suites, which includes the Draft Official Plan Policies, Zoning Standards and an Implementation Strategy. BILD and its members have been engaged in this study and we thank City staff for their inclusive consultation process.

BILD would like to take this opportunity to express our support for the study, as means of delivering affordable housing options, and expanding housing choice and mix. Secondary suites enable low and moderate income households that desire ground-related housing – to be achieved. Not only are secondary suites a source of affordable rental housing, they can also provide extra income and security for first time homebuyers. Secondary suites encourage both affordability and intensification through the adaptive reuse of the existing housing stock. BILD believes that this broad based solution is an equitable way of creating a new supply of affordable housing, while also eliminating illegal accessory apartments that may be hidden and unsafe.

BILD and its Renovator Council members look forward to continued consultation through the implementation of this plan. Thank you for the opportunity to submit these comments. If you have any questions, please contact the undersigned.

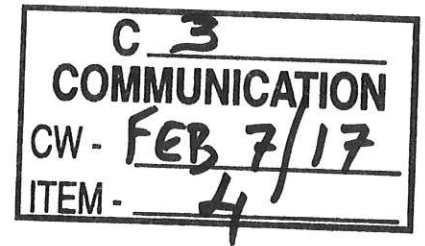
Sincerely,

Danielle Chin MCIP RPP
Senior Manager, Policy & Government Relations

cc: John Mackenzie, Deputy City Manager, Planning and Growth Management

City of Vaughan

February 6, 2017



Dear Mayor, Members of Council and City Staff,

Re: Secondary Suites

I am writing today to urge the City of Vaughan to move forward immediately with the implementation of secondary suites as a matter of right in our City. It is long overdue.

In fact it is 8 years (!) since I came before Council and Committee of the Whole in 2009 with my colleagues Rev. Jim Keenan and Anna DeBartolo, to argue for the implementation of a secondary suites strategy that would ensure that this type of housing would be safe, legally available, and encouraged in our City.

In 2010 our Vaughan Social Action Council was promised a Task Force, which was finally moved forward with the passing of Bill 140 in the Province, in 2012, when secondary suites were legalized throughout Ontario as a matter of right. Over the next five years, a talented task force and consultants have worked on this long-delayed project.

So, I urge the City to get on with it. Please don't let another delay for technical/database or training purposes in early 2017 derail this any longer. Please stick firmly to the proposed implementation strategy laid out in the report for a 3Q implementation in 2017.

My comments on the report are as follows:

- (1) A solid consultant's report and overall strategy.
- (2) The communications plan needs to be more proactive to reach landlords and tenants and needs to have a social media and advertising component to consider:
 - a. Google ads when someone goes to list a property or search for "rent a basement apartment" in Vaughan
 - b. Advertising on common basement apartment rental vehicles such as:
 - i. Kijiji
 - ii. Craigslist
 - iii. Realtor.ca
 - iv. Trovit
 - v. Airbnb
 - vi. Vaughanlandlords.ca
 - vii. Etc....
 - c. An outreach plan to reach local real estate agents
 - d. A proactive phone campaign calling local landlords

- (3) The Building Permit process will be a barrier to registration of EXISTING suites – It is too complex, too time consuming and too expensive for most small households who are renting a basement trying to make ends meet. It is my view that we will need a simplified process just for secondary suites.
- The City of Vaughan building permit process requires substantial forms, technical drawings by a qualified designer...
 - Building Permit Fees - \$11-12 per m2.....that's \$552 just for a 500 sq foot apartment, not to mention perhaps handling fees (\$25), Written responses (\$115), Inspection fees (\$258), Compliance letters (\$144)
 - They have to hire an engineer to fill out the forms and do drawings and then have these fees on top of it....it will be a BIG BARRIER to successful registration of existing units.
- (4) Guelph offers a minimized/streamlined registration process to make it easier for landlords to achieve compliance and keep people safe. <http://guelph.ca/city-hall/planning-and-development/community-plans-studies/housing/shared-rental-housing/accessory-apartment-regulations/>
- (5) In order to encourage the safety (which is paramount) and registration of existing units (which is greatly desired), Vaughan should offer an "Existing Secondary Suites Amnesty Program" for the first 3-6 months of the program to encourage landlords to register their existing apartments without penalty or fee. During this period (as the City is already hiring 2 positions), Vaughan would waive all fees and offer a FREE fire/safety inspection. This would encourage people to come forward and have their existing units inspected and registered. It would also reduce staff time in the future from chasing down non-compliant suites.
- (6) Training of Staff- Guelph has a highly proactive system, as alluded to in the report, perhaps we could model on their approach and they could assist with our training.
- (7) The side yard setback to the door entrance for secondary suites is now set at 1.2 m in the proposed change to By law 1-88; perhaps this should be reduced? I'm not sure if this is meant to really eliminate townhomes, but it may eliminate side door options for many single family homes.

I am sorry that I cannot be there in person to make a deputation to Committee of the Whole, as I am moving a family member back home from respite care tomorrow, but should you wish to contact me, I am available at 416-885-7707.

Thank you,

Anna Bortolus
303 Westridge Drive
Kleinburg, Ontario
L0J 1C0

C	<u>5</u>
COMMUNICATION	
CW -	<u>FEB 7/17</u>
ITEM -	<u>4</u>



CITY OF VAUGHAN

SECONDARY SUITES IMPLEMENTATION

FEBRUARY 7, 2017



Context

- Recommendations build upon previous work
- Focus is on:
 - implementing the new planning regulations
 - educating the public
 - providing excellent customer service
 - achieving operational readiness

IMPLEMENTATION GOALS

- Affordable Housing Option
- Public Safety
- Communications Excellence
- Customer Service
- Contributes to Sustainability

IMPLEMENTATION PRINCIPLES

- **Balanced Policy and Implementation Measures**
- **Progressive – Based on best practices**
- **Simple to understand and navigate**
- **Being ready to meet citizen needs**
- **Affordable – leverages Vaughan's existing resources**
- **Considers the recommendations of Vaughan's Secondary Suites Task Force**

METHODOLOGY

- Implementation Strategy is a collaborative effort of the Secondary Suites Implementation Team
- Recommended administrative system is simple, effective and leverages established resources
- Recommended strategy utilizes a best practice approach

SECONDARY SUITES RECORD KEEPING

- Approved secondary suites will be recorded in AMANDA property information system
- Existing secondary suite databases from departments will be consolidated
- Vaughan's AMANDA system should be linked to the City's geographic information system and City's website in the future

BENEFITS OF A SECONDARY SUITES CENTRALIZED DATABASE

- Gives ready access to secondary suite records
- Measures changes in Vaughan's housing mix
- Provides information for first responders in emergency situations
- Tracks housing intensification
- Houses detailed property-based records

ADMINISTRATIVE ENHANCEMENTS

- Staff will prepare Standard Operating Guidelines (SOGs) that:
 - standardize procedures
 - provide superior customer service to citizens
 - ensure Vaughan's regulatory requirements and policies are consistent

OPERATIONAL READINESS

- Citizens and builders will be able to navigate secondary suite approval processes quickly and efficiently
- Front-line customer service staff and designated approval professionals will be fully trained
- An expert staff team will be established at start-up to process secondary suite approvals
- There will be enhanced staff co-ordination and awareness

BUILDING AND FIRE CODE AND ZONING COMPLIANCE APPROACH

Stream 1 requires that new secondary suites established after the new zoning regulations come into effect be approved for compliance with Ontario Building Code and Zoning by-law

Stream 2 requires that secondary suites created after July 14, 1994 and before the adoption of the new zoning regulations be brought into compliance with the Ontario Building Code and Zoning by-law

Stream 3 requires that secondary suites proven to have been established on or before July 14, 1994 be brought into compliance under Section 9.8. of the Ontario Fire Code focusing on life safety aspects for secondary suites

IMPLEMENTATION RESOURCES

- No new fees beyond existing building permit fees
- Vaughan's existing property information technology will be used
- Communications efforts will be developed
- Citizen demand for the secondary suite approvals and information will be monitored
- Two additional Building Standards staff are recommended

COMMUNICATIONS GOAL

To educate stakeholders about creating safe, compliant and liveable secondary suites through a mix of communication channels that include eCommunications.

CONCLUSION

The recommended secondary suite implementation strategy:

- ✓ Addresses Vaughan's Secondary Suites Task Force recommendations
- ✓ Focuses on providing excellent customer service
- ✓ Is easy to navigate, effective, and leverages existing resources
- ✓ Maintains good records
- ✓ Complies with Ontario Fire and Building Codes

Ministry of Housing

Ministère du Logement

Ministry of Municipal Affairs

Ministère des
Affaires municipales

Office of the Minister

Bureau du ministre

777 Bay Street, 17th Floor
Toronto ON M5G 2E5
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Let me thank you and your council for the work you do every day on behalf of the citizens of Ontario. It can't be said enough that a strong partnership between your government and my Ministry is critical to addressing the affordable housing challenges we collectively face.

As you'll know, the province recently released an update to the Long-Term Affordable Housing Strategy (LTAHS) 2016 (the "Update"). The Update continues the transformation of Ontario's housing system which we began with the 2010 LTAHS. On September 14, 2016, we re-introduced the Promoting Affordable Housing Act, 2016 (Bill 7). If passed, Bill 7 would help ensure that the people of Ontario have better access to affordable and adequate housing. This includes an even stronger emphasis on the role that private sector housing can play in providing a mix and range of affordable housing choices for Ontarians.

More specifically, second units are an important tool in contributing to the supply of private sector affordable housing choices. They are widely recognized as one of the most affordable forms of rental housing. Second units help optimize the use of the existing housing stock and infrastructure, all the while providing an income stream for homeowners, particularly younger and older homeowners, who may respectively have a greater need for income to help finance and/or remain in their homes.

In support of second units, I am pleased to announce that Bill 7 proposes to amend the *Development Charges Act*, 1997 which, if passed, gives authority to amend the regulations and exempt second units in new homes from development charges. This should help spur the design of houses to accommodate second units at the outset, which is a more effective approach compared to retrofitting. In this way, we can plan ahead for houses to be used in a flexible way over time, depending on the life cycle stage of homeowners and whether they seek or need the income a second unit can provide.

Concurrently, we are proposing to publicly consult on potential changes to the Building Code (by way of an amendment to Regulation 332-12) to improve the affordability of second units in newly constructed houses while still meeting safety standards of both the Building Code and Fire Code. The proposed new requirements for construction of newly built houses with second units would allow for greater flexibility and decrease the construction costs.

You may recall that we began a renewed emphasis on second units as part of the 2010 LTAHS which saw us make amendments to the *Planning Act* to require municipalities to

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amend their official plans and zoning by-laws to authorize second units in single-detached, semi-detached and row dwellings, as well as in accessory structures (e.g. laneway garages). These provisions came into effect on January 1, 2012. The Act was also amended to give the Minister regulation making authority - to both directly permit second units and/or to prescribe standards for them (e.g. parking).

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I am aware that an increasing number of municipalities have taken, or are engaged in taking, steps to amend their official plans and zoning by-laws to reflect these provisions. I appreciate those efforts. However, in some instances, analysis reveals that certain official plan policies and/or zoning provisions do not reflect the permissive spirit and intent of these legislative changes. It is noted that Bill 7 proposes to provide the minister with appeal rights related to municipal adoption of second unit official plan policies and zoning by-laws.

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However, the majority of municipalities have not updated their official plans and zoning by-laws to reflect the second unit requirements of the *Planning Act* - even though we are well into the fourth year since this requirement came into effect. As such, and based on all of the above, I have instructed staff to engage in a five part plan as follows:

1. Engage in outreach to apprise municipalities of the proposed changes to the Building Code and *Development Charges Act* as a means of supporting the planning and establishment of second units.
2. Our Municipal Services Offices will approach those municipalities that have adopted official plans and/or zoning by-laws post 2012 to:
 - a. Discuss policies, by-laws, or standards that appear to be overly restrictive and not in keeping with the permissive spirit and intent of the legislation; and
 - b. Request these municipalities to review the policies or standards considered restrictive at the next opportunity (i.e., during an official plan review or zoning by-law update) to reflect the purpose and intent of the *Planning Act* provisions on second units.
3. Our Municipal Services Offices will also approach all of those municipalities that have yet to adopt changes to their official plans and/or zoning by-laws to reflect the *Planning Act* requirements, to seek an understanding of when the changes will be made and to provide guidance as needed. I have instructed them to seek commitments to complete this work by March 31, 2017.
4. Propose a regulation under the *Planning Act* setting out standards and/or limitations on official plan policies and/or zoning standards which would take precedence over existing policies/standards which are deemed to be not in keeping with the permissive spirit and intent of the legislation as follows:
 - o Only a maximum of up to one parking spot per second unit could be required and tandem parking would be permitted;
 - o Second units could not be subject to any provision which requires the primary or second unit be occupied by any person (eg. a by-law could not require the primary unit to be inhabited by the owner in order for a second unit to be permitted); and
 - o Second units would be permitted in primary dwellings and accessory buildings regardless of date of construction of the primary or the second unit.

Hammer

5. Publish an information backgrounder setting out best practices on second units, along with promoting guidance material and web content developed by the Landlord Self Help Centre.


While some of the above steps may seem strong, these province-wide legislative requirements for second units have been in place for some time. Since their enactment, the need for affordable housing choices for all Ontarians has increased.

The benefits of second units are widely recognized and they form a substantial and increasing part of the province's affordable housing supply. Since becoming Minister in June, I have crossed the province listening to municipal leaders, housing experts and advocates. In the formal and informal discussions, the need for secondary suites to be part of a healthy municipal housing "mix" became more obvious. I have instructed ministry staff to provide as much information and advice as possible to assist municipalities in moving forward with this important work.

I look forward to all municipalities in Ontario embracing a permissive second unit policy and zoning framework to help house their residents.

Thank you in advance for your help as we work together in partnership to achieve our shared goal of creating more affordable housing in our communities.

Sincerely,



Chris Ballard
Minister

**CITY-WIDE SECONDARY SUITES STUDY
APPROVAL OF DRAFT OFFICIAL PLAN POLICIES, ZONING STANDARDS
AND IMPLEMENTATION STRATEGY
FILE 15.112
WARDS 1 TO 5**

Recommendation

The Deputy City Manager, Planning and Growth Management and the Director of Policy Planning and Environmental Sustainability recommend:

1. THAT the Official Plan Amendment (File 15.112 City-wide Secondary Suites Study) to amend Section 7.5 Housing Options, of Vaughan Official Plan 2010 to permit secondary suites, as shown in Attachment 1 BE APPROVED;
2. THAT the Zoning By-Law Amendment (File 15.112 City-wide Secondary Suites Study) to amend Zoning By-law 1-88 to permit secondary suites based on development standards as shown in Attachment 2 BE APPROVED;
3. THAT the Zoning By-law amendment be enacted following Council's approval of the Secondary Suites Implementation Strategy and the finalization of Activities 1 through 5 of the Secondary Suites Implementation Strategy, Contingent Work Plan;
4. THAT Stakeholders that participated in the Secondary Suites Study including Ratepayers and the Building Industry And Land Development Association (BILD) and other organizations be provided with Council's decision (related to File 15.112 City-wide Secondary Suites Study) in the City's on-going effort to keep stakeholders informed of the City's direction for secondary suites as an affordable housing option; and,
5. THAT the By-law 123-2013, the Site Plan Control By-law, be updated to reflect amendments to the Vaughan Official Plan 2010 requiring a secondary suite accessory to a detached house, semi-detached house or townhouse located in a Heritage Conservation District be subject to site plan control where an alteration or addition impacts the exterior of the site.

The Deputy City Manager, Planning and Growth Management, the Deputy City Manager, Legal and Human Resources, the Deputy City Manager, Community Services, the Director of Building Standards, the Fire Chief, Fire and Rescue Service, the Director of By-law and Compliance, Licensing and Permit Services, and the Director of Corporate Communications, recommend:

6. THAT in conjunction with recommendations 1 to 5 above, staff be directed to implement the City-wide Secondary Suites Implementation Strategy as outlined in this report and the advice received in the Secondary Suites Readiness and Implementation Strategy report (Attachment # 3) dated October 28, 2016, prepared by DeLoyde Development Solutions.

Contribution to Sustainability

The Province of Ontario (Province) and York Region (Region) have identified affordable housing as a key component of a sustainable housing strategy. Secondary suites (currently referenced as second units in the Provincial legislation) are an affordable housing option that meets the needs of a variety of people such as singles, students, seniors, extended family members, and people with fixed incomes. Since secondary suites are contained within existing buildings, they help optimize the use of the existing housing stock and infrastructure, and re-populate neighbourhoods with declining populations. Secondary suites can offer a greater range of housing opportunities

within the City while allowing a broader demographic to live closer to work thus increasing Vaughan's competitiveness and attractiveness to business and industry.

This report is consistent with the goals and objectives outlined in Green Directions Vaughan, the City's Community Sustainability and Environmental Master Plan, specifically:

Goal 2:	To ensure sustainable development and redevelopment.
Objective 2.3:	To create a City with sustainable built form.

Economic Impact

A total of \$75,000 was budgeted to complete the Secondary Suites Study which was led by the Policy Planning Department. Subsequently, funding for this study was increased by \$30,000 as approved by Council on December 10, 2013. The primary reason for increasing the funding from the original amount of \$45,000 was to accommodate further public consultation measures directed by Council. These measures included additional consultation with the Secondary Suites Task Force.

No further economic impact to the City is expected related to the preparation and enactment of the Official Plan Amendment policies and/or the Zoning By-law amendment.

Costs associated with the preparation of the implementation strategy, which is intended to accompany enactment of the Official Plan and Zoning By-law amendments, amount to \$20,000.00 to-date, to provide for the retention of an outside consulting service. This amount was budgeted by the Building Standards Department in the 2016 operating budget.

The report prepared by DeLoyde Development Solutions has recommended utilizing existing regulatory tools for enforcement and compliance related to secondary suites. Additionally, it should also be noted that in order to encourage property owners to comply with the relevant policies and regulations applicable to secondary suites, no additional fees are being recommended to augment the existing building permit fees. An application for a secondary suite will be subject to the existing building permit fee structure.

The report from DeLoyde Development Solutions also recommends additional staff resources for the Building Standards Department in order to process the increase in Secondary Suites building permit applications and related inspections within the legislative framework including prescribed turnaround times. Similarly, other enforcement related departments, i.e. Vaughan Fire and Rescue Service and By-law and Compliance, License and Permit Services are also likely to be impacted. A full resource assessment analysis for all the three impacted departments will be conducted following the endorsement of this report by Council and will be addressed through a future report to the Finance, Administration and Audit Committee of Council.

Communications Plan

The statutory public hearing for the proposed Official Plan and Zoning By-law amendments took place on March 3, 2015. The communication plan used for the Public Hearing relied on a number of channels to increase public awareness. This included advertising in the Vaughan Citizen and the Vaughan Liberal newspapers on Thursday February 12, 2015, and Thursday February 19, 2015, providing the Notice of a Statutory Public Hearing by mail to all Registered Community Ratepayers Associations, and sending an e-mail blast to all those who had requested notification throughout the course of the study. Other methods of notification employed for the statutory Public Hearing which took place on March 3, 2015 are set out below:

1. On Vaughan TV at City Hall
2. In the *City Update*, the City of Vaughan's eNewsletter
3. On the *City Page Online*

4. Through the City of Vaughan's Twitter and Facebook accounts
5. On the Policy Planning departmental webpage, accessible through the City of Vaughan website
6. Placing a "Buck Slip" notice in the 2015 Interim Tax Bill to approximately 55,000 residents, which was mailed during the week of February 16, 2015
7. Notification sent out through the Local Councillor's Ward Newsletters

Although there is no statutory requirement to notify the public of the Committee of the Whole meeting through the *Planning Act*, notice of this meeting was sent to those individuals and groups requesting notification during the study process. This Notice was sent via e-mail blast on Thursday January 19, 2017 and posted through the following methods:

1. Posting on the *City Update*, the City of Vaughan's eNewsletter
2. Posting on the *City Page Online*
3. Posting on the Policy Planning webpage, dedicated to the City-wide Secondary Suites Study accessible through the City of Vaughan website
4. By mail to all Registered Community Ratepayers Associations

Upon Council's approval of the Planning instruments and the Implementation Strategy, the City's Corporate Communications Division will launch a communications plan (public education campaign) timed with the roll-out of the Implementation Strategy. The intention of the communications plan is to increase public awareness of the new policies and educate residents, the development industry, homeowners and potential landlords and tenants about secondary suites. Key messages will revolve around life safety, Code compliance methods for establishing new secondary suites, and the benefits of obtaining permits and inspections.

A range of communication channels will be used to advertise the public education campaign including media outreach, eCommunications (social media, eNewsletters), digital signage (inside and outside of City facilities), web content, targeted stakeholder communications (BILD and Registered Ratepayer Associations), and advertising among other methods.

Purpose

The purpose of this report is two-fold. First, this report will respond to the requirements of the *Planning Act* in regard to the provision of secondary suites. It is intended to address the *Planning Act* matters for the purpose of approval and finalization of the Official Plan and Zoning By-law amendments and for the purpose of enactment By Council. In doing so, the City will have addressed the *Planning Act* requirement that local municipalities provide Official Plan policies and Zoning By-laws introducing secondary suites as a permitted use.

Second, this report recommends that Council approve a community based Secondary Suites Implementation Strategy that focuses on administration, compliance and enforcement and public education to support a Secondary Suites program, in relation to the recommended changes to the Official Plan and the Zoning By-law.

Background - Analysis and Options

Executive Summary

This report is structured into sections which provide the following information:

- 1) Secondary Suites Policy Context
- 2) Current Zoning By-law Requirements
- 3) Comments Received from the Public
- 4) Consultation Strategy and Study Structure
- 5) Issues Identified through the Consultation Process

- 6) Process Undertaken by the Secondary Suites Implementation Team
- 7) DeLoyde Development Solutions Report Methodology, Findings and Recommendations
- 8) Planning Tools to be Applied to Secondary Suites
- 9) Next Steps Related to the Secondary Suites Implementation Strategy

1. Secondary Suites Policy Context

The Province, Region and City have all committed to addressing the issue of housing affordability through the various policies as identified below:

- a. Bill 140, the *Strong Communities through Affordable Housing Act, 2012* affirms the Province's interest in pursuing a range of affordable housing options. It identified the private sector as playing a significant role in increasing the stock of market rental units. Secondary suites are identified as one way of providing additional rental units. Bill 140 clarified the roles and responsibilities of both the provincial and municipal governments in facilitating greater affordable housing at the local level.
- b. The Provincial government through the *Planning Act* requires in Section 16(3) that Official Plans contain policies that authorize the use of a second residential unit. Furthermore, under Sections 17(24.1) and 17(36.1) there are no public appeals to the approval of Official Plan policies permitting second units. Similarly, there is no appeal to Zoning By-laws that give effect to the policies of Section 16(3) to permit second units. (Section 34(19.1)).
- c. In 2016, the Province passed Bill 7 (formerly Bill 204), *Promoting Housing Affordability Act, 2016*. Bill 7 is intended to address affordable housing issues by providing a legislative framework which enables inclusionary zoning in the Province of Ontario. Although this report does not address matters related to inclusionary zoning, Bill 7 is one more example of the Province's commitment to addressing matters related to housing affordability.

Bill 7 also contains amendments to the Development Charges Act. The current Development Charges Act 1997 (DCA) prohibits imposing charges when up to two additional dwelling units are being created in prescribed classes of existing residential buildings. Bill 7 included amendments to the DCA that will prohibit imposing charges on a second dwelling unit in prescribed classes of new residential buildings. Bill 7 received Royal Assent on December 8, 2016. The DCA amendment will come into full force on a date to be proclaimed. The associated Regulations yet to be issued will provide details on the type of dwellings that will be exempt from paying development charges on secondary suites.

- d. The York Region Official Plan (YROP) adopted by York Regional Council on December 16, 2009 and approved by the Ministry of Municipal Affairs and Housing on September 7, 2010, was substantially approved by the Ontario Municipal Board as of June 2013. In November 2015 the YROP was fully approved save and except for Regional policy 6.4.8 which addresses unrelated matters.

The YROP addresses issues of housing affordability and specifically identifies secondary suites in sub-section 3.5.22 by requiring,

“...local municipalities to adopt official plan policies and zoning by-law provisions that authorize secondary suites as follows:

- a. The use of two residential units in a house if no ancillary building or structure contains a residential unit; and,
- b. The use of a residential unit in a building or structure ancillary to a house if the house contains a single residential unit.”

It is noted that sub-section 3.5.22 YROP remains the subject of an area/site specific appeal.

- e. In keeping with the policies outlined in the YROP requiring local municipalities to incorporate affordable housing where opportunities exist, Vaughan Official Plan 2010 (VOP 2010) has addressed the affordable housing issue and directly references secondary suites. Section 7.5 *Housing Options* states "It is the Policy of Council: ...7.5.1.2 to work with York Region in implementing its affordable housing policies as follows: ...". The section further references secondary suites specifically by stating, "It is the policy of Council: ... 7.5.1.4 to support and prioritize the following housing initiatives: allowing secondary suites where deemed appropriate by a City-initiated study."

Section 7.5.1 titled Ensuring a Range of Housing Options of VOP 2010 has been approved by the Ontario Municipal Board. This provides the policy basis for undertaking the City-wide Secondary Suites Study. As such, an amendment to VOP 2010 is required to introduce the new secondary suites policies into VOP 2010, the City's Official Plan.

The Draft Official Plan Amendment appended as Attachment 1 was circulated and has been reviewed by a number of departments as part of the study process. Departments that were circulated the draft Official Plan include; Development Planning; By-law and Compliance, Licensing and Permits; Legal Services; Vaughan Fire and Rescue Services; Building Standards; Development Engineering and Infrastructure Planning; and Transportation Services, Parks and Forestry Operations.

2. Current Zoning By-law Requirements

Currently By-law 1-88, the City's comprehensive zoning by-law, does not permit secondary suites. However, as a result of the provincial, regional, and municipal direction on housing affordability and specifically the requirement to accommodate secondary suites, the City-wide Secondary Suites Study proposed updated zoning standards which would result in amendments to By-law 1-88. Policy Planning staff have consulted extensively with the Building Standards Department regarding the structure and content of the proposed amending by-law. The draft Zoning By-law was circulated to the following departments and sections: Development Planning; By-law and Compliance, Licensing and Permit Services; Office of the City Solicitor; Vaughan Fire and Rescue Service; Building Standards (Zoning Section and Building Inspections Section); Development Engineering and Infrastructure Planning; and Transportation Services, Parks and Forestry Operations. The draft implementing by-law is appended as Attachment 2 and is the product of these deliberations.

3. Comments Received from the Public

A number of methods were utilized to notify the public throughout the study process. As a result, members of the public not only attended public meetings to discuss their views on secondary suites, but also voiced their opinions through written submissions and responses to an on-line survey. The following list itemizes the issues related to secondary suites noted by the public through written correspondence.

- Impact on Development Charges;
- Permitting Secondary Suites in Townhouses and Semi-detached dwellings;
- Additional parking needed to accommodate a secondary suite;
- On-street parking;
- Justification for the minimum 9m lot frontage;
- Concerns respecting safety;
- Impact on assessment and taxes;
- Conversion of garages for secondary suite uses;
- Concerns respecting the construction of units related to Building and Fire Code requirements; and,

- Impact on public services such as garbage pick-up.

4. Consultation Strategy and Study Structure

From the outset, the secondary suites work plan included an extensive public and agency consultation strategy. Participants included: A Project Team made up of representation from the affected City departments and the consulting team; the Secondary Suites Task Force; the broader community; and external stakeholders (e.g. governments and agencies) through a Technical Advisory Committee. The consultation strategy had two purposes: First, it was intended to educate and inform the community on the topic of secondary suites by introducing the issues surrounding such matters as the reasons for permitting secondary suites (e.g. Provincial Legislation), the issues to be addressed in the development of secondary suites policies and standards, and the resulting approaches to permitting secondary suites. Second, it provided an opportunity to gather feedback from all affected and to identify their concerns respecting the options for allowing secondary suites. The consultation measures taken to-date are discussed below.

a. Methods of Notification

A major component of the consultation strategy was the approach to outreach and public notification. Staff undertook an extensive notification program to ensure an optimal outcome respecting public outreach and involvement. Notification was provided through the following channels:

- i. On the landing page of the City of Vaughan's website;
- ii. On Vaughan TV at City Hall;
- iii. In the *City Update*, the City of Vaughan's eNewsletter;
- iv. On the *City Page Online*;
- v. Through the City of Vaughan's Twitter and Facebook accounts;
- vi. On the Policy Planning webpage, accessible through the City of Vaughan's website;
- vii. Through material placed at the City's 10 Community Centres and 7 Public Libraries;
- viii. Through telephone calls and mail-outs to the Registered Community Ratepayer Associations;
- ix. Through the Secondary Suites Task Force (word-of-mouth);
- x. E-blasts to persons requesting notification of the study milestones;
- xi. Advertising in the Vaughan Citizen and the Vaughan Liberal newspapers; and,
- xii. Notice in the Interim Tax Assessment through inclusion of a 'buck slip'.

At the December 3, 2013 Committee of the Whole (Working Session) meeting, concerns were expressed respecting the methods of public notification being used and the resulting attendance at the public meetings. Council requested that additional methods be considered. In response, Policy Planning staff, with the cooperation and assistance of the Financial Services Department, arranged for an additional method of notification, a 'buck-slip' which substantially broadened the notification base for the April 2, 2014 Public Open House, and for the statutory Public Hearing which took place on March 3, 2015. (For more information respecting the 'buck-slip' please see Attachment 6, the March 3, 2015 Public Hearing Report)

b. Record of Public Consultation and Engagement Events

The following section provides a synopsis of the process and events used to secure input from both the public and technical perspectives. This consultation included public meetings/open houses, the work with the Task Force, updates to Committee of the Whole and meetings of the Technical Advisory Committees and the staff working group.

- i. **The Kick-off Meeting-** The initial public consultation meeting/public open house took place on the evening of May 27, 2013. Located at City Hall, it was attended by

approximately 20 people. The Kick-Off meeting introduced the policy context and reason for initiating the study, including the requirement of Bill 140, *Strong Communities through Affordable Housing Act, 2012*. The presentation was followed by a question and answer session allowing those in attendance to voice their opinions and concerns. Finally, it provided an opportunity to inform the audience of the recruitment process for the members of the Secondary Suites Task Force. Those interested in joining were provided information on how to apply and the application deadline. Applicants were subsequently reviewed and approved by Council.

- ii. **Workshop Meetings** - The second Public Open House/Workshop was held in two sessions on the evenings of December 2nd and 4th, 2013. The December 2nd session was held at City Hall (for residents east of Highway 400); and, the December 4th session was held at the Vellore Community Centre (for residents located west of Highway 400). The two sessions allowed attendees ease of access based on where they resided. As the second Public Open House included a workshop component having two sessions allowed for smaller groups where all participants had a greater opportunity to take part in the discussions. There were two main objectives to the second Public Open House; first, to provide an opportunity to share information on secondary suites and second, to hear from the participants on how best to develop a “Made in Vaughan” approach to addressing the matter of secondary suites.
 - iii. **Presentation of the Draft Official Plan Policies and Zoning Regulations** - The third and final Public Open House was held on April 2, 2014 and provided staff and the consulting team with the opportunity to introduce the draft Official Plan policies and Zoning regulations to the public. This open house allowed for discussion and feedback on the subsequent implementation measures. Staff and the Project Team began the meeting with a presentation which introduced the study and the process undertaken to develop the draft Official Plan policies and Zoning regulations. Following the presentation an extensive question and answer session took place where members of the Project Team sat as a panel prepared to answer questions from the audience respecting the draft policies and regulations and the further processing of the study.
- c. Reports to Council
- Throughout the study process staff provided Council with status updates mapping out the progress made during the course of the study. Staff reported to Council, Committee of the Whole and Committee of the Whole (Working Session) on 6 separate occasions: January 25, 2010; February 16, 2010; June 5, 2012; May 7, 2013; December 3, 2013; December 2, 2014; and, the March 3, 2015 statutory Public Hearing. Aside from the status updates identified above, staff also provided a memorandum to the Mayor and Members of Council on March 28, 2014 advising of the ‘buck-slip’ and the draft Official Plan policies and Zoning regulations.
- d. The Secondary Suites Task Force

A key component of the City-wide Secondary Suites Study was the recruitment and operation of the Secondary Suites Task Force, which assisted in the development and evaluation of Secondary Suite options and policies. The Secondary Suites Task Force was facilitated and supported by information provided by SHS Consulting (in association with Planning Alliance), City Staff (Project Team) and guest speakers from the Secondary Suites Technical Advisory Committee (TAC) and other stakeholders (e.g. Ministry of Municipal Affairs and Housing, York Region, MPAC). The Secondary Suites Task Force was responsible for reviewing and providing comments on a range of planning and development issues relevant to secondary suites. The Task Force provided Council with its recommendations based on their experience and knowledge and the information gathered through the study process and its findings. The recommendations proceeded to Council on December 2, 2014.

The number of Secondary Suites Task Force meetings was increased and budgeted for as a result of Council's action on December 10, 2013. The original work plan provided for three Task Force meetings. It was augmented by the addition of four meetings to bring the budgeted total to seven meetings. The Secondary Suites Task Force met on the following dates: July 25, 2013; September 26, 2013; October 24, 2013; November 21, 2013; January 30, 2014; March 20, 2014; and, April 24, 2014. (See Attachment 6, March 3, 2015 Public Hearing report for details on each meeting.)

The delivery of the Secondary Suites Task Force recommendations to Council at the December 2, 2014, Committee of the Whole meeting concluded the Task Force's responsibilities as established in the Secondary Suites Task Force Terms of Reference. Having been appointed by Council, the Secondary Suites Task Force mandate ended with the conclusion of the term of the last Council.

The Secondary Suites Task Force was thanked for their contribution, by resolution in the March 3, 2015 report prepared for the statutory Public Hearing. For a detailed response to each Task Force recommendation see Attachment 4.

e. The Project Team

The Policy Planning and Environmental Sustainability Department with the participation of the Building Standards Department, By-law and Compliance, Licensing and Permit Services, and the Vaughan Fire and Rescue Service, worked with the consulting team (consisting of SHS Consulting and the Planning Alliance), to form the Project Team. The Project Team was responsible for providing technical support to the Secondary Suites Task Force on key issues and topics respecting secondary suites. The Project Team met on a monthly basis to discuss concerns raised by the Task Force and on issues related to the study. In addition to the work with the Task Force, the project team was also responsible for analyzing information respecting best practices, the review of legislation and the provision of technical input into the policy development process. This information gathering and analysis is reflected in the City of Vaughan Secondary Suites Policy Development Policy Report dated January 2015, prepared by SHS Consulting in association with the Planning Alliance. (See Attachment 6 to this report)

f. The Technical Advisory Committee (TAC)

In addition to the Task Force, a Technical Advisory Committee (TAC) was also established. The TAC consisted of internal City departments and divisions including Building Standards, Development Planning, the Vaughan Fire and Rescue Service, By-law and Compliance, Licensing and Permit Services, Development Engineering and Infrastructure Planning, Accessibility Vaughan, Community Services, Legal Services, Finance, and, Economic Development.

The TAC also included participation of external agencies such as York Region Long Range Planning, York Region Catholic and York Region District School Boards, York Regional Police, BILD, Canada Mortgage and Housing Corporation (CMHC), and the Ministry of Municipal Affairs and Housing (MMAH) currently known as the Ministry of Municipal Affairs. The first TAC meeting was held on August 20, 2013.

The role of each TAC member was to provide technical expertise in their specific area of knowledge throughout the study process. As part of the policy development phase of the study, the TAC also had an opportunity to review and comment on the Summary of Key Issues and Draft Potential Approaches chart (prepared by the consulting team) and provide a technical perspective on the efficacy of the potential approaches.

g. The Secondary Suites Implementation Team (SSIT)

In May of 2016, an inter-departmental team comprised of Policy Planning and Environmental Sustainability, Development Planning, Building Standards Department, By-law and Compliance, Licensing and Permit Services, and Vaughan Fire and Rescue Service, the Office of the City Solicitor, and Corporate Communications was formed. SSIT worked closely with an external consultant, DeLoyde Development Solutions. Building upon the initial work undertaken by the Project Team (including SHS Consulting in association with Planning Alliance) and the Task Force, DeLoyde Development Solutions was engaged to identify best practices respecting administrative measures in various comparable municipalities across Ontario and to provide a report with recommendations that are tailored for the City of Vaughan on the vital components of a successful secondary suites readiness and implementation strategy.

5. Issues Identified through the Consultation Process

The draft Official Plan policies and Zoning By-law standards evolved from information gathered through the Task Force Meetings, the public consultation process, input from the TAC, an online survey, comments received from members of Council at the Committee of the Whole (Working Session), and research conducted on best practices and market analysis. Based on this information, four thematic areas emerged as priority consideration, including:

- a) Neighbourhood Character;
- b) Health and Safety;
- c) Strain on Infrastructure; and,
- d) Community Awareness.

In addition to informing the *Planning Act* related matters (the Official Plan and Zoning By-law), the process also identified the need to address a number of practical considerations related to the implementation of a secondary suites program. Being administrative and regulatory in nature these matters needed to be addressed and the required measures put in place prior to the enactment of the Official Plan and Zoning By-law amendments.

Since the March 3, 2015 statutory Public Hearing, further consideration has been given to each of the four thematic areas resulting in further clarification of the issues and the City's approach to addressing them, as set out below.

- a. Neighbourhood Character: In consideration of Neighbourhood Character the following issues were raised; i) Location; ii) Parking; iii) Absentee Landlords; iv) Property Standards; and, v) Enforcement of Municipal By-laws. Additional details are provided below:

- i. **Location** – The issue of where secondary suites should be located came about as a result of concerns over their potential location in higher density neighbourhoods. In response, it was determined that secondary suites should not be restricted based on a specific land use designation or zone or exclusively in a specified existing housing type. Instead, a criteria based approach was considered to be the best solution. In other words, if a ground related dwelling unit could meet a certain set of criteria (development standards) a secondary suite would be permitted. However, upon further review and consideration, it was determined that secondary suites should not be permitted within the City's Special Policy Area (SPA) as shown on Schedule 8 of VOP 2010 due to life safety issues. Secondary suites will not be a permitted use within ground related condominium developments, where it is unlikely that the established zoning standards can be achieved. The location of a secondary suite has been addressed by the standards contained in the draft Zoning By-law.

- ii. **Parking** – The matter of parking was raised as a major concern by a number of stakeholders as it impacts on-street congestion and the appearance of a property (in instances where the paving of front yards significantly reduces landscaping). Through presentations provided by City staff to the Task Force, the issue of parking was discussed, particularly in the context of newer neighborhoods that were designed using new urbanism and alternative right-of-way standards. Consideration was also given to what the appropriate number of parking spaces should be, or if any additional spaces would be required. Currently, single, semi-detached and townhouse dwellings require a minimum of 2 to 3 parking spaces, depending on the zoning category. The practicality of enforcement of a dedicated secondary suite parking space on private property once a secondary suite was permitted was also assessed. It was determined that requiring a minimum of three parking spaces on a lot before a secondary suite is permitted was considered to be the best approach. The number of required parking spaces has been addressed in the draft Zoning By-law through the criteria outlined in the development standards for a secondary suite.
 - iii. **Absentee Landlords** – This issue was raised as a potential cause of declines in property maintenance and appearance. Aside from anecdotal examples, there is little concrete evidence of any negative impact on neighbourhood character. Furthermore, neither an Official Plan policy nor the Zoning By-law, the two tools available through the *Planning Act*, can address the issue of absentee landlords. In addition, there are no other Provincial or Municipal regulations related to absentee landlords.
 - iv. **Property Standards** – Another concern that was raised respecting neighbourhood character was the overall impact that a secondary suite may have on neighbourhood appearance by possibly altering the exterior facade of any existing residential dwelling. Concerns of increased levels of garbage and noise were raised as was the requirement for a separate exterior entrance, and where the entrance would be located or how it would be accessible. Requirements for a separate entrance and the location of the entrance have been addressed in the draft Zoning By-law. (See Attachment 2).
 - v. **Ensuring Local By-laws are enforced** – There are municipal by-laws in place to address property standards. The current enforcement of property by-laws is predominately dealt with on a complaint basis. There are concerns that any additional work stemming from the regulation of Secondary Suites will result in resource issues for the affected departments (e.g. staffing levels). Although this matter is beyond the scope of the land use planning exercise further information is available in Section 7 of this report.
- b. Health and Life Safety: Concerns respecting Health and Life Safety are paramount and were raised respecting; i) Ensuring the safety of Secondary Suites for Tenants; ii) Insurance for Tenants; and, iii) Ensuring Neighborhood Safety:
- i. **Ensuring the Life Safety of Secondary Suites for Tenants** – Secondary suites must comply with all applicable regulations including the Fire Code, Building Code, and related City By-laws. The administration and enforcement of regulations provides challenges associated with the limited power of entry as prescribed within the applicable legislation and may require additional resources to ensure timely response. Furthermore, it should be clarified that only those landlords who undertake the compliance process (e.g. zoning conformity, building permit approval, and fire code compliance) and maintain their secondary suites at the required standard can be considered safe. Through the public consultation process the Project Team heard that there was a desire for a monitoring program, in the form of a registration or licensing regime, which would have an associated fee. The fee charged should not be so onerous that it works as a deterrent to identifying the suite, making it safe in accordance with all code requirements. The

decision on how best to monitor and the parameters to monitoring secondary suites will be discussed further in Section 7 of this report.

- ii. **Insurance for Tenants** – A suggestion was made by the stakeholders that tenants be required to have insurance. Requiring that either the landlord or tenant have and provide proof of insurance goes beyond the scope of the planning exercise as it is not a land use matter to be dealt with through the zoning by-law or an official plan policy. The issue of tenants insurance was a consideration if it was determined that the City should proceed with a licensing regime. Staff recommends not creating a licensing regime and instead has opted for tracking permitted secondary suites using existing tools such as the permit information system. For further information respecting the preferred option please refer to Section 7 of this report.
- iii. **Ensuring Neighbourhood Safety** – Stakeholders expressed a general concern over ensuring that neighborhoods remain safe.
- c. Strain on Infrastructure: The potential strain on infrastructure, including both soft and hard services was also raised as an issue. Through the presentations and discussion with TAC members it was confirmed that the City's water and wastewater capacity is sufficient to accommodate secondary suites. Furthermore, permitting secondary suites could result in better data on the number and general location of units, which can assist in the future planning of soft services such as community services and institutional uses. For further information on the data collection method, refer to Section 7 of this report.
- d. Community Awareness: Community Awareness as a focus for discussion addressed the following issues; i) Public Education; ii) Understanding the Legislation/Regulatory Framework; and iii) Understanding the Costs of creating compliant Secondary Suites.
 - i. **Public Education** – Residents and stakeholders expressed the need to introduce an education campaign as part of the implementation program for permitting secondary suites. This campaign would set out the process for recording new secondary suites; the standards that would have to be met, (e.g. Code requirements, by-laws); and, application and submission requirements. A Public Education campaign will be discussed further in Section 7 of this report.
 - ii. **Understanding Legislation/Regulatory Framework** – Above and beyond the Official Plan policies and Zoning By-law regulations being developed to permit secondary suites, there is a body of legislation related to the rights and responsibilities of both landlords and tenants. Links to this information should be provided through an education program.
 - iii. **Understanding the Costs of Creating Compliant Secondary Suites** – Potential secondary suite providers should be aware of the impact of a secondary suite on their property tax and property value when considering the introduction of a secondary suites. Links to this information or relevant resources such as MPAC should be part of this program.

6. Process Undertaken by the Secondary Suites Implementation Team (SSIT)

Following the March 3, 2015 statutory Public Hearing and in recognition of the need for a planned approach to implementation, which was determined by the earlier work conducted by the Project Team, staff took several steps towards the development of an implementation strategy. These steps included:

- a. Creating an inter-departmental committee called the Secondary Suites Implementation Team (SSIT) to begin preparations for the implementation of Vaughan's new secondary suite regulations and to provide guidance and subject matter expertise to an external Consultant to

be retained to develop the strategy. SSIT is comprised of various City departments including, Policy Planning and Environmental Sustainability, Development Planning, Buildings Standards, Vaughan Fire and Rescue Service and By-law and Compliance, Licensing and Permit Services.

- b. Retaining an external consultant, DeLoyde Development Solutions in May 2016, to research and identify best practices for secondary suite programs in large Ontario municipalities and to make recommendations on the vital components of a successful Secondary Suite implementation strategy.

DeLoyde Development Solutions delivered the final report titled Secondary Suites Readiness and Implementation Strategy in October 2016 (see Attachment 3). The report is designed to provide a strategy for secondary suites implementation consistent with Council's expectations, the City's Secondary Suites Task Force findings, previous staff and policy consultant reports, provincial policy and municipal best practices.

7. DeLoyde Development Solutions, Report Methodology, Findings and Recommendations

a. Methodology

As a first step, DeLoyde Development Solutions completed an extensive background document review of Vaughan's Secondary Suites study, including the draft Official Plan policies, staff reports, Secondary Suites Task Force Recommendations, draft Secondary Suites Zoning By-law regulations, the SHS Consultants report, and the minutes of the 2015 statutory Public Hearing on Secondary Suites.

Subsequently and with the advice of the SSIT, DeLoyde Development Solutions prepared a list of 10 municipalities for the purpose of best practice research based on various factors, including geographical location, population and experience with an operating secondary suites program. DeLoyde Development Solutions reviewed the Secondary Suite Official Plan and Zoning regulations and websites of the target municipalities to gain an understanding of their regulatory regime and communications strategies prior to developing a questionnaire and making contact with the concerned staff of those municipalities. An average of three representatives from the municipalities were contacted.

Municipalities that responded to the best practices questionnaire were: Markham and Richmond Hill (York Region), Brampton and Mississauga (Peel Region), Oakville and Burlington (Halton Region), Oshawa (Durham Region), Toronto, Guelph and Ottawa.

b. Findings

Three main themes emerged from the best practices research among surveyed municipalities, as set out below that helped inform the recommendations contained in the Secondary Suites Readiness and Implementation Strategy report:

- i. **Achieving Excellence in Communications and Public Education:** Best practice municipalities make it easy for the public to understand the rules and procedures involved in creating secondary suites or bringing their units into compliance with the applicable laws. Effective communications ensure that tenants, landlords and builders understand the life safety and compliance implications of establishing secondary suites and the benefits of obtaining permits.

- ii. **Selecting a Preferred Secondary Suite Code Compliance Approach:** Clarity and consistency of regulatory compliance methods was a very important consideration for the surveyed municipalities. The preferred method was to apply the Ontario Building Code and Ontario Fire Code in effect with the year of construction of the secondary suites. This method is explained in detail under sub-section c. below.
- iii. **Organizational Readiness:** Organizational readiness came out as another important aspect of implementation strategy. Best practice municipalities ensure that staff is trained on new regulatory changes and procedures. Similarly, different departments involved in the regulation of secondary suites work collaboratively as a team in helping citizens understand the regulatory requirements.
- c. Recommendations Contained in the Secondary Suites Readiness and Implementation Strategy Report

Based on the best practice review of target municipalities, the recommendations can be categorized under the following themes:

- i. Record Keeping and Monitoring;
 - ii. Administrative Process and Technology Enhancements;
 - iii. Customer Service and Operational Readiness;
 - iv. Regulatory Compliance and Enforcement;
 - v. Financial Impact; and
 - vi. Public Education
- i. Record Keeping and Monitoring: New administrative and technological procedures will need to be developed and implemented in order to ensure that Secondary Suites related building permit applications are recorded and processed in a manner that ensures consistency and good data collection practice. There are number of potential record keeping methods identified in previous policy reports such as registration and licensing. Based on best practices review of target municipalities and consideration of other factors including citizen experience, the most effective method recommended in the Secondary Suites Readiness and Implementation Strategy report and by Staff is:

- *A register of secondary suites be created in Vaughan's property information system to ensure good record keeping of building permit applications.*

The implementation of this method means that secondary suite information is recorded in the building permit and property information system (AMANDA) when a building permit application is made by an applicant. This method is already in use for other type of building occupancies including, residential, industrial and commercial projects. However, a unique identifier/code will be created in the property information system for secondary suites. This method is simple, relatively easy to implement and is cost effective because it leverages existing technology. There are several municipalities who utilize this method of record keeping as identified in the Secondary Suites Readiness and Implementation Strategy. In comparison, licensing, which is another method of recording information, is more onerous and less effective in regulating secondary suites. None of the municipalities surveyed uses licensing as a method of record keeping.

Data on secondary suites can be generated by staff from the property information system for generating reports and tracking data. Such information can also be shared with other City departments and public agencies as needed. Similarly, demands placed on enforcement activities will also be monitored by the impacted enforcement departments to determine future resource implications. The Secondary Suites Readiness and Implementation Strategy report recommends that the Secondary Suites Implementation Team steer the start-up, implementation, communications and customer service issues to

ensure a smooth transition from the current regulatory system that does not permit Secondary Suites.

- ii. Administrative Processes and Technology Enhancements: In order to ensure that regulatory requirements and policies are consistently applied by City staff, the Secondary Suites Readiness and Implementation Strategy report recommends that:

- *Standard operating guidelines be created by staff to guide secondary suite approvals prior to the effective date of the new secondary suites zoning regulations.*

Standard Operating Guidelines (SOGs) are internal documents prepared for City staff to standardize operations. Consistency of operational practice demonstrates professionalism and provides superior customer service to citizens. SOGs will be prepared by impacted enforcement departments, namely Building Standards Department, Vaughan Fire and Rescue Service and By-law and Compliance, Licensing and Permits.

The effective implementation of the Secondary Suite regulations will be reliant on a robust property information system that optimizes the use of the available technology. In this respect, the Secondary Suites Readiness Implementation Strategy report recommends:

- *All existing secondary suite databases in the Fire, Building Standards and By-law and Compliance, Licensing and Permit Services departments be consolidated in Vaughan's existing property information system.*
- *Vaughan's property information system database be linked to the City's geographic information system (GIS) when the system is available in future.*

An integrated property information system will ensure easy retrieval of information and generation of Secondary Suite statistics. However, in order to achieve this goal, modifications and enhancements will be required to the existing property information system. Staff will assess the resources required to implement such changes.

- iii. Customer Service and Operational Readiness: Upon enactment of the Zoning by-law, City staff can expect an increasing number of enquiries and permit applications. All impacted departments must be prepared to deal with such enquiries as the public expects prompt, courteous and accurate information. Therefore, the Secondary Suites Readiness and Implementation Strategy report recommends that:

- *Front-line customer service staff and designated approval professionals be fully trained prior to the effective date of the new secondary suites zoning regulations.*
- *An expert inter-departmental staff team, comprised of Building, Fire and By-law Enforcement staff, be created to process secondary suite approvals and that citizens and builders should be able to access secondary suite services quickly and efficiently.*

There will be a need for enhanced coordination among impacted departments to ensure that the awareness of the regulatory changes and approval processes is consistent throughout the Corporation. A training session will be led by the Building Standards Department involving other departments for Staff identified by Departments as having a role in Secondary Suites Implementation.

- iv. Regulatory Compliance and Enforcement: Upon enactment of the new Zoning By-law, owners and citizens are expected to come forward when proposing to construct a new Secondary Suite or make an existing Secondary Suite compliant with applicable laws.

The following recommendation is contained in the Secondary Suites Readiness Implementation Strategy report:

- *The three-stream approval approach outlined in Option 1 in Section 3.2 of this report be implemented.*

This approach ensures that the City apply the Ontario Building Code and Ontario Fire Code requirements commensurate to the year of construction of the Secondary Suite as per provincial legislations. Any secondary suite constructed on or prior to July 14, 1994 is required to comply with the Fire Code requirements on fire safety. Any Secondary Suite constructed after that date will be required to comply with the more enhanced Building Code requirements on health and safety. This approach not only facilitates compliance with provincial legislations but is also expected to reduce construction costs for the owners in many cases. Furthermore, By-law and Compliance, Licensing and Permit Services through the inter-departmental staff team will have carriage of enforcement related activity relating to the new Zoning By-law regulations once passed. For more details and advantages of this approach, refer to Attachment 3, Option 1 of Section 3.2.

- v. Financial Impact: DeLoyde Development Solutions has noted in the report that none of the surveyed municipalities imposed any substantial fees for processing Secondary Suite permit applications. The rationale being that minimal fees encourage owners to come forward and seek compliance with applicable laws. Therefore, the Secondary Suites Readiness and Implementation Strategy report recommends that:

- *Vaughan's existing building permit fees schedule be applied to secondary suites.*

No new fees are being proposed and existing building permit fee schedule applicable to residential dwellings will apply.

The Building Standards Department will be the primary point of contact for building permit applications and therefore it is critical that as an initial step to support the implementation of the program, the department has the necessary resources to deal with the anticipated surge of Secondary Suite enquiries and applications. In anticipation of this surge, Secondary Suites Readiness and Implementation Strategy report recommends:

- *Two additional staff resources be secured by the Building Standards Department to respond to the anticipated demand for approvals of existing and future secondary suites and that management monitor the volume and turnaround times of secondary suite approvals and make any necessary resource adjustments.*

New staffing resources are expected to be required in processing the increase in volume of Building Permit applications without negatively impacting customer expectations and to facilitate the issuance of building permits within legislative timeframes. A full resource assessment analysis for all three affected enforcement departments (Building Standards, Vaughan Fire and Rescue Service and By-law and Compliance, License and Permit Services) will be conducted following the endorsement of this report by the Council. The need for additional staff resources and funding options, if required will be dealt with in a future report to a Finance, Administration and Audit Committee of Council meeting. With respect to the Building Standards Department, as the departmental operations is fully funded by Building Permit fees and Building Standards Continuity Reserve, the financial impact of supporting any new approved positions will be managed through the existing building permit fee revenues, with no financial impact on the municipal tax base. However, any additional resources within Vaughan Fire and Rescue Service and By-law and Compliance, Licensing and Permit Services are independent of the above and will

need to be considered through the appropriate Additional Resource Request process, within the appropriate annual budget cycles.

vi. Public Education: Public education is a key element of the implementation strategy and Secondary Suites Readiness and Implementation Strategy report recommends:

- *Vaughan's new secondary suites approval and compliance system be easy to understand by stakeholders.*
- *The compelling life safety reasons for bringing secondary suites into compliance with Ontario's Building and Fire Codes be highlighted in the secondary suite public education program.*
- *The City of Vaughan's website and e-communications channels be used to communicate secondary suite related education materials, application forms, zoning information and approvals process flow charts.*
- *Vaughan's Corporate Communications take the lead in concert with the Secondary Suites Implementation Team in executing the internal and external communications and public education strategies outlined in Appendix 1 of DeLoyde Development Solutions report.*

Corporate Communications, in consultation with the Secondary Suites Implementation Team, will be developing public education material that will consider all the above recommendations contained in the Secondary Suites Readiness and Implementation Strategy report. In addition, the public education materials will also be informed by the recommendations in the 2015 SHS Planning report. The key messaging will revolve around public safety, housing affordability, and Vaughan's streamlined approval process. Staff will keep the messaging simple, easy to understand and accurate.

The Region of York has a mandate of advancing affordable housing options. The City has approached the Region regarding their interest and involvement in public education.

8. Planning Tools to be Applied to Secondary Suites

The purpose of the City-wide Secondary Suites Study was to develop new Official Plan policies, Zoning By-law regulations, and to identify other regulatory tools necessary to permit secondary suites. The Official Plan policies and Zoning By-law regulations are the land use planning tools that will regulate where secondary suites will be permitted and their physical form, including unit size, building access, parking requirements and impact on the external aesthetics of the dwellings and hence the neighbourhoods. A draft set of Official Plan policies and Zoning By-law regulations, which reflect input from the Task Force, were made available for comment at the April 2, 2014 Public Open House. Subsequently, the Project Team and the Secondary Suites Task Force further advanced the development of the draft Official Plan and Zoning By-law amendments to bring them to the public for further comment at the statutory Public Hearing which took place on March 3, 2015. These policies and regulations are further summarized as recommended policies and tools in sub-section 4.2.1 and 4.2.2 of the City of Vaughan Secondary Suites Policy Development, dated January 2015 and prepared by SHS Consulting in association with Planning Alliance.

Following the March 3, 2015 Public Hearing, further work was conducted to refine both the draft Official Plan and Zoning By-law amendments.

a. The Recommended Secondary Suites Official Plan Policies (Attachment 1)

In response to the issues identified and upon further consideration and review, policy language has been modified to create consistency with VOP 2010. Additional policy language itemized as policies 'c' and 'd' have been added to the draft Official Plan Amendment, building on the policies proposed in the Public Hearing report (see Attachment 6). The amendment provides for the following:

- "1. Deleting Policy 7.5.1.4 d. ("allowing secondary suites where deemed appropriate by a City-initiated study.")
2. Adding the following new Policy 7.5.1.5 and renumbering the existing Policies 7.5.1.5, 7.5.1.6 and 7.5.1.7 accordingly:

7.5.1.5 Secondary Suites shall be subject to the following policies:

- a) A Secondary Suite shall only be permitted on a lot developed with a detached house, semi-detached house or a townhouse. The implementing zoning by-law will establish standards that must be met before a secondary suite can be considered to be in conformity with the official plan and zoning by-law.
- b) That a secondary suite may be permitted in a detached house, semi-detached house or townhouse, or on a lot where the use is a residential detached house, semi-detached house or townhouse provided that:
 - i. A maximum of one secondary suite shall be permitted;
 - ii. All requirements of the Ontario Building Code, Fire Code and City By-laws are satisfied.
- c) Where permitted, a Secondary Suite shall only be located on the same lot as the detached house, semi-detached house or townhouse.
- d) Any additions or alterations that impact the exterior elevations of a detached house, semi-detached or townhouse resulting from the development of a secondary suite on a residential lot located within a Heritage Conservation District shall be subject to Site Plan Control pursuant to the *Planning Act*, Section 42 of the Ontario Heritage Act and and Heritage Vaughan approval.
- e) Vaughan Council may adopt further regulatory measures regarding the implementation of a program to permit secondary suites in accordance with the policies of this Plan. Such measures may include, but not be limited to, the monitoring and provision of public education.

7.5.1.6 That notwithstanding the policies of 7.5.1.5 a) through to e) secondary suites shall not be permitted on the lands subject to the Special Policy Area as shown on Schedule 8, titled Special Policy Areas of this Plan."

b. The Recommended Secondary Suites Zoning Standards (Attachment 2)

In keeping with the concept of criteria based zoning standards, the following zoning standards are recommended.

i. Definitions:

Initially the definitions for Single Family Detached Dwelling, Semi-Detached Dwelling and Duplex Dwelling were all considered for revision. Upon further consideration and consultation with the Zoning Section of the Building Standards Department, it was determined that these definitions would remain and if necessary will be reviewed and revised through the comprehensive review of By-law 1-88 which is currently underway.

The final version of the draft zoning by-law has provided the following definition for "SECONDARY SUITE".

"SECONDARY SUITE – Means an accessory dwelling unit which is located within a Single Family Detached, Semi-Detached or Street Townhouse dwelling unit."

ii. Regulations and Standards:

1. The Public Hearing report noted that Section 3.8, "Parking Requirements", needed to be amended to add the following: "Residential – Single Detached, Semi-Detached, Street Townhouse with Secondary Suite" as a type of use with a minimum of "3.0 parking spaces per dwelling unit". Parking standards required for residential units have already been addressed in By-law 1-88. Therefore, including a clause in Section 4.1.8 requiring a minimum of three parking spaces be provided on a lot where a secondary suite is located was sufficient. It should be noted that the requirement for three parking spaces is not specific to the secondary suite, but for the principal residential use. An example of this would be where the existing residential lot already provides three parking spaces; no additional space would be required for the proposed secondary suite. One of the provisions set out in sub-section 4.1.8 establishes the requirement for parking.
2. In Section 4.1, "General Provisions" for Residential Zones, include a new Sub-section entitled "4.1.8 Secondary Suites" stating that one (1) Secondary Suite may be permitted accessory to a Single Family Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling unit, subject to the following provisions:
 - a) The addition of a Secondary Suite in a Single Family Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling shall not change the use of the subject lands;
 - b) A maximum of one (1) secondary suite shall be permitted;
 - c) A minimum 9.0 metres of frontage is required;
 - d) The minimum gross floor area of a secondary suite shall be 35 square metres;
 - e) A secondary suite shall not occupy more than forty-five percent (45%) of the above finished grade gross floor area of the dwelling within which it is located;
 - f) Entrances to secondary suite shall:
 - Be separate from the main entrance to the Single-Family Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling, either as separate exterior entrance located on the side or rear elevation of a dwelling or from a common indoor vestibule;
 - Be accessible from the street via a paved walkway or driveway;
 - Not be located closer to the front lot line than the main entrance of the residential dwelling unit on the abutting lot; and,
 - Be setback a minimum of 1.2m from the interior side lot line, except where the minimum interior side yard setback requirement to an entrance is greater.
 - g) New entrances for secondary suites in existing dwellings shall not be permitted on the façade facing a public or private road; and,

- h) A secondary suite will not be permitted in the same Single Family Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling unit accommodating Boarders, or containing a Home Occupation, Private Home Tutor, Private Home Daycare, Bed and Breakfast Establishment, or Correctional or Crisis Care Group Home.
- 3. Add a provision to Section 4.1.5: "A home occupation will not be permitted in a dwelling unit where a secondary suite has been permitted."
 - 4. Notwithstanding any of the provisions listed above, secondary suites shall not be permitted in the Woodbridge Special Policy Area (SPA). A schedule outlining the lands subject to the SPA will be attached and form part of the implementation by-law. This provision is in keeping with VOP 2010 policies in Section 7.3.2 of Part B of the Woodbridge Centre Secondary Plan which states:
 - "j. Notwithstanding new lot or unit creation shall be prohibited in the Low-Rise Residential designation of the Special Policy Area."
 - and
 - "k. Notwithstanding intensification shall be prohibited in the Low-Rise Residential designation in the Special Policy Area."
 - 5. It should be noted that reference to where secondary suites may be permitted has been limited to "...within a Single Family Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling..."

Secondary suites in detached garages are recognized as one option for where a secondary suite can be located. However, further review of best practices respecting secondary suites in detached garages revealed that there has been limited application of this option throughout the GTA. It is typically challenging to retrofit existing structures due to Ontario Building Code (OBC) requirements. As a result, staff are generally not supportive of such a situation. However, staff will further consider the permission for secondary suites within a detached garage including criteria and standards that would have to be met taking into consideration the OBC and other relevant requirements and if determined to be appropriate will provide zoning provisions at a future date in conjunction with the comprehensive review of Zoning By-law 1-88.

The information referenced above in sub-Sections 8a. and 8b of this report has been included in the recommended Official Plan and Zoning By-law amendments attached to this report as Attachments 1 and 2.

c. Site Plan Control By-Law

In addition to the creation of draft Zoning By-law regulations, By-law 123-2013, the Site Plan Control by-law will also require amendment to address the requirement for site plan approval related to secondary suites within Heritage Conservation Districts. The draft Official Plan Amendment also provides policies related to the requirement for Site Plan approval in the Heritage Conservation Districts.

Minor amendments to an approved site plan for street townhouse units will not be required for a door to a unit to facilitate a secondary suite.

9. Next Steps Related to the Secondary Suites Implementation Strategy

Following Council's endorsement and direction to staff, the Secondary Suites Implementation Team working with Corporate Communications will proceed with implementing the Strategic measures outlined in this report based on the following work plan:

Contingent Work Plan*

Activities	Lead Departments	Estimated Target Timeframe
Public education material to be prepared and made available to the general public	Corporate Communications assisted by Secondary Suites Implementation Team	Q2 2017
Standard Operating Guidelines and Enforcement Protocols	Building Standards, Vaughan Fire and Rescue Service, By-law and Compliance, Licensing and Permit Services	Q2 2017
Resource Assessment and Funding	Building Standards, Vaughan Fire and Rescue Service, By-Law and Compliance, License and Permit Services	Q2 2017
Staff Training	Building Standards, Vaughan Fire and Rescue Service, By-law and Compliance, License and Permit Services, Access Vaughan	Q2 2017
Changes to building permit and property information system	Building Standards Department, Office of the Chief Information Officer	Q3 2017
Zoning By-law enactment	Policy Planning and Environmental Sustainability	Q3 2017
Progress report to Council	Secondary Suites Implementation Team	Q4 2020

* This timetable assumes that the enactment of the Secondary Suites Zoning regulations comes into effect in Q3 2017. Should the enactment date change, the subsequent time frames will be adjusted accordingly.

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

This report is consistent with the Term of Council Service Excellence Strategy objective to:

- Create and manage affordable housing options (secondary suites)

Regional Implications

Representatives from the Long Range Planning Division at the Region of York were represented on the Technical Advisory Committee (TAC) and have presented at the Secondary Suites Task Force Committee. This report also responds to direction provided in the York Region Official Plan in regard to the provision of affordable housing, including secondary suites.

Conclusion

Staff have worked closely with key members of the Technical Advisory Committee and Project Team in developing the final draft of the Official Plan and Zoning By-law amendments while taking into consideration the comments received from the public and Council at the Public Hearing. In addition to the *Planning Act* matters, it will be necessary to address a number of administrative issues resulting from the Task Force's Recommendations. The proposed administrative measures necessary to implement the Secondary Suites policy have been addressed through the Secondary Suites Implementation Strategy and are set out in this report.

This effort is being led by the Secondary Suites Implementation Team comprised of various City departments. It is the intent that the measures being recommended by the Secondary Suites Implementation Team be in place coincident with the Zoning Amendment coming into force. Therefore it is recommended that the recommendations of this report be approved to proceed with the finalization and implementation of the City's Secondary Suites Strategy.

Attachments

1. Draft Official Plan Amendment
2. Draft Zoning By-law Amendment
3. Secondary Suites Readiness and Implementation Strategy Report, dated October 28, 2016, prepared by DeLoyde Development Solutions
4. Staff Follow-up Response to Task Force Recommendations
5. Staff Follow-up Response to Summary of key issues and Draft potential approaches related to implementation identified in SHS Consulting report
6. Statutory Public Hearing Report, dated March 3, 2015

Report prepared by:

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Respectfully submitted,

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/lm

ATTACHMENT # 1

AMENDMENT NUMBER 13 TO THE VAUGHAN OFFICIAL PLAN 2010 OF THE VAUGHAN PLANNING AREA

The following text constitutes Amendment Number 13 to the Vaughan Official Plan 2010 of the Vaughan Planning Area.

Also attached hereto but not constituting part of the Amendment is Appendix "I"

Authorized by Item No. _____ of Report No. _____
of the _____ (date) _____ Committee of the Whole
Adopted by Vaughan City Council on _____ (date) _____ .

I PURPOSE

To amend the provisions of Volume 1 of Vaughan Official Plan 2010 to permit secondary suites located in and accessory to a detached house, semi-detached house, or townhouse on a residential lot, subject to specific criteria to be established in the City of Vaughan's Comprehensive Zoning By-law, By-law 1-88.

II LOCATION

This Amendment applies throughout the City of Vaughan, except for lands shown on Schedule 8 of Vaughan Official Plan 2010 being the Woodbridge Special Policy Area and being a general amendment to the text of Volume 1 of Vaughan Official Plan 2010.

III BASIS

The decision to amend the Official Plan is based on the following considerations:

The Province of Ontario, Region of York, and City have all committed to addressing the issue of housing affordability through various policies. One such measure is permitting secondary suites as-of-right in local municipalities. Secondary suites are generally defined as: "a self-contained residential unit located within and accessory to a residential dwelling. A secondary suite has its own kitchen and bathroom." The policy regime is described below.

1. Bill 140, the *Strong Communities through Affordable Housing Act* affirms the Province of Ontario's interest in pursuing a range of affordable housing options. Secondary suites are identified as one way to meet this need. The Act also addresses the roles and responsibilities of both the provincial and municipal governments in providing for greater production of affordable housing at the local level.

Amendments to the *Planning Act* require municipalities to establish official plan policies and zoning by-law provisions allowing second units in detached, semi-detached and row houses, and in ancillary structures.

2. The York Region Official Plan (ROP) addresses the issue of housing affordability and specifically speaks to secondary suites in Sub-section 3.5.22 by requiring "...local municipalities to adopt official plan policies and zoning by-law provisions that authorize secondary suites as follows:
 - a. The use of two residential units in a house if no ancillary building or structure contains a residential unit; and,
 - b. The use of a residential unit in a building or structure ancillary to a house if the house contains a single residential unit."
3. In keeping with the policies outlined in the ROP requiring local municipalities to incorporate affordable housing where opportunities exist, Vaughan Official Plan 2010 (VOP 2010) has addressed the affordable housing issue and directly references secondary suites. Section 7.5 *Housing Options* states "It is the Policy of Council: "To work with York Region in implementing its affordable housing policies as follows: ..." (7.5.1.2) This section further references secondary suites specifically by stating, "It is the policy of Council: ... To support and prioritize the following housing initiatives: allowing secondary suites where deemed appropriate by a City-initiated study." (7.5.1.4 d) This policy provides the foundation for undertaking the City-wide Secondary Suites Study which forms the basis for this Amendment that introduces the new secondary suites policies into VOP 2010.
4. As required by Section 7.5.1.4 d) of VOP 2010, the City-wide Secondary Suites Study (Study) to develop a policy framework to permit secondary suites was initiated. A major focus of the Study was an extensive public consultation process that included Open House and Workshop meetings, as well as the formation of a citizen's Secondary Suites Task Force. Its purpose was to discuss issues regarding potential secondary suites permissions, develop a series of recommendations and report these findings to Vaughan Council.

In addition, two consultation groups were formed to assist in the development of policies and regulations through the City-wide Secondary Suites Study: A Project Team consisting of relevant City departments, and a team of SHS Consulting and Planning Alliance was created to provide input on key issues and to guide the Study process. The Project Team included representation from Policy Planning and Environmental Sustainability, Building Standards, the By-law and Compliance, Licensing and Permit Services Department and the Vaughan Fire and Rescue Service. A Technical Advisory Committee (TAC) was also established to provide input on specific areas of interest respecting secondary suites. The TAC was comprised of City of Vaughan departments and external agencies involved in the provision of affordable housing, the building and development industry, and public safety fields.

An initial Public Consultation meeting took place on May 27, 2013, when the City hosted an Open House to introduce the Study, as well as recruit members to the Task Force. In December of 2013, the City held two Workshops for residents to discuss specific issues and identify areas of concern regarding where and how to permit secondary suites. A third consultation meeting, in the form of a Public Open House, took place on April 2, 2014, to present draft Official Plan policies and Zoning By-law regulations, obtain public input on the proposed policy framework.

Information gathered throughout the study process from public input at meetings and through an on-line survey, as well as a review of best practices, and presentations provided by members of TAC on a variety of related topics informed the work of the Project Team and Task Force. To support the Public Consultation process, a thorough Communications Plan was executed. Throughout the Study process, the Policy Planning and Environmental Sustainability Department informed Vaughan Council of the progress made at different stages of the Secondary Suites Study.

Six reports were provided to Vaughan Council on the following meeting dates: January 23, 2010; February 16, 2010; May 7, 2013; December 3, 2013; June 5, 2014; and, December 2,

2014. The statutory Public Hearing was held on March 3, 2015. The recommendation of the Committee of the Whole was to receive the Public Hearing report and to forward it to a future Committee of the Whole meeting for a comprehensive report. The recommendation was ratified by Vaughan Council on March 24, 2015 through the approval of the following direction: The Committee of the Whole (Public Hearing) recommends: 1) That the recommendation contained in the following report of the Commissioner of Planning and Acting Director of Policy Planning, dated March 3, 2015, be approved; 2) That the presentation by the Acting Director of Policy Planning and Ms. Jodi Ball, SHS Consulting, East Beaver Creek, Richmond Hill, and C10, presentation material entitled "*City of Vaughan Secondary Suites Study*", dated March 3, 2015, be received; and, 3) That the deputations be received.

5. The comprehensive report was considered by Committee of the Whole on February 7, 2017. Committee of the Whole recommended that the draft official plan amendment be approved and be forwarded to Council for adoption. Vaughan Council ratified the Committee recommendation by approving the following direction.

The amendment was subsequently adopted by Council on _____.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

The Vaughan Official Plan 2010 (VOP 2010) Volume 1 is hereby amended by:

1. Deleting Policy 7.5.1.4.d of VOP 2010 Volume 1 and substituting therefor the following: “allowing *secondary suites* in accordance with Policy 7.5.1.5.”
2. Adding the following new Policies 7.5.1.5 and 7.5.1.6, and renumbering existing Policies 7.5.1.5, 7.5.1.6, and 7.5.1.7 of VOP 2010 Volume 1 accordingly:
“(OPA #13) 7.5.1.5 That a *Secondary Suite* shall be permitted subject to the following policies:
 - a) That a *secondary suite* shall only be permitted on a lot developed with a detached house, semi-detached house, or townhouse. The implementing zoning by-law will establish standards that must be met before the secondary suite can be considered to be in conformity with the official plan and zoning by-law.
 - b) That a *secondary suite* may be permitted in a detached house, semi-detached house or townhouse, or on a lot where the use is a residential detached house, semi-detached house or townhouse, provided that:
 - i. A maximum of one (1) *secondary suite* shall be permitted accessory to a detached house, semi-detached house or townhouse dwelling unit;
 - ii. All requirements of the Ontario Building Code, Fire Code and City by-laws shall be satisfied.
 - c) Where permitted, a *secondary suite* shall only be located on the same lot as the detached house, semi-detached house or townhouse.
 - d) Any alterations that impact the exterior elevations of a building resulting from the development of a *secondary suite* on a residential lot located within a Heritage Conservation District shall be subject to Site Plan Control pursuant to the *Planning Act*, Section 42 of the *Ontario Heritage Act*, and Heritage Vaughan approval.
 - e) Council may adopt further regulatory measures regarding the implementation of a program to permit a *secondary suite* in accordance with the policies of this plan.

Such measures may include, but not be limited to, monitoring of *secondary suites* and provision of public education.

7.5.1.6 That notwithstanding the *Secondary Suite* policies of sub-section 7.5.1.5, *secondary suites* shall not be permitted on the lands subject to the Special Policy Area as shown on Schedule 8 of this Plan.(OPA #13)”

V IMPLEMENTATION

It is intended that the policies of the Vaughan Official Plan 2010 of the Vaughan Planning Area permitting secondary suites shall be implemented by way of an amendment to the City of Vaughan Comprehensive Zoning By-law 1-88, pursuant to the *Planning Act*.

VI INTERPRETATION

The interpretation of provisions of the Vaughan Official Plan 2010, of the Vaughan Planning Area as amended from time to time, shall apply with respect to this Amendment.

APPENDIX I

This Amendment applies to lands within the corporate boundaries of the City of Vaughan, being a general amendment to the Official Plan of the Vaughan Planning Area. On February 7, 2017, Vaughan Committee of the Whole considered a report with the following recommendations from the Deputy City Manager Planning and Growth Management, the Deputy City Manager, Legal and Human Resources, the Deputy City Manager, Community Services, the Director of Policy Planning and Environmental Sustainability, the Director of Building Standards, the Fire Chief, Fire and Rescue Services, the Director of By-law and Compliance, Licensing and Permit Services, and the Director of Corporate Communications to consider the City initiated amendments to Vaughan Official Plan 2010 (VOP2010), which will be ratified by Vaughan Council at the meeting on _____:

ATTACHMENT # 2

Draft Zoning By-law Amendment
City-wide Secondary Suites Study
File: 15.112 (Arminé Hassakourians)

BY-LAW NUMBER - 2017

A By-law to amend City of Vaughan By-law 1-88.

WHEREAS the matters herein set out are in conformity with the Vaughan Official Plan 2010 (VOP2010) of the Vaughan Planning Area, which is approved and in force at this time;

AND WHEREAS there has been an amendment to the Vaughan Official Plan adopted by Council, with which the matters herein set out are in conformity;

NOW THEREFORE the Council of the Corporation of the City of Vaughan **ENACTS AS FOLLOWS:**

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:
 - a) Adding the following definition to Section 2.0 DEFINITIONS in alphabetical sequence:

SECONDARY SUITE – Means an accessory dwelling unit which is located within a Single Family Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling unit.
 - b) Adding the following subparagraph to Subsection 3.20 USE OF RESIDENTIAL LOTS:

“c) In addition to the above, subject to the criteria established in Subsection 4.1.8 Secondary Suite, one (1) Secondary Suite may be permitted accessory to a Single Family Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling unit.”
 - c) Adding the following sentence to the end of Subsection 4.1.3 Rooms Below Grade:

“Notwithstanding the above, subject to the criteria established in Subsection 4.1.8

Secondary Suite, one (1) Secondary Suite may be permitted in a cellar or part of a cellar.”

- d) Adding the following to the Subsection 4.1.5 Home Occupation:

“g) A Secondary Suite shall not be permitted in the same Single Family Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling as a home occupation.”

- e) Deleting the existing Sub-section 4.1.8 and replacing it with the following:

“4.1.8 Secondary Suite

A Secondary Suite shall be permitted within a Single Family Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling, subject to the following provisions:

- a) The addition of a Secondary Suite in a Single Family Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling unit shall not change the use of the lot.
- b) A maximum of one (1) Secondary Suite shall be permitted on a residential lot.
- c) A Secondary Suite shall be permitted within a Single Family Detached, Semi-Detached Dwelling or Street Townhouse Dwelling located on a lot with a minimum lot frontage of 9m or greater.
- d) A Secondary Suite shall have a minimum gross floor area of 35m².
- e) A Secondary Suite shall not exceed forty-five percent (45%) of the total gross floor area of the Single Family Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling within which it is to be located.
- f) An entrance to a Secondary Suite shall:
 - i. be separate from the main entrance to the Single Family Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling, either as a separate exterior entrance located on the side or rear elevation of a dwelling or from a common indoor vestibule;
 - ii. be accessible from the street by a hard landscaped surface walkway or driveway;
 - iii. not be located closer to the front lot line than the main entrance of the

residential dwelling unit on the abutting lot; and,

- iv. be setback a minimum of 1.2m from the interior side lot line, except where the minimum interior side yard setback requirement to an entrance is greater.
- g) A new entrance for a Secondary Suite shall not be permitted on the same elevation as the existing entrance to the Single Family Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling.
- h) A minimum of 3 parking spaces, as defined in Sub-section 2.0 DEFINITIONS or as provided in Sub-section 4.15.5 PARKING SPACES, shall be provided on a lot where a Secondary Suite is located.
- i) A Secondary Suite shall not be permitted in the same Single Family Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling where a Home Occupation, Private Home Tutor, Private Home Daycare, Bed and Breakfast Establishment, or where a Correctional or Crisis Care Group Home exists.
- j) A garage attached to the Single Family Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling shall not be converted into a Secondary Suite.”
- f) Notwithstanding the above, a Secondary Suite shall not be permitted on the lands located within the Woodbridge Special Policy Area, as shown on Schedule “C2” attached hereto as Schedule “1”.
- g) Adding the following Subsection in numerical sequence:
“4.1.9 Residential Zone Requirements
No person shall within a Residential Zone use any land or erect, alter or use any building or structure except for a purpose set forth in the Section referring to the Zone and in compliance with its provisions contained in Subsection 4.1 (General Provisions – Residential zones), in Section 3.0 (General Provisions – All Zones), and in Schedule “A”.”

2. Schedule “1” shall be and hereby form part of this By-law.



THIS IS SCHEDULE 'C2'
TO BY-LAW 1-88

Not to Scale

THIS IS SCHEDULE '1'
TO BY-LAW _____ - 2017
PASSED THE ____ DAY OF ____, 2017

FILE: CITY-WIDE SECONDARY SUITES STUDY
LOCATION: PART LOTS 5, 8, & 10, CONCESSION 7
APPLICANT: CITY OF VAUGHAN
CITY OF VAUGHAN

N:\GIS_Archive\ByLaws\Misc\SecondarySuites.dwg


WOODBIDGE SPECIAL
POLICY AREA

SUMMARY TO BY-LAW - 2017

This by-law affects lands with residential zoning city-wide.

The purpose of this by-law is to permit secondary suites as an accessory use to a Single Family Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling, subject to the specified criteria addressing the minimum and maximum size, location, parking requirement and other development standards. It also restricts the permission of secondary suites within the Woodbridge Special Policy Area.

City of Vaughan



Secondary Suites Readiness and Implementation Strategy

October 28, 2016



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Executive Summary

The purpose of this report is to present a community responsive Secondary Suites Readiness and Implementation Strategy, as set out in Appendix 1.

This report builds upon the previous work undertaken by the Vaughan Policy Planning and Environmental Sustainability Department, Vaughan's Secondary Suites Task Force, SHS Consultants and the Planning Alliance. A best practices review of ten Ontario municipalities was undertaken to assist in developing the strategy recommended in this report.

A Public Hearing under the *Planning Act* was held in early 2015 to consider Official Plan policies and the creation of secondary suite Zoning By-law regulations city-wide. The resulting Official Plan and Zoning By-law amendments are expected to be enacted by Vaughan City Council in 2017. The Vaughan Policy Planning and Environmental Sustainability Department is preparing a companion report that sets out detailed policy and regulation recommendations including secondary suite Official Plan and Zoning By-law amendments.

Secondary suite policies, regulation, enforcement and compliance efforts must be fully synchronized internally and communicated externally to the public to ensure smooth, effective and professional implementation following enactment of Council's secondary suite official plan policies and zoning regulations.

In May 2016, an inter-departmental team including: Planning Policy, Building Standards, By-law and Fire was formed to begin preparations for the implementation of Vaughan's new secondary suite regulations. DeLoyde Development Solutions (Consultant) was retained to identify best practices for secondary suite programs in Ontario municipalities and to make recommendations on the vital components of a successful secondary suite readiness and implementation strategy.

This report focuses on the enforcement and compliance readiness aspects of secondary suites implementation and stresses the critical importance of public and partner communications and inter-departmental coordination.

The main goals of the Secondary Suites Readiness and Implementation Strategy are:

- 1) To promote citizen life safety.
- 2) To create a citizen, builder and real estate industry responsive approach to implementing the new secondary suites zoning regulations.
- 3) To bring existing secondary suites constructed without the benefit of appropriate approvals into compliance with Ontario's Fire and Building Codes and zoning by-law regulations.

Three key elements that underpin the strategy are:

- 1) Excellence in Customer Service
- 2) Communications, Stakeholder Education and Staff Training
- 3) Organizational Readiness

The recommended Secondary Suites Readiness and Implementation Strategy contained in Appendix 1 is designed to ensure a smooth secondary suites implementation consistent with Vaughan Council's expectations, Vaughan's Secondary Suites Task Force findings, previous staff and consultants reports, provincial policy and municipal best practices.

Tenant and landlord life safety considerations are paramount. The strategy recommends a programmed approach for dealing with existing and future secondary suites consistent with Ontario Building Code (OBC), Ontario Fire Code (OFC) and Vaughan's zoning by-law.

Record keeping is essential to track and monitor secondary suites. A register of secondary suites is recommended to be created in Vaughan's AMANDA¹ property information system. Publicly accessible mapping is recommended to rapidly respond to inquiries from the public, realtors, potential purchasers and tenants as to whether secondary suites are compliant and meet OBC, OFC and municipal zoning requirements.

City of Vaughan staff will be called upon to carefully manage the transition from no zoning permission for secondary suites to a widespread permission of secondary suites throughout many of Vaughan's residential zones. Although it is difficult to predict the volume of secondary suite applications that will be submitted once the new secondary suites zoning comes into effect, the transition period is expected to last between 3 to 4 years. In that time, the demand for secondary suite application volumes and processing time frames must be closely monitored and benchmarked. It may be necessary to adjust the secondary suite compliance and education approaches recommended in this report depending on community demand and resource availability.

¹ AMANDA is a software solution that manages and automates Permit and License applications. It stores application data and captures process steps to move a building permit from New Application stage to approval stage and finally to closed stage.

Summary of Recommendations

1. That Vaughan's new secondary suites approval and compliance system be easy to understand by stakeholders.
2. That Vaughan's Corporate Communications take the lead in concert with the Secondary Suites Implementation Team in executing the internal and external communications and public education strategies outlined in Appendix 1.
3. That the compelling life safety reasons for bringing secondary suites into compliance with Ontario's Building and Fire Codes be highlighted in the secondary suite public education program.
4. That the three-stream approval approach outlined in Option 1 in Section 3.2 of this report be implemented.
5. That an expert inter-departmental staff team, comprised of Building, Fire and By-law Enforcement staff, be created to process secondary suite approvals and that citizens and builders should be able to access secondary suite services quickly and efficiently.
6. That two additional staff resources be secured by the Building Standards Department to respond to the anticipated demand for approvals of existing and future secondary suites and that management monitor the volume and turnaround times of secondary suite approvals and make any necessary resource adjustments.
7. That front-line customer service staff and designated approval professionals be fully trained prior to the effective date of the new secondary suites zoning regulations.
8. That standard operating guidelines be created by staff to guide secondary suite approvals prior to the effective date of the new secondary suites zoning regulations.
9. That all existing secondary suite databases in the Fire, Building Standards and By-law & Compliance, Licensing & Permit Services departments be consolidated in Vaughan's existing property information system.
10. That a register of secondary suites be created in Vaughan's AMANDA property information system to ensure good record keeping of building permit applications.
11. That Vaughan's property information system database be linked to the City's geographic information system (GIS), when the system is available in future.
12. That the City of Vaughan's website and e-communications channels be used to communicate secondary suite related education materials, application forms, zoning information and approvals process flow charts.
13. That Vaughan's existing building permit fees schedule be applied to secondary suites.

1.0 Purpose

This report documents the findings of a best practices review and recommends adoption of the Secondary Suites Readiness and Implementation Strategy contained in Appendix 1 to efficiently implement Vaughan's new zoning regulations and track progress of implementation. This report and strategy also makes recommendations on the best means of dealing with existing secondary suites created over the past three decades.

2.0 Methodology

DeLoyde Development Solutions (consultant) held initial meetings with Building staff to scope the secondary suites readiness and implementation project and deliverables.

The consultant completed an extensive background document review of Vaughan's Secondary Suites related Official Plan policies, staff reports, Secondary Suites Task Force findings, the draft Secondary Suites zoning regulations, SHS Consultants report, and the minutes of the 2015 Public Hearing on secondary suites. A detailed review of all the implementation related findings and recommendations of Vaughan's Secondary Suites Task Force was undertaken.

Meetings were held with an inter-departmental secondary suites staff team comprised of representatives from Vaughan's Planning, Building, Fire, By-law Enforcement and Legal Departments to create the best practices questionnaire summarized in Appendix 2.

Vaughan's Secondary Suites questionnaire was sent to ten large municipalities across Ontario identified by the staff team. The consultant reviewed the Secondary Suites Official Plan and Zoning regulations and websites of the ten targeted municipalities to gain an understanding of their regulatory regime and communications strategies prior to making contact. The consultant spoke to an average of three representatives from the various municipal departments in each municipality to complete the questionnaire and secure documentation.

Municipalities responding to the best practices questionnaire

York Region	Peel Region	Halton Region	Durham Region	Others
Richmond Hill	Brampton	Oakville	Oshawa	Toronto
Markham	Mississauga	Burlington		Guelph
				Ottawa

The consultant met with Vaughan's Secondary Suites Implementation Team to present the high-level findings, highlight key regulatory, enforcement and communications issues and seek direction. The Secondary Suites Implementation Team members considered a draft report and authorized preparation of a final report.

3.0 Best Practices Study Findings and Recommendations

Detailed study findings are summarized in the Secondary Suites Findings document in Appendix 2.

Based on the research, three main themes emerged as set out below. Recommendations are highlighted in bold. The themes and broad recommendations underpin the recommended Secondary Suites Readiness and Implementation Strategy in Appendix 1.

3.1 Excellence in Communications and Public Education

Implementation of Vaughan's new Secondary Suites regulations is expected in 2017. It is critical that Vaughan's planning, enforcement and compliance systems be fully synchronized and ready for the expected surge in inquiries and building permit applications following enactment of Vaughan's Secondary Suites Zoning regulations.

Municipalities expressing satisfaction with their secondary suites program gave priority to achieving compliance with the Fire and Building Codes and their Zoning By-laws. None of the surveyed municipalities recommended pursuing a hardline enforcement approach. In their experience, high application fees, and difficult and bureaucratic approaches serve as a deterrent to people coming forward to achieve code compliance.

Best practice municipalities make it easy for builders, tenants, and landlords to understand the rules and procedures involved in creating secondary suites or bringing their units into compliance with Fire, Building and Electrical Safety codes. Self-serve website materials, pamphlets, realtor workshops and presentations to landlord groups are used to great effect in best practice municipalities. Effective communications ensure that tenants, builders and landlords understand the life safety and compliance implications of establishing secondary suites and the benefits of obtaining permits and inspections. Landlords must understand their responsibility to provide safe and healthy secondary suites for their tenants.

Vaughan Council created a Secondary Suites Task Force comprised of a wide range of individuals and interests to study the issue, consult with the public and make detailed community based recommendations. In 2015, Vaughan used a comprehensive approach to engage and inform the public and other stakeholders about secondary suites through the following communication channels:

- ✓ Advertising in the Vaughan Citizen and the Vaughan Liberal newspapers
- ✓ Providing the notice of a statutory Public Hearing by mail to all Registered Community Ratepayers Associations
- ✓ Sending an e-mail blast to all those who had requested notification throughout the course of the activities of the Secondary Suites Task Force
- ✓ Providing coverage on Vaughan TV 2
- ✓ Publishing information in City Update in Vaughan's e-Newsletter 3 and on the City Page Online 4
- ✓ Communicating via social media via the City of Vaughan's Twitter and Facebook accounts
- ✓ Conveying information on Vaughan's Policy Planning departmental webpage, accessible through the City of Vaughan's Official website
- ✓ Inserting a "buck slip" notice in the 2015 Interim Tax Bill to approximately 55,000 residents
- ✓ Providing notification through Local Councillors' Ward Newsletters
- ✓ Creating a mailing list of persons expressing an interest in secondary suites

The City of Vaughan is to be applauded for creating the Task Force and its excellent public and stakeholder outreach. As the secondary suites project moves toward implementation, it is critical that excellent public outreach and education continue.

Recommendations

That Vaughan's new secondary suites approval and compliance system be easy to understand by stakeholders including its citizens.

That the compelling life safety reasons for bringing secondary suites into compliance with Ontario's Fire and Building Codes be highlighted in the secondary suite public education program.

That Vaughan Corporate Communications take the lead in concert with the Secondary Suites Implementation Team in executing the internal and external communications and public education strategies outlined in Secondary Suites Readiness and Implementation Strategy.

3.2 Selecting a Preferred Secondary Suite Compliance Approach

Based on our research, there are two major options for achieving secondary suite compliance. The first approach set out in Option 1 below involves a three-stream approach that employs different compliance and enforcement strategies depending on the date that a secondary suite was established. The second approach set out in Option 2 is a simplified approach requiring that all secondary suites be brought into compliance with the latest Building Code provisions.

Option 1 Three Stream Approach

Many of the municipalities surveyed had a three-stream approach as set out below:

Stream 1 requires that any new secondary suites established after the new zoning regulations come into effect be approved in a business as usual manner by the Building Services Department.

Stream 2 requires that secondary suites created between July 14, 1994 and the passing of the new zoning regulations be brought into compliance with the Building Code and Vaughan Zoning By-law in a programmed fashion.

Stream 3 requires that secondary suites proven to have been established before July 14, 1994 be brought into compliance under Section 9.8. of the Fire Code. Fire Code requirements focus on life safety aspects of secondary suites. Owners can prove the date of secondary suite construction through affidavits and other means. Section 9.8. of the Fire Code allows the Fire Chief to inspect and sign off all two-unit residential occupancy buildings existing prior to July 14, 1994.

Option 2 Building Code Approach

This simplified option requires that all existing and future secondary suites be reviewed and brought into compliance with the applicable Building Code provisions for existing and new secondary suites. This option has the advantage of treating all units in the same manner and ensuring that the latest life safety and building codes are applied throughout the City.

Analysis

Table 1 below compares the advantages and disadvantages of the two enforcement and compliance options.

TABLE 1 – Three Stream VS Building Code Approach

Option	Approach	Advantages	Disadvantages
1	Three Stream	Uses a refined approach tied to the date on which the suite was created Approach consistent with best practice municipalities Most secondary suites can be brought into compliance Fire Code Section 9.8. facilitates achievement of compliance for units created before July 14, 1994	More complex - requires more interdepartmental coordination and public education Requires greater coordination of effort and record keeping among different departments Relies on affidavits and other reliable documentation to establish whether the suite existed before 1994

		<p>Most appropriate method within the regulatory framework of the building and fire codes</p> <p>Facilitates secondary suite record keeping in a register</p> <p>Lower construction cost for existing units</p>	<p>Varying inspection and compliance scope for pre and post 1994 secondary suites owing to the differences between Fire and Building Code requirements</p>
2	Building Code	<p>Simple and easy to understand</p> <p>Brings all units into compliance with applicable Building Code requirements</p> <p>Works well for units created after July 14, 1994</p> <p>Most secondary suite units can be brought into compliance</p> <p>Facilitates secondary suite record keeping in a register</p>	<p>Approach differs from the three-stream approach used in best practice municipalities</p> <p>Does not work as well for facilitating compliance of legal non-conforming suites created before July 14, 1994</p> <p>Under the Fire Code, Fire staff are required to respond to all complaints received. So this approach is potentially less coordinated and could cause process confusion</p> <p>Building code requirements are broader in scope and more onerous than Fire code requirements. This approach places compliance hardships on owners of secondary suites pre-existing July 1994</p> <p>Higher construction costs for existing units</p>

There are several advantages to pursuing Option 1, including leveraging internal staff resource skills and promoting interdepartmental teamwork. The three-stream approach is consistent with the approach taken by best practice municipalities and can effectively address legal non-conforming units created before July 14, 1994. While the three-stream approach in Option 1 shares many of the advantages as Option 2, it avoids the more onerous Building Code requirements and associated costs for units established before 1994.

Recommendation: That the three-stream secondary suite approval approach outlined in Option 1 be implemented.

3.3 Organizational Readiness

The Province of Ontario has mandated that local municipalities give priority to allowing secondary suites to help meet the need for affordable housing. The new secondary suite zoning permission triggers administrative changes to ensure successful and smooth implementation. The design of any implementation strategy should be mindful of Vaughan's Secondary Suites Task Force recommendation to give priority to promoting citizen life safety.

Vaughan should plan for a surge in inquiries and compliance related submissions for existing and new secondary suites when the new zoning regulations come into effect. Demand for secondary suites will create additional demands for new approvals and inspection services from City of Vaughan staff. Those interested in establishing a secondary suite will expect prompt and professional services with reasonable turnaround time frames with minimal red tape and cost.

The City of Vaughan must be ready to deal with secondary suites once the new zoning by-law takes effect. The following lists several suggestions that Vaughan may want to implement to ensure organizational readiness and citizen responsiveness:

3.3.1 Teamwork and One Window Service

Vaughan's Building, Development Planning, Fire and By-law Enforcement staff display professionalism and commitment to the City's values and excellence in customer service.

A seamless one window style teamwork approach will help ensure secondary suites implementation is successful. Ideally, citizens should be able to call or visit a single website or physical service counter location at Vaughan City Hall to access secondary suites services.

A temporary, qualified interdepartmental secondary suites implementation staff team should be formed to deal with issues of compliance and enforcement. The three-person team would be comprised of Fire, Building, and By-law Enforcement staff. It is expected that the team will be required for at least three to four years following enactment of the new zoning regulations. A focused team will ensure consistency of messaging and handling of secondary suite files.

Recommendation: That an expert interdepartmental staff team, comprised of Building, Fire and By-law Enforcement staff, be created to process secondary suite approvals and that citizens and builders should be able to access secondary suite services quickly and efficiently.

3.3.2 Securing Additional Staff Resources

Of the 10 municipalities surveyed, only Guelph hired additional full time staff (1.5 staff) to proactively pursue secondary suite compliance. Many of the surveyed municipalities are

dealing with secondary suites using existing resources, although they also admitted to underestimating the staff time demands associated with secondary suites that are becoming increasingly popular as housing prices rise.

Some municipalities assigned secondary suites to newer staff members given that such units are relatively small and involve the conversion of basement space/recreation rooms. Some municipalities indicated that achieving compliance is relatively straightforward given the focus on secondary access, fire separation, sanitary facilities and heating systems.

In 2015, the Secondary Suites Task Force recommended that Council consider providing additional staff resources to handle the expected secondary suite workload. It is estimated that at least two additional Building Standards Department based staff members will be required to handle the workload. Vaughan's staff and management will need to closely track secondary suite application volumes and compliance efforts and ensure the needed staff resources are in place to achieve code compliance and rapidly respond to community demand for secondary suite approvals.

***Recommendation:* That two additional staff resources be secured by Building Standards Department to respond to the anticipated demand for approvals of existing and future secondary suites and that management monitor the volume and turnaround times of secondary suite approvals and make any necessary resource adjustments.**

3.3.3 Staff Training Prior to Secondary Suite Implementation

There is a critical need for Vaughan's professional, technical and administrative staff to be fully trained on roles and procedures to properly guide landlords and builders through the new secondary suite regulatory regime. Trained customer focused staff can de-escalate situations and reduce the chances of citizens involving Council members or pleading their case in the media.

***Recommendation:* That front-line customer service staff and designated approvals professionals be ready and prepared prior to the effective date of the new Secondary Suites zoning regulations. Ongoing training over the transition period, particularly in the first year will be beneficial.**

3.3.4 Standard Operating Guidelines

A few of the surveyed municipalities identified that standard operating guidelines (SOGs) for secondary suites were either missing or out of date and that they were too busy to prepare the necessary operating guidelines.

Detailed internal standard operating guidelines be established to guide the processing of each of the three approval and compliance streams prior to the enactment of the secondary suites zoning regulations. The SOGs will facilitate staff training and aid in the creation of recommended public education materials recommended for the City's website.

Recommendation: That standard operating guidelines be created to guide secondary suite approvals prior to the effective date of the new secondary suites zoning regulations.

3.3.5 Enhancing and Leveraging Existing Technology

Vaughan's AMANDA property information system is ideally suited to hosting an informal register of secondary suites that have received final zoning and code compliance approvals and inspections. Creation of an informal secondary suite register in AMANDA will:

- ✓ enable the City of Vaughan to monitor secondary suites in its corporate property information system
- ✓ create custom reports on secondary suites and their geographic distribution
- ✓ share secondary suite data with the Province of Ontario, School Boards and emergency service providers
- ✓ consolidate the secondary suites databases of the Fire Department, Building Services Department and By-law & Compliance, Licensing & Permit Services departments

In the future, it is recommended that a link be established between Vaughan's AMANDA property system database and the City's Geographic Information System to facilitate the display the location of all approved secondary suites. This mapping tool would be accessible through the City's website and contain only high level details consistent with Freedom of Information legislation. Ready access to secondary suite mapping will enable Councilors, public, realtors, lawyers and City staff to quickly ascertain the status of all secondary suites 24/7 without the need to contact busy city staff.

Recommendations

That all existing secondary suite databases in the Fire, Building Services and By-law & Compliance, Licensing & Permit Services departments be migrated to and consolidated in Vaughan's AMANDA property information system.

That Vaughan consider creating a future link between its Amanda database and its geographic information system (GIS) when the system is available in the future to the public.

That the City of Vaughan's website and e-communications channels be used to communicate secondary suite related education materials, application forms, zoning information and approvals process flow charts.

3.4 Potential Secondary Suite Fees

Under the Building Code, Vaughan requires payment of a building permit fees based on the size of the secondary suite. All the municipalities surveyed charged the appropriate building permit

fees for post 1994 secondary suites. The Fire Department is also authorized to charge secondary suite owners on a cost recovery basis for Fire Code inspections and re-inspections.

None of the municipalities surveyed had significant special fees associated with secondary suite permits, inspections or enforcement. Nominal fees in the order of \$150 - \$300 per unit were sometimes charged for formal registration of units. Nominal fees encourage owners of secondary suites to come forward and work with the City administrations to achieve compliance. Given that formal registration or licensing is not recommended, there is no basis for charging additional fees beyond building permit fees.

Some of the questionnaire respondents indicated that building permit fees do not cover their administrative costs given that secondary suites tend to be small and thus do not generate large revenues. Also, the effort involved in bringing existing units into code compliance can involve considerable staff time.

On the surface, it may be attractive to establish new or enhanced secondary suite fees to offset new administration costs per normal corporate cost recovery practice. However, high fees and registration costs are expected to deter landlords and citizens from coming forward, thus undermining the Vaughan Task Force's life safety goal.

Recommendation: That Vaughan's existing building permit fees be applied to secondary suites.

3.5 Monitoring and Record Keeping

Best practice municipalities have very good records and can rapidly respond to secondary suite related inquiries. Quality and easily accessible secondary suite information has many benefits including:

- ✓ Being able to monitor changes in Vaughan's housing mix per Vaughan's Official Plan policies.
- ✓ Providing information for first responders in emergency situations.
- ✓ Accounting for housing intensification under the Provincial Growth Plan.
- ✓ Having detailed property based records for permits, compliance, and inspections.
- ✓ Providing ready access to secondary suite records by owners, tenants, realtors, lawyers, Councillors and neighbours

There are three choices with respect to establishing secondary suite monitoring and record keeping systems: licensing, informal registration by maintaining secondary suites' building and fire code records in AMANDA, or formal registration. The following describes the available approaches and Table 2 summarizes the advantages and disadvantages of each approach.

Licensing of Secondary Suites

Vaughan's Secondary Suites Task Force recommended that licensing be considered to control secondary suites and allow them to be revisited at regular intervals. The licensing provisions under Section 11 of the *Municipal Act* allows for annual re-inspection and annual fees.

Based on discussions with the surveyed municipalities, licensing of secondary suites is very onerous for both landlords and staff. Some respondents suggested that a licensing requirement deters citizens from coming forward to achieve code compliance.

Secondary suites are typically located in owner occupied buildings and thus should not be considered as typical business entities regulated under Section 11 of the *Municipal Act*. Since licensing allows for the revocation of the secondary suites license, consideration must be given to what license revocation would mean in practical terms, especially with respect to the affected tenants.

None of the municipalities surveyed required a license given the repetitive administrative workload that such an approach brings for little identified benefit. Mississauga recently decided to withdraw from licensing secondary suites after two years and switched from a licensing approach to a formal registration system for secondary suites.

Based on the research, licensing is not a best practice. Licensing is not needed to achieve the goals in the implementation strategy. The City of Vaughan has sufficient regulatory tools such as the Property Standards By-law and the Building and Fire codes to effectively deal with any issues that may arise after a secondary suite has been inspected and approved.

Informal Register in AMANDA

Under this approach, landlords would be required to obtain a building permit for all units constructed before or after July 14, 1994. For units constructed prior to July 14, 1994, secondary suites will be reviewed by the Fire Department under Section 9.8. of the Fire Code. There would be no formal licensing or registration of secondary suites under this option.

Secondary suite related Building permit approvals and Fire Department records would be consolidated in AMANDA system. AMANDA can be easily utilized and customized to create an inventory of approved secondary suites.

This record keeping option leverages existing City property information technology. Municipalities that have implemented a simplified secondary suite listing approach include Markham, Richmond Hill and Oakville. Toronto, Burlington and Ottawa do not keep track of secondary suites.

This 'business as usual' approach has the advantages of minimizing red tape, achieves the City's life safety goals, and eliminates problems associated with maintaining multiple databases.

Formal Registration of Secondary Suites under a City By-law

Formal registration of secondary units under Section 8 of the *Municipal Act* is less onerous than licensing. A formal registration by-law approved by Council establishes registration and record keeping requirements, special fees and designates a secondary suite registrar.

Registration involves completing a form with details about the suite and its inspection history. No units can be formally registered unless they comply with municipal zoning and the applicable Fire and Building Codes. A master register is kept in a database that can be used to compile numbers of suites, their size, geographic distribution and year of registration. A nominal fee in the order of \$150 to \$300 is sometimes charged to help offset administrative costs.

Formal registration of secondary suites is an accepted approach in Brampton, Guelph, Mississauga and Oshawa and facilitates the monitoring of all secondary suites. Conversations with representatives from the surveyed municipalities were supportive of formal registration given its relative simplicity compared to licensing.

Analysis

Table 2 provides a comparison of the three potential administrative approaches described above.

TABLE 2 – Comparison of Secondary Suite Licensing, Registration and Building Permit Options

Item	Licensing	Informal Register in AMANDA	Formal Registration
Authority	S. 11 Municipal Act	Building Code Act	General Provisions S. 8 Municipal Act
Annual Re-inspection	Yes	No	No
Lapse or Withdraw Approval	Yes	No	Yes
Special Conditions	Yes	No	No
Administrative Burden	High	Low	Moderate
Land Owner Burden	High	Low	Moderate
Deterrent to Owners Coming Forward	High	No	Moderate

Special Fees	Yes - moderate to high fees	No additional fees	Yes - Nominal to modest fees
Task Force Recommended	Yes	No	No
By-law and Forms Required	Yes	No	Yes
Best Practice	No	Yes	Yes

The preferred approach is the informal register in AMANDA. The informal register keeps the same records as those in a formal registration system without need for any approvals beyond Fire and Building Code approvals and is administratively less onerous. The informal register does not require Council adoption of a registration by-law under the *Municipal Act*. The informal register gives landlords, tenants, potential purchasers and neighbours comfort in knowing that a secondary suite has been inspected and signed off in terms of code compliance.

A system involving formal registration of secondary suites was analyzed and found to have an administrative burden which provides little or no practical benefit. Formal registration represents a redundant and unnecessary second tier of approval. While formal registration is an accepted practice in a few municipalities, this analysis concludes that it is not warranted because it does not provide any demonstrated additional benefits in terms of life safety, control or record keeping.

Licensing of secondary suites was recommended by the Vaughan Secondary Suites Task Force, however, the best practice review revealed that this approach is problematic. None of the municipalities surveyed licensed secondary suites due to onerous procedures and fees and associated administrative burdens. Secondary suites licensing is not recommended due to the significant administrative burdens involved and its potential to dissuade landlords from coming forward and achieve code compliance.

It is imperative that AMANDA be customized to create a register of approved secondary suites and provide for data analysis and reporting. The recommended AMANDA property reporting system will allow the City to track the number and location of secondary suites throughout the City. The register will enable Vaughan to monitor and report the progress of Council's housing intensification and affordable housing policies to the community and the Province of Ontario as needed.

The creation of an informal secondary suites register in AMANDA is simple and achieves the City's objectives in a simplified and streamlined manner.

We conclude that the goals that the Task Force had in mind when they recommended licensing can be achieved through the informal registration system as identified in Table 2 above.

Recommendation: That a register of secondary suites be created in Vaughan's AMANDA property information system to ensure good record keeping of building permit applications.

4.0 Conclusion

Secondary suites contribute to meeting the need for affordable housing in Vaughan. The Corporate Readiness and Implementation Strategy in Appendix 1 is designed to ensure a smooth transition from the current regulatory environment, where no secondary suites are allowed, to one where secondary suites are permitted in many of Vaughan's residential zones. The transition to the new system is expected to take 3 to 4 years depending on local demand for secondary suites and available staff resources.

Appendix 1 – Vaughan Secondary Suites Readiness and Implementation Strategy

Introduction

The City of Vaughan establishes housing policies primarily through its Official Plan. Secondary Suites are encouraged in the Vaughan Official Plan given their many affordable housing, sustainability and housing intensification benefits.

Vaughan Official Plan 2010 and Zoning By-law 1-88 are being amended in 2017 to provide a detailed regulatory framework for Secondary Suites including definitions, parking and other standards.

This implementation strategy framework is designed to ensure corporate and community readiness and excellence in customer service and record keeping once the new zoning regulations for secondary suites come into effect.

An extensive best practices review was undertaken in 2016 to learn from the experience of other Ontario municipalities and identify secondary suite implementation best practices. This strategy is predicated on the following broad goals and principles consistent with the City of Vaughan's overall strategic directions.

Secondary Suites Implementation Goals

1. Ensuring Citizen Life Safety
2. Communications Excellence
3. Excellence in Customer Service

Secondary Suites Implementation Principles

- ✓ Responsive
- ✓ Timely
- ✓ Simple
- ✓ Equitable
- ✓ Effective
- ✓ Customer Service
- ✓ Leverages Corporate Resources

Secondary Suites Readiness and Implementation Oversight

A corporate Secondary Suites Implementation Team (SSIT) will be responsible for overseeing all aspects of this readiness and implementation strategy. Membership of the SSIT will be confirmed after enactment of the new secondary suites zoning regulations. Adjustments to departmental membership may be made as required during the transition period over the next 3 to 4 years. The main role of the SSIT is to monitor and audit implementation progress, the volume of applications, process timing, customer and Council satisfaction and to make/recommend any necessary adjustments to compliance and enforcement, public education and communications aspects. The SSIT should meet quarterly and can be disbanded after a few years once the new system is up and running smoothly.

Compliance and Enforcement Approach:

Owing to the evolving nature of secondary suite legislation since the early 1990's, it is recommended that the following three stream approach to secondary suites enforcement and compliance be implemented:

Stream 1 requires that any new secondary suites established after the new zoning regulations come into effect be approved in a business as usual manner by the Building Standards Department.

Stream 2 requires that secondary suites created between July 14, 1994 and the passing of the new zoning regulations be brought into compliance with the Building Code and Vaughan Zoning By-law in a programmed fashion.

Stream 3 requires that secondary suites proven to have been established before July 14, 1994 be brought into compliance under Section 9.8. of the Fire Code focusing on life safety aspects of secondary suites. Owners can prove the date of secondary suite construction through affidavits and other means. Section 9.8. of the Fire Code allows the Fire Chief to inspect and approve all two-unit residential occupancy buildings existing prior to July 19, 1994.

Secondary Suite Submission Requirements

Submission Requirements: Process Streams 1 and 2: Citizens and builders must submit a complete building permit application along with the necessary fees and drawings prepared by a qualified designer to the Building Standards Department demonstrating compliance with the Building Code.

Submission Requirements: Process Stream 3: Citizens must submit as-built and other required drawings prepared by qualified designers that comply with Section 9.8. of the Fire Code and complete a building permit application along with the necessary fees to the Building Standards Department. Citizens must also submit documentation, that is acceptable to the

Clerk's Department in form and content, which establishes that the secondary suite existed prior to July 14, 1994.

Departmental Lead and Support

Process Stream	Lead Department
1	Building Standards Department with assistance from Fire Department and By-law Enforcement staff.
2	Building Standards Department with assistance from Fire Department and By-law Enforcement staff.
3	Fire Department with any necessary assistance from the Building Standards and By-law Enforcement staff.

Departmental Lead – Public Education and Communications

Corporate Communications will take the lead on secondary suite related internal and external communications and public education with support from the SSIT and the interdepartmental implementation working group. Corporate communications will be responsible for ensuring the design and publication of secondary suite related communiques and web based flow charts and resources. Corporate Communications will provide advice and assistance with staff training.

Vaughan Zoning By-law Conformity

Secondary Suites must comply with Vaughan's Zoning By-law 1-88 as amended, before they can be approved for compliance.

Record Keeping

Approved secondary suites should be recorded in new special folders in Vaughan's AMANDA property information system.

In the long term, the AMANADA system should be linked to the City's geographic information system (GIS), when available and fully operational so that the location of secondary suites and summary data can be displayed on Vaughan's website for easy access and reference.

Monitoring of Results

The Secondary Suites data in AMANDA will be used to monitor the intake of building permit applications. Consequently, the system can generate statistics that can inform the progress report for Council's information and management review and monitoring.

Resources

A surge in applications for secondary suites is anticipated once the new secondary suites zoning regulations come into effect in 2017. To deal with the surge, it is recommended that the City consider retaining two additional staff members.

Consideration should be given to creating a new, temporary, expert inter-departmental Secondary Suites Implementation staff team to deal with all secondary suites. The three to five person team would be comprised of Building, Fire, and By-law Enforcement staff. It is expected that the team will be required for three to four years following enactment of the new secondary suites zoning regulations. Consideration should be given to co-locating the interdepartmental secondary suites staff team to ensure fast, responsive customer service and efficiency.

Secondary Suite Procedures

Standard Operating Guidelines, application forms and process flow charts should be created well in advance of the coming into effect of the new secondary suites zoning regulations. Samples of forms and procedures and other related documents are contained in the separate Secondary Suite Document Compendium.

External Communications and Public Education

Corporate Communications staff and the SSIT should make it easy for builders, tenants and landlords to understand the rules and procedures involved in creating secondary suites in advance of and after the coming into effect of the new Secondary suites zoning regulations.

Self-serve website materials including pamphlets and forms should be readily available at City Hall and on the City of Vaughan's website.

Special communications are required for landlords and tenants involved in existing, uninspected and unapproved secondary suites. Builders and landlords must understand the life safety and compliance implications of establishing secondary suites without the benefit of permits and proper inspections.

It is recommended that before the new zoning regulations for secondary suites are enacted, the following channels be considered to inform the public, contractors, landlords, tenants, real estate industry professionals, and other stakeholders:

1. Advertising in the Vaughan Citizen and the Vaughan Liberal newspapers
2. Providing the notice by mail to all Registered Community Ratepayers Associations and those who participated in the earlier studies
3. Sending an e-mail blast to all those who had requested notification throughout the course of the activities of the Secondary Suites Task Force
4. Providing coverage on Vaughan TV 2
5. Publishing information in City Update in Vaughan's e-Newsletter
6. Communicating via social media via the City of Vaughan's Twitter and Facebook accounts
7. Conveying information on Vaughan's Building, Fire, By-law and Planning Department webpages, accessible through the City of Vaughan's Official website
8. Placing a "Buck Slip" notice in the 2017 Tax Bill
9. Provide notification through Local Councillor's Ward Newsletters
10. Hosting seminars to inform contractors and local real estate and legal professionals and share information on how official approvals may be obtained
11. Conducting seminars for the public at commercial building centers or recreation centers.

Internal Communications and Education

Well in advance of the coming into effect of the new secondary suites zoning regulations, all affected professional, technical and administrative staff should be fully trained to properly guide landlords and builders through the new secondary suites approval procedures.

Council members should also be briefed and given the resources needed to effectively and rapidly respond to constituent contacts about secondary suites.

Record Keeping and Identification of Secondary Suites

All approved secondary suites should be recorded in an informal register in AMANDA. AMANDA can compile the number of suites approved in a given time frame, as well as analyze unit sizes and geographic distribution.

A longer-term objective involves linking of Vaughan's property information system with its geographic information system (GIS). Such a systems linkage would enable the City to display the location of approved secondary suites on the City's website.

Appendix 2 – Best Practices Findings Summary

The Secondary Suites Implementation Team identified several questions that were asked of ten selected Ontario municipalities (refer to Table on page 7 for the list of municipalities). The following presents a summary of the questions contained in the survey and the main findings:

1.0 General Responses

1.1 How long have your municipality's secondary suites policies been in effect?

Municipalities responding to the best practices questionnaire and Years' Experience Implementing Secondary Suites Zoning Regulations are provided below:

Regional Municipality	Municipality Surveyed	Years' Experience with Secondary Suites Zoning
York Region	Richmond Hill	0
	Markham	0
Peel Region	Brampton	1.5
	Mississauga	4
Halton Region	Oakville	4
	Burlington	8
Durham Region	Oshawa	3
Other	Toronto	16
	Guelph	20
	Ottawa	20

1.2 How effective/successful is your secondary suites program?

Municipalities with secondary suites programs in place all characterized their programs as being successful. Secondary suites offer additional housing choices. Municipalities without secondary suites programs are working to create a well-coordinated regulatory system consistent with Provincial policy direction.

1.3 How many secondary suites are there in your municipality?

Municipalities with robust and long established registration systems had good estimates of the number of secondary suites. More recent entrants in the regulation of secondary suites had less confidence in their data.

1.4 How many secondary suites are in compliance with the zoning and code requirements?

Guelph, Brampton, and Oshawa had high quality data on the number of compliant secondary suites owing to their proactive enforcement approach and excellent record keeping systems. Most of the municipalities contacted did not have data on how many compliant secondary suites there were within their boundaries.

2.0 Responses to Compliance and Enforcement Questions

2.1 How does your municipality ensure compliance with Building and Fire Codes and your Zoning By-law?

All municipalities responded to secondary suite related complaints through their By-law Enforcement, Fire and Building Departments. By-law Enforcement staff were often involved in many cases and would stand down once the complaint was vested with Fire or Building staff. Guelph had the most proactive system wherein all inspectors are tasked with identifying new secondary suites during their regular rounds. Guelph invites secondary suite tenants into the process by offering a free fire safety inspection.

2.2 What documented processes/practices does your municipality have in place (e.g. process flow charts)?

Brampton, Guelph, Mississauga, and Toronto had on-line documentation to assist landlords and tenants with their secondary suites plans. All municipalities agreed that process documentation would be a major benefit and some are working on such documents in 2016. Mississauga has excellent documentation on the three compliance streams depending on the year the unit was created. Municipalities such as Burlington and Oakville rely solely on standard building permit approaches.

2.3 Does your municipality use different processes/practices depending upon whether the secondary suite unit is newly constructed without occupants or a pre-existing secondary suite with occupants? If so, how?

Almost all municipalities surveyed used different approaches depending on when the secondary suite came into existence. Almost all municipalities used a 1994 or 1995 cutoff date for determining whether the unit ought to be brought into compliance under the Fire Code or Building Code. Almost all municipalities relied on Section 9.8 .of the Fire Code for pre-1994 secondary suites and Parts 9 or 11 of the Building Code and change of use provisions for post

1994-95 units. Oshawa used an amnesty type system where units built before 2016 could be brought into compliance under the Fire Code.

2.4 Do your Building and Fire Departments use coordinated efforts to ensure compliance? Any issues with overlap between departments?

Most municipalities that have clear secondary suites permission and enforcement systems had defined roles for the various staff and a highly coordinated and predictable compliance system. Most municipalities' systems avoided duplication and promoted teamwork.

2.5 Is there a checklist that your Building and Fire Departments use to determine compliance? Is so, please provide a copy.

Almost all municipalities contacted are in the process of developing up to date internal secondary suite checklist resources. Some municipalities plan to use generic technical checklists being prepared by CIAC (Code Interpretation Advisory Committee) comprising of building officials of various municipalities.

2.6 Does your municipality categorize secondary suites based on year of construction i.e. pre-1994 or post 1994 and approach compliance differently based on the year of secondary suite construction?

Except for Toronto which has special legislation, all municipalities surveyed differentiated between pre-1994 units and post 1994 units for the purposes of achieving compliance. Most respondents agreed that Fire Code Section 9.8. facilitates approvals of secondary suites constructed before July 14, 1994.

2.7 Do you provide warnings or give landlords a certain period to achieve compliance?

All municipalities gave a specified period for secondary suite owners to respond to the initial contact from municipal Fire, Building, or By-law Enforcement staff. Additional timeline flexibility was granted in cases where major construction work is required such as new fire separations or entrances especially during the winter months.

2.8 What process do you follow in cases where a secondary suite remains non-compliant?

Orders to Comply are issued to owners if no response was made to the inspector within a reasonable amount of time. Most municipalities reported that prosecution was rare because owners normally comply before court action is taken.

2.9 In terms of enforcement, what is working well/not working well?

There were a wide range of responses depending on the advancement of the secondary suite program. Municipalities without permissive secondary suite zoning had the most difficulty achieving compliance because permits cannot be issued without the necessary zoning being in place. Most municipalities gave priority to achieving compliance and avoided strong enforcement approaches wherever possible. Oshawa's creative amnesty system focused on

achieving compliance through the Fire Code Section 9.8. up to present day. Guelph's highly proactive system, while staff intensive, has put the "word on the street" that compliance is a must which in turn, helps achieve a high degree of compliance with moderate enforcement effort.

2.10 What challenges have been identified since the introduction of your secondary suites program?

All municipalities that permit secondary suites in their zoning by-laws reported that secondary suite implementation was progressing smoothly. Some respondent municipalities experienced typical start-up challenges such as creating forms, registers and standard operating procedures. Municipalities such as Guelph and Mississauga have minimized their requirements to make it easier for secondary suite landlords to achieve compliance. Some municipalities encountered poor quality drawings and submissions, which consumed considerable staff time. Municipalities without secondary suites zoning experienced higher levels of effort in compliance and enforcement.

2.11 Does your municipality conduct periodic/annual secondary suite inspections of legal suites? Do you charge any inspection or other fees to cover administrative costs?

No municipalities surveyed re-inspected secondary suite units after a building permit application was closed or after S 9.8 Fire Code approval was secured.

2.12 Is your municipality contemplating changes to your secondary suite related enforcement procedures? If so, why and under what circumstances?

Municipalities having secondary suites programs were satisfied with their secondary suites zoning and procedures. Some mentioned that fine tuning will be made to by-laws and enforcement systems in the future as part of a continuous improvement effort. Municipalities without permissive zoning were all in the process of establishing enabling zoning and compliance systems as per provincial legislation.

2.13 Does your municipality use any grandfathering measures such as Fire Code Section 9.8. to achieve compliance?

Yes, all municipalities, except Toronto, use different compliance approaches depending on when the unit came in to existence.

2.14 Does your municipality license or register secondary suites? If yes, what steps must a landlord take to register a secondary suite?

Of the ten municipalities surveyed, Guelph, Mississauga, Oshawa and Brampton have formal registration systems in place that keep track of approved secondary suites. None of the municipalities surveyed licensed secondary suites. The remaining six municipalities either maintain a database of secondary suites (Markham, Richmond Hill, and Oakville) or kept no records (Ottawa, Burlington and Toronto).

2.15 Does your municipality provide incentives to owners to register their secondary suites?

Municipalities surveyed had no formal incentive programs to encourage owners of secondary suites to come forward. Low fees, good customer service, informative web pages and written communications reduced the administrative related disincentives. Penalties and fines were cited as a form of disincentive to establishing units without permits/registration.

2.16 Has your municipality incorporated any disincentives or penalties in your enforcement regime? Give examples.

Municipalities surveyed had no formal disincentive programs to dissuade owners from building secondary suites without a permit. Penalties and fines are a form of disincentive to establishing units without permits/registration. Many municipalities followed normal building permit process for post 1994-95 units.

2.17 Are there any municipal fees associated with remedying non-compliant secondary suites?

Most of the surveyed municipalities had zero to moderate special administrative fees for registration, plan review, and inspections. Fee levels identified can be characterized as basic cost recovery fees aimed at recovering staff time costs. Some respondents indicated that their municipality intentionally established relatively low fees to encourage compliance by removing any financial disincentives associated with making a building permit application or registering a secondary suite. Since building permit fees are based on the size of the secondary suite (in the 30 m² range). Secondary suite permit revenues tend to be low relative to the level of effort involved to bring existing suites into code compliance.

2.18 Please provide copies of any written secondary suite policies, Standard Operating Guidelines (SOG's) and process flow charts.

Several municipalities shared flow charts and web based resources. These documents and links are cited and contained in the separate Vaughan Secondary Suite Document Compendium and does not form part of this report since it is purely a technical matter.

3.0 Responses to Resources and Incentive Questions

3.1 Does your municipality have any secondary suite related fees or development charges?

None of the municipalities surveyed have special fees or development charges (DC) for secondary suites that are added to an existing residential unit. Some municipalities require a development charge for second units at a one-bedroom apartment DC rate if they are pre-built and installed at the time of construction of the principal unit. In those cases, builders sometimes rough-in a second unit entrance and enhance basement fire separations and heating systems to easily accommodate the secondary suite installation at a future date by the owner. A

subsequent upgrade of a roughed-in secondary suite by the unit owner does not trigger a DC charge.

Ontario government Bill 204 “Promoting Affordable Housing Act” proposes changes to the *Planning Act* to mandate inclusionary zoning and monitoring. Bill 204 continues the exemption of secondary suite zoning amendments from OMB appeals. Bill 204 proposes to modify the *Development Charges Act* to exempt new secondary suites built in *new residential units* from development charges. Secondary suites in *existing residential units* are already exempt from development charges.

3.2 Has your municipality hired any additional staff or incurred additional new costs to regulate secondary suites?

Only Guelph has added new positions to address secondary suites and rooming houses to implement their proactive regulatory and enforcement approach. No other municipality hired additional staff to deal with secondary suites, although they acknowledged that they would be better off with additional resources given that secondary suite applications are time intensive.

4.0 Monitoring and Record Keeping Responses

4.1 How does your municipality monitor the creation of secondary suites?

Guelph, Brampton, Oshawa and Mississauga track secondary suites through the registration process. Burlington and Oakville use their corporate AMANDA systems to keep track of secondary suites. Other respondents do not keep track of secondary suite units; however, they are contemplating establishing tracking methods to monitor the success of their housing intensification policies.

4.2 Does your municipality use a property based system such as AMANDA or CAD to keep track of the location of secondary suites and their status vis-à-vis Fire and Building Codes and Zoning By-laws?

Respondents indicated that they use or plan to use their municipal property information systems and related Geographic Information Systems (GIS) to track secondary suites. Mississauga posts all approved secondary suites on maps on its website so neighbours, realtors and potential purchasers can determine the existence of compliant secondary suites without having to ask a municipal representative.

5.0 Communications Responses

5.1 What methods does your municipality use to communicate secondary suite regulations (web, brochures, builder liaison)?

Best practice municipalities all have a good education system for secondary suites stakeholders including neighbours, realtors, potential landlords and tenants. Some municipalities such as

Burlington and Oakville have a relatively low uptake of secondary suites and have not assigned significant resources to secondary suites related communications and educational materials.

ATTACHMENT # 4

Staff Follow-up Response to Task Force Recommendations

The Secondary Suites Task Force provided a number of recommendations which were presented at the Public Hearing. At the time staff provided an initial response to each recommendation with the understanding that a follow-up response would be provided giving more detail on how the recommendations would be addressed. Below is an itemized list of each recommendation, the preliminary response and the follow-up response.

It should be noted that Task Force Recommendations a) b), c), parts of i) and m) have been addressed through the Planning Act tools whereas, d), e), f), g), h), parts of i), j), k), and l), are related to the development of an implementation strategy.

- a. **TF Recommendation:** That the home owner wishing to create a Secondary Suite be required, as part of the approval process, to agree that the occupants of the dwelling will have one less vehicle than the number of spaces available with the result that there will be one available parking space for the occupant of the secondary suite.

Preliminary Staff Response: The concern with respect to this recommendation is the enforceability of such a standard on an on-going basis.

Staff Follow-up Response: Instead of regulating the number of vehicles allowed, which cannot be enforced through the zoning by-law, one of the criteria established in the zoning by-law for second units, is that a minimum of 3 parking spaces be required.

- b. **TF Recommendation:** That restrictions are established for secondary suites with side yard entrances to ensure that the area adjacent to the entrance is not utilized as an amenity space.

Preliminary Staff Response: Staff is currently considering how this recommendation can be implemented through policy and zoning regulations.

Staff Follow-up Response: Side entrances are only permitted in side yards having a minimum setback of 1.2m. The zoning by-law does not permit any other structures to encroach within the minimum interior side yard.

- c. **TF Recommendation:** That the staff recommended approach referencing 'home occupation' in section 4 be deleted.

Preliminary Staff Response: The original draft recommendation was not only in reference to home occupation uses, but all uses which potentially could intensify the uses on a site by their introduction. Staff concerns include impacts on parking, and the over intensification of the subject lands by allowing the primary residential dwelling, the secondary suite and an additional use such as a home occupation, private home daycare or private home tutoring.

Staff Follow-up Response: Staff are still of the opinion that the over intensification of the residential lot would have a negative impact and therefore the draft by-law has established criteria for secondary suites established that where a secondary suite is approved a number of other uses cannot be permitted. Upon further review of the permitted uses in By-law 1-88 the following uses were restricted where a secondary suite would be permitted: home occupation, private home daycare, private home tutor, a bed and breakfast establishment, and a correction or crisis care group home.

- d. **TF Recommendation:** That each official address be required to have its own mailbox for service by Canada Post. However, this discussion must consider recent Canada Post business decisions towards introducing Community Mailboxes in existing established communities.

Preliminary Staff Response: Staff is currently in consultation with Canada Post to determine the feasibility of introducing separate mailboxes for the secondary suite.

Staff Follow-up Response: A separate address for secondary suites might be useful for identification by service providers for delivery services. However, when dealing with existing buildings, a building permit application for a secondary suite unit will be considered a change of use and in order to issue a change of use permit a separate address is not required by the Building Code. Moreover, by making changes to the property information system, information related to a secondary suite will be recorded on a given property and can be retrieved when needed, allowing for data generation and information sharing.

- e. **TF Recommendation:** That the City of Vaughan encourages developers to include roughed in secondary suites in some homes in new developments.

Preliminary Response: Staff is considering at which stage of the planning/development application process is it most appropriate to enter into discussions with the development industry on how they would proceed with including the option for secondary suites to potential home buyers, and what the impact on providing a roughed in secondary suite would have on the processing of building permit applications and related fees.

Staff Follow-up Response: There is no existing regulatory framework or practice for a building department to ask the development industry to incorporate additional building elements beyond the Building Code requirements. Staff understands that the Province is looking to make legislative changes in the future that may facilitate secondary suite construction in new developments.

City department directly related to land development applications can encourage builders to provide construction of roughed-in or finished secondary suites. To complement this effort, the regulatory enforcement related departments i.e., Building Standards, Vaughan Fire and Rescue Service and By-law and Compliance, Licensing and Permit Services can convey this message through its builder education program and contact.

- f. **TF Recommendation:** That a registry of the legal secondary suites in the City of Vaughan is established and the list is accessible to the public.

Preliminary Response: A number of concerns have been cited respecting the development of a registry regime for secondary suites, including the potential benefits, the staff and resourcing implications, and actual up-take of the number of registered units. Section 7 of the March 3, 2015 Public Hearing report titled Issues Associated with the Implementation of a Secondary Suites Program provided greater detail on how the Project Team was proceeding in consideration of this recommendation.

Staff Follow-up Response: The Implementation Strategy recommends the creation of a secondary suites register in Vaughan's property information system. The strategy also calls for the eventual linking of the property information system to the City's geographic information system (GIS) when fully operational. This will enable the public, landlords, and potential purchasers to determine whether an existing secondary suite has been approved and inspected by the City of Vaughan.

- g. **TF Recommendation:** That a licensing process be implemented with the fees to be determined by the City of Vaughan.

Preliminary Response: A number of concerns have been cited respecting the development of a registry regime for secondary suites, including the potential benefits, the staff and resourcing implications, and actual up-take of the number of registered units. Section 7 of the March 3, 2015 Public Hearing report titled Issues Associated with the Implementation of a Secondary Suites Program provided greater detail on how the Project Team was proceeding in consideration of this recommendation.

Staff Follow-up Response: The Implementation strategy does not recommend licensing. Consultation with other municipalities suggests that licensing and related fees are a deterrent to landlords seeking to create compliant secondary suites. Licensing would also impose a significant new administrative burden on the City in terms of staffing and other resources. The recommended secondary suite property information system registry in combination with Vaughan's existing Building and Fire Code approval systems can achieve the life safety goals envisioned by the Task Force and Council.

- h. **TF Recommendation:** That a separate process be established for homeowners with existing illegal secondary suites to encourage the home owners to register and obtain licensing to meet the necessary standards and requirements.

Preliminary Response: A number of concerns have been cited respecting the development of a registry regime for secondary suites, including the potential benefits, the staff and resourcing implications, and actual up-take of the number of registered units. Section 7 of the March 3, 2015 Public Hearing report titled Issues Associated with the Implementation of a Secondary Suites Program provided greater detail on how the Project Team was proceeding in consideration of this recommendation.

Staff Follow-up Response: Secondary suites constructed without the benefit of a building permit are required to be brought into compliance with the Zoning By-law and the Ontario Building and Fire Codes. The Province is also considering making further legislative changes which may require the establishment and approval of secondary suites in new construction. Existing regulatory framework and processes are sufficient to process building permits and bring secondary suites into compliance and, as such, no new processes are necessary. Through the existing process of obtaining the necessary building permits, a secondary suites register will be maintained and housed within the existing building permit operating system, as noted in the Staff Follow-up Response to Task Force Recommendation f above.

- i. **TF Recommendation:** That the remainder of the recommended approaches referred to in the document submitted by Planning staff titled "City of Vaughan Secondary Suites Policy Development, Summary of Key Issues and Draft Potential Approaches – For Discussion Purposes Only, be approved.

Preliminary Staff Response: The remainder of the recommended approaches are reflected in the draft Official Plan Policies and zoning regulations. These have been elaborated on through the creation of the Draft Official Plan and Draft Zoning By-law. Staff will continue to refine these documents prior to moving forward with a technical report on secondary suites.

Staff Follow-up Response: Approaches considered appropriate to address through the Official Plan and Zoning By-law amendments (see Attachments 1 and 2 to this report) have been captured in the respective documents. Other recommended approaches not related to the Official Plan or Zoning By-law amendment. Please refer to Attachment 5 of the February 7, 2017 Committee of the Whole Report for those recommended approaches considered appropriate to be addressed through the Implementation Strategy.

- j. **TF Recommendation:** That a cost analysis is completed and made public to determine the costs associated with secondary suite policy implementation (licensing, monitoring, and enforcement)

Preliminary Response: A number of concerns have been cited respecting the development of a registry regime for secondary suites, including the potential benefits, the staff and resourcing implications, and actual up-take of the number of registered units. Section 7 of the March 3, 2015 Public Hearing report titled Issues Associated with the Implementation of a Secondary Suites Program provided greater detail on how the Project Team was proceeding in consideration of this recommendation.

Staff Follow-up Response: A cost analysis is not warranted because the recommended implementation strategy utilizes existing regulatory tools and processes and takes a practical approach without the need for additional regulations such as licensing or formal registration. The recommended approach requires that most secondary suites undergo existing building permit process. There will be very little additional cost involved for landlords or builders given the relative small size of secondary suites. Building Permit applications will be subject to regular building permit fees. The recommended approach also leverages the City's existing investment in its computer based systems and avoids the need to create, manage and fund new databases and systems. Building Permit fees are being reviewed by Watson and Associates and consideration will be given to the new service levels associated with secondary suites as part of the comprehensive fees review.

- k. **TF Recommendation:** That requiring insurance for tenants is considered as part of licensing requirements.

Preliminary Response: A number of concerns have been cited respecting the development of a registry regime for secondary suites, including the potential benefits, the staff and resourcing implications, and actual up-take of the number of registered units. Section 7 of the March 3, 2015 Public Hearing report titled Issues Associated with the Implementation of a Secondary Suites Program provided greater detail on how the Project Team was proceeding in consideration of this recommendation.

Staff Follow-up Response: Insurance is a private matter between a landlord and the tenant. Furthermore, licensing is not recommended as explained in detail in the DeLoyde Development Solutions report and therefore insurance requirements cannot be imposed.

- l. **TF Recommendation:** That an education program be implemented.

Preliminary Response: Staff concurs with this recommendation and is currently developing a framework for moving forward with an education program. This information will be presented in a future report to Committee of the Whole meeting

Staff Follow-up Response: Corporate Communications and SSIT will work closely to develop and implement a public education and awareness program.

- m. **TF Recommendation:** That all future infrastructure review for determining development charges take into account secondary suites and report separately on the infrastructure needs and costs.

Preliminary Staff Response: Staff is currently reviewing this recommendation.

Staff Follow-up Response: The City bases its' planning infrastructure needs on the population and servicing allocation provided by the Region of York in consideration of all unit types.

ATTACHMENT # 5

Staff Follow-up Response to Summary of key issues and Draft potential approaches identified in SHS Consulting report related to Implementation of Secondary Suites Policy

The following table summarizes the staff follow-up response to recommended approaches on implementation identified in the document titled “City of Vaughan Secondary Suites Policy Development” by SHS Consulting that is referenced in item (i) of the Secondary Suites Task Force Recommendations provided under Attachment 4:

	SHS Consultants Recommendation	SHS Recommended Approach	SHS Rationale	Staff Response
2	<u>Neighbourhood Character</u> Parking	Through City-wide strategic initiatives, evaluate options to address parking issues across City neighbourhoods.	Parking concerns within the City of Vaughan are not only an issue related to secondary suites; there are a number of existing concerns.	The requirements for additional parking to accommodate the potential for increased occupancy are prescribed through the established criteria being introduced through the recommended Zoning By-law amendments. Any parking of a motor vehicle on the public roadway/highway will be subject to the provisions of the City's Parking By-laws, accordingly.
3	Absentee landlords	No policy to regulate 'absentee landlords'	Input from City Legal Services is that the City cannot under the Municipal Act regulate which individuals occupy a specific dwelling. Municipalities (i.e. Mississauga) have tried to include a requirement in their secondary suite policy that units must be owner occupied- however, following legal consultation this was not included in their policy. Little evidence to show any negative impact to neighbourhood character resulting from secondary suites.	As already stated in the SHS rationale, there is no legal authority for the City to regulate absentee landlords. Furthermore, SHS is recommending a community awareness approach through public education program. This will be considered by Corporate Communications and SSIT when developing public education material.

4.	<u>Property Standards</u> Property Standards And other local by-laws should be enforced	Secondary suites will meet requirements of the Ontario Building Code, Fire Code and City by-laws.	There is an existing regulatory framework to promote the safety of units and uphold property standards that (will) apply also to secondary suites. Providing the requirement to adhere to Building Code, Fire Code, and City By-laws provides clarity to residents.	The recommended Implementation Strategy requires enforcement of Zoning, Fire and Building Codes as well as Vaughan's Property Standards and other related By-law
		Secondary suites should have a separate official address with signage visible from the street.	Having a unique address for a secondary suite will help create awareness among City and emergency response services. Obtaining an address could be included as part of the registration process.	A separate folder/code will be created in the AMANDA system for secondary suites. Such information will be shared with other departments for their planning and operational considerations.
		Clear guidelines for potential landlords.	See 'Community Awareness' approaches below.	Guidelines and flow charts will form part of the public education program.
5	Ensuring local by-laws are being enforced	Consider increasing resources to enforce new and existing By-laws (zoning, property standards, noise) in particular at onset of policy implementation.	It is suggested that existing property standards By-law be used to address issues related to the appearance of properties that fall into disrepair; the Noise By-law be used to address concerns related to noise, and Parking Standards be used to address concerns related to parking in prohibited areas.	Two additional staff are recommended for Building Standards to deal with the expected surge in secondary suite related applications and inquiries. Demands placed on enforcement activities will be monitored to determine future resource implications.
		Consider conducting inspections as part of registration and/or management program.	Inspections will provide an opportunity for staff to ensure units are safe and in keeping with existing By-laws and codes.	Inspections of secondary suites will be made upon issuance of a building permit.

6	<u>Health and Safety</u> Ensuring units are safe for tenants	Evaluate the implementation of a secondary suite registration and/or management program including consideration of possible fees, inspections and potential benefits of a period.	A registration system can help ensure safety of tenants (i.e. City services are aware of the secondary suite in cases of emergency) and can help protect the rights of tenants by ensuring units meet all regulatory requirements (i.e. Building Code, Fire Code).	Recommended AMANDA list of approved secondary suites will help ensure all regulatory requirements are met.
		Registration recorded through approved building permits.	<p>A registration program can also provide information to community service providers (i.e. school boards) to assist in population need forecasting.</p> <p>A registration program can be costly to the City and therefore it may wish to consider implementing a fee.</p> <p>Keeping in mind, the less onerous a process (and fee) the more likely owners will come forward to register their units.</p> <p>Some municipalities have implemented comprehensive licensing by-laws requiring all secondary suites have a license (i.e. Mississauga), while other municipalities register units as part of building permit process.</p> <p>To encourage existing landlords/owners of secondary suites to come forward and register the unit the City may wish to consider waiving the registration fee for a</p>	<p>Approved Secondary Suites will be listed in AMANDA, Vaughan's property information system.</p> <p>No licensing, formal registration or new fees are recommended in the Implementation Strategy. SHS provided Mississauga as an example of a municipality that implemented a licensing system. After consulting with Mississauga, it was discovered that the licensing system turned out to be a failed method of regulating secondary suites and Mississauga has moved away to Registration.</p> <p>As mentioned in SHS rationale, some municipalities are registering through building permit process which is recommended option by the Consultant.</p> <p>For details and rationale on the Vaughan solution, refer to the Consultant Report.</p>

			defined period to provide an incentive to landlords to register the unit and comply with various regulations. Other expenses such as a building permit fee may still be required.	
		Adherence to Ontario Building Code, Fire Code and municipal by-laws.		Building permit applications for secondary suites will be reviewed for compliance with all applicable laws, followed by inspections.
7	<u>Health and Safety</u> Insurance for tenants	No requirement for insurance	Asking for proof of insurance can only be required if the City moves forward in developing a licensing by-law	Licensing is not the recommended option as already discussed in the previous item and therefore there will not be any requirement for insurance.
8	<u>Health and Safety</u> Ensuring neighbourhood safety	Recommended approaches identified through this document (i.e. enforcement of local by-laws, education program, monitoring program) are aimed at ensuring secondary suites do not have a negative impact on neighbourhoods or the safety of residents.	The City has existing policies and regulations in place to ensure neighbourhood safety (i.e. police services, fire services, by-law enforcement) Additional policies are recommended within other sections (i.e. education program, monitoring program and enforcement of local by-laws).	As part of the communication strategy, landlords and tenants will be provided with an information package that outlines their respective responsibilities in accordance with the City By-laws. Furthermore, key regulations related to occupant safety such as the Building and Fire Codes are currently administered and enforced accordingly.
9	<u>Strain on infrastructure</u> Potential for strain on existing infrastructure and services	Long-term monitoring of secondary suites and potential impact.	On-going monitoring of secondary suites and their impact on infrastructure will help the City address residents' concerns with quantified reporting as well as	The AMANDA property information system can generate lot of useful statistics that will indicate the volume of building permits applications in a given period.

			make any necessary changes/adjustments to its secondary suites policies.	This data can be used by City departments to plan their budget and activities.
10	<u>Community Awareness</u> Public education of secondary suites (general)	Develop a Secondary Suite Education Program – including developing City educational resources (e.g. on new policy, what is permitted and not permitted, steps to registration, enforcement measures / schedule) Resources should include web-based resources, hard copy formats and ensure information is easily accessible.	Increasing everyone's awareness of secondary suites as well as the responsibilities of having a secondary suite will contribute to the success of the City secondary suite policy once it is implemented.	Corporate Communications and the Secondary Suite Implementation Team will work together on a public education program.
		Prepare to host educational neighbourhood-level focus groups in any high-impact neighbourhoods.	Several other municipalities have included recommendations to develop educational programs when implementing their secondary suites policies (Mississauga, Brampton, Markham)	Can be considered as part of the public education program.
11	<u>Community Awareness</u> Understanding legislation/ regulatory framework including the rights and responsibilities of landlords and tenants	As part of Secondary Suite Education Program, develop guidelines/information kit for landlords– including all requirements (Fire, Building Code, Zoning, Property Standards, other) and required steps to register the unit. As part of Education Program include guidelines outlining the rights and responsibilities of tenants (include RTA regulations).	Such resources help create clarity for new and existing landlords of secondary suites as well as provide tools for tenants.	Flow charts and standard operating guidelines are recommended in the Implementation Strategy. Sample educational materials collected by the Consultant has been shared with Corporate Communications which will be reviewed while developing the public education materials.

12	<p><u>Community Awareness</u></p> <p>Understanding the costs of legalizing a secondary suite (i.e. impact to property values and property taxes)</p>	<p>As part of Education Program include developing education resources around impact to property values – realities & misconceptions.</p>	<p>As above, such resources provide an overall greater understanding of secondary suite and their impact.</p>	<p>Corporate Communications and the Secondary Suites Implementation Team will provide communication on the new regulations, enforcement, and approval requirements and processes.</p>
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ATTACHMENT #6

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 24, 2015

Item 1, Report No. 13, of the Committee of the Whole (Public Hearing), which was adopted, as amended, by the Council of the City of Vaughan on March 24, 2015, as follows:

By receiving Communication C2 from Mr. David I, Via Toscano, Vaughan, dated March 3, 2015.

1

**CITY-WIDE SECONDARY SUITES STUDY
DRAFT OFFICIAL PLAN POLICIES AND ZONING STANDARDS
FILE 15.112
WARDS 1 TO 5**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning and Acting Director of Policy Planning, dated March 3, 2015, be approved;**
- 2) That the presentation by the Acting Director of Policy Planning and Ms. Jodi Ball, SHS Consulting, East Beaver Creek, Richmond Hill, and C10, presentation material entitled “City of Vaughan Secondary Suites Study”, dated March 3, 2015, be received;**
- 3) That the following deputations be received:**
 - 1. Mr. Adriano Volpentesta, America Way, Woodbridge;**
 - 2. Ms. Sonia Meucci, Blackburn Boulevard, Woodbridge;**
 - 3. Mr. Dino Di Mascio, Maple;**
 - 4. Mr. Paul Rossi, Maple;**
 - 5. Mr. Howard Kramer, Lealinds Road, Maple; and**
 - 6. Mr. Nasim Sufi, Marathon Avenue, Vaughan ; and**
- 4) That the following Communications be received:**
 - C4. Mr. Vincent Galloro, dated March 2, 2015;**
 - C5. Zohra Ali, Tuscana Boulevard, Concord, dated March 2, 2015;**
 - C6. Ms. Jackie Smith, Troyer Court, Thornhill, dated March 3, 2015;**
 - C7. Ms. Wendy Hofstatter, dated March 3, 2015; and**
 - C8. Mr. Fred Conway, dated March 2, 2015.**

Recommendation

The Commissioner of Planning and the Acting Director of Policy Planning recommend:

- 1. THAT the Public Hearing and presentation on the City-wide Secondary Suites Study BE RECEIVED; and that any issues identified be addressed in a comprehensive report to a future Committee of the Whole meeting; and**
- 2. THAT the members of the Secondary Suites Task Force be thanked for their participation and valued contribution throughout the course of the City of Vaughan City-wide Secondary Suites Study.**

Contribution to Sustainability

The Province and the Region have identified affordable housing as a key component of a sustainability strategy. Secondary Suites are an affordable housing option that meets the needs of a variety of people such as singles, students, seniors, extended family members, and people with fixed incomes. Since secondary suites are often contained within existing buildings, they help optimize the use of the existing housing stock and infrastructure and re-populate

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 24, 2015

Item 1, CW(PH) Report No. 13 – Page 2

neighbourhoods with declining populations. Through modest intensification, secondary suites can support transit improvements, a key component of the City's Transportation Demand Management Strategy. Secondary Suites can offer a greater range of housing opportunities within the municipality allowing a broader demographic to live closer to work thus increasing Vaughan's competitiveness and attractiveness to business and industry.

Economic Impact

A total of \$45,000.00 was originally budgeted to complete this Study. This expenditure was endorsed at the February 16, 2010 Council Meeting and was again noted in the June 5, 2012 Committee of the Whole Report titled "Secondary Suites Status Update – Direction To Proceed With A Request For Proposal For Consulting Services" and the subsequent May 7, 2013 Committee of the Whole (Working Session) Report titled "Secondary Suites Status Update To Council and Terms of Reference For Establishing A Task Force". Most recently in December of 2013 a report titled "City-Wide Secondary Suites Study Status Update - Budget Amendment and Request for Additional Funding" was presented to Committee of the Whole (Working Session) on December 3, 2013. The December 3, 2013 report recommended that an additional \$30,000.00 be allocated to the City-wide Secondary Suites Study and that such funds be drawn from the 2013 Policy Planning Operating Budget Professional Fees, in the amount of \$5,000.00, and from City-wide Development Charges (CWDC) Management Studies, in the amount of \$25,000.00;...". This was ratified by Council on December 10, 2013 bringing the budget to \$75,000.00. The primary reason for increasing the funding was to accommodate further public consultation measures, including the work of the Secondary Suites Task Force.

Communications Plan

The communication plan used for the statutory Public Hearing relies on a number of channels to optimize public awareness. This included advertising in the Vaughan Citizen and the Vaughan Liberal newspapers on Thursday February 12, 2015, and Thursday February 19, 2015, providing the notice of a statutory Public Hearing by mail to all Registered Community Ratepayers Associations, and sending an e-mail blast to all those who had requested notification throughout the course of the study. Other methods of notification employed for the Statutory Public Hearing are set out below:

1. On Vaughan TV
2. In the *City Update*, the City of Vaughan's eNewsletter
3. On the *City Page Online*
4. Through the City of Vaughan's Twitter and Facebook accounts
5. On the Policy Planning departmental webpage, accessible through the City of Vaughan's Official website.
6. Placing a "Buck Slip" notice in the 2015 Interim Tax Bill to approximately 55, 000 residents, which was mailed during the week of February 16, 2015.
7. Notification sent out through the Local Councillor's Ward Newsletters.

As of February 19, 2015 no comments have been received.

Purpose

The purpose of this report is to fulfill the requirements of the *Planning Act* for a statutory Public Hearing to provide an opportunity for the public to comment on the draft amending documents including the Official Plan and Zoning By-law amendments. (See Attachments 2 and 3 of this report). The intent of both documents is to establish provisions allowing a Secondary Suite accessory to and within, or on the same lot as a residential single detached, semi-detached or street townhouse dwelling unit subject to the requirements of the Ontario Building and Fire Codes.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 24, 2015

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Furthermore, this report will provide information and identify the issues that shaped the development of the draft OPA policies and Zoning regulations for the City-wide Secondary Suites Study. The report will also identify implementing resourcing issues that will have to be considered in completing the regulatory regime, beyond the matters covered by the *Planning Act*.

Background - Analysis and Options

1. The Secondary Suites Policy Context

The Province, Region and City have all committed to addressing the issue of housing affordability through various policies.

- a. Bill 140, the *Strong Communities through Affordable Housing Act* affirms the Province's interest in pursuing a range of affordable housing options. It identified the private sector as playing a significant role in increasing the stock of market rental units. Secondary suites are identified as one way of meeting these needs. The Act further clarifies the roles and responsibilities of both the provincial and municipal governments in providing for greater production of affordable housing at the local level.
- b. The York Region Official Plan (ROP) adopted on December 16, 2009 and subsequently approved by the Ministry of Municipal Affairs and Housing on September 7, 2010, has been substantially approved by the Ontario Municipal Board as of June 2013.

The Plan addresses issues of housing affordability and specifically speaks to secondary suites in Sub-section 3.5.22 by requiring,

“... local municipalities to adopt official plan policies and zoning by-law provisions that authorize secondary suites as follows:

- a. The use of two residential units in a house if no ancillary building or structure contains a residential unit; and,
- b. The use of a residential unit in a building or structure ancillary to a house if the house contains a single residential unit.”

It should be noted that sub-section 3.5.22 is subject to an area/site specific appeal.

- c. In keeping with the policies outlined in the ROP requiring local municipalities to incorporate affordable housing where opportunities exist, VOP 2010 has addressed the affordable housing issue and directly references secondary suites. Section 7.5 *Housing Options* states “It is the Policy of Council: ...7.5.1.2 to work with York Region in implementing its affordable housing policies as follows: ...” The section further references secondary suites specifically by stating, “It is the policy of Council: ... 7.5.1.4 to support and prioritize the following housing initiatives: allowing secondary suites where deemed appropriate by a City-initiated study.”

Section 7.5.1 of VOP 2010 has been approved by the Ontario Municipal Board. This provides the City's policy basis for undertaking this study. As such, an amendment to VOP 2010 will be required to introduce the new Secondary Suites policies into VOP 2010. (See Attachment 2 *Draft Official Plan Amendment*).

2. Zoning

Currently, By-law 1-88 the City's comprehensive zoning by-law does not permit secondary suites. However, as a result of the Provincial, Regional, and Municipal direction on housing affordability

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 24, 2015

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and specifically the requirement to accommodate secondary suites, the Secondary Suites Study also addresses zoning standards. The Study findings result in amendments to By-law 1-88 (see Attachment 3, *Draft Zoning by-law Amendment*). The Policy Planning staff has circulated a draft by-law to the Zoning Section of the Building Standards Department. Ultimately, such zoning standards will be incorporated into the future Comprehensive City of Vaughan Zoning By-law, which is required to implement VOP 2010.

3. Consultation Strategy and Study Structure

From the outset, the Secondary Suites work plan included an extensive public and agency consultation strategy. Participants included: A Project Team made up of representation from the affected City departments and the consulting team; the Secondary Suites Task Force; the broader community; and external stakeholders (e.g. governments and agencies) through a Technical Advisory Committee. The consultation strategy had two purposes: First, it is intended to educate and inform the community on the topic of Secondary Suites by introducing the issues surrounding such matters as the reasons for permitting Secondary Suites (e.g. Provincial Legislation), the issues to be addressed in the development of Secondary Suite policies and standards, and the resulting approaches to permitting Secondary Suites. Second, it provided an opportunity to gather feedback from all affected and to identify their concerns respecting the options for allowing Secondary Suites. The consultation measures taken to-date are discussed below.

a. Methods of Notification

A major component of the consultation strategy was the outreach/public notification. Staff undertook an extensive notification protocol to ensure an optimal outcome respecting public outreach and involvement. Notification was provided through the following channels:

- i. On the landing page of the City of Vaughan's official website;
- ii. On Vaughan TV at City Hall;
- iii. In the *City Update*, the City of Vaughan's newsletter;
- iv. On the *City Page Online*;
- v. Through the City of Vaughan's Twitter and Facebook accounts;
- vi. On the Policy Planning departmental webpage, accessible through the City of Vaughan's Official website;
- vii. Through material placed at the City's 10 Community Centres and 7 Public Libraries;
- viii. Through telephone calls and mail-outs to the Registered Community Ratepayer Associations;
- ix. Through the Secondary Suites Task Force (word-of-mouth);
- x. E-blasts to persons requesting notification of the study milestones; and,
- xi. Advertising in the Vaughan Citizen and the Vaughan Liberal newspapers.
- xii. Notice in the Interim Tax Assessment through inclusion of a buck slip.

At the December 3, 2013 Committee of the Whole (Working Session) meeting, concerns were expressed respecting the methods of public notification being used and the resulting attendance at the public meetings. Council requested that additional methods be considered. In response, Policy Planning staff, with the cooperation and assistance of the Financial Services Department, arranged for an additional method of notification, which substantially broadened the notification base for the April 2, 2014 Public Open House.

A 'buck-slip' was included in the February Interim Property Tax Assessment mailed to residential landowners. Fortunately, the timing of the February Tax Bill mailing coincided with the beginning of the advertising campaign for the April 2 Public Open House. Including the

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buck-slip in the mailing provided direct hardcopy notification of the City-wide Secondary Suites Study and the final Public Open House scheduled for April 2, 2014 to approximately 60,000 households. It should be noted that the February mailing of the Tax Bill is only sent to taxpayers who do not subscribe to the automated bank withdrawal program. Copies of the 'buck-slip' were also placed at the information desk at City Hall as well as the City's Community Centres and at Vaughan Public Libraries. The use of the buck-slip inserts in the tax bills has its practical limitations. The Tax Bills are only mailed twice a year.

As mentioned above in the section titled *Communications Plan* a number of the same methods of notification used to notify for the Public Open House Meetings were also used to engage the public for this statutory Public Hearing.

b. Public Consultation and Engagement Events To-date

The following section provides a synopsis of the process and events used to secure input from both the public and technical perspectives. This included public meetings/open houses, the work with the Task Force, updates to Committee of the Whole and meetings of the Technical Advisory Committees and the staff working group.

- i. **The Kick-off Meeting-** The initial public consultation meeting/open house took place on the evening of May 27, 2013. Located at City Hall, it was attended by approximately 20 people. The Kick-Off meeting introduced the policy context and reason for its initiation, including the requirements under Provincial Law (Bill140). The presentation was followed by a question and answer session allowing those in attendance to voice their opinions and concerns. Finally, it provided an opportunity to inform the audience of the recruitment process for the members of the Secondary Suites Task Force. Those interested in joining were provided information on how to apply and the application deadline. Applicants were subsequently reviewed and approved by Council.
- ii. **Workshop Meetings -** The second Public Open House/Workshop was held in two sessions on the evenings of December 2nd and 4th, 2013. The December 2nd session was held at City Hall (for residents east of Highway 400); and, the December 4th session was held at the Vellore Community Centre (for residents located west of Highway 400). The two sessions were planned to allow attendees ease of access depending on where they resided, and as the 2nd Public Open House included a workshop component, having 2 sessions allowed for smaller groups where all participants had an opportunity to take part in the discussions. There were two main objectives to the 2nd Public Open House; first, to provide an opportunity to share information on secondary suites and second, to hear from the participants on how best to develop a "Made in Vaughan" approach to secondary suites.
- iii. **Presentation of the Draft Official Plan Policies and Zoning Regulations -** The third and final Public Open House was held on April 2, 2014 and provided staff and the consulting team with the opportunity to introduce the draft Official Plan policies and zoning standards to the public; allow for discussion and feedback; and provide comment on some of the subsequent implementation measures. Staff and the Project Team began the meeting with a presentation which introduced the study and the process undertaken to develop the draft Official Plan policies and Zoning regulations. Following the presentation an extensive question and answer session took place where the Project Team sat as a panel prepared to answer questions from the audience respecting the draft policies and regulations and the further processing of the study.

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c. Reports to Council

Throughout the study process staff provided Council with status updates mapping out the progress made throughout the course of the study. In total staff reported to Council, Committee of the Whole and Committee of the Whole Working Session on 6 separate occasions to-date: January 25, 2010; February 16, 2010; June 5, 2012; May 7, 2013; December 3, 2013; and, December 2, 2014). Aside from Council meetings, staff also provided a memorandum to the Mayor and Members of Council on March 28, 2014 notifying Council of the 'buck-slip' and draft OP policies and Zoning regulations.

d. The Secondary Suites Task Force

A key component of the City-wide Secondary Suites Study was the recruitment and operation of the Secondary Suites Task Force, which assisted in the development and evaluation of Secondary Suite options and policies. The Task Force was facilitated and supported by information provided by the consultant, City Staff (Project Team) and guest speakers (e.g. Ministry of Municipal Affairs and Housing, York Region, MPAC) and was responsible for reviewing and providing comments on a range of planning and development issues relevant to Secondary Suites. The Secondary Suites Task Force provided Council with its recommendations based on their experience and knowledge and the information that resulted from the study process and its findings. The recommendations proceeded to Council on December 2, 2014 and form Attachment 4 to this report.

As noted earlier in the report, the number of Task Force meetings was increased and budgeted for as a result of Council's action on December 10, 2013. The original work plan provided for three Task Force meetings. It was augmented by the addition of four meetings to the process to bring the budgeted total to seven.

July 25, 2013:

The initial meeting was general in its intent, providing an opportunity for the Task Force members to familiarize themselves with the operating procedures and protocols of the Task Force. In preparation for the first meeting, members of the Task Force were sent background information including the May 14, 2013 Council extract from the May 7, 2013 Committee of the Whole (Working Session) report, copies of the presentation that was given at the May 27, 2013 Public Consultation/Kick-Off meeting, and a report titled *Phase 1 Summary Report: Policy Context*. At the meeting members were provided with an overview of the City-wide Secondary Suites Study which was followed by a discussion of their concerns and issues. A list outlining the identified concerns was developed. In response to the list, the next three Task Force Meetings were primarily devoted to education sessions. These addressed the identified issues and were supported by presentations from people with expertise in the topic areas.

September 26, 2013:

This meeting focused on the policies and requirements of the senior levels of government. Presenters from the Canada and Mortgage Housing Corporation (CMHC), Ministry of Municipal Affairs and Housing (MMAH), and the Region of York, provided Task Force members with information on the legislative and policy basis governing secondary suites, from a federal, provincial, and regional viewpoint. A question and answer period followed each presentation. A joint presentation from the consulting team and Policy Planning staff was also provided on the research completed to date with respect to market analysis and demographic and income statistics.

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October 24, 2013:

The agenda for the third Task Force meeting focused on municipal issues. It included presentations by the Building Standards Department, the Vaughan Fire and Rescue Service, and By-law and Compliance Department on the topics of Zoning, the Building and Fire Codes, health and safety, and enforcement. Each presentation was followed by a question and answer period where all members of the Task Force were given an opportunity to speak to each presentation.

November 21, 2013:

The fourth and final Task Force Meeting for 2013 focused on impacts on services and finances. It included presentations from the Engineering and Public Works Commission respecting parking and to a lesser extent the impact of secondary suites on hard services, and from the City of Vaughan Financial Services Department and the Municipal Property Assessment Corporation (MPAC) on the impact a legal secondary suite may have on the landowners property tax assessment. Along with the presentations, the Project Team also had a discussion with the Task Force respecting the Communication Strategy, the Goals and Objectives of the Task Force and the future of the study moving into 2014.

The November 21, 2013 meeting completed the initial information sharing and education phase of the study process. Meetings commencing in 2014 were scheduled to focus on the presentation and discussion of secondary suite policies, standards and regulations.

January 30, 2014:

The first meeting of 2014 was a working session for the Task Force members. Prior to the meeting members of the Task Force were provided with a *Summary Chart of Key Issues and Draft Policy Approaches*. The purpose of the meeting was to review the information contained on the chart and provide comments. The chart was intended for discussion purposes only and the content was a summary of information gathered through the public consultation process. The chart outlined 4 Areas of Focus. The Key issues reflected what was learned from the public meetings, the Task Force meetings, Council at the Committee of the Whole (*Working Session*) meetings, the online survey, and also through the review process. Furthermore, the chart included a draft policy section and rationale outlining possible approaches and tools in response to the issues raised. The four areas of focus were: Neighbourhood Character, Health and Safety, strain on Infrastructure and Community Awareness. (See Attachment 1)

March 20, 2014:

The agenda for the March 20, 2014 Task Force meeting included a continuation of the previous meeting's (January 30, 2014) discussion respecting the *Summary Chart of Key Issues and Draft Policy Approaches*. The review of the information contained in the chart was completed allowing the Project Team to proceed with their preparation for the April 2, 2014 Public Open House. Following this discussion it was explained what would be presented at the Public Open House.

April 24, 2014:

The final Task Force Meeting was held on April 24, 2014, and provided members with an opportunity to have a final discussion and make recommendations respecting the draft Official Plan policies and zoning regulations. It is noted that the policies and standards

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had been provided to Council in a March 28, 2014 memorandum. The Task Force, taking into consideration all the work completed over the previous months, as well as input from the three Public Open Houses adopted a series of recommendations for Council's consideration (see Attachment 4). While there remained differences of opinion amongst individual Task Force members, the recommendations reflected a substantial consensus of the group. The Task Force recommendations will be discussed in further detail in Section 6 of this report titled *Task Force Recommendations*

The delivery of the Task Force recommendations to Council at the December 2, 2014, Committee of the Whole meeting concluded the Task Force responsibilities as established in the Secondary Suites Task Force Terms of Reference. Having been appointed by Council, the Task Force mandate ended with the term of the last Council.

e. The Project Team

Policy Planning with the participation of the Building Standards Department, By-law and Compliance and the Vaughan Fire and Rescue Service, working with the consulting team consisting of SHS Consulting and Planning Alliance, formed the Project Team. The Project Team was responsible for providing technical support to the Task Force on key issues and topics respecting secondary suites. The Project Team met on a monthly basis to discuss concerns raised by the Task Force and on issues related to the study. In addition to the work with the Task Force, the project team was also responsible for analyzing information respecting best practices, the review of legislation and the provision of technical input into the policy development process. This information gathering and analysis is reflected in Attachment 1 *City of Vaughan Secondary Suites Final Report* dated January 2015, prepared by SHS Consulting in association with Planning Alliance.

f. The Technical Advisory Committee (TAC)

In addition to the Task Force, a Technical Advisory Committee (TAC) was also assembled. The TAC was made up of the internal City departments and divisions including Building Standards, Development Planning, Urban Design, Fire and Rescue Services, By-law and Compliance, Development/Transportation Engineering, Accessibility Vaughan, Community Services, Legal Services, Finance and, Economic Development.

TAC membership also involved the participation of external agencies including York Region Long Range Planning, York Region Catholic and District School Boards, York Region Police, Canada Mortgage and Housing Corporation (CMHC), and Ministry of Municipal Affairs and Housing (MMAH). The first TAC meeting was held on August 20, 2013.

The role of each TAC member was to provide technical expertise in their specific area of knowledge throughout the study process. As part of the policy development phase of the study, the TAC has also had an opportunity to review and comment on the *Summary of Key issues and Draft Potential Approaches* chart and apply a technical perspective on the efficacy of the potential approaches.

4. Issues Identified through the Consultation Process Considered in Developing the Policies and Standards

The draft Official Plan policies and Zoning standards evolved from information gathered through the Task Force Meetings, the public consultation process, input from the Technical Advisory

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Committee, an online survey, comments received from Council at the Committee of the Whole (Working Session), and research conducted on best practices and market analysis.

Based on this information, four thematic areas emerged which included:

- a) Neighborhood Character;
- b) Health and Safety;
- c) Strain on Infrastructure; and,
- d) Community Awareness.

In addition to informing the “*Planning Act*” issues (the Official Plan and Zoning By-law), the process also identified the need to address practical considerations related to the implementation of a program to legalize secondary suites. Being administrative and regulatory in nature these matters will need to be addressed and the required measures put in place by the time that the Official Plan and Zoning By-law amendments are in effect.

- a) Neighborhood Character: In consideration of Neighborhood Character the following issues were raised; i) Location; ii) Parking; iii) Absentee Landlords; iv) Property Standards; and, v) Enforcement of Municipal By-laws:

- i. **Location** – The issue of where secondary suites should be located came about as a result of concerns over their potential location in higher density neighborhoods. In response, it was determined that secondary suites should not be restricted based on a specific land use designation or zone or exclusively on a specified existing housing type. Instead, a criteria based approach was considered to be the best solution, in other words, if a ground related dwelling unit could meet a certain set of criteria a secondary suite would be permitted.
- ii. **Parking** - was raised as a major concern by a number of stakeholders as it impacts on-street congestion and the appearance of the property where paving of front yards significantly reduces landscaping. Through presentations provided by City staff to the Task Force, the issue of parking was raised, particularly in the context of newer neighborhoods that were designed using new urbanism and alternative right-of-way standards. Consideration was given to what the appropriate number of spaces should be, or if any additional spaces would be required. Currently, single and semi-detached and townhouse dwellings require a minimum of 2 to 3 parking spaces, depending on the zoning category. The practicality of enforcement of a dedicated secondary suite parking space on private property once a secondary suite was permitted was also assessed. Providing for a minimum of three parking spaces on a lot before a secondary suite was permitted was considered to be the best response.
- iii. **Absentee Landlords** – This issue was raised as a potential cause for declines in property maintenance and appearance. Little concrete evidence other than anecdotal evidence has shown any negative impact on neighborhood character. Furthermore, neither an Official Plan policy nor a zoning by-law, the two tools available through the *Planning Act*, can address the issue of absentee landlords.
- iv. **Property Standards** – Another concern raised respecting neighborhood character is the overall impact that a secondary suite will have on neighborhood appearance by possibly altering the exterior facade of any existing residential dwelling. Concerns of increased levels of garbage and noise were raised as was the requirement for a separate exterior entrance, and where the entrance would be located or how it would be accessible.

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- v. **Ensuring Local By-laws are enforced** – There are municipal by-laws in place addressing property standards other than By-law 1-88 the City of Vaughan's comprehensive zoning by-law which addresses matters dealing with land use only. The current enforcement of municipal by-laws is dealt with on a complaint basis and enforcement officers have limited power of entry pursuant to legislation governed by the *Planning Act*. There are concerns that any additional work created by an enforcement or monitoring program established to regulate secondary suites would result in a resource issue for affected departments (e.g. staffing levels). This is beyond the scope of this land use planning exercise.
- b. Health and Safety: Concerns respecting Health and Safety are paramount and were raised respecting; i) Ensuring the Safety of Secondary Suites for Tenants; ii) Insurance for Tenants; and, iii) Ensuring Neighborhood Safety:
 - i. **Ensuring the Safety of Secondary Suites for Tenants** – Secondary suites must comply with all necessary regulations including the Fire Code, Building Code, and City By-laws. However, enforcement of City By-laws becomes an issue because enforcement officers have limited power of entry and may require additional resources and training to conduct inspections to determine whether safety matters are in keeping with standards. Furthermore, it should be clarified that only those landlords who undertake the legalization process (e.g. zoning conformity, building permit approval, and fire code compliance) and maintain their secondary suites at the required standard can be considered safe. Through the public consultation process the Project Team heard that there was a desire for a monitoring program, in the form of a registration or licensing regime, which would have an associated fee. The fee charged should not be so onerous that it works as a deterrent to identifying the suite, making it safe in accordance with all code requirements and its ultimate legalization.
 - ii. **Insurance for Tenants** – A suggestion made by the stakeholders was that tenants be required to have insurance. However, through the information gathering process it was determined that requiring tenants of secondary suites to have insurance is not enforceable by the City, as there is no current process through which the City can require or verify proof of insurance. Also should the insurance lapse or be discontinued for any reason there is no mechanism which would trigger City enforcement being notified. Requiring that either the landlord or tenant have and provide proof of insurance goes beyond the scope of the planning exercise as it is not a land use matter to be dealt with through the zoning by-law or an official plan policy. In order to implement a requirement of this nature the City would need to establish a licensing regime.
 - iii. **Ensuring Neighborhood Safety** – Stakeholders expressed a general concern over ensuring that neighborhoods remain safe.
- c. Strain on Infrastructure: The potential strain on infrastructure, including both soft and hard services was also a concern. Through the presentations and discussion with TAC members it was confirmed that the City's water and wastewater capacity is sufficient to accommodate secondary suites. Furthermore, permitting secondary suites could result in better data on the number and general location of units, which will assist in the future planning of community services and institutional uses. .
- d. Community Awareness: Community Awareness as a focus for discussion addressed the following issues; I) Public Education; ii) Understanding the Legislation/Regulatory Framework; and iii) Understanding the Costs of Legalizing Secondary Suites.

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- i. **Public Education** – Residents and stakeholders expressed the need for incorporating an education campaign into the implementation program for permitting secondary suites. This would set out the process for legalization for new secondary suites; the standards that would have to be met, e.g. Code requirements, by-laws; and, application and submission requirements.
- ii. **Understanding Legislation/Regulatory Framework** – Above and beyond the Official Plan Policies and Zoning By-law being developed to permit secondary suites, there is a body of legislation related to the Residential Tenancies Act, and the rights and responsibilities of both landlords and tenants. This information should be provided through an education program.
- iii. **Understanding the Costs of Legalizing Secondary Suites** – potential secondary suite providers should be aware of the impact of a secondary suite on their property tax and property value.

5. Planning Tools to be Applied to Secondary Suites

The purpose of the City-wide Secondary Suites Study is to develop new Official Plan policies, Zoning standards, and to identify other regulatory tools necessary to permit secondary suites. The Official Plan policies and Zoning standards are the land use tools that will regulate where Secondary Suites will be permitted and their physical form, including unit size, building access, parking requirements and impact on the external aesthetics of the dwellings and hence the neighborhoods. The following policies and standards were put forward for comment at the April 2, 2014 Public Open House. The standards reflect input and advice from Task Force and findings based on a review of best practices in other jurisdictions. The Project Team and the Secondary Suites Task Force have advanced the development of the *Planning Act* measures (i.e. the OP policies and zoning) to bring them to the public for further comment and input at the statutory Public Hearing.

a. The Draft Secondary Suites Official Plan Policies

In response to the issues identified above, the following official plan policies are being put forward for further consideration. Under this approach, VOP 2010 would be amended by:

- “1. Deleting Policy 7.5.1.4 d. (“allowing secondary suites where deemed appropriate by a City-initiated study.”)
2. Adding the following new Policy 7.5.1.5 and renumbering the existing Policies 7.5.1.5, 7.5.1.6 and 7.5.1.7 accordingly:

7.5.1.5 Secondary Suites shall be subject to the following policies:

- a) Secondary Suites may be permitted in a building on lots where the principle use is a single detached, semi-detached or street townhouse dwelling provided that:
 - i. There is a maximum of one (1) secondary suite per principle dwelling unit;
 - ii. All requirements of the Ontario Building Code, Fire Code and City By-laws are satisfied.
- b) Secondary Suites will not be permitted on all single detached, semi-detached and townhouse lots. The implementing zoning by-law will

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establish standards and criteria that must be met before the Secondary Suite can be considered to be in conformity with the zoning by-law.

- c) Council may adopt further regulatory measures regarding the implementation of a program to permit secondary suites in accordance with the policies of this Plan. Such measures may include, but not be limited to, the registration, licensing, monitoring and provision of public education.

The amending zoning by-law provides more specific standards which any proposal to permit or legalize a secondary suite must adhere to.”

b. The Draft Secondary Suites Zoning Standards

In keeping with the concept of criteria based zoning standards, the following amendments to By-law 1-88 have been developed for further consideration:

“1) In Section 2.0 DEFINITIONS:

- Include a definition for a Secondary Suite: “Secondary Suite – Means a self-contained residential unit located within and accessory to a residential dwelling. A secondary suite has its own kitchen and bathroom.”
- Change the term “Dwelling, Single Family Detached” to “Dwelling, Single Detached”. Update use of this term elsewhere in the By-Law.
- Change the definition of a “Dwelling, Semi-Detached” to mean “a building containing a maximum of two (2) dwelling units.”
- Add the following clause to the definition of a “Dwelling, Duplex”: “A dwelling that includes an accessory secondary suite is not a duplex.”

Regulations and Standards:

1. In Section 3.8, “Parking Requirements”, add “Residential – Single Detached, Semi-Detached, Street Townhouse with Secondary Suite” as a type of use with a minimum of “3.0 parking spaces per dwelling unit”.
2. In Section 4.1, “General Provisions” for Residential Zones, include a new Subsection entitled Secondary Suites stating that “Secondary suites may be permitted located within or on the same lot, and accessory to a single detached, semi-detached or street townhouse dwelling unit, subject to the following provisions:
 - a) The addition of a secondary suite in a dwelling shall not change the use of the subject lands;
 - b) A maximum of one (1) secondary suite shall be permitted;
 - c) The lot frontage shall exceed 9.0 metres (i.e. minimum 9.0 metres required);
 - d) The minimum gross floor area of a secondary suite shall be 35 square metres;
 - e) A secondary suite shall not occupy more than forty-five percent (45%) of the above finished grade gross floor area of the dwelling within which it is located;
 - f) Entrances to secondary suite entrances shall:
 - Be separate from the entrance to the principal dwelling, either as separate exterior entrances or from a common indoor vestibule;
 - Be accessible from the street via a paved walkway or driveway;

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- Not be visible from or located in front of the principal entrance of the adjacent building
 - g) New entrances for secondary suites in existing dwellings shall not be permitted on the façade facing a public or private road;
 - h) A secondary suite will not be permitted in a dwelling unit accommodating boarders or containing a home occupation.
3. Add a provision to Section 4.1.5: “A home occupation will not be permitted in a dwelling unit containing a secondary suite.”

It is noted that these policies and standards have not been formatted to reflect the style of amending official plan and zoning by-law amendment documents. The information referenced above has been included in the draft Official Plan and Zoning by-law amendment documents attached to this report as Attachments 2 and 3.

6. Task Force Recommendations

The Task Force has provided a number of recommendations. Some have been accommodated through the draft *Planning Act* amendments and some will be addressed more fully through the follow-up process discussed in this report. Staff does have issues pertaining to the recommendations respecting the relative merits of a licensing or registration regime, particularly in regard to the costs of administering such programs. The relative merits of the Task Force recommendations relating to the further regulation of Secondary Suites will be addressed in the follow-up report, which will inform Council of the merits and drawbacks of the alternatives as the basis for a recommendation on staff's preferred approach.

- a. **TF Recommendation:** That the home owner wishing to create a Secondary Suite be required, as part of the approval process, to agree that the occupants of the dwelling will have one less vehicle than the number of spaces available with the result that there will be one available parking space for the occupant of the secondary suite.

Staff Response: The concern with respect to this recommendation is the enforceability of such a standard on an on-going basis.

- b. **TF Recommendation:** That restrictions are established for secondary suites with side yard entrances to ensure that the area adjacent to the entrance is not utilized as an amenity space.

Staff Response: Staff is currently considering how this recommendation can be implemented through policy and zoning regulations.

- c. **TF Recommendation:** That the staff recommended approach referencing ‘home occupation’ in section 4. be deleted.

Staff Response: The original draft recommendation was not only in reference to home occupation uses, but all uses which potentially could intensify the uses on a site by their introduction. Staff concerns include impact on parking, and the over intensification of the subject lands by allowing the primary residential dwelling, the secondary suite and an additional use such as a home occupation, private home daycare or private home tutoring.

- d. **TF Recommendation:** That each official address be required to have its own mailbox for service by Canada Post. However, this discussion must consider recent Canada Post

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business decisions towards introducing Community Mailboxes in existing established communities.

Staff Response: Staff is currently in consultation with Canada Post to determine the feasibility of introducing separate mailboxes for the secondary suite.

- e. **TF Recommendation:** That the City of Vaughan encourages developers to include roughed in secondary suites in some homes in new developments.

Staff Response: Staff is considering at which stage of the planning/development application process is it most appropriate to enter into discussions with the development industry on how they would proceed with including the option for secondary suites to potential home buyers, and what the impact on providing a roughed in secondary suite would have on the processing of building permit applications and related fees.

- f. **TF Recommendation:** That a registry of the legal secondary suites in the City of Vaughan is established and the list is accessible to the public.

Staff Response: A number of concerns have been cited respecting the development of a registry regime for secondary suites, including the potential benefits, the staff and resourcing implications, and the actual up-take of the number of registered units. Section 7 of this report titled *Issues Associated with the Implementation of a Secondary Suites Program* goes into greater detail on how the Project Team is proceeding in consideration of this recommendation.

- g. **TF Recommendation:** That a licensing process be implemented with the fees to be determined by the City of Vaughan.

Staff Response: A number of concerns have been cited respecting the development of a registry regime for secondary suites, including the potential benefits, the staff and resourcing implications, and the actual up-take of the number of registered units. Section 7 of this report titled *Issues Associated with the Implementation of a Secondary Suites Program* goes into greater detail on how the Project Team is proceeding in consideration of this recommendation.

- h. **TF Recommendation:** That a separate process be established for homeowners with existing illegal secondary suites to encourage the home owners to register and obtain licensing to meet the necessary standards and requirement.

Staff Response: A number of concerns have been cited respecting the development of a registry regime for secondary suites, including the potential benefits, the staff and resourcing implications, and the actual up-take of the number of registered units. Section 7 of this report titled *Issues Associated with the Implementation of a Secondary Suites Program* goes into greater detail on how the Project Team is proceeding in consideration of this recommendation.

- i. **TF Recommendation:** That the remainder of the recommended approaches referred to in the document submitted by Planning staff titled "City of Vaughan Secondary Suites Policy Development, Summary of Key Issues and Draft Potential Approaches – For Discussion Purposes Only (Draft 4), be approved.

Staff Response: The remainder of the recommended approaches are reflected in the draft Official Plan Policies and zoning regulations. These have been elaborated on through the creation of the Draft Official Plan and Draft Zoning By-law (see Attachments

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3 and 4). Staff will continue to refine these documents prior to moving forward with a technical report on secondary suites.

- j. **TF Recommendation:** That a cost analysis is completed and made public to determine the costs associated with secondary suite policy implementation (licensing, monitoring, and enforcement).

Staff Response: A number of concerns have been cited respecting the development of a registry regime for secondary suites, including the potential benefits, the staff and resourcing implications, and the actual program up-take and the resulting number of units. Section 7 of this report titled *Issues Associated with the Implementation of a Secondary Suites Program* goes into greater detail on how the Project Team is proceeding in consideration of this recommendation.

- k. **TF Recommendation:** That requiring insurance for tenants is considered as part of licensing requirements.

Staff Response: A number of concerns have been cited respecting the development of a registry regime for secondary suites, including the potential benefits, the staff and resourcing implications, and the actual up-take of the number of registered units. Section 8 of this report titled *Issues Associated with the Implementation of a Secondary Suites Program* goes into greater detail on how the Project Team is proceeding in consideration of this recommendation.

- l. **TF Recommendation:** That an education program be implemented.

Staff Response: Staff concurs with this recommendation and is currently developing a framework for moving forward with an education program. This information will be presented in a future report to Committee of the Whole meeting.

- m. **TF Recommendation:** That all future infrastructure review for determining development charges take into account secondary suites and report separately on the infrastructure needs and costs.

Staff Response: Staff is currently reviewing this recommendation.

7. Issues Associated with the Administration of the Secondary Suites Program

Coincident with the *Planning Act* approvals coming into effect it will be necessary to have in place the administrative procedures required to implement the Secondary Suites program. Much of the administrative process for the regulation of Secondary Suites rests with legislation and regulation outside of the *Planning Act*. This would include the Ontario Building Code, the Fire Code and *Municipal Act*, which are applicable to solutions where licensing and/or registration may be involved. The measures the City adopts to further regulate the secondary suites have the potential to affect the operations of a number of City departments, including the Building Standards Department, the By-law and Compliance Department, and the Vaughan Fire and Rescue Service, as well as Corporate Communications with respect to any educational component.

The extent to which the each department is affected will depend on the level of regulation that is applied and the number of applications that will be submitted to permit new or legalize existing secondary suites. This would involve the submission of applications for review for Code/ By-law compliance, plan approval, and inspections.

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The level of further regulation would also need to be considered. For example: This could depend on whether:

- The City chooses to implement a proactive enforcement program designed to achieve compliance with the code requirements;
- A licensing regime is put in place where legal secondary suites are identified, licensed and inspected annually for continuing compliance, with a licensing fee;
- In the alternative, a registration process could be put in place, which lists legalized secondary suites, but carries out no further actions, except on a complaint basis.

8. The Implementation of the Secondary Suites Policy: The Three Element Approach

It became clear throughout the process that the implications of permitting secondary suites extended beyond the Official Plan and Zoning By-law, as reflected in the discussions with stakeholders and the Task Force recommendations. Both the Task Force and staff identified a number of implementation and administration issues that would need to be addressed and put in place before the required Official Plan policies and amending Zoning By-law were in effect. This mainly relates to the identification, monitoring, and regulation of secondary suites and establishing a public education program that would allow the system to operate smoothly. This resulted in a “three element” approach to regulation. This is discussed below.

- Planning Act Permissions:** It is evident that the first element of the process, being the *Planning Act* permissions for secondary suites, can be addressed through the development of the Official Plan Policies and an implementing Zoning By-law, which were set out in the previous section of this report. These may be subject to further modification resulting from the Public Hearing process, consideration of the Task Force recommendations and further staff response.
- Enforcement and Monitoring:** The second major area of implementation in response to Task Force recommendations involves the determination of the required enforcement, monitoring and administration processes. Currently staff is investigating the potential implementation, enforcement and monitoring tools. The Task Force recommendations also noted the need for implementation tools.
- Education:** The third element is the educational component. This would involve the creation of a resource based approach to information regarding secondary suites. This would include on-line sources providing the public with information and a hardcopy information package containing the same information, which can be obtained at City Hall. The package would also be made available with all building permit applications for secondary suites and grade related residential construction. Staff will consider the educational element in greater detail once it has completed its consideration of the implementation tools as the information to be provided will be impacted by Council's ultimate direction.

9. Reporting Strategy: Next Steps

The determination of the regulatory system was a key point for both the Task Force and Project Team. However, such a protocol is beyond the scope of this study. For this reason, the Project Team has developed the following approach to the next steps. The Policy Planning Department has prepared this public hearing report providing an outline of the study process to date, related background information, an outline of the issues, as well as the final consultant's report (see Attachment 1) and the draft official and plan zoning by-law amendments (see Attachments 2 and 3). Subsequently in response to the issues identified through this Public Hearing process, the comprehensive Technical Report will be prepared addressing the *Planning Act* matters for the

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purposes of their approval and finalization for adoption and enactment.

A second report will be prepared by the Legal Department, in consultation with the City Clerk's, the By-Law and Compliance, the Building Standards departments and the Vaughan Fire and Rescue Service. It will address the issues relating to the implementation of a regulatory regime. The timing of this report will be coordinated with the Technical Report on the *Planning Act* amendments and will identify resource requirements in greater detail which will inform any required budget requests.

It should be reiterated that the regulatory measures must be in place no later than the day that the implementing zoning amendment comes into effect. Therefore, staff will work to time both processes so that the regulatory measures are in place in time to receive the first application for the approval of a new secondary suite or the legalization of an existing one. It is expected that a joint report on the regulatory measures involving several departments will be provided in the fourth quarter of 2015.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

Representatives from the Long Range Planning Division at the Region of York were members of the Technical Advisory Committee (TAC) and have made presentation to the Secondary Suites Task Force Committee. This report also responds to direction provided in the York Region Official Plan in regard to the provision of affordable housing, including secondary suites.

Conclusion

Staff will continue to refine the issues pertaining to the Official Plan and Zoning by-law while taking into consideration the comments received from the public and Council at this Public Hearing. This will be reported on in a comprehensive technical report. In addition to the *Planning Act* matters it will be necessary to address a number of administrative issues resulting from the Task Force's Recommendations. Such measures will need to be resolved and be in place coincident with the Zoning Amendment coming into force. These matters will be elaborated on in a separate report to Council containing direction on recommended regulatory measures. The timing of these reports will be coordinated to ensure that the *Planning Act* instruments and the necessary regulatory measures are both in place at the same time.

Attachments

1. Final Secondary Suites Consultants Report – dated January 2015
2. Draft Official Plan Amendment
3. Draft Zoning By-law Amendment
4. Task Force Recommendations

Report prepared by:

Arminé Hassakourians, Planner, ext. 8368

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)



CITY OF VAUGHAN

SECONDARY SUITES POLICY DEVELOPMENT

POLICY REPORT

JANUARY 2015

Prepared By:



In Association With:



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1.0 Introduction

A secondary suite is a self-contained unit within a house or within an accessory building on the same lot as a house. A secondary suite has its own kitchen and bathroom. Many secondary suites are also called 'basement apartments' but can be located on any floor of the house.

1.1 Provincial Context and Background

Over the years, there have been a number of changes to provincial planning legislation that have had an impact on policies related to secondary suites. In 1994, Bill 120 amended the Planning Act to require municipalities to permit secondary suites as-of-right, including grandfathered units in existence on the date the new legislation. In 1995, Bill 20 amended the Planning Act to give municipalities the power to decide whether to permit secondary suites in their jurisdictions, although suites created on or before November 16, 1995 were still considered legal. As a result, municipalities including the City of Vaughan likely have some legal secondary suites that were in existence on November 16th 1995. In the City of Vaughan, secondary units built after 1996 are illegal and currently individuals do not have as-of-right permission to add secondary suites to current housing stock.

More recently, the Planning and Conservation Land Statute Law Amendment Act, 2006 (Bill 51), provided municipalities with the ability to adopt second suite official plan policies without being subject to appeal at the Ontario Municipal Board. The Provincial Growth Plan for the Greater Golden Horseshoe (2006) specifically requires municipalities to "encourage the creation of secondary suites throughout the built-up area". The Provincial Policy Statement 2014 speaks to providing an appropriate range and mix of housing (including second units, affordable housing and housing for older persons) and densities to meet current and future needs of residents and to facilitate residential intensification.

In 2010, the provincial government released Building Foundations: Building Futures, Ontario's Long-Term Affordable Housing Strategy (LTAHS). As part of the LTAHS, amendments to the Planning Act through **Bill 140 Strong Communities through Affordable Housing Act** (enacted in January 2012) required municipalities to establish policies allowing secondary suites in new and existing developments and added affordable housing, to Section 2, as a matter of provincial interest. Specifically, Section 16(3) now requires municipalities to include permissions in their Official Plan that authorize the use of second residential units in detached, semi-detached and row houses, as well as in ancillary structures. The provisions allow for two units, located in either a single residential building, or one unit inside a residential building and a second unit located in an ancillary structure on the same property (i.e. above laneway garage). Amendments to the Act also prevent any appeal of zoning by-laws passed to

support the creation of secondary suites which implement Official Plan policies. **Appendix A** further outlines changes to the Planning Act made through the Strong Communities through Affordable Housing Act (2011) regarding second units.

1.2 Purpose of the City of Vaughan Secondary Suites Study

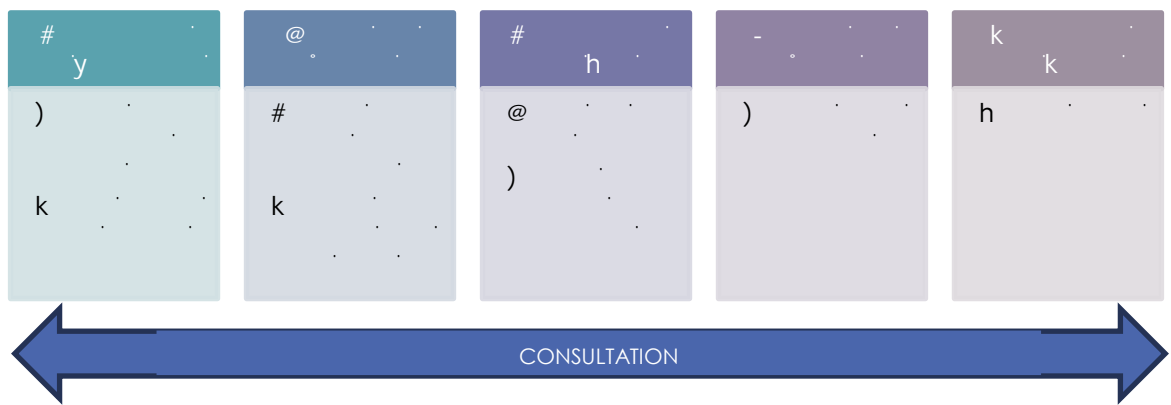
Given the current policy context, the City of Vaughan has responded by initiating a study to develop a ‘made-in-Vaughan’ approach to secondary suites.

The objectives of the secondary suites study include the following:

- Obtain an understanding of the potential issues associated with the provision of secondary suites
- Conduct a study with the benefit of a public consultation process
- Recommend a ‘made-in Vaughan’ approach to the regulation of secondary suites
- Develop tools required to implement the approach

1.3 Approach to Undertaking Policy Development

The City’s study comprised five main components:



To assist in identifying key policy issues and challenges, and to provide recommendations on policy directions, a Task Force was established in April 2013. The Task Force was comprised of City of Vaughan residents with various backgrounds including real estate, law, property management, social advocacy, planning, development and architecture, as well as members of local rate payer associations. In addition, a Technical Advisory Committee (TAC) was established to provide a range of expertise to the consulting team. A full list of TAC members is provided in Appendix C.

As outlined above, one of the key objectives of the City-wide Secondary Suites Study is that it be conducted with the benefit of public consultation. Several community activities were undertaken to inform the various components of the study:

- Study Kick-Off Meeting (May 2013)
- Community Online Survey (June through December 2013)
- Secondary Suites Task Force Meetings (July 2013 through April 2014)
- Secondary Suites Technical Advisory Committee Discussions (Ongoing from July 2013)
- Secondary Suites Webpage (Ongoing)
- Public Open House Sessions (December 2013 and April 2014)
- Public Hearing (March 2015)

A copy of the Open House Summary Reports are provided in Appendix B.

2.0 Role of Secondary Suites

Secondary suites can play an important role in the provision of rental housing in the City of Vaughan.

2.1 Market Profile

A market assessment was completed to better understand the demand and supply for housing in the City and, in particular, the potential demand for secondary suites. Key trends from the assessment include:

- **The City of Vaughan has experienced significant growth**

The City of Vaughan's population grew by 20.7% between 2006 and 2011 reaching 288,301 persons. The City's growth in this period exceeded the growth rate of all neighbouring municipalities, except the City of Brampton (20.8%). It is expected that Vaughan will reach about 416,600 people by 2031; an increase of about 44.5%. While the overall growth rate is expected to decline over the next twenty years annual population growth is expected to remain steady.

- **The median household income is relatively high but there is still a number of individuals with low incomes**

In 2010, the total median household (before tax) income in Vaughan was \$93,816 but 9.5% of the population in private households had low incomes based on the low-income measure (LIM-AT).

- **The housing market is largely ownership**

In 2011, 92.2% of all households in Vaughan owned their homes and 67.6% of all dwellings were single detached dwellings. The increasing house prices suggest that homeownership is becoming less affordable, which may put pressure on the rental

housing market. Additionally, shifting demographics suggest a need for a more diverse housing stock.

- **City of Vaughan has a tight rental market coupled with high average rents**

Overall, the average market rents in the City of Vaughan are comparatively high, averaging over \$1,000/month for a one-bedroom unit. In 2012, vacancy rates were considered low at approximately 1.9%. This signals a tight rental market with affordability rates requiring an annual income of at least \$40,000.

2.2 Assessment of Current Supply of Secondary Suites

In addition to the market assessment, supplemental analysis on estimating the number of secondary suites in the City of Vaughan was undertaken as part of the secondary suites study. Five methods were employed to estimate the number of secondary suites in the City of Vaughan and these are discussed in the following section. These estimates are based on readily available data from Canada Mortgage and Housing Corporation (CMHC) Rental Market Report, Statistics Canada Community Profiles and National Household Survey Profiles, MLS listings, data from the City's Fire Department and property assessment data.

Method 1: This method entails subtracting the number of rental condominiums, rented single-detached, semi-detached, row/townhouse and other structures from the total number of units in the secondary rental market¹ to come up with the number of secondary suites

Method 2: This method is based on estimating the number of secondary suites using published data from CMHC's Rental Market Report. This publication reports the estimated number of households living in 'other secondary rental units'. As data is not provided for Vaughan estimates for York Region and Vaughan were based on the Toronto CMA.

Method 3: This approach uses the number of basement apartments that are in compliance with City by-laws and standards as well as the number of complaints associated with secondary suites that were received by Fire Services.

¹ Secondary rental market is defined by CMHC to include all rental dwellings that are not situated within privately initiated structures that have at least three rental dwellings. This includes rented singles, semi-detached and row/townhouses as well as rented condominiums and accessory apartments.

Method 4: This method is based on a survey of real estate listings for the City of Vaughan to identify the proportion of listings that noted the presence of a second kitchen and applying a discount of 25% to account for the notion that not all second kitchens would be used for a secondary suite.

Method 5: This approach is based on municipal property tax assessment data obtained from the Municipal Property Assessment Corporation (MPAC). Assessments are based largely on open market sales.

While these methods have been utilized in other studies, such as the *City of Toronto Second Suites Report (2004)* and *Secondary Suites: A Methodological Approach to Estimate their Prevalence within the City of Toronto (2013)*, there are limitations to each method, particularly related to estimating the number of secondary suits in the City of Vaughan. This is due mainly to a lack of readily available data for the City of Vaughan. For example, the CMHC Rental Market Report (Method 2), which has been used in other studies, combines the number of private rental units for Vaughan, Richmond Hill and King, making it necessary to use additional assumptions.

The results of the five methods show that the estimated number of secondary suites in Vaughan ranges from 249 to 8,280, with a median of 696 secondary suites. The proportion of homes with secondary suites ranges from 0.3% to 11.1%, with a 0.9% median. As a comparison, the Toronto CMA, features an estimated 3.6% of single detached, semi-detached and row/townhouses have secondary suites. While the median proportion of homes with secondary suites in Vaughan seems reasonable when compared to the Toronto CMA, the methods used to arrive at this estimate all have limitations. Method 4 (using MLS listings) seems particularly problematic considering that the results are significantly higher than all the other methods, in spite of the discount factor. On the other hand, while Method 5 (using MPAC data) has its own limitations, including an estimate that is most likely less than the actual number, it seems to be the most reasonable when compared to the Toronto CMA results. In addition, a recent study found that this method, when combined with visual surveys, would provide the most accurate estimates².

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² Kloet, J. (2013). *Secondary Suites: A Methodological Approach to Estimate their Prevalence within the City of Toronto*

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The findings demonstrate that while there are methods that can be used to estimate the number of secondary suites in the City of Vaughan, these have significant limitations and additional data is required to obtain more accurate estimates.

2.3 Potential Role for Secondary Suites

Secondary suites can play an important role in many communities.

1. Secondary suites can provide **affordable rental housing options** for a wide range of residents.
2. Secondary suites can provide a **flexible form** of housing by creating a unit that can move back and forth between families use and rental unit. Similarly, they can provide an option for extended family (adult children, parents, live-in caregivers).
3. In areas such as the City of Vaughan, secondary suites offer a greater opportunity to **add to the rental housing stock** compared with building new as the cost of land is high and achieving affordability is challenging.
4. Secondary suites can provide **more housing choices and greater mix of housing**. For example, they can provide rental housing for individuals who would prefer to live in a lower density community (i.e. seniors and students).
5. In addition, second suites provide **rental income to homeowners** and **flexibility to offset costs of home ownership or home maintenance**. For example, a secondary suite can help a first time homebuyer afford their mortgage, allow a senior to remain in their home longer by having someone to help with maintenance, and provide income to persons and families on a fixed income.
6. Outward growth is also increasingly limited, as a result of reduced land supply, within the municipality and secondary suites can help areas meet **intensification goals**. Secondary suites allow for new housing and intensification without major changes to the built form or character of established neighbourhoods.
7. Secondary suites can also contribute to **neighbourhood revitalization** by increasing demand for amenities and services and contribute to social diversity, in particular within neighbourhoods that have experienced a decline in population. Secondary suites can also **create construction/renovation jobs**.

3.0 Defining the Issues and Opportunities

3.1 Summary of Key Issues and Potential Approaches

Through the study Kick-Off meeting held in May 2013, the online survey conducted from June to December 2013 and through initial meetings with the City of Vaughan Secondary Suites Task Force, several key issues emerged providing a framework for developing a 'made-in Vaughan' approach to secondary suites. These key issues can be summarized under four impact areas:

1. Neighbourhood Character

- Location of secondary suites
- Parking
- Absentee landlords
- Property standards
- By-law enforcement

2. Health and Safety

- Safety of tenants
- Insurance
- Neighbourhood safety

3. Infrastructure

- Strain on existing infrastructure and services

4. Education and Awareness

- Public education of secondary suites
- Understanding legislation and regulatory framework
- Understanding costs of legalizing secondary suites

As part of the Secondary Suites Task Force meetings, a series of presentations and discussions with City Staff and the Technical Advisory Committee (TAC) were held with the goal of providing additional information, insight, and experience into the identified issues. In addition, the consulting team conducted further research to help inform the identified issues. Part of this research included a scan of existing secondary suites policies from other jurisdictions. This summary is provided in Appendix D.

A summary of the key issues and information learned from both stakeholders and presenters is provided in the following Table.

Neighbourhood Character

Key Issues Raised	What Was Heard – Defining & Informing the Issues
1. Location of secondary suites	<ul style="list-style-type: none"> Some stakeholders are concerned with secondary suites within higher density neighbourhoods (mainly a concern with entrances and parking – see below) Province has set the direction for secondary suites to be permitted as-of-right
2. Parking – concern of on-street parking, parking (or paving over) on front lawns, and increased street congestion	<ul style="list-style-type: none"> Major concern for residents is parking – both street congestion and paving over front yards Parking in higher density neighbourhoods is already a concern for many residents The City of Vaughan has a requirement for minimum parking set out in the zoning by-law (e.g. 2-3 spaces per detached / semi-detached dwelling unit; 2 spaces per street townhouse) The zoning by-law regulates driveway width and minimum soft landscaping Currently a parking study is underway looking at various options to address parking issues in several City neighbourhoods Enforcement of existing (parking) By-laws is a concern among residents
3. Absentee landlords – concern that will lead to a decline to neighbourhood appearance	<ul style="list-style-type: none"> Concerns were raised by stakeholders around absentee landlords and the potential impact that would have on neighbourhood appearance Some stakeholders also cited their concerns about residing next to 'strangers' who are perceived to be more transient (e.g. tenants in largely owner-occupied neighbourhoods)
4. Property standards – concern over decline to exterior appearance of dwelling (i.e. entrances, landscaping), increased noise, increased garbage	<ul style="list-style-type: none"> Stakeholders are concerned with the overall impact secondary suites will have on neighbourhood appearance in particular with regard to parking and landscaping to accommodate additional vehicles (See also parking above) City has a property standards By-law to enforce regulations and address complaints City has an existing Noise By-law City of Vaughan has a 3 bag limit for garbage requiring households to pay for additional garbage bag tags Residents generally agree that secondary suites should have a separate exterior entrance located at the back or side (with proper setbacks in place for privacy)
5. Ensuring local by-laws are being enforced	<ul style="list-style-type: none"> There are many By-laws in place for noise, property standards (including regulations around minimum requirements for landscaping), and parking but monitoring/enforcement is complaint based and becomes a resource issue City By-law enforcement has limited power of entry pursuant to legislation governed by the Planning Act.

Health and Safety

Key Issues Raised	What Was Heard – Defining & Informing the Issues
6. Ensuring units are safe for tenants	<ul style="list-style-type: none"> Legalizing secondary suites would require that units comply with Fire Code, Building Code and property standards (landscaping, parking, noise, garbage collection – see above) Building Code requirements include standards for sound, fire separation, stairwells, plumbing, mechanical and electrical and regulations vary depending on age of the home All construction requires a building permit There are minimum Fire Code requirements for on-street parking Fire Prevention officials advocate for easy access to secondary suites to ensure safety of tenants Community residents and stakeholders generally agree that there should be a registration and/or licensing process in place with a requirement for inspections Stakeholders generally agree that while a fee may be necessary it should not be too onerous
7. Insurance for tenants	<ul style="list-style-type: none"> Some stakeholders noted that requiring landlords to have insurance would help protect tenants Requiring tenants to have insurance is not something enforceable by the City; however, the City can require, through a Licensing By-law, that the landlord/owner have general liability insurance to cover a secondary suite
8. Ensuring neighbourhood safety	<ul style="list-style-type: none"> Some stakeholders expressed a general concern over ensuring neighbourhoods remain safe (as a result of secondary suites)

Infrastructure

Key Issues Raised	What Was Heard – Defining & Informing the Issues
9. Potential for strain on existing infrastructure and services	<ul style="list-style-type: none"> Based on information from the City's Engineering and Public Works Commission the City's water and wastewater capacity is sufficient to accommodate secondary suites The City has no limit on household organic waste or recyclables and has a 3 bag limit on waste (for extra items, must purchase additional bag tags) Traffic capacity analysis of residential streets is performed by Engineering Services on a regular basis There is currently no overnight on-street parking permitted The City is currently completing a parking study in designated neighbourhoods Residents have expressed concern regarding impact to not only hard services but also soft services such as schools and community centres Research conducted as part of the City of Mississauga Second Units Implementation Study found that secondary

Key Issues Raised	What Was Heard – Defining & Informing the Issues
	suites do not significantly burden public services (community services, transportation and schools) beyond the original design capacity and that public services are planned with some flexibility (City of Mississauga Planning and Building, June 2013)

Education and Awareness

Key Issues Raised	What Was Heard – Defining & Informing the Issues
10. Public education of secondary suites (general)	<ul style="list-style-type: none"> Residents and stakeholders have expressed the importance of incorporating an education campaign as part of the secondary suites policy implementation
11. Understanding legislation/regulatory framework including the rights and responsibilities of landlords and tenants	<ul style="list-style-type: none"> There are standards for landlord and tenants within the Residential Tenancies Act CMHC has information on its website on the design of secondary suites (case studies etc.) There is a desire to have information available for potential landlords (i.e. 'what it takes' to be a landlord), for tenants (rights and responsibilities), as well as information that addresses the misconceptions and realities of secondary suites (i.e. impact on infrastructure, impact to property values)
12. Understanding the costs of legalizing a secondary suite (i.e. impact to property values and property taxes)	<ul style="list-style-type: none"> Based on a presentation by MPAC a secondary suite landlord can expect their annual property taxes to increase by approximately \$210 (based on an increased assessment value), approximately \$60 of this is municipal tax Based on the same MPAC presentation the estimated value of a secondary suite would be approximately \$13 sq/ft compared to a finished basement with assessed value at approximately \$7.80 sq/ft

The above discussion provides the framework for defining and developing potential approaches and tools to address the key issues and opportunities (including Official Plan policies and Zoning By-law requirements). These are further discussed in Section 4.0.

4.0 Policy Recommendations

4.1 Recommended Approach

Based on the above framework, a series of policy and implementation recommendations have been developed. These recommendations put forward a comprehensive approach that will guide and implement the City of Vaughan's Secondary Suites Policy.

Preliminary approaches and policy options were discussed and evaluated with City Staff, the Secondary Suites Task Force and the Secondary Suites Technical Advisory Committee. These discussions were aimed at examining local housing needs alongside what was learned from the Task Force, the public open houses, existing research, and the experience of Staff and technical experts in order to determine the most appropriate approach for the City in developing its Policy.

The following Table provides a summary of the recommended approach. These recommendations are organized by key issue (as summarized in *Section 3.1*) and provide the consulting team's rationale for each approach. Tools to implement the recommended approaches are also identified and are based four planning capacities:

OP = Official Plan Policy

BL = Zoning By-Law

EM = Enforcement and Monitoring

EP = Education Program

Areas of Focus	Key Issues	Recommended Approach	Rationale	O P	B L	E M	E P
Neighbourhood Character	1. Location	<ul style="list-style-type: none"> Secondary suites will be permitted in buildings where the primary use is a single detached, semi-detached, or street townhouse dwelling with a maximum 1 secondary suite per dwelling Secondary suites will only be permitted in dwellings with a minimum 9 metres frontage 	<ul style="list-style-type: none"> This policy follows the general guideline required by the Province and adhered to by other municipalities (i.e. Mississauga, Brampton) Task Force members generally agreed that while there may be special circumstances where more than 1 second unit could be permitted, the general policy should be for 1 secondary suite per dwelling Allowing only one secondary unit per dwelling also helps to address concerns raised around increased densities Restricting secondary suites to only new developments is not in keeping with the intent of the Provincial policy (<i>Bill 140 Strong Communities Through Affordable Housing Act</i>)³. Restrictions to permitting secondary suites should be based on sound planning principles. 				
	2. Parking	<ul style="list-style-type: none"> A dwelling unit that includes a secondary suite is required to have a minimum of 3 parking spaces 	<ul style="list-style-type: none"> Most dwellings within the City of Vaughan already have a minimum of 3 parking spaces per dwelling and in many cases 4+ The Zoning By-law's standards for maximum driveway widths, number of driveways, and minimum soft surfaces limit the amount of permissible parking area Requiring minimum parking helps to address concerns raised by residents and staff around 				

³ Restricting secondary suites to only new developments was a suggestion made through the City of Vaughan Secondary Suites Task Force.

Areas of Focus	Key Issues	Recommended Approach	Rationale	O P	B L	E M	E P
			parking and hard landscaping resulting from the legalization of secondary suites				
		<ul style="list-style-type: none"> Through City-wide strategic initiatives, evaluate options to address parking issues across City neighbourhoods 	<ul style="list-style-type: none"> Parking concerns within the City of Vaughan are not only an issue related to secondary suites; there are a number of existing concerns 				
		<ul style="list-style-type: none"> Clear guidelines for potential landlords 	<ul style="list-style-type: none"> See 'Community Awareness' approaches below 				
	3. Absentee landlords	<ul style="list-style-type: none"> No policy to regulate 'absentee landlords' 	<ul style="list-style-type: none"> Initial input from City Legal Services is that the City cannot under the Municipal Act regulate which individuals occupy a specific dwelling Municipalities (i.e. Mississauga) have tried to include a requirement in their secondary suite policy that units must be owner occupied – however, following legal consultation this was not included in their policy Little evidence to show any negative impact to neighbourhood character resulting from secondary suites 				
		<ul style="list-style-type: none"> A secondary suite will not alter the existing use of the dwelling 	<ul style="list-style-type: none"> Including a policy outlining that the use of dwelling cannot change with the addition of a secondary suite may help further ensure overall neighbourhood character remains the same 				
		<ul style="list-style-type: none"> Clear guidelines for potential landlords 	<ul style="list-style-type: none"> See 'Community Awareness' approaches below 				
		<ul style="list-style-type: none"> Greater community awareness of secondary suites 	<ul style="list-style-type: none"> See 'Community Awareness' approaches below 				

Areas of Focus	Key Issues	Recommended Approach	Rationale	O P	B L	E M	E P
	4. Property standards	<ul style="list-style-type: none"> Definition of Secondary Suite in ZBL and Official Plan: "A self-contained residential unit located within and accessory to a residential dwelling. A secondary suite has its own kitchen and bathroom." 	<ul style="list-style-type: none"> Generally follows the Ministry of Municipal Affairs and Housing definition Some questions raised around difference between a duplex and a secondary suite. As such, revisions to the definition of a duplex are also suggested: <p>Definition of Dwelling, Duplex in ZBL: "Means a dwelling divided horizontally into two (2) dwelling units each of which has an independent entrance either directly or through a common vestibule. A dwelling that includes an accessory secondary suite is not a duplex."</p>				
		<ul style="list-style-type: none"> Secondary suites will meet requirements of the Ontario Building Code, Fire Code and City by-laws Secondary suites should have a separate official address with signage visible from the street 	<ul style="list-style-type: none"> There is an existing regulatory framework to promote the safety of units and uphold property standards that (will) apply also to secondary suites Providing the requirement to adhere to Building Code, Fire Code, and City By-laws provides further clarity to residents Having a unique address for a secondary suite will help create awareness among City and emergency response services Obtaining an address could be included as part of the registration process. 				
		<ul style="list-style-type: none"> Maximum Gross Floor Area (GFA): GFA of secondary suite shall not exceed 45% of the total dwelling GFA located above grade Minimum Gross Floor Area: secondary suite will have a minimum GFA of 35m² 	<ul style="list-style-type: none"> Mississauga and Markham use a Min. GFA of 35m². Other areas have min. GFA of 30m² (Edmonton), 42m² (Burlington), 55m² (Toronto) Mississauga and Toronto use a max GFA of 50%, Markham uses max of 45%, Newmarket and Ottawa use max of 40% Not all municipalities include min. GFA while most include a max GFA Rationale is based on having secondary suite secondary in size to principal unit 				

Areas of Focus	Key Issues	Recommended Approach	Rationale	O P	B L	E M	E P
		<ul style="list-style-type: none"> Secondary suite entrances must be separate from the entrance to the principal dwelling, either exterior entrances or from a common indoor landing, and must be accessible from the street via a paved walkway or driveway New entrances (for secondary suites) to existing dwellings at the front of dwelling (i.e. facing street) will not be permitted Entrances for secondary suites at the front of a dwelling may be permitted in new development or where two entrances already exist in a building's front façade, based on staff approval of building permit Sideyard entrances should not be visible from or located in front of the principal entrance of the adjacent building Secondary suite entrances located at the side or rear will have minimum setbacks of 1.2m 	<ul style="list-style-type: none"> Several other municipalities prohibit entrances facing a street (i.e. Mississauga, Newmarket, Toronto, Ottawa) Some dwelling designs at the construction stage such as raised bungalows include a secondary entrance Mississauga uses minimum setback of 1.2m for new entrances for secondary suites 				
		<ul style="list-style-type: none"> A secondary suite will not be permitted in a dwelling unit accommodating boarders, or a private home day care 	<ul style="list-style-type: none"> The inclusion of private home day care and secondary suites in one dwelling is considered to constitute a mix of uses in areas zoned for lower residential use. Private home day care have minimum parking requirements 				
		<ul style="list-style-type: none"> Clear guidelines for potential landlords 	<ul style="list-style-type: none"> See 'Community Awareness' approaches below 				

Areas of Focus	Key Issues	Recommended Approach	Rationale	O P	B L	E M	E P
	5. Ensuring local by-laws are being enforced	<ul style="list-style-type: none"> Consider increasing resources to enforce new and existing By-laws (zoning, property standards, noise) in particular at onset of policy implementation 	<ul style="list-style-type: none"> It is suggested that existing property standards By-law be used to address issues related to the appearance of properties that fall into disrepair; the Noise By-law be used to address concerns related to noise, and Parking Standards be used to address concerns related to parking in prohibited areas 				
		<ul style="list-style-type: none"> Consider conducting inspections as part of registration and/or management program 	<ul style="list-style-type: none"> Inspections will provide an opportunity for staff to ensure units are safe and in keeping with existing By-laws and codes 				
		<ul style="list-style-type: none"> Clear guidelines for potential landlords 	<ul style="list-style-type: none"> See 'Community Awareness' approaches below 				
Health and Safety	6. Ensuring units are safe for tenants	<ul style="list-style-type: none"> Evaluate the implementation of a secondary suite registration and/or management program including consideration of possible fees, inspections and potential benefits of a period Registration recorded through approved building permits 	<ul style="list-style-type: none"> A registration system can help ensure safety of tenants (i.e. City services are aware of the secondary suite in cases of emergency) and can help protect the rights of tenants by ensuring units meet all regulatory requirements (i.e. Building Code, Fire Code) A registration program can also provide information to community service providers (i.e. school boards) to assist in population need forecasting A registration program can be costly to the City and therefore it may wish to consider implementing a fee Keeping in mind, the less onerous a process (and fee) the more likely owners will come forward to register their units Some municipalities have implemented comprehensive licensing by-laws requiring all 				

Areas of Focus	Key Issues	Recommended Approach	Rationale	O P	B L	E M	E P
			<p>secondary suites have a license (i.e. Mississauga), while other municipalities register units as part of building permit process</p> <ul style="list-style-type: none"> To encourage existing landlords/owners of secondary suites to come forward and register the unit the City may wish to consider waiving the registration fee for a defined period of time in order to provide an incentive to landlords to register the unit and comply with various regulations. Other expenses such as a building permit fee may still be required. 				
		<ul style="list-style-type: none"> Adherence to Ontario Building Code, Fire Code and municipal by-laws 					
		<ul style="list-style-type: none"> Clear guidelines for landlords/owners and tenants (i.e. checklists) 	<ul style="list-style-type: none"> See 'Community Awareness' approaches below. 				
	7. Insurance for tenants	<ul style="list-style-type: none"> No requirement for insurance 	<ul style="list-style-type: none"> Asking for proof of insurance can only be required if the City moves forward in developing a licensing by-law 				
		<ul style="list-style-type: none"> Clear guidelines for landlords/owners and tenants 	<ul style="list-style-type: none"> Providing information to landlords on the 'responsibilities of a landlord' under the Residential Tenancies Act is an important tool to help promote the health and safety of secondary suites 				
	8. Ensuring neighbourhood safety	<ul style="list-style-type: none"> Recommended approaches identified throughout this document (i.e. enforcement of local by-laws, education program, monitoring program) are aimed at ensuring 	<ul style="list-style-type: none"> The City has existing policies and regulations in place to ensure neighbourhood safety (i.e. police services, fire services, by-law enforcement) 				
			<ul style="list-style-type: none"> Additional policies are recommended within other sections (i.e. education program, 				

Areas of Focus	Key Issues	Recommended Approach	Rationale	O P	B L	E M	E P
		secondary suites do not have a negative impact on neighbourhoods or the safety of residents	monitoring program and enforcement of local by-laws)				
Strain on infrastructure	9. Potential for strain on existing infrastructure and services	<ul style="list-style-type: none"> As part of Education Program (see below), develop resources highlighting impact of secondary suites on infrastructure 	<ul style="list-style-type: none"> In general, the impact of infrastructure as a result of secondary suites is minimal City Staff have stated the City's water and wastewater capacity is sufficient to accommodate secondary suites Additional education is required to further residents' understanding of secondary suites and their impact on the community. Education and consultation regarding secondary suites – supported by monitoring data – will be an ongoing process 				
		<ul style="list-style-type: none"> Long-term monitoring of secondary suites and potential impacts 	<ul style="list-style-type: none"> On-going monitoring of secondary suites and their impact on infrastructure will help the City address residents' concerns with quantified reporting as well as make any necessary changes/adjustments to its secondary suites policies 				
Community Awareness	10. Public education of secondary suites (general)	<ul style="list-style-type: none"> Develop a Secondary Suite Education Program – including developing City educational resources (e.g. on new policy, what is permitted and not permitted, steps to registration, enforcement measures / schedule) Resources should include web-based resources, hard copy formats and ensure information is easily accessible Prepare to host educational neighbourhood-level focus groups in any high-impact neighbourhoods 	<ul style="list-style-type: none"> Increasing everyone's awareness of secondary suites as well as the responsibilities of having a secondary suite will contribute to the success of the City secondary suite policy once it is implemented Several other municipalities have included recommendations to develop educational programs when implementing their secondary suites policies (Mississauga, Brampton, Markham) 				

Areas of Focus	Key Issues	Recommended Approach	Rationale	O P	B L	E M	E P
	11. Understanding legislation/ regulatory framework including the rights and responsibilities of landlords and tenants	<ul style="list-style-type: none"> As part of Secondary Suite Education Program, develop guidelines/information kit for landlords– including all requirements (Fire, Building Code, Zoning, Property Standards, other) and required steps to register the unit As part of Education Program include guidelines outlining the rights and responsibilities of tenants (include RTA regulations) 	<ul style="list-style-type: none"> Such resources help create clarity for new and existing landlords of secondary suites as well as provide tools for tenants 				
	12. Understanding the costs of legalizing a secondary suite (i.e. impact to property values and property taxes)	<ul style="list-style-type: none"> As part of Education Program include developing education resources around impact to property values – realities & misconceptions 	<ul style="list-style-type: none"> As above, such resources provide an overall greater understanding of secondary suite and their impact 				

4.2 Recommended Policies and Tools

Based on the above direction, several recommendations are put forth for consideration as the City of Vaughan's Secondary Suites Policy. Recommendations are presented by four key planning tools:

- Official Plan – provides an overarching statement of the City's direction in the permission of secondary suites
- Zoning By-law – implements the objectives and policies of the official plan through regulating and controlling land use
- Enforcement and Monitoring – offers strategies to enforce the City's policies and regulations
- Community Education – outlines approaches to creating greater awareness of the secondary suites policy and continued engagement in the planning and implementation processes

4.2.1 Official Plan

The City of Vaughan Official Plan guides development and identifies permitted land uses across the City. The Vaughan Official Plan 2010 (VOP 2010) states that it is the policy of Council to support and prioritize several housing initiatives including “allowing secondary suites where deemed appropriate by a City-initiated study (Sec. 7.5.1.4).

It is recommended that the City of Vaughan adopt the following new Official Plan policy:

1. Secondary Suites may be permitted in a building and on lots where the principal use is a single detached, semi-detached or street townhouse dwelling provided that:
 - a. There is a maximum of one (1) secondary suite per principal dwelling unit;
 - b. All requirements of the Ontario Building Code, Fire Code and City By-laws are satisfied.
2. The implementing zoning by-law will establish standards and criteria that must be met before the Secondary Suite can be considered to be in conformity with the zoning by-law.
3. Council may adopt further regulatory measures regarding the implementation of a program to permit secondary suites in accordance with the policies of this Plan. Such measures may include, but not be limited to, the registration, licensing, monitoring and provision of public education.

4.2.2 Zoning By-law

It is recommended that the City of Vaughan make the following additions and changes to the City's Comprehensive Zoning By-Law 1-88 regulations:

Definitions

1. In Section 2.0:
 - o Include a definition for a Secondary Suite: "Secondary Suite – Means a self-contained residential unit located within and accessory to a residential dwelling. A secondary suite has its own kitchen and bathroom."
 - o Change the term "Dwelling, Single Family Detached" to "Dwelling, Single Detached". Update use of this term elsewhere in the By-Law.
 - o Change the definition of a "Dwelling, Semi-Detached" to mean "a building containing two (2) dwelling units."
 - o Add the following clause to the definition of a "Dwelling, Duplex": "A dwelling that includes an accessory secondary suite is not a duplex."

Regulations

1. In Section 3.8 PARKING, add "Residential – Single Detached, Semi-Detached, Street Townhouse with Secondary Suite" as a type of use with a minimum of "3.0 parking spaces per dwelling unit"
2. In Section 4.1, GENERAL PROVISIONS include a new Subsection titled SECONDARY SUITES stating that "Secondary suites may be permitted located within and accessory to a single detached, semi-detached or street townhouse dwelling unit, subject to the following provisions:
 - a) The addition of a secondary suite in a dwelling shall not change the use of the subject lands;
 - b) A maximum of one (1) secondary suite shall be permitted;
 - c) The lot frontage shall exceed 9.0 metres;
 - d) The minimum gross floor area of a secondary suite shall be 35 square metres;
 - e) A secondary suite shall not occupy more than forty-five percent (45%) of the above finished grade gross floor area of the dwelling within which it is located;
 - f) Entrances to secondary suite entrances shall:
 - Be separate from the entrance to the principal dwelling, either as separate exterior entrances or from a common indoor vestibule;
 - Be accessible from the street via a paved walkway or driveway;
 - Not be visible from or located in front of the principal entrance of the adjacent building
 - g) New entrances for secondary suites in existing dwellings shall not be permitted on the façade facing a public road;
 - h) A secondary suite will not be permitted in a dwelling unit accommodating boarders, or a private home day care

3. Add a provision to Section 4.1.7 COMMERCIAL: "A private home day care shall not be permitted in a dwelling unit containing a secondary suite"

4.2.3 Enforcement and Monitoring

Enforcement of the City's secondary suites policy will help ensure that the policies and regulations set out are being adhered to and that the concerns expressed by residents are addressed (i.e. parking, property standards). As such, it is recommended that:

1. The City evaluate the implementation of a secondary suites registration and/or management program taking into consideration possible fees, inspection requirements and the benefits of a grace period. Importantly, the registration and/or management program should consider processes for both existing and new secondary suites.
2. The City, as part of developing an implementation plan, conduct a detailed cost analysis to determine costs associated with secondary suites policy implementation and ultimately to determine the proper balance between recouping some administrative costs while not creating barriers to people coming forward to legalize their unit.
3. The City, as part of developing an implementation plan, consider increasing resources to enforce new and existing By-laws in particular at the onset of the secondary suites policy implementation.

Ongoing monitoring of secondary suites and the impact on infrastructure will help the City address residents' concerns with quantified reporting as well as make any necessary changes or adjustments to the City's policy. As such, it is recommended that:

4. The City monitor the impact of the secondary suites policy. Indicators to monitor the policy (tracked and assessed by neighbourhood) may include:
 - a. Number of (new) registered units (identified through the approval of building permits)
 - b. Change in demand on hard infrastructure (i.e. water, waste water, garbage)
 - c. Change in demand on soft infrastructure (i.e. school enrolment)
 - d. Change in property values
 - e. Number of complaints resulting from secondary suites and nature of complaint
5. The City prepare an annual monitoring report as part of the secondary suites policy implementation
6. The City, through City-wide strategic initiatives, evaluate options to address parking issues across City neighbourhoods

7. The City explore the feasibility of requiring secondary suites to have a separate official address with signage visible from the street

4.2.4 Community Awareness and Education

Increasing everyone's awareness of secondary suites as well as the responsibilities of having a secondary suite will contribute to the success of the City secondary suites policy once it is implemented.

It is recommended that the City develop and implement a Secondary Suite Education Program for creating greater community awareness of the City's secondary suites policy and for providing educational resources to residents. It will be important to engage various City departments (i.e. corporate communications, planning, building, fire, and by-law and compliance) to ensure a coordinated and effective approach. Strategies to incorporate in the Education Program include:

1. Create educational resources for residents and potential landlords – including information such as:
 - a. Description of new policy and regulations –what is permitted/what is not
 - b. Steps to registration
 - c. Enforcement measures/schedule
 - d. Landlord “how-to” kit – including fact sheets (Building Code, Fire Code, City By-law requirements), resources (i.e. City contact, CMHC resources, other), summary of rights and responsibilities under the Residential Tenancies Act (RTA), and other tools (i.e. for calculating the costs)
 - e. Tips and resources for tenants of secondary suites (i.e. ‘things to consider’ such as insurance, safety, contacts, other)
 - f. Information on secondary suites and the impact to community infrastructure and property values (realities and misconceptions)
2. Host neighbourhood-level focus groups in neighbourhoods where a greater impact is anticipated or experienced
3. Conduct outreach information sessions with key stakeholder groups (realtors, landlord associations, ratepayer groups, and other community groups identified)

It is recommended that material be provided through multiple platforms including but not limited to web-based resources, hard copy formats (i.e. pamphlets), media releases, ongoing dedicated Secondary Suites Policy page on the City's website, as well as public information sessions (public open houses, neighbourhood focus groups) as needed. Having information available in different languages is also suggested.

Material should be simple and incorporate the use of graphics and illustrations where possible (i.e. for interpreting the Building Code and other regulations).

5.0 Summary

The proposed City-Wide Secondary Suites Policy is aimed at providing a 'made-in Vaughan' approach to meeting provincial requirements requiring the provision of secondary suites in municipalities across Ontario. Overall, the recommended policy strives to preserve the character of neighbourhoods across Vaughan while ensuring the safety of residents and a minimal impact on City infrastructure. In addition, it is aimed at providing a balanced response to the concerns expressed by residents and the need for affordable housing in the City of Vaughan.

6.0 Next Steps

The proposed Official Plan policies and zoning regulations will need to proceed to a statutory public hearing under the Planning Act. The implementing planning instruments will be drafted to reflect the standard formats for amendments to VOP 2010 and Zoning By-Law 1-88. Matters relating to Enforcement and Monitoring and Community Awareness and Education will need to be addressed in greater detail to arrive at a fair, equitable and economical administration process. It is imperative that administration/educational measures be in place to coincide with the enforce date of the planning instruments. This should be subject to a further report to Council prior to, or to coincide with, the approval of the planning amendments.

Appendix A

Changes to the Planning Act: Before and After (MMAH, 2012)

	Before Changes Made Through <i>Strong Communities through Affordable Housing Act, 2011</i>	Today (With Changes Made Through <i>Strong Communities through Affordable Housing Act, 2011</i>)
Second Units	<p>Municipalities voluntarily establish second unit official plan policies and zoning by-law provisions.</p> <p><i>Planning Act</i> shelters the municipal establishment of official plan permitting second units in single, semi and row houses from appeal to the Ontario Municipal Board; municipalities may permit second unit in accessory structure but these policies for accessory structures are not sheltered from appeal.</p> <p>No standards for second units in legislation (municipalities currently establish their own standards); no ability for MMAH Minister to prescribe standards.</p>	<p>Municipalities are required to establish official plan policies and zoning by-law provisions allowing second units in single, semi and row houses, as well as in accessory structures (e.g. above laneway garages).</p> <p>Municipal establishment of official plan policies and zoning by-law provisions permitting second units in single, semi, row houses, and in accessory structures, are sheltered from appeal to the Ontario Municipal Board, except during five year review periods. Sheltering of appeals extends to municipally-determined standards for second units.</p> <p>Municipalities continue to have ability to identify appropriate areas for second units, and to establish appropriate standards for second units; Minister has regulation-making authority to prescribe standards for second units.</p>

Appendix B

Consultation Summary Report (December 2013)

Consultation Summary Report (April 2014)



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COMMUNITY OPEN HOUSES – DECEMBER 2013

CONSULTATION SUMMARY

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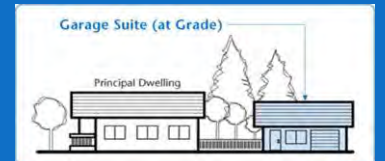
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It was noted that secondary suites already exist within the City of Vaughan and that legalizing suites simply created greater awareness of them.

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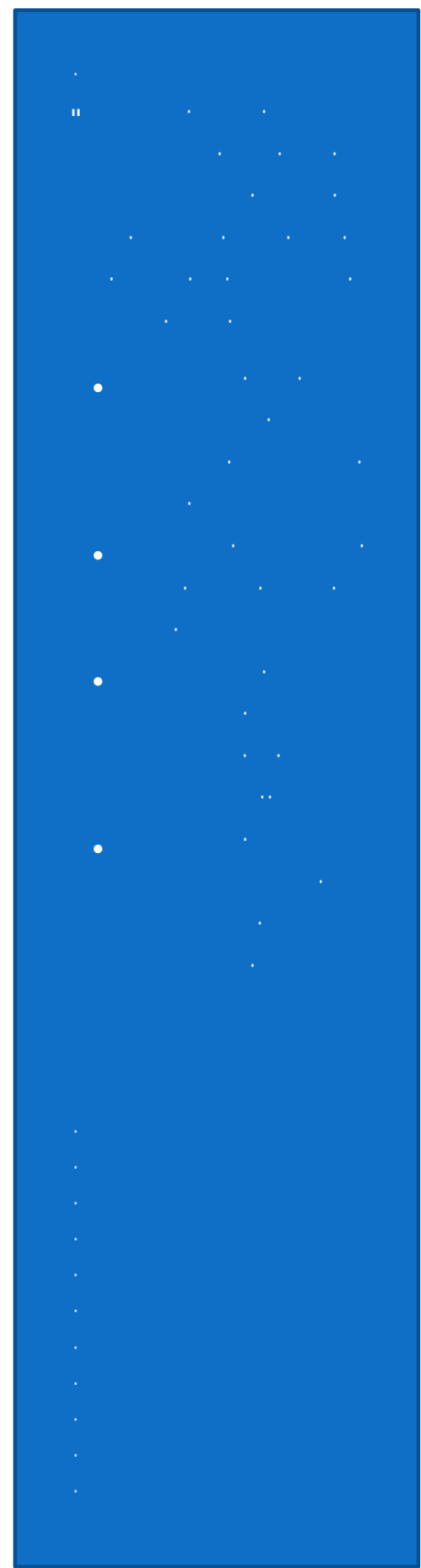


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It was noted that many regulations are already in existence (i.e. landscaping regulations, noise regulations) and that an important component to minimizing the impact to neighbourhoods is ensuring adequate enforcement of these standards.

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- There needs to be a balance between ensuring safety and responsibility with creating a process that is not too onerous.

Infrastructure

- There needs to be more education around the impact of secondary suites to infrastructure and services.
- Ongoing and longer-term monitoring of the impact of secondary suites should be incorporated into the implementation process.

4.0 NEXT STEPS

Using the feedback and direction outlined in the above sections, the City of Vaughan will work with the Secondary Suite Task Force to develop a draft secondary suite policy over the coming months.

This draft policy and recommendations will be shared with residents at another community open house scheduled for the spring of 2014.

It is anticipated that the City will present the draft secondary suite policy to Council later in the spring.

We would like to thank all of the participants of the December Community Open House & Workshops for their time and energy, and for sharing their experiences, insights and viewpoints.

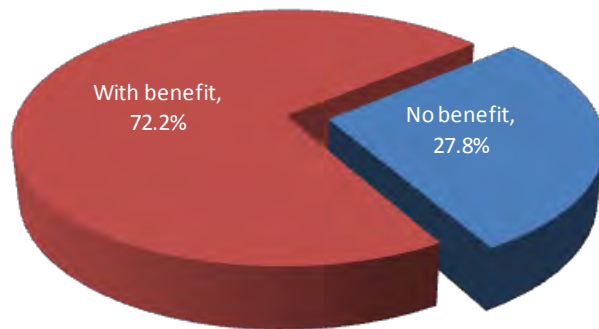


APPENDIX A: SUMMARY OF ONLINE SURVEY RESULTS

Summary of Responses to Vaughan Secondary Suites Online Survey

1. What are the potential benefits in allowing secondary suites? Why do you believe this is a benefit? (79 responses)

- 27.8% or 22 respondents believe there are no benefits in allowing secondary suites
- Benefits:
 - Increases affordable housing in the community, particularly for employees and students
 - Provides homeowners with another source of income to help with housing costs
 - Provides housing options for elderly parents, adult children and nannies or caregivers
 - Legalizing secondary suites would require those who have existing suites to bring them up to building code standards



2. Do you have concerns about secondary suites in Vaughan? If so, please describe. (82 responses)

- Traffic and parking issues (51.2% or 42 respondents)
- Neighbourhood safety (9.8% or 8 respondents)
- Capacity in terms of infrastructure (water, sewage) and overcrowding in neighbourhoods, parks, schools, community centres, libraries, etc. (9.8% or 8 respondents)
- Ability to enforce by-laws such as parking by-laws, property standard by-laws and health and safety codes
- Decreased property values
- Changing neighbourhood character/ exterior of homes

3. What policies or regulatory tools do you think should be considered in developing a “made-in-Vaughan” approach to secondary suites? (75 responses)
- Registering and/or licensing secondary suites (8% or 6 responses)
 - Annual renewal of permits/licenses and payment of fees
 - Ensuring that property taxes reflect the presence of a secondary suite (10.7% or 8 responses)
 - Regular inspections to ensure that secondary suites meet health and safety standards (14.7% or 11 responses)
 - Fire and safety standards, including number of exits and construction material to be used
 - Limiting the number of people living in one house
 - Owner occupancy – having the landlord live in the house where the secondary suite is located

CITY OF VAUGHAN

SECONDARY SUITES STUDY

COMMUNITY OPEN HOUSE

Secondary Suites are self-contained units within a house or within an accessory building on the same lot as the house. A secondary suite has its own kitchen and bathroom.

Secondary Suites are currently not permitted in the City but the Province now requires that municipalities like the City of Vaughan establish Official Plan policies and zoning standards that will permit secondary suites in residential dwellings. As a result, the City is currently working on a study that will consider new Official Plan policies, zoning standards and other regulatory tools that will guide the manner in which secondary suites will be permitted.

The purpose of tonight's open house is to share information on secondary suites and the Secondary Suites Study. We would also like to hear from you on how best to develop a "made-in-Vaughan" approach to secondary suites.

Tonight's Agenda:

Time	Activity
7:05 – 7:20	Presentation of City's Secondary Suites Study
7:20 – 8:30	Discussion Groups
8:30 – 8:55	Report Back
8:55 – 9:00	Closing Remarks

We would like your input on the following issues:

Issue #1: Creating Community Awareness

1. What are the benefits of legalizing secondary suites?
 - a) Consider: benefits to tenants/residents, benefits to landlords/homeowners, and benefits to broader community.
2. What could the City do to encourage landlords to come forward to legalize existing secondary suites?
3. What (other) strategies can you recommend to create community awareness?

Issue #2: Impact on Neighbourhood Character

1. What are the potential impacts of secondary suites on our neighbourhoods?
 - a) Consider: location, number of units, parking, size of secondary suite, other property standards (i.e. setbacks, entrance locations, landscaping/driveway).
2. Are policies/ regulations needed to address these impacts and preserve the look and feel of neighbourhoods? If so, what would they look like?

Issue #3: Ensuring Safety

1. What can the City do to ensure the safety of secondary suites?
 - a) Consider: registration of secondary suites (initial and renewal periods), licensing, inspections.
2. How could the City encourage homeowners to improve the safety of their units?

Issue #4: Impact on Infrastructure

1. What are the potential impacts of secondary suites to infrastructure?
 - a) Consider: garbage, traffic, parking, community services
2. What can the City do to address any impact on City Services?

For further information, please visit the project's website:

http://www.vaughan.ca/projects/policy_planning_projects/secondary_suites_policy_study/Pages/default.aspx

You can also provide additional input by completing the survey:

<https://www.surveymonkey.com/s/vaughansecondarysuite>

THANK YOU!



THE CITY OF VAUGHAN CITY-WIDE SECONDARY SUITES



PUBLIC OPEN HOUSE – APRIL 2 2014

SUMMARY REPORT

Prepared By:



In Association With:

pA

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1.0 CONSULTATION OVERVIEW

1.1 Background

The City of Vaughan is in the process of undertaking a city-wide secondary suites study. The study is being developed within the context of existing policy environment as established by the Province of Ontario and Region of York. The main outcome of the work will be a recommended secondary suites policy including Official Plan policies, zoning standards and other considerations required to regulate secondary suites in the City of Vaughan.

One of the objectives of this initiative is to conduct the study with the benefit of a public consultation process. As such, several community engagement activities have been incorporated into the various study phases, including 3 community open house sessions:



This report provides a summary of the Public Open House held in April 2014.

1.2 Objectives

There were two main objectives to the consultation process:

- Share ‘where we are at’ in developing the City’s Secondary Suite Study
- Obtain comments and feedback on the preliminary policy recommendations for Official Plan policies and a zoning amendment to permit secondary suites

1.3 Approach

The Public Open House was held at City Hall on Wednesday April 3rd 2014 from approximately 7-9pm.

The session began with some introductory remarks from Roy McQuillin, Manager of Policy Planning at the City of Vaughan and Sony Rai, Chair of the City of Vaughan Secondary Suite Task Force.

A presentation was made by the consulting team which focused on providing 1) a summary of the context for initiating a secondary suite study, 2) an overview of the approach in developing the secondary suite study, and 3) a presentation of the preliminary policy recommendations.

Following the presentation, participants were invited to share comments and questions of the consulting team, members of City Staff and representatives of the City's Technical Advisory Committee. The panel format discussion was approximately an hour and a half. The evening finished with some closing remarks.

2.0 WHAT WE HEARD

The Public Open House was attended by approximately 50 residents and stakeholders.

The insight, experience, and knowledge of these individuals has been summarized and reflected in the following synopsis. Responses have been organized by key themes that emerged through the evening discussion.

Secondary Suites are a “good balance”

Residents noted that secondary suites can help people save money and can be positive for the community.

Concerns raised on regulating occupants

Generally, residents thought that one secondary unit per dwelling was a good approach. There were concerns, however, about regulating the number of occupants within a secondary suite and the impact that large numbers of residents could potentially have on the neighbourhood. Staff acknowledged that this is indeed a valid concern, however, similar to other household types (i.e. single detached dwellings), the City does not have the authority to regulate who lives within a unit.

On a similar note, some residents expressed concern over absentee landlords. Again, staff acknowledge this as an ongoing concern but that the City does not have the authority to regulate owner occupancy of any type of unit.

Further education around the City's role and mandate could be helpful as part of the Public Education Program.

Considering policies for new vs. existing suites

Residents addressed the need to look at policies for both existing (illegal secondary suites) and for new secondary suites. City staff agreed and indicated this would be an important component of the implementation plan. The City also indicated that they will be looking at the possibility of providing incentives to help landlords come forward and legalize their unit.

Questions raised regarding condo exclusion

There was some concern around excluding condo corporations from being permitted under the proposed secondary suite policy. Staff indicated that there are a number of considerations that make having secondary suites within condo corporations challenging from both a policy implementation and an enforcement perspective. Staff further noted that a condo corporation could approach to City for an amendment if they were interested in permitting secondary suites.

Clarity needed on parking requirements

In general, there were several questions surrounding the 3 parking space requirements. Clarity on whether spaces could include garages was requested. This is another area where the Public Education Program will be helpful.

Residents also raised concerns around existing parking issues across the City such as individuals parking on the street and on front lawns. Staff acknowledged these concerns and noted that there are existing by-laws to prevent this and that there is currently a parking strategy underway at the City.

Some residents did acknowledge that the parking requirements set out in the draft policy recommendation could be restrictive to otherwise ‘good’ secondary suite locations. One example raised was a senior couple who didn’t drive and therefore would not need a parking space.

Exclusion of home occupation raised questions

One stakeholder expressed a concern that excluding a home where an individual works from home and wants to have a secondary suite is too stringent. City staff indicated that currently, the only home occupation permitted within the City of Vaughan is a regulated health professional which also contains zoning requirements (i.e. parking).

Clarifying impact on infrastructure

Additional concerns were raised around the impact of secondary suites on infrastructure in particular water, schools and traffic. City staff responded by indicating that with respect to the City’s hard infrastructure services (such as water and sewage) that there is sufficient capacity to support secondary suites. With regard to schools it was acknowledged that school capacity is a concern in many communities across the City and that school boards do plan for flexibility in enrollment. The City further acknowledged that traffic is indeed a concern and reflective of a growing population.

City Staff also noted that following the legalization of secondary suites, and over time, further insight into the impact of secondary suites will be better known.

Providing clarity on the impact of secondary suites to both hard and soft services would be important to include within the Education Program.

Paying fair share

Residents expressed concern that the increase in costs associated with legalizing secondary suites (mainly in the provision of additional services) would be the responsibility of tax payers. City staff acknowledged that this is a concern that has been raised throughout the study. Staff also expressed that individuals with secondary suites can expect the value of their home to increase and as a result will have to pay an increase in taxes. It was also noted that if a landlord is earning an income from a secondary suite that it would need to be claimed as part of the homeowner's income tax. Given this, however, staff acknowledged that the additional costs to a homeowner would not help the city pay for the administration of a possible registration program and any additional enforcement needed. For this reason, staff indicated that they would be looking at the possibility of fees to help offset these costs. Importantly, however, there is a need to find the right balance between recouping some costs while not creating a barrier to people coming forward to legalizing their unit.

Grandfathering existing units

One resident asked if existing secondary suites will be grandfathered as part of the new policy. Staff indicated that it is not possible to grandfather an illegal use, and therefore no, existing illegal secondary suites would not be grandfathered. In addition, staff did note that they would be looking at ways to provide incentives to landlords to come forward to legalize their unit and are hopeful that people will do the right thing.

3.0 SUMMARY OF KEY MESSAGES

The Public Open House held in April 2014 provided an opportunity to discuss with City of Vaughan residents their concerns and suggestions regarding the preliminary secondary suite policy recommendations.

1. EDUCATION IS KEY

An overarching message of the evening was the need to have ongoing, proactive and accessible education of secondary suites. Education is the key to providing greater understanding of what residents can expect from the City's secondary suite policy and what the requirements and responsibilities of landlords are with respect to legalizing a secondary suite. Several suggestions with respect to education were provided:

- Making the policy easily available
- Provide education around home insurance
- Provide a 'friendly' version of the policy

- Distinguish secondary suites from rooming houses and other forms of ‘shared’ accommodation
- Create a landlord kit that promotes landlords coming forward to legalize their unit

2. SAFETY IS PRIMARY CONCERN

Having a safe housing supply is a primary concern to the City of Vaughan and a critical component in the development of a secondary suite policy. Many of the policies and regulations are aimed first and foremost at creating a safe housing unit for the tenant.

3. FINDING THE BALANCE

A portion of the evening conversation was spent acknowledging the importance of ensuring the rules and regulations that are being suggested are followed. The City acknowledged that a large part of the work still to do is around finding the right balance in the implementation of the City’s secondary suite policy. Ensuring that rules are followed is important and the main focus will be on creating a policy and implementation tools where individuals want to come forward and legalize their secondary suite; where there is a high degree of compliance. Enforcement may be necessary at times, but the City’s main focus is compliance through a balanced policy and implementation strategy that meets the needs of the residents of Vaughan.

4. Creating a ‘made-in Vaughan’ approach

Creating a policy that both responds to the direction set by the Province and meets the diverse range of needs of City of Vaughan residents is an important message. Residents acknowledge the need to provide various forms of housing for residents and workers, yet emphasize that this must be done in a way that minimizes the impact to existing neighbourhoods.

4.0 NEXT STEPS

Based on what was heard at the Open House, and through further discussions with the City of Vaughan Secondary Suite Task Force, City Staff with the consulting team will draft the City’s Secondary Suite Official Plan policy and Zoning By-law regulations for further consideration by City Council and Staff.

We would like to thank all of the participants of the Public Open House for their time and energy, and for sharing their experiences, insights and viewpoints.

Appendix C:

Secondary Suite Technical Advisory Committee Members

(Primary contact listed, delegate listed as alternate)

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Meenu Sikand, Chair, Vaughan Accessibility Advisory Committee

Appendix D

Summary of Secondary Suite Policies from other Jurisdictions (April 2013)

Municipality	Area	Dwelling/ Lot	Parking	External Appearance	Licensing Fees	Registration/ Licensing	Incentives
Mississauga <i>Under development</i>	City wide	<ul style="list-style-type: none"> • Detached, semi, townhouse (max 1 unit) • Require the dwelling be the principle residence of owner • Min and Max GFA to be established • Min setback of 1.2m for new entrances • Second unit cannot change existing use of dwelling 	<ul style="list-style-type: none"> • 1 on-site space for second unit in addition to required parking for dwelling • Only 1 driveway/lot 	<ul style="list-style-type: none"> • Prohibit new entrances facing street • Prohibit exterior entrance above first floor • Prohibit stairs, stairwells for entrances below grade facing a street 	<ul style="list-style-type: none"> • \$500 (owner occupied) • \$1000 (investment) 	<ul style="list-style-type: none"> • Yes – owner occupied and investment unit licensing • Investment license would require minor variance 	<ul style="list-style-type: none"> • No (unknown)
Markham <i>proposed – did not get approved</i>	As of right	<ul style="list-style-type: none"> • Singles and Semis • Must be secondary to primary dwelling • No more than 2 units/lot • Max GFA: second unit not to exceed 45% of floor area of primary unit (as existed before second suite) • Min GFA: 35m2 	<ul style="list-style-type: none"> • No additional spaces required • Subject to property standards 	<ul style="list-style-type: none"> • Not be conspicuous from the street or change appearance of dwelling • No entrance through garage door 	<ul style="list-style-type: none"> • \$150 • + \$300 (fire) 	<ul style="list-style-type: none"> • Inspection and Registration every 3 years 	<ul style="list-style-type: none"> • No

Municipality	Area	Dwelling/ Lot	Parking	External Appearance	Licensing Fees	Registration/ Licensing	Incentives
Newmarket <i>Active</i>	City wide	<ul style="list-style-type: none"> • Single family or two family zone (single, Link, semi) • Only one/lot • Located within main dwelling • Primary dwelling must be serviced by full municipal water and sewer • Max GFA: not exceed 40% of total GFA located above grade • Daycare not permitted in Accessory Dwelling Unit 	<ul style="list-style-type: none"> • 2 exterior spaces per accessory dwelling unit 	<ul style="list-style-type: none"> • Front facade shall not be altered 	<ul style="list-style-type: none"> • Application fee \$110 	<ul style="list-style-type: none"> • Yes – Accessory Dwelling Unit (ADU) application • Building Permit 	<ul style="list-style-type: none"> • No/unsure
Richmond Hill <i>Under development</i>	City wide	<ul style="list-style-type: none"> • Detached and semi detached • Max GFA 265 m2 • Min frontage 9m • Min lot area 30% 	<ul style="list-style-type: none"> • 1 additional space • Only 1 driveway apron shall be permitted to a lot with a frontage of less than 18m • Driveway max – depends on lot size • Max hard surface – 55% 	<ul style="list-style-type: none"> • Any exterior changes to the existing dwelling will be in keeping with the character of the street 	<ul style="list-style-type: none"> • No 	<ul style="list-style-type: none"> • License permit 	<ul style="list-style-type: none"> • No

Municipality	Area	Dwelling/ Lot	Parking	External Appearance	Licensing Fees	Registration/ Licensing	Incentives
Pickering		<ul style="list-style-type: none"> • Singles and semis • Second suite must be smaller than primary • Max GFA: 100m² • No home-based business 	<ul style="list-style-type: none"> • 3 on site spaces per total dwelling 	<ul style="list-style-type: none"> • Not specified, subject to approval through building permit 	<ul style="list-style-type: none"> • \$500 	<ul style="list-style-type: none"> • Building Permit • Registration required • Demonstrate compliance under Ontario Fire Code 	<ul style="list-style-type: none"> • No
Toronto <i>Active</i>	City wide	<ul style="list-style-type: none"> • Singles/semis • Must be at least 5 years old • No less than 55 m² • Must be secondary in size to principle unit 	<ul style="list-style-type: none"> • 1 space/unit • Where 2 spots required, 1 may be used for second suite 	<ul style="list-style-type: none"> • No additional or substantial alteration to exterior appearance of front or side of unit facing street 	<ul style="list-style-type: none"> • No 	<ul style="list-style-type: none"> • Not required 	<ul style="list-style-type: none"> • No
Ottawa <i>Active</i>	City wide (except Rockcliffe Park)	<ul style="list-style-type: none"> • Singles/semis/ duplex • Max GFA⁴ – 40% of dwelling, if located in bsmt may occupy all of bsmt 	<ul style="list-style-type: none"> • Not required – where provided must not be in front yard, can be in tandem driveway • Driveway max – 50% (yard) 	<ul style="list-style-type: none"> • No change in streetscape • Must have separate access that cannot be located in an exterior wall facing the front 	<ul style="list-style-type: none"> • No 	<ul style="list-style-type: none"> • No 	<ul style="list-style-type: none"> • No

⁴ Gross Floor Area.

Municipality	Area	Dwelling/ Lot	Parking	External Appearance	Licensing Fees	Registration/ Licensing	Incentives
Hamilton <i>Active (current by-law has no regulations for second suites)</i>	Ward specific	<ul style="list-style-type: none"> • Singles and semis, varies by ward • Can be appropriately serviced 	<ul style="list-style-type: none"> • Min 2 on-site parking spaces must be provided (for dwelling) 	<ul style="list-style-type: none"> • No alteration to external appearance • Must preserve streetscape character • No impact on surrounding neighbourhood 	<ul style="list-style-type: none"> • No 	<ul style="list-style-type: none"> • Unknown 	<ul style="list-style-type: none"> • No
Burlington <i>Active</i>	City wide	<ul style="list-style-type: none"> • Singles • Min GFA – 42m² • Max GFA – 30% of dwelling • Minimum frontage 15m • Minimum rear yard 135 m² 	<ul style="list-style-type: none"> • 1 space/ accessory unit (2 are required in some instances) • Driveway max – 7.35m on 15m lots • Max hard surface – 50% • No parking in rear yard 	<ul style="list-style-type: none"> • Separate exterior entrance required • Prohibited on front elevation 	<ul style="list-style-type: none"> • No 	<ul style="list-style-type: none"> • No 	<ul style="list-style-type: none"> • No
Guelph <i>Under Review</i>	City wide	<ul style="list-style-type: none"> • Singles/semis • Not greater than 45% of total floor area • Max GFA – 80 m² • Max 2 bedrooms • Double driveway 	<ul style="list-style-type: none"> • Principle dwelling must have 2 spaces • 1 additional space for secondary suite • Max 1 driveway 	<ul style="list-style-type: none"> • Preserve front facade • Maintain single entry (i.e. rear yards not to be divided) 	<ul style="list-style-type: none"> • \$100 • 5-year period without fee to encourage existing units to be legalized 	<ul style="list-style-type: none"> • Mandatory 	<ul style="list-style-type: none"> • No
Oakville <i>Under development – part of Livable Oakville Plan</i>	Town wide (currently only specific zones permit suites)	<ul style="list-style-type: none"> • Detached and semi-detached • Max 1 accessory dwelling per dwelling • Max GFA 30% of floor area 	<ul style="list-style-type: none"> • 1 per accessory dwelling 	<ul style="list-style-type: none"> • No separate entrance along the main wall of the dwelling that is oriented toward the front lot line 	<ul style="list-style-type: none"> • Yes \$300 (may change with new zoning by-law) 	<ul style="list-style-type: none"> • Yes (may change with new zoning by-law) 	<ul style="list-style-type: none"> • No

Municipality	Area	Dwelling/ Lot	Parking	External Appearance	Licensing Fees	Registration/ Licensing	Incentives
Victoria <i>Active</i>	Town wide	<ul style="list-style-type: none"> • Minimum total floors pace of dwelling - 150m2 • Max GFA – 90m2 or 40% of total floor space 	<ul style="list-style-type: none"> • No additional parking required 	<ul style="list-style-type: none"> • Cannot greatly alter house and neighbourhood character • Following exterior changes to building must not have been made five years before or five years after the date of the secondary suite: <ul style="list-style-type: none"> a) Extension creating more than 20m2 of floor area b) Raising height of building more than 0.6m c) Addition of steps/ entrance more than 1.5m in height • Second suite design guidelines 	<ul style="list-style-type: none"> • No 	<ul style="list-style-type: none"> • Building permit • Occupancy permit 	<ul style="list-style-type: none"> • Yes – 25% of construction cost to max \$5,000

Municipality	Area	Dwelling/ Lot	Parking	External Appearance	Licensing Fees	Registration/ Licensing	Incentives
Edmonton <i>Active</i>	Low density zones	<ul style="list-style-type: none"> • Singles • Other dwellings (i.e. row housing) is discretionary and requires approval from Development Authority • Max 1 suite/dwelling • Min site area 360m² • Min GFA – 30m² • Max GFA – not more than total floor area of first story (if bsmt) or 40% or 70m² of principle dwelling whichever is less (if suite on or above first floor) 	<ul style="list-style-type: none"> • Min 3 spaces for suite and primary dwelling 	<ul style="list-style-type: none"> • Not specified 	<ul style="list-style-type: none"> • Yes – development permit, building permit, and safety code fee 	<ul style="list-style-type: none"> • Development and Building permit • Occupancy agreement (for grant) 	<ul style="list-style-type: none"> • Yes – up to \$20,000⁵ • Unit must be affordable to households earning less than median income

⁵ Funding is based on first-come-first-serve basis up to \$500,000. Requires 5-year operating agreement and must be owner-occupied.

**AMENDMENT NUMBER 9
TO THE VAUGHAN OFFICIAL PLAN 2010
OF THE VAUGHAN PLANNING AREA**

The following text constitutes Amendment Number 9 to the Official Plan of the Vaughan Planning Area.

I DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

The Vaughan Official Plan 2010 (VOP 2010) is hereby amended by:

1. Deleting Policy 7.5.1.4 d which states “allowing *secondary suites* where deemed appropriate by a City-initiated study.”
2. Adding the following new Policy 7.5.1.5 and renumbering the existing Policies 7.5.1.5, 7.5.1.6, and 7.5.1.7 accordingly:

“7.5.1.5 *Secondary Suites* shall be subject to the following policies:

- a) *Secondary suites* may be permitted in a building or on a lot where the principle use is a residential single detached, semi-detached or street townhouse dwelling, provided that:
 - i. There is a maximum of one (1) secondary suite per principle dwelling unit;
 - ii. All requirements of the Ontario Building Code, Fire Code and City by-laws area satisfied.
- b) *Secondary suites* will only be permitted on residential single detached, semi-detached and townhouse lots or within the unit on the lot where the secondary suite is in conformity with the criteria established by the zoning by-law.
- c) Council may adopt further regulatory measures regarding the implementation of a program to permit secondary suites in accordance with the policies of this plan. Such measures may include, but not be limited to, the registration licensing, and monitoring of *secondary suites* and provision of public education.”

II IMPLEMENTATION

It is intended that the policies of the Official Plan of the Vaughan Planning Area permitting secondary suites shall be implemented by way of an amendment to the City of Vaughan Comprehensive Zoning By-law 1-88, pursuant to the *Planning Act*.

III INTERPRETATION

The provisions of the Official Plan of the Vaughan Planning Area as amended from time to time regarding the interpretation of that Plan shall apply with respect to this Amendment.

Draft Zoning By-law Amendment
 City-wide Secondary Suites Study
 File: 15.112 (Arminé Hassakourians)
Scheduled for Council Meeting:

BY-LAW NUMBER - 2015

A By-law to amend City of Vaughan By-law 1-88.

WHEREAS the matters herein set out are in conformity with the Vaughan Official Plan 2010 (VOP2010) of the Vaughan Planning Area, which is approved and in force at this time;

AND WHEREAS there has been an amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are in conformity;

NOW THEREFORE the Council of the Corporation of the City of Vaughan **ENACTS AS FOLLOWS:**

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:

- a) Deleting definitions in Section 2.0 DEFINITIONS for Accessory Building, Bed and Breakfast Establishment, Converted Dwelling, Duplex Dwelling, Group Dwelling, Multiple Family Dwelling, Semi-Detached Dwelling, Single Family Detached Dwelling, Street Townhouse Dwelling, Townhouse Dwelling, Dwelling Unit, Gross Floor Area (G.F.A.), and Garden or Storage Shed.

ACCESSORY BUILDING – Means a subordinate building or structure, whether separate or attached, located on the same lot as the main building, the use of which is clearly incidental to that of the main building, which may include a private garage or carport, but shall not be used for human habitation, except in the case of a legal secondary suite use permitted in specified residential zones only.

BED AND BREAKFAST ESTABLISHMENT – Means an establishment within part of a single detached dwelling that provides sleeping accommodations for guests, and may include meals, services, facilities and amenities for the exclusive use of guest, but excludes a hotel, motel, tourist home and/or a secondary suite.

DWELLING, CONVERTED – Means a dwelling erected prior to the passing of this By-law and altered to make more than two (2) dwelling units where each dwelling unit has a minimum gross floor area of 70 square metres, exclusive of public or common halls and stairways, the thickness of the outside walls, and rooms below grade.

DWELLING, DUPLEX – Means a dwelling divided horizontally into two (2) dwelling units each of which has an independent entrance either directly or through a common vestibule. A dwelling unit

that includes a secondary suite is not a duplex.

DWELLING, GROUP – Means a group of two (2) or more dwellings on the same lot or block of land. A dwelling unit that includes a secondary suite is not a dwelling group.

DWELLING, MULTIPLE – Means a building or part thereof containing three (3) or more dwelling units. A Multiple Dwelling may also be referenced as a Multiple Family Dwelling.

DWELLING, SEMI-DETACHED – Means a building containing two (2) primary dwelling units separated by a common above grade wall or underground link. A dwelling unit that includes a secondary suite is not a semi-detached dwelling.

DWELLING, SINGLE DETACHED – Means a dwelling containing only one (1) primary dwelling unit, which may also be referenced as a Single Family Detached Dwelling.

DWELLING, STREET TOWNHOUSE – Means a townhouse dwelling in which each primary dwelling unit is situated on its own lot, which lot abuts a public street.

DWELLING, TOWNHOUSE – Means a building containing three (3) or more primary dwelling units, each of which has direct access from the outside ground level and shares two (2) above ground party walls with abutting dwelling units; and a unit at the end of a row of townhouse dwellings and sharing only one (1) above ground party wall shall also be a townhouse dwelling.

DWELLING UNIT – Means a room or a suite of two (2) or more rooms, designed or intended for human habitation in which sanitary conveniences are provided and in which facilities are provided for cooking or the installation of cooking equipment.

FLOOR AREA, GROSS (G.F.A.) – Means the aggregate of the floor areas of all storeys of a building, measured to the exterior of the outside walls but not including the areas of any cellar or car parking area above or below grade within the building or within a separate structure, unless the area has been finished for use as a secondary suite.

GARDEN OR STORAGE SHED - Means an accessory building or structure subordinate to the main building which use is accessory to the main use, and may include a cabana or gazebo, which is detached and located in the rear yard, not to be used for human habitation.

b) Adding the following definitions to Section 2.0 DEFINITIONS in alphabetical sequence:

DWELLING, PRIMARY UNIT – Means the main dwelling unit within a Single Detached, Semi-Detached or Street Townhouse Dwelling, where more than 50% of the gross floor area is dedicated to the Primary Dwelling unit use.

SECONDARY SUITE – Means a self-contained accessory unit having cooking and sanitary

facilities which is located within a Single Detached, Semi-Detached or Street Townhouse dwelling unit or located within an accessory building on the same lot. A secondary suite is a subordinate residential use to the existing primary dwelling unit.

- c) Adding the following subparagraph to subsection 3.20 USES OF RESIDENTIAL LOTS:

"c) Notwithstanding the above, subject to the criteria established in Subsection 4.1.9 Secondary Suites, one (1) secondary suite may be permitted as a dwelling unit accessory to the primary dwelling unit located within a single detached, semi-detached or townhouse dwelling on any lot as shown on the registered plans indicated in subparagraph a) of Subsection 3.20."

- d) Deleting subparagraph d) of Subsection 4.1.1 Accessory Buildings and Structures, and substituting with the following:

"d) an accessory building other than a garden or storage shed may be used as a secondary suite, provided it complies with the standards set out in Section 4.1.9 titled Secondary Suites."

- e) Adding the following sentence to the end of subsection 4.1.3 Rooms Below Grade:

"Notwithstanding the above, subject to the criteria established in Subsection 4.1.9 Secondary Suites, one (1) secondary suite may be permitted as a dwelling unit in a cellar or part of a cellar."

- f) Adding the following section, in numerical sequence:

"4.1.9 Secondary Suites

No dwelling unit other than a single detached, semi-detached or street townhouse dwelling shall permit a secondary suite and then only in accordance with the following provisions.

- a) Secondary Suites may be permitted to locate within a single detached, semi-detached or street townhouse or in an accessory building on the lot of a single detached, semi-detached or street townhouse;
- b) The addition of a secondary suite in a single detached, semi-detached or street townhouse dwelling unit shall not change the use of the subject lands;
- c) A maximum of one (1) secondary suite shall be permitted on a residential lot;
- d) The minimum lot frontage for a lot with a secondary suite shall be 9.0m;
- e) The minimum gross floor area shall be 35m²;
- f) A secondary suite shall not exceed more than forty-five percent (45%) or the gross floor area of the main building within which it is to be located or on the lot which it is to be located.
- g) Entrances to a secondary suite shall:

- i. Be separate from the entrance to the primary dwelling, either as a separate exterior entrance or from a common indoor vestibule;
 - ii. Be accessible from the street by a paved walkway or driveway; and,
 - iii. Shall not be located in front of the principal entrance of the adjacent residential dwelling unit.
- h) New entrances for a secondary suite in an existing dwelling unit shall not be permitted on the front main wall of the main building facing a public road.
- i) A minimum of 3 parking spaces as defined in Section 2.0 DEFINITIONS shall be required.
- j) A secondary suite shall not be permitted in a dwelling unit where a home occupation, private home tutor, private home daycare, bed and breakfast establishment, or, correctional or crisis care group home exist."
- g) Adding the following subparagraph to Subsection 4.15.4 c) Attached and Detached Garages Located in the Rear Yard:
 - " ix) notwithstanding subparagraph viii) of Subsection 4.15.4 Attached and Detached Garages Located in the Rear Yard, a secondary suite may be permitted within a detached garage provided it conforms to Section 4.1.9 Secondary Suites, and conforms to the rear yard setbacks as defined for the main building."
 - a) a private garage detached or attached to the main dwelling, shall not be converted into a secondary suite; and,
 - b) Notwithstanding the above, if the lot can accommodate a minimum of 3 parking spaces as defined in Section 4.15.5 Parking Space the private garage can then be converted to a secondary suite."
- h) Adding "Secondary Suite, subject to Subsection 4.1.9" as a permitted use to the following zones:
 - i. 4.2 RR RURAL RESIDENTIAL
 - ii. 4.3 R1 RESIDENTIAL ZONE
 - iii. 4.4 R2 RESIDENTIAL ZONE
 - iv. 4.5 R3 RESIDENTIAL ZONE
 - v. 4.6 R4 RESIDENTIAL ZONE
 - vi. 4.7 R5 RESIDENTIAL ZONE
 - vii. 4.8 RM1 MULTIPLE RESIDENTIAL ZONE
 - viii. 4.13 R1V OLD VILLAGE RESIDENTIAL ZONE,

- ix. 4.16 RUV1/RUV1(WS) – Residential Urban Village Zone One
- x. 4.17 RV2/RV2(WS) – Residential Urban Village Zone Two
- xi. 4.18 RV3/RV3(WS) – Residential Urban Village Zone Three
- xii. 4.19 RV4/RV4(WS) – Residential Urban Village Zone Four
- xiii. 4.20 RVM1 (A, B, WS-A, WS-B) – Residential Urban Village Multiple Zone One
- xiv. 4.23 RD1 RESIDENTIAL DETACHED ZONE ONE
- xv. 4.24 RD2 RESIDENTIAL DETACHED ZONE TWO
- xvi. 4.25 RD3 RESIDENTIAL DETACHED ZONE THREE
- xvii. 4.26 RD4 RESIDENTIAL DETACHED ZONE FOUR
- xviii. 4.27 RD5 RESIDENTIAL DETACHED ZONE FIVE
- xix. 4.28 RS1 RESIDENTIAL SEMI-DETACHED ZONE ONE
- xx. 4.29 RT1 RESIDENTIAL TOWNHOUSE ZONE

- i) Deleting the existing Schedule “A” to By-law 1-88 and substituting it with Schedule “A” attached hereto.
- j) Deleting the existing Schedule “A1” to By-law 1-88 and substituting it with Schedule “A1” attached hereto.
- k) Deleting the existing Schedule “A3” to By-law 1-88 substituting it with Schedule “A3” attached hereto.

2. Schedules “A”, “A1”, and “A3” shall be and hereby form part of this By-law.

SUMMARY TO BY-LAW **- 2015**

This by-law affects lands with residential zoning city-wide.

The purpose of this by-law is to permit secondary suites as an accessory use to a single detached, semi-detached and street townhouse unit, subject to the specified criteria addressing the minimum and maximum size, location, parking requirement and other development standards.

DRAFT

**REPORT NO. 8 OF THE
TASK FORCE ON SECONDARY SUITES
FOR CONSIDERATION BY COMMITTEE OF THE WHOLE, JUNE 3, 2014**

6. That the City of Vaughan take into account the costs of additional infrastructure needs generated by secondary suites when determining future development charges;
 7. That a registry of the legal secondary suites in the City of Vaughan be established and the list be accessible to the public;
 8. That a licensing process be implemented with the fees to be determined by the City of Vaughan.
 9. That a separate process be established for homeowners with existing illegal secondary suites to encourage the home owners to register and obtain licensing to meet the necessary standards and requirements; and
 11. That the remainder of the recommended approaches referred to in the document submitted by Planning staff titled "City of Vaughan Secondary Suites Policy Development, Summary of Key Issues and Draft Potential Approaches – For Discussion Purposes Only (Draft 4)", be approved; and
- 2) That the following recommendations with respect to secondary suites policy implementation considerations, were approved:
1. That a cost analysis be completed and made public to determine the costs associated with secondary suite policy implementation (licensing, monitoring, enforcement);
 2. That requiring insurance for tenants be considered as part of licensing requirements;
 3. That an education program be implemented; and
 4. That all future infrastructure review for determining development charges take into account secondary suites and report separately on the infrastructure needs and costs.

The meeting stood adjourned at 9:50 p.m.

Report prepared by: Rose Magnifico, Assistant City Clerk