

Responding to common concerns with permitting second suites

“Second suites are going to change my low density single family residential neighbourhood”

Will zoning permission for second suites change the concept of single family neighbourhoods?

The concept of single family housing, or a single family neighbourhood, was commonplace at one time when some municipalities attempted to control residential occupancy through zoning restrictions on the number of persons, or their relationship to each other. Court decisions and provincial legislation now prevent municipal control over who may choose to form a household and live in a dwelling, and there is a clear distinction between a dwelling unit and the living arrangements of the people who occupy it.

In addition, the evolving demographics of Canadian Society reflect an ever-widening range of household preferences, in terms of residents' personal relationships and their choices in how they organize their living arrangements. Many new forms of dwellings have emerged to respond to new housing needs and preferences, including the use of existing dwellings to accommodate different household arrangements. Second suites are one such response.

The choice to introduce a second suite into an existing dwelling will continue to be the owner's decision, not the result of whether the suite is permitted or not.

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

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

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

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

Will the introduction of zoning to permit second suites increase the density of dwelling units (i.e. allow two unit households) and have a negative impact on my neighbourhood?

Low density residential neighbourhoods in Markham are generally designed to accommodate a mix of dwelling types, controlled and limited in order to achieve the desired low density character. Experience in other municipalities has shown there is no noticeable change before and after a second suite by-law. Even a small increase in dwelling units attributed to second suites would not increase the density or alter the built form of existing dwellings in low density residential neighbourhoods and would have less physical impact than introducing a new apartment building.

Depending on the demographics and life cycle of the residents of Markham neighbourhoods, the average persons per unit is not expected to noticeably increase significantly as a result of second suites in comparison to increases attributed to the addition of new housing stock. Neither community groups nor government may regulate the living arrangements of Markham residents. However, a dwelling with a second suite tends to have only marginally more people than single unit dwellings since the households in second suites tend to be very smaller (seniors, young adults, singles, single parent families, etc).

The average persons per unit in Markham have been declining, and will continue to, decline over time. Generally, additional residents in second suites would offset such a decline.

Why should I consider supporting second suites in my single family neighbourhood, which does not appear to have any second suites?

A record of second suites identified and registered within the Town generally indicates that second suites are located in most if not all neighbourhoods throughout the Town. It is likely that second suites will continue to be present in Markham whether or not they are permitted. The Town has greater control regarding second suites, especially for safety purposes, if they are permitted.

Although concerns exist respecting aspects of second suites (ie. parking, exterior appearance); second suites occur in most if not all neighbourhoods without being generally known or identified. Second suites can be found in all Town wards.

There is no rationale to suggest that if second suites can be permitted in one single family neighbourhood they should not be permitted in another.

“Second suites will introduce new problems into my single family neighbourhood”

Will second suites increase the demand for on-street parking and front yard parking resulting in parking congestion and negative effects on the streetscape and character of my neighbourhood?

Illegal on-street parking and front yard parking on illegally extended parking pads are common problems to all Town neighbourhoods and are a function of the manner in which communities respond to development standards and/or property standards rather than a necessary characteristic of second suites.

In June 2006, Council adopted new standards for front and exterior yard parking to address:

- concerns about excessive width of driveways
- the impacts of front and exterior yard parking on the character of a dwelling and a neighbourhood

The Town's new Driveway By-law prohibits parking in a front or exterior yard except on a driveway leading to a garage.

It is recognized that any policy to permit second suites must not contribute to neighbourhood parking problems. For this reason, second suites should only be permitted where there is sufficient on-site parking to accommodate storage of automobiles for both the principal dwelling unit and the second suite. Furthermore, second suites should only be permitted where the required parking spaces are maintained and accessible at all times.

With new driveway standards in place, the appearance of homes with or without second suites, will be comparable.

Will second suites result in changes to the exterior of dwelling units and changes to the physical appearance of neighbourhoods?

The physical appearance of neighbourhoods can suffer if additions or alterations to the exterior of dwelling units are not properly controlled.

Exterior changes to dwellings with second suites in Markham have not generally been significant.

It is recognized that any policy to permit second suites must not contribute to a negative physical appearance of neighbourhoods. For this reason, second suites should only be permitted where there is no significant alteration to the exterior appearance of the dwelling and where an exterior entrance to the second suite can be accommodated within existing development standards in the side and rear yards only.

Will second suites lead to a decline in property standards as result of absentee landlords, the transient nature of tenants, and reduced property maintenance?

The Planning Act provides the Town with the authority to regulate land use (ie. the type and number of dwelling units permitted), but not tenure (ie. whether the residents of the dwelling units own or rent). Landlord/tenant issues are outside of the jurisdiction of the Town and are governed by the Provincial Landlord and Tenant Act and the Rental Control Act. There is no evidence to suggest that second suites will result in an increase in landlord/tenant issues.

Given the small rental housing stock and low vacancy rate there is a demand for rental opportunities of all kinds (ie. rental of individually owned single, semis and townhouse dwellings, rented condominium units, second suites and coach houses). Other municipalities with similar by-laws have not seen a greater number of absentee landlords, a more transient nature of tenants or an increase in neighbourhood safety concerns related to tenant occupancy. The Town has no authority to control where a landlord lives including the owner of a dwelling with a second suite. However, it is more likely that a landlord will reside in the main unit of a dwelling with a second suite, and may therefore be more involved in the selection and supervision of a tenant.

It is recognized that any policy to permit second suites must uphold the property standards of the Town's Property Standards By-law. A decline in property standards can result from a lack of owner/occupant responsibilities respecting repair (unit facilities), maintenance (landscaping), and cleanliness (ie. garbage storage) etc. and the failure to comply with Town property standards. For this reason, second suites should only be permitted where there is full compliance with the Town's property standards. Zoning to permit second suites may increase the accountability of the landlord to comply with development standards.

"Second suites will have an impact on the value of my property as well as Town revenues & services"

Will second suites have an impact on property values in my neighbourhood?

Adding a legal second suite may increase the property value slightly, similar to the value added for a finished basement, however, current market value assessment would likely not capture the additional value.

Improvements are tracked through building permits and the reassessment process. Assessment of residential class properties takes account of improvements, but does not include a consideration of rental income.

There are no records of property value assessments declining as a result of second suites.

Will second suites place a burden on my local services such as roads, sewers, water systems, parks, day care facilities and schools?

Adding a legal second suite does not mean doubling the number of people, the principal determinant of service use. Most service charges are based on household consumption.

A dwelling with a second suite tends to have only marginally more people than single unit dwellings since the households in second suites tend to be smaller (seniors, young adults, singles, single parent families, etc.) Second suites also tend to have fewer school-age children living in them than single family dwellings.

Consumption of services such as water and sewage for a second suite is unlikely to differ from services consumed for a finished basement in a single unit house. The service consumption for a household with a second suite does not result in a demand beyond the design capacity of the average household.

Residents of second suites may, in part, offset the normal decline in average household sizes as the demographics of the Town's population change over time. Maintaining neighbourhood populations ensures full use of the housing stock, supporting infrastructure and community services.

Will second suites "pay their way" in terms of municipal taxes?

Adding a legal second suite may result in a modest increase in a dwelling's market value, which property tax is based on. Improvements are tracked through building permits and the reassessment process.

If the improvements are identified through reassessment it is likely that there would be a corresponding increase in taxes, similar to improvement of a finished basement for a single unit household.

Will Development Charges apply to second suites?

Development Charges are not applicable to improvements to existing dwellings. For newly constructed dwellings, the Town applies a development charge on main dwelling unit based on the lot size/house size but there is no development charge on additional secondary units.

Will every second suite be inspected to ensure fire safe accommodation is provided within my neighbourhood?

In Markham there is a Registration By-law for second suites that requires that all two-unit residential dwellings must be inspected to ensure compliance with all relevant standards as set out in the Ontario Building Code and Fire Code.

New second suites permitted through zoning would require a building permit, which automatically requires compliance with Building Code and Fire Code regulations. Introducing new zoning provisions to permit second suites will increase the likelihood that unknown existing second suites will be inspected and included in the Town's registry of fire safe accommodation.