

COMMITTEE OF THE WHOLE - JUNE 5, 2012

SECONDARY SUITES STATUS UPDATE DIRECTION TO PROCEED WITH A REQUEST FOR PROPOSAL FOR CONSULTING SERVICES FILE # 15.112

Recommendation

The Commissioner of Planning recommends that:

1. A Study on Secondary Suites be undertaken to implement the policy direction originating with the Provincial *Strong Communities Through Affordable Housing Act, 2011*;
2. Staff be authorized to issue a Request for Proposal for consulting services to assist in the preparation of the Secondary Suites Study;
3. The Terms of Reference forming Attachment #3 to this report be approved as the basis for the Request for Proposal, subject to final staff review and formatting; and
4. A Secondary Suites Task Force be established, as set out in the Task Force mandate approved by Council on February 16, 2010 (Attachment #4) to provide Council with recommendations based on the members' experience and knowledge of the subject and in response to the information that comes forward as a result of the study work; and staff report back prior to the commencement of the recruitment process for the Task Force members to further detail such matters as the conduct of the recruitment process, composition of the Task Force, composition of the City Resource Group, operations and the public consultation process.

Contribution to Sustainability

The Province and the Region have identified affordable housing as being a key component of a sustainability strategy. Secondary suites are one 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 usually constructed inside existing buildings, they help optimize the use of the existing housing stock and infrastructure, and re-populate neighbourhoods with declining populations. In this way, they can increase transit supportiveness through minor intensification. Secondary Suites can offer a greater range of housing opportunities within the municipality allowing for a broader demographic to live closer to work.

Economic Impact

A total amount of up to \$45,000 has been budgeted to complete the study. This expenditure was endorsed at the February 16, 2010 Council meeting. The necessary funding was originally allocated in the Policy Planning Department's 2010 Operating Budget. The funds have been carried forward in a reserve since 2010 and the full \$45,000 is still available for use with zero impact on the 2012 Operating Budget.

Communications Plan

It is recommended that a Task Force be formed consisting of citizens, ratepayer group representatives and housing and social services agencies representatives who have indicated an interest in the subject of secondary suites. The Task Force, facilitated and supported by the Consultant and City staff will review and comment on a range of planning and development issues relevant to secondary suites. In addition, the Study will include a public consultation

program, outreach and regular communiqué's through the City's website and print and social media.

Purpose

The purpose of this report is to provide Council with an update on recent developments in provincial policy being Bill 140 the *Strong Communities through Affordable Housing Act, 2011* as it relates to the City's initiative to undertake a secondary suites study.

Background - Analysis and Options

1. Bill 140, Strong Communities through Affordable Housing Act, 2011

Bill 140, *Strong Communities through Affordable Housing Act*, was given third reading April 19, 2011 and received Royal Assent on May 4, 2011. Its purpose was to enact the *Housing Services Act, 2011*, repeal the *Social Housing Reform Act, 2000* and make complementary changes to other Acts. One of the acts that is amended is the *Planning Act*, with the amendment focusing on the provision of secondary suites.

The Act clarifies the roles and responsibilities of both provincial and municipal governments in order, "to provide flexibility for service managers and housing providers" and ultimately allow for greater production of affordable housing at the local level. It provides policy direction regarding local housing programs, service managers and planning policies directed towards the production of affordable housing.

The Act affirms the Province's interest in pursuing a range of affordable housing options, and identifies the private sector as playing a significant role in increasing the stock of market rental units. Secondary Suites are identified as a way of meeting these needs. The recommended study will focus on how the City will implement the new provisions of the *Planning Act*. It is noted that the *Planning Act* provisions were not proclaimed until January 2012. The Province has yet to issue the associated regulations. However, staff is of the opinion that the study can proceed.

Schedule 2 of the Act contains a series of amendments to the *Planning Act* that prescribe policies governing Secondary Suites. An amendment to Section 16 (3) of the *Planning Act* now requires municipalities to establish Official Plan policies that permit secondary suites in residential structures. These 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.

In order to protect these requirements, the Province repealed Subsection 17 (24.1) of the *Planning Act* and substituted new provisions under 17 (24.1) that there be no appeal to the OMB of a decision to adopt or approve Official Plan policies to permit secondary units. Similarly, there will be no appeal of the refusal of a proposed amendment to amend or revoke the secondary unit policies.

The Act also amends Subsection 34 (19.1) of the *Planning Act*, to prevent any appeal of zoning by-laws passed to support the creation of secondary suites, which implement Official Plan policies under Section 16 (3) of the Act.

Further amendments to the *Planning Act* include the addition of Subsection 35.1, which requires local municipal councils to pass zoning bylaws under S.34 of the *Planning Act* to implement new the provisions of section 16 (3) to provide for Secondary Suites.

The Act also under Subsection 35.1 authorizes the Minister of Municipal Affairs and Housing to make regulations, authorizing the use Secondary Suites as set out in Section 16(3) and to

establish requirements and standards related to Secondary Units. It is noted that such regulations, under 35.1 (2) apply as though it is a by-law passed under section 34 (i.e. a municipal zoning by-law). These regulations prevail over a Section 34 zoning by-law to the extent of any inconsistency. No regulations have been issued at this time.

2. York Region Official Plan (ROP)

The York Region Official Plan, adopted on December 16, 2009 and subsequently approved by the Ministry of Municipal Affairs and Housing on September 7, 2010, is currently the subject of appeals to the Ontario Municipal Board.

The ROP notes in Section 3.5 *Housing Our Residents*, that the housing market in York Region is faced with a demand for a broader variety of housing types and sizes to meet the diverse needs of its residents. It is the Policy of Regional Council, under paragraph 3.5.6 "6. That a minimum 25% of new housing units across the Region be affordable and distributed within each local municipality..."

One means of achieving this mandate is through the introduction of secondary suites. Under the policies of Section 3.5 it is an objective to secure an appropriate mix and range of housing and "To encourage building design that will facilitate subsequent conversion to provide additional housing units, such as secondary suites." The ROP goes further to: "...encourage local municipalities to include "as-of-right" secondary suite policies, on a municipal-wide basis, in local official plans and zoning by-laws."

Addressing the need for affordable housing and the role that secondary suites can play is further reinforced in Section 5.3 Intensification which states, "It is also essential that human services and affordable housing locate in *intensification areas*." The Section further states, "It is the policy of Council ... That local municipalities shall complete and adopt their own *intensification* strategies ... The local municipal *intensification* strategies, developed in co-operation with the Region shall:

"b. identify the role for each of the following:

- i. Regional Centres and Corridors;
- ii. GO Transit train stations and bus terminals, and subway stations
- iii. Local Centres and Corridors;
- iv. Other major streets;
- v. Local infill; and,
- vi. Secondary Suites. "

As previously mentioned, the York Region Official Plan is currently under appeal at the OMB which may result in changes to the Plan. Any changes impacting the affordable housing section or reference to secondary suites will be addressed through the Secondary Suite Study process.

3. Vaughan Official Plan 2010

The City of Vaughan Official Plan 2010, which was adopted by Vaughan Council on September 7, 2010 (subject to modification September 27, 2011, March 20, 2012 and April 17, 2012), also addresses affordable housing and secondary suites.

Currently secondary suites are not permitted as-of-right in the City of Vaughan. However, 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 referencing 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."

The City of Vaughan Official Plan Volume 1 is currently the subject of appeals to the Ontario Municipal Board. Any relevant amendments resulting from the appeal process will be given consideration through the study process.

4. Secondary Suites (Report presented at Working Sessions January 25, 2010)

The City of Vaughan Policy Planning Department brought forward a report entitled Secondary Suites File 15.112" to Committee of the Whole Working Session on January 25, 2010, which has been included for reference purposes as Attachment #1. The previous report detailed the context that resulted in Council initiating work on secondary suites in relation to their role in the provision of affordable housing. The January 25, 2010 report provided background on what a secondary suite is and the role secondary suites play in addressing issues of affordable housing and intensification. The report also included a discussion of the prevailing provincial, regional and municipal policy context at that time, as well as the practices of surrounding municipalities. Finally, the report included a draft Terms of Reference for the purposes of retaining a consultant to conduct the Secondary Suites study. It identified objectives, issues, the required review and analysis as well as criteria for establishing a Task Force, public consultation process and required funding to undertake the study.

Council at its meeting on February 16, 2010 (Attachment #2) recommended the following:

"The Committee of the Whole (Working Session) recommends:

- 1) That Clauses 1, 2 and 3 contained in the following report of the Commissioner of Planning dated January 25, 2010, be approved;
- 2) That staff provide additional information to the Council meeting of February 16, 2010 on the structure of the proposed Secondary Suites Task Force;
- 3) That the presentation by the Director of Policy Planning/Urban Design and presentation material submitted entitled, "City of Vaughan Secondary Suites, Background Report and Terms of Reference" dated January 2010, be received; and
- 4) That the following deputation be received:
 - a) Ms. Anna Bortolus, 303 Westridge Drive, Kleinburg, L0J 1C0;
 - b) Rev. Jim Keenan, 9225 Jane Street, Maple, L6A 0J7; and
 - c) Ms. Heidi Last, 20 Glacier Court, Maple, L6A 2V3.

Clauses 1,2 and 3 from the January 25, 2010 Report of the Commissioner of Planning provide as follows;

- 1) That a study on secondary suites be undertaken;
- 2) That the Terms of Reference attached as Attachment 1 to this report, BE APPROVED;
- 3) That Council endorse the study expenditure of up to \$45,000.00 (excluding GST). Funds are available in the Policy Planning Department's 2010 Operating Budget;"

At the Council meeting of February 16, 2010 Council also approved a mandate for the operation of the Secondary Suites Task Force describing its composition, role and structure. It is set out in Attachment #4.

The general concept and framework for the study outlined in the January 25, 2010 Secondary Suites report can be maintained. However minor changes to the Terms of Reference may be required taking into consideration Bill 140 *Strong Communities through Affordable Housing Act, 2011*, content updates due to the passage of time, previous Council direction and the evolution of the City's RFP formatting.

5. Next Steps

The Task Force

With the operative portions of Schedule 2 (Planning Act amendments) of *Bill 140, Strong Communities through Affordable Housing Act, 2011* proclaimed, with the associated regulations to follow, staff of the Policy Planning Department are now in a position to proceed with the Secondary Suites Study and the retention of consulting services to assist in developing the policies and standards, necessary to satisfy the requirements of the Act.

Once the consultant has been retained, the City can commence the recruitment process for the members of the Task Force.. As recognized in the previous report, the Task Force will be a key part of the process of evaluating secondary suite options and policies. The Task Force will liaise with City Staff, the consultants and public on the study. As previously determined (see Attachment #4), the Secondary Suite Task Force will consist of local experts in the field of housing, social service providers, interested citizens and representatives of ratepayer associations, as approved by Council. In addition, a City Resource Group, composed of representatives from the following departments will be created to assist the Task Force and work with the consultant: Policy and Development Planning, Building Standards, By-law Enforcement; and Fire and Rescue Services.

The recruitment process will be consistent with City Policy, and will not be undertaken until a consultant has been retained and can provide input. Prior to proceeding a report to Committee of the Whole will be prepared which will provide recommendations further detailing such matters as composition and operation of the Task Force and the public consultation, process which will be critical to the success of the Secondary Suites Study. The Task Force and the public consultation process will provide residents with an opportunity to address the topic of secondary suites, voice opinions and gain understanding.

The Terms of Reference

The Terms of Reference that were adopted by Council on February 16, 2010 form Attachment #3 to this report. They continue to form a sound basis for proceeding with the issuance of the Request for Proposal. However, it will be necessary to amend them to reflect changes that have taken place since their original approval. This will include:

- Updating the format to reflect current standards;
- Updating the Background on Provincial, Regional and City Policy;
- The integration of requirements for the Secondary Suite Task Force into Section 5.6, Community Consultation Program;
- A general review to upgrade or clarify the Terms of Reference based on emerging information or practice.

Relationship to Vaughan Vision 2020/Strategic Plan

The Vaughan Secondary Suite Study is consistent with priorities set out in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality" in terms of implementing a component of the Growth Management Strategy.

Regional Implications

Any implementing amendments to the City's Official Plan will be in conformity with the policies of the Region of York's Official Plan. Given its role in the provision of social housing and related matters, it is expected that representatives from the Region of York will be approached to participate on the Task Force as a technical resource

Conclusion

It is now appropriate to proceed with the preparation of the Secondary Suites study as originally approved in February of 2010. The Terms of Reference approved at that time forms a sound basis for proceeding with the issuing of a Request for Proposal for retaining a consultant to support the preparation of the study. It is recommended that the Terms of Reference be updated to incorporate contemporary standards and information prior to issuance. Similarly, the Secondary Suites Task Force as mandated in February 2010 should be continued. However, it is recommended that staff report back prior to the commencement of the recruitment process for the Task Force members to further detail the conduct of the recruitment process, composition of the Task Force, composition of the City Resource Group, operations and the public consultation process. Therefore, it is recommended that the recommendations of this report be approved.

Attachments

1. Committee of the Whole Report (Working Session): January 25, 2010.
2. Council Extract February 16, 2010: Item 2 Committee of the Whole (Working Session) Report No.4 "Secondary Suites File 15.112".
3. Terms of Reference for the Preparation of the Secondary Suites Study. As approved by Council on February 16, 2010.
4. Task Force Mandate. As approved by Council on February 16, 2010.

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Respectfully submitted,

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Commissioner of Planning

for: Diana Birchall
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/lm

COMMITTEE OF THE WHOLE (WORKING SESSION) - JANUARY 25, 2010

SECONDARY SUITES

FILE #15.112

WARDS 1 TO 5

Recommendation

The Commissioner of Planning, in consultation with the Director of Budgeting and Financial Planning, recommends:

1. That a study on secondary suites be undertaken;
2. That the Terms of Reference attached as Attachment 1 to this report, BE APPROVED;
3. That Council endorse the study expenditure of up to \$45,000.00 (excluding GST). Funds are available in the Policy Planning Department's 2010 Operating Budget; and
4. That a Secondary Suites Task Force be established to provide advice and input to the study.

Contribution to Sustainability

The Province and the Region have identified affordable housing as being a key component of a sustainability strategy.

Secondary suites are one 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 usually constructed inside existing buildings, they help optimize the use of the existing housing stock and infrastructure, and re-populate neighbourhoods with declining populations. In this way, they can increase transit supportiveness through minor intensification. Secondary Suites can offer a greater range of housing opportunities within the municipality allowing for a broader demographic to live closer to work.

Economic Impact

A total budget of up to \$45,000.00 is required to complete the study, a breakdown of which is provided in the body of the report under Funding.

Communication Plan

A Task Force should be formed consisting of Councillors, citizens, local housing experts, ratepayer representatives, social service providers and City and Regional staff. The Task Force, facilitated and supported by the Consultant and City staff, through working meetings, would review and comment on a range of planning and development issues relevant to secondary suites. In addition, the Study would include extensive public consultation, education and feedback, and regular communiques through the City's website and print media.

Purpose

The purpose of this report is to obtain Council approval of the Terms of Reference for a Study of Secondary Suites in residences, and to establish a Secondary Suites Task Force to provide advice and input to the study.

Background - Analysis and Options

On November 3, 2009, City of Vaughan Council endorsed the recommendations of the October 19, 2009 Committee of the Whole that a report be initiated by adopting the following recommendations:

- “1. That the deputation of Rev. Jim Keenan and written submissions, dated October 5, 2009, and October 16, 2009, be received and referred to staff for a comprehensive report to the Committee of the Whole (Working Session) that includes terms of reference for the examination of this issue including the provision of a task force; and
2. That the written submission of Ms. Anna Bortolus, dated October 15, 2009, be received.”

The deputations and the written submissions above, related to the need for safe, affordable rental housing in Vaughan. Reference was made to 3,400 households being on a waiting list for affordable housing.

Other concerns were raised related to secondary suites, which included that apartments, particularly basement apartments, can be substandard in terms of safety and Fire and Building Code compliance. A suggested way to improve issues related to fire, health and building safety is to register existing second suites in Vaughan and to implement a by-law where fire inspections are required for every house sale in Vaughan.

The deputants requested that a Secondary Suite Task Force be formed and that it investigate permitting secondary suites as of right in residences and provide a framework for implementation.

Secondary Suites

What is a Secondary Suite?

The term “secondary suite” generally describes a room or group of rooms as a unit with its own kitchen and bathroom facilities designed for the exclusive use of the occupants, which is separate from the principle dwelling in a house (detached house, semi-detached house, and rowhouse). A secondary suite is commonly known as a basement apartment, accessory apartment or another form of secondary residential unit that is located in a house or on the same lot, containing no more than one other unit.

Even if family members occupy the second suite, it is still a separate unit. Therefore, rights under the *Residential Tenancies Act* (R.S.O. 2006) are conferred with the rental agreement.

A secondary suite is not a boarding house or lodging house, which comprises rental units that share bathroom and/or kitchen facilities.

Both legal and illegal apartments are controlled by the *Residential Tenancies Act* (R.S.O. 2006).

Secondary Suites as Affordable Housing and Intensification

Affordable housing is mandated for municipalities by both the Province and the Region. However, many of the strategies, tools, and implementation as well as location of affordable housing are the purview of the City. The Region of York's Official Plan calls for comprehensive secondary plans for Regional Centres and key development areas along Regional Corridors to be prepared by local municipalities and implemented in co-operation with the Region and related agencies. These secondary plans shall include; a minimum requirement that 35% of new housing

units be affordable, offering a range of compact housing forms and tenures, and intrinsically affordable units for low and moderate income households.

Affordable housing is defined by the Province and the Region as both rental and ownership housing in which the cost of shelter does not exceed 30% of the annual gross income of the residents or is 10% below market value of the regional market. Vaughan is currently in the enviable position of having a fairly affluent populace, making these targets easier to achieve.

Secondary suites are one type of 'private market' option of affordable rental housing. Aside from being affordable to renters, second suites can provide income and extra security for the homeowner who may have more space than needed, and where the rental income can offset mortgage costs.

The Background Paper on Population and Housing (Hemson, 2008), which was prepared as part of the City's Official Plan Review, indicates that important changes can be expected in the future that will need to be accommodated through careful planning. These changes include:

- The population is 'aging', indicating two important shifts: firstly, more people will live alone as seniors as partners pass away and children leave the family home; secondly, people will live longer and will live this increased span independently, many on fixed incomes. It would seem to be desirable to support "aging in place" strategies to address this.
- While there will be an increased pressure to provide higher density housing, the current market preferences of the predicted demographic has not traditionally supported this. How can housing intensification be made more attractive than traditional suburban patterns?
- Housing needs and choices of all income levels of the population must be met while still meeting the increased intensification targets.

The Vaughan Social Services Study (Urban Strategies, 2009), prepared as part of the City's Official Plan Review, reiterates these conclusions and further draws the connections between this aging population, mobility and service provision.

Secondary suites are often a housing option that can meet the needs of a variety of people, such as singles, students, seniors, extended family members, and people with fixed incomes. In the City of Vaughan 27.5% of residents are spending 30% or more of their income on housing, (Vaughan Social Services Study: Urban Strategies 2009). Only 7.2 percent of the housing market in Vaughan is rental. This number puts Vaughan at the bottom of the spectrum of rental accommodation in the GTA as Markham is at 11.3%, Mississauga is 25%, and Brampton is 18.5%. This indicates a possible gap in the market that is not being addressed. Secondary suites can be part of a range of rental housing options in the City, which would help to attract and keep employees by enabling them to live near work. However, they are not the only affordable housing option, but one of a variety of strategies that the City may wish to employ to meet Provincial and Regional targets.

Secondary suites are usually constructed inside existing buildings, helping to optimize the use of the existing housing stock and infrastructure and re-populate neighbourhoods with declining populations. They can also play a role in meeting the Province's and Region's intensification targets if permitted in areas that are to be transit-supportive.

Legalized second suites would improve health and safety for residents as each unit would be subject to the Fire and Building Codes.

Secondary suites could create jobs in construction and other sectors.

Frequently Asked Questions Respecting Second Suites

Will secondary suites change the neighbourhood?

Non-related people are allowed to live in the same building and often do already. There is evidence that these units already exist in many areas. For example, on Craigslist in November 30, 2009, in Vaughan there were 4 "basement apartments" for rent and two houses listed that had "separate entrance finished basements". Secondary Suites allow for intensification to happen without changing the physical appearance of neighbourhoods by permitting people to lease part of their house to another. More people are now living alone and it is expected that this is an increasing trend. Neighbourhoods will reflect this change in many ways and secondary suites are likely to be one of them, regardless of whether or not they are legally permitted.

Will the introduction of new permissions suddenly increase the number of people in the neighbourhood?

Many secondary suites already exist. It seems unlikely that there will be a sudden rise in the number of people living in an area. However, once legalized, it will be easier to track and implement changes required for other services, such as community centres should the need arise. They may make some services more feasible, such as transit. The study will need to examine the potential for this by providing data on cities that currently permit second suites.

Will secondary suites introduce new problems to the single-family neighbourhoods?

The requirement for additional parking potentially generated by a second suite is perhaps the single most concern in neighbourhoods that are car-dependant and where the lack of sufficient parking is already an issue. As well, any impacts to the exterior of a residence resulting from storage and access will need to be addressed. These issues should be examined through the study taking into consideration the suburban context.

Will secondary suites affect infrastructure?

Secondary suites do not generally mean a doubling of the population. Many of the services in Vaughan are pay-as-you go and user fee dependant, which mitigates the expansion costs of these services. The changing demographic of an aging population will be far more important to the delivery of social services. With the expected decline in multi-person households, there may be no net effect on the physical infrastructure. In some areas, it may have a positive impact by providing ridership for public transit.

Will second suites be fire inspected?

All new buildings must comply with the building and fire codes. However, since not all suites are inspected, there is no way to know which ones are or are not safe. With the creation of a registration or licensing system, fire and building code inspections can become part of the regulation of these units. A schedule of inspections and fines that handle non-compliant properties can also be established. The solution that best fits Vaughan's context should be addressed in the study.

Current Policy Context on Secondary Suites

Province of Ontario

In 1994, the Provincial government passed Bill 120 (the Residents Rights Act) which amended the Landlord/Tenant Act, the Rent Control Act, the Rental Housing Protection Act, the Planning Act and the Municipal Act. The Bill required municipalities to permit second suites as of right in all single and semi-detached dwellings as well as townhouses, regardless of municipal zoning,

subject to Building and Fire Code provisions. In 1996, Bill 20 was passed by a new Provincial government that restored powers to municipalities to determine if second suites would be permitted.

The Province has made changes to the Planning Act and has brought in a variety of policies which, through the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe, encourage compact development form, intensification, the provision of a range of housing types, affordable housing and the efficient use of land.

The Provincial Policy Statement (PPS) 2005 (Section: 1.4 HOUSING) speaks to the provision of providing an appropriate range of housing types and densities required to meet projected requirements of current and future residents of the regional market area, as well as the facilitation of residential intensification.

The Growth Plan for the Greater Golden Horseshoe (GPGGH) encourages intensification and a range and mix of housing taking into account affordable housing needs. The GPGGH requires that municipalities develop and implement, through their official plans and other supporting documents, an intensification strategy which will encourage the creation of secondary suites as follows:

"2.2.3 General Intensification

6. All municipalities will develop and implement through their official plans and other supporting documents, a strategy and policies to phase in and achieve intensification and the intensification target.
 - j) Encourage the creation of secondary suites throughout the built up area."

The Planning Act

In an effort to promote a mix and range of housing types the Province has provided municipalities with the ability to adopt "second unit" official plan policies without being subject to appeal (Section: 17, Subsection: 36.1). Furthermore, Section: 34, Subsection: 19.1, allows municipalities to pass zoning by-laws for locating or the use of two residential units in a house without being subject to an appeal.

York Region Official Plan

The new Region of York Official Plan states in its affordable housing policies that lower-tier municipalities are "to encourage building design that will facilitate subsequent conversion to provide additional housing units, such as secondary suites." (3.5.18). It goes on in section 22 to "encourage local municipalities to include "as-of-right" secondary suite policies, on a municipality wide basis, in local official plans and zoning by-laws." Further, in the section on "Intensification" (5.3.3) that local municipalities, "shall complete and adopt *intensification* strategies [that] identify the role for [...] the following: [...] vi. Secondary suites." This is then reiterated in the definition of "Intensification".

The York Region Official Plan encourages the creation of new rental units through public-private ownership.

It supports zoning provisions that are flexible enough to permit a broad range of housing forms, types, sizes and tenures including second suites in houses, except in locations serviced by individual septic systems or communal sewage disposal.

City of Vaughan

Currently in the City of Vaughan, secondary suites are not permitted as of right. However, they do exist. Within the City of Vaughan 220 basement units were listed for rent in 2007. (May 18, 2009. <http://www.vaughantoday.ca/story.php?id=1887>). This does not address secondary suites occupied by family members and therefore not listed for rent. A casual review of rental listing shows units being posted for rent on a daily basis, many in houses built since 1996.

According to the 2006 census, only 11.7 percent of housing in Vaughan is rental stock. In the City of Toronto approximately one-third of housing is rental. The low number of rental availabilities diminishes the availability of choice of tenure to residents of Vaughan, and may have an impact upon the ability of some people to live and work in the same area. In York Region, only the Town of East Gwillimbury and the Town of Newmarket broadly allow second suites; the Town of Markham allows second suites in certain areas.

Current Area Municipalities' Practices

A review of current area municipality practices, respecting secondary suites, varies from those municipalities that permit the use to those that do not. Some municipalities that are in the process of undertaking studies to implement official plan amendments and/or zoning by-laws to facilitate secondary suites (See Attachment 2 - Appendix 1 – Area Municipalities Secondary Suites Practices and Attachment 3 – Secondary Suite Permissions Comparison Chart). Those municipalities that permit the uses allow them in selective zones areas subject to Fire and Building Code requirements and some require mandatory registration. A more comprehensive description of what the area municipalities are doing with respect to secondary suites is outlined in Appendix 1.

Terms of Reference

The current City Official Plan policies do not address secondary suites in residences and By-law 1-88, does not permit secondary suites in residential zones. The Terms of Reference (Attachment 1) focus on the objective of developing an understanding of secondary suites elsewhere and in Vaughan and the subsequent development of official plan policies and potential zoning standards for secondary suites. The Study will engage the community in a consultation process to establish an approach to secondary suites in Vaughan.

The Components of the Study

The following are key tasks to be undertaken in the completion of the Secondary Suites Study:

- a) Background Review: This will include the review of previous planning studies on secondary suites, history of secondary suites, and the existing affordable housing policy context. This step will entail the review of existing Federal, Provincial, Regional, other municipal official plans and by-laws, as well as City of Vaughan Official Plan policies and zoning provisions.
- b) Issue Identification, Review and Analysis:
 - i) The assessment of existing conditions and relevant planning considerations. Building on the work of the Hemson Background Paper and Urban Strategies' Social Services Study, this study will include economic and demographic indicators, a current affordable housing, rental and secondary suite market assessment, quantification of future projections of housing stock (surplus/shortfall) versus housing demand;
 - ii) Assess the implications of Regional affordability policies on Vaughan and assess how secondary suites can comply with the Region's policies;
 - iii) Assess potential positive/negative outcomes of legalizing secondary suites, and identify economic ramifications of implementing plans;

- iv) Identify constraints and opportunities for implementing second suites, such as identification of appropriate locations for second suites, health and safety concerns, impact on existing facilities and services;
 - v) Assess and evaluate traffic/parking/transit considerations on current and future demand and ramifications for the existing road and transit network;
 - vi) Recommend examples of policy frameworks and strategies that employ secondary suites as part of an affordable housing strategy;
 - vii) Estimate staffing requirements to enforce regulation of these facilities (i.e. licensing, by-law enforcement, safety inspections);
 - viii) Conduct consultation/education of public respecting second suites in concert with the Task Force;
 - ix) Identify potential life safety policies in dealing with existing units; and
 - x) Identify potential licensing options.
- c) Development of Planning Principles and Objectives: these will be formulated in consideration of points a) and b) of this list.
- d) Identify possible locations and areas for localized policy implementation.
- e) Educate and engage the Task Force and general public on the requirements and opportunities that secondary suites pose.
- f) Preparation of Alternatives: The development of a number of options for a secondary suites strategy, possibly including the status quo, will be carried out.
- g) Technical Input from Departments and Agencies: To develop options for a secondary suite strategy all relevant City Departments and external agencies will be consulted.
- h) Develop an Implementation Strategy: Including an approach to life safety and enforcement.
- i) Finalize Study Report and Related Draft Official Plan Amendment and Draft Zoning By-law Amendments for land use and Draft Licensing By-Law for consideration of Council.

Task Force on Secondary Suites

Important in the process of evaluating secondary suite options and policies, is the mandate of a Task Force that will liaise with City staff, the consultants and public on this study. The composition of the Secondary Suite Task Force will consist of Council members and local experts in the field of housing, social service providers, interested citizens and representatives of ratepayer associations, as approved by Council.

Public Consultation Process

The Terms of Reference provide for a public consultation process, wherein City and Regional Staff, the advisory Secondary Suite Task Force and the Consultants participate in working meetings focused on a full range of planning and design development issues relevant to secondary suites. The outcome of this work will be presented to the general public at different points in the process.

As a part of this public outreach process, a symposium (a) would be held that brings in various experts in ways that secondary suites can be integrated into developments. These could include not-for-profit representatives, charitable provider representatives, private developers who have experience in affordable housing initiatives and provincial and/or regional experts in the field.

The main product of the study will be a planning and policy framework to be presented at a public Open House, followed by a Public Hearing early in 2011.

Funding

A study cost of \$45,000.00 is required, \$35,000 of which would be available to retain a consultant and \$10,000 for advertising, copying, notice requirement, additional meetings and venue rental, if necessary. The funding for this study is available in the Policy Planning 2010 Operating Budget – Professional Fees.

Study Time Schedule

The study can be initiated in the second quarter of 2010, following Council's approval. It is expected the work will require approximately eight months from date of project initiation, and be substantially completed by the end of 2010.

Relationship to Vaughan Vision 2020/Strategic Plan

The Vaughan Secondary Suite Study is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality". The Study is consistent with the Vaughan Vision Strategic Plan 2020 in terms of implementing a component of the Growth Management Strategy.

This report is consistent with the priorities previously set by Council, however the necessary resources have not yet been allocated and approved.

Regional Implications

The Official Plan and Zoning By-law Amendments, presented at the conclusion of the study will be consistent with the policies expressed in the Region of York's Official Plan and the Provincial Policy Statement.

Conclusion

As per Council's direction Staff has prepared a Terms of Reference for the examination of secondary suites. The Study will focus on providing an understanding of secondary suites in Vaughan by undertaking a review of previous planning studies on affordable housing and secondary suites, existing and recent policy context, relevant Federal, Provincial, Regional, and Municipal documents, including policy statements, official plans and zoning by-laws. It will research the existing market conditions and context and look at likely future trends, locations and directions for secondary suites as a component of that. It will undertake public consultation to solicit input into the preparation of a finalized study report, which sets forth the related Official Plan Amendment and Zoning By-law Amendments for further consideration by Council.

Should Council concur with the Terms of Reference, the recommendation should be approved to enable staff to proceed with the consultant assignment.

Attachments

1. The Draft Terms of Reference for the Vaughan Secondary Suites Study
2. Appendix 1 - Area Municipalities Secondary Suites Practices
3. Secondary Suites Permission Comparison Chart
4. Council Meeting of November 3, 2009 – Extracts

Report prepared by:

1. Lauralyn Johnston, Planner I
2. Arto Tikiryan, Senior Planner, ext. 8212
3. Wayne McEachern, Manager of Policy Planning, ext. 8026

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

DIANA BIRCHALL
Director of Policy Planning

VAUGHAN SECONDARY SUITES STUDY

TERMS OF REFERENCE

1. Background

On November 3, 2009, City of Vaughan Council endorsed the recommendations of the October 19, 2009 Committee of the Whole that a report be initiated by adopting the following recommendations:

- "1. That the deputation of Rev. Jim Keenan and written submissions, dated October 5, 2009, and October 16, 2009, be received and referred to staff for a comprehensive report to the Committee of the Whole (Working Session) that includes terms of reference for the examination of this issue including the provision of a task force; and
- 2 That the written submission of Ms. Anna Bortolus, dated October 15, 2009, be received."

In response, this Terms of Reference has been prepared as the basis of a comprehensive review of Vaughan's planning policies, goals and objectives, and zoning provisions respecting affordable housing and secondary suites.

2. Purpose of Study

The purpose of this study is to develop a strategy focused on the evaluation of secondary suites as a viable affordable housing form by undertaking research and analysis that will be done in the context of the existing policy environment of the Region and the Province. The study will:

- evaluate economic and demographic indicators related to housing;
- evaluate current and future housing stock trends, patterns, and shortfalls particularly in the rental market;
- assess the implications of maintaining the status quo;
- assess potential positive and negative outcomes to the legalization of secondary suites, from existing case studies and identify constraints and opportunities for secondary suite implementation in a broader affordable housing context.

The Study will engage the community in a consultation process in assessing the position of secondary suites in Vaughan and incorporate the findings of the Secondary Suites Task Force. It will evaluate and present tools and innovations for the implementation of a comprehensive affordable housing strategy. The resulting policy framework, should Council concur, will provide for the basis of implementation amendments for secondary suites to the City's official plans and Zoning By-law standards.

3. Scope of Study

The scope of the Study is twofold.

Firstly, the study will evaluate the land use planning and urban design implications of legalizing secondary suites in Vaughan.

Secondly, due to the mandates that are being received from Provincial and Regional authorities, the study will develop a framework that may be adopted by Council for the provision of secondary suites as a form of affordable housing subject to the findings of the Secondary Suites Task Force.

The Study will:

1. Undertake a qualitative and quantitative identification of issues;
2. Review and assess the existing conditions, health and safety concerns;
3. Quantify the current and potential impact on existing facilities and services, traffic/parking considerations, staffing requirements for any proposed solutions;
4. Quantify future projections of housing stock vs. housing demand, by estimating the affordable housing market and secondary suites in particular;
5. Identifying economic ramifications and document potential positive and negative outcomes of legalizing secondary suites;
6. Identify what the role of secondary suites will be in achieving affordable housing in the new policy framework of the Official Plan, with the attendant rigour of full public consultation including the creation of a Secondary Suites Task Force and public symposia on secondary suites;
7. Identify potential life safety policies in dealing with existing units; and
8. Identify potential administration, enforcement and inspection issues.

A Council appointed Secondary Suites Task Force shall provide input and advice for each phase of the project as it progresses.

4. **Background Policy on Secondary Suites Context**

Province of Ontario

The Province has made changes to the Planning Act and has enacted a variety of policies, which through the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe, encourage compact development form, intensification, the provision of a range of housing types, affordable housing, and the efficient use of land.

The Provincial Policy Statement (PPS) 2005 (Section: 1.4 HOUSING) speaks to the provision of providing an appropriate range of housing types and densities required to meet projected requirements of current and future residents of the regional market areas, as well as the facilitation of residential intensification. The PPS defines 'residential intensification', as:

"intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- e) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, secondary suites and rooming houses."

The Growth Plan for the Greater Golden Horseshoe (GPGGH) encourages intensification and a range and mix of housing taking into account affordable housing needs. The GPGGH requires that municipalities develop and implement through their official and other supporting documents, an intensification strategy which will encourage the creation of secondary suites as follows:

"2.2.3 General Intensification

6. All municipalities will develop and implement through their official plans and other supporting documents, a strategy and policies to phase in and achieve intensification and the intensification target.
- j) Encourage the creation of secondary suites throughout the built up area."

The Planning Act

In an effort to promote a mix and range of housing types the Province has provided municipalities with the ability to adopt second suite official plan policies without being subject to appeal (Section: 17, Subsection: 36.1). Furthermore, Section: 34, Subsection: 19.1, allows municipalities to pass zoning by-laws for locating or use of two residential units in a house without being subject to an appeal.

York Region Official Plan

The new Region of York Official Plan states in its affordable housing policies that lower-tier municipalities are "to encourage building design that will facilitate subsequent conversion to provide additional housing units, such as secondary suites." (3.5.18). It goes on in section 22 to "encourage local municipalities to include "as-of-right" secondary suite policies, on a municipality wide basis, in local official plans and zoning by-laws." Further, in the section on "Intensification" (5.3.3) that local municipalities, "shall complete and adopt *intensification* strategies [that] identify the role for [...] the following: [...] vi. Secondary suites." This is then reiterated in the definition of "Intensification".

The York Region Official Plan encourages the creation of new rental units through public-private ownership.

It supports zoning provisions that are flexible enough to permit a broad range of housing forms, types, sizes and tenures including second suites in houses, except in locations serviced by individual septic systems or communal sewage disposal.

City of Vaughan

Currently the only legal secondary suites in Vaughan are those that were grandfathered by the provincial government in 1994. Any units built after 1996 are illegal units and individuals do not have a right to add secondary suites to current housing stock. According to the 2006 census, only 11.7 percent of housing in Vaughan is rental stock. However, even preliminary research reveals that 'apartments in houses' already exist in Vaughan, although it is unknown as to what percentage of the current rental market this represents.

5. Components for the Secondary Suites Study

5.1 Background Review

A background review will be undertaken of previous planning studies on affordable housing and secondary suites, history of secondary suites, and the existing affordable housing policy context. This step will entail the review of existing Federal, Provincial, Regional, other municipal official plans and by-laws, as well as City of Vaughan Official Plan policies and zoning provisions.

Deliverables: Background Report for input from the Task Force.

5.2 Issue Identification, Review and Analysis

An assessment of existing conditions and relevant planning considerations is to be carried out and will include, but may not be limited to:

- a) economic and demographic indicators,
- b) current market assessment,
- c) quantification of future projections of housing stock (surplus/shortfall) versus housing demand,
- d) estimating the current and possible sizes of the secondary suite rental market,
- e) creation of an Existing Conditions Report,

- f) evaluate current situation in the City of Vaughan with respect to life safety issues on existing secondary suite units,

5.3 Development of Planning Principles, Goals and Objectives

The development of appropriate planning principles, goals and objectives will be based upon:

- a) an assessment of potential positive/negative outcomes of legalizing second suites,
- b) an identification of constraints and opportunities for implementing second suites as a part of an affordable housing strategy,
- c) an identification of tools for implementation

5.4 Preparation of Policy and/or Planning Alternatives

Based on the Background Report, the Existing Conditions Report and the development of the Planning Principles, Goals and Objectives, as well as feedback from the Secondary Suites Task Force, the public consultations, the study will develop alternative strategies for implementing secondary suites, one of which may include the status quo.

5.5 Evaluation of Alternatives

The alternatives will be evaluated on the basis of:

- a) economic ramifications of implementing plans,
- b) appropriate locations for second suites,
- c) possible health and safety concerns,
- d) impacts (if any) on existing facilities and services,
- e) traffic/parking considerations,
- f) possible staffing requirements (i.e. management, licensing, by-law enforcement, building and fire safety inspections).

The alternatives will be presented to and evaluated by City staff, Agencies and Task Force.

5.6 Community Consultation Program

Public consultation and education will be an important part of the study process. There will be several points at which the public will be engaged in a process to create an understanding of what allowing or disallowing legal secondary suites means for the City of Vaughan. This Study will periodically engage the community in a consultation process, in refining a vision of affordable housing and secondary suites in Vaughan. The consultant proposals shall include a description and timetable for the consultation process.

As a part of the public outreach program, the consultant will organize a Vaughan Symposium on Secondary Suites. This Symposium will entail a series of expert speakers on the topic of affordable housing and new and innovative ways of achieving affordable housing targets and mandates. The composition of the panel may include not-for-profit providers, community leaders, provincial and/or regional representatives, charitable organization representatives, and developers who have worked on or been involved with various aspects of providing the built forms that support intensification and secondary suites. The broader public will be invited to attend this/these symposium(a).

Following the preparation of the Policy and Planning Alternatives these alternatives will be presented to the Secondary Suites Task Force. This may include community workshops and/or Open Houses.

5.7 Final Report to Council

The consultant team will produce a final report on Secondary Suites in Vaughan. The report will include an appendix that contains:

- i) A Draft Official Plan Amendment
- ii) A Draft Zoning By-Law Amendment
- iii) Draft Performance Standards
- iv) A Draft Licensing By-Law

Once the Final Report and Appendix, containing a draft Official Plan Amendment, Zoning By-law Amendment, Performance Standards and Licensing By-Law are complete, they will be presented to Committee of the Whole.

6. Consulting Expertise/Requirements

The Study requires the services of consultant with demonstrated expertise in;

- Land use and urban design planning,
- Affordable Housing policy,
- Housing intensification and the role of secondary suites in houses,
- A demonstrated record in the formulation of Official Plan policy and Zoning By-Law,
- Expertise in public consultation and facilitation.

The consulting team will implement the project under the supervision of the Policy Planning Department with input and participation of other internal departments as required.

7. Schedule and Staffing

The Study is expected to begin in the spring of 2010 and be completed in approximately 8 months.

An upset limit of \$ 35,000.00 (including all disbursements and taxes) has been included for approval by Council. The successful proponent will be required to submit for approval of the Commissioner of Planning and the Director of Policy Planning, a work plan and payment schedule prior to commencing the project. The work program will detail task timing, sequencing and meeting schedules. The consultants' detailed prices should identify task costs, meeting costs, costs for disbursements, contingencies and applicable taxes, per diem of each member of the consulting team, plus a payment schedule for each key phase of the review. The proposal will also identify the roles and responsibilities of each member of the consulting team, including assigned hours by task, their direct involvement and responsibilities in the Review, and their relevant experiences.

8. Deliverables

The following deliverables will be provided by the consulting team for Council's consideration:

The consultant team will produce a final report on Vaughan's Secondary Suite Strategy. The report will include an appendix that contains:

- i) A Draft Official Plan Amendment
- ii) A Draft Zoning By-Law Amendment
- iii) Draft Performance Standards
- iv) A Draft Licensing By-Law

- a) Background Report on Secondary Suites

The background report(s) shall be submitted as follows:

- 30 cerlox bound copies
- 1 unbound copy;
- 1 CD/DVD (PDF) of the draft document (and related photos, graphics or maps, if any) in City-compatible software (Word, PowerPoint, Excel)

b) Existing Conditions Report

The existing conditions report shall be submitted as follows:

- 50 cerlox bound copies;
- 1 unbound copy;
- 1CD/DVD (PDF) of the draft document (and related photos, graphics or maps, if any) in City-compatible software (Word, Power Point, Excel)

a) Educational and Outreach Media

- 100 CD/DVDs of presentation and educational material
- handouts/brochures
- edited media in web-ready format
- a master copy of all media collected/produced

d) The Final Report shall be submitted as follows:

- 50 cerlox bound copies;
- 1 unbound copy;
- 1CD/DVD (PDF) of the draft document (and related photos, graphics or maps, if any) in City-compatible software (Word, Power Point, Excel)

All illustrations contained within the printed documents must be prepared in a way that effectively conveys the information when photocopied in black and white. Notwithstanding the above, the City may require documents or portions of documents to be in colour in order to convey the information more effectively.

Where appropriate, digital information shall be geo-referenced in accordance with City standards (NAD 83, 6degrees UTM, ZONE 17, Acceptable City formats include jpeg photos, AutoCAD dwg (2004 version), jpeg/bmp/tiff/Adobe graphics. Specific technical information will be provided to the consultants.

Presentations shall be presented in PowerPoint format.

9. **Content of Proposals**

The consultant will be retained on the basis of a written proposal and, if necessary, interviews. Selected Proponents may be short-listed for interviews.

The written proposal shall contain the following information:

- Members of the consulting team including their qualifications and experience;
- Identification of the Consultant Team Leader;
- An explanation of the approach and methodology to be used and the research to be undertaken to achieve the project's goals and objectives, as outlined in the Request for Proposal;
- A council/staff/public/stakeholder consultation strategy;
- A comprehensive work plan/project schedule, including timelines, milestones, meeting and key dates, which fulfill the requirements of the Terms of Reference;
- An upset cost for the completion of the project, which includes a breakdown of the hourly rates attributable to each of the Consulting Team members and the hourly time commitment by task, for each of the participants; and all other costs and related disbursements;
- Documentation of related experience;
- A list of three (3) client references in respect of projects similar to the one described in the Terms of Reference, preferably in a municipal environment;
- In the proposal the consultant shall indicate the number and type of projects it is currently undertaking which may represent a professional conflict with the conduct of the study.

In addition to the Original, twenty-five (25) bound copies of the Proposal, in an 8.5" x 11" format plus one (1) unbound copy shall be submitted. The maximum length of the Proposal shall be twenty-five (25) pages, exclusive of resumes, references and documentation relating to project experience.

10. **Evaluation Criteria**

The proposal will be evaluated on the basis of the following criteria:

Qualifications and Experience:	40%
<ul style="list-style-type: none"> • Capability as a Team Leader; • Qualifications and expertise of the team members; • Skills consistent with the needs of the project; • Experience in similar studies; • Level of public sector experience; • Demonstrated success in public/stakeholder consultation; and the quality of the proposed consultation plan; • Demonstrated skill in communicating project proposal and products, including excellent graphic presentation. 	
Quality of the Proposal:	35%
<ul style="list-style-type: none"> • Complete and comprehensive submission; • Demonstrated understanding of the project requirements; • Organization and clarity of presentation; • Introduction of innovative ideas and concepts; • Skill in communicating the project plan. 	
Project Management	15%
<ul style="list-style-type: none"> • Work program, timelines and scheduling consistent with study requirements; • Degree of participation of senior staff; • Ability to commit to timing objectives for the completion of the study. 	
Financial Considerations	10%
<ul style="list-style-type: none"> • Proposal Fee; • Appropriate allocation of resources to various phases or study tasks. 	

11. Negotiations

On completion of the evaluation process, vendor negotiations will be undertaken to refine the details of the contract for all portions of the proposed services described in the Request for Proposals. Negotiations may take the form of adding, deleting or modifying requirements.

Assuming mutually acceptable terms and conditions can be negotiated a contract will be signed with the selected proponent. In the event of a default or failure to arrive at mutually acceptable terms and conditions, the City may accept another Proposal or seek new Proposals, or carry out the service in any other way deemed appropriate.

12. Best and Final Offers

Proponents are reminded that, since this is a Request for Proposals, a best and final offer may be requested, but this would be considered only with the short-listed proponents, if used at all. Proponents are encouraged to provide their best offer initially and shall not rely on oral presentations or best and final offers.

13. Disbursement of Fees

The successful Consultant will be required to submit a payment schedule prior to commencing the project. The payment schedule shall be the subject of approval of the Project Coordinator. Invoices will be required to contain the following minimum information:

- Description and explanation of work undertaken in each invoice time period;
- Personnel employed and hours expended by the hourly rate;
- Disbursements;
- Total fee for each invoice;
- Budget expended to date and remaining budget.

The City shall retain a ten percent (10%) hold back on payment on all invoices until such time as the project is completed.

14. Project Administration

The consulting team will carry out the project under the project management of the Policy Planning Department with input and participation of other internal departments as required.

15. Conflict of Interest

In the proposal the Consultant shall indicate the number and type of projects it is currently undertaking which may represent a professional conflict with the conduct of this study. If the Evaluation Committee is of the opinion that a conflict exists, then the consultant will be disqualified from the competition. This matter may be discussed prior to the submission of the Proposal.

Policy Planning Department
January, 2010

ATTACHMENT 2

APPENDIX 1 - Area Municipalities Secondary Suite Practices

Town of Markham

The Town of Markham undertook an extensive review of secondary suites and prepared reports respecting the issues. In 2008 Markham adopted motions to implement a strategy around second suites as well as public consultation for them. However, when it came time to adopt the by-law, Council "requested that no further action be taken by staff with respect to Second Suites and that staff continue with the current enforcement strategy with respect to illegal second suites; and that staff take additional steps to educate Markham residents on the Town's current regulations regarding second suites." (<http://www.markham.ca/Markham/Departments/Planning/Studies/secondsuites.htm>)

The stated reasons for not implementing the draft by-laws and Terms of Reference were:

- Potentially add to property standards issues
- Very difficult to enforce
- Will not solve the affordable housing issue
- Uncertain whether permitting the use will lead to people following the

procedures

Currently second suites are *not permitted* except in areas where the previous zoning does permit them (e.g. coach houses in Cornell) or grandfathered ones from the pre-1996 registration.

Town of Richmond Hill

The Town of Richmond Hill has included secondary suites as a part of the larger work that is being conducted for their new Official Plan. As such they released terms of reference and have employed the consultants: GHK, Du Toit, Allsopp Hillier, Hemson, Dillon, and Lapointe to study the matter of Housing and Residential Intensification, conduct the public review process and bring forward recommendations on the context of the Town's rapidly urbanizing landscape for the Official Plan Task Force.

The overall goal of the Housing and Residential Intensification Study was to "provide for the long-term demand for residential uses, while maintaining, enhancing, diversifying, mixing, and further integrating residential uses within the Town's urbanizing landscape and identifying appropriate locations for residential intensification."

While generally the residents were positive towards Secondary Suites, during the public consultation process the consultants summarized the list of residential concerns as being:

- Traffic, parking and safety issues. Townhouses have limited parking.

Solutions proposed in workshops:

- Consider limits to secondary suites i.e. limit them to single and semi-detached?
- Consider maximums, i.e., one suite per building? Does it depend on the size of the house?
- Consider whether the house has to be owner-occupied.
- Consider the impact on existing facilities and services.

- Need staffing and process for licensing and by-law enforcement for fire-code safety
- Consider more housing options for support workers in the community i.e. nursing home staff.

Town of East Gwillimbury

East Gwillimbury permits second suites. In 1998, the Town passed a by-law under Section 34 of the Planning Act that created a formal registration process for second suites. Second suites in East Gwillimbury can only be built in single or semi-detached dwellings that have four parking spaces and sufficient servicing. Basement apartments are not permitted as second suites, since second suites must be at least 50% above grade. Through the formal registration process, second suites are inspected to meet the requirements of the Building Code, Fire Code, Zoning By-law and Property standards.

Town of Newmarket

The Town of Newmarket passed a by-law in 2003, permitting second suites and created a registry in order to keep track of second suites. Second suites are only permitted in single and semi-detached dwellings that are not located within a floodplain. Second suites are permitted in basements subject to meeting all municipal codes.

Town of Aurora

The Town of Aurora is currently drafting official plan policies and zoning by-law respecting secondary suites. A number of public meetings have already taken place and it is anticipated that the draft policies and zoning by-law will be before a working session of council in December 2009 or January 2010.

Town of Caledon

The Town of Caledon permits secondary suites in most residential areas, subject to meeting Fire and Building Codes. They require mandatory registration and are not allowed in the Niagara Escarpment Area.

City of Toronto

The City of Toronto's by-law allows second suites in detached and semi-detached houses as a part of the provisions for rental housing and subject to municipal codes.

City of Mississauga

The City of Mississauga is dealing with secondary suites through their strategic plan process. In the most recent section of their "Strategic Pillar for Change", "Ensuring Youth, Older Adults and New Immigrants Thrive", they propose to:

"Support Aging in Place

Action 7 Legalize Accessory Units

We will legalize accessory units and related uses, knowing that many older adults are now aging in place after their children have moved out.

Legalizing accessory units support the objective of more affordable units and an inventory of safe and reliable housing for those in need. Opportunities exist to expand the traditional form of residency by legalizing and regulating accessory

suites and related uses. This will demonstrate to the residents of Mississauga that aging in place is viable, giving older adults and opportunity for additional housing and accommodation options, while still residing in their current residence."

City of Brampton

The City of Brampton does not currently permit secondary suites. Only units from the pre-1996 era, and only if a Building Permit was issued, are legal.

City of Barrie

The City of Barrie permits basement and accessory apartment units in single detached residential dwellings that have been constructed since 2004, subject to meeting Fire and Building Code requirements.

City of Ajax

The City of Ajax permits basement/accessory apartments in single and semi-detached dwellings, subject to meeting Building Code and Fire Code regulations. All accessory units require mandatory registration. There are 800 apartments currently on the registry.

City of Oshawa

The City of Oshawa has recently established Official Plan policies which permit secondary suites in single detached residences, subject to meeting Fire and Building codes. Secondary suites are only permitted in Residential Commercial Arterial (RC-A) Zones. Oshawa requires all rental units to be licensed.

Secondary Suite Permissions Comparison Chart

MUNICIPALITY	PERMISSION	STANDARDS/CODE	AREA RESTRICTIONS
Ajax	Permits Basement/Accessory apartments. 800 apartments currently on registry	Fire and building code, singles and semis.	All areas. Mandatory registration
Aurora	Currently drafting by-law and policy. Have conducted 2 of 3 public meetings, going to a working session in December 2009/January 2010.		
Barrie	Permits basement/Accessory Apartments	Fire and building code, singles only	Only in developments that have been approved since 2004.
Brampton	Not permitted		
Caledon	Permitted in most residential areas	Fire and building code	Not allowed in Niagara Escarpment area. Mandatory registration
East Gwillimbury	Permits Accessory Apartments	Fire and building code. Not permitted below-grade.	All areas
Markham	Permitted only in certain areas	Fire and building code	Only in Cornell and Markham City Centre
Mississauga	Policy to legalize has been put into place	No bylaw as yet, in process.	
Newmarket	Permitted	Fire and building code. Has created an online resource/handbook to help homeowners register apartments	All areas, registration was formerly 500\$, now 100\$, mandatory.
Oshawa	New policy in Official Plan Policies	Only singles. Fire and Building code	Only in RC-A zoning (arterials- mixed use) All rentals requires license.
Richmond Hill	Currently employing consultants to propose policy as part of their housing strategy for their new official plan.	In process.	
Toronto	permitted	Fire and Building code. Singles and semis only.	All areas. No registration required.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 3, 2009

Item 21, Report No. 45, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on November 3, 2009.

21 DEPUTATION - REV. KEENAN WITH RESPECT TO SECONDARY SUITES

The Committee of the Whole recommends:

- 1) That the deputation of Rev. Jim Keenan and written submissions, dated October 5, 2009 and October 16, 2009, be received and referred to staff for a comprehensive report to the Committee of the Whole (Working Session) that includes terms of reference for the examination of this issue including provisions for a task force; and
- 2) That the written submission of Ms. Anna Bortolus, dated October 15, 2009, be received.

Magnifico, Rose

ADDITIONAL INFORMATION

Deputation 7.9)

CW - Oct 19/09

From: Abrams, Jeffrey
Sent: Monday, October 05, 2009 11:22 AM
To: Magnifico, Rose; Fernandes, Sybil
Subject: Fw: Secondary suites
Attachments: Secondary Suites[1].ppt

From: Jim Keenan <revkeenan@gmail.com>
To: Abrams, Jeffrey
Sent: Mon Oct 05 11:20:45 2009
Subject: Secondary suites

Dear Mr. Abrams,

At the October 19th Committee of the Whole meeting I request that a deputation from myself be heard with outlines what I perceive as the need to

1. regularize the way the City handles existing secondary suites in the City and
2. publicly develop policies to deal with the pressure to provide more secondary suites in the city in the future.

There is attached a brief slide presentation of some of the key points I will bring forward. I will be adding to these points in my oral presentations.

Please let me know if there is anything else I need to do ensure that I will be granted deputant status in this regard.

I thank you in advance for your careful and considerate attention to this request.

Sincerely,

Rev. Jim Keenan

Secondary Suites

Can You Find a Safe, Affordable
Rental Apartment in Vaughan?

Can You Find a Safe, Affordable Rental Apartment in Vaughan?

- There is a need for affordable housing in Vaughan – over 3400 households on the waiting list
- The Region's Official Plan requires that a minimum of 25% of new housing to be built be affordable housing units and supports municipal zoning provisions that are flexible enough to permit second suites in houses 'as a matter of right'
- We know that secondary suites (basement apartments) exist in Vaughan both in extended family and rental situations. Many are likely substandard in terms of safety and building code. There were 220 listed for rent in 2007 despite the prohibition in Vaughan.
- Many municipalities have legalized basement apartments such as Toronto, Newmarket, East Gwillimbury, and Caledon without serious concerns.
- Suggested Actions: (1) Immediately grandfather and regulate existing suites in Vaughan, (2) Implement a By-law that would trigger a fire and safety inspection for every home re-sold in Vaughan, (3) Implement a stakeholder task force to evaluate whether secondary suites should be permitted and regulated in Vaughan.

History of Secondary Suites in Ontario

- In 1996, the NDP government enacted legislation that allowed secondary suites regardless of Municipal zoning, providing health and fire safety standards were met
- This legislation was repealed by the Harris government in 1995 through the introduction of Bill 20, which gave municipalities the right to outlaw basement apartments
- This has led to a patchwork of municipal by-laws some which prohibit them with a grandfathering clause (i.e. Brampton, Mississauga), and some which allow them (i.e. City of Toronto, Caledon, East Gwillimbury, Newmarket)
- Many municipalities are reconsidering secondary suites as safe, affordable rental housing options, and the new planning environment in Ontario (i.e. Places to Grow and intensification)

History of Secondary Suites in Vaughan

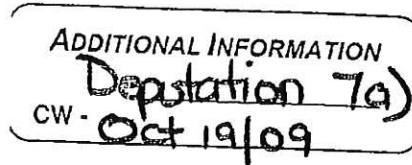
- May 16, 2005 Compliance Measures Coordinating Committee Report “A Policy and procedural Instruction for 2-unit residential occupancies in the City of Vaughan Protocol, was developed and field tested.
- October 9, 2007 Second dwelling units including basement apartments was dealt with in a closed session of Committee of the Whole recommended a confidential recommendation be approved
- Currently not provided for in By-law 1-88, accessory buildings may not be used for human habitation and defines “Dwelling, Single Family Detached- means a building containing only one dwelling unit” and there is no definition or zoning allowed for “secondary suites” or “second dwelling units”

Why are secondary suites a concern in Vaughan?

- Health, Safety and Fire Protection
 - It is known that many secondary suites exist in Vaughan, and it is likely that many would not meeting Building and Fire Code standards. They exist in extended family situations as well as in rental situations.
- Need for affordable, safe rental properties
 - In Vaughan over 3400 households are on the waiting list for affordable housing, the waiting list for family units is 1267 names long, while 769 individuals are waiting for single units
 - Seniors are also struggling to maintain their homes
- Pressure from York Region's Official plan for municipalities to give secondary suites as a matter of right to homeowners through municipal by-laws. This serves the dual need for affordable housing and urban intensification under the Provincial Growth plan.

Suggested Phased Strategy

1. Address Safety Immediately
 - Immediately grandfather and regulate all existing secondary suites and bring them up to fire and building codes. Provide tax or other incentives for residents to come forward.
2. Identify New Suites
 - Implement a new by-law that requires a certified "Fire and Safety inspection" for every home that is sold in Vaughan. This will capture unregistered suites, and will put owners on notice to bring suites up to safety and building standards. Involve realtors in this strategy
3. Create a Secondary Suites Task Force
 - To investigate the feasibility of allowing secondary suites as a 'right' of home ownership and providing the framework for implementation
 - Task force to involve residents, realtors, fire department, social planning Council and social services, building/planning staff, development industry
 - To have 6 months to one year to meet, investigate and report back to Council for action to be taken as appropriate



City of Vaughan
Clerk

October 15, 2009

Dear Mayor and Members of Council:

Re: Second Suites in Vaughan

I am writing today as a resident of Vaughan in support of registering existing second suites in this City and to ask the City to create a stakeholder committee to carefully consider whether it is in the public interest that Vaughan allow second suites as a right of home ownership in the future.

Health and Safety

Dealing with the serious fire safety, health and building code related safety issues that may be associated with basement apartments is long overdue in Vaughan. Whether a young professional, a mother with young children, a housekeeper or nanny, a nonno or nonna, a teenager getting their 'space', or a young couple saving for their first home, every occupant in a basement apartment deserves to be protected.

It is my fervent hope, as a health and safety professional, that no-one will perish in Vaughan in a basement house fire, before our Council takes appropriate and swift action on this file. In a recent search in local media, I found approximately one hundred basement apartments advertised in Vaughan. None of them are regulated, registered, or inspected. This doesn't cover the large number of nanny suites, in-law suites and the like.

One way to improve over time, the fire safety of all homes in Vaughan would be to enact a by-law that would require a mandatory fire safety inspection (by a certified external inspector) of all homes before a real estate transaction is completed. This inspection process would also serve as an education tool for local residents about fire safety requirements within their homes, and if applicable, secondary suite requirements.

Secondary Suites- What is fact and fiction?

As you may be aware, secondary suites were approved by the NDP government in 1994, and the law was repealed by the Conservative government in 1996. In 1996, many municipalities promptly dealt with the issue, by grandfathering, upgrading, and registering existing suites. A few cities went on to prohibit any further basement apartments such as Mississauga and Brampton, but many Councils in the GTA have been successful in implementing by-laws to extend secondary suites as a right of home ownership, providing they meet building and fire codes, such as Toronto, East Gwillimbury, Caledon, Newmarket, and Pickering.

The world has not ended in these jurisdictions as a result of allowing secondary suites. The Bridal Path is still the Bridal Path. The Kingsway is still the Kingsway. People live in relative harmony with each other with the knowledge that somewhere in their area, there might be a person with a basement apartment in their home, earning a little extra income for their family to make ends meet, and providing a safe, comfortable home for a hard-working individual or family. I am willing to conjecture that people can't tell from the outside of a home, whether it contains a second dwelling unit or not.

Secondary Suites

Can You Find a Safe, Affordable
Rental Apartment in Vaughan?

Can You Find a Safe, Affordable Rental Apartment in Vaughan?

- There is a need for affordable housing in Vaughan – over 3400 households on the waiting list
- The Region's Official Plan requires that a minimum of 25% of new housing to be built be affordable housing units and supports municipal zoning provisions that are flexible enough to permit second suites in houses 'as a matter of right'
- We know that secondary suites (basement apartments) exist in Vaughan both in extended family and rental situations. Many are likely substandard in terms of safety and building code. There were 220 listed for rent in 2007 despite the prohibition in Vaughan.
- Many municipalities have legalized basement apartments such as Toronto, Newmarket, East Gwillimbury, and Caledon without serious concerns.
- Suggested Actions: (1) Immediately grandfather and regulate existing suites in Vaughan, (2) Implement a By-law that would trigger a fire and safety inspection for every home re-sold in Vaughan, (3) Implement a stakeholder task force to evaluate whether secondary suites should be permitted and regulated in Vaughan.

History of Secondary Suites in Ontario

- In 199e, the NDP government enacted legislation that allowed secondary suites regardless of Municipal zoning, providing health and fire safety standards were met
- This legislation was repealed by the Harris government in 1995 through the introduction of Bill 20, which gave municipalities the right to outlaw basement apartments
- This has led to a patchwork of municipal by-laws some which prohibit them with a grandfathering clause(i.e. Brampton, Mississauga), and some which allow them(i.e. City of Toronto, Caledon, East Gwillimbury, Newmarket)
- Many municipalities are reconsidering secondary suites as safe, affordable rental housing options, and the new planning environment in Ontario (i.e. Places to Grow and intensification)

History of Secondary Suites in Vaughan

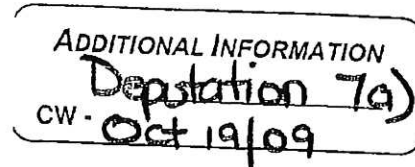
- May 16, 2005 Compliance Measures Coordinating Committee Report “A Policy and procedural Instruction for 2-unit residential occupancies in the City of Vaughan Protocol, was developed and field tested.
- October 9, 2007 Second dwelling units including basement apartments was dealt with in a closed session of Committee of the Whole recommended a confidential recommendation be approved
- Currently not provided for in By-law 1-88, accessory buildings may not be used for human habitation and defines “Dwelling, Single Family Detached- means a building containing only one dwelling unit” and there is no definition or zoning allowed for “secondary suites” or “second dwelling units”

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Arguments commonly made against secondary suites include parking problems, garbage issues, and noise complaints. Parking, garbage, and noise issues may be dealt with under by-law provisions i.e. space for allowable parking is required, appropriate garbage storage is to be provided, and a sturdy by-law complaint mechanism instituted.

Other resident concerns might include the perception that neighbourhood character or property values might decline. The experience of Toronto's and other local municipality's by-laws allowing secondary suites, doesn't bear out these fears. The reality is that today in Vaughan; these suites already exist, and they co-exist quite peacefully and seamlessly within our neighbourhoods.

What does need to be clarified to reassure residents is the difference between a second dwelling unit and a multi-unit dwelling or rooming house. By-laws must be clearly written to ensure that only one suite extra may be made within a single family home, and that multi-unit dwellings may only be permitted where zoning allows.

Housing Mix and Availability

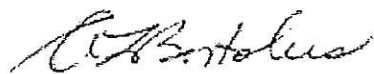
In the City of Vaughan, our housing offering is predominantly low-rise single family residential, with the occasional low and high-rise condo. This mix of housing is not reflective of the needs of Vaughan residents now or in the future, as shown by York Region's estimates that some 3400 households in Vaughan are currently waiting for appropriate housing. In order to meet our economic growth strategies and requirements under the Region's new Official Plan and sustainable growth under the Places to Grow legislation, Vaughan needs to provide a broader housing mix to include rental, multi-plex, co-op, condo, townhome and single family homes. The Region has now specified in their draft Official Plan that 25% of new housing needs to be affordable units. The option of secondary suites is a way to utilize existing housing stock to meet these objectives.

Suggested Strategy

I urge the City of Vaughan to take immediate action to register existing second suites in Vaughan, and consider implementing a new by-law where fire inspections (by a certified inspector, perhaps as part of the common home inspection process) would be required for every home sale in Vaughan.

In addition, I would like to suggest that the City create a multi-stakeholder task force with resident, fire, City building and planning, development, social services housing, and real estate representatives, to investigate whether it is in the public interest that Vaughan allow second suites as a right of home ownership in the future.

Yours sincerely,



Anna Bortolus MHSc

Background - Analysis and Options

On November 3, 2009, City of Vaughan Council endorsed the recommendations of the October 19, 2009 Committee of the Whole that a report be initiated by adopting the following recommendations:

- "1. That the deputation of Rev. Jim Keenan and written submissions, dated October 5, 2009, and October 16, 2009, be received and referred to staff for a comprehensive report to the Committee of the Whole (Working Session) that includes terms of reference for the examination of this issue including the provision of a task force; and
2. That the written submission of Ms. Anna Bortolus, dated October 15, 2009, be received."

The deputations and the written submissions above, related to the need for safe, affordable rental housing in Vaughan. Reference was made to 3,400 households being on a waiting list for affordable housing.

Other concerns were raised related to secondary suites, which included that apartments, particularly basement apartments, can be substandard in terms of safety and Fire and Building Code compliance. A suggested way to improve issues related to fire, health and building safety is to register existing second suites in Vaughan and to implement a by-law where fire inspections are required for every house sale in Vaughan.

The deputants requested that a Secondary Suite Task Force be formed and that it investigate permitting secondary suites as of right in residences and provide a framework for implementation.

Secondary Suites

What is a Secondary Suite?

The term "secondary suite" generally describes a room or group of rooms as a unit with its own kitchen and bathroom facilities designed for the exclusive use of the occupants, which is separate from the principle dwelling in a house (detached house, semi-detached house, and rowhouse). A secondary suite is commonly known as a basement apartment, accessory apartment or another form of secondary residential unit that is located in a house or on the same lot, containing no more than one other unit.

Even if family members occupy the second suite, it is still a separate unit. Therefore, rights under the *Residential Tenancies Act* (R.S.O. 2006) are conferred with the rental agreement.

A secondary suite is not a boarding house or lodging house, which comprises rental units that share bathroom and/or kitchen facilities.

Both legal and illegal apartments are controlled by the *Residential Tenancies Act* (R.S.O. 2006).

Secondary Suites as Affordable Housing and Intensification

Affordable housing is mandated for municipalities by both the Province and the Region. However, many of the strategies, tools, and implementation as well as location of affordable housing are the purview of the City. The Region of York's Official Plan calls for comprehensive secondary plans for Regional Centres and key development areas along Regional Corridors to be prepared by local municipalities and implemented in co-operation with the Region and related agencies. These secondary plans shall include; a minimum requirement that 35% of new housing

units be affordable, offering a range of compact housing forms and tenures, and intrinsically affordable units for low and moderate income households.

Affordable housing is defined by the Province and the Region as both rental and ownership housing in which the cost of shelter does not exceed 30% of the annual gross income of the residents or is 10% below market value of the regional market. Vaughan is currently in the enviable position of having a fairly affluent populace, making these targets easier to achieve.

Secondary suites are one type of 'private market' option of affordable rental housing. Aside from being affordable to renters, second suites can provide income and extra security for the homeowner who may have more space than needed, and where the rental income can offset mortgage costs.

The Background Paper on Population and Housing (Hemson, 2008), which was prepared as part of the City's Official Plan Review, indicates that important changes can be expected in the future that will need to be accommodated through careful planning. These changes include:

- The population is 'aging', indicating two important shifts: firstly, more people will live alone as seniors as partners pass away and children leave the family home; secondly, people will live longer and will live this increased span independently, many on fixed incomes. It would seem to be desirable to support "aging in place" strategies to address this.
- While there will be an increased pressure to provide higher density housing, the current market preferences of the predicted demographic has not traditionally supported this. How can housing intensification be made more attractive than traditional suburban patterns?
- Housing needs and choices of all income levels of the population must be met while still meeting the increased intensification targets.

The Vaughan Social Services Study (Urban Strategies, 2009), prepared as part of the City's Official Plan Review, reiterates these conclusions and further draws the connections between this aging population, mobility and service provision.

Secondary suites are often a housing option that can meet the needs of a variety of people, such as singles, students, seniors, extended family members, and people with fixed incomes. In the City of Vaughan 27.5% of residents are spending 30% or more of their income on housing, (Vaughan Social Services Study: Urban Strategies 2009). Only 7.2 percent of the housing market in Vaughan is rental. This number puts Vaughan at the bottom of the spectrum of rental accommodation in the GTA as Markham is at 11.3%, Mississauga is 25%, and Brampton is 18.5%. This indicates a possible gap in the market that is not being addressed. Secondary suites can be part of a range of rental housing options in the City, which would help to attract and keep employees by enabling them to live near work. However, they are not the only affordable housing option, but one of a variety of strategies that the City may wish to employ to meet Provincial and Regional targets.

Secondary suites are usually constructed inside existing buildings, helping to optimize the use of the existing housing stock and infrastructure and re-populate neighbourhoods with declining populations. They can also play a role in meeting the Province's and Region's intensification targets if permitted in areas that are to be transit-supportive.

Legalized second suites would improve health and safety for residents as each unit would be subject to the Fire and Building Codes.

Secondary suites could create jobs in construction and other sectors.

Frequently Asked Questions Respecting Second Suites

Will secondary suites change the neighbourhood?

Non-related people are allowed to live in the same building and often do already. There is evidence that these units already exist in many areas. For example, on Craigslist in November 30, 2009, in Vaughan there were 4 "basement apartments" for rent and two houses listed that had "separate entrance finished basements". Secondary Suites allow for intensification to happen without changing the physical appearance of neighbourhoods by permitting people to lease part of their house to another. More people are now living alone and it is expected that this is an increasing trend. Neighbourhoods will reflect this change in many ways and secondary suites are likely to be one of them, regardless of whether or not they are legally permitted.

Will the introduction of new permissions suddenly increase the number of people in the neighbourhood?

Many secondary suites already exist. It seems unlikely that there will be a sudden rise in the number of people living in an area. However, once legalized, it will be easier to track and implement changes required for other services, such as community centres should the need arise. They may make some services more feasible, such as transit. The study will need to examine the potential for this by providing data on cities that currently permit second suites.

Will secondary suites introduce new problems to the single-family neighbourhoods?

The requirement for additional parking potentially generated by a second suite is perhaps the single most concern in neighbourhoods that are car-dependant and where the lack of sufficient parking is already an issue. As well, any impacts to the exterior of a residence resulting from storage and access will need to be addressed. These issues should be examined through the study taking into consideration the suburban context.

Will secondary suites affect infrastructure?

Secondary suites do not generally mean a doubling of the population. Many of the services in Vaughan are pay-as-you go and user fee dependant, which mitigates the expansion costs of these services. The changing demographic of an aging population will be far more important to the delivery of social services. With the expected decline in multi-person households, there may be no net effect on the physical infrastructure. In some areas, it may have a positive impact by providing ridership for public transit.

Will second suites be fire inspected?

All new buildings must comply with the building and fire codes. However, since not all suites are inspected, there is no way to know which ones are or are not safe. With the creation of a registration or licensing system, fire and building code inspections can become part of the regulation of these units. A schedule of inspections and fines that handle non-compliant properties can also be established. The solution that best fits Vaughan's context should be addressed in the study.

Current Policy Context on Secondary Suites

Province of Ontario

In 1994, the Provincial government passed Bill 120 (the Residents Rights Act) which amended the Landlord/Tenant Act, the Rent Control Act, the Rental Housing Protection Act, the Planning Act and the Municipal Act. The Bill required municipalities to permit second suites as of right in all single and semi-detached dwellings as well as townhouses, regardless of municipal zoning,

subject to Building and Fire Code provisions. In 1996, Bill 20 was passed by a new Provincial government that restored powers to municipalities to determine if second suites would be permitted.

The Province has made changes to the Planning Act and has brought in a variety of policies which, through the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe, encourage compact development form, intensification, the provision of a range of housing types, affordable housing and the efficient use of land.

The Provincial Policy Statement (PPS) 2005 (Section: 1.4 HOUSING) speaks to the provision of providing an appropriate range of housing types and densities required to meet projected requirements of current and future residents of the regional market area, as well as the facilitation of residential intensification.

The Growth Plan for the Greater Golden Horseshoe (GPGGH) encourages intensification and a range and mix of housing taking into account affordable housing needs. The GPGGH requires that municipalities develop and implement, through their official plans and other supporting documents, an intensification strategy which will encourage the creation of secondary suites as follows:

"2.2.3 General Intensification

6. All municipalities will develop and implement through their official plans and other supporting documents, a strategy and policies to phase in and achieve intensification and the intensification target.

- j) Encourage the creation of secondary suites throughout the built up area."

The Planning Act

In an effort to promote a mix and range of housing types the Province has provided municipalities with the ability to adopt "second unit" official plan policies without being subject to appeal (Section: 17, Subsection: 36.1). Furthermore, Section: 34, Subsection: 19.1, allows municipalities to pass zoning by-laws for locating or the use of two residential units in a house without being subject to an appeal.

York Region Official Plan

The new Region of York Official Plan states in its affordable housing policies that lower-tier municipalities are "to encourage building design that will facilitate subsequent conversion to provide additional housing units, such as secondary suites." (3.5.18). It goes on in section 22 to "encourage local municipalities to include "as-of-right" secondary suite policies, on a municipality wide basis, in local official plans and zoning by-laws." Further, in the section on "Intensification" (5.3.3) that local municipalities, "shall complete and adopt *intensification* strategies [that] identify the role for [...] the following: [...] vi. Secondary suites." This is then reiterated in the definition of "Intensification".

The York Region Official Plan encourages the creation of new rental units through public-private ownership.

It supports zoning provisions that are flexible enough to permit a broad range of housing forms, types, sizes and tenures including second suites in houses, except in locations serviced by individual septic systems or communal sewage disposal.

City of Vaughan

Currently in the City of Vaughan, secondary suites are not permitted as of right. However, they do exist. Within the City of Vaughan 220 basement units were listed for rent in 2007. (May 18, 2009. <http://www.vaughantoday.ca/story.php?id=1887>). This does not address secondary suites occupied by family members and therefore not listed for rent. A casual review of rental listing shows units being posted for rent on a daily basis, many in houses built since 1996.

According to the 2006 census, only 11.7 percent of housing in Vaughan is rental stock. In the City of Toronto approximately one-third of housing is rental. The low number of rental availabilities diminishes the availability of choice of tenure to residents of Vaughan, and may have an impact upon the ability of some people to live and work in the same area. In York Region, only the Town of East Gwillimbury and the Town of Newmarket broadly allow second suites; the Town of Markham allows second suites in certain areas.

Current Area Municipalities' Practices

A review of current area municipality practices, respecting secondary suites, varies from those municipalities that permit the use to those that do not. Some municipalities that are in the process of undertaking studies to implement official plan amendments and/or zoning by-laws to facilitate secondary suites (See Attachment 2 - Appendix 1 – Area Municipalities Secondary Suites Practices and Attachment 3 – Secondary Suite Permissions Comparison Chart). Those municipalities that permit the uses allow them in selective zones areas subject to Fire and Building Code requirements and some require mandatory registration. A more comprehensive description of what the area municipalities are doing with respect to secondary suites is outlined in Appendix 1.

Terms of Reference

The current City Official Plan policies do not address secondary suites in residences and By-law 1-88, does not permit secondary suites in residential zones. The Terms of Reference (Attachment 1) focus on the objective of developing an understanding of secondary suites elsewhere and in Vaughan and the subsequent development of official plan policies and potential zoning standards for secondary suites. The Study will engage the community in a consultation process to establish an approach to secondary suites in Vaughan.

The Components of the Study

The following are key tasks to be undertaken in the completion of the Secondary Suites Study:

- a) Background Review: This will include the review of previous planning studies on secondary suites, history of secondary suites, and the existing affordable housing policy context. This step will entail the review of existing Federal, Provincial, Regional, other municipal official plans and by-laws, as well as City of Vaughan Official Plan policies and zoning provisions.
- b) Issue Identification, Review and Analysis:
 - i) The assessment of existing conditions and relevant planning considerations. Building on the work of the Hemson Background Paper and Urban Strategies' Social Services Study, this study will include economic and demographic indicators, a current affordable housing, rental and secondary suite market assessment, quantification of future projections of housing stock (surplus/shortfall) versus housing demand;
 - ii) Assess the implications of Regional affordability policies on Vaughan and assess how secondary suites can comply with the Region's policies;
 - iii) Assess potential positive/negative outcomes of legalizing secondary suites, and identify economic ramifications of implementing plans;

- iv) Identify constraints and opportunities for implementing second suites, such as identification of appropriate locations for second suites, health and safety concerns, impact on existing facilities and services;
 - v) Assess and evaluate traffic/parking/transit considerations on current and future demand and ramifications for the existing road and transit network;
 - vi) Recommend examples of policy frameworks and strategies that employ secondary suites as part of an affordable housing strategy;
 - vii) Estimate staffing requirements to enforce regulation of these facilities (i.e. licensing, by-law enforcement, safety inspections);
 - viii) Conduct consultation/education of public respecting second suites in concert with the Task Force;
 - ix) Identify potential life safety policies in dealing with existing units; and
 - x) Identify potential licensing options.
- c) Development of Planning Principles and Objectives: these will be formulated in consideration of points a) and b) of this list.
- d) Identify possible locations and areas for localized policy implementation.
- e) Educate and engage the Task Force and general public on the requirements and opportunities that secondary suites pose.
- f) Preparation of Alternatives: The development of a number of options for a secondary suites strategy, possibly including the status quo, will be carried out.
- g) Technical Input from Departments and Agencies: To develop options for a secondary suite strategy all relevant City Departments and external agencies will be consulted.
- h) Develop an Implementation Strategy: Including an approach to life safety and enforcement.
- i) Finalize Study Report and Related Draft Official Plan Amendment and Draft Zoning By-law Amendments for land use and Draft Licensing By-Law for consideration of Council.

Task Force on Secondary Suites

Important in the process of evaluating secondary suite options and policies, is the mandate of a Task Force that will liaise with City staff, the consultants and public on this study. The composition of the Secondary Suite Task Force will consist of Council members and local experts in the field of housing, social service providers, interested citizens and representatives of ratepayer associations, as approved by Council.

Public Consultation Process

The Terms of Reference provide for a public consultation process, wherein City and Regional Staff, the advisory Secondary Suite Task Force and the Consultants participate in working meetings focused on a full range of planning and design development issues relevant to secondary suites. The outcome of this work will be presented to the general public at different points in the process.

As a part of this public outreach process, a symposium (a) would be held that brings in various experts in ways that secondary suites can be integrated into developments. These could include not-for-profit representatives, charitable provider representatives, private developers who have experience in affordable housing initiatives and provincial and/or regional experts in the field.

The main product of the study will be a planning and policy framework to be presented at a public Open House, followed by a Public Hearing early in 2011.

Funding

A study cost of \$45,000.00 is required, \$35,000 of which would be available to retain a consultant and \$10,000 for advertising, copying, notice requirement, additional meetings and venue rental, if necessary. The funding for this study is available in the Policy Planning 2010 Operating Budget – Professional Fees.

Study Time Schedule

The study can be initiated in the second quarter of 2010, following Council's approval. It is expected the work will require approximately eight months from date of project initiation, and be substantially completed by the end of 2010.

Relationship to Vaughan Vision 2020/Strategic Plan

The Vaughan Secondary Suite Study is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality". The Study is consistent with the Vaughan Vision Strategic Plan 2020 in terms of implementing a component of the Growth Management Strategy.

This report is consistent with the priorities previously set by Council, however the necessary resources have not yet been allocated and approved.

Regional Implications

The Official Plan and Zoning By-law Amendments, presented at the conclusion of the study will be consistent with the policies expressed in the Region of York's Official Plan and the Provincial Policy Statement.

Conclusion

As per Council's direction Staff has prepared a Terms of Reference for the examination of secondary suites. The Study will focus on providing an understanding of secondary suites in Vaughan by undertaking a review of previous planning studies on affordable housing and secondary suites, existing and recent policy context, relevant Federal, Provincial, Regional, and Municipal documents, including policy statements, official plans and zoning by-laws. It will research the existing market conditions and context and look at likely future trends, locations and directions for secondary suites as a component of that. It will undertake public consultation to solicit input into the preparation of a finalized study report, which sets forth the related Official Plan Amendment and Zoning By-law Amendments for further consideration by Council.

Should Council concur with the Terms of Reference, the recommendation should be approved to enable staff to proceed with the consultant assignment.

Attachments

1. The Draft Terms of Reference for the Vaughan Secondary Suites Study
2. Appendix 1 - Area Municipalities Secondary Suites Practices
3. Secondary Suites Permission Comparison Chart
4. Council Meeting of November 3, 2009 – Extracts

Report prepared by:

1. Lauralyn Johnston, Planner I
2. Arto Tikiryan, Senior Planner, ext. 8212
3. Wayne McEachern, Manager of Policy Planning, ext. 8026

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

DIANA BIRCHALL
Director of Policy Planning

VAUGHAN SECONDARY SUITES STUDY

TERMS OF REFERENCE

1. Background

On November 3, 2009, City of Vaughan Council endorsed the recommendations of the October 19, 2009 Committee of the Whole that a report be initiated by adopting the following recommendations:

- "1. That the deputation of Rev. Jim Keenan and written submissions, dated October 5, 2009, and October 16, 2009, be received and referred to staff for a comprehensive report to the Committee of the Whole (Working Session) that includes terms of reference for the examination of this issue including the provision of a task force; and
- 2 That the written submission of Ms. Anna Bortolus, dated October 15, 2009, be received."

In response, this Terms of Reference has been prepared as the basis of a comprehensive review of Vaughan's planning policies, goals and objectives, and zoning provisions respecting affordable housing and secondary suites.

2. Purpose of Study

The purpose of this study is to develop a strategy focused on the evaluation of secondary suites as a viable affordable housing form by undertaking research and analysis that will be done in the context of the existing policy environment of the Region and the Province. The study will:

- evaluate economic and demographic indicators related to housing;
- evaluate current and future housing stock trends, patterns, and shortfalls particularly in the rental market;
- assess the implications of maintaining the status quo;
- assess potential positive and negative outcomes to the legalization of secondary suites, from existing case studies and identify constraints and opportunities for secondary suite implementation in a broader affordable housing context.

The Study will engage the community in a consultation process in assessing the position of secondary suites in Vaughan and incorporate the findings of the Secondary Suites Task Force. It will evaluate and present tools and innovations for the implementation of a comprehensive affordable housing strategy. The resulting policy framework, should Council concur, will provide for the basis of implementation amendments for secondary suites to the City's official plans and Zoning By-law standards.

3. Scope of Study

The scope of the Study is twofold.

Firstly, the study will evaluate the land use planning and urban design implications of legalizing secondary suites in Vaughan.

Secondly, due to the mandates that are being received from Provincial and Regional authorities, the study will develop a framework that may be adopted by Council for the provision of secondary suites as a form of affordable housing subject to the findings of the Secondary Suites Task Force.

The Study will:

1. Undertake a qualitative and quantitative identification of issues;
2. Review and assess the existing conditions, health and safety concerns;
3. Quantify the current and potential impact on existing facilities and services, traffic/parking considerations, staffing requirements for any proposed solutions;
4. Quantify future projections of housing stock vs. housing demand, by estimating the affordable housing market and secondary suites in particular;
5. Identifying economic ramifications and document potential positive and negative outcomes of legalizing secondary suites;
6. Identify what the role of secondary suites will be in achieving affordable housing in the new policy framework of the Official Plan, with the attendant rigour of full public consultation including the creation of a Secondary Suites Task Force and public symposia on secondary suites;
7. Identify potential life safety policies in dealing with existing units; and
8. Identify potential administration, enforcement and inspection issues.

A Council appointed Secondary Suites Task Force shall provide input and advice for each phase of the project as it progresses.

4. **Background Policy on Secondary Suites Context**

Province of Ontario

The Province has made changes to the Planning Act and has enacted a variety of policies, which through the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe, encourage compact development form, intensification, the provision of a range of housing types, affordable housing, and the efficient use of land.

The Provincial Policy Statement (PPS) 2005 (Section: 1.4 HOUSING) speaks to the provision of providing an appropriate range of housing types and densities required to meet projected requirements of current and future residents of the regional market areas, as well as the facilitation of residential intensification. The PPS defines 'residential intensification', as:

"intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- e) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, secondary suites and rooming houses."

The Growth Plan for the Greater Golden Horseshoe (GPGGH) encourages intensification and a range and mix of housing taking into account affordable housing needs. The GPGGH requires that municipalities develop and implement through their official and other supporting documents, an intensification strategy which will encourage the creation of secondary suites as follows:

"2.2.3 General Intensification

6. All municipalities will develop and implement through their official plans and other supporting documents, a strategy and policies to phase in and achieve intensification and the intensification target.
- j) Encourage the creation of secondary suites throughout the built up area."

The Planning Act

In an effort to promote a mix and range of housing types the Province has provided municipalities with the ability to adopt second suite official plan policies without being subject to appeal (Section: 17, Subsection: 36.1). Furthermore, Section: 34, Subsection: 19.1, allows municipalities to pass zoning by-laws for locating or use of two residential units in a house without being subject to an appeal.

York Region Official Plan

The new Region of York Official Plan states in its affordable housing policies that lower-tier municipalities are "to encourage building design that will facilitate subsequent conversion to provide additional housing units, such as secondary suites." (3.5.18). It goes on in section 22 to "encourage local municipalities to include "as-of-right" secondary suite policies, on a municipality wide basis, in local official plans and zoning by-laws." Further, in the section on "Intensification" (5.3.3) that local municipalities, "shall complete and adopt *intensification* strategies [that] identify the role for [...] the following: [...] vi. Secondary suites." This is then reiterated in the definition of "Intensification".

The York Region Official Plan encourages the creation of new rental units through public-private ownership.

It supports zoning provisions that are flexible enough to permit a broad range of housing forms, types, sizes and tenures including second suites in houses, except in locations serviced by individual septic systems or communal sewage disposal.

City of Vaughan

Currently the only legal secondary suites in Vaughan are those that were grandfathered by the provincial government in 1994. Any units built after 1996 are illegal units and individuals do not have a right to add secondary suites to current housing stock. According to the 2006 census, only 11.7 percent of housing in Vaughan is rental stock. However, even preliminary research reveals that 'apartments in houses' already exist in Vaughan, although it is unknown as to what percentage of the current rental market this represents.

5. Components for the Secondary Suites Study

5.1 Background Review

A background review will be undertaken of previous planning studies on affordable housing and secondary suites, history of secondary suites, and the existing affordable housing policy context. This step will entail the review of existing Federal, Provincial, Regional, other municipal official plans and by-laws, as well as City of Vaughan Official Plan policies and zoning provisions.

Deliverables: Background Report for input from the Task Force.

5.2 Issue Identification, Review and Analysis

An assessment of existing conditions and relevant planning considerations is to be carried out and will include, but may not be limited to:

- a) economic and demographic indicators,
- b) current market assessment,
- c) quantification of future projections of housing stock (surplus/shortfall) versus housing demand,
- d) estimating the current and possible sizes of the secondary suite rental market,
- e) creation of an Existing Conditions Report,

- f) evaluate current situation in the City of Vaughan with respect to life safety issues on existing secondary suite units,

5.3 Development of Planning Principles, Goals and Objectives

The development of appropriate planning principles, goals and objectives will be based upon:

- a) an assessment of potential positive/negative outcomes of legalizing second suites,
- b) an identification of constraints and opportunities for implementing second suites as a part of an affordable housing strategy,
- c) an identification of tools for implementation

5.4 Preparation of Policy and/or Planning Alternatives

Based on the Background Report, the Existing Conditions Report and the development of the Planning Principles, Goals and Objectives, as well as feedback from the Secondary Suites Task Force, the public consultations, the study will develop alternative strategies for implementing secondary suites, one of which may include the status quo.

5.5 Evaluation of Alternatives

The alternatives will be evaluated on the basis of:

- a) economic ramifications of implementing plans,
- b) appropriate locations for second suites,
- c) possible health and safety concerns,
- d) impacts (if any) on existing facilities and services,
- e) traffic/parking considerations,
- f) possible staffing requirements (i.e. management, licensing, by-law enforcement, building and fire safety inspections).

The alternatives will be presented to and evaluated by City staff, Agencies and Task Force.

5.6 Community Consultation Program

Public consultation and education will be an important part of the study process. There will be several points at which the public will be engaged in a process to create an understanding of what allowing or disallowing legal secondary suites means for the City of Vaughan. This Study will periodically engage the community in a consultation process, in refining a vision of affordable housing and secondary suites in Vaughan. The consultant proposals shall include a description and timetable for the consultation process.

As a part of the public outreach program, the consultant will organize a Vaughan Symposium on Secondary Suites. This Symposium will entail a series of expert speakers on the topic of affordable housing and new and innovative ways of achieving affordable housing targets and mandates. The composition of the panel may include not-for-profit providers, community leaders, provincial and/or regional representatives, charitable organization representatives, and developers who have worked on or been involved with various aspects of providing the built forms that support intensification and secondary suites. The broader public will be invited to attend this/these symposium(a).

Following the preparation of the Policy and Planning Alternatives these alternatives will be presented to the Secondary Suites Task Force. This may include community workshops and/or Open Houses.

5.7 Final Report to Council

The consultant team will produce a final report on Secondary Suites in Vaughan. The report will include an appendix that contains:

- i) A Draft Official Plan Amendment
- ii) A Draft Zoning By-Law Amendment
- iii) Draft Performance Standards
- iv) A Draft Licensing By-Law

Once the Final Report and Appendix, containing a draft Official Plan Amendment, Zoning By-law Amendment, Performance Standards and Licensing By-Law are complete, they will be presented to Committee of the Whole.

6. Consulting Expertise/Requirements

The Study requires the services of consultant with demonstrated expertise in;

- Land use and urban design planning,
- Affordable Housing policy,
- Housing intensification and the role of secondary suites in houses,
- A demonstrated record in the formulation of Official Plan policy and Zoning By-Law,
- Expertise in public consultation and facilitation.

The consulting team will implement the project under the supervision of the Policy Planning Department with input and participation of other internal departments as required.

7. Schedule and Staffing

The Study is expected to begin in the spring of 2010 and be completed in approximately 8 months.

An upset limit of \$ 35,000.00 (including all disbursements and taxes) has been included for approval by Council. The successful proponent will be required to submit for approval of the Commissioner of Planning and the Director of Policy Planning, a work plan and payment schedule prior to commencing the project. The work program will detail task timing, sequencing and meeting schedules. The consultants' detailed prices should identify task costs, meeting costs, costs for disbursements, contingencies and applicable taxes, per diem of each member of the consulting team, plus a payment schedule for each key phase of the review. The proposal will also identify the roles and responsibilities of each member of the consulting team, including assigned hours by task, their direct involvement and responsibilities in the Review, and their relevant experiences.

8. Deliverables

The following deliverables will be provided by the consulting team for Council's consideration:

The consultant team will produce a final report on Vaughan's Secondary Suite Strategy. The report will include an appendix that contains:

- i) A Draft Official Plan Amendment
- ii) A Draft Zoning By-Law Amendment
- iii) Draft Performance Standards
- iv) A Draft Licensing By-Law

- a) Background Report on Secondary Suites

The background report(s) shall be submitted as follows:

- 30 cerlox bound copies
- 1 unbound copy;
- 1 CD/DVD (PDF) of the draft document (and related photos, graphics or maps, if any) in City-compatible software (Word, PowerPoint, Excel)

b) Existing Conditions Report

The existing conditions report shall be submitted as follows:

- 50 cerlox bound copies;
- 1 unbound copy;
- 1CD/DVD (PDF) of the draft document (and related photos, graphics or maps, if any) in City-compatible software (Word, Power Point, Excel)

a) Educational and Outreach Media

- 100 CD/DVDs of presentation and educational material
- handouts/brochures
- edited media in web-ready format
- a master copy of all media collected/produced

d) The Final Report shall be submitted as follows:

- 50 cerlox bound copies;
- 1 unbound copy;
- 1CD/DVD (PDF) of the draft document (and related photos, graphics or maps, if any) in City-compatible software (Word, Power Point, Excel)

All illustrations contained within the printed documents must be prepared in a way that effectively conveys the information when photocopied in black and white. Notwithstanding the above, the City may require documents or portions of documents to be in colour in order to convey the information more effectively.

Where appropriate, digital information shall be geo-referenced in accordance with City standards (NAD 83, 6degrees UTM, ZONE 17, Acceptable City formats include jpeg photos, AutoCAD dwg (2004 version), jpeg/bmp/tiff/Adobe graphics. Specific technical information will be provided to the consultants.

Presentations shall be presented in PowerPoint format.

9. **Content of Proposals**

The consultant will be retained on the basis of a written proposal and, if necessary, interviews. Selected Proponents may be short-listed for interviews.

The written proposal shall contain the following information:

- Members of the consulting team including their qualifications and experience;
- Identification of the Consultant Team Leader;
- An explanation of the approach and methodology to be used and the research to be undertaken to achieve the project's goals and objectives, as outlined in the Request for Proposal;
- A council/staff/public/stakeholder consultation strategy;
- A comprehensive work plan/project schedule, including timelines, milestones, meeting and key dates, which fulfill the requirements of the Terms of Reference;
- An upset cost for the completion of the project, which includes a breakdown of the hourly rates attributable to each of the Consulting Team members and the hourly time commitment by task, for each of the participants; and all other costs and related disbursements;
- Documentation of related experience;
- A list of three (3) client references in respect of projects similar to the one described in the Terms of Reference, preferably in a municipal environment;
- In the proposal the consultant shall indicate the number and type of projects it is currently undertaking which may represent a professional conflict with the conduct of the study.

In addition to the Original, twenty-five (25) bound copies of the Proposal, in an 8.5" x 11" format plus one (1) unbound copy shall be submitted. The maximum length of the Proposal shall be twenty-five (25) pages, exclusive of resumes, references and documentation relating to project experience.

10. Evaluation Criteria

The proposal will be evaluated on the basis of the following criteria:

Qualifications and Experience:	40%
<ul style="list-style-type: none"> • Capability as a Team Leader; • Qualifications and expertise of the team members; • Skills consistent with the needs of the project; • Experience in similar studies; • Level of public sector experience; • Demonstrated success in public/stakeholder consultation; and the quality of the proposed consultation plan; • Demonstrated skill in communicating project proposal and products, including excellent graphic presentation. 	
Quality of the Proposal:	35%
<ul style="list-style-type: none"> • Complete and comprehensive submission; • Demonstrated understanding of the project requirements; • Organization and clarity of presentation; • Introduction of innovative ideas and concepts; • Skill in communicating the project plan. 	
Project Management	15%
<ul style="list-style-type: none"> • Work program, timelines and scheduling consistent with study requirements; • Degree of participation of senior staff; • Ability to commit to timing objectives for the completion of the study. 	
Financial Considerations	10%
<ul style="list-style-type: none"> • Proposal Fee: • Appropriate allocation of resources to various phases or study tasks. 	

11. Negotiations

On completion of the evaluation process, vendor negotiations will be undertaken to refine the details of the contract for all portions of the proposed services described in the Request for Proposals. Negotiations may take the form of adding, deleting or modifying requirements.

Assuming mutually acceptable terms and conditions can be negotiated a contract will be signed with the selected proponent. In the event of a default or failure to arrive at mutually acceptable terms and conditions, the City may accept another Proposal or seek new Proposals, or carry out the service in any other way deemed appropriate.

12. Best and Final Offers

Proponents are reminded that, since this is a Request for Proposals, a best and final offer may be requested, but this would be considered only with the short-listed proponents, if used at all. Proponents are encouraged to provide their best offer initially and shall not rely on oral presentations or best and final offers.

13. Disbursement of Fees

The successful Consultant will be required to submit a payment schedule prior to commencing the project. The payment schedule shall be the subject of approval of the Project Coordinator. Invoices will be required to contain the following minimum information:

- Description and explanation of work undertaken in each invoice time period;
- Personnel employed and hours expended by the hourly rate;
- Disbursements;
- Total fee for each invoice;
- Budget expended to date and remaining budget.

The City shall retain a ten percent (10%) hold back on payment on all invoices until such time as the project is completed.

14. Project Administration

The consulting team will carry out the project under the project management of the Policy Planning Department with input and participation of other internal departments as required.

15. Conflict of Interest

In the proposal the Consultant shall indicate the number and type of projects it is currently undertaking which may represent a professional conflict with the conduct of this study. If the Evaluation Committee is of the opinion that a conflict exists, then the consultant will be disqualified from the competition. This matter may be discussed prior to the submission of the Proposal.

Policy Planning Department
January, 2010

ATTACHMENT 2

APPENDIX 1 - Area Municipalities Secondary Suite Practices

Town of Markham

The Town of Markham undertook an extensive review of secondary suites and prepared reports respecting the issues. In 2008 Markham adopted motions to implement a strategy around second suites as well as public consultation for them. However, when it came time to adopt the by-law, Council "requested that no further action be taken by staff with respect to Second Suites and that staff continue with the current enforcement strategy with respect to illegal second suites; and that staff take additional steps to educate Markham residents on the Town's current regulations regarding second suites." (<http://www.markham.ca/Markham/Departments/Planning/Studies/secondsuites.htm>)

The stated reasons for not implementing the draft by-laws and Terms of Reference were:

- Potentially add to property standards issues
- Very difficult to enforce
- Will not solve the affordable housing issue
- Uncertain whether permitting the use will lead to people following the

procedures

Currently second suites are *not permitted* except in areas where the previous zoning does permit them (e.g. coach houses in Cornell) or grandfathered ones from the pre-1996 registration.

Town of Richmond Hill

The Town of Richmond Hill has included secondary suites as a part of the larger work that is being conducted for their new Official Plan. As such they released terms of reference and have employed the consultants: GHK, Du Toit, Allsopp Hillier, Hemson, Dillon, and Lapointe to study the matter of Housing and Residential Intensification, conduct the public review process and bring forward recommendations on the context of the Town's rapidly urbanizing landscape for the Official Plan Task Force.

The overall goal of the Housing and Residential Intensification Study was to "provide for the long-term demand for residential uses, while maintaining, enhancing, diversifying, mixing, and further integrating residential uses within the Town's urbanizing landscape and identifying appropriate locations for residential intensification."

While generally the residents were positive towards Secondary Suites, during the public consultation process the consultants summarized the list of residential concerns as being:

- Traffic, parking and safety issues. Townhouses have limited parking.

Solutions proposed in workshops:

- Consider limits to secondary suites i.e. limit them to single and semi-detached?
- Consider maximums, i.e., one suite per building? Does it depend on the size of the house?
- Consider whether the house has to be owner-occupied.
- Consider the impact on existing facilities and services.

- Need staffing and process for licensing and by-law enforcement for fire-code safety
- Consider more housing options for support workers in the community i.e. nursing home staff.

Town of East Gwillimbury

East Gwillimbury permits second suites. In 1998, the Town passed a by-law under Section 34 of the Planning Act that created a formal registration process for second suites. Second suites in East Gwillimbury can only be built in single or semi-detached dwellings that have four parking spaces and sufficient servicing. Basement apartments are not permitted as second suites, since second suites must be at least 50% above grade. Through the formal registration process, second suites are inspected to meet the requirements of the Building Code, Fire Code, Zoning By-law and Property standards.

Town of Newmarket

The Town of Newmarket passed a by-law in 2003, permitting second suites and created a registry in order to keep track of second suites. Second suites are only permitted in single and semi-detached dwellings that are not located within a floodplain. Second suites are permitted in basements subject to meeting all municipal codes.

Town of Aurora

The Town of Aurora is currently drafting official plan policies and zoning by-law respecting secondary suites. A number of public meetings have already taken place and it is anticipated that the draft policies and zoning by-law will be before a working session of council in December 2009 or January 2010.

Town of Caledon

The Town of Caledon permits secondary suites in most residential areas, subject to meeting Fire and Building Codes. They require mandatory registration and are not allowed in the Niagara Escarpment Area.

City of Toronto

The City of Toronto's by-law allows second suites in detached and semi-detached houses as a part of the provisions for rental housing and subject to municipal codes.

City of Mississauga

The City of Mississauga is dealing with secondary suites through their strategic plan process. In the most recent section of their "Strategic Pillar for Change", "Ensuring Youth, Older Adults and New Immigrants Thrive", they propose to:

"Support Aging in Place

Action 7 Legalize Accessory Units

We will legalize accessory units and related uses, knowing that many older adults are now aging in place after their children have moved out.

Legalizing accessory units support the objective of more affordable units and an inventory of safe and reliable housing for those in need. Opportunities exist to expand the traditional form of residency by legalizing and regulating accessory

suites and related uses. This will demonstrate to the residents of Mississauga that aging in place is viable, giving older adults and opportunity for additional housing and accommodation options, while still residing in their current residence."

City of Brampton

The City of Brampton does not currently permit secondary suites. Only units from the pre-1996 era, and only if a Building Permit was issued, are legal.

City of Barrie

The City of Barrie permits basement and accessory apartment units in single detached residential dwellings that have been constructed since 2004, subject to meeting Fire and Building Code requirements.

City of Ajax

The City of Ajax permits basement/accessory apartments in single and semi-detached dwellings, subject to meeting Building Code and Fire Code regulations. All accessory units require mandatory registration. There are 800 apartments currently on the registry.

City of Oshawa

The City of Oshawa has recently established Official Plan policies which permit secondary suites in single detached residences, subject to meeting Fire and Building codes. Secondary suites are only permitted in Residential Commercial Arterial (RC-A) Zones. Oshawa requires all rental units to be licensed.

Secondary Suite Permissions Comparison Chart

MUNICIPALITY	PERMISSION	STANDARDS/CODE	AREA RESTRICTIONS
Ajax	Permits Basement/Accessory apartments. 800 apartments currently on registry	Fire and building code, singles and semis.	All areas. Mandatory registration
Aurora	Currently drafting by-law and policy. Have conducted 2 of 3 public meetings, going to a working session in December 2009/January 2010.		
Barrie	Permits basement/Accessory Apartments	Fire and building code, singles only	Only in developments that have been approved since 2004.
Brampton	Not permitted		
Caledon	Permitted in most residential areas	Fire and building code	Not allowed in Niagara Escarpment area. Mandatory registration
East Gwillimbury	Permits Accessory Apartments	Fire and building code. Not permitted below-grade.	All areas
Markham	Permitted only in certain areas	Fire and building code	Only in Cornell and Markham City Centre
Mississauga	Policy to legalize has been put into place	No bylaw as yet, in process.	
Newmarket	Permitted	Fire and building code. Has created an online resource/handbook to help homeowners register apartments	All areas, registration was formerly 500\$, now 100\$, mandatory.
Oshawa	New policy in Official Plan Policies	Only singles. Fire and Building code	Only in RC-A zoning (arterials- mixed use) All rentals requires license.
Richmond Hill	Currently employing consultants to propose policy as part of their housing strategy for their new official plan.	In process.	
Toronto	permitted	Fire and Building code. Singles and semis only.	All areas. No registration required.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 3, 2009

Item 21, Report No. 45, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on November 3, 2009.

21 DEPUTATION - REV. KEENAN WITH RESPECT TO SECONDARY SUITES

The Committee of the Whole recommends:

- 1) That the deputation of Rev. Jim Keenan and written submissions, dated October 5, 2009 and October 16, 2009, be received and referred to staff for a comprehensive report to the Committee of the Whole (Working Session) that includes terms of reference for the examination of this issue including provisions for a task force; and
- 2) That the written submission of Ms. Anna Bortolus, dated October 15, 2009, be received.

Magnifico, Rose

ADDITIONAL INFORMATION

Deputation 7.9)
CW - Oct 19/09

From: Abrams, Jeffrey
Sent: Monday, October 05, 2009 11:22 AM
To: Magnifico, Rose; Fernandes, Sybil
Subject: Fw: Secondary suites
Attachments: Secondary Suites[1].ppt

From: Jim Keenan <revkeenan@gmail.com>
To: Abrams, Jeffrey
Sent: Mon Oct 05 11:20:45 2009
Subject: Secondary suites

Dear Mr. Abrams,

At the October 19th Committee of the Whole meeting I request that a deputation from myself be heard with outlines what I perceive as the need to

1. regularize the way the City handles existing secondary suites in the City and
2. publicly develop policies to deal with the pressure to provide more secondary suites in the city in the future.

There is attached a brief slide presentation of some of the key points I will bring forward. I will be adding to these points in my oral presentations.

Please let me know if there is anything else I need to do ensure that I will be granted deputant status in this regard.

I thank you in advance for your careful and considerate attention to this request.

Sincerely,

Rev. Jim Keenan

10/5/2009

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 16, 2010

Item 2, CW(WS) Report No. 4 – Page 2

By receiving the memorandum from the Commissioner of Planning, dated February 12, 2010.

2

**SECONDARY SUITES
FILE #15.112
WARDS 1 TO 5**

The Committee of the Whole (Working Session) recommends:

- 1) That Clauses 1, 2 and 3 contained in the following report of the Commissioner of Planning, dated January 25, 2010, be approved;
- 2) That staff provide additional information to the Council meeting of February 16, 2010 on the structure of the proposed Secondary Suites Task Force;
- 3) That the presentation by the Director of Policy Planning/Urban Design and presentation material submitted entitled, "City of Vaughan Secondary Suites, Background Report and Terms of Reference" dated January 2010, be received; and
- 4) That the following deputations be received:
 - a) Ms. Anna Bortolus, 303 Westridge Drive, Kleinburg, L0J 1C0;
 - b) Rev. Jim Keenan, 9225 Jane Street, Maple, L6A 0J7; and
 - c) Ms. Heidi Last, 20 Glacier Court, Maple, L6A 2V3.

Recommendation

The Commissioner of Planning, in consultation with the Director of Budgeting and Financial Planning, recommends:

1. That a study on secondary suites be undertaken;
2. That the Terms of Reference attached as Attachment 1 to this report, BE APPROVED;
3. That Council endorse the study expenditure of up to \$45,000.00 (excluding GST). Funds are available in the Policy Planning Department's 2010 Operating Budget; and
4. That a Secondary Suites Task Force be established to provide advice and input to the study.

VAUGHAN SECONDARY SUITES STUDY

TERMS OF REFERENCE

1. Background

On November 3, 2009, City of Vaughan Council endorsed the recommendations of the October 19, 2009 Committee of the Whole that a report be initiated by adopting the following recommendations:

- "1. That the deputation of Rev. Jim Keenan and written submissions, dated October 5, 2009, and October 16, 2009, be received and referred to staff for a comprehensive report to the Committee of the Whole (Working Session) that includes terms of reference for the examination of this issue including the provision of a task force; and
- 2 That the written submission of Ms. Anna Bortolus, dated October 15, 2009, be received."

In response, this Terms of Reference has been prepared as the basis of a comprehensive review of Vaughan's planning policies, goals and objectives, and zoning provisions respecting affordable housing and secondary suites.

2. Purpose of Study

The purpose of this study is to develop a strategy focused on the evaluation of secondary suites as a viable affordable housing form by undertaking research and analysis that will be done in the context of the existing policy environment of the Region and the Province. The study will:

- evaluate economic and demographic indicators related to housing;
- evaluate current and future housing stock trends, patterns, and shortfalls particularly in the rental market;
- assess the implications of maintaining the status quo;
- assess potential positive and negative outcomes to the legalization of secondary suites, from existing case studies and identify constraints and opportunities for secondary suite implementation in a broader affordable housing context.

The Study will engage the community in a consultation process in assessing the position of secondary suites in Vaughan and incorporate the findings of the Secondary Suites Task Force. It will evaluate and present tools and innovations for the implementation of a comprehensive affordable housing strategy. The resulting policy framework, should Council concur, will provide for the basis of implementation amendments for secondary suites to the City's official plans and Zoning By-law standards.

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Secondly, due to the mandates that are being received from Provincial and Regional authorities, the study will develop a framework that may be adopted by Council for the provision of secondary suites as a form of affordable housing subject to the findings of the Secondary Suites Task Force.

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5. Identifying economic ramifications and document potential positive and negative outcomes of legalizing secondary suites;
6. Identify what the role of secondary suites will be in achieving affordable housing in the new policy framework of the Official Plan, with the attendant rigour of full public consultation including the creation of a Secondary Suites Task Force and public symposia on secondary suites;
7. Identify potential life safety policies in dealing with existing units; and
8. Identify potential administration, enforcement and inspection issues.

A Council appointed Secondary Suites Task Force shall provide input and advice for each phase of the project as it progresses.

4. **Background Policy on Secondary Suites Context**

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The Province has made changes to the Planning Act and has enacted a variety of policies, which through the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe, encourage compact development form, intensification, the provision of a range of housing types, affordable housing, and the efficient use of land.

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"intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

- e) the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, secondary suites and rooming houses."

The Growth Plan for the Greater Golden Horseshoe (GPGGH) encourages intensification and a range and mix of housing taking into account affordable housing needs. The GPGGH requires that municipalities develop and implement through their official and other supporting documents, an intensification strategy which will encourage the creation of secondary suites as follows:

"2.2.3 General Intensification

6. All municipalities will develop and implement through their official plans and other supporting documents, a strategy and policies to phase in and achieve intensification and the intensification target.
 - j) Encourage the creation of secondary suites throughout the built up area."

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In an effort to promote a mix and range of housing types the Province has provided municipalities with the ability to adopt second suite official plan policies without being subject to appeal (Section: 17, Subsection: 36.1). Furthermore, Section: 34, Subsection: 19.1, allows municipalities to pass zoning by-laws for locating or use of two residential units in a house without being subject to an appeal.

York Region Official Plan

The new Region of York Official Plan states in its affordable housing policies that lower-tier municipalities are "to encourage building design that will facilitate subsequent conversion to provide additional housing units, such as secondary suites." (3.5.18). It goes on in section 22 to "encourage local municipalities to include "as-of-right" secondary suite policies, on a municipality wide basis, in local official plans and zoning by-laws." Further, in the section on "Intensification" (5.3.3) that local municipalities, "shall complete and adopt *intensification* strategies [that] identify the role for [...] the following: [...] vi. Secondary suites." This is then reiterated in the definition of "Intensification".

The York Region Official Plan encourages the creation of new rental units through public-private ownership.

It supports zoning provisions that are flexible enough to permit a broad range of housing forms, types, sizes and tenures including second suites in houses, except in locations serviced by individual septic systems or communal sewage disposal.

City of Vaughan

Currently the only legal secondary suites in Vaughan are those that were grandfathered by the provincial government in 1994. Any units built after 1996 are illegal units and individuals do not have a right to add secondary suites to current housing stock. According to the 2006 census, only 11.7 percent of housing in Vaughan is rental stock. However, even preliminary research reveals that 'apartments in houses' already exist in Vaughan, although it is unknown as to what percentage of the current rental market this represents.

5. Components for the Secondary Suites Study

5.1 Background Review

A background review will be undertaken of previous planning studies on affordable housing and secondary suites, history of secondary suites, and the existing affordable housing policy context. This step will entail the review of existing Federal, Provincial, Regional, other municipal official plans and by-laws, as well as City of Vaughan Official Plan policies and zoning provisions.

Deliverables: Background Report for input from the Task Force.

5.2 Issue Identification, Review and Analysis

An assessment of existing conditions and relevant planning considerations is to be carried out and will include, but may not be limited to:

- a) economic and demographic indicators,
- b) current market assessment,
- c) quantification of future projections of housing stock (surplus/shortfall) versus housing demand,
- d) estimating the current and possible sizes of the secondary suite rental market,
- e) creation of an Existing Conditions Report,

- f) evaluate current situation in the City of Vaughan with respect to life safety issues on existing secondary suite units,

5.3 Development of Planning Principles, Goals and Objectives

The development of appropriate planning principles, goals and objectives will be based upon:

- a) an assessment of potential positive/negative outcomes of legalizing second suites,
- b) an identification of constraints and opportunities for implementing second suites as a part of an affordable housing strategy,
- c) an identification of tools for implementation

5.4 Preparation of Policy and/or Planning Alternatives

Based on the Background Report, the Existing Conditions Report and the development of the Planning Principles, Goals and Objectives, as well as feedback from the Secondary Suites Task Force, the public consultations, the study will develop alternative strategies for implementing secondary suites, one of which may include the status quo.

5.5 Evaluation of Alternatives

The alternatives will be evaluated on the basis of:

- a) economic ramifications of implementing plans,
- b) appropriate locations for second suites,
- c) possible health and safety concerns,
- d) impacts (if any) on existing facilities and services,
- e) traffic/parking considerations,
- f) possible staffing requirements (i.e. management, licensing, by-law enforcement, building and fire safety inspections).

The alternatives will be presented to and evaluated by City staff, Agencies and Task Force.

5.6 Community Consultation Program

Public consultation and education will be an important part of the study process. There will be several points at which the public will be engaged in a process to create an understanding of what allowing or disallowing legal secondary suites means for the City of Vaughan. This Study will periodically engage the community in a consultation process, in refining a vision of affordable housing and secondary suites in Vaughan. The consultant proposals shall include a description and timetable for the consultation process.

As a part of the public outreach program, the consultant will organize a Vaughan Symposium on Secondary Suites. This Symposium will entail a series of expert speakers on the topic of affordable housing and new and innovative ways of achieving affordable housing targets and mandates. The composition of the panel may include not-for-profit providers, community leaders, provincial and/or regional representatives, charitable organization representatives, and developers who have worked on or been involved with various aspects of providing the built forms that support intensification and secondary suites. The broader public will be invited to attend this/these symposium(a).

Following the preparation of the Policy and Planning Alternatives these alternatives will be presented to the Secondary Suites Task Force. This may include community workshops and/or Open Houses.

5.7 Final Report to Council

The consultant team will produce a final report on Secondary Suites in Vaughan. The report will include an appendix that contains:

- i) A Draft Official Plan Amendment
- ii) A Draft Zoning By-Law Amendment
- iii) Draft Performance Standards
- iv) A Draft Licensing By-Law

Once the Final Report and Appendix, containing a draft Official Plan Amendment, Zoning By-law Amendment, Performance Standards and Licensing By-Law are complete, they will be presented to Committee of the Whole.

6. Consulting Expertise/Requirements

The Study requires the services of consultant with demonstrated expertise in;

- Land use and urban design planning,
- Affordable Housing policy,
- Housing intensification and the role of secondary suites in houses,
- A demonstrated record in the formulation of Official Plan policy and Zoning By-Law,
- Expertise in public consultation and facilitation.

The consulting team will implement the project under the supervision of the Policy Planning Department with input and participation of other internal departments as required.

7. Schedule and Staffing

The Study is expected to begin in the spring of 2010 and be completed in approximately 8 months.

An upset limit of \$ 35,000.00 (including all disbursements and taxes) has been included for approval by Council. The successful proponent will be required to submit for approval of the Commissioner of Planning and the Director of Policy Planning, a work plan and payment schedule prior to commencing the project. The work program will detail task timing, sequencing and meeting schedules. The consultants' detailed prices should identify task costs, meeting costs, costs for disbursements, contingencies and applicable taxes, per diem of each member of the consulting team, plus a payment schedule for each key phase of the review. The proposal will also identify the roles and responsibilities of each member of the consulting team, including assigned hours by task, their direct involvement and responsibilities in the Review, and their relevant experiences.

8. Deliverables

The following deliverables will be provided by the consulting team for Council's consideration:

The consultant team will produce a final report on Vaughan's Secondary Suite Strategy. The report will include an appendix that contains:

- i) A Draft Official Plan Amendment
- ii) A Draft Zoning By-Law Amendment
- iii) Draft Performance Standards
- iv) A Draft Licensing By-Law

- a) Background Report on Secondary Suites

The background report(s) shall be submitted as follows:

- 30 cerlox bound copies
- 1 unbound copy;
- 1 CD/DVD (PDF) of the draft document (and related photos, graphics or maps, if any) in City-compatible software (Word, PowerPoint, Excel)

b) Existing Conditions Report

The existing conditions report shall be submitted as follows:

- 50 cerlox bound copies;
- 1 unbound copy;
- 1CD/DVD (PDF) of the draft document (and related photos, graphics or maps, if any) in City-compatible software (Word, Power Point, Excel)

a) Educational and Outreach Media

- 100 CD/DVDs of presentation and educational material
- handouts/brochures
- edited media in web-ready format
- a master copy of all media collected/produced

d) The Final Report shall be submitted as follows:

- 50 cerlox bound copies;
- 1 unbound copy;
- 1CD/DVD (PDF) of the draft document (and related photos, graphics or maps, if any) in City-compatible software (Word, Power Point, Excel)

All illustrations contained within the printed documents must be prepared in a way that effectively conveys the information when photocopied in black and white. Notwithstanding the above, the City may require documents or portions of documents to be in colour in order to convey the information more effectively.

Where appropriate, digital information shall be geo-referenced in accordance with City standards (NAD 83, 6degrees UTM, ZONE 17, Acceptable City formats include jpeg photos, AutoCAD dwg (2004 version), jpeg/bmp/tiff/Adobe graphics. Specific technical information will be provided to the consultants.

Presentations shall be presented in PowerPoint format.

9. **Content of Proposals**

The consultant will be retained on the basis of a written proposal and, if necessary, interviews. Selected Proponents may be short-listed for interviews.

The written proposal shall contain the following information:

- Members of the consulting team including their qualifications and experience;
- Identification of the Consultant Team Leader;
- An explanation of the approach and methodology to be used and the research to be undertaken to achieve the project's goals and objectives, as outlined in the Request for Proposal;
- A council/staff/public/stakeholder consultation strategy;
- A comprehensive work plan/project schedule, including timelines, milestones, meeting and key dates, which fulfill the requirements of the Terms of Reference;
- An upset cost for the completion of the project, which includes a breakdown of the hourly rates attributable to each of the Consulting Team members and the hourly time commitment by task, for each of the participants; and all other costs and related disbursements;
- Documentation of related experience;
- A list of three (3) client references in respect of projects similar to the one described in the Terms of Reference, preferably in a municipal environment;
- In the proposal the consultant shall indicate the number and type of projects it is currently undertaking which may represent a professional conflict with the conduct of the study.

In addition to the Original, twenty-five (25) bound copies of the Proposal, in an 8.5" x 11" format plus one (1) unbound copy shall be submitted. The maximum length of the Proposal shall be twenty-five (25) pages, exclusive of resumes, references and documentation relating to project experience.

10. **Evaluation Criteria**

The proposal will be evaluated on the basis of the following criteria:

Qualifications and Experience:	40%
<ul style="list-style-type: none"> • Capability as a Team Leader; • Qualifications and expertise of the team members; • Skills consistent with the needs of the project; • Experience in similar studies; • Level of public sector experience; • Demonstrated success in public/stakeholder consultation; and the quality of the proposed consultation plan; • Demonstrated skill in communicating project proposal and products, including excellent graphic presentation. 	
Quality of the Proposal:	35%
<ul style="list-style-type: none"> • Complete and comprehensive submission; • Demonstrated understanding of the project requirements; • Organization and clarity of presentation; • Introduction of innovative ideas and concepts; • Skill in communicating the project plan. 	
Project Management	15%
<ul style="list-style-type: none"> • Work program, timelines and scheduling consistent with study requirements; • Degree of participation of senior staff; • Ability to commit to timing objectives for the completion of the study. 	
Financial Considerations	10%
<ul style="list-style-type: none"> • Proposal Fee: • Appropriate allocation of resources to various phases or study tasks. 	

11. Negotiations

On completion of the evaluation process, vendor negotiations will be undertaken to refine the details of the contract for all portions of the proposed services described in the Request for Proposals. Negotiations may take the form of adding, deleting or modifying requirements.

Assuming mutually acceptable terms and conditions can be negotiated a contract will be signed with the selected proponent. In the event of a default or failure to arrive at mutually acceptable terms and conditions, the City may accept another Proposal or seek new Proposals, or carry out the service in any other way deemed appropriate.

12. Best and Final Offers

Proponents are reminded that, since this is a Request for Proposals, a best and final offer may be requested, but this would be considered only with the short-listed proponents, if used at all. Proponents are encouraged to provide their best offer initially and shall not rely on oral presentations or best and final offers.

13. Disbursement of Fees

The successful Consultant will be required to submit a payment schedule prior to commencing the project. The payment schedule shall be the subject of approval of the Project Coordinator. Invoices will be required to contain the following minimum information:

- Description and explanation of work undertaken in each invoice time period;
- Personnel employed and hours expended by the hourly rate;
- Disbursements;
- Total fee for each invoice;
- Budget expended to date and remaining budget.

The City shall retain a ten percent (10%) hold back on payment on all invoices until such time as the project is completed.

14. Project Administration

The consulting team will carry out the project under the project management of the Policy Planning Department with input and participation of other internal departments as required.

15. Conflict of Interest

In the proposal the Consultant shall indicate the number and type of projects it is currently undertaking which may represent a professional conflict with the conduct of this study. If the Evaluation Committee is of the opinion that a conflict exists, then the consultant will be disqualified from the competition. This matter may be discussed prior to the submission of the Proposal.

Policy Planning Department
January, 2010

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES FEBRUARY 16, 201035. **CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION****COMMITTEE OF THE WHOLE (WORKING SESSION) REPORT NO. 4**

(Refer to Committee Report for complete recommendations and documentation on all Committee items.)

ITEM - 2 SECONDARY SUITES
 FILE #15.112
 WARDS 1 TO 5

MOVED by Councillor Meffe
 seconded by Councillor Yeung Racco

THAT Item 2, Committee of the Whole (Working Session) Report No. 4 be adopted and amended, as follows:

By approving the following:

That the Terms of Reference be approved, subject to Section "5.6 Community Consultation Program" for the Vaughan Secondary Suites Study reading as follows:

Composition: In order to ensure that the composition of the Secondary Suite Task Force is reflective of the communities of the City of Vaughan and includes qualified experts alike, the Task Force should comprise members of the public, and appropriate local experts in the field of housing and social services.

Role: The role of the Secondary Suites Task Force is to provide Council with recommendations based on their experience and knowledge of the subject and in response to the information that comes forward as a result of the study work.

Structure: The Secondary Suites Task Force will review the Study, hold public meetings, gather information and provide recommendations to Council.

The Task Force structure should be as follows:

- 1) The Task Force should consist of citizens, ratepayer group representatives and housing and social services agency representatives who have indicated an interest in the subject of secondary suites. These people will be identified at the beginning of the study at an introductory meeting. A proposed Task Force members list will subsequently be created and subject to the approval of Council. These citizens must have a stated commitment to following through on the majority of meetings and the study process until the final report is brought to Council;
- 2) The Task Force should work with the Consultant and a resource group of City staff from the following departments: Policy and Development Planning, the Building Standards Department, By-law Enforcement Department and Fire and Rescue Services. These representatives will be available to the Task Force to educate, clarify and aid the Task Force in their deliberations;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES FEBRUARY 16, 2010

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- 3) The Task Force shall consist of not more than 20 members, quorum on any voting matter shall comprise 2/3rds of the membership;
- 4) That the chair (or co-chairs) of the Panel will be appointed by the Task Force;
- 5) A senior staff member shall act as liaise between the Task Force and Council/City staff over the term of the study; and
- 6) In the event of a vacancy due to resignation (or major impediment to attendance) of any member of the Task Force, a comparable replacement will be nominated and approved by the chair/co-chairs of the Task Force, subject to the approval by Council; and

By receiving the memorandum from the Commissioner of Planning, dated February 12, 2010.

CARRIED