

C2 PLANNING
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July 15, 2019

To:

Marilyn Toft
City of Toronto
Toronto City Council Secretariat
100 Queen Street West 12th Fl West Tower
Toronto, ON M5H 2N2

Via Email

Attn: Mayor John Tory and Members of Toronto City Council

Re: PH 7.1 Changing Lanes – Proposed OPA 406 and Zoning By-law Amendment

Dear Mayor Tory and Councillors,

I am a land use planner and consultant that practices in the City of Toronto. I am in substantial support of the proposed Zoning by-law and Official Plan Amendment respecting the permission of laneway housing City-wide, and believe this to be one of the many ingredients that will lead to a more livable city, providing a modern and modest solution to alleviating the issues of housing affordability and availability in Toronto, especially in the “yellowbelt”.

The proposed amendment also conforms to the policies of the Growth Plan (2017 and 2019) in that it carries out the Planning Act’s determination that secondary suites (“second units”) are authorized in all manner of buildings, including ancillary buildings, pursuant to Section 16(3) of the Planning Act. It also removes and relieves some of the barriers that the City has implemented in its neighbourhood planning policies and by-laws to discourage certain forms of housing and tenure, such as laneway homes used as rental units.

In review of the proposed by-law, I have identified and bring to your attention the below:

a. *Typographical:*

For Enactment No. 11: Regulation 150.8.60.21(1)(B) Setback Exemptions, the regulation reads “the minimum **side yard setback** for that **lawfully existing building.**” (*Emphasized with underlining*).

I note that regulation 150.8.60.21(1)(A) that precedes (B), reads “the minimum **rear yard setback** for that **lawfully existing ancillary building**; ...”

I am not sure if (B) was meant to read just “**lawfully existing building**” or whether (B) is also meant to read “**lawfully existing ancillary building**”, as in (A).

- b. *1.0m clearance for Ontario Building Code/Ontario Fire Marshall, and Ambulance access between homes:*

Although not contained in the proposed zoning by-law amendment, the 1.0m building to building width clearance for emergency access in a sideyard between buildings is not reflected in any proposed amendment to “R” Zone Regulation 10.10.40.70 (4).

The existing setback regulation in “R” provides a 0.45m side yard setback for a side wall without openings for any permitted building type in the “R” zone. The majority of “R” zoned properties align with the former boundaries of Toronto and East York.

As such, a 0.45m + 0.45m (0.9m) building to building separation would effectively sterilize any existing “R” lot, or future new home on an “R” lot proposing a laneway suite in terms of the required OBC/OFM side yard emergency access between buildings.

It is my recommendation that “R” zone Regulation 10.10.40.70 (4) be amended in a future amendment to By-law 569-2013 to a minimum required side yard setback of 0.50m for a building without openings to maintain consistency with OBC and OFM emergency access to the laneway suite requirements, or for any emergency access to the rear yard for that matter.

Consistency between zoning and OBC/OFM/emergency access requirements will be a prudent approach of planning, in this instance. All other minimum required side yard setbacks in all other Residential Zones comply and provide a more than 0.5m minimum side yard setback. The “R” zone Regulation 10.10.40.70 (4) is the only instance of a substandard minimum required side yard for emergency access in relation to the permission of the building a laneway suite vis-à-vis the OBC/OFM requirements.

I urge the City of Toronto to take the lead from other North American cities in its contemplation and implementation of modern housing solutions, policies and by-laws that result in “quick wins” for the creation of housing.

With all of the above, I am supportive of the introduction of laneway suites, and suites in any type of ancillary building, such as a coach house, City-wide. It will increase the housing availability, affordability, access and options for residents and newcomers in all areas of the City of Toronto.

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