

Attachment 3: Draft Zoning By-law Amendment (By-law No. 569-2013)

Authority: Toronto and East York Community Council Item TEYXX.X, adopted as amended, by City of Toronto Council on June XXXX, 2018

CITY OF TORONTO

BY-LAW XXX-2018

To permit laneway suites

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines and identified as Toronto and East York District on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 569-2013, as amended, is further amended by adding a new definition in Chapter 800.50 (401) so that it reads:

(410) Laneway Suite

means a self-contained living accommodation for a person or persons living together as a separate single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the occupants of the suite and is in an **ancillary building** abutting a **lane**.

4. Zoning By-law 569-2013, as amended, is further amended by adding to Section 10.10.20.20 (1), the use **Laneway Suite** (18) after the use **'Home Occupation (6)'**.
5. Zoning By-law 569-2013, as amended, is further amended by adding to Section 10.10.20.100 a new regulation (18), after regulation 17 so that it reads:

(18) Laneway Suite

A **laneway suite** must comply with the specific use regulations in Section 150.8

6. Zoning By-law 569-2013, as amended, is further amended by inserting Section 150.8, Laneway Suites, so that it reads:

150.8 Laneway Suites

150.8.1 General

(1) Application of this Section

The regulations of Section 150.8 apply to a **laneway suite**

150.8.20 Use Requirements

150.8.20.1 General

(1) Laneway Suite – Permitted Uses

(A) Despite regulation 10.5.60.1(2), an **ancillary building** containing a **laneway suite** may be used for living accommodation.

(B) Despite regulation 10.5.60.1(3), an **ancillary building** containing a **laneway suite** may have both food preparation facilities and sanitary facilities.

(C) Despite regulation 150.5.60.1(1) a **home occupation** is a permitted use, but substitute **dwelling unit** with **laneway suite**. A **home occupation** in an **ancillary building** containing a **laneway suite** must comply with the specific use regulations in Section 150.5.1 as well as the following:

(i) where there is a **laneway suite** above a detached garage, a **home occupation** may only be within the **laneway suite**; and

(ii) a **home occupation** is permitted in a **laneway suite**, if it is exclusively and separately occupied as a principal residence.

(D) Despite regulation 150.13.20.1(1) a **short-term rental** is permitted in an **ancillary building** containing a **laneway suite**, if it is exclusively and separately occupied as a principal residence.

(2) Laneway Suite – Use Restriction

(A) A maximum of one (1) **ancillary building** containing a **laneway suite** is permitted on a **lot**.

150.8.30 Lot Requirements

150.8.30.20 Lot Line

(1) Minimum Lot Line on a Lane

A **laneway suite** must be on a **lot** with a **rear lot line** or **side lot line** of at least 3.0 metres that abuts a **lane**.

150.8.40 Laneway Suite Requirements

150.8.50 Yards

150.8.50.10 Landscaping

(1) Landscaping Requirements for a Laneway Suite

Despite regulation 10.5.50.10 (3), a lot with a **residential building** and an **ancillary building** containing a **laneway suite**:

(A) a minimum of 60% of the distance between the rear **main wall** of the **residential building** and the front **main wall** of the **ancillary building** containing a **laneway suite** must be for **soft landscaping**; and,

(C) a 1.5 metre strip of **soft landscaping** is required between the **ancillary building** containing a **laneway suite** and the **lot line** abutting a **lane**.

150.8.60. Laneway Suites

150.8.60.1 General

150.8.60.20 Setbacks

(1) Parts of a Laneway Suite to which a Required Building Setback Applies

The required minimum **ancillary building setbacks** apply to all parts of an **ancillary building** containing a **laneway suite** above-ground and below-ground, excluding footings.

(2) Laneway Suite - Rear Yard Setback

Despite regulation 10.5.60.20(2), the required minimum **rear yard setback** for an **ancillary building** containing a **laneway suite** is 1.5 metres.

(3) Laneway Suite – Side Yard Setback

Despite regulation 10.5.60.20(3), the required minimum **side yard setback** for an **ancillary building** containing a **laneway suite**:

(A) in a **rear yard**, is 0.0 metres where the side wall of a the **ancillary building** containing a **laneway suite** does not have openings and is an internal lot; and,

(B) if it is on a corner lot, is the required minimum **side yard setback** for the **residential building** on the **lot**; and

(C) in all other cases, 1.5 metres

(4) Laneway Suite with a Parking Space – Rear Yard Setback

Despite regulation 10.5.60.20(5) and 10.10.60.20(1), the required minimum **rear yard setback** for an **ancillary building** or **structure** containing a **laneway suite** containing a **parking space** must comply with regulation 150.8.60.20(2), except:

(A) if the **rear lot line** abuts a **lane** and **vehicle** access to the **parking space** in the **laneway suite** is from the **lane**, the required minimum **rear yard setback** is 1.5 metre.

(5) Laneway Suite with a Parking Space – Side Yard Setback

Despite regulations 10.5.60.20(6) and 10.10.60.20(1), the required minimum **side yard setback** for an **ancillary building** or **structure** containing a **laneway suite** containing a **parking space** must comply with regulation 150.8.60.20(3), except:

(A) if a **side lot line** abuts a **lane**, and **vehicle** access to the **parking space** is from the **lane**, the required minimum **building setback** from that **side lot line** is 1.5 metre; and

(B) if it is on a **corner lot**, and **vehicle** access is from the **street** abutting the **side lot line**, the required minimum **side yard setback** is 6.0 metres.

(6) Minimum Separation Between Residential Buildings and Ancillary Buildings

Despite regulation 10.5.60.30(1) an **ancillary building** containing a **laneway suite** must be at least 4.0 metres from a **residential building** on the same **lot**.

(7) Rear Angular Plane

An **ancillary building** containing a **laneway suite** may not penetrate a 45 degree **angular plane** projected towards the **rear lot line** from a height 4.0 metres, above any portion of the **front main wall** of the **laneway suite**.

(8) Width of Dormers in a Roof on the Second Storey

In an **ancillary building** containing a **laneway suite**, the exterior sides of a dormer on the second storey are not **main walls** if the total width of dormers projecting from the surface of a roof does not occupy more than 30% of the total width of the **ancillary building's main walls** on the same front, rear or side as the dormers, measured at the level of the uppermost **storey** below the roof.

150.8.60.30 Building Length and Width

(1) Maximum Length of a Laneway Suite

The permitted maximum **building length** is for an **ancillary building** containing a **laneway suite** 10.0 metres.

(2) Maximum Width of a Laneway Suite

The permitted maximum **building width** for an **ancillary building** containing a **laneway suite** is 8.0 metres.

150.8.60.40 Height

(1) Maximum Height of a Laneway Suite

Despite regulation 10.5.60.40 (2), the permitted maximum height of an **ancillary building** containing a **laneway suite** is:

- (A) 4.0 metres, if the **ancillary building** containing a **laneway suite** is located a minimum of 5.0 metres from the **residential building** on the **lot**; or
- (B) 6.0 metres, if the **ancillary building** containing a **laneway suite** is located a minimum of 7.5 metres or more from the **residential building** on the **lot**.

(2) Maximum Storeys for Laneway Suites

Despite regulation 10.5.60.40(3), an **ancillary building** or **structure** containing a **laneway suite** is permitted to have a maximum of two **storeys**.

(3) Height of Specific Structures on a Laneway Suite

The following **structures** on the roof of an **ancillary building** or **structure** containing a **laneway suite** may exceed the permitted maximum height for that **building** by 1.5 metres:

- (A) antennae;
- (B) flagpoles;
- (C) parapets for a **green roof**;
- (D) satellite dishes; and
- (E) weather vanes.

(4) Height of Elements for Functional Operation of a Building

The following equipment and **structures** on the roof of an **ancillary building** containing a **laneway suite** may exceed the permitted maximum height for that **building** by 1.0 metre, subject to regulation 150.8.60.40(5):

(A) equipment used for the functional operation of the **ancillary building** containing a **laneway suite**, such as electrical, utility, mechanical and ventilation equipment;

(B) **structures** or parts of the **ancillary building** containing a **laneway suite** used for the functional operation of the **building**, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities; and

(C) **structures** that enclose, screen or cover the elements listed in (A) and (B) above.

(5) Height - Horizontal Limits on Elements for Functional Operation of a Building

Equipment, **structures** or parts of a **building** that exceed the permitted maximum height for an **ancillary building** containing a **laneway suite** in regulation 10.5.40.10(3), must comply with the following:

(A) their total area may cover no more than 30% of the area of the roof, measured horizontally; and,

(B) they must not be located closer than 1.0 metre to the **building main walls**.

(6) Height of Laneway Suite Entrance

Despite regulation 10.5.60.40(4), the permitted maximum height of the top of an entrance into an **ancillary building** containing a **laneway suite** is 5.0 metres above the average elevation of the ground along the entrance to the **laneway suite**.

150.8.60.40 Floor Area

(1) Exclusion in Floor Space Index

The gross floor area an **ancillary building** containing a **laneway suite** is not included for the purpose of calculating the total gross floor area and floor space index for a lot.

(2) Laneway Suite – Interior Floor Area

The interior floor area of an **ancillary building** containing a **laneway suite** must be less than the interior floor area of the **residential building** on a lot.

150.8.60.50 Decks, Platforms and Amenities

(1) Interpretation of Platform Walls

The exterior sides of a platform, such as a deck, porch, balcony or similar **structure**, attached to or within 0.3 metres of a an **ancillary building** containing a **laneway suite**, are not **main walls** if at least 50 % of the exterior side above the floor are open to the outside.

(2) Platforms in relation to a Lane

A platform without main walls, such as a deck, porch, balcony or similar **structure**, attached to or less than 0.3 metres from an **ancillary building** containing a **laneway suite** is permitted, if:

- (A) the platform is less than 20% of the **laneway suite**;
- (B) it complies with the required minimum **building setback** for the **ancillary building** containing a **laneway suite**;
- (C) the platform faces the **lane**, it must be located on the secondary **storey**; and,
- (D) in the case of (C), the platform is not permitted to encroach into the **rear yard setback** and must include a 1.5 metre tall visual screening if it is located adjacent to a **side yard**.

(3) Platforms at or Above the Second Storey of a Laneway Suite

The level of the floor of a platform, such as a deck or balcony, located at the second **storey** of an **ancillary building** containing a **laneway suite** may be no higher than 0.2 metres above the level of the floor or the **storey** from which it gains access.

(4) Platforms at or Below the First Storey of a Laneway Suite

Despite 150.8.60.50(2)(C), the level of the floor of a platform, such as a deck or balcony, permitted in accordance with (2) above may be located at or below the level of the first **storey** of an **ancillary building** containing a **laneway suite**, may be no higher than 1.0 metres above the ground at any point below the platform, except where the platform is attached to or within 0.3 metres of:

- (A) a front **main wall**, the floor of the platform may be no higher than 1.0 metres above **established grade**;
- (B) a side **main wall**, the floor of the platform may be no higher than the level of the floor from which it gains access; and,
- (C) a rear **main wall**, any part of the platform floor located 2.5 metres or less from the rear **main wall** may be no higher than the level of the floor from which it gains access.

150.8.60.60 Permitted Encroachments

(1) Platforms

Despite 150.8.60.50(2), a platform without **main walls**, such as a deck, porch, balcony or similar **structure**, attached to or less than 0.3 metres from an **ancillary building** containing a **laneway suite**, are subject to the following:

(A) in a **rear yard**, a platform with a floor no higher than the first **storey** of the **ancillary building** containing a **laneway suite** above **established grade** may encroach into the required **rear yard setback** the lesser of 2.5 metres or 50% of the required **rear yard setback**, if it is no closer to a **side lot line** than the greater of:

(i) 0.3 metres; or

(ii) a distance equal to the vertical distance between the highest part of the floor of the platform and the average elevation of the ground at the side of the platform;

(B) in a **rear yard**, a platform with a floor higher than the first **storey** of the **building** above **established grade** may encroach into the required **rear yard setback** the lesser of 1.5 metres or 50% of the required **rear yard setback**, if it is no closer to a **side lot line** than the required **side yard setback** plus the vertical distance between the **first floor** of the **building** and the average elevation of the ground along the building's rear **main wall**;

(C) in a **side yard**, a platform with a floor no higher than the first **storey** of the **building** above **established grade** may encroach into the required minimum **side yard setback** a maximum of 1.5 metres, if it is no closer to the **side lot line** than 0.3 metres; and

(D) in a **side yard** a platform with a floor higher than the first **storey** of the **building** above **established grade**:

(i) may encroach into the required minimum **side yard setback** a maximum of 1.5 metres if the **side yard** abuts a **street**; and,

(ii) may not encroach into a required minimum **side yard setback** if the **side yard** does not abut a **street**.

(2) Canopies and Awnings

A canopy, awning or similar **structure**, with or without structural support, or a roof over a platform which complies with regulation 150.8.60.50(1), are subject to the following:

(A) a roof, canopy, awning or similar **structure** above a platform meeting the requirements of regulation 150.8.60.50(1) may encroach into a required minimum **building setback** to the same extent as the platform it is covering; and

(B) a canopy, awning or similar **structure** that is not covering a platform may encroach into a required minimum **building setback**:

(i) in a **rear yard**, the lesser of 2.5 metres or 50% of the required minimum **building setback**, if it is no closer to a **side lot line** than the required minimum **side yard setback**;
or,

(ii) in a **side yard**, a maximum of 1.5 metres, if it is no closer to the **side lot line** than 0.3 metres.

(3) Exterior Stairs, Access Ramp and Elevating Device

Exterior stairs, pedestrian access ramp and elevating device providing access to an **ancillary building** containing a **laneway suite** may encroach into a required minimum **building setback** as follows:

(A) exterior stairs, if the stairs are:

(i) no longer than 1.5 horizontal units for each 1.0 vertical unit above the ground at the point where the stairs meet the **building** or **structure**;

(ii) no wider than 2.0 metres; and

(iii) no closer to a **lot line** than 0.6 metres;

(B) uncovered ramp, if the ramp is:

(i) no longer than 15 horizontal units for each 1.0 vertical unit above-ground at the point where the ramp meets the **building** or **structure**;

(ii) no wider than 1.5 metres for each sloped ramp segment; and

(iii) no closer to a **lot line** than 0.6 metres; and

(C) an elevating device, if the elevating device:

(i) elevates no higher than the **first floor** of the **building**;

(ii) has a maximum area of 3.0 square metres; and

(iii) is no closer to a **lot line** than 0.6 metres.

(4) Exterior Main Wall Surface

Cladding added to the original exterior surface of the **main wall** of an **ancillary building** containing a **laneway suite** may encroach into a required minimum **building setback** a maximum of 0.15 metres, if the added cladding is no closer to a **lot line** than 0.3 metres.

(5) Architectural Features

Architectural features on an **ancillary building** containing a **laneway suite** must comply with the following:

(A) a pilaster, decorative column, cornice, sill, belt course or other similar architectural feature may encroach into a required minimum **building setback** a maximum of 0.6 metres, if it is no closer to a **lot line** than 0.3 metres; and

(B) a chimney breast may encroach into a required minimum **building setback** a maximum of 0.6 metres, if it:

(i) is no wider than 2.0 metres; and

(ii) is no closer to a **lot line** than 0.3 metres.

(6) Window Projections

A bay window, box window, or other window projection from a **main wall** of an **ancillary building** containing a **laneway suite**, which increases floor area or enclosed space and does not touch the ground, may encroach:

(A) into a required minimum **rear yard setback** a maximum of 0.75 metres, if the window projections in total do not occupy more than 65% of the width of the **front wall** or rear **main wall** at each **storey**; and

(B) into a required minimum **side yard setback** a maximum of 0.6 metres, if the window projections:

(i) in total do not occupy more than 30% of the width of the side **main wall** at each **storey**; and

(ii) are no closer to the **side lot line** than 0.6 metres.

(7) Roof Projections

On an **ancillary building** containing a **laneway suite**, roof projections must comply with the following:

(A) a dormer projecting from the surface of a roof may not have any wall of the dormer closer to a **lot line** than the required minimum **building setback**; and

(B) the eaves of a roof may encroach into a required minimum **building setback** a maximum of 0.3 metres, if they are no closer to a **lot line** than 0.15 metres.

(8) Equipment

The following wall mounted equipment on an **ancillary building** containing a **laneway suite** may encroach into required minimum **building setback** as follows, if the equipment is no closer to a **lot line** than 0.3 metres:

- (A) vents, pipes, or utility equipment, a maximum of 0.6 metres into a required minimum **rear yard setback** or minimum **side yard setback**;
- (B) satellite dish, a maximum of 0.9 metres into any required minimum **building setback**;
- (C) antenna, or a pole used to hold an antenna, a maximum of 0.9 metres into any required minimum **rear yard setback** or minimum **side yard setback**; and
- (D) air conditioner, a maximum of 0.9 metres:
 - (i) into a required minimum **rear yard setback**; and
 - (ii) into a required minimum **side yard setback** if it is not located above the first **storey**.

150.8.60.70 Lot Coverage

(1) Lot Coverage Requirement for Laneway Suites

Despite regulation 10.5.60.71(1) and 10.10.60.70(1), the area of the **lot** covered by a **ancillary building** containing a **laneway suite** may not exceed 30% of the **lot area**.

150.8.60.90 Parking

150.8.60.90.1 General

(1) Despite regulations 10.5.80.1(1), 10.5.80.10(1), 200.5.10.1(1) and the parking rates in Table 200.5.10.1 for **dwelling units**, a **parking space** is not required on a **lot** with an **ancillary building** or **structure** containing a **laneway suite**.

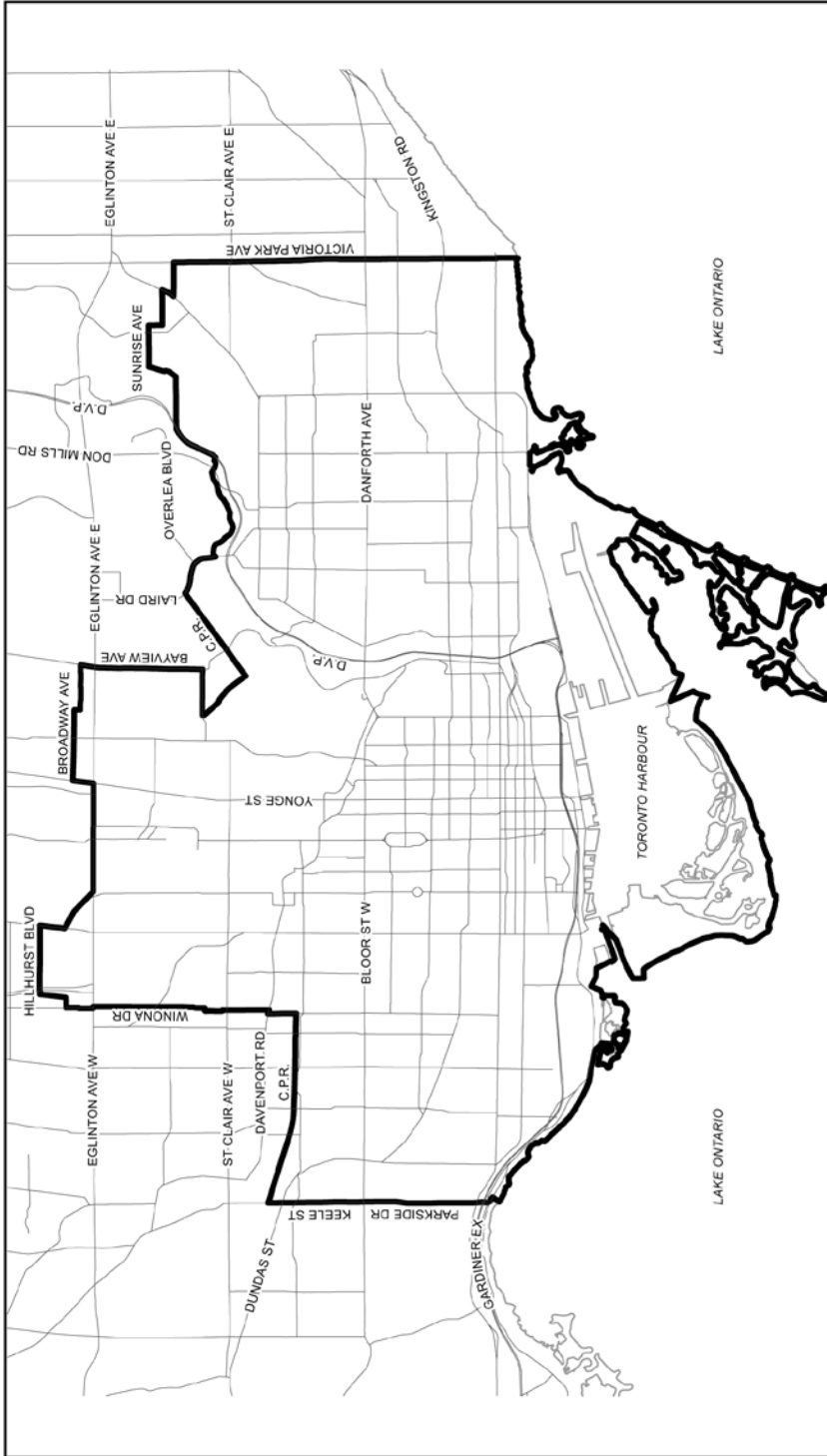
150.8.60.100 Bicycle Parking Spaces

(1) an **ancillary building** containing a **laneway suite** is required to provide two **bicycle parking spaces** within the **laneway suite** or within the required **rear yard setback**.

Enacted and passed on XXXX, 2018

Frances Nunziata,
Speaker
(Seal of the City)

Ulli S. Watkiss,
City Clerk



Toronto
Diagram 1

**Changing Lanes: The City of Toronto's
Review of Laneway Suites**
File # 17 270684 SPS 00 02

— Toronto and East York District Boundary

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City of Toronto By-Law 569-2013
Not to Scale
04/12/2018