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 an 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 **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,  Ulli S. Watkiss,
Speaker  City Clerk
(Seal of the City)
Diagram 1

Changing Lanes: The City of Toronto’s Review of Laneway Suites
File # 17 270684 SPS 00 OZ

Toronto and East York District Boundary

City of Toronto By-Law 568-2013
Not to Scale
04/12/2018