

City Council

Motion Without Notice

MM43.36	ACTION			Ward: All
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Garden Suites - Request for Staff to meet with Alliance of Resident and Ratepayer Associations - By Councillor Mark Grimes, seconded by Councillor Gary Crawford

** This Motion has been deemed urgent by the Chair.*

** This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate*

Recommendations

Councillor Mark Grimes, seconded by Councillor Gary Crawford, recommends that:

1. City Council direct appropriate staff, including the City Solicitor and the Chief Planner and Executive Director, City Planning or their delegate(s), to meet, on a without prejudice basis, with representatives of the seven community associations who have purported to appeal Official Plan Amendment 554 and Zoning By-law 101-2022 to the Ontario Land Tribunal, on a date between May 19, 2022 and June 1, 2022, to listen to the associations' concerns with Official Plan Amendment 554 and Zoning By-law 101-2022;

Summary

At its meeting on February 2 and 3, 2022, City Council adopted Official Plan Amendment 554 to adopt policies that authorize the use of additional residential units by authorizing the use of a residential unit in an ancillary building or structure, not adjacent to a public lane, and enacted Zoning By-law 101-2022 to amend City-wide Zoning By-law 569-2013 (the “Zoning By-law”) give effect to Official Plan Amendment 554, which included requirements and standards relating to the policies of Official Plan Amendment 554. City Council is required, by the Planning Act and provincial policy, to amend its Official Plan to authorize the use of additional residential units by authorizing the use of two residential units in a detached house, semi-detached house or rowhouse as well as the use of a residential unit in a building or structure ancillary to a detached house, semi-detached house or rowhouse, and to give effect to those policies through the Zoning By-law.

The Official Plan Amendment amends the City's Official by adding Site and Area Specific Policy 670 for all lands designated Neighbourhoods. The Official Plan Amendment establishes clear policy and criteria to ensure that the authorized additional residential units, called “Garden Suites” in the Official Plan Amendment, are considered compatible with the existing physical character of established Neighbourhoods, even in cases where no Garden Suites currently exist as part of the prevailing building stock. Prior to the adoption of the Official Plan Amendment, the Official Plan did not contain this clarity, and in some areas of the City, served as a barrier to permitting additional residential units in ancillary buildings. Prior to the enactment of the Zoning By-law Amendment, the Zoning By-law did not permit dwelling units

or home occupations within ancillary buildings or structures, unless the ancillary building or structure was a laneway suite (laneway suites having been authorized City-wide by earlier Planning Act instruments). The Official Plan Amendment and Zoning By-law Amendment, together, provide a planning policy framework, and an as-of-right path forward, for the construction of additional residential units in ancillary buildings on Neighbourhoods-designated, residentially-zoned lands in the City.

Neither the Official Plan Amendment nor the Zoning By-law Amendment are appealable to the Ontario Land Tribunal (the "Tribunal"), except by the Minister of Municipal Affairs and Housing (the "Minister"). Although the Minister did not appeal, seven community associations, who call themselves the Alliance of Resident and Ratepayer Associations (the "Alliance"), have purported to do so. The City Solicitor has sought and obtained dates from the Tribunal to argue a motion to dismiss the Alliance's appeals without a hearing.

The Alliance has written to Mayor John Tory and all City Councillors to request "that Council direct staff to meet with the Alliance to resolve their concerns rather than seeking to litigate the matter."

Background Information (City Council)

(May 11, 2022) Member Motion 43.36

Correspondence from the Alliance of Resident and Ratepayer Associations (undated) re:
Review and Request to Meet to Amend the Garden Suites Official Plan Amendment 554 and
Zoning By-law 101-2022

(<https://www.toronto.ca/legdocs/mmis/2022/mm/bgrd/backgroundfile-225807.pdf>)