



January 11, 2022

Planning and Housing Committee
c/o Nancy Martins
10th Floor West Tower, City Hall
100 Queen St W
Toronto, ON M5H 2N2

Dear Councillors and Members of the Planning and Housing Committee

RE: PH 30.2 Expanding Housing Options in Neighbourhoods: Garden Suites

The LBNA has major concerns with the proposed Garden Suites By-laws and Official Plan Amendments. There has been minimal consultation for such a major change. Many residents and property owners are unaware of what is being proposed and the impact it will have on them due to the speed this is moving and because it is taking place during the pandemic. The LBNA wrote a letter in response to the Nov 30th consultation, most of which we are repeating here as our concerns have not been addressed.

Overall, we have major concerns in the following areas

1. Garden Suites are being proposed “as-of-right” pretty much on any property in the City that does not already have a Laneway Suite. Many properties are not suitable for Garden Suites either because they are too small or, as in the case of many properties in Long Branch, that space is occupied by mature trees or newly planted trees. Protected size Private Trees are not protected at all under Municipal Code Chapter 813 if the development is “as-of-right”. Therefore, no protection is being provided by either the Draft Regulations, By-laws or OPA as they currently before this committee.
 - a. What is the process for the General Manager of Parks Forestry and Recreation to even know if a protected tree is going to be injured or destroyed if Garden Suites are “as-of-right”? There is nothing outlined about the requirement of providing a survey outlining the size of trees on the property and adjacent properties?
 - b. What about the 88% of trees in the City of Toronto that are below the protected size of 30 cm DBH that will be at risk of being displaced by Garden Suites? What documentation will there be on how many trees are being removed or injured and permeable and plantable space being removed as a result of a Garden Suite being requested to be built? What about protected trees on the neighbouring properties?
2. The proposed size of Garden Suites is far too large and will negatively impact neighbouring properties in terms of their size, overlook, shadowing and lack of privacy. “Garden Suites” is a misleading term for what these Regulations, By-laws and OPA outline. 2 storey dwellings with full basements, air conditioning units on the roof or sides

of the buildings; windows and doors on the sides, with structures 7m tall will hardly encourage small, affordable “Suites” and accessible living units for the elderly and disabled.

3. There needs to be consideration given for sufficient space between Garden Suites and neighbouring properties beside and behind to encourage planting of trees. As the city intensifies and with having declared a Climate Change Emergency, it is critical that there be more space between buildings in Neighbourhoods to allow room for planting of more large canopy trees. The currently proposed side and rear yard setbacks of 1.5m will provide insufficient room as they are currently proposed and need to be significantly increased.
4. Garden Suites should be included in the FSI for a lot and there should be a size limit relative to the size of the main house, such as the interior floor area of a garden suite must be less than 40% of the gross floor area of the residential building on a lot, to ensure that these are truly smaller accessory dwellings and intended as being affordable.
5. Short-term rentals should not be permitted with Garden Suites. The City has expressed multiple times that Garden Suites are intended to provide a form of affordable housing. Short-term rentals have proved to be disruptive for other residents based on our lived experience and should not be permitted. This is also a security issue for neighbours and will put the responsibility on the affected neighbours to report parties, loud noise, garbage, illegal parking, etc. issues associated with the short-term rental.
6. Basements should not be permitted. Removing trees, permeable surface areas and plantable space for large trees plus removing space below ground will increase problems with flooding in areas already suffering from water issues.
7. Two story Garden Suites of heights 6-7m tall will cast shadows on neighbouring properties and will dramatically impact enjoyment of private back yard space and for some have financial and food security implications. Particularly if they grow food in their backyards. 4.0m should be the maximum height for a Garden Suite.
8. No mechanical, air conditioning, ventilation equipment, stairwells, parapets, satellite dishes, etc., should be permitted on the roof
9. The proposed requirements for soft landscaping of 25 and 50% are far too small and insufficient for neighbourhoods such as Long Branch which are prone to flooding. We need to increase soft landscaping, not decrease it as is being proposed. A minimum of 75% of a rear yard area must be soft landscaping. Soft landscaping not to include artificial turf as the negative environmental impact of plastics seeping into the ground and ground water have not been studied thoroughly.
10. Lots smaller than 6.0m are too small for a Garden Suite. In fact, lots smaller than 16m wide should not be permitted to install a Garden Suite as-of-right and should go through an approval process to ensure that no mature trees will be removed or injured on the property or adjacent properties and there will not be adverse effects on privacy, impact sunlight and sky views, and cause shadowing on neighbours' yards.
11. Garden suites must be no less than 7.5m from a residential building on the same lot for any height.
12. Doors and windows should not be permitted on the sides or rears of a garden suite. This will have a major impact on neighbour's privacy.
13. If a property owner adds a Garden Suite and there is no parking provided for the occupant, there needs to be notification in writing that there will be no increase to street parking and no new street parking created as a result.

Toronto has an opportunity to learn from the City of Barrie's Experience

The City of Barrie was one of the first municipalities to approve Garden Suites. After a year's experience with Garden Suites, in October 2021, Barrie's City Council made dramatic changes to the By-laws for Garden Suites - no basements allowed; reduced size; dramatically increased side yard setbacks to minimum 3m and rear yard set back to minimum 7m; limited where Garden Suites could go to a radius of 300m; now require scoped site plan to show locations of existing vegetation and trees; proposed lighting design so lights do not affect neighbouring properties and more.

"When we suddenly allowed them (Garden Suites), we suddenly realized there were going to be complaints," said Deputy Mayor Barry Ward. "We got complaints over privacy concerns about trees, parking, and they were just not affordable."

"We are approving building a backyard house in every backyard in every established neighbourhood," said Barbara Mackie, co-chair for the Allandale Neighbourhood Association. "Those are the neighbourhoods that have the lots big enough to do this, but you can't do that without taking out thousands and thousands of trees."

Shouldn't we learn from the Barrie experience?



Above is a view of a typical block in Long Branch. There is no place for Garden Suites without removing all the backyard trees. Municipal Code Chapter 813 provides no protection for backyard trees if the development is "as-of-right"

Laneway Suites are created as a result of conversion of laneway garages. Garden Suites should be looked at very differently as they would mainly be replacing permeable green space, soft landscaping and trees.

We ask this committee to refuse the proposed By-laws and OPA Amendments before them for Garden Suites and send them back to be revised to address residents' concerns.

Sincerely,



Christine Mercado
Chair, Long Branch Neighbourhood Association



Judy Gibson
Vice Chair, Long Branch Neighbourhood Association
Chair, Tree Canopy Preservation and Enhancement Committee