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October 30, 2024

Dear Chair and Members of the Planning and Housing Committee,

Re: Building More Missing Middle – Addressing Gaps in Multiplex Permissions and Development Charge Exemptions

BACKGROUND:

On May 10, 2023, City Council adopted Official Plan and Zoning By-law Amendments to permit multiplexes city-wide. In recent years, Toronto City Council has made significant strides toward eliminating exclusionary zoning and promoting gentle density in *Neighbourhoods* across the city, including by legalizing multiplexes, garden suites, laneway suites, and permitting small-scale apartments on Major Streets.

A primary objective of the award-winning Expanding Housing Options in Neighbourhoods (EHON) program is to legalize diverse housing types as-of-right. The minor variance process often leads to delays and increased costs, hindering the construction of new housing units. It is essential to address gaps in the zoning by-law to ensure consistent interpretations, rather than relying on the discretion of individual planners or the Committee of Adjustment.

Stakeholders have raised concerns that the current interpretation of the Zoning By-law 569-2013 amendment to permit multiplexes is creating obstacles to building multiplex housing. Recently, applications for semi-detached fourplexes have been classified as one single apartment building instead of two multiplexes. This classification impacts building code requirements, financing options, and incentives – creating a barrier to building more missing middle housing.

One of the most powerful policy tools we have to enable more missing middle housing is development charge (DC) exemptions. Multiplexes with four or fewer units on a single property have DCs waived on the second, third, and fourth units. This waiver is vital: on a smaller missing middle project, the tens of thousands of dollars in DCs can make the difference between a project being financially feasible or cost prohibitive.

However, if an applicant intends to build a five-unit multiplex – the threshold at which they can access low-cost CMHC financing – they have to pay DCs on all five units, making such projects less financially feasible.

A gap in the policy also exists where a builder or developer is building a four-plex in addition to a garden suite and/or a laneway suite. While Council has approved the DC exemption for up to four units and a separate deferral program for DCs on laneway and garden suites, attempting to build both at once can trigger DCs on all units in the multiplex. This runs counter to the policy objective of maximizing the number of housing units in missing middle projects and must be addressed.

The Multiplex Study Final Report recommended establishing a monitoring program to track the uptake of new builds and to identify challenges in achieving multiplex housing. In line with that planned report, this motion requests that City Planning staff provide clarity on the correct interpretation of the zoning by-law. This motion is also requesting that the City Solicitor and Finance and Treasury Services consider revising the development charge bylaw to help enable more missing middle projects to move forward.

RECOMMENDATION:

That the Planning and Housing Committee:

1. City Council request the Chief Planner and Executive Director, City Planning, as part of the Multiplex Monitoring Program, to clarify multiplex permissions in semi-detached residential buildings and report back with any potential zoning by-law amendments in Q2 2025.

Thank you for your consideration.

Respectfully,

Brad Bradford
Toronto City Councillor
Beaches-East York | Ward 19