

Item - 2024. PH16.13 (October 30, 2024)

To: Nancy Martins, Clerk  
Chair and Councillors  
Planning and Housing Committee  
Toronto City Hall  
100 Queen Street West  
Toronto, ON M5H 2N2



From: Christian Chan, MCIP, RPP  
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Via email to: [phc@toronto.ca](mailto:phc@toronto.ca)

**RE: Item - 2024. PH16.13 - Building More Missing Middle - Addressing Gaps in Multiplex Permissions**

As a practicing professional planner, with many if not most of my current active files as multiplex and “missing middle” development, I am glad that the issue of both semi-detached triplexes and fourplexes considered as “apartment buildings”, as well as the financial impact of concurrent development of multiplexes and garden suites that is recognized by Councillor Bradford in his letter to the Committee today.

These issues are occurring on a number of my active multiplex applications, particularly those that are the attached multiplexes (“semi-detached multiplexes”). What is happening is that proposed semi-detached duplexes (total four units across two lots) are considered a multiplex, but when you add additional units in the same building envelope and produce 5 and over units, it is now an “apartment building”.

The following issues are of most concern to the development of semi-detached multiplexes and townhouse multiplexes, if interpreted as “apartment buildings” and the further repercussions regarding a recent directive from Planning Staff to Toronto Buildings Zoning Examiners to interpret semi-detached triplexes and fourplexes (on each side of the semi-detached building) and a row of multiplex townhouses (“rowplexes”) as “apartment buildings”, defined in the Zoning By-law:

*1. The interpretation of the land use and resulting variances now come up for “apartment buildings” rather than two semi-detached multiplexes – this is a barrier regarding implementation of EHON and development of these semi-detached multiplex (triplex and fourplex) proposals, as they could have the same dimensions (building envelopes/massing) as semi-detached duplexes but the variances are wildly different - the Committee of Adjustment (COA) and the public could have issues with what would be a pair of semi-detached buildings going into COA with variances for an “apartment building”, when this is in reality (presenting to the public) and building form/typology not what they really are;*

*2. Toronto Buildings may now interpret those types of semi-detached triplex and fourplex proposals as requiring Part 3 OBC construction, whereas Part 9 OBC is how they are designed - significant barriers to the construction cost viability of multiplexes. In fact, on one pair of semi-detached fourplexes I have it confirmed now from Kasper Hinds at Toronto Buildings has told me Buildings*

would review them as Part 3 OBC – this adds a significant increase in costs both for design and construction for a standalone low-rise development; and

3. Development Charge (DC) interpretation would now see all of the units counted towards a total number of units (regardless of how many lots are existing or proposed) as either a 6 unit building or a 8 unit building on two lots as semi-detached triplex and fourplex, and the DC exemption for Multiplex development would no longer apply, thereby producing a large barrier to multiplex development/increased housing options as units provided within multiplexes in a neighbourhood where it is proposed.

The interesting thing is while 474-2023 allows existing semi-detached homes and townhouses to be converted to multiplexes, the Zoning By-law is silent on this form of low-rise development that automatically shifts the determination of new semi-detached and townhouses triplexes and fourplexes (“rowplexes”) to be interpreted by Toronto Building Zoning Examiners as “apartment buildings”. This is because the singular building would have over 5 dwelling units contained within them and meets the definition in the Zoning By-law as “apartment buildings”.

This has concerning implications. A triplex and fourplex semi-detached building is defined per the current ZBL an “apartment building”, and on one of my files I have a previous zoning review for the same project (reviewed as a multiplex originally) and I have 7-9 variances if considered a semi-detached fourplex - and then now 16 variances as reviewed as an “apartment building”: the example is one of my active Minor Variance files in Ward 12, a semi-detached building with fourplexes, one on each side of the semi-detached building.

Also, there are implications for triggering the requirement for a Site Plan Control (SPA) application for example, a row of three townhouses that would have 4 units in each row building, producing 12 units: SPA kicks in for something that would otherwise need no SPA if it were just one dwelling unit per townhouse building - nothing changes in terms of site planning or layout of the buildings exterior or the lot, the only difference is the internal configuration and number of units.

For example, a proposed a row of 10 townhomes with one dwelling unit each would have no SPA. A development with 3 townhomes with four dwelling units in each row and would be a smaller development (in terms of built form and coverage) than 10 standalone townhouses would require an SPA application, where the 10 unit townhouse would not.

I have many people interested in developing rental semi-detached and row multiplex buildings (rowplexes), and this is a huge hurdle in them now being considered as “apartment buildings” - they are not, both in form, use, function and scale.

## THOUGHTS ON A SOLUTION

I think there is a fix - just to get some thoughts going on how this potentially can be addressed with the various points below:

### **1. Amended/Added Definitions to By-law 569-2013 to permit semi-detached multiplexes and townhouse multiplexes:**

(55) (AMENDED DEFINITION) Apartment Building (*italics denote amended text*)”

means a building that has five or more dwelling units, with at least one dwelling unit entirely or partially above another, and each dwelling unit has a separate entrance directly from outside or through a common inside area. A building that was originally constructed as a detached house, semi-

detached house or townhouse and has one or more secondary suites is not an apartment building. *A semi-detached triplex, semi-detached fourplex, townhouse triplex, or townhouse fourplex is not an apartment building.*

**2. Permit the following in the R, RM, RS, RT zones Chapters 10.10.20.40, 10.40.20.40, 10.60.20.40, 10.80.20.40**

(NEW DEFINITION) Semi-Detached Duplex

Means a portion of a semi-detached house located on one lot, with two dwelling units entirely or partially above another. A semi-detached house that has one or more secondary suites is not a semi-detached duplex. A semi-detached duplex is not a fourplex.

(NEW DEFINITION) Semi-Detached Triplex

Means a portion of a semi-detached house located on one lot, with three dwelling units entirely or partially above another. A semi-detached house that has two secondary suites or more is not a semi-detached triplex.

(NEW DEFINITION) Semi-Detached Fourplex

Means a portion of a semi-detached house located on one lot, with four dwelling units entirely or partially above another. A semi-detached house that has three or more secondary suites is not a semi-detached fourplex.

**3. Permit the following in the R, RT zones Chapter 10.10.20.40, 10.60.20.40**

(NEW DEFINITION) Townhouse Duplex

*Means a portion of a townhouse located on one lot containing two dwelling units, with at least one dwelling unit entirely or partially above another. A townhouse that has one or more secondary suites is not a townhouse duplex.*

(NEW DEFINITION) Townhouse Triplex

*Means a portion of a townhouse located on one lot containing three dwelling units, with at least one dwelling unit entirely or partially above another. A townhouse that has two or more secondary suites is not a townhouse triplex.*

(NEW DEFINITION) Townhouse Fourplex

*Means a portion of a townhouse located on one lot containing four dwelling units, with at least one dwelling unit entirely or partially above another. A townhouse that has three or more secondary suites is not a townhouse fourplex.*

**3. In terms of built form standards, simply add the new defined uses to the list of uses that the building standards apply to, such as setbacks; for example:**

10.10.40.30 Building Depth

(1) Maximum Building Depth

In the R zone, the permitted maximum building depth is:

(A) 17.0 metres for a detached house, semi-detached house, duplex, triplex, fourplex, townhouse, *semi-detached duplex*, *semi-semi detached triplex*, *semi-detached fourplex*, *townhouse duplex*, *townhouse triplex*, *townhouse fourplex*, or apartment building;

*Another example:*

(3) Minimum Side Yard Setback

In the R zone, the required minimum side yard setback is:

(A) 0.9 metres, for:

(i) a detached house;

(ii) a semi-detached house;

(iii) a duplex, *semi-detached duplex*;

(iv) a triplex; *semi-detached triplex*;

(v) a fourplex; *semi-detached fourplex* and

(vi) a townhouse, *townhouse duplex*, *townhouse triplex*, *townhouse fourplex*, if all the dwelling units front directly on a street; and

(vii) an apartment building with a height of 13.0 metres or less;

(B) 7.5 metres, for:

(i) a townhouse, *townhouse duplex*, *townhouse triplex*, *townhouse fourplex*, if a dwelling unit does not front directly on a street;

(ii) an apartment building with a height of more than 13.0 metres; and

(iii) a non-residential building. [ By-law: 1313-2023 ]

**4. In the alternative, to the above, another way could make the path available:**

As per Item 42 in By-law 474-2023, add another clause as an amendment to By-law 474-2023 and/or By-law 569-2013 that is similar to the "Conversion of a portion of a semi-detached house and townhouse to multiple dwelling units":

*"In the Residential Zone category, a portion of a semi-detached house located on one lot may be converted to contain up to four dwelling units and may continue to be considered as a semi-detached house despite the building type definitions in Chapter 800.*

*"In the Residential Zone category, a portion of a townhouse located on one lot may be converted to contain up to four dwelling units and may continue to be considered as a townhouse despite the building type definitions in Chapter 800"*

So in essence, simply delete Clauses 10.10.20.41 (2) and their equivalents in the other R zones and replace it with: "Semi-Detached House with Multiple Dwelling Units" and "Townhouse with Multiplex Dwelling Units.

**5. Per the above, include simpler definitions than I provide in #1, above, aligned with the Conversions permissions in Item 42 of By-law 474-2023:**

Permit the following in the R, RM, RS, RT zones Chapters 10.10.20.40, 10.40.20.40, 10.60.20.40, 10.80.20.40

(NEW DEFINITION) Semi-Detached House with Multiple Dwelling Units

*Means a portion of a semi-detached house located on one lot that contains two to four dwelling units, with at least one dwelling unit entirely or partially above another. A semi-detached house that has one or more secondary suites is not a duplex, triplex or fourplex.*

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Permit the following in the R, RT zones Chapter 10.10.20.40, 10.60.20.40

(NEW DEFINITION) Townhouse with Multiple Dwelling Units

*Means a portion of a townhouse located on one lot that contains two to four dwelling units, with at least one dwelling unit entirely or partially above another. A townhouse that has one or more secondary suites is not a townhouse with multiple dwelling units.*

**6. Another simpler application of the By-law is also found in Item 42 of By-law 474-2023 - I think this is the easiest way to permit the development of new semi-detached and townhouse multiplexes and not interpret them as “apartment buildings”:**

Include a Clause in the ZBL such as:

*"the portion of a semi-detached house located on one lot that contains up to four dwelling units may be considered to be a duplex, triplex or fourplex despite the building type definitions in Chapter 800"*

*"the portion of a townhouse located on one lot that contains up to four dwelling units may be considered to be a duplex, triplex or fourplex despite the building type definitions in Chapter 800."*

I think all of the above (and they are suggestions and ideas at this stage to address this issue) would be consistent (some more simple, some more complex) with Item 42 in By-law 474-2023 (<https://www.toronto.ca/legdocs/bylaws/2023/law0474.pdf>) regarding the conversion of lawfully existing buildings to multiplexes.

If existing buildings could be converted to multiplexes, I don't see any reason why there would be a restriction on newly proposed semi-detached and townhouse buildings to be developed as semi-detached and townhouse multiplexes, *as they are permitted now in existing buildings*. It just seems a very unnecessary process and as Councillor Bradford mentions as a barrier to building multiplex development, to have these buildings considered as “apartment buildings” if they have over 5 units, - when in no shape, use, or form they are apartment buildings.

Kindly keep me apprised of the progress of this initiative,

Sincerely,



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