

## **Expanding Housing Options in Neighbourhoods – Garden Suites Monitoring Program – Supplementary Report**

Date: July 22, 2025

To: City Council

From: Chief Planner and Executive Director, City Planning

Ward: All

### **SUMMARY**

---

On July 15, 2025, the Planning and Housing Committee considered item [PH23.1 - Expanding Housing Options in Neighbourhoods - Garden Suites Monitoring Program - Final Report](#). The report presents the findings of the Garden Suites Monitoring Program and recommends modifications to the Official Plan policies and Zoning By-law permissions for garden suites to further support the effective implementation of garden suites in Toronto and to align Zoning By-law 569-2013 with recent provincial regulatory changes.

The purpose of this Supplementary Report is twofold.

- It recommends the introduction of transition regulations into the recommended zoning by-law amendment.
- It recommends an alternative approach to address massing of the second storey of a two-storey garden suite.

### **RECOMMENDATIONS**

---

The Chief Planner and Executive Director, City Planning recommends that:

1. City Council amend PHC Recommendation 2 by deleting the words “appended as Attachment 2, as amended by Recommendation 3 below, Attachment 8” and replacing them with the words “appended as Attachment 1 to the supplementary report (July 22, 2025) from the Chief Planner and Executive Director City Planning, as amended by Recommendation 3 below, Attachment 8 to the supplementary report dated (July 22, 2025) from the Chief Planner and Executive Director City Planning” so that Recommendation 2 reads as follows:

2. City Council amend Zoning By-law 569-2013, as amended, substantially in accordance with the draft Zoning By-law Amendments appended as Attachment 1 to the supplementary report (July 22, 2025) from the Chief Planner and Executive Director City Planning, as amended by Recommendation 3 below,

Attachment 8 to the supplementary report (July 22, 2025) from the Chief Planner and Executive Director City Planning, and Attachment 9 to the report (June 27, 2025) from the Chief Planner and Executive Director, City Planning.

2. City Council amend PHC Recommendation 3 by deleting the words “Attachment 2 to the report (June 27, 2025)” and replacing them with the words Attachment 1 to the supplementary report (July 22, 2025)” so that Recommendation 3 reads as follows:

3. City Council amend Attachment 1 to the supplementary report (July 22, 2025) from the Chief Planner and Executive Director, City Planning by adding part (C) to provision 4.1, so that it reads:

"4. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 150.7.60.30(1) with the following:

(1) Minimum Separation between a Residential Building

Despite regulation 10.5.60.30(1), the main wall of an ancillary building containing a garden suite must be:

(A) no less than 4.0 metres from the main wall of the residential building on the same lot if the height of the ancillary building is no greater than 4.0 metres;

(B) no less than 7.5 metres from the main wall of the residential building on the same lot if the height of the ancillary building is greater than 4.0 metres; and

(C) despite regulation 150.7.60.30(1)(B), if an ancillary building containing a garden suite has a height greater than 4.0 metres and is on a lot in the area bounded by Coxwell Avenue, Coxwell Boulevard and Massey Creek to the west, the Don River and Sunrise Avenue to the north, Victoria Park Avenue and Nursewood Park to the east, and Lake Ontario to the south, the ancillary building containing a garden suite must be no less than 5.0 metres from a residential building on the same lot."

3. City Council determine that pursuant to Subsection 34(17) of the Planning Act, no further notice is to be given in respect of the changes in Recommendations 1 and 2 above.

## **FINANCIAL IMPACT**

---

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information as presented in the Financial Impact Section.

## DECISION HISTORY

---

On November 13 and 14, 2024, City Council adopted Item “PH16.12 - City Comments on Proposed amendment to Ontario Regulation (O. Reg) 299/19 Additional Residential Units, made under the Planning Act Report”, which provided information on the proposed amendments introduced by the Province for additional residential units. The decision at City Council can be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2024.PH16.12>

On November 20, 2024, the Provincial Government of Ontario passed O. Reg 462/24 regarding Additional Dwelling Units (ARUs) made under the Planning Act. The Regulation affects zoning performance standards for lots with up to three additional residential units including angular planes, minimum separation distances, maximum lot coverage, maximum floor space index, and minimum lot area. The Regulation came into force and effect on November 20, 2024. More information on O. Reg 462/24 can be found on the City's Expanding Housing Options in Neighbourhoods website:

<https://www.toronto.ca/city-government/planning-development/planning-studiesinitiatives/expanding-housing-options/>

On July 15, 2025, the Planning and Housing Committee adopted PH23.1 Expanding Housing Options in Neighbourhoods - Garden Suites Monitoring Program - Final Report, which presented the findings of the Garden Suites Monitoring Program and recommended modifications to the Official Plan policies and Zoning By-law permissions for garden suites to further support the effective implementation of garden suites in Toronto and to align Zoning By-law 569-2013 with recent provincial regulatory changes.

<https://secure.toronto.ca/council/agenda-item.do?item=2025.PH23.1>

## COMMENTS

---

### *Transition Regulations*

The proposed zoning by-law amendment for garden suites is generally more permissive overall than the zoning standards that have been in force in Toronto since 2022; therefore, the proposed amendments considered by the Planning and Housing Committee did not include transition provisions. However, in the event that there are site specific situations where garden suite projects already in process may come out of compliance with the amended zoning regulations, staff are recommending the inclusion of transition provisions.

### *Existing Angular Plane Regulations*

When City Council adopted garden suites permissions in February 2022, the zoning by-law included the requirement that the portion of a garden suite above a height of 4.0 metres must fit within a 45-degree angular plane to all property lines (except for those facing a street), and on the side facing the main house. Angular planes are a design tool that can help mitigate the impact of building mass on adjacent properties as height increases by stepping it away from property lines. The angular planes for garden suites

were intended to mitigate the impact of additional building height above 4.0 metres, which corresponded to the as-of-right ancillary building permissions in By-law 569-2013, while maintaining the quality of rear yard open spaces, limiting privacy and overlook impacts on adjacent properties, and providing space for tree canopy growth.

On November 20, 2024, the Province issued Ontario Regulation 462/24 (“O. Reg. 462/24” or the “Regulation”) under the Planning Act, which amends Ontario Regulation 299/19: Additional Residential Units (“ARUs”). The Regulation includes five standards that prevail over municipal zoning by-laws where there is a conflict including that a garden suite “may penetrate any angular plane.” The Regulation defines an angular plane as an imaginary flat surface projecting over a parcel of land at an inclined angle measured up from the horizontal”.

The Garden Suite Monitoring Program considered by the Planning and Housing Committee as Item PH23.1, included a jurisdictional scan of garden suite permissions in other cities; a detailed review of garden suite applications including minor variances, building permits, and tree permits; and consultation with residents, resident associations and grassroots organizations, City staff and industry professionals. The key findings informed the recommended Official Plan and Zoning By-law Amendments attached to the Monitoring Final Report, which further support improvements to garden suite implementation in Toronto. The Zoning By-law Amendments are also intended to ensure alignment between Zoning By-law 569-2013 and O. Reg. 462/24, and to provide clarity for implementation.

### *Comparing Toronto garden suites to other municipalities*

Toronto’s garden suite zoning permissions are among the most permissive in Ontario and Canada. City staff reviewed garden suite policies and regulations from several jurisdictions including municipalities in Ontario (e.g. Ottawa, Mississauga, Brampton, Hamilton, London, Vaughan, Kitchener), and elsewhere in Canada (e.g. Calgary, Edmonton, Vancouver, Victoria). While specific permissions vary, Toronto is among the most permissive for garden suites in terms of overall floor area and the absence of additional lot size requirements for two-storey garden suites. Toronto is one of the few Ontario municipalities that permit a second storey on a garden suite. The majority of municipalities do not allow two-storey garden suites. Those that do permit them, typically require additional setbacks, minimum lot area, or sloped roofs, and the Provincial regulation does not limit these restrictions.

### *Proposed Zoning By-law Amendment*

As part of the Monitoring Program, City Planning staff considered the Toronto-specific impacts of O.Reg. 462/24. This included consultation with industry and the public. The zoning by-law amendments that are part of PH23.1, propose to delete the current angular plane zoning provisions that apply to garden suites (and laneway suites). Removing these provisions will align garden suites permissions in the Zoning By-law with O. Reg. 462/24.

Second storey massing was frequently the subject of comments from residents related to privacy and overlook concerns, while industry stakeholders raised the need for

flexibility in second storey massing. Balancing concerns with two-storey massing, while ensuring flexibility in garden suite design, was a key theme raised in consultations.

Based on the findings from the monitoring program, including review of minor variance and building permit applications, consultation with industry and the public, site visits and a jurisdictional scan, PH23.1 recommends new regulations that provide two options for two-storey garden suites: an option to choose between a roof slope on the two side walls, and an option for a flat roof with an increased setback. These provisions are intended to minimize massing and privacy impacts associated with two-storey garden suites, while providing flexibility in design. This new requirement would not apply for the side of a garden suite abutting a public street.

The proposed zoning amendment requires a pair of roof slopes for garden suites with side main wall heights greater than 4.0 metres above average grade (generally, greater than one-storey). A roof would be required to have no more than 5:3 slope (5 vertical units for every 3.0 horizontal units), which aligns with the roof slope requirements for detached homes in the Residential Zone Category. The proposed roof slope requirements are more permissive than angular planes; they apply to just two sides of the structure, as chosen by the builder; they provide greater building volume and massing above the first floor; and they align with roof slope requirements in place in Zoning By-law 569-2013 for the principle dwelling on a lot.

To provide design flexibility, the proposed Zoning By-law removes the requirement for paired side 5:3 roof slopes if the required side yard setback is increased by an additional 1.5 metres for garden suites with a main wall height greater than 4.0 metres above average grade. This option enables design flexibility in second storey massing for garden suites by providing an option where no roof slopes are required if the impacts of second-storey massing on adjacent properties can be otherwise mitigated through increased setbacks. This would allow for two-storey garden suites with no sloped roofs on a variety of lots provided that the setback can be accommodated on the lot.

Based on Toronto's varied lot fabric and sizes, the proposed second storey massing requirements may result in applicants for two-storey garden suites on narrow lots choosing the sloped roof option to maximize building area. For lots 9-10 metres or wider that can accommodate larger garden suites, applicants may choose between sloped or flat roof options based on design preferences and other site considerations.

While the draft zoning amendments are primarily focused on garden suites, the amendments also address laneway suites where necessary to align permissions to O.Reg. 462/24. Staff are not recommending new requirements for two-storey laneway suites, given the distinct site context with abutting laneways, that there is more space between laneway suites and abutting rear yards than with garden suites.

#### *Alternative Recommendation for Two-Storey Garden Suites*

Report PH23.1 recommends zoning regulations that provide an option for a roof slope on the two side walls or an option for an increased setback for a two-storey garden suite with no sloped roof. Subsequent to Planning and Housing Committee's consideration of PH23.1, staff have heard concerns that the recommended zoning standards related to

sloped roofs could be deemed to constitute an angular plane. O. Reg 462/24 permits garden suites to penetrate an angular plane contained within a zoning by-law. To avoid any potential inconsistencies with the Province's Regulation and given the degree of impact of the sloped roof option, staff are recommending an alternative approach to second storey massing to remove the sloped roof requirement. This approach would mean that the following would be the regulations for the second storey of a garden suite:

- Side yard setback (varies depending on lot width, but generally 10% of the lot frontage to a maximum of 3.0 metres – e.g. 0.6 metres for a 6.0-metre wide lot, 0.8 metres for an 8.0-metre-wide lot, 1.0 metre for a 10.0 metre wide lot, etc.); windows and openings result in additional setback requirements.
- Rear yard setback (typically 1.5 metres with no openings and proposed to be increased to 3.0 metres with openings).
- Permitted maximum height (proposed to be increased from 6.0 metres to 6.3 metres).
- Minimum separation distance (7.5 metres from the main house).

Under the alternative approach, a two-storey garden suite could be built straight up to the proposed maximum 6.3 metres height provided it meets the 7.5 metres separation distance from the main house, and the minimum side and rear yard setbacks. This would result in a slightly larger built form “box” as compared to that of the same building with a sloped roof. The diagram below illustrates what the alternative approach of no additional massing requirements for the second storey would look like. This can be compared to Images 3 and 5 in [Attachment 7 to PH23.1](#).



Image 1: Aerial view of Garden Suite with no additional massing requirements for the second storey on a 10 metre by 36 metre lot.

## **CONTACT**

---

Jason Thorne, Chief Planner and Executive Director, City Planning Division  
Tel. 416-392-8772, Email: [Jason.Thorne@toronto.ca](mailto:Jason.Thorne@toronto.ca)

Kyle Knoeck, Director, Zoning and Secretary-Treasurer, Committee of Adjustment,  
City Planning Division, Tel. 416-392-0871, Email: [Kyle.Knoeck@toronto.ca](mailto:Kyle.Knoeck@toronto.ca)

## **SIGNATURE**

---

Jason Thorne  
Chief Planner and Executive Director  
City Planning Division

## **ATTACHMENTS**

---

Attachment 1: Draft Zoning By-law Amendment (Garden Suites)

Attachment 2: Draft Zoning By-law Amendment (Laneway Suites)