

Expanding Housing Options in Neighbourhoods – Garden Suites Monitoring Program – Final Report

Date: June 27, 2025

To: Planning and Housing Committee

From: Chief Planner and Executive Director, City Planning

Ward: All

SUMMARY

This 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. This report also encourages continuing City efforts to improve communications, processes, and application status tracking related to garden suites.

A “garden suite” is a detached, self-contained ancillary living accommodation permitted on properties in residential zones in Toronto. Garden suites are usually located in the rear yard of properties and are generally smaller than the main house on the lot. Unlike laneway suites, a garden suite does not abut a public laneway. With the guiding principles of both “garden” and “suite”, garden suites are intended to provide an additional form of low-rise housing and increase housing supply within *Neighbourhoods*, while maintaining the natural environment, urban forest tree canopy, and soft landscaped character in rear yards. Garden suites also provide additional housing options for a variety of household configurations and people in different stages of life, including multigenerational families, renters, and those wishing to age in place.

On February 2, 2022, City Council adopted the Expanding Housing Options in Neighbourhoods (“EHON”) EHON – Garden Suites [Final Report](#), which introduced garden suite permissions within *Neighbourhoods* city-wide. Council also directed City Planning staff to monitor the implementation of garden suite permissions and report to Planning and Housing Committee recommending any necessary revisions to policy, zoning, and other changes to improve implementation.

The Garden Suite Monitoring Program 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 this report, which further support improvements to garden suite implementation in Toronto.

The proposed Official Plan Amendment has regard for the matters of provincial interest listed in Section 2 of the *Planning Act*, is consistent with Provincial Planning Statement 2024, and meets the intent of Toronto's Official Plan. The Zoning By-law Amendment conforms with the Official Plan, as amended by the proposed Official Plan Amendment. As a priority project of the EHON initiative, garden suites contribute to Toronto's housing goals and targets, including the 2023 Housing Action Plan, and the Province's housing target of 285,000 new homes in Toronto by 2031.

RECOMMENDATIONS

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

1. City Council amend the Official Plan, as amended, substantially in accordance with the draft Official Plan Amendment appended as Attachment 1 to this report.
2. City Council amend Zoning By-law 569-2013, as amended, substantially in accordance with the draft Zoning By-law Amendments appended as Attachment 2, Attachment 8, and Attachment 9 to this report.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan and Zoning By-law Amendments as may be required.

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.

EQUITY STATEMENT

Access to safe, good quality and more affordable housing is an important determinant of physical and mental health, and a fundamental goal of the City's HousingTO 2020-2030 Action Plan (HousingTO Plan). Adequate and affordable housing within complete communities is also the cornerstone of inclusive neighbourhoods, supports the environment, and improves the socio-economic status of individuals, families, and communities as a whole. The Toronto Seniors Strategy also identifies the need to create housing to facilitate aging in place across the city as part of the HousingTO Plan.

The Toronto Official Plan recognizes the need to take necessary actions to address inequities and requires decisions on land use to be informed by equity and that the outcomes of policies and actions are monitored and measured. Recent amendments to the Official Plan – Chapter One – strengthen and broaden the equity lens applied to all City initiatives and support future projects in delivering positive and meaningful outcomes for all Torontonians. The new vision sets out actionable goals to become a

city of complete communities with equitable access to services and amenities, a sustainable and climate resilient city, and the most inclusive city in the world.

EHON is an important step towards increasing and accelerating the creation of a diverse range and mix of housing options, including opportunities for additional units across the City, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes. Broadening the types and sizes of units available in low-rise neighbourhoods makes them more accessible to a diverse range of people and needs, leading to a more equitable and inclusive community. By extension, the initiative will broaden access to parks, schools, local institutions, and small-scale stores and shops within the City's neighbourhoods.

CLIMATE STATEMENT

On October 2, 2019, City Council declared a climate emergency for the purpose of "naming, framing and deepening our commitment to protecting our economy, our ecosystems and our community from climate change" (Item MM10.3). Toronto City Council has adopted an ambitious strategy to reduce community-wide greenhouse gas emissions in Toronto to net zero by 2040 – 10 years earlier than initially proposed – and to be more resilient and adapt to the impacts that climate change will have on the City and its residents. City Council has also recently adopted a new vision through Chapter 1 of the Official Plan which seeks to achieve net zero emissions throughout the City by applying a climate change lens to all aspects of planning, and becoming resilient and adaptable to the future impacts of a changing climate.

Permitting additional opportunities for missing middle housing helps reduce greenhouse gas emissions through the efficient use of land and resources. Infill within the built-up area enables low carbon transportation choices, such as walking, cycling, and public transit. Housing built in Toronto also reduces sprawl and transportation driven greenhouse gas emissions regionally.

Infill development enables the use of existing infrastructure, which avoids carbon-intensive infrastructure built elsewhere. Smaller buildings and buildings with multiple units, such as garden suites, laneway suites, multiplex housing, and low-rise apartment buildings, can more easily achieve net zero operational emissions, as low carbon materials are readily available at this scale. These buildings are also more easily deconstructed and much of the existing material can be salvaged and reused.

The City Planning Division will continue to consider missing middle housing approaches through a climate impact lens as part of the EHON work plan.

DECISION HISTORY

Refer to Attachment 3 for Decision History details.

BACKGROUND

Expanding Housing Options in Neighbourhoods

Expanding Housing Options in Neighbourhoods (“EHON”) is a City initiative that is ongoing since 2018 to plan, permit, and facilitate more low-rise housing in residential neighbourhoods and meet the needs of a growing city. The EHON work program responds to several City and Provincial policy objectives to provide a full range of housing options for Torontonians, in a form that makes efficient use of land, infrastructure, and existing services. These low-rise housing forms, commonly referred to as the “missing middle”, can range from garden suites to low-rise walk-up apartment buildings. All these housing types can be found in Toronto today but have historically been limited in where they are allowed to be built.

Garden suites are intended to be designed and constructed as self-contained residential units in an ancillary building. The Zoning By-law does not regulate the tenure of a property. As such, a garden suite can be used as a rental or owner-occupied unit. The garden suite permissions provide opportunities for a variety of living arrangements, providing flexibility for existing homeowners looking to rent a unit to tenants, creating additional units for multigenerational living, or those looking to downsize and age in place.

Housing created through EHON can contribute towards the goals of Toronto's 2023 Housing Action Plan, which seeks to increase the supply of housing within complete, inclusive, and sustainable communities with critical infrastructure to support growth. By improving the implementation of garden suites in all residential zones across Toronto, EHON can help remove barriers to enable the creation of low-rise housing.

POLICY PLANNING AND FRAMEWORK

The [Garden Suites Final Report](#) provides a detailed overview of the policy and regulation considerations for garden suites. The subsections below provide a high-level summary of the policies and regulations that apply more specifically to the context of garden suite monitoring.

Planning Act

Section 2 of the *Planning Act* establishes matters of provincial interest to which City Council shall have regard, in carrying out its planning responsibilities. These include: the orderly development of safe and healthy communities; the adequate provision of a full range of housing, including affordable housing; the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and the appropriate location of growth and development.

Subsection 16(3) of the *Planning Act* requires Official Plans to include policies, and for Zoning By-laws to give effect to those policies, to permit additional residential units in detached, semi-detached, and rowhouses, and in buildings ancillary to those residential building types. The proposed garden suites Official Plan and Zoning By-law Amendments maintain additional residential unit permissions within an ancillary building

for all residential properties that do not abut a public lane, in accordance with the requirements of the *Planning Act*.

Provincial Planning Statement, 2024

On October 20, 2024, the Provincial Planning Statement (PPS 2024) came into effect and combined the previous Provincial Policy Statement 2020 and the Growth Plan 2019 into a single policy document. All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Planning Statement, 2024 (“PPS 2024”) and shall conform to provincial plans, including the Greenbelt Plan (2017) and others.

The PPS 2024 provides policy direction province-wide on land use planning and development and speaks to building homes while sustaining strong and competitive communities, making wise use of and managing resources, and protecting public health and safety. More specifically, the PPS includes policies that direct planning authorities to:

- provide for an appropriate range and mix of housing options and densities to meet projected requirements of current and future residents;
- promote densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and,
- support general intensification and redevelopment to support the achievement of complete communities.

Ontario Regulation 462/24: Additional Residential Units

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 Province stated that the regulation “could facilitate the creation of additional residential units, such as basement suites and garden suites, by eliminating barriers. Removing these requirements could potentially reduce or eliminate the need for rezoning or minor variances, saving time and money and helping to build more homes.”

The regulation applies to the creation of ARU in buildings located on a lot that would result in a maximum of three residential units, including the ARU. The scenarios contemplated in the regulation are:

- addition of a second residential unit in the primary building (plus one unit in an ancillary building such as a garden suite or laneway suite);
- addition of a third residential unit in the primary building (where there are no units in ancillary buildings on the lot; and
- addition of a garden suite or laneway suite (where the primary building contains no more than two residential units).

O. Reg. 462/24 includes five standards that prevail over municipal zoning by-laws where there is a conflict. Where applicable, the new standards include:

- permission to penetrate required angular planes;
- maximum lot coverage of 45 percent, and where the zoning by-law permits a lot coverage greater than 45 percent, the more permissive by-law would prevail;
- removal of floor space index (FSI) maximum;
- minimum lot area requirements for a building with an ARU cannot be more onerous than the minimum lot area for the same building without an ARU; and
- minimum building separation distance of 4 metres between the building containing an ARU and another building on the lot with a residential unit.

The Regulation came into effect on November 20, 2024. The applicability was immediate and must be read together with Zoning By-law 569-2013. The Regulation prevails where there is a conflict with the zoning by-law.

City Planning staff have considered the Toronto-specific impacts of Ontario Regulation 462/24, integration with the current city-wide zoning regulations, and implementation issues. The impacts were also considered through the garden suites and multiplex monitoring programs. The recommended zoning by-law amendment in Attachment 2 is intended to ensure alignment between Zoning By-law 569-2013 and the Regulation, and to provide clarity for implementation.

Official Plan

The new Chapter 1 of the Official Plan sets out the City's shared priorities, vision and principles of reconciliation, access, equity, and inclusion. Section 1.2 of the Plan recognizes Toronto's growth in population and jobs coupled with larger economic changes places immense pressure on housing, making it difficult for residents to find, keep, and afford their homes. Taking a human rights-based approach to housing, the Plan encourages diverse housing choices that provide a full range of housing forms, tenure, and affordability for all residents.

Toronto's Official Plan is founded on a growth management strategy which steers more significant growth and change to some parts of the city, while generally directing more gradual change to other areas. Lands designated *Neighbourhoods* in the Official Plan comprise 35.4 percent of the city's land area, are described as "stable but not static", with some physical change expected over time. *Neighbourhoods* are primarily composed of low-density residential uses in low scale building types, including detached houses, semi-detached houses, duplexes, triplexes, fourplexes, various forms of townhouses, ancillary buildings like laneway and garden suites, and apartment buildings that are no higher than four storeys, or six storeys on Major Streets. A key objective of the Plan is to ensure that new development is sensitive, gradual and fits the existing scale of *Neighbourhoods*, while also protecting and enhancing the urban forest by providing suitable growing environments for trees and increasing tree canopy coverage and diversity.

Official Plan Site and Area Specific Policy 670

On February 2, 2022, City Council adopted Official Plan Amendment 554 ([OPA 554](#)). OPA 554 amended Chapter 7 of the Official Plan and introduced Site and Area Specific

Policy 670 (SASP 670) which created permissions for garden suites within all *Neighbourhoods* across the city, subject to a range of criteria.

Zoning By-law 569-2013

The city-wide Zoning By-law 569-2013 applies to most of Toronto. As some lands are not covered by Zoning By-law 569-2013, other Zoning By-laws from former municipalities are still in effect in some areas of the City. Chapter 10 of Zoning By-law 569-2013, Residential Zone Category, implements the policies of the *Neighbourhoods* designation from the Official Plan.

In February 2022, [Zoning By-law 101-2022](#) was adopted by City Council. This amendment included new permissions for garden suites in all residential zones city-wide. The amendment includes specific use regulations for garden suites such as height, setbacks, separation distance, and landscaping to ensure a consistency of scale and fit within the existing neighbourhood context.

MONITORING PROGRAM OVERVIEW

City Planning was directed by City Council to review and recommend any necessary revisions to the policy, zoning, and/or changes to improve implementation after two years of the adoption of the Official Plan policies and Zoning By-law for garden suites, or upon the issuance of 200 building permits. This report is the outcome of the garden suites monitoring program to evaluate the effectiveness of these policies, regulations, and implementation for garden suites.

As part of the monitoring program, the City retained Gladki Planning Associates (“GPA”) to assist in reviewing garden suite implementation and facilitating consultation. GPA’s review found that garden suite permissions have enabled meaningful infill housing across Toronto, and though the existing garden suites zoning by-law is generally effective, there are opportunities to address some implementation challenges through modifications to the zoning by-law, as well as process improvements. Further details are provided throughout this report, and within GPA’s final report included as Attachment 4.

In addition to the analysis conducted by GPA, City staff conducted a detailed review of garden suite applications and performance standards, including a jurisdictional scan of garden suite permissions in other cities; a detailed review of minor variances, building permits, and tree permits; and consultation with residents, resident associations and grassroots organizations, City staff and industry professionals. The monitoring team considered topics directed by Council such as the number and location of related tree removal permit application, accessibility and affordability, and coordinated with other City work related to garden suites, which is described in greater detail in the following report sections.

The monitoring team also conducted site visits across Toronto at completed and under construction garden suites to understand the outcomes of current permissions, investigate concerns raised via consultation and to ensure any recommended changes to the By-law were well-informed. As a result of these site visits, staff identified concerns

that resulted in recommended changes discussed in the Comment section. The site visits also supported staff in the development and confirmation of zoning options.

Over the course of the monitoring program, analysis evolved to consider opportunities to improve garden suite implementation identified through consultation, and to incorporate changes to garden suite permissions made by the Province of Ontario via the passage of O. Reg. 462/24.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

As part of the garden suites monitoring program, the City retained Gladki Planning Associates to help lead consultation and public engagement. GPA assisted the monitoring team in hosting and facilitating virtual consultation meetings with both internal and external stakeholders throughout 2024 and 2025, including City staff, industry stakeholders, resident associations and grassroots organizations, and the public. Three external meetings with a total of approximately 25 industry stakeholders were held, as well as two external meetings with the public, resident associations and grassroots organizations, with approximately 85 people in attendance in total.

To facilitate and advertise consultation meetings, the monitoring team used a variety of outreach methods such as emails and newsletters, social media posts, and updates for consultation on the City Planning Consultation Webpage. Staff also attended Councillor information sessions to provide an update on the monitoring program and answer questions from Councillors and their staff. Following the issuance of O. Reg. 462/24, Staff published common questions and answers related to the O. Reg.'s application on the EHON webpage to bring awareness to the new provincial regulations and the impacts on garden suites.

Industry Stakeholders

GPA and the monitoring team hosted consultation meetings with industry stakeholders, including architects, planners, and designers with experience in garden suite development. A meeting was held in October 2024, and a follow-up meeting was held in April 2025 after the monitoring program evolved in response to the passage of O. Reg. 462/24. These meetings were facilitated to better understand the garden suite process from the applicant perspective, where the current permissions were working well, and what opportunities existed for improvement. Attendees advocated for aligning garden suite permissions with laneway suite permissions, where feasible, while noting the differences between the typologies, and providing flexibility in garden suite controls given the wide variability of lot sizes and configurations in Toronto. Attendees suggested comparing proposed zoning controls to Ontario Building Code requirements to avoid redundancies. Attendees also identified financing as a key impediment to garden suite development, which will be discussed further in the Financial Feasibility section of this report.

Resident Associations, Grassroots Organizations, and Community Consultation

In March 2025, GPA and the monitoring team hosted consultations for Resident Associations and grassroots organizations, as well as a city-wide consultation meeting to gather wider public feedback. These meetings sought to understand community experiences with garden suites in different parts of the city, highlight challenges with the current permissions based on local expertise, and understand the aspects of garden suites implementation that were working well.

Key findings included concerns with the enforcement of garden suites not being constructed according to approved building permit plans, tree removals, and approvals to increase the number of units in a garden suite. In addition, residents voiced concerns regarding the overall size and massing of garden suites and overlook privacy concerns related to two storey garden suites without second storey massing mitigation. Attendees also raised site-specific issues such as side-yard setbacks on corner lots. Consultation attendees were generally supportive of the garden suite typology provided the mitigation of the concerns raised.

General Inquiries

The garden suites monitoring team received feedback and inquiries from the public, applicants, and industry stakeholders via email and telephone throughout the duration of the monitoring program. These comments and questions contributed to the body of consultation reviewed and incorporated as part of monitoring.

For a more detailed review of all community and stakeholder engagement, including meeting note summaries, please see Attachment 5, as well as key findings and meeting summaries provided by GPA in Attachment 4.

JURISDICTIONAL AND APPLICATION REVIEW

Jurisdictional Review

GPA and City staff reviewed garden suite policies and regulations from several jurisdictions to identify best practices and opportunities for additional adjustments. Review included municipalities in Ontario (e.g. Ottawa, Mississauga, Brampton, Hamilton, London, Vaughan, Kitchener), elsewhere in Canada (e.g. Calgary, Edmonton, Vancouver, Victoria), and selected American cities (e.g. Austin, Portland, Seattle). While specific permissions vary, Toronto is among the most permissive municipalities for garden suites in terms of overall floor area and the absence of additional lot size requirements for two-storey garden suites.

As part of their analysis, GPA identified the emergence of streamlined application processes for garden suites at various municipalities, indicating those that employ pre-approved plans and/or standardized designs, and artificial intelligence-enabled compliance tools to modernize review processes. Further details are available in their final report (Attachment 4). Improvements to the garden suite review process in Toronto are further described in the Future Work section of this report.

Application Review

Building Permit Applications

The number of building permit applications for garden suites has increased each year since permissions were adopted in 2022. According to data provided by Toronto Building, the number of garden suite permits increased from 56 applications received in 2022 to 361 applications received in 2024. As of May 8, 2025, 812 garden suite building permit applications have been received with 480 permits issued (59 percent of applications received). Permit application volume indicates a growing interest from applicants in pursuing garden suite projects, and more familiarity with garden suite permissions.

GPA conducted detailed analysis of garden suite building permits as part of their final report, observing the following trends:

- Steady year-over-year growth in permit volume, combined with a reduction in review duration over time;
- Geographic distribution of applications across the city, particularly in older neighbourhoods with larger lots;
- Integration of garden suite permits with other construction projects on a lot, such as the renovation of a single detached house or construction of a multiplex; and
- A high rate of as-of-right applications, with approximately 70 percent of applications proceeding to building permit without associated minor variances as of April 2025.

GPA’s analysis of building permits included data from 2022 to April 2025, resulting in slightly lower totals than the more recent data reported by Toronto Building above. See the table below for a direct comparison.

Source	Date Range	Building Permits Received	Building Permits Issued
Toronto Building	2022 - May 2025	812	480
GPA	2022 - April 2025	748	461

GPA’s final report in Attachment 4 provides further details, including maps of garden suite building permit applications by status and detailed permit statistics by year. GPA and City staff also consulted with Toronto Buildings staff to better understand the review and application process for garden suite building permits. Staff identified some challenges with the quality and completeness of submitted application materials and spoke about the improvements underway to improve application review and processing times. Observations are described further in the meeting note summaries in both GPA’s final report in Attachment 4, and the Community and Stakeholder Engagement details in Attachment 5.

The above trends demonstrate broad and growing interest in garden suites in Toronto. The Future Work section of this report speaks to ongoing changes that can further improve the garden suite building permit application process for all participants.

Committee of Adjustment Applications

Between 2022 and August 2024, there were 233 minor variance applications associated with garden suites at the Committee of Adjustment (“CoA”). These minor variances are at various stages of the application process, including 131 approved by the CoA, 36 active or under review, 29 refused, 26, deferred by the CoA, 8 awaiting scheduling by the CoA (missing material by an applicant, additional information required, or postponing at the request of an applicant) and 2 approved by the Toronto Local Appeal Body (“TLAB”), and 1 withdrawn.

GPA conducted detailed analysis of these applications as part of their final report that was enabled by the coordinated tracking of minor variances by City Planning and Development Review staff in each district. As a result of their analysis, GPA observed trends which include:

- 233 minor variance applications were submitted for garden suites, associated with 232 unique addresses and a total of 714 requested variances to zoning by-law provisions;
- The most common variances included angular planes (prior to O. Reg. 462/24), side yard setbacks, rear yard setback, soft landscaping, and height;
- The overall approval rate for CoA applications was 80 percent, indicating general support for garden suite proposals where modest relief was sought. CoA has been unlikely to approve extreme deviations from zoning standards;
- Variances are typically modest in scale, and often converge around specific, recurring thresholds, such as a modest increase in height to accommodate typical ceiling heights. This highlights opportunities to adjust certain zoning standards to reduce the need for discretionary review; and,
- The CoA is functioning effectively to enable site-specific flexibility given lot variability and constraints while maintaining policy intent.

Attachment 4 provides further details, including maps of garden suite minor variance applications by status and location in the city. Notably, there is a greater concentration of CoA applications in older parts of the city, and parts of North York, Scarborough and Etobicoke with larger lots. Detailed application review and site visits are described further in Attachment 6.

These analyses, along with consideration of O. Reg. 462/24, supported the recommended zoning changes described later in this report. While some opportunities to change existing zoning standards were identified, there is a continuing role for the CoA to play in enabling site-specific flexibility for garden suite variances given the variability in lot sizes and configurations across Toronto.

Tree Protection and Permit Applications

Monitoring program analysis also included a review of the number and location of tree removal permit applications related to the development of garden suites. GPA conducted initial analysis of permits from 2022 to August 2024, with further analysis

conducted by Environment, Climate and Forestry on permits to the end of 2024. Environment, Climate and Forestry data indicates that 15 percent, or 88 of 568 sites have resulted in approved construction-related permits for tree impacts. Of the 568 sites, 143 included a submission of construction-related tree permit applications requesting tree injury and/or removal. This includes sites that have submitted multiple permits at one location. Of the approved applications, a total of 76 tree removals and 108 tree injuries were authorized across 88 different sites. The remaining tree permit applications still awaiting issuance are due to applications still being reviewed, revised, withdrawn, or permit refused.

GPA and the monitoring team also consulted with Environment, Climate and Forestry staff to better understand the review and application process for garden suite tree permits. Staff identified the importance of applicants considering tree protection early in the process. Observations are described further in the meeting note summaries in both GPA's final report in Attachment 4, and the Community and Stakeholder Engagement details in Attachment 5.

A constraint in reporting on tree permit applications for garden suite development is determining whether tree removal or injury is directly caused by garden suite construction, as similar impacts may result from other proposed developments such as single unit detached dwelling, multiplexes, laneway suites, ancillary structures, or landscaping. Additionally, tree impacts are noted for sites where work, such as assessing services (e.g. gas main connections), occurred, even though such impacts may be anticipated regardless of the built form. For this assessment, all construction-related tree removal and injury applications have been included, even though some tree impacts may be anticipated regardless of the specific proposed built form on site. The monitoring of garden suite related tree permit outcomes is considered a valuable proxy for tree canopy impact.

COMMENTS

Reasons for the Proposed Amendments

As a result of the consultation, analysis and findings described above, this report recommends Council adopt the amendments found in Attachment 1 and 2 to further support the effective implementation of garden suites, and to align zoning permissions with recent provincial regulatory changes. The amendments propose the following:

- An Official Plan Amendment that removes the existing policy language requiring a garden suite to have an interior floor area less than the gross floor area of the primary building on the lot to align with proposed Zoning By-law changes related to gross floor area. The existing policy that a garden suite be subordinate to the primary dwelling on the lot is maintained.
- A Zoning By-law Amendment to:
 - Introduce increased minimum rear yard setbacks related to second storey openings;
 - Introduce an averaging requirement for side yard setbacks on corner lots;

- Adjust minimum separation distance to primary dwelling and introduce flexibility based on height to align with O. Reg. 462/24;
- Remove angular plane requirements to align with O. Reg. 462/24;
- Increase maximum height to align with laneway suite permissions;
- Introduce flexible options for second storey massing, including choice of paired side roof slopes or increased setbacks;
- Update floor area provisions for garden suites from interior floor area to gross floor area to align with the gross floor area calculation for residential buildings in the Residential Zone category, and apply a maximum gross floor area for garden suites based on the number of storeys contained in the building; and
- Update lot coverage to align with O. Reg. 462/24 and remove redundant rear yard coverage provision.

Overall, the amendments would introduce a series of garden suite related amendments to reduce redundancies, improve clarity, introduce flexibility while mitigating impacts from second storey massing, and other changes which are described in greater detail in of this report. The impact of the proposed amendments is also illustrated in explanatory graphics provided in Attachment 7. The amendments would align the garden suite regulations in the Zoning By-law with O. Reg. 462/24, while mitigating some of the Toronto-specific impacts of the Provincial regulation.

Two additional Zoning By-law Amendments are included as Attachments 8 and 9, and are respectively proposed to align laneway suite and multiplex zoning permissions in By-law 569-2013 with O. Reg. 462/24. The Zoning By-law Amendment for laneway suites also includes some revisions for clarity in implementation that are consistent with what is being recommended for garden suites as a result of monitoring. These amendments would eliminate the need to read O. Reg. 462/24 together with the Zoning By-law. Further detail on these proposed Zoning By-law Amendments is provided in Attachment 10.

The proposed Official Plan Amendment is consistent with the PPS 2024 and meets the intent the Official Plan by reducing development barriers and further encouraging the construction of garden suites to help support a full range of housing across Toronto in terms of form, tenure and affordability. The proposed Zoning By-law Amendment conforms with the Official Plan, as amended by the proposed OPA, and respects and reinforces the existing physical character of *Neighbourhoods* in accordance with Section 4.1.5 of the Official Plan. Ultimately, the proposed Official Plan and Zoning By-law Amendments will help create more opportunities for equitable access to small-scale, ground-related housing that meets the needs of both current and future residents.

The proposed changes to the garden suite Zoning By-law and a supporting explanation of each change are noted below, in the order that the changes appear in the attached Zoning By-law Amendment.

Rear Yard Setbacks

- The proposed By-law Amendment introduces an increase of 1.5 metres to the minimum required rear yard setback for two-storey garden suites with openings on

the second storey such as windows, for a total rear yard setback of 3.0 metres. This increased setback would only apply to lots with a depth less than 45.0 metres.

Currently Zoning By-law 569-2013 requires a minimum 1.5 metre rear yard setback, and for lots deeper than 45.0 metres, a setback that is equal to the greater of 1.5 metres plus half of the height of the garden suite. The proposed By-law increases the rear yard setback of 1.5 metres to a total of 3.0 metres if openings such as windows are proposed on the second storey rear main wall.

With the removal of angular planes through O. Reg. 462/24, additional second storey control measures through increased rear yard setbacks are intended to minimize massing and privacy impacts associated with two-storey garden suites. Balancing privacy and overlook concerns while ensuring flexibility in garden suite design were key themes raised in consultations. The proposed minimum required rear yard setback of 1.5 metres for two-storey garden suites with openings, such as windows, is intended to provide a greater separation distance between a garden suite and an adjacent rear yard to reduce privacy and overlook issues. The proposed minimum required rear yard setback for two-storey structures also provides improved separation distance for privacy between the rear main wall of two-storey garden suites that may exist or could be constructed in the abutting rear yards. The current By-law contains specific regulations for lots with depths that are greater than 45.0 metres which are proposed to be maintained in the proposed By-law.

Corner Lots – Side Yard Setback

- The proposed Zoning By-law Amendment introduces an averaging requirement for side yard setbacks on corner lots. A garden suite would require a minimum side yard setback that is the average between the principal building's side yard setback and the front yard setback of the primary building on the abutting rear lot line.
- The Amendment also clarifies the setback requirement for corner lots containing a garden suite with a parking space and vehicle access from the street abutting the side lot line. In these cases, the required minimum side yard setback is the greater of 6.0 metres or the minimum required side yard setback outlined above.

Zoning By-law 569-2013 currently requires a minimum side yard setback for corner lots that is the greater of 1.5 metres or the minimum required side yard setback for the main residential building on the lot. Through consultation, staff heard concerns regarding the relationship between the location of a garden suite on a corner lot and the location of a residential building on the rear side lot that fronts on to the same flanking street as the garden suite. In response to these concerns, staff undertook site visits, and reviewed building permit drawings to assess examples of these conditions. Staff are proposing an amendment to require a minimum side yard setback for a garden suite on a corner lot be the average between of the front yard setback of the residential building on the abutting rear side lot and the minimum side yard setback of the principal residential building on the subject lot. Based on the existing averaging provisions for front yard setbacks in Zoning By-law 569-2013, this provision is intended to ensure that garden suites on corner lots better respond to the existing context and create an improved relationship between the garden suite on a corner lot and residential buildings on the adjacent rear lot.

For corner lots, the Zoning By-law requires a minimum side yard setback of 6.0 metres when the garden suite contains a parking space and vehicle access from the street abutting the side lot line. To create alignment with the proposed amendments to the side yard setbacks for corner lots described above, staff propose an amendment to require that the side yard setback for a garden suite with a parking space and vehicle access from the street abutting the side lot line is the greater of 6.0 metres or the minimum required side yard setback resulting from the averaging required above.

Separation Distance

- The proposed Zoning By-law Amendment revises the minimum required separation distance to the main principal building for garden suites that are 4.0 metres or less (one-storey) in height from the current 5.0 metres to 4.0 metres to align with O. Reg. 462/24.
- No changes are proposed for garden suites above 4.0 metres in height (two storeys), which require a separation distance of 7.5 metres.

The Zoning By-law currently permits a minimum separation distance for garden suites from residential buildings on the same lot that is based on the height of the garden suite: 5.0 metres for garden suites 4.0 metres in height or less (one-storey) and 7.5 metres for garden suites greater than 4.0 metres in height (two storeys). As further described in the Ward 19 section of this report, garden suites permissions as adopted by City Council in 2022 had area specific provisions in Ward 19 (Beaches-East York) permitting a separation distance of 5.0 metres for both one- and two-storey garden suites.

The proposed Zoning By-law Amendment is intended to align with the minimum separation distance of 4.0 metres introduced by O. Reg. 462/24 by providing an option for this reduced separation distance, while maintaining a minimum standard of 7.5 metres for garden suites that are over 4.0 metres in height (two storeys). Maintaining the greater separation distance of 7.5 metres for two-storey structures responds to analysis conducted by GPA and City staff, as well as discussions with industry stakeholders and the public which supported greater separation for two-storey structures to minimize massing impacts and preserve open space in the rear yard. The proposed separation distances for one- and two-storey garden suites would create a consistent approach city-wide and support the original intent of garden suites permissions to balance the need for additional housing options with maintaining consolidated areas of open space and the potential to grow new trees.

Angular Planes

- The proposed Zoning By-law Amendment removes current provisions related to angular planes, to align with O. Reg. 462/24.

The amendment proposes to delete the current angular plane zoning provisions. Removing these provisions will align garden suites permissions in the Zoning By-law with O. Reg. 462/24.

Maximum Height

- The proposed Zoning By-law Amendment increases the maximum permitted height for garden suites from 6.0 to 6.3 metres city-wide.

The Zoning By-law currently permits a maximum height of 6.0 metres for garden suites for most parts of the city, with a maximum height of up to 6.3 metres permitted in Ward 19 (Beaches-East York).

Additional height was suggested through discussions with industry stakeholders to help accommodate more common roof designs and eight-foot interior ceilings. Exploring this recommendation further, GPA conducted a detailed review of minor variance applications and identified that 63 applications sought relief to exceed the maximum permitted height. GPA's analysis found that an additional 0.3 metres in allowable height would have eliminated the need for 66 percent of the height variances that were observed between 2022 and August 2024. For more details, see the GPA report in Attachment 4.

Staff also conducted a massing exercise and found that the increase of 0.3 metres would have minimal impact on adjacent properties in conjunction with second storey massing controls discussed in the following section. The proposed maximum height of 6.3 metres is intended to provide flexibility in the design of garden suites while ensuring consistency for garden suite regulation across the city. The proposed height of 6.3 metres would also align with the height standards for laneway suites. Staff consider the additional building height as appropriate in combination with other built form measures for roof slopes, setbacks and separation distances that would apply in the review of garden suite applications.

Second Storey Massing (Maximum Height of Side Main Walls and Roof Slope Restriction)

- The proposed By-law Amendments introduce flexibility in second storey massing provisions to provide a choice of paired side roof slopes or increased setbacks for garden suites greater than 4.0 metres in height.
- For garden suites with a main wall height greater than 4.0 metres above average grade, a pair of roof slopes of no more than 5:3 slope (5 vertical units for every 3.0 horizontal units) are required along the side lot lines.
- The paired roof slopes are not required where garden suites with a main wall height greater than 4.0 metres increase the required side yard setback by 1.5 metres.
- Where garden suite side lot lines abut a street, neither the paired side roof slopes nor increased side yard setbacks described above are required.

The Zoning By-law currently requires that no part of a garden suite penetrate 45-degree angular planes on all four sides of the building. While most garden suite projects have two or more slopes, the requirements for angular plane were removed through the introduction of O. Reg. 462/24, leaving the current zoning by-law with minimal control over the second storey massing. Second storey massing was frequently the subject of comments from residents related to privacy and overlook concerns. Industry stakeholders indicated that requiring sloped roofs on all four sides of a garden suite is

restrictive in the development of the second storey, and some stakeholders agreed that a pair of sloped roofs would be more appropriate. At residential site visits, neighbouring residents generally expressed a preference for roof slopes to mitigate second storey window overlook issues, which would be less likely to exist with sloped roofs.

To address privacy concerns and ensure that the massing of the garden suites continues to respect and reinforce existing neighbourhood physical character, the proposed By-law 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.

To provide design flexibility, the proposed 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 proposed requirement is in addition to the minimum side yard setbacks required for garden suites, which range from 1.5 to 3.0 metres if there are openings such as windows in the side main walls, or from 0.6 to 3.0 metres in all other cases. This provision 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. As raised in consultation with residents and industry stakeholders, garden suites are typically highly visible to adjacent properties. The increased side yard setback of 1.5 metres is intended to minimize the privacy and overlook concerns associated with two-storey garden suites, while providing flexibility in design. Refer to Attachment 7: Explanatory Graphics for illustration.

The Zoning By-law currently does not require angular planes for the sides of a garden suite that abut a street. This provision would be carried over in the proposed Zoning By-law Amendment so that neither paired side 5:3 roof slopes nor increased 1.5 metre side yard setbacks would be required for garden suites abutting a street. The proposed By-law contains other provisions with respect to the location of a garden suite facing a public street, as described in the Corner Lot section above.

The proposed second storey massing controls respond to Toronto-specific conditions and by-law provisions: the prevalence of narrower and smaller lots, and the most permissive garden suite floor areas from the jurisdictional review of other municipalities in Canada. Other cities permit one storey garden suites or apply minimum lot size or other criteria to two-storey garden suites, while Toronto does not have such restrictions. The intent of the proposed amendments is to balance enabling the development of garden suites with mitigating the impacts to neighbouring properties.

Floor Area

- The proposed Official Plan Amendment removes policies adopted as part of the original garden suites permissions requiring that the interior floor area of garden suites be less than the gross floor area of the residential building on the lot; the

existing policy that a garden suite be subordinate to the primary dwelling on the lot is maintained.

- The proposed Zoning By-law Amendment maintains a requirement for garden suites to be subordinate to the primary dwelling on the lot but replaces the comparative measure for garden suites from interior floor area to gross floor area.
- The proposed Amendment also excludes most of the same building features as the principal building on the lot in terms of gross floor area deductions, except the area within garden suites used for parking spaces.
- Additionally, the Zoning By-law Amendment will establish a maximum gross floor area for garden suites, limiting them to 60 square metres for a one-storey building and 120 square metres for two-storey buildings.

The original garden suites Official Plan Amendment, OPA 554, amended the Official Plan to permit garden suites and established criteria to ensure that garden suites are subordinate to the main building, even in cases where no garden suites exist as part of the prevailing building stock. Through policies b)vii and e)iv, OPA 554 requires that the interior floor area of the garden suite be less than the gross floor area of the residential building on the lot, in terms of both the development of new garden suites and when an increase to the maximum permitted footprint of a garden suite is proposed through a minor variance application to the Committee of Adjustment.

The proposed OPA would remove policies b)vii and e)iv of OPA 554, while maintaining the definition of a garden suite in policy a) as subordinate to the primary dwelling. As noted, the proposed OPA maintains that garden suites are intended to be subordinate to the primary dwelling while recognizing that the primary dwelling may develop over time. The amendment to the current language in the OPA would allow reasonable flexibility for the development of a garden suite when there is an existing small house form on the lot without the need for an Official Plan Amendment.

The Zoning By-law currently requires that the interior floor area of an ancillary building containing a garden suite be less than the gross floor area of the residential building on the lot. Consultation and application review indicated that applicants experienced challenges with this provision, as interior floor area can be more difficult to calculate than gross floor area. Additionally, the interior floor area calculation for garden suites currently includes basements, parking area, and other building elements, whereas the gross floor area calculation for residential buildings excludes these features. This inconsistency was identified by applicants and staff as leading to confusion and difficulty comparing the size of a garden suite to the size of a primary dwelling. The proposed change in the floor area measure for garden suites from interior floor area to gross floor area is intended to result in greater clarity, create consistency and alignment in floor area measurements between garden suites and primary residential buildings, while still ensuring that garden suites remain subordinate to primary dwellings as originally intended. The garden suite's gross floor area is proposed to be subject to the same deductions as the principal residential building, except for areas within garden suites used for parking spaces. As a result, garden suite basements are proposed to be excluded from maximum GFA.

The Zoning By-law currently contains regulations for a maximum building footprint of 60 square metres in the lot coverage section, resulting in a maximum total floor area of 120

square metres for two-storey structures. In discussions with industry stakeholders and staff, it was also identified that the location of the building footprint regulation added to further confusion when reviewing the current By-law. To provide better clarity on the permitted total floor area for garden suites, the proposed By-law amendment introduces a maximum gross floor area for a garden suite of 120 square metres for a garden suite and a maximum 60 square metres for a one-storey building.

Through consultation, the difference between the permitted floor area of a laneway suite and garden suite was raised. Industry stakeholders suggested the use of controls similar to laneway suites which require length and width dimensions that produce a gross floor area of 80 square metres per storey. Staff note that the maximum floor areas for laneway suites and garden suites differ as a result of differences in lot size, context and setback requirements. Laneway suites are generally within an established built form context of other ancillary structures like garages, can be built to the lot lines if there are no openings, and abut a lane, which provides additional separation from neighbouring properties. Garden suites differ in that they are often surrounded by more diverse contexts and varying lot conditions, necessitating setbacks and access to the rear yard from the fronting street because they do not abut a lane. As a result, it was determined that a maximum of 120 square metres of gross floor area and a maximum of 60 square metres for a one-storey garden suite was appropriate. Using a maximum gross floor area instead of limits on building length or width can support design flexibility on the wide variety of lot sizes and configurations throughout Toronto. This approach is intended to maximize livable space for garden suites while also supporting the preservation of important site features, such as trees and space for soft landscaping.

Lot Coverage

- The proposed Zoning By-law Amendment updates the lot coverage requirements for lots containing a garden suite to align with O. Reg. 462/24 provisions and streamlines the existing Zoning permissions.
- The proposed changes will allow a lot to have up to 45 percent of the total lot area covered by all buildings and structures combined, or 20 percent of the lot covered by all ancillary buildings.
- The proposed changes will remove the provision for garden suites to have a maximum lot coverage of 40 percent of the rear yard.

The new Provincial regulation mandates that a total of 45 percent lot coverage is permitted for all buildings and structures on a lot containing two or three dwelling units. It also sets out that where an existing by-law permits more than 45 percent lot coverage, that by-law prevails.

The Zoning By-law currently permits a maximum lot coverage of 20 percent for all ancillary buildings on a lot, including a garden suite. Some lots may have additional overall lot coverage requirements, and in some cases, the combination of the maximum lot coverage requirement and the 20 percent maximum may result in a permitted lot coverage greater than the 45 percent enabled by O. Reg. 462/24.

To align with the provincial direction and apply it within the Toronto context, the updated By-law will enable property owners to choose between the two options of 20 percent lot

coverage for all ancillary buildings and 45 percent lot coverage for all buildings and structures. This dual-option approach is designed to accommodate a broader range of development proposals across various lot conditions while maintaining alignment with both municipal planning objectives and provincial policy.

The amendment removes the existing 40 percent rear yard coverage limit, which has been identified as redundant based on site statistics and trends in minor variance approval data. This regulation has not been consistently necessary in practice and is therefore being removed to provide a clearer and more streamlined approach to regulating garden suites lot coverage. Additionally, the amendment will refine how the 60 square metre size cap is applied. Rather than being included under the lot coverage provisions, this provision will now be addressed through the floor area section of the By-law to ensure a more accurate and relevant application of the restriction.

Technical Amendment – Side Yard Setback

- The proposed Zoning By-law Amendment changes a word in the current zoning provision related to side yard setbacks where there are openings in the side main walls, to be consistent with other portions of the By-law.

The Zoning By-law currently specifies that where there are openings in the side main walls of a garden suite and side lot lines don't abut a street, side yard setbacks are the greater of 1.5 metres and the amount that is 10 percent of the lot frontage, to a maximum of 3.0 metres. The proposed technical amendment changes the word "and" to "or", such that the required side yard setbacks are the greater of 1.5 metres or the amount that is 10 percent of the lot frontage, to a maximum of 3.0 metres. This change is intended to achieve consistency between this provision and the remainder of the zoning by-law.

Applying O. Reg. 462/24 Permissions to the Toronto Context

The recommended zoning amendments ensure alignment of performance standards for garden suites with O. Reg. 462/24. In addition, Attachments 8 and 9 amend By-law 569-2013 to ensure consistency with standards for laneway suites and multiplexes as it relates to the Regulation. These are included as part of this report to ensure a streamlined and timely implementation.

Because O. Reg. 462/24 applies province-wide, it was designed to apply to a maximum of three residential units, which is the minimum that all municipalities are required to permit as-of-right per lot, in accordance with Bill 23 *More Homes Built Faster Act, 2022*. The regulation does not apply where there are more than three residential units on a lot. Since the multiplex zoning by-law was adopted by Council in May 2023, a total of five units per lot have been permitted in all residential zones (fourplex plus a garden suite or laneway suite). As part of staff's review of O. Reg. 462/24 and any Toronto-specific impacts, consideration was given to whether the City should extend the permissions in the provincial regulation to up to five units on a lot to respond to the Toronto context.

There are no distinctions in the permitted zoning envelope for a duplex, triplex and fourplex. The size of the “box” is the same, while the number of units within it may change. Floor space index is already exempt for all multiplexes in Toronto, and lot coverage only applies in some parts of the city. Given that Council adopted city-wide zoning permissions for fourplexes, and that O. Reg. 462/24 does not affect performance standards such as height, setbacks or landscaped open space, staff are recommending that the zoning by-law amendments to align with O. Reg. 462/24, would apply to all permitted multiplexes, plus a garden suite or laneway suite. In most of the City, this would apply to the maximum permitted five units per lot (fourplex plus a garden suites or laneway suite), and in areas where fiveplexes and sixplexes are permitted up to seven units on the lot. This would also support simplified interpretation and implementation of the zoning by-law.

Additional Findings and Other Considerations

Garden Suites Characteristics

As a response to Council direction with the adoption of garden suite permissions in 2022, the monitoring team conducted an analysis of selected statistics related to garden suite applications such as the size of units and the number of bedrooms. Staff also analyzed the general location of garden suites and lot sizes associated with garden suites. The results of this analysis are provided below.

Location

Garden suites are generally located in rear yards, but there are some instances where they are located on corner lots or through-lots. These locations provide frontage on a street but may require alternative provisions within the Zoning By-law to appropriately buffer the garden suite from the street, while also maintaining adequate setbacks to different lot lines than that of garden suites located on an interior lot.

Lot Size and Condition

Lot sizes and conditions vary widely in neighbourhoods across Toronto. Notably, garden suite applications have been concentrated in older neighbourhoods and inner suburban areas with larger lot sizes and depth. Other lot characteristics are key considerations in potential garden suites sites, including lot shapes and conditions, including irregular or constrained lots, corner and through-lots, and lots with significant tree cover or grading challenges. The monitoring team is proposing amendments to the garden suites by-law to address issues with lot configuration, such as corner lots, more effectively.

Unit Size

Garden suite building permit applications reviewed by GPA had an average gross floor area (“GFA”) of approximately 82 square metres. Those associated with minor variance applications seeking increases to floor area had a slightly larger average GFA of approximately 86 square metres. There were 49 minor variance applications seeking increases to the floor area permissions, or 21 percent of the total 233 minor variance applications submitted to the CoA between 2022 and August of 2024.

Balancing the size of garden suites with sufficient soft landscaping in the rear yard is a key component of the garden suites program. Limiting the size of the garden suite also

maintains the original intent of garden suites being ancillary to the main house on the lot. Data has so far shown that requests for additional floor area are being accommodated on an individual basis and most applications proceed with the current standard of 60 square metres.

Number of Bedrooms

Staff have observed that the majority of garden suite applications propose units with one and two bedrooms. A limited number of units have been identified as having three bedrooms. Garden suites provide the opportunity for unit mix, with variety in the number of bedrooms proposed.

Side Yard Setbacks

Due to the variability in lot sizes and conditions across Toronto, no changes are being recommended as part of Zoning By-law Amendment for side yard setbacks beyond the specific changes related to corner lots, second storey massing, and the technical amendment related to openings for side main walls indicated above. As described in GPA's analysis, minor variances for side yard setbacks are common but vary widely as the general side yard setback zoning provision is tied to a percentage of lot frontage. Both analysis and consultation highlighted the importance of site-specific review, and the importance of setbacks in mitigating garden suite massing on adjacent properties.

City staff note that on May 12, 2025, after analysis and consultation for the garden suites monitoring program was complete, the Province introduced Bill 17, the Protect Ontario by Building Faster and Smart Act, 2025 "to speed up the construction of new homes and infrastructure by streamlining development processes and reducing costs in close partnership with municipalities". The proposed Act introduces a measure for As-of-right Variations from Setback Requirements (Minor Variances), meaning that additional flexibility for side yard setbacks may be provided as the result of this Regulation. The Bill received royal assent on June 5, 2025. A report with the City's comments on the proposed [Bill](#) was presented to the Executive Committee at its meeting on June 17, 2025. Additional flexibility for side yard setbacks may be provided as the result of this Regulation.

Soft Landscaping

Staff are not recommending changes to the definition for soft landscaping, or minimum landscaping requirements. At Planning and Housing Committee ("PHC") on May 8, 2025, City Planning and Environment, Climate and Forestry presented a Proposals Report as part of the Growing Spaces study which identified proposed Official Plan and City-wide Zoning By-law amendments for consultation in response to Council direction to report on strategies to protect and enhance the city's tree canopy while also supporting infill housing. This ongoing work has specific recommendations related to the definition and calculation of soft landscaping. The work is also being conducted with support between the various EHON initiatives and monitoring programs. Staff anticipate final recommendations on this work to PHC in the fourth quarter of 2025. More information is available via the May PHC agenda item for the Growing Spaces study. <https://secure.toronto.ca/council/agenda-item.do?item=2025.PH21.6>

In 2022, City Planning was directed to report on the feasibility of requiring that every application for a garden suite that is approved be required to provide payment for the planting of two trees within the City. The CoA may impose conditions for an additional tree planting for certain applications. As noted in the Growing Spaces report, Environment, Climate and Forestry is reviewing this condition in consideration with the four tests under the *Planning Act* that may be imposed on variance or consent applications that result in the loss of growing space for trees, including but not necessarily limited to: expansion of or addition to an existing dwelling, construction of a new secondary suite, conversion of soft landscaping to hard landscaping (e.g., driveway widening), and outdoor amenity spaces (e.g., pools and sport courts).

Stormwater Management

Concerns were raised at community and resident association consultations related to the impact of garden suite development on stormwater management. Toronto Water staff are evaluating the cumulative impacts of all residential infill projects in *Neighbourhoods*, including garden suites, on stormwater management and will report back at a later date.

Draft Plan of Condominium for Garden Suites

As per the original garden suite permissions and the recommended Official Plan and Zoning By-law Amendments, garden suites are intended to be smaller than the main house on the lot and to function as rental housing as well as accommodation for a variety of types of households. By remaining ancillary to the main dwelling, they are intended to increase the City's rental stock within *Neighbourhoods*. While the garden suites Official Plan Amendment "strongly discourages" the severance of a lot so that the garden suite is on one lot and the principal dwelling is on another, the OPA also identifies the following criteria to which a proposed division of land must conform to under Section 50, 51, or 53 of the *Planning Act*, or the registration of a declaration and description under the Condominium Act, 1998, for lots containing a garden suite, which would result in a principal dwelling and a garden suite being on two separate lots:

- the proposed lot patterns respecting and reinforcing the existing lot pattern of the established *Neighbourhood*;
- all servicing, including water, wastewater and hydro, can be accommodated to the satisfaction of, and at no expense to, the City;
- the garden suite meets all of the requirements for a principal dwelling unit on its own lot;
- solid waste can be appropriately screened and collected by the City;
- stormwater can be managed on site; and,
- it will not result in the injury or removal of a tree protected under Chapters 608, 658 or 813 of the Municipal Code, on the subject property or on adjacent properties.

Staff are not recommending any changes regulating the division of land for lots with garden suites.

Number of Units in a Garden Suite

Current garden suite permissions allow one garden suite unit per lot. GPA and the monitoring team reviewed minor variance applications associated with garden suites between 2022 and August 2024 and found that very few applications requested an additional unit within a garden suite. Given the performance standards that limit the size of garden suites to ensure they are ancillary to the main house on a lot, it is likely that a multi-unit garden suite would require other variances to accommodate more than one unit. Where multi-unit garden suites may be feasible, the minor variance process is available. Multi-unit garden suites were also raised as a concern in consultation. As a result, the monitoring program did not further explore amending this zoning standard, and no changes are proposed to the number of units permitted in a garden suite or on a lot. This recommendation is further supported by the study of expanding permitted uses described below.

Expanding Permitted Uses

In response to Council direction [in July 2024](#), staff studied the feasibility of expanding permitted residential uses in garden and laneway suites. As part of this study, staff reviewed minor variance applications seeking to permit the following uses in ancillary buildings: group homes, residential care homes, and two units in either a garden suite or a laneway suite (also known as multi-unit garden or laneway suites). This section focuses on garden suites, with more details related to laneway suites available in Attachment 11: Expanding Permitted Uses.

The review of minor variance applications related to additional residential uses in garden suites found six applications, all within Toronto and East York district. Of these, four applications were for double garden suites in a single ancillary building, and two applications were for the extension of a residential care home use into garden suites. There were no applications for extending a group home use into garden suites. Two of the four applications for double garden suite were approved, and both applications to permit the extension of a residential care home use were approved. Approval decisions were primarily influenced by unique lot characteristics, such as large or irregularly shaped lots. Due to the variability of lot conditions and limited volume of applications, Staff suggest that minor variance applications related to group homes, residential care homes, and two units within garden suites to continue to be considered by the Committee of Adjustment on a case-by-case basis.

Garden Suites on Through Lots with Narrow Streets

On October 9-10, 2024, Council further directed staff to consider a wide range of matters in their previously directed (PH14.13) review of garden suites permissions for homes on Parkmount Road that back onto Craven Road between Danforth Avenue and Hanson Street and report back to Toronto and East York Community Council with findings and recommendations. This included consideration for: conformity with provincial planning changes, appropriate setbacks for garden suites from Craven Road and impacts on other areas of the City.

As part of staff's ongoing review, other narrow streets with through lots were also examined. Staff are preparing recommendations based on the findings of the detailed review, which will be presented through additional engagement, and a report back to Toronto and East York Community Council is expected in the fall.

Garden Suite Permissions in Ward 19, Beaches-East York

The garden suites permissions adopted by City Council in 2022 included a motion to amend to staff's recommendations and include area-specific provisions for a reduced minimum separation distance and increased height permissions for garden suites in Ward 19. As the result of changes to minimum separation distance to align with O. Reg. 462/24 and other amendments related to second-storey massing that will be further described below, these area-specific provisions for Ward 19 are not recommended to be maintained in the attached Zoning By-law Amendment.

For separation distance, the existing regulations require a minimum distance of 5.0 metres for all garden suites within Ward 19, whereas the rest of the city requires a minimum separation distance of 5.0 metres for one-storey garden suites (4.0 metres or less in height) and a minimum separation distance of 7.5 metres for two-storey garden suites (over 4.0 metres in height). In consultation with industry stakeholders, it was noted that a greater separation distance was generally preferred by owners/applicants to maintain privacy and open space area between the main building and the garden suite, and to minimize massing impacts on adjacent properties. Via consultation, multiple residents in Ward 19 and other parts of the city voiced concerns with garden suite projects that had separation distances less than 7.5 metres and indicated that greater separation distance also mitigated privacy and massing concerns.

A review of minor variance application data from 2022 to August 2024 demonstrates relatively little demand for minimum separation distance variances both city-wide and in Ward 19. Across the city, there were 43 individual variances requested related to minimum separation distance of the 714 individual variances identified by GPA's report (10 percent). In Ward 19, there were 5 individual variances requested related to minimum separation distance out of a total of 83 individual variances in Ward 19 (also 10 percent). Variances to minimum separation distance were not among the top five variances requested either city-wide or in Ward 19.

In evaluating data for built projects and discussions with industry stakeholders and the public, staff recommend that the minimum 7.5 metre separation distance for garden suites over 4.0 metres in height (two storeys) be maintained city-wide and applied to Ward 19. This proposed change in Ward 19 is intended to ensure consistency in garden suite permissions across the city and reduce impacts from building massing on neighbouring properties and rear yard open space given limited demand for significantly decreased separation distances city-wide. It should be noted that staff are recommending the minimum separation distance for one-storey garden suites (4.0 metres or less in height) be reduced from 5.0 metres to 4.0 metres to align with O. Reg. 462/24. This would apply city-wide, including in Ward 19.

The Zoning By-law also adopted area-specific height permissions within the current boundaries of Ward 19 to permit an increased maximum height of 6.3 metres, compared to 6.0 metres for the rest of the city. Staff are proposing to extend the 6.3 metre height permission for garden suites across the city. This proposed change to height is intended to allow for additional ceiling heights for two-storey garden suites, reduce the number of minor variance applications associated with minor changes in permitted height, align with laneway suite permissions, and create consistency in garden suite permissions city-wide.

Monitoring to Facilitate Accessible Design Features

The current Official Plan Amendment 554 for garden suites provides a framework that provides City Planning staff direction to have additional regard for minor variance applications made under Section 45 of the *Planning Act*, where the minor variances sought in support of a garden suite are necessitated by the construction of a suite that meets accessible building standards.

Application review indicates that a mix of one- and two-storey garden suites have been developed. The development of one-storey garden suites allows for the occupants to live entirely on one level, contributing to accessible design. However, staff note that few projects include accessible garden suites, and there are no apparent variances associated solely with accessibility, based on the information in minor variance drawings. There is one instance of an accessible suite proposed in the primary dwelling on the same lot as a proposed garden suite. As the access for garden suites is typically further from the street and potentially with a greater slope, primary dwellings may be preferred for accessible units over garden suites.

Garden Suite Fire Access Requirements

The Ontario Building Code (“OBC”) requires that garden suites (like laneway suites) have acceptable emergency access, which is critical in saving lives and preventing the spread of fire.

Whereas laneway suites have two means of emergency access, through the property or via the laneway, garden suites have only a single access route, through the property adjacent to the main dwelling. The Ontario Building Code does not provide specific dimensional requirements for fire department access; however, Toronto Fire Services requires a level unobstructed exterior path for firefighters no longer than 45 metres in length, with minimum dimensions of 1.0 metre-wide by 2.1 metres-high.

In cases where it is not possible to provide the minimum width of travel for fire department access, this required width may be shared with a neighbouring property, provided the owners of both properties enter into a Limiting Distance Agreement with the City.

Staff are aware of the challenges that designers have had in meeting the fire access requirements for garden suites, which can impact the feasibility of these projects. Similar to work previously undertaken to support the design of laneway suites, Toronto

Building, in consultation with Toronto Fire Services, engaged a Building Code consultant to develop acceptable measures that may allow an increase in the maximum permitted travel distance from a Garden Suite entry to a fire apparatus on a public street up to 90 metres.

Through this Code review, Toronto Building has developed two compliance options to help simplify the design and permit processes for garden suite applicants while achieving the minimum level of fire and life safety required in the OBC. The two compliance options allow the maximum travel distance for fire department access to increase from 45 metres to 90 metres, provided that additional fire-safety measures are incorporated within the design of a garden suite to offset additional response time.

The first option applies for garden suites that are designed to be sprinklered. In this case, the minimum width of the fire access path of travel can be 0.9 metres (instead of 1.0 metre), with the incorporation of the following fire-safety measures:

- An automatic sprinkler system that is designed to specific standards by a Professional Engineer;
- A strobe light on the exterior of the building that complies with specific requirements; and
- A residential fire warning system that is designed by a Professional Engineer and inspected, tested, and maintained in accordance with applicable provisions in the Ontario Fire Code.

The second option applies for garden suites that are designed to be non-sprinklered. In this case, the minimum width of the fire access path of travel must be 1.0 metre, with the incorporation of the following fire-safety measures:

- Increased fire protection on the exterior walls, reduced openings on the exterior walls, and clad exterior building faces with non-combustible materials under certain conditions;
- A strobe light on the exterior of the building that complies with specific requirements; and,
- A residential fire warning system that is designed by a Professional Engineer and inspected, tested, and maintained in accordance with applicable provisions in the Ontario Fire Code.

Further specifications are detailed where the available limiting distances are less than 2.4 metres.

More information related to fire department access to a garden suite, including the alternative solutions summarized above and details related to Limiting Distance Agreements is available on Toronto Building's [website](#).

Certified Plans for Garden Suites

Earlier this year, Toronto Building reported to the Planning and Housing Committee on how the Division has updated its Certified Plans program to include plans for garden suites, laneway suites, houses, multiplexes, and other residential building types

including modular modes of construction. Through the Certified Plans Program, builders can avoid delays in the building permit review process and reduce unnecessary design fees and engineering costs.

The Certified Plans Program allows applicants to have a proposed building design reviewed by Toronto Building against the Ontario Building Code for the purpose of repeated use. If it is determined that the design meets Code requirements and is “certified” by Toronto Building, it can be used repeatedly by the owner of the plan with subsequent permit applications in Toronto without having to undergo a full review and resulting in time and design cost savings. Site-specific reviews such as zoning by-law reviews will still be required.

The Planning and Housing Committee also requested that Toronto Building review the Canada Mortgage and Housing Corporation's Ontario-specific permit-ready design packages for row houses, fourplexes, sixplexes, and accessory dwelling units for certification under Toronto Building's Certified Plans Program to enable these designs to be used as part of a building permit application.

Toronto Building is also monitoring the volume of permits issued through the expanded Certified Plans Program by building type and may identify opportunities to strengthen the program's effectiveness. More information related to the Certified Plans Program is available [on the City's website](#).

Affordability

EHON primarily focuses on the expansion of rental housing options in a range of formats within the city's Neighbourhoods. EHON initiatives complement other initiatives and efforts to address housing access and affordability in Toronto. While garden suites are not intended to directly create affordable rental housing, they will facilitate the development of housing options for a diverse range of households with various incomes. Households who cannot afford to purchase or rent a full single-detached home (commonly available in low-rise communities) may still be able to access a smaller unit within the same neighbourhood. Garden suites can also support intergenerational living, including aging in place or creating additional space for extended families.

Various city, provincial, and federal programs are available to support the creation of affordable housing in partnership with non-profit and private sector proponents. For example, the Rental Housing Supply Program (“RHSP”) supports EHON and other small-scale projects with 10 units or less by removing the eligibility requirement related to the minimum percentage of affordable rental homes required to receive City incentives. With this change, any garden suite that meets the RHSP program criteria for affordable rental homes (e.g. depth and duration of affordability) will be eligible for incentives including waiver of planning application fees and building permit fees, and exemption from property taxes. By meeting the RHSP affordable rents, which are aligned with the provincial definition of affordable rents under the Development Charges Act, these affordable garden suites will be exempt from paying development charges, Community Benefit Charges, and parkland dedication fees.

Financial Feasibility

An important consideration for any development form is the financial feasibility of the project. For a garden suite development project to proceed, homeowners and developers must consider multiple factors including planning and permit fees, market dynamics, construction costs and timelines, and investment risks. GPA's report notes that based on the building permit data, the average estimated construction cost for garden suites in Toronto is approximately \$260,000.00, with a median cost of \$180,000.00. However, they also note that building permit construction costs may be underreported, and industry experts indicate actual construction costs often exceed \$300,000.00 – \$400,000.00 or more depending on site-specific servicing needs.

Financial feasibility was studied as part of the [original garden suites report](#). A consistent observation between the original study and this monitoring program was that financial incentives are key to enable the development of garden suites. As part of the consultation for the garden suite monitoring program, industry professionals also noted that garden suites are expensive to build, and that financing programs or grant incentives could be helpful in making a garden suite development more financially feasible.

Garden suites, whether newly built or converted from an existing structure, are subject to various costs including development application fees (i.e. minor variance), municipal fees and charges (i.e. development charge and parkland dedication requirement), as well as education development charges imposed by the School Board. Currently, through Chapter 415 of the City of Toronto Municipal Code, there are opportunities for garden suites to be exempt from development charges and parkland levies.

Section 415-6 (A)(2) of the City of Toronto Municipal Code provides that a residential dwelling unit, including a garden suite, may be exempt from development charges if it is the second, third or fourth dwelling unit constructed on site. If an applicant applies for a fourplex and a laneway or garden suite concurrently, Development Charges will be required for each residential dwelling unit on the lot. In circumstances where the garden suite is the fifth unit, the City offers a Development Charge Deferral Program. Through an amendment to the Municipal Code adopted by City Council at its meeting of June 25-26, 2025, where a garden suite (or laneway suite) is considered the fifth unit on the parcel of land, and is the subject of a Development Charge Deferral Agreement for Ancillary Dwelling Units, it will not be included in calculating the total number of units for the purpose of the four unit exemption. This enables a fourplex with a garden suite or laneway suite on a single parcel of land to be reviewed simultaneously without Development Charges being charged across all units.

The City launched the Development Charges Deferral Program for Ancillary Secondary Dwelling Units program to encourage eligible property owners to develop secondary/ancillary dwelling units. The Development Charges Deferral Program allows for a development charge deferral for eligible property owners developing a secondary dwelling unit at the rear yard of a property. The development charges would only be collected through the creation of a new lot (via Plan of Subdivision, Plan of Condominium and Consent to Sever) within 20 years of the issuance of the building permit.

Section 415-30(A)(16) of the City of Toronto Municipal Code further exempts garden suites from parkland dedication requirements with the creation of a second, third or fourth residential dwelling unit constructed within the primary residential building and/or the creation of one residential dwelling unit constructed ancillary to the primary residential building. The parkland dedication requirement exemptions would apply provided that such exemption applies to no more than five total residential units on a single parcel of land.

As part of the city-wide Multiplex Study, Council directed staff to review planning application fees through a Development Application Fee Review, which was adopted by Council on May 22, 2025. The Development Application Fee Review report notes that City Planning will advance a Committee of Adjustment Service Delivery Model Review report to Council in Q3 2025. In conjunction with that report, staff may recommend further changes to Minor Variance and Consent application fees, as well as organizational structure, process and technology improvements that impact Minor Variance and Consent application fees.

The Federal and City programs along with Provincial legislation provide numerous targeted reductions to municipal fees and charges to support housing delivery, such as incentives for non-profit housing, and purpose-built rental housing. Affordable rental units are also potentially eligible for a variety of incentives through existing programs, such as the City's Rental Housing Supply Program, as discussed in the Affordability section above. The Canadian Mortgage and Housing Corporation (CMHC) also offers several financial incentives to support the development of small residential projects four or less units and larger projects with five or more units.

City staff will continue to examine potential financial feasibility and barriers to creating garden suites. The City is initiating a comprehensive review of development charges, related policies, and options and tools to provide incentives. As part of this review, the City will consider issues raised through recent EHON consultation, opportunities to support housing objectives, while also accounting for the City's growth-related requirements. It is critical that all orders of government work together to bring forward solutions that will effectively address financial feasibility concerns as they relate to garden suites and other housing options.

FUTURE WORK

In addition to the recommended changes to the garden suites Official Plan and Zoning By-law Amendments to further support the effective delivery of garden suites in Toronto, this report encourages continuing City efforts to improve communications, processes, and tracking related to garden suites.

Applicant Concerns

As part of the community engagement process, GPA gathered feedback from applicants with experience in garden suite projects and identified the following key concerns:

- Difficulty navigating multi-division reviews between Development Review, Environment, Climate and Forestry and Toronto Building when required;
- Length of time required for building permit and Committee of Adjustment processes, especially for applicants unfamiliar with municipal planning processes;
- Extended review timelines related to recirculation and required administrative processes of file circulation and new zoning reviews; and,
- Challenges associated with working through the tree protection and permit process, including unfamiliarity with processes and delay in approaching Environment, Climate and Forestry after detailed design have already been prepared.

Consultant Recommendations

Based on the above feedback and wider analysis conducted for the garden suites monitoring program, GPA developed process improvement recommendations for City staff. Full recommendation details are available in their final report, Attachment 4. GPA's report states that the successful implementation of garden suites depends not only on zoning performance, but also on a coordinated, accessible, and transparent review process. Drawing from their review of applicant experiences, interdivisional interviews, and jurisdictional best practices, GPA proposed the following process improvement recommendations:

- Enhance application tracking and oversight to provide applicants with a centralized dashboard and automated reminders across divisions;
- Categorize applications by complexity and create permit review streams based on the complexity and coordination required on the application;
- Public education and support tools to offer flowcharts, FAQs, and optional checklists to help applicants self-assess early;
- Improve interdepartmental coordination to standardize review and consider the feasibility of assigning case managers to complex applications; and,
- Leverage digital and automated tools to help applicants pre-screen proposals for compliance, provide pre-approved garden suite designs, and expand submission portals to include additional application tracking features.

Ongoing City Work

Work to address some of the communication, process improvement and tracking recommendations from GPA is already underway within Development Review, City Planning, Toronto Building, and Environment, Climate and Forestry.

To respond to the demand for public education and tools to further support implementation of garden suites, City staff are developing guides for those interested in developing missing middle housing. The guides are intended to support both owners and developers through the process of renovations or new construction of EHON housing. City Planning and Development Review have also facilitated internal discussions on garden suite application tracking and coordination.

The recommendations put forward by GPA related to the review of building permits for garden suites are consistent with the organizational and service delivery changes recently implemented in Toronto Building. For example, the Division has reorganized its staff, services and other resources into functional units to provide core services city-wide, rather than by Community Council districts. This means that specialized teams are looking at houses, including garden suites. The Division's new organizational structure and service changes help promote consistency and standardization as well as predictable experiences and outcomes for applicants and other stakeholders. Additional tools and technologies for garden suite applicants such as the recently expanded online permit [application portal](#) will also help to achieve efficiencies through the timely processing of applicants in a clear and transparent process.

As described within the Tree Protection section of this report, Environment, Climate and Forestry has monitored tree permits and impacts related to EHON development, including garden suites, which was reported on in May as part of the [Growing Spaces for Trees](#) study. Environment, Climate and Forestry staff are currently reviewing the City's tree by-laws for potential subject matter amendments. Public engagement and further reporting on the tree by-law review are anticipated in 2025.

The recommendations prepared by Gladki Planning Associates have been shared internally within City Planning and Development Review, and with Toronto Building and Environment, Climate and Forestry for their information. These recommendations can be used when considering future service delivery improvements related to the development of garden suites and other similar development types.

CONCLUSION

Garden suites are a priority project of the EHON initiative, and support Toronto's housing goals and targets. These targets include the 2023 Housing Action Plan, the Municipal Housing Target of 285,000 new homes in Toronto by 2031, and the City's commitment under the federal Housing Accelerator Fund to permit more low-rise, multi-unit housing development in *Neighbourhoods*. Garden suites can also specifically contribute to the persistent unmet demand for ground-related housing and larger rental units in Toronto identified by previous City Planning research.

The proposed garden suite Official Plan and Zoning By-law Amendments detailed in this report have appropriate regard for matters of Provincial interest under Section 2 of the *Planning Act*. The proposed Official Plan Amendment is consistent with the Provincial Planning Statement, 2024 and meets the intent of the Official Plan. The Zoning By-law Amendment conforms with the Official Plan. The proposed amendments align Zoning By-law 569-2013 with O. Reg. 462/24 regarding Additional Residential Units. Improving the implementation of garden suites balances the Official Plan's policy objectives to create complete communities, maintain a healthy natural heritage system, and provide diverse housing choices that supply a full range of housing in terms of form, tenure, and affordability.

The garden suites monitoring program concludes that the existing permissions for garden suites adopted by City Council in 2022 are generally working as intended, as indicated by detailed application review and growth trends in Toronto garden suite

projects. However, the extensive analysis and consultation led by City staff and retained consultants highlighted opportunities to further improve the implementation of garden suites, while aligning Zoning By-law 569-2013 with recent provincial regulatory changes. These findings form the attached recommended changes to the garden suites Official Plan and Zoning By-law Amendments. This report also supports ongoing City efforts to improve communication, processes, and tracking related to garden suites.

The guiding principles of the original garden suite study are both “garden” and “suite”. This duality reflects the importance of balancing the environmental contributions of the green space and trees in Toronto’s backyards with the potential to increase the housing supply and options available in *Neighbourhoods*. *Neighbourhoods* hold significant opportunity: they cover just over one-third of the city’s total land area and about 80 percent of the city’s residential land area. As low-rise building forms that are consistent with the existing scale in *Neighbourhoods*, garden suites can provide new forms of rental housing, multi-generational housing, and options for aging in-place that provide more Torontonians the choice of making *Neighbourhoods* home.

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ATTACHMENTS

- Attachment 1: Draft Official Plan Amendment 824
- Attachment 2: Draft Zoning By-law Amendment (Garden Suites)
- Attachment 3: Decision History
- Attachment 4: Gladki Planning Associates – Garden Suites Zoning By-Law Review and Monitoring Report
- Attachment 5: Community and Stakeholder Engagement Details
- Attachment 6: Detailed Application Review
- Attachment 7: Explanatory Graphics
- Attachment 8: Draft Zoning By-law Amendment (Laneway Suites)
- Attachment 9: Draft Zoning By-law Amendment (Multiplexes)
- Attachment 10: Explanation of Proposed Laneway Suite and Multiplex Zoning By-law Amendments
- Attachment 11: Expanding Permitted Uses in Garden and Laneway Suites