

Authority: Planning and Housing Committee Item [\*], as adopted by City of Toronto Council on [\*]

**CITY OF TORONTO**

**BY-LAW [\*]**

**To adopt Amendment [\*] to the Official Plan for the City of Toronto respecting Garden Suites in Neighbourhoods.**

Whereas authority is given to Council under the Planning Act, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto enacts:

1. The attached Amendment [\*] to the Official Plan is adopted pursuant to the Planning Act, as amended.

Enacted and passed on [\*].

Frances Nunziata,  
Speaker

(Seal of the City)

John Elvidge,  
City Clerk

**AMENDMENT [\*] TO THE OFFICIAL PLAN**

**GARDEN SUITES IN NEIGHBOURHOODS**

The Official Plan of the City of Toronto is amended as follows:

1. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. [\*] for all lands designated *Neighbourhoods*, as follows:

**"[\*]. Garden Suites in *Neighbourhoods*.**

Garden Suites are permitted in *Neighbourhoods*, subject to the following:

- a) For the purposes of this Site and Area Specific Policy, a "Garden Suite" is defined as a self-contained residential unit, subordinate to a primary dwelling, in which both kitchen and bathroom facilities are provided and located on a lot within an ancillary building that is not adjacent to a public laneway.
- b) Development of Garden Suites:
  - i. will ensure direct and safe access by meeting fire and emergency service requirements;
  - ii. will limit privacy and overlook issues on adjacent properties;
  - iii. will maintain the majority of the rear yard as open space, and maximize contiguous soft landscaping that is supportive of tree planting;
  - iv. should not result in the injury or removal of a healthy tree protected under Municipal Code Chapters 608, 658, and 813 on the subject property and adjacent properties;
  - v. is encouraged to include accessible design features; and
  - vi. is encouraged to include sustainable building technologies such as green roof areas, solar panels, fossil fuel-free heating systems, and low carbon building materials.
- c) A lot with a Garden Suite is not required to provide parking for the Garden Suite.
- d) Where an application is made under Section 45 of the Planning Act, as amended in relation to the construction of a Garden Suite that does not conform to the applicable zoning standards, such application shall be generally consistent with policy b) above, and one or more of the following:
  - i. the construction of a Garden Suite that meets accessible building standards;

- ii. the construction of a Garden Suite that meets Tier 2 or higher of the Low-Rise Residential Toronto Green Standards;
  - iii. accommodating the Garden Suite within an existing ancillary building;  
and
  - iv. the location, massing and design of the Garden Suite to preserve existing trees protected under Municipal Code Chapters 608, 658, and 813, in the rear yard of the subject property and abutting properties.
- e) An increase to the maximum permitted footprint of a Garden Suite may be permitted where an application is made under Section 45 of the *Planning Act*, as amended, in support of the construction of a Garden Suite that is consistent with policy b) above, and the following:
- i. It is demonstrated that the privacy of the adjacent properties is maintained;
  - ii. The majority of the rear yard is maintained as open space, and soft landscaping is maximized;
  - iii. The location, massing and design of the Garden Suite preserves existing trees protected under Municipal Code Chapter 608, 658 and Chapter 813, in the rear yard of the subject property and abutting properties; and
  - iv. The interior floor area of the Garden Suite must be less than the gross floor area of the residential building on the lot.
- f) The division of land under Section 50, 51, or 53 of the *Planning Act*, as amended or the registration of a declaration and description under the *Condominium Act, 1998*, as amended, for lots containing a Garden Suite which would result in a principal dwelling and a Garden Suite being on two separate lots is strongly discouraged.
- g) Notwithstanding (f), if an application is made for the division of land under Section 50, 51, or 53 of the *Planning Act*, as amended, or the registration of a declaration and description under the *Condominium Act, 1998*, as amended, for lots containing a Garden Suite which would result in a principal dwelling and a Garden Suite being on two separate lots, such application may only be considered through the submission of a corresponding Zoning By-law Amendment application, and where it is demonstrated that:
- i. the proposed lot pattern respects and reinforces the existing lot pattern of the established *Neighbourhood*;
  - ii. all servicing, including water, wastewater and hydro, can be accommodated to the satisfaction of, and at no expense to the City;

- iii. the Garden Suite meets all of the requirements for a principal dwelling unit on its own lot;
  - iv. solid waste can be appropriately screened and appropriately collected by the City; and
  - v. stormwater management is maintained on site.
  - vi. should not result in the injury or removal of a tree protected under Municipal Code Chapters 608, 658, and 813, in the rear yard of the subject property and abutting properties.
- h) Where this is a conflict between this Site and Area Specific Policy 546 and either a Secondary Plan or another Site and Area Specific Policy in Chapter 7, the respective Secondary Plan or other Site and Area Specific Policy in Chapter 7 will prevail.
2. Maps 24 to 34 inclusive, Site and Area Specific Policies (Key Maps) are amended by adding the following Note:

"See Site and Area Specific Policy [\*] regarding garden suite permissions for lots not adjacent to a public laneway and designated as *Neighbourhoods*."

3. **[Sidebar in Chapter 3 on 3-29]** is amended to read:

*Second units are self-contained residential units subordinate to a primary dwelling, in which both kitchen and bathroom facilities are provided. Second units may also be referred to as a secondary suite, basement apartment, accessory apartment, coach house laneway suite **or garden suite**. Second units within ancillary buildings will have regard for matters such as: ensuring compatible height, massing and scale; maintaining adequate privacy, sunlight and sky views; **preserving trees and soft landscaping**, and providing direct and safe access to meet fire and emergency service requirements.*