

## **Expanding Housing Options in Neighbourhoods: Multiplex Study - Final Report**

**Date:** April 13, 2023

**To:** Planning and Housing Committee

**From:** Chief Planner and Executive Director, City Planning

**Wards:** All

### **SUMMARY**

Toronto is a dynamic, growing city which continues to attract newcomers, with at least 700,000 new Torontonians expected by 2051. Both current and future residents will need homes and to accommodate the diversity of household sizes and compositions across the city, Toronto needs a diverse range of housing options. In recent years, the city's housing growth has largely been in mid- and high-rise apartment buildings concentrated in densely populated areas like the Downtown, Centres, and Avenues, while the supply of low-rise housing, such as multiplexes, has not kept up with demand. Toronto's low-rise *Neighbourhoods* are changing, but much of this change has come through expanding and rebuilding single-detached homes with some addition of secondary suites. Permissions for multiplex housing can allow *Neighbourhoods* to add more new low-rise housing at a scale similar to the existing context.

In Toronto, multiplexes are defined as a low-rise form of housing with two, three, or four units in a single building. This type of housing can support climate goals by reducing emissions through neighbourhoods that allow people to walk, bike, or take transit; allowing for less carbon-intensive construction; and helping to protect the regional greenspace system by better using urbanized land. It provides a housing option that can fit the needs of families, large households, and people who would prefer living in ground-related housing. It can also provide units for people to age in place in their neighbourhoods, to create housing for a family member, or to create additional units to help contribute to mortgage costs. With as-of-right zoning permissions, this type of housing can be delivered relatively quickly as owners will only be required to obtain a building permit rather than official plan or zoning by-law approvals. Once enabled, it will remain the choice of the individual property owner whether to exercise these permissions.

To remove barriers and enable the creation of the supply of low-rise housing, this report proposes an Official Plan Amendment to permit duplexes, triplexes, and fourplexes in residential areas across the city and a Zoning By-law Amendment to implement these permissions as-of-right in all residential zones across Toronto. This initiative is one component 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. It is in keeping with the [draft Official Plan vision](#) to eliminate disparities, prioritize climate action, and to become the world's most inclusive city.

Expanded multiplex permissions will enable new low-rise options for Torontonians in *Neighbourhoods* throughout the city, to suit the diverse needs and locational preferences of its growing population. New residents in our low-rise neighbourhoods can help stabilize declining populations, make better use of existing infrastructure, and support local retail establishments and services. While most multiplex units are anticipated to be delivered as market rental housing, they will provide ground-related alternatives to add to the range of Toronto's low-rise, mid-rise and tower housing types.

## **RECOMMENDATIONS**

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

1. City Council amend the Official Plan substantially in accordance with the proposed Official Plan Amendment 649 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 Amendment appended as Attachment 2 to this report.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the proposed Official Plan Amendment and Draft Zoning By-law Amendment as may be required.
4. City Council direct the Chief Planner and Executive Director, City Planning to monitor the implementation and effectiveness of Official Plan Amendment 649 and the Zoning By-law Amendment in facilitating multiplex development, and to report to the Planning and Housing Committee in Q1 2026 on monitoring outcomes and to recommend any necessary revisions to the official plan policy, zoning by-law, or other changes to improve implementation and facilitate multiplex construction.
5. City Council direct the General Manager, Parks, Forestry, and Recreation to refuse, at the General Manager's discretion, a permit to injure or destroy a tree protected under Municipal Code Chapters 608, 658, or 813, received in relation to a building permit application to construct or expand a multiplex building type, and to advise the applicant to meet with City Planning and Urban Forestry staff as appropriate to consider how the location, massing and design of the proposed building or expansion can be amended to protect the By-law protected tree in question.
6. City Council request the Chief Planner and Executive Director, City Planning, as part of the 2023 Development Application Fee Review, to review and consider amendments to planning application fee categories under the City of Toronto Municipal Code, Chapter 441, Fees and Charges, Appendix C, Schedule 13, to facilitate multiplex development.

## **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 financial implications.

## **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, which was developed after the Government of Canada recognized that the right to adequate housing is a fundamental right affirmed in international law. Adequate and more affordable housing 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 identifies the need to create housing to facilitate aging in place across the city as part of the HousingTO Action Plan.

As Toronto rebuilds and recovers from COVID-19, the Expanding Housing Options in Neighbourhoods initiative can directly advance recommendations laid out in the Towards Recovery and Building a Renewed Toronto report. Specifically, Recommendation 68 of the report calls on the City to apply the principle of “build back better” to land use planning and improve the city's overall built form by prioritizing gentle density that places greater emphasis on a mix of building types and uses – including low-rise residential, retail and services – and that supports transit use.

Expanding housing options in neighbourhoods is an important step towards increasing and accelerating the creation of a diverse range and mix of housing options, including additional units and more affordable housing, 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 need, leading to a more equitable and inclusive community. By extension, the initiative will broaden access to parks, schools, local institutions and small-scale stores within the city's neighborhoods.

## **CLIMATE IMPACT**

In 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](#)). This was followed up more with the adoption of TransformTO Net Zero Strategy, which includes targets to achieve net-zero emissions in Toronto by 2040 ([Item IE26.16](#)).

The Provincial Growth Plan supports intensification and building "compact and complete communities" as a strategy to help reduce greenhouse gas emissions and plan more adaptive communities that are resilient to the impacts of climate change. Expanding permissions for multiplexes is an important intensification strategy that promotes a more efficient use of land and resources. Density within built up areas supports low carbon transportation choices, such as walking, cycling, and public transit. Intensification in Toronto also reduces the need for sprawl to accommodate our housing need in the region, helping to protect agricultural lands, water resources and natural areas. Increasing density in built up areas maximizes the use of existing infrastructure, which avoids carbon-intensive infrastructure built elsewhere.

Smaller forms of infill building types, such as multiplexes and low-rise apartments can be designed to achieve net zero operational emissions, and 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. City Planning will continue to consider expanding the full range of housing options in low-rise neighbourhoods using a climate impact lens.

## **DECISION HISTORY**

On July 23, 2018, City Council adopted Official Plan Amendment (OPA) 418 to encourage the creation of second units to increase the supply and availability of rental housing within neighbourhoods across the city.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG31.4>

On July 16, 2019, City Council adopted the Official Plan and Zoning By-law amendments permitting Laneway Suites in R, RD, RS, RT and RM zones under Zoning By-law 569-2013 across the city, excepting the residential zones in the Ramsden Park, Asquith-Collier, and Yorkville neighbourhoods.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH7.1>

On July 28, 2020, City Council endorsed the Expanding Housing Options in Neighbourhoods (EHON) Work Plan Report and endorsed City Planning proceeding with several priority initiatives in 2020-2021, including developing permissions for new types of accessory housing such as Garden Suites.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PH15.6>

On January 19, 2021, Planning and Housing Committee endorsed the Expanding Housing Options in Neighbourhoods – Beaches-East York Pilot Project report and requested City planning to work on the design and construction of projects as part of the Beaches-East York Pilot Project.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.PH20.3>

On November 25, 2021, Planning and Housing Committee directed City Planning to undertake further community and stakeholder consultation and technical review of the ideas for consultation to facilitate expanded permissions for multiplex building types in

Neighbourhoods, and report back with recommended policy, zoning and process changes by the end of the second quarter of 2022.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.PH29.9>

At the same meeting, Planning and Housing Committee adopted Zoning By-law Amendments recommended through the Laneway Suites Monitoring Program and adopted a suite of motions pertaining to the City's tree canopy and growing space.

<https://secure.toronto.ca/council/agenda-item.do?item=2021.PH29.2>

On December 15, 2021, City Council adopted revised parking requirements for new development in Toronto which eliminated minimum parking requirements for multiplex housing, among other housing types.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.PH29.3>

On February 2, 2022, City Council adopted amendments to the Official Plan and Zoning By-law to permit Garden Suites in Neighbourhoods citywide.

<https://secure.toronto.ca/council/agenda-item.do?item=2022.PH30.2>

On February 15, 2022, Planning and Housing Committee endorsed the Expanding Housing Options in Neighbourhoods – Update Report as the basis for ongoing public consultation.

<https://secure.toronto.ca/council/agenda-item.do?item=2022.PH31.6>

On May 11 and 12, 2022, City Council adopted Member Motion 43.23 requesting staff to report to Planning and Housing Committee on a strategy to support the conversion of single-unit residences into multiple units, through such measures as eliminating the Condominium application fee, introducing a loan program and standardizing the permit framework.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.MM43.23>

On July 5, 2022, Planning and Housing Committee received the Multiplex Study: Proposals Report and directed staff to continue consultation on the draft Official Plan Amendment and proposed zoning by-law directions, including residents' associations, industry, technical divisions, and other stakeholders, including Ward 15 residents and stakeholders, and report back with proposed amendments by the first quarter of 2023.

<https://secure.toronto.ca/council/agenda-item.do?item=2022.PH35.3>

On March 21, 2023, Executive Committee received the Housing Action Plan 2022-26: Priorities and Work Plan Report, including the EHON Multiplex study, and directed staff to report annually on its implementation.

<https://secure.toronto.ca/council/agenda-item.do?item=2023.EX3.1>

## **BACKGROUND**

This study on expanding multiplex housing permissions is one component of the broader Expanding Housing Options in Neighbourhoods (EHON) work program. The EHON initiative responds to several City and Provincial policy objectives to provide a full range of housing options to Torontonians, in a form that makes efficient use of land,

infrastructure, and existing services. These low-rise housing forms are generally compatible with the Official Plan's objective that physical change to *Neighbourhoods* will be sensitive, gradual, and fit the existing context.

The July 2022 Proposals Report presented an initial draft Official Plan Amendment to permit duplexes, triplexes, and fourplexes in residential areas across the city as well as draft zoning directions to implement the policy changes. Since that time, staff have refined the proposal after undertaking additional design research, stakeholder consultation and discussion with Toronto Building to ensure that the zoning parameters are workable.

On February 9, 2023, City Planning staff released a revised draft Official Plan Amendment and a draft Zoning By-law Amendment on the City's website. Members of the public were invited to submit comments via e-mail, attend a virtual public consultation, and complete a survey about the amendments. Input received during this final consultation period has informed staff recommendations and revisions to the amendments, attached to this report.

## **2023 Housing Action Plan**

The Housing Action Plan (HAP) priorities for the 2022-2026 term of Council includes targeted timelines for the approval and implementation of a wide range of actions, policies and programs to increase the supply of housing within complete, inclusive and sustainable communities with the critical infrastructure to support growth. The HAP actions focus on: removing policy and zoning barriers to building housing; leveraging public lands to increase housing supply; preserving existing rental homes; supporting the development of a range of purpose-built rental homes (including market and non-market) through new and strengthened housing policies and programs; and supporting the community sector (including non-profit and co-op housing providers) to modernize and grow their stock.

The Multiplex policy and zoning changes comprise one of the 54 actions that form the Housing Action Plan for the 2022-2026 term of Council, which was [approved by Council](#) in December 2022. It is identified in the Housing Action Plan [Work Plan](#) and will support the City's goal of accelerating the supply of housing within complete, inclusive and sustainable communities, by removing policy and zoning barriers to building housing. The new homes enabled by this strategy will contribute to the provincial housing target of 285,000 new homes in Toronto by 2031, and increase opportunities for ground-related homes across the city.

## **RECOMMENDED PROPOSAL**

In brief, this report recommends amendments to the Toronto's Official Plan and city-wide Zoning By-law to permit a residential building containing up to four units, on any residential lot across the city.

The proposed **Official Plan Amendment** (OPA) contains policies that enable multiplexes – defined as duplexes, triplexes and fourplexes – to be permitted throughout the lands designated as *Neighbourhoods*, the city's low-rise residential areas. It exempts multiplexes from certain policies contained in Section 4.1 - *Neighbourhoods* of the Official Plan, to clarify that multiplex building types are among those that contribute to their physically stable, low-rise scale across the city.

The proposed policies retain some, and introduce new criteria for the development of multiplexes in *Neighbourhoods*, to ensure they maintain the general development pattern and physical features of the area; to encourage safe, accessible and livable units; and to encourage green and sustainable building practices as well as expanding the tree canopy. The OPA includes policy language that underscores the need for multiplex building types to accommodate more ground-related units, with some alternative standards but within the same general scale of the local area. The OPA also enables the consideration of zoning variances where they are needed to achieve sustainable design and/or tree preservation.

Finally, the OPA amends non-policy text, specifically by: deleting sidebar language that speaks to "prevailing building types" where the zoning by-law permits only single detached homes; and adding new sidebar text that describes "large units" intended for larger households as referred to in the multiplex development criteria.

The key change introduced through the proposed **Zoning By-law Amendment** (ZBLA) is to permit duplex, triplex and fourplex building types where they are not currently permitted: within the RD (Residential Detached), RS (Residential Semi-Detached) and RT (Residential Townhouse) zones. Many of the zoning regulations and built form standards that apply to each geographic neighbourhood – including building setbacks, landscaped open space and lot coverage - would apply to multiplex building types. Where multiplexes are currently permitted, in the R (Residential) and RM (Residential Multiple) zones, some standards would be harmonized across all building types, such as building depth, side yard setbacks and lot frontage.

The proposed ZBLA would also change certain zoning standards to improve the feasibility of multiplex construction at this scale, simplifying the approval process by reducing the number of variances required. Multiplexes are proposed to be exempt from maximum Floor Space Index regulations, to allow these building types to achieve the full permitted volume to house additional units. While many residential neighbourhoods already permit up to 13 metres in height, in areas that have a maximum height limit of less than 10 metres, multiplexes will be permitted up to 10 metres in height to enable the construction of a third storey. Multiplex building depth would be permitted up to 19 metres, on lots that meet specific size requirements – with the majority of these also regulated by maximum lot coverage standards that control the building footprint.

More detailed discussion of these proposed policy and zoning recommendations are provided in this report.



## **POLICY AND PLANNING FRAMEWORK**

### **Planning Act**

Section 2 of the *Planning Act* establishes matters of provincial interest to which City Council shall have regard, in carrying out its responsibilities, including: 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.

In November 2022, the *Planning Act* was amended by [Bill 23, the \*More Homes Built Faster Act\*](#). Bill 23 builds on previous 'second unit' and 'additional residential unit' requirements of Bill 108 by further requiring that municipalities allow, through Official Plan policies and Zoning By-law permissions, the use of a minimum of three residential units on any lot. This includes units located in a detached house, semi-detached house and rowhouses, and in a building or structure ancillary to those residential building types. The Act also states that any policy or by-law that has the effect of prohibiting fewer than three units in one building on a lot are of no effect. The Official Plan and zoning permissions for residential units to give effect to these requirements are not appealable, except by the Minister of Municipal Affairs.

In plain language, the *More Homes Built Faster Act* authorizes duplexes and triplexes citywide. Staff are advancing the proposed amendments to remove confusion and misinterpretation over what is permitted, to implement the minimum requirements of the *Planning Act* and to clarify the appropriate performance standards for duplexes, triplexes, and fourplexes citywide. Put simply, Staff are recommending up to four units per lot, one more than the Province has already permitted through Bill 23.

### **Provincial Policy Statement, 2020 (“PPS”)**

The PPS provides policy direction province-wide on land use planning and development to promote strong healthy communities, wise use and management of resources, and the protection of public health and safety. The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS.

The PPS includes policies on key issues affecting communities, such as:

- managing and directing land use to achieve efficient and resilient development and land use patterns;
- providing for an appropriate range and mix of housing options and densities to meet projected requirements of current and future residents;
- planning public spaces, recreation, parks, trails and open space to promote healthy, active communities;
- providing infrastructure and public service facilities in an efficient manner that prepares for climate change impacts and projected needs;
- supporting long-term economic prosperity; and



- supporting energy conservation, air quality improvements, reduced greenhouse gas emissions and preparation for climate change impacts.

The PPS came into effect on May 1, 2020 and includes enhanced policy direction intended to encourage an increase in the mix and supply of housing; as well as the new term ‘housing options’ which specifically includes multiplexes, in addition to other forms of housing. PPS Policy 1.4.3 b) directs planning authorities to permit and facilitate all housing options to meet the needs of current and future residents.

Other policies relating to new housing and residential intensification include: Policy 1.4.3 d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and f) establishing development standards for residential intensification which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)")**

The Growth Plan (2020) came into effect on August 28, 2020. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City of Toronto forms an integral part.

Among the policies and objectives of the Growth Plan (2020) are:

- directing municipalities to make more efficient use of land, resources, and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process; and
- achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work.

The Growth Plan (2020) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. In accordance with Section 3 of the *Planning Act* all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform to the Growth Plan (2020).

### **City of Toronto Official Plan**

The City’s Official Plan (2006) is founded on a growth management strategy which steers growth and change to some parts of the city, while generally protecting others

from more significant change. *Mixed Use Areas, Regeneration Areas, Employment Areas* and *Institutional Areas* absorb most of the anticipated increase in jobs and population. *Neighbourhoods*, which comprise 35.4% of the city's land area, are described as "stable but not static", with some physical change expected over time. Housing policies in Section 3.2 of the Official Plan state that "a full range of housing, in terms of form, tenure and affordability, across the City and within neighbourhoods, will be provided and maintained to meet the current and future needs of residents."

A key objective of the Plan is that new development be sensitive, gradual and "fit" the existing physical character to respect and reinforce the general physical patterns in *Neighbourhoods*. The Official Plan describes *Neighbourhoods* as primarily made up of low-density residential uses in low scale building types, including detached houses, semi-detached houses, duplexes, triplexes and various forms of townhouses, as well as interspersed apartments that are no higher than four storeys. Policy 4.1.5 further specifies that proposed development within *Neighbourhoods* will be materially consistent with the prevailing physical character of properties in both the broader and immediate contexts.

In 2015, Council adopted revised policies related to the *Neighbourhoods* and *Apartment Neighbourhoods* designations through Official Plan Amendment 320 (OPA 320), approved by the (then) LPAT in 2018. Modified policies related to *Neighbourhoods* in OPA 320 require development proposals to respect and reinforce the existing physical character of each geographic neighbourhood, with reference to characteristics including prevailing heights, massing, scale, densities, and dwelling types of nearby residential properties.

### **City-wide Zoning By-law 569-2013**

On May 9, 2013, City Council enacted city-wide Zoning By-law 569-2013. The purpose of the new city-wide zoning by-law was to harmonize 43 former municipal by-laws from the pre-amalgamated City into one zoning by-law. The city-wide zoning by-law comprehensively regulates all land uses, buildings and structures and applies to most of the City of Toronto. As some lands are not covered by Zoning By-law 569-2013 the comprehensive zoning by-laws from former municipalities remain in effect on some lands in the City. A final order issued by the Ontario Land Tribunal on November 30, 2022 concluded outstanding appeals to the regulations in the by-law's Residential Zone Category.

Chapter 10 of the city-wide Zoning By-law applies to all lands, uses, buildings and structures in the Residential Zone category. The Residential Zone category permits uses generally associated with the *Neighbourhoods* designation in the Official Plan. This zone category includes a range of residential zones including the Residential (R) Zone, Residential Detached (RD) Zone, Residential Semi-Detached (RS) Zone, Residential Townhouse (RT) Zone, and the Residential Multiple (RM) Zone. However, duplexes, triplexes and fourplexes are only permitted in the R and RM zone and many zoning performance standards make it difficult to permit a multiplex without an amendment to the zoning by-law.

## STUDY INPUTS

### Precedent Cities Research

As noted in previous reports, the ongoing review and monitoring of “missing middle” initiatives in other jurisdictions has informed and contributed to shaping a made-in-Toronto approach to expanding multiplex permissions in the city’s *Neighbourhoods*. Staff considered a variety of models across North America, including a focus on Ontario municipalities working within the same Provincial planning framework.

The City of Vancouver is currently undertaking public engagement on a proposal to permit multiplexes with up to six units per lot throughout its low-density neighbourhoods. This will be coupled with a review of its current zoning regulations and permitting process, an initiative emerging from the recently adopted Vancouver Plan (2022).

Similarly, in January 2023, the City of Victoria approved new zoning regulations to allow up to six homes on most average residential lots. These regulations also include permissions for townhouses on corner lots and include provisions providing for density bonusing where affordable units are secured or heritage buildings retained. It is important to note that the lot patterns and sizes in Victoria potentially enable a higher unit count than the typical lot in Toronto. In addition, differences in the planning system in British Columbia allow for approvals to be conditional on the securing of specific amenities or community benefits (e.g., affordable units).

The City of Hamilton approved by-laws to expand permitted building types in its Low Density Residential Zones, as well as to permit the conversion of an existing detached dwelling or duplex to accommodate up to four units. Hamilton’s Official Plan permits fourplexes and multiple dwellings of up to six units for lots near collector or arterial roads. The City is also developing Infill Design Guidelines to inform new zoning regulations and guide denser housing forms in neighbourhoods. The City of Ottawa has developed draft Urban Design Guidelines for Low-rise Infill Housing to guide the built form of low-rise residential buildings up to and including four full storeys, in a range of types including duplexes, triplexes, townhouses, stacked townhouses and low-rise apartments of four units or more. The guidelines are intended to align with new Official Plan policies to direct form-based regulation and allow for missing middle housing types in residential neighbourhoods.

### Housing Supply of Ground-Related Units

City Planning’s May 2021 [Right-Sizing Housing and Generational Turnover](#) bulletin examined housing suitability, right-sizing, turnover, and downsizing in Toronto. The report identified that the City is not projected to meet the need for ground-related housing or units with three or more bedrooms. Multiplexes can help to fill that gap in the housing supply. The report also identified that over 400,000 households in Toronto which are, for a variety of reasons, occupying housing with a surplus of bedrooms compared to the size of the household. Though some of this overhousing is voluntary, it could indicate that there are opportunities for adding units in homes -- essentially

converting unused space to create self-contained units -- while still providing adequate space for the existing households living there. Expanding permissions for multiplex housing would allow homeowners the flexibility to modify their homes as their household changed, such as if children moved out, if aging parents needed a place to live, or if the homeowner wanted to create another unit to help pay the mortgage. The creation of more multiplexes could also help to alleviate conditions for the 135,000 Toronto households which are underhoused, meaning that they have fewer bedrooms than required for a household of their size and composition.

To allow households the flexibility to adapt their homes to their individual needs, it is important to permit multiplexes broadly across all *Neighbourhoods* in Toronto. Harmonized permissions across the city allows the ability to adapt to a changing population and provide opportunities to increase the supply of much-needed larger units and purpose-built rental units over the long term. While zoning cannot regulate tenure, the development of appropriate built form standards can guide growth in *Neighbourhoods* in a way that balances owner-occupier, neighbour, and development interests.

### **Case Study Areas**

Toronto comprises a wide variety of neighbourhoods representing different ages of development, lot patterns, building types, mobility opportunities and access to amenities. The Multiplex team considered this diversity in its development of an approach to expanding multiplex options in neighbourhoods city-wide. The team selected six case study areas across the city to help identify challenges and opportunities for constructing multiplex dwellings in Toronto's varied neighbourhoods: Ionview, Lawrence, Ossington, Pearldale, Royal York, and Woodbine. These represent areas within the former City of Toronto where multiplexes already exist, as well as relatively newer neighbourhoods in Scarborough, North York, and Etobicoke that have largely single-unit homes in a more suburban context than those in the former City of Toronto.

This research assisted in identifying typical lot sizes and building types which can be found throughout the city, as a basis for design testing for multiplexes in these contexts. Staff worked with a range of lot widths – 5.5m, 7.0m, 10.0m and 16.0m - and a common lot depth of 36.0 metres to advance design testing of potential zoning changes.

### **University of Toronto School of Cities Design Studies**

In the fall of 2022, the Multiplex team collaborated with the University of Toronto School of Cities/Daniels Faculty of Architecture "ReHousing the Yellowbelt" project to explore detailed design alternatives for multiplexes, identify zoning barriers, and evaluate emerging zoning standards. City staff selected case studies from the School of Cities' catalogue of common house types found in Toronto, which can be found at <https://rehousing.ca/>. The ReHousing team developed architectural plans for these multiplex case studies, demonstrating optimized interior layouts including family-sized units within existing building types and generally following current zoning regulations.

Toronto Building staff performed a full review of these plans, to provide insight into how the scenarios would meet the City's zoning standards and Ontario Building Code. Their analysis showed the designs to be largely compliant, but did identify that in addition to harmonized standards, multiplex designs might require zoning variances from current performance standards to optimize feasibility and the liveability of units. Examples include:

- In some cases, while the design met applicable regulations for single-detached dwellings, they exceeded the maximum existing regulations for a triplex or fourplex, e.g. side setbacks and building depth;
- Designs triggered a variance for maximum number of storeys, despite compliance with the maximum height limit;
- Designs with more than one deck or balcony at or above the second storey of the building, and greater than 4.0 square metres would require a variance;
- While generally meeting lot coverage, setback and height regulations, two of the proposed designs exceeded the applicable maximum Floor Space Index (FSI)

Staff considered these findings to inform and determine appropriate adjustments to zoning standards for amendment.

## **ENGAGEMENT**

Staff have undertaken consultation on the Multiplex Study as part of engagement efforts on the overall EHON initiative, as well as multiplex-specific opportunities for information and feedback. Between October 2021 and May 2022, 22 consultation events took place, which included virtual city-wide and ward-based consultation meetings, workshops and roundtables, in addition to email correspondence, e-updates and an online survey. This public engagement strategy included a diverse range of parties and stakeholders to ensure as many voices as possible were represented in this process. Staff reported the results of these engagements in the November 2021 Interim Report and June 2022 Proposal Report.

Following the release of a draft Official Plan Amendment in May 2022, staff received a range of feedback through consultation events and email correspondence, summarized as follows:

- overall support for permitting multiplexes in all *Neighbourhoods* – preference for low-rise dwellings, proximity to work or school, concern about housing availability in Toronto;
- proposed policies should be bolder and include incentives to allow more change to happen sooner;
- request to consider draft OPA alongside proposed zoning amendments;
- development criteria listed in draft OPA are too restrictive; ensuring multiplexes are indistinguishable from single detached homes makes them more difficult to build;
- permissions should not compromise soft landscaping, tree canopy growth;
- concern about overburdening local infrastructure;

- multiplexes should be designed to respond to neighbourhood character;
- support for and opposition to a four storey height applying everywhere;
- multiple front entrances should be allowed as-of-right;
- policy to limit privacy impacts is subjective;
- policies encouraging green design features, accessible and large units are more onerous for multiplexes than single dwellings;
- policies should reflect idea that neighbourhood character is evolutionary;
- support for and opposition to the idea of removing FSI as a density control; and
- questions regarding affordability of units.

On February 9, 2023, staff released a revised draft Official Plan Amendment and a draft Zoning By-law Amendment on the City's website, which was promoted via e-update, social media, and Councillor communications to constituents. Members of the public were invited to submit their comments via e-mail, by attending a virtual public consultation, or by completing a survey asking for specific feedback on the amendments. The study and consultation events were promoted on the City's social media accounts, with paid advertising on Twitter, Facebook and Instagram, and in the Toronto Star. Since the release of the revised amendments, staff received over 157 emails, 2,262 survey responses, 8,255 survey comments and approximately 800 attendees at public consultation events. Public feedback received is summarized below, with further detail provided in Attachment 3 - Consultation Summary.

### **Online Survey**

On February 9, 2023, Staff launched a follow-up Multiplex survey on the City's website to gauge public sentiment and solicit input on the proposed draft Zoning By-law and Official Plan Amendments. The survey remained open until March 10, 2023, and was accessible at [Toronto.ca/Multiplex](https://toronto.ca/Multiplex). The following is a summary of the survey results and feedback. Detailed survey results are available in Attachment 3.

- 2,262 people provided input on the Multiplex web survey, with a completion rate of 68%. In total, respondents provided 8,255 comments;
- 83% of respondents (1,900) supported the proposal to amend the Official Plan policies to permit multiplex building types in *Neighbourhoods*. 11% of respondents (approximately 250 people) disagreed;
- 'Multiplex development criteria' and 'Height' were the most commented topics.

Respondents were asked for their opinions on the draft policies and draft zoning by-laws amendments to implement multiplexes in *Neighbourhoods*. The key comments were as follows:

#### *Neighbourhood Character*

24% of respondents disagreed with the proposed policies for the Multiplex development criteria, while 64% agreed with the policies.

### *Tree Canopy*

Protecting the City's tree canopy was a consistent theme throughout the survey. 59% of respondents agreed that the construction of multiplexes should not result in the injury to, or removal of, a healthy tree.

### *Permitting up to Four Units in All Zones*

85% of respondents supported amending all zone descriptions so multiplexes can be built in each residential zone, while 10% disagreed.

### *Building Depth*

81% of respondents supported extending the permitted depth of multiplexes to 17 metres to align with permissions for other building types, while 12% disagreed.

### *Height and Maximum Storeys*

67% agreed that greater height permissions were required, while 17% disagreed. 82% of respondents were supportive of amending the rules to allow multiplexes at least 10 metres in height; 12% disagreed, citing that four storeys is too tall.

### *Floor Space Index (FSI)*

While there was not a specific question in the survey related to Floor Space Index (FSI) as a density control, the topic generated many comments. Most felt that FSI should be removed and is redundant, as form-based regulations on building envelope, setbacks and height already achieve the intended effect; stating that with existing FSI restrictions, it is impossible to build a multiplex. Others felt that FSI should be maintained as an important measure of building volume, which relates directly to neighbourhood character. Some expressed that if multiplexes are to be part of the neighbourhood, they should be subject to the same rules.

## **Community Consultations and Email Correspondence**

Staff held 13 formal consultation events and informal meetings in February and March 2023 on the proposed policy and zoning amendments. These included two city-wide virtual public forums; two consultation meetings with Ward 15 stakeholder groups and residents at large (as requested by Planning and Housing Committee); meetings with FoNTRA, Long Branch Neighbourhood Association and More Neighbours Toronto; and briefings with Councillors or their staff. Participants in formal online consultations were invited to share their views or questions using the Chat and Q&A features in WebEx, which staff retained for future reference. Over 160 emails have been received since the release of the revised draft Official Plan and Zoning By-law Amendments, both from residents' associations and individual respondents.

During the consultation process on the proposed amendments, the following general feedback was received, grouped thematically:



### *Sustainability and Environment*

- Many felt that the City should strengthen policies to maintain and expand the tree canopy, and/or build in policy incentives for multiplexes to preserve and plant new trees;
- Many participants expressed the importance of encouraging and/or incentivizing sustainable building practices and the elimination of carbon-intensive basement construction by allowing zoning variances to accommodate them; and
- Many expressed that current tree-protection by-laws create challenges for new housing options.

### *Built Form and Neighbourhood Character*

- Meeting participants and correspondents expressed a range of opinions on respecting existing neighbourhood character:
  - Many participants in online consultations expressed that there should be greater emphasis on the “planned context” for a neighbourhood rather than the existing “prevailing” neighbourhood character;
  - Residents’ Associations were mainly of the opinion that the development criteria should not be amended in the Official Plan because the criteria help support maintaining character of a neighbourhood;
  - Some questioned the need to maintain a neighbourhood character at the cost of additional housing units; and
  - Many emphasized that multiplexes should maintain the low-rise form of neighbourhoods;
- Most participants felt a maximum Floor Space Index (FSI) requirement was not necessary and were in favour of eliminating FSI for more form-based zoning;
- Many felt the proposed zoning by-laws were too restrictive, and did not allow for the full use of the proposed building envelope;
- Majority of participants felt that multiplexes should be permitted to have a building depth of at least 19 metres;
- Many felt that having a 1.4 metre step back at the top floor was unnecessary and would result in inefficient design, while others thought this was an important design feature;
- Many felt the height requirement of 10 metres was not sufficient, and should be increased to 12 or 13 metres to allow four storeys per the *Neighbourhoods* designation in the Official Plan;
- Others expressed concerns over increased height permissions, and how they would impact sunlight, create overbuilding, and disrupt the character of neighbourhoods; and
- Most felt having a maximum platform area size would be too restrictive for multiplexes, although many expressed the need to mitigate privacy impacts on adjacent properties.

### *Permitting up to Four Units in All Zones*

- The majority of meeting participants and email correspondence supported the permission of four units across all *Neighbourhoods* designated areas, though many residents and associations expressed concern that this would disrupt neighbourhoods; and

- In some instances, individuals suggested permitting more than four units across *Neighbourhoods* designated areas.

#### *Feasibility of Multiplexes*

- Most participants felt that development criteria should be modified to minimize prohibitive costs to building; and
- Many felt that the draft zoning by-law amendments were not sufficient to build feasible multiplexes, and that the permitted building envelope should be expanded.

#### *Parking*

- Many felt that multiplexes will put a strain on street parking in residential areas.
- Some suggested that policies should encourage active transportation to avoid too many vehicles on one lot.

#### *Other*

- Some concerns were expressed regarding impact of more residents on local infrastructure, amenities, schools and services;
- Comments indicated that the City should ensure that multiplexes are designed for accessibility, built to Code and safe for all; and
- Members of the public expressed the need to permit additional uses within *Neighbourhoods* such as grocery stores, childcare, restaurants, cafes, and healthcare.

## **COMMENTS**

### **Proposed Official Plan Amendment**

Staff recommend that Council adopt the draft OPA in Attachment 1 to facilitate multiplexes in the near term, until Official Plan policies are considered more globally through the Official Plan Review. The OPA is proposed to be structured as a Site and Area-Specific Policy (SASP), located in Chapter 7 of the Official Plan. The SASP would apply to all lands within the city that have a *Neighbourhoods* land use designation, as shown in yellow on Official Plan Maps 13-23.

In previous reports, staff have noted that in practice, the development criteria of Official Plan Policy 4.1.5 present challenging policy barriers to developing multiplexes in *Neighbourhoods*, even in areas where multiplex building types are permitted in the zoning by-law. The weight given to prevailing building types and existing physical form limits achievement of the Official Plan's many other stated objectives. Typically, if multiplexes are not already present or do not have a significant presence in a neighbourhood, they are unlikely to be supported by City Planning staff, approved at the Committee of Adjustment, or supported at the Toronto Local Appeal Body (TLAB) based on this policy. There is room within the low-scale built form of *Neighbourhoods* to achieve a better balance between local physical character and incremental growth.

The purpose and intent of the SASP is to clarify that multiplexes are a permitted building type in all *Neighbourhoods*, subject to certain development criteria and exempt from others listed in Policy 4.1.5 of the Official Plan. It is intended that multiplexes will be built to the same general scale and applicable zoning standards for low-rise building types.

Following consultation on the May 2022 draft policies, staff have continued consultation on a revised draft OPA, posted to the City's EHON website since February 9, 2023. The revised draft included text amended in response to feedback received from the public and other City Divisions since Spring 2022. Key changes to the February OPA included:

- strengthening policies to maintain and expand the tree canopy through contiguous landscaped open space;
- emphasizing that multiplexes should maintain the low-rise form of neighbourhoods;
- encouraging sustainable design and the elimination of carbon-intensive basement construction;
- facilitating sustainable building practices by allowing zoning variances where they are needed to accommodate them; and
- removing some development criteria to minimize prohibitive costs to building.

Staff have further refined the OPA policies in response to recent consultation and divisional feedback, as attached in Attachment 1. These revisions are as follows:

- The Multiplex study has followed the general principle of extending existing zoning permissions to multiplex building types. Many participants who participated in the consultations have expressed concern that existing zoning envelopes, further modified by Floor Space Index, are still too restrictive to achieve feasibility. Additionally, some have raised concerns that increased permissions for multiplexes will only lead to the justification of larger single-unit houses (often referred to as “monster homes”). To clarify the intent of providing an equitable approach to incentivize additional housing units, staff recommend the inclusion of Official Plan policy text that contemplates permitting expanded building envelopes for multiplexes only;
- Policies respecting heritage properties, and landscape or built form features that contribute to the character of the geographic neighbourhood have been refined to clarify the ongoing intent to conserve, respect and enhance these features while ensuring they do not serve as a barrier to permitting multiplexes;
- A development criterion encouraging future provision of electric vehicle supply equipment has been added;
- A development criterion requiring integration with existing grades at the property line, to discourage below-grade parking and sloped driveways, has been added;
- The policy has been refined which outlines scenarios where zoning variances, such as additional height, or modified setbacks, may be granted. Specifically, this would be to accommodate certain sustainable building features such as high efficiency design, construction without a basement, and preservation of existing by-law protected trees; and

- The interpretation policy has been refined to clarify that the proposed SASP would prevail over any other policy to the extent that it would not permit a multiplex in *Neighbourhoods*.

The overall intent of the SASP is to provide a policy basis that establishes multiplexes as a permitted building type in all *Neighbourhoods*, which can also be referred to in the event of a minor variance application. The policies will serve to assist applicants, staff and Committee of Adjustment members to evaluate whether the proposal satisfies the test of meeting the intent and purpose of the Official Plan. The SASP as proposed is an interim measure to clarify the policy intent for multiplex permissions in the immediate future. It is anticipated that the *Neighbourhoods* policies of the Official Plan will be re-evaluated holistically through the Official Plan Review.

### **Proposed Zoning By-law Amendment**

The proposed Zoning By-law Amendment (Attachment 2) contains a range of requirements and criteria to guide the location, form, and scale of multiplexes city-wide. Many zoning regulations applicable to neighbourhoods, including those related to front and rear yard setbacks, landscaped open space requirements, driveway width and lot coverage, are not proposed to change through the amendments in this study. Feedback from consultation did not identify these requirements as significant barriers to constructing multiplexes. These regulations maintain key standards related to physical character and siting of buildings, and will continue to apply to residential areas.

The proposed amendment introduces multiplexes in residential zones where these building types are not currently permitted, while applying many of the current built form standards for detached houses to multiplexes to ensure a consistency of scale and fit within the existing neighbourhood context. In some cases, built form standards for multiplexes are proposed to be more permissive than those for single-detached homes. These standards are intended to incentivize the construction of multi-unit housing with adequate space for livable units, while mitigating built form impacts on neighbouring properties. Staff developed these recommendations based on the results of design studies, built form studies, and feedback from consultation.

The following sections outline the components of the proposed zoning by-law amendment and the rationale for any revisions to existing standards based on public consultation and research. The proposed regulations, illustrated in Attachment 4, allow for gradual and sensitive infill development to expand housing options in low-rise *Neighbourhoods* for residents of Toronto.

#### ***Multiplex Permissions***

Numerous examples of existing multiplexes in *Neighbourhoods* throughout the city demonstrate the potential to house four units (and sometimes more) within the same general scale as, and with minimal built form impacts on, neighbouring single-detached dwellings. Internal design testing and School of Cities-led architectural studies have confirmed the capacity to accommodate duplexes, triplexes and fourplexes within current zoning regulations, while identifying areas where the building envelope could be

enhanced to improve livable floor space for residents. Providing flexibility in building type within these parameters would allow property owners the choice to determine the appropriate number and size of units given land values and individual circumstances.

The proposed zoning by-law includes amendments to the RD - Residential Detached, RS - Residential Semi-Detached and RT - Residential Townhouse zones to include duplexes, triplexes and fourplexes as permitted building types, while maintaining the original structure of performance standards in each zone. Garden suites or laneway suites are also permitted with multiplexes, subject to the existing requirements for building those unit types, leading to a potential total of five units on some lots where appropriate. To achieve both a fourplex and a garden suite or laneway suite, the lot will need to be of sufficient size and dimension to enable development to meet both the applicable multiplex performance standards and the performance standards for the unit in an ancillary building.

The R – Residential and RM – Residential Multiple zones already permit multiplex building types; however, some neighbourhoods are subject to a limit on a maximum number of units which can be constructed on a lot, as denoted through a "U" value on the city-wide zoning map. This has been used to control the permitted building type as building type definitions refer to a specific number of units, which has the effect of restricting some forms of multiplexes. To ensure that the full range of multiplex building types are permitted across all neighbourhoods, "U" values are proposed to be deleted or amended in the city-wide zoning map to allow for four units in the principal building on each residential lot.

#### *Harmonizing Built Form Standards*

The existing built form regulations in the RD, RS, and RT zones, including standards for setbacks and main wall height, are proposed to be amended to apply the same requirements to duplexes, triplexes and fourplexes as for detached houses. This approach allows additional dwelling units while generally maintaining the built form envelopes currently permitted in the zoning by-law. For the R and RM zones, some performance standards are more onerous for multiplexes relative to detached and semi-detached houses, placing multiplexes at a disadvantage and potentially serving as a barrier to construction. To rectify this discrepancy and to ensure constructability, standards for multiplexes in the R and RM zones for side yard setbacks and lot frontage are proposed to be harmonized with those for detached houses.

#### *Building Length and Depth*

Building length and depth provisions regulate generally how long a residential building can be relative to the front wall and relative to the required front setback, respectively. These regulations are intended to ensure that buildings are of an appropriate scale for residential areas, provide adequate light penetration to residential windows, to preserve the centre of residential blocks as open space, and to prevent undue impacts on the rear yard amenity of adjacent properties. Building and depth provisions complement other regulations that ensure that there is room for open space on a lot and room for soft landscaping and trees. In Zoning By-law 569-2013, building length is measured from the front wall to the rear wall of a building, whereas building depth is measured

from the required front yard setback to the rear wall of a building. In most situations, where a residential building is constructed at the required front yard setback, the measurement for building length and depth are the same. In the R zone, only building depth is regulated, whereas other zones such as the RD and RS zones, performance standards for both building depth and length apply.

In the first draft of the multiplex zoning by-law amendment, staff proposed that length and depth regulations be harmonized with the standards for single-detached houses. This resulted in the permissions for multiplexes increasing from 14 metres to 17 metres. However, staff identified maximum building depth and length restrictions as a question for discussion during consultation. The public was asked whether additional depth and length beyond 17 metres should be permitted for multiplexes.

Staff received significant feedback that multiplexes should be granted as-of-right depth and length permissions of 19 metres or more. However, many comments also suggested that the as-of-right depth permissions should only be increased on deeper lots which could accommodate additional building depth while still providing landscaped open space and sufficient space for trees.

Staff recommend that multiplexes be granted building depth and length permissions for 19 metres only on deeper lots. The proposed zoning by-law amendment includes the following building depth and length permissions for multiplexes:

- For lots with a frontage of less than 10 metres, 19 metres in depth and length would be permitted on lots with a depth of at least 36 metres; and
- For lots with a frontage of 10 metres or more, 19 metres in depth and length would be permitted on lots with a depth of at least 40 metres.

This approach also recognizes that on wider lots, additional building depth permissions are often not necessary to create high quality, liveable sized units. On narrow lots, extending building depth permissions is often the only viable option to construct units to support larger households. The proposed approach of allowing greater building depth only on deeper lots balances the need for housing, while minimizing built form impacts to neighbouring properties and preserving opportunities to maintain and expand the tree canopy.

### *Building Height Permissions*

The zoning by-law sets out the maximum building height in metres in residential areas in order to ensure a consistency of low-rise scale. Building height permissions for multiplexes are proposed to remain the same as current permissions across residential areas – typically between 10-13 metres - except for those neighbourhoods which are subject to a maximum height lower than 10 metres. The proposed zoning by-law would amend the height permissions in each residential zone to allow multiplexes a maximum height of 10 metres in areas where lower height permissions apply. In some areas, the number of storeys in a building is also regulated as a way to further control the scale and massing of a building. The proposed zoning by-law would remove restrictions on the maximum number of storeys for areas where an "ST" symbol is present on the

height overlay zoning map. Other residential building types, including detached houses, would be subject to the current, lower height permissions and maximum number of storeys, where those restrictions exist.

The proposed approach is intended to allow for three storey multiplexes to be constructed in all *Neighbourhoods* citywide. Design studies have demonstrated that optimized interior layouts and unit configurations for multiplexes could be achieved within 3 storeys of height, which generally translates to an overall building height of 10 metres. Where the height limits exceed 10 metres, it may be possible to construct a four-storey multiplex, depending on building design and whether Ontario Building Code (OBC) requirements can be met.

In design studies and consultation with those in the architecture, design, and development industries, the OBC was identified as a barrier to constructing four storey multiplexes due to the requirement for an elevator in residential buildings with four storeys or greater. In most cases, the cost of building an elevator for four units would make these designs financially unviable. While there are some design solutions involving mezzanines and sunken floors which would make similar buildings possible while not being considered four storeys under the OBC, these designs are often not ideal either due to additional stair requirements or reductions in liveable floor area.

Staff received considerable feedback that four storey multiplexes should be permitted across the city and that the height limit should be increased to 12 or 13 metres to allow this to occur. Feedback from residents' associations generally opposed further increases in height for multiplexes.

Due to the design difficulties discussed above related to OBC requirements, staff continue to recommend that height limits for multiplexes be increased to at least 10 metres citywide, to allow three storeys to be built in all *Neighbourhoods*. However, should the OBC requirements change to make four storey building designs more viable, it may be appropriate to amend height permissions to allow for four storeys in all *Neighbourhoods* citywide after further consideration.

#### *Flat Roofed Multiplexes*

Multiplexes with flat or shallow roof designs are proposed to benefit from the more permissive main wall height requirements which currently apply to detached houses. Buildings with flat roof designs are generally more efficient to construct, while yielding more usable floor area for living space as interior space is not limited by sloping rooflines. In November, 2022, the OLT implemented amended main wall height permissions for detached houses with flat or shallow roof designs to allow additional main wall height, provided that a 1.4 metre stepback is constructed at the front and rear walls of the building above the maximum permitted main wall height. The stepback requirement is intended to reduce the massing of the upper level of the building, while ensuring that a consistent eave line is maintained across buildings on the same street. On predominantly two-storey streets, these stepbacks provide a transition in scale. This regulation currently only applies to detached houses in the RD zone, and the proposed



zoning amendment would extend this permission to multiplexes across all residential zones to enable flat roof multiplexes.

In the survey and public consultation materials, staff asked whether the 1.4 metre stepback requirement should be applied to multiplexes in all zones. Feedback in favour of removing the stepback requirement suggested that stepbacks can result in less efficient building designs and smaller living spaces. Many of those who supported keeping the stepback requirements indicated that the front stepback would help to break up the massing from the street, providing transition and maintaining a consistency in built form, while the rear step back could help to mitigate privacy impacts and potentially reduce the impact of massing in the rear yards.

As discussed above, these requirements were only implemented in November 2022 and it is unclear if they present a significant barrier to building flat roofed multiplexes. As a result, staff recommend maintaining the proposed front and rear stepback requirements for multiplexes and reviewing whether these requirements pose significant barriers through the multiplex monitoring program.

#### *Decks and Balconies*

Private outdoor amenity space, in the form of decks and balconies, is an important design feature to ensure the liveability of multiplex units, especially those without direct access to a backyard. The standards for decks and platforms also maintain the liveability of neighbouring properties by setting out appropriate locations for these outdoor spaces and limiting encroachment near property lines.

The size, number and location of platforms accessed from the second storey and higher are regulated for detached and semi-detached houses in the RD and RS zones, these regulations carried forward performance standards for low-density zones in the former North York Zoning By-law No. 7625.

To ensure that multiplexes provide high quality, liveable homes for future residents, staff asked in consultation whether the 4 square metre size limit on platforms located at the second storey or higher currently required in the RD and RS zones should apply to multiplexes.

Feedback received from the public indicated that there was support to remove these size limits to ensure that multiplexes could be designed with usable outdoor space, providing room for a household to gather outside, for example, around a table. Some concerns were raised regarding privacy and overlook; however, platforms will continue to be controlled through regulations which limit the extent to which a platform may encroach within a required building setback.

As a result, staff recommend removing the 4 square metre size limit on platforms (decks and balconies) located at the second storey or higher for multiplexes within the RD and RS zones. The proposed zoning by-law amendment includes deck and balcony permissions for multiplexes in the RD and RS zones to allow a maximum of two platforms per unit at the front and rear of a building, with no more than one platform per unit on each elevation. Multiplexes on corner lots would be permitted an additional

platform per unit on the side of the building facing the flanking street, in line with permissions for detached houses in these zones.

### *Floor Space Index*

Floor space index (FSI) is a measure of the density of a building on a site and is calculated by the ratio of a building's gross floor area to the lot area. For example, a building with a gross floor area of 100 m<sup>2</sup> on a lot with an area of 100 m<sup>2</sup> would have an FSI of 1.0. The zoning by-law regulates maximum FSI as an additional measure to regulate built form by limiting the allowable density of buildings in an area. This requirement works in conjunction with other built form standards that directly regulate built form, such as setbacks.

For low-rise residential buildings, the impact of a building on adjacent lots is generally associated with its three-dimensional outer bulk, its location on the lot relative to lot lines and neighbouring buildings, its height and how much of the lot remains open. The outer dimensions of this building envelope can be regulated without the need for an FSI limit.

FSI is regulated in approximately 37% of the city's residentially zoned areas, largely in the former City of Toronto, parts of Etobicoke, and York. In addition to FSI, the zoning by-law contains regulations for minimum setbacks, maximum building depth or length, and maximum height, all of which serve to regulate the overall built form of a residential building. Throughout the study, regulations limiting maximum floor space index were identified as a potential barrier to creating multiplex housing as in many cases this regulation prevents the development of the full building envelope.

The proposed zoning by-law presented for public consultation included permissions to deduct shared-use building elements for multiplexes from the gross floor area calculations used to determine FSI, including entrance vestibules, hallways, exit stairwells, and areas used for a secondary means of egress with the goal of ensuring that multiplexes were not penalized for common element areas that may be required for unit access or Ontario Building Code (OBC) and Fire Code requirements that would not be required for detached houses with only one unit. Based on the design concepts completed by the University of Toronto School of Cities, the proposed gross floor area exclusions would provide an equivalent FSI "bonus" of 10-12% of extra floor area within a building. However, as FSI permissions vary across the city, the additional floor area permitted may not be sufficient to allow all lots to achieve the full building envelope as permitted by built form performance standards.

Staff also heard strong feedback that exempting multiplexes from FSI provisions would be a significant change to allow multiplexes to feasibly be built. Given that built form is regulated through numerous performance standards like setbacks, building length and depth, and landscaping, and that FSI only applies to a portion of this city, staff are of the opinion that eliminating FSI restrictions for multiplexes is appropriate and aligns with direction to move towards more form-based zoning for residential areas as outlined in the Housing Action Plan. As such, the proposed zoning by-law amendment includes permissions in each residential zone to exempt multiplexes from maximum FSI restrictions where applicable.

### *Secondary Suite Entrances*

Secondary suite regulations are also proposed to be amended. The proposed zoning by-law amendment removes restrictions on alterations to the front of a building to construct a secondary suite, and the prohibition on an entrance to a secondary suite located at the front of a building. Although secondary suites are permitted in residential zones city-wide, secondary suite entrances in the front wall of a residential building are only permitted in a townhouse, but not in a detached or semi-detached house. However, residential buildings without a secondary suite, including multiplexes, are not subject to this type of restriction, and are permitted to have multiple entrances located in the front wall. The regulation prohibiting the location of secondary suite entrances is inequitable and should be removed so that detached or semi-detached houses with secondary suites are treated consistently with other buildings containing multiple units, like multiplexes.

### *Converted Buildings*

Other amendments in the proposed zoning by-law include new regulations to facilitate the conversion of existing residential buildings to multiplexes, which would allow converted buildings to maintain the built form of the existing structure without having to comply with the zoning standards that would apply to a new multiplex. The amendment would also allow the conversion of existing parking spaces within a building to a dwelling unit. These regulations would allow for the easier creation of additional units within existing buildings, reducing the need for minor variances related to built form requirements that may be associated with the new multiplex building type. These regulations aim to reduce process barriers for building multiplexes, enabling homeowner-led construction and renovation, while encouraging the adaptive reuse of existing buildings, which has environmental benefits.

### *Site-Specific Exceptions*

Some neighbourhoods are subject to historic zoning standards derived from former municipal zoning by-laws, which are structured as area or site-specific exceptions in Chapter 900 of Zoning By-law 569-2013. Some of these historic standards include prohibitions on multiplex building types in zones where they are currently permitted or are proposed to be permitted. To ensure that multiplexes are permitted consistently city-wide, and to meet the requirements of the *Planning Act*, as amended by Bill 23, regulations are included in the proposed zoning by-law amendment to clarify that duplexes, triplexes and fourplexes are permitted despite any restrictive prohibition in Chapter 900.

## **Sustainability Objectives**

In developing recommended OPA 649, staff remained mindful of the dual crisis related to biodiversity loss and climate change, and have refined policies addressing sustainable building methods and tree preservation. The proposed Official Plan Amendment recognizes that it is appropriate to allow variances from the zoning by-law standards when they are required to meet sustainability objectives such as: increased insulation for high energy efficiency, eliminating carbon-intensive underground

construction, or preserving existing trees. The rationale for each of these is outlined below.

### *Energy Efficient Buildings*

In consultations with builders and academics who specialize in sustainable construction, they raised the issue that building to certain high efficiency designs results in a loss in liveable floor space. This may act as a disincentive for widespread uptake of certain sustainable building practices. For example, thicker walls with added insulation can result in less energy used for heating and cooling but less liveable space due to the added wall thickness.

### *Embodied Carbon*

Staff considered research from the University of Toronto and others which explored how much embodied carbon is associated with different construction materials used to build low-rise housing types. Embodied carbon refers to the "upfront" greenhouse gas emissions associated with extraction and processing of building materials. These studies indicate that low-rise housing forms like multiplexes can dramatically reduce their embodied emissions by reducing the amount of high carbon building materials, most notably, by minimizing concrete use in foundations and basements. The proposed increase in height limits would enable the construction of three full storeys without a basement.

### *Preserving Existing Trees and Providing Space for Trees to Grow*

Following the direction provided through Council's consideration of the Laneway Suites and Garden Suites staff reports, City Planning and Urban Forestry continue to collaborate on options to protect existing trees and growing space through EHON initiatives.

Building on the earlier zoning changes for accessory suites, this report recommends further built form permissions to provide more flexibility for multiplex building design. However, to prioritize the preservation of existing trees as well as growing space, the proposed policies recognize that further variances to the zoning by-law may be granted if an existing tree is preserved as a result of design changes. For example, if extending the depth of a multiplex would result in the destruction of a tree, the proposal may be granted additional height or other permissions to compensate for redesigning the building depth to avoid its removal.

The proposed Official Plan Amendment supports multiplexes that will, wherever possible, provide contiguous permeable surfaces with sufficient growing space and soil volume for large-growing shade trees. In cases where a multiplex is designed to the as-of-right permissions in the proposed By-law and necessitates the injury or removal of a tree, the General Manager of Parks, Forestry, and Recreation may refuse the tree permit, in accordance with Municipal Code Chapters 608, 658, and 813. This provision directly supports the retention of existing trees and associated growing space on these sites. Where trees cannot be retained, the City's tree by-laws require the planting of replacement trees at a higher compensation ration, which ensures new trees to achieve the City's long-term canopy goals. The policies and regulations for multiplexes support

existing and future urban forest opportunities and balance the goals of sustainability and climate resilience, together with the benefits of increased housing options in *Neighbourhoods* across Toronto. The applicant may appeal the decision to the appropriate Community Council. This practice is consistent with the approach for garden suites and laneway suites.

## **FUTURE WORK**

### **Monitoring Program**

As with Garden Suites and Laneway Suites, Recommendation 4 above directs staff to undertake a program to monitor the uptake and implementation of multiplex projects in Residential zones following adoption of the Official Plan and Zoning By-law Amendments. The program will monitor the number of applications for multiplexes, number and type of net new units achieved, number and type of minor variances requested for multiplexes, and tree retention and compensation. The analysis will include a breakdown of multiplex developments by neighbourhood to monitor the distribution and uptake across the city.

The monitoring period is proposed to extend from the time of adoption to December 2025, with a report back to Planning and Housing Committee on findings and recommendations in Q1 2026.

### **Charges and Fees**

An important practical consideration with respect to multiplexes pertains to municipal charges and fees associated with their development. Multiplexes, whether newly built or converted from an existing structure, are subject to two main types of charges and fees in addition to Building Permit fees: Development Charges, and Parkland Dedication levies. If a multiplex proposal requires Minor Variances, then it will also be subject to an application fee to the Committee of Adjustment. If the multiplex development is intended to be condominium, it will be further subject to a Draft Plan of Condominium application fee.

Analysis by the Urban Land Institute's Curtner Leadership Program in 2020 on the financial feasibility and affordability of missing middle housing in Toronto suggested that the current Development Charge and Parkland Dedication regimes disincentivize the creation of multiplexes by increasing their cost. To further explore whether multiplexes would be financially viable to build if policy and zoning were changed, staff engaged a technical assistance panel organized by the Urban Land Institute Toronto. The panel was made up of professionals with expertise in architecture and design, planning, development, and financing.

With input from the Multiplex study team, effective August 15, 2022, the Development Charges By-law provides a development charge exemption for the second, third, and fourth unit on a residential parcel provided the development of no more than four units on the lot – whether in the principal building or an accessory suite. In effect, this allows

the construction of any combination of up to four units without being subject to additional development charges.

Similarly, at its meeting of July 2022, City Council directed staff to exempt "the residential component of a building with no more than four units" from the conveyance of parkland and the payment of cash-in-lieu of parkland as required under Chapter 415 of the Municipal Code.

Staff have identified that fees for Committee of Adjustment applications are a flat rate for residential buildings of three units or less, while a fourplex would be charged a higher rate for a minor variance. As identified in Recommendation 6 above, staff have recommended that the categories for Committee of Adjustment and other planning fees be reviewed through the upcoming Development Application Fee Review to align with Multiplex policy objectives, to reduce financial barriers to the construction of these housing types.

### **Condominium Approvals and Fees**

Consultations identified the legislative framework for condominiums, which is more geared to large projects, as a process and cost barrier to creating owner-occupied housing in multiplexes. Both the *City of Toronto Act, 2006* and *Condominium Act* requirements present challenges to this form of development, and the costs and difficulty of pursuing these approvals may discourage development of this type. On May 12, 2022, City Council requested that the Chief Planner report on a strategy to support single-family homeowners to convert their residences into multiple units, including the feasibility of eliminating the Draft Plan of Condominium approval fee of \$10,183.10. This work will complement the Multiplex team's research on this topic and will help to address the identified issues. Recommendation 6 in this report recommends that planning fee categories, including that for Draft Plan of Condominium approval, be reviewed to align with multiplex policy objectives. This review should include an analysis of how to eliminate disincentives to small-scale multiplex condominiums.

In addition to the condominium approval fees noted above, a common theme throughout consultation has been that the condominium approval process makes small-scale condominium projects difficult to construct. Feedback from the public has suggested that the City, working with the Province, should develop template legal agreements and other documents to reduce costs and complexity in the condominium process for multiplex housing types. A common comment is that Ontario should look at the British Columbia strata model for an example of a more streamlined, easier process for small-scale condominiums.

### **Low-rise Apartments**

In earlier stages of this study, and following initial consultation, staff identified that in some *Neighbourhoods* it would be appropriate to permit more intense forms of housing such as low-rise apartments - for example, within the city's Major Transit Station Areas which are within walking distance to rapid transit.

Staff will continue consideration of policy and zoning changes to enable low- to mid-rise residential buildings through other initiatives outlined in the City's Housing Action Plan Report. In particular, these include the EHON Major Streets study, and future zoning review for Transition Zones between Major Streets and the interior of *Neighbourhoods*.

### **Simplified and Modernized Zoning By-law for Low-rise Residential Zones**

The Housing Action Plan identifies that City Planning will undertake a study to move Zoning By-law 569-2013 towards form-based zoning with a focus on low-rise residential zones. This will include changes to simplify and modernize the by-law, making it easier for applicants to understand and obtain approvals for a greater range of housing without the need for a minor variance. This may include clarifying and simplifying definitions of residential building types and certain residential uses (such as secondary suites), removing maximum density regulations (Floor Space Index), and modernizing performance standards. In addition, this study will bring more lands into Zoning By-law 569-2013, enable the full range of missing middle housing permissions and apply updated parking standards to more residential properties. Reports will advance to the Planning and Housing Committee in Q3 2023 and Q4 2024.

### **Amendments to Chapter 900 Zoning Regulations**

The proposed zoning by-law amendment includes regulations to clarify that duplexes, triplexes and fourplexes are permitted despite any restrictive prohibition in Chapter 900 of Zoning By-law 569-2013. Future work will be undertaken to amend Zoning By-law 569-2013 to amend or delete site-specific provisions or prevailing by-laws in Chapter 900 which prohibit multiplex building types, to further simplify building type permissions and eliminate potential interpretation issues arising from the application of site-specific exceptions.

### **Sidewalks and Walkability**

In consultations, participants pointed out that some residential streets in Toronto lack sidewalks on one or both sides of the street. Residents of multiplexes built on streets without sidewalks would lack safe and accessible walking routes, contrary to the City's goals of promoting walkability and more sustainable transportation options. Given that the City's Official Plan directs that the transportation system be developed in a way that prioritizes walking, cycling, and transit over other passenger transportation modes, Transportation Services' Missing Sidewalk Installation Program seeks to provide safe, comfortable and accessible sidewalks on all public streets. Transportation Services reviews opportunities to install sidewalks on all roadway classifications through requiring sidewalks as part of new development opportunities, bundling with other state-of-good-repair roadway or utility work, as well as stand-alone delivery, as a fundamental objective of the Vision Zero 2.0 Road Safety Plan. Where possible, new sidewalk projects also include space for street trees to maintain and increase the City's tree canopy within the City's rights-of-way.



## Infrastructure

One of the driving factors behind the Expanding Housing Options in Neighbourhoods initiatives has been that many of the City's existing neighbourhoods have been experiencing population decline in recent years, which has resulted in underutilized infrastructure in some areas. Shrinking family sizes and changing demographics have meant that some neighbourhoods have services and infrastructure meant to serve more people. Staff anticipate that initial multiplex growth will be modest and incremental in nature, and that the population growth can be accommodated using existing infrastructure. Data collected for the multiplex monitoring program will be used to assess whether future infrastructure capacity improvements are needed.

## CONCLUSION

The Multiplex Study began with two fundamental questions:

*Toronto is evolving as it grows. What kind of city do we want?  
How can we make room for housing to create the kind of city that we want?*

Expanding Housing Options in Neighbourhoods is an initiative that reframes the way we think about our low-rise communities. These neighbourhoods are Toronto's opportunity to welcome more equitable access to small-scale, ground-related housing to meet the needs of current and future residents. Allowing for additional units in multiplex building types, with the same general scale and built form characteristics, addresses Official Plan objectives to provide a wide range of housing types within our *Neighbourhoods* of four storeys or less in a way that is gradual and sensitive to their context.

Many neighbourhoods across the city have experienced population decline in the last few decades, while other areas of Toronto such as the Downtown, Centres, and other mixed-use areas have experienced rapid growth. Smoothing out some of these growth patterns by permitting multiplexes across the city can allow people to move into the neighbourhoods of their choice where existing land, infrastructure and services can be used more efficiently, local neighbourhood retail can be supported, and community vitality is sustained.

Over the last two and a half years, the EHON Multiplex Study has reviewed a variety of approaches to missing middle housing taken in North American cities; undertaken detailed design studies in the Toronto context; and considered feedback from a robust engagement exercise to develop a policy and regulatory framework that balances a range of needs and perspectives.

The recommended Official Plan Amendment and Zoning By-law Amendment present Council with the choice to adopt a more equitable and sustainable approach to growth across Toronto that sees *Neighbourhoods* adapting to incremental change and remaining vibrant, while preserving the essential built form and scale to allow more Torontonians the option to enjoy our low-rise communities.

## **CONTACT**

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## **SIGNATURE**

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## **ATTACHMENTS**

- Attachment 1: Proposed Official Plan Amendment 649 (SASP 826)
- Attachment 2: Proposed Zoning By-law Amendment
- Attachment 3: Engagement Summary
- Attachment 4: Key Zoning Changes Illustrated
- Attachment 5: Examples of Multiplexes Across Toronto
- Attachment 6: University of Toronto School of Cities – Design Studies