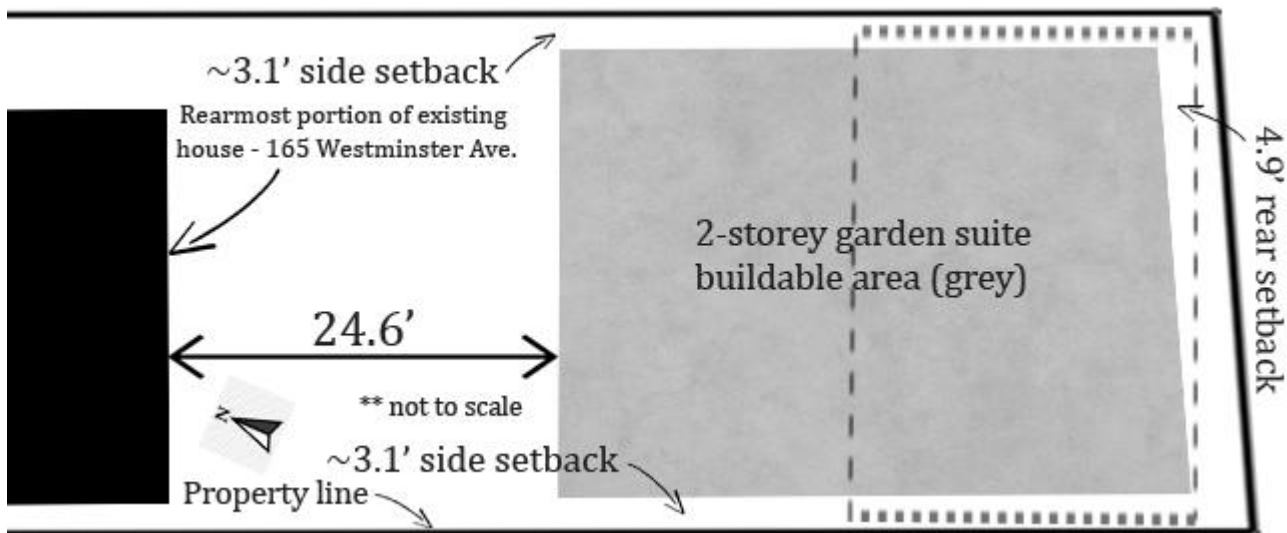


March 9, 2022

This letter will confirm that the property located at 165 Westminster Avenue in Toronto qualifies for a garden suite build, in the rear portion of the lot, under Toronto's new garden suite program.

I visited the property on March 9, 2022 and confirmed siting, emergency access, zoning, and other appropriate qualifications to certify its eligibility under the new regulations.

The maximum size of a permitted as of right build appears to be 1,291 square feet total (over two floors, main and upper). This is also the largest allowable build under the program, for *any* property.



A basement is also possible here, adding additional square feet to the above total, but in most cases the floor plate of the basement will be smaller than the ground floor and upper floor, the space usually cannot contain bedrooms or a bathroom or a kitchen, and the cost of construction can be significant, compared to above-grade floors.

The "buildable area" (grey in the diagram above) at 165 Westminister Avenue grants a wide variety of placement options and footprint designs, even if the build size is maximized. There are no prescribed minimum or maximum width or depth measurements, provided the footprint falls within the buildable area as outlined in grey above, all construction meets the provincial building code, and the footprint does not

exceed 645.8 square feet. To avoid angular planes on the upper portions of the garden suite, the ideal placement would be at least several feet inside the grey area on all sides.

Notwithstanding all of the above, this report recognizes that there is an existing historic ancillary building on the property now (grey dashed line in the diagram above) that will likely allow for a larger buildable area for the garden suite, and/or movement of the buildable zone into the area already occupied by this building. The existing building walls and/or their locations and dimensions will likely grant relief from some required setbacks, where they currently encroach. The garden suite bylaws recognize suitable variances in these circumstances. In order to take advantage of this relief, the property owner should not deconstruct or demolish or alter the existing structure until permits are in place for the new garden suite. This building is also taller than most Toronto ancillary buildings, and the height of this existing structure may also grant relief from angular plane requirements on three sides on the upper floor, and possibly from maximum height regulations also, with suitable requested variances.

The new garden suites program from the City of Toronto allows qualifying property owners to construct a garden suite “as of right” on their property, with simple building permit application and no political approval or committee of adjustment approval required. In most cases, no variances are required and no appeals or “neighbour vetoes” are permitted. The city also waives development cost charges.

The new building is a mostly-autonomous auxiliary dwelling unit, normally up to 6.0m (19.68 feet) tall, and cannot be legally severed from the main property, but is permitted a wide variety of uses, including as a revenue-producing (rental) unit. Where practical, some will have optional indoor vehicle parking.

The new garden suite regulations received political approval at Toronto City Hall on February 2, 2022, but it may require some weeks time to surpass an appeal period, and before technical completion of the necessary bylaw changes, and before applications for the program are accepted.

Should you have any questions about 165 Westminster Avenue in particular, or the garden suites program in general, please feel free to contact me any time, or visit our website, particularly under the “garden suites” menu tab or at gardensuiteadvisors.com.

Martin Steele

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