



Briefing Note

Garden Suite Proposal

January 28, 2022

Cliffcrest Scarborough Village SW Residents Association (CSWSWRA) is an incorporated not-for-profit association working to preserve the unique nature of our neighbourhoods. We do support workable solutions to the housing crisis. A significant portion of our adult population have limited incomes and face an uncertain housing future. Unless more thought is put into the Garden Suite bylaw, there is a potential for unsustainable development by investors which will change the physical character of neighbourhoods. In Toronto, almost one in three houses are purchased by investors.

While the intent of Garden Suites is to provide a solution for the housing crisis, the greatest interest is coming from investors who would benefit the most from their construction since it would increase the rent they extract from a property from two units to three. This poses the very real risk of destabilizing our housing market when:

- Investors compete with developers for the limited supply of homes, the price of a home will skyrocket;
- At the size currently proposed, the rents that would be generated from a garden suite would not be considered affordable;
- Individual home buyers who are already struggling to keep up with rising housing costs will find themselves priced out of the market;
- Neighbourhoods already are transitioning from being owner-occupied to investor-owned;
- When individuals are unable to purchase their first home, they are unable to reap the benefits that come with home ownership including climbing the economic ladder and having a nest egg available for their retirement.

We believe that there are too many flaws in the proposed Garden Suite by-law and urge members of Toronto City Council to send it back to Planning so that they can hold meaningful consultations with residents in order to produce a Garden Suite bylaw that will not result in destabilization of our established neighbourhoods.

Our concerns with the proposed by-law are as follows:

1. Excavation to dig basements for Garden Suites will damage or destroy mature backyard trees of residents and adjacent neighbours and incur damage costs for the removal of their trees or legal fees for recovery of costs. According to the City of Toronto's Tree Protection policy, the main types of tree damage are:

- Physical injury to the trunk, crown and roots of a tree when construction equipment is permitted to close to trees or if structures are built into the growing space of a tree;
- Since most tree roots are in the upper 30 to 60 cm of soil, foundation excavation or utility installation may damage anchor roots to the extent that trees may fall over;
- Soil compaction caused by vehicles and equipment moving across root zones or storing materials and debris on top of the root zone is one of the leading causes of tree decline in Toronto's urban forest;
- Allowing damage and destruction to backyards trees does not protect our mature tree canopy nor does it align with Transform TO's and Urban Forestry's goals to protect and maintain the tree canopy.

2. Although 'as-of-right' development speeds up the building process, there are potential problems created:

- Municipal Code Chapter 813 does not provide protection for protected size private trees if the development is "as-of-right";
- Because public hearings are not required, neighbours could be adversely impacted by a loss of privacy, massing, shadowing, damage to boundary trees and fences and nuisance noise from air-conditioners and additional neighbours living at close proximity;
- In addition, these structures have the potential to significantly change the fabric of a neighbourhood; those who will immediately impacted need to have the opportunity to express their concerns before construction begins;
- Environmental degradation and loss of permeable surfaces to absorb excess surface water.

3. The permitted size of proposed garden suites is too large.

- A footprint of 645 sq ft (60 sq. m.) with a maximum height of close to 20 ft (6 m) and a basement will create a two-story house with 1935 square feet of living space that overlooks neighbouring backyards.
- In Barrie, the original permitted size of Garden Suites was 1200 sq ft with a maximum height of 23 ft (7m) and a basement. In some cases, the ancillary "suite" was larger than the original house. The maximums now allowed in Barrie are 807 sq ft and a height of 4.5 m. Basements are no longer permitted.
- A two-story house with a basement is not a safe housing style for seniors, whose physical health is declining, and want to age in place.
- Based on a cost of \$200 - \$300 per square foot for a new building, the cost to build a garden suite of 1935 square feet will cost between \$ 387,000 and \$ 580,000. Given this cost, we question whether the proposed bylaw is meant to benefit a homeowner of modest means or an investor with deep pockets;
- The size of the garden suite could potentially encourage additional illegal boarding houses, which are already a problem in Ward 20. In areas like the GTA where housing demand is high, garden suites offer an investor the opportunity to extract three rental incomes from a single property (main floor, secondary suite in basement, garden suite in backyard). As investor demand increases, costs will continue to rise, as well as the concerns raised with regards to illegal boarding houses.

4. Neighbourhoods close to the lake are at increased risk of flooding. Reduction of soft landscaping, destruction of backyard trees and basement excavation will exacerbate the flooding risk, especially because of the combined increasing frequency and severity of storms caused by undeniable global climate change. Increased side and rear setbacks and an increase in the distance between the main house and garden house will be necessary to mitigate flooding.