

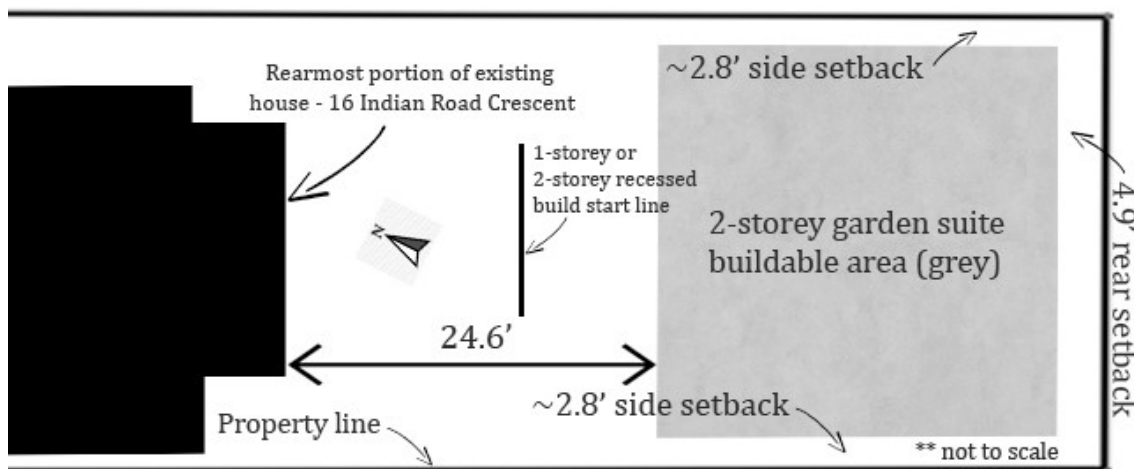


July 5, 2024

This letter will confirm that the property located at 16 Indian Road Crescent 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 July 5, 2024** and confirmed siting, emergency access, zoning, and other appropriate qualifications to certify its eligibility under the new regulations.

The maximum size of a permitted 2-storey as of right build appears to be approximately 940 square feet total (over two floors, main and upper).



A full 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 basement construction can be significant, compared to above-grade floors.

The “buildable area” (grey in the diagram above) at 16 Indian Road Crescent grants a limited variety of placement options and footprint designs, 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. Walls with windows or doors must be placed at least 4.9 feet away from the respective property lines.

An alternate option is a configuration where the build is recessed into the ground at least 6.5 feet, so that the structure contains a lower and an upper floor. With this configuration, the build can start at the line marked “1-storey or 2-storey recessed...” rather than further to the rear of the property at the grey shaded area. This can yield a garden suite of approximately 1,307 sq. ft. total over the two floors. This does likely preclude a level entry.

It should be noted that current fire/emergency access regulations might require the owner of 16 Indian Road Crescent to enter into a “Limiting Distance Agreement” (LDA) with the neighbour at either 14 Indian Road Crescent or 18 Indian Road Crescent in order to build the garden suite. A positive “reciprocity principle” might be in effect here, as the owners of 14 and 18 Indian Road Crescent might need this LDA to build a garden suite on *their* respective properties.

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 (with the possible exception of the LDA, as noted above). 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, that 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.



2-storey garden suite from Toronto's Eva Lanes - [www.evalanes.com](http://www.evalanes.com)

The new garden suite regulations received political approval at Toronto City Hall on February 2, 2022, and on July 4, 2022 emerged successfully from an appeal process that had delayed the implementation slightly.

The program is now in full effect, and applications for the program are being accepted at City Hall, and the city has received just over 500 applications, as of mid-June, 2024. Over 300 builds are underway, and over 50 are already complete.

Should you have any questions about 16 Indian Road Crescent 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 [gardensuitesontario.com](http://gardensuitesontario.com).

Martin Steele

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