

July 4, 2024

This letter will confirm that the property located at 28 Lewis Street 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 3, 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 as of right, recessed build appears to be 1,048 square feet total (over two floors, lower plus upper).



The “buildable area” (grey in the diagram above) at 28 Lewis Street grants a very 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.

This report presumes a 1.0m (39 inches) wide emergency access path can be created between the house here and the house or future house or structure at 26 Lewis Street (wall to wall), and if all of this path cannot be on the subject property, the proponent might be required to enter into a Limiting Distance Agreement (LDA) with the neighbour at 26 Lewis Street.

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, up to 6m (19.68 feet) tall (here, a maximum of 4m 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.

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.



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

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 28 Lewis Street 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

**Laneway Housing Advisors - [www.lanewayhousingadvisors.com](http://www.lanewayhousingadvisors.com)**

**#1801-1 Yonge Street - Toronto, ON M5E 1W7**

**DIRECT 24/7: 647.847.8128**