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The Big Debate
Opinion

Is lot splitting in low density neighbourhoods a good way to increase housing density?

By Cherise Burda Contributor
David Godley Contributor

Dividing city lots to build two houses on one property is increasingly common and controversial in Toronto. Is this good planning in light of sky high housing prices and a lack of land for development? **Cherise Burda of the Ryerson City Building Institute** argues yes, while **David Godley, a retired city planner**, argues no.

YES

Cherise Burda

Executive Director of the Ryerson City Building Institute

Toronto is facing a housing affordability crisis and single-detached neighbourhoods are, unfortunately, growing increasingly exclusive. Meanwhile, our population is growing fast. Adding new housing throughout the city, including in desirable residential neighbourhoods made up of mostly detached houses, is key to supporting a healthy, inclusive region.

As it stands, only the wealthiest of Toronto's residents can afford to buy a detached house. A recent Zoocasa study found that only the top 10 per cent of GTA residents could afford a "benchmark house," costing \$873,100. Detached houses in Toronto are even more expensive, selling for \$1.35 million on average.

Over the next 25 years we are expecting about 1 million new neighbours. And, over the next 50 years Toronto's population is on track to double. In simpler terms anywhere we currently have one housing unit we will need two.

This combination of an affordability crisis and rapidly growing population is why city council recently voted overwhelmingly in support of Deputy Mayor Ana Bailão and Mayor John Tory's motion to study opportunities to accommodate new forms of housing in our residential neighbourhoods.

Adding gentle density to detached-residential neighbourhoods is critical. These areas occupy approximately 70 per cent of the total land zoned for residential uses in the city. Restricting these neighbourhoods from changing and densifying means these areas will become even more exclusive than they already are.

Furthermore, if we expect families and other large households to continue to find a home in Toronto we are going to need to build more than just tall condos in high growth nodes. This means finding ways to encourage and allow other forms of housing, like new laneway units, townhouses, multiplexes and lowrise apartments.

We are already seeing the impacts of our exclusionary approach to detached residential neighbourhoods. While the city's population is growing, the population of most detached neighbourhoods is aging and declining, leading many residents in these areas to be overhoused: a study by the Canadian Association for Economic Analysis estimates that Toronto contains 2.2 million empty bedrooms.

Finding new ways to add housing to these areas — like lot splitting, or converting single-family homes into duplexes or triplexes — will help ensure we are using our residential land efficiently. It would offer seniors an opportunity to downsize and unlock home equity while aging in place, and provide more attainable options for new neighbours to move in.

The population added could help reverse the trend of school closures. It would also help support local services, transit, and the cafes and restaurants that people love in their neighbourhoods.

From a climate change mitigation standpoint it is important that we add density to our urban footprint, especially near transit, rather than relying on sprawl to accommodate our growing population. Transportation and buildings are responsible for the majority of Ontario's greenhouse gas emissions, and our continued development of car-dependent neighbourhoods is a major culprit. Densifying Toronto's residential neighbourhoods presents an alternative to sprawl.

As we convert, rebuild and expand our existing housing stock we have the opportunity to achieve even deeper greenhouse gas reductions. Vancouver now mandates that by 2020 new residential buildings from one to six storeys must be carbon neutral and use 50 per cent less energy than homes did in 2007.

No action alone will be the salve to our affordability crisis, but to continue building a livable and sustainable city we need more diverse new housing options. Making headway in our residential neighbourhoods is an important step toward a comprehensive housing action plan, one that should include plans to build and maintain new subsidized housing alongside market housing to ensure everyone can find a home.

Toronto is not alone in reconsidering what forms of development should be permitted in residential neighbourhoods — Minneapolis, facing its own affordability crisis, recently developed a new city plan and zoning bylaw that allows more density along transit routes, and allows for triplexes anywhere that currently allows for single-detached homes.

What's compelling is that the movement to change zoning in Minneapolis was led in part by owners of detached houses in single-family neighbourhoods who recognized the need and the benefits of adding gentle density to their community. They called themselves "Neighbours for More Neighbours." We have the opportunity to do the same.

Cherise Burda is the executive director of the Ryerson City Building Institute.

NO

David Godley
Retired city planner

Toronto's 140 neighbourhoods are the jewels in its crown. The city's prime planning strategy is to strengthen their character to attract business and jobs.

Lately, increasing housing prices, driven by global pressure, have limited opportunities for ownership and affordability. At the same time population in some neighbourhoods is dropping, meaning existing services may be underused. Paradoxically, single person households are increasing.

There is a skew between housing stock and the needs of citizens. The greatest need is for small rental units, which might include plexes, rent geared to income, rooming houses, and conversion of underused space in neighbourhoods on a microscale.

In the last 10 years land division on undersized lots has been eroding the character of neighbourhoods and destroying the very features that attracted residents. Long Branch neighbourhood, for example, loses about one tree for each severance; the city aims for a 40 per cent tree canopy.

Across Toronto generic houses on severed lots have been approved, which optimize owner benefits. These are sometimes as much as double the permitted density in older neighbourhoods with prominent garages deadening the streetscape. They do not fit.

This trend not only destroys existing affordable housing through demolition but makes all neighbourhoods more similar. It is an aggressive form of intensification. Effectively, the development industry was determining what should be built in neighbourhoods.

How did this come to be? First, the development-oriented Ontario Municipal Board (OMB) took little notice of city planners or the public. Second the Committee of Adjustment (COA), which decides applications, appears to ignore the planning and legal framework.

The city responded by setting up its own mini OMB, an appeal body called Toronto Local Appeal Body (TLAB), which hears land division and minor variance appeals. The refusal rate for land division has escalated since the demise of the OMB.

New COA members have recently been appointed. These members require training on city policy and the law. The planning department is mostly absent from the land division process as comprehensive comments are never submitted. However, urban forestry is taking a strong lead to save trees.

A large number of severances have had impacts on neighbours, such as blocking views, overshadowing, overlook and overpowering high walls, not to mention the tree canopy destruction. New tall narrow houses — soldier houses — tower over lower structures.

The city, to its credit, had urban design consultants identify the defined neighbourhood features of Long Branch, so any proposal can be evaluated easily. The neighbourhood is cited because, with Willowdale, it has most severance proposals across the city.

Currently, Long Branch residents are opposing 12 land division/variance applications at hearings, which last up to a week. This is a massive burden on volunteer citizens. TLAB has made rational and reasoned decisions. Most neighbourhoods have few resources to oppose what developers want.

In an effort to address housing affordability the city recently allowed second suites in all neighbourhoods. Second suites have little impact on outside appearance so are gentle intensification.

City planning is preparing a report on how other intensification can take place without disrupting the ambience of neighbourhoods. Other jurisdictions allow conversion of garages and rear yard ancillary units. Both of these types of housing could allow small rental pads catering to very low incomes.

The myth of a housing land shortage should be squelched. There are enough housing units approved to last 20 years in Toronto with very large numbers of applications in the pipeline. Theoretically, all the needed housing can be accommodated along main streets. This is the appropriate place for co-ops, plexes and rooming houses, as well as innovative housing. There are large tracts of land with development potential.

So, yes, there is a need to review how population can be increased in neighbourhoods with good development. But land severance is not the way to go unless variances are minimal. It is a travesty of justice to allow applicants to effectively commandeer existing private rights of those who have perhaps invested their life savings in their family house.

Putting two Starbucks in place of a Tim Hortons is not going to make coffee cheaper. Let's abandon harmful land division in neighbourhoods and keep our jewels in the crown well polished.

David Godley is a retired city planner who has specialized in neighbourhood planning, urban design and public participation.

A further unpublished review ghost written for David Godley

Lot Splitting:

How Toronto Facilitated the Destruction of Affordable Housing, Neighbourhood Diversity,
and its Tree Canopy

by David Godley

In theory, lot splitting is appealing: it increases housing supply and density in serviced, accessible areas. Unfortunately, in practice the situation is more complicated, if not contradictory.

According to supply side economics, increases in supply lower costs. More coffee shops, for example, should lower the cost of coffee. If, however, we replaced some individual Tim Horton's with two Starbucks we would increase supply in coffee, but the cost of the coffee would increase, not decrease, because we're substituting a more expensive product. The same is true of lot splitting.

First, 'Bill' the builder buys a house on a lot he wants to split. But the house must *by necessity* be an affordable house in order for it to be financially viable. Normally, Bill will enter a bidding war with a family who would have moved into that affordable house, which inflates the price. An 'affordable' house that listed for \$650K sells for around \$800K, and Bill has already wasted almost a million in value. So he splits the lot and *by necessity* must erect two large luxury homes in order to recoup the waste, the million in construction costs, plus fees, commissions, etc. The original affordable home that would have housed a young family is replaced by two homes that sell for about \$1.5M each.

To minimise costs Bill typically erects virtually identical houses. Everyone in Toronto knows these 'Soldier Homes': large 2-3 story boxes with a protruding front window above an integrated garage with many front steps up, etc. etc. It's basically the same house being built everywhere, regardless of the neighbourhood's character. Which raises another problem with lot splitting: homogeneity. The once diverse character of this city's vibrant neighbourhoods is being eroded by construction of identical, sterile, mundane, vapid houses.

Because the homes have to be large, mature trees are cut down and the trees on neighbouring lots often die because of root damage from the construction. Also, the size of the homes significantly reduces future planting space. Lot splitting therefore violates the Environmental Policies of the city's Official Plan and makes it increasingly difficult for the city to reach its 40% tree canopy objective.

Lot splitting destroys affordable houses, increases prices (and taxes) beyond most people's ability to pay, erodes the tree canopy, and turns the city's unique neighbourhoods into indistinguishably zestless precincts. Further, builders choose lots to split not according to a

strategic plan based on the public interest, but according to one criterion: the maximisation of the builder's profits.

But there is an alternative. Toronto could enforce current laws that require developers to respect existing neighbourhood characters. It could incentivise the development of mixed housing along the major avenues which, according to Toronto's former Chief Planner, could meet the housing demand...affordably. Existing homes and garages could also be renovated to increase the supply of affordable rental housing. Why isn't this happening?

The Official Plan and Zoning By-Laws are in place to ensure that builders respect neighbourhood characters and encourage affordable housing. But the Committee of Adjustment readily grants exemptions to regulations that are supposed to protect us from inappropriate development. The city's Planning Department is also supposed to ensure that building proposals conform to the law, but most of the time they give the green light to lot splitting and soldier homes. Builders used to appeal rejected applications to the OMB for an almost guaranteed win. The Toronto Local Appeal Board has replaced the OMB and has been requiring thoughtful deliberation and legality for new developments, which is why (ironically) the province has contemplated bringing back something like the OMB — good for builders, but not for buyers.

Members of the COA, Planning Department, and a revamped OMB are all public officials and they essentially ignore the law. So this isn't only a geo-economic problem, it's a political one, and it reveals how much influence developers exert over our politicians and the public bodies that enforce their vision. Until we have politicians and public officials who prioritise the housing needs of 'the people' over the building industry's profits, the destruction of community diversity, affordable housing, and nature will continue.

And you'll have to get used to saying "Grande Skinny Macchiato" instead of "medium regular".

In NRU edition 2 August on City Government Reform, U of T prof Marianne Valverde, a world renowned expert on Government, says candidly that the Committee of Adjustment is dysfunctional. It is notable that she also advocates and that the way forward is a New York style appointed advisory model giving the community control over land use and zoning matters.

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