



November 30, 2018

Caroline Samuel
Zoning By-law Team
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416-392-8781

Sent by email: Caroline.Samuel@toronto.ca

Dear Ms. Samuel,

Re: Feedback on As-of-Right Zoning for Secondary Suites

Downtown Legal Services (“DLS”) is a community legal clinic and clinical education program at the University of Toronto Faculty of Law. Our clients are low-income Torontonians and students of the University of Toronto. One of our most high-demand areas of service is housing law, for both of the above-listed client groups. However, even our clients with family, criminal, refugee, or employment law issues frequently struggle to find safe and affordable housing in this city.

The purpose of this letter is to express our support for three of the four proposed changes in your June 13, 2018 [“PG31.12 Report for Action: As-of-Right Zoning for Secondary Suites”](#). One of our law students attended your November 27th consultation at Scarborough Civic Centre, and we wish to take this opportunity to express how the proposed changes could help improve the lives of our clients – specifically, students at the University of Toronto’s Scarborough campus.

Housing Context for Scarborough Students

Students in Scarborough generally struggle to find affordable housing that is close to campus. This has created an unfortunate situation wherein students, particularly international students vulnerable to exploitation, are forced to turn to rooming houses. Because these rooming houses are operating outside of the City’s current regulatory framework, these rooming houses often create a safety risk to students and tension between students and the surrounding communities.

Earlier this year, one University of Toronto Scarborough student (18-year-old Helen Guo) died as a result of a tragic fire in the illegal rooming house that she occupied. Subsequent media coverage and official investigations have revealed that Ms. Guo was only one of many students crowded into a half-dozen houses illegally operated by the same owners. The lack of a licensing regime may not only have contributed to the numerous fire safety violations in those houses, but also the manner in which those students were reportedly kicked out of their homes by panicked landlords after the fire.

In response, DLS and the Scarborough Campus Students' Union ("SCSU") partnered to deliver electronic and in-person legal information this summer to students renting off-campus. We heard that while the University's housing services office will not officially recommend that students agree to rent in illegal rooming houses, many of those students have reached the point where they cannot find any legal Scarborough rentals that they can afford.

Students want safe and affordable housing and to be a positive part of their surrounding communities. We believe a more permissive framework for secondary suites in Scarborough could help address part of these barriers.

Views on Specific Changes

1) **Permit secondary suites in townhouse units city-wide**

We support this measure as we believe it will encourage the creation of more affordable units for students. We heard at the consultation that residents are opposed to requiring an extra parking spot to go along with every secondary suite. We agree. Parking spots are often unnecessary for students and requiring more would create a needless barrier to increased supply as well as unnecessary friction with neighbours.

2) **Remove the time requirement for the original house to be constructed prior to the creation of a secondary suite**

We support this measure as we believe it will remove a barrier to the creation of more affordable suites and may facilitate the creation of suites that are better tailored to the needs of student renters. We further believe that this requirement reflects an outdated notion of secondary suites as an alteration of a "family home", which does not reflect the realities of the current housing market, particularly around campus.

3) **Introduce a permitted maximum percentage of interior floor area a secondary suite may comprise to ensure it remains subordinate to the primary dwelling unit**

We do not believe this measure is necessary and feel it could become a hindrance to creating more affordable suites of a more comfortable size. Furthermore, given that it appears open to the homeowner to move into the smaller suite and then rent the larger one, we believe the primary dwelling unit is a largely artificial concept based on the outdated notions mentioned above.

4) Remove the required minimum interior floor area for secondary suites in the R Zone, as this requirement is no longer necessary and controlled by the Building Code

We support this measure and believe that the Building Code provides a sufficient minimum throughout the City, and therefore a status quo should be maintained in Scarborough with regard to this measure.

We heard at your consultation that, should these changes go ahead, the City will engage in an awareness campaign to ensure home owners know about their options and obligations. We are glad the City recognizes that these measures will only be effective to the extent that home owners are aware of them and take advantage of them. We therefore support the City's efforts to promote these changes to home owners and would encourage special attention be paid to neighbourhoods around the University of Toronto's Scarborough Campus and those most connected to it by public transit.

We look forward to seeing your recommendations to Council in the spring, and we thank you for this opportunity to provide our input.

Sincerely,

DOWNTOWN LEGAL SERVICES

Per:



Benjamin Ries, Staff Lawyer

and: Benjamin Miller, Law Student

CC: Scarborough Campus Students' Union
University of Toronto Students' Union
West Scarborough Community Legal Services
Scarborough Community Legal Services
Advocacy Centre for Tenants Ontario
Greater Toronto Clinic Housing Advocates