CONQUERING THE YELLOWBELT



Rachael Williams

In what was deemed by some local planners to be an impossible feat, Toronto city council approved a motion Thursday to explore opportunities to provide a greater variety of housing options in the city's stable neighbourhoods.

Put forward by Mayor **John Tory** and approved at the July 17 council meeting, the motion recommends that the chief planner and executive director of city planning report back to planning and housing committee in late 2019 with recommendations and a timeline for increasing housing options and planning permissions in areas of Toronto designated as *Neighbourhoods* in the city's Official Plan. These neighbourhood designations are commonly referred to as the "yellowbelt"- where zoning permits only single, detached dwellings - and represent approximately 70 per cent of the city.

"I think we were a little bit surprised that council would confront the yellowbelt issue," said **Hertel Planning Associates** principal, **Sean Hertel**.

Protecting these stable neighbourhoods has been a widely contested subject among industry stakeholders. Private sector planners and developers contend that opening the yellowbelt will allow for a more diversified housing stock, such as duplexes, triplexes and fourplexes, in previously homogeneous areas, providing more housing options for young or multi-generational families, seniors or residents looking to upgrade from condominium units.

But Hertel contends council has never been courageous enough to consider these types of bold moves, fearing political pushback, an attitude he hopes is on the way out with the passing of this motion.

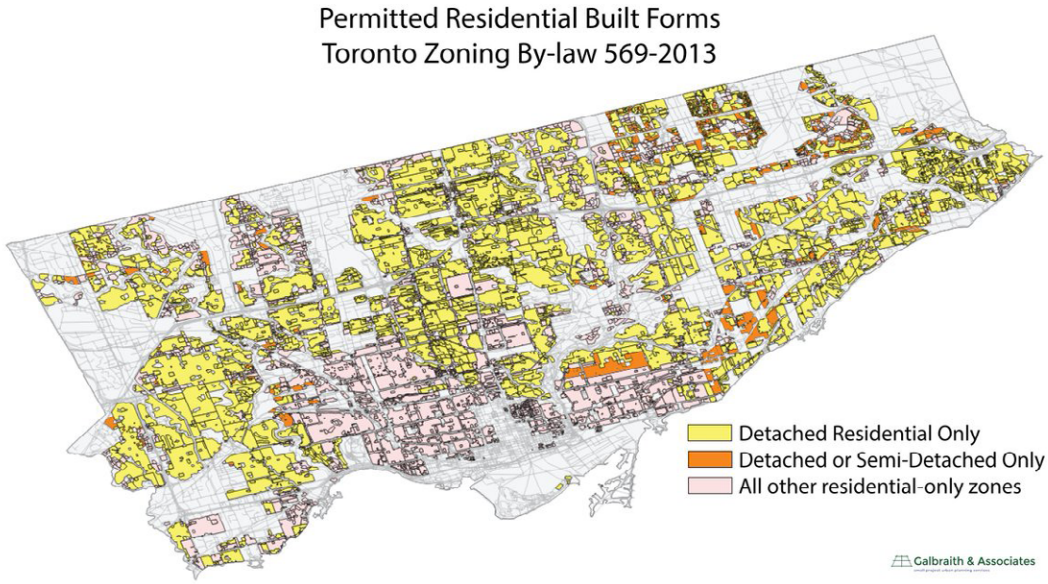
"I'm hoping that this is a sign we will do the heavy lifting and do the things required to be the type of city we tell people we are," he said.

SvN Architects + Planners business development director **Blair Scorgie** told *NRU* opening the yellowbelt will lead to a rebalancing of neighbourhood populations. Since 2001, stable neighbourhoods have experienced a decrease in population of 220,000, mostly children and early and mid-career adults, leaving the public infrastructure in those neighbourhoods underutilized. Providing more opportunities for an appropriate mix of housing tenures and types will allow for greater use of public infrastructure, will result in a more diverse population mix and will transform Toronto's stable neighbourhoods to communities that are resilient and flexible to change.

"It will also have a positive impact on main street businesses that are faced with the fact that the value of land is going up, but the actual [proportion] of service-commercial uses is declining and so hopefully we can create a critical mass of population to help support mom-and-pop shops and small-scale businesses that are having a difficult time in some of these communities," he said.

Scorgie adds it could help create a new breed of developer

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Map of City of Toronto's residential zoning permissions. The areas shown in yellow are referred to as the "yellowbelt" and only allow for the construction of single detached residential homes.

SOURCE: GALBRAITH & ASSOCIATES

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specializing in these types of small to mid-sized projects and result in an expansion of the existing companies focusing on modular housing or laneway hosing, such as **R-Hauz** or **Lanescape**. Development managers, coordinators or real estate agents who work for large companies but have side businesses working independently on small-scale building projects may also have more opportunities to lead the charge on missing middle housing development. These types of developers have already been active in lot-splitting projects in Long Branch and Willowdale, where older bungalows have been torn down to make way for two taller, detached, more modern homes.

"There are thousands of players. There are the well-known builders - **Menkes**, **Tridel, Mattamy** and so on. Then you've got a whole raft of small custom builders and there's hundreds of them. Then you've got large contractors that also quite often have small building operations. Then on top of that you've got property owners… that are creating triple-purpose properties, one where you can live in and where you have some income from the rest of it that offsets the redevelopment cost," **said Residential Construction Council of Ontario** president **Richard Lyall.**

Mid-rise development companies that may find it difficult to construct mid-rise building typologies to the city's built form standards along centres and avenues while still earning a profit could also look for greater development opportunities at the edges of neighbourhoods.
"Much of the land in the centres is spoken for, especially in the downtown core. And then with respect to avenues, the building typology of mid-rise is such that the land economics for many projects just aren't there. The lots can be too narrow, they can be too shallow, they can be both narrow and shallow. And when you manage to wedge yourself into this small footprint, the numbers may not work and that doesn't even account for the compatibility issues and expectations of adjacent neighbours," said Hertel.

"What you're seeing is a lot of developers just giving up hope that the avenues can generate any critical mass of development whatsoever. So whether or not these developments would find some traction from a pro forma perspective in the yellowbelt, I don't know."

Tackling an issue as polarizing as infill development in existing neighbourhoods will come with a number of challenges, according to **Galbraith & Associates** president **Sean Galbraith**. This includes whether the zoning will be updated appropriately to reflect potential Official Plan changes. Galbraith also predicts policy disputes will arise from the passing of Official Plan Amendment (OPA) 320. Approved by the Local Planning Appeal Tribunal in December 2018, OPA 320 introduces language that is designed to protect the "prevailing character" of existing neighbourhoods.

"The challenge is going to be that even if we get the yellowbelt changes made, that this prevailing character crap is still lodged into the Official Plan and could still generate road bumps in the future. Let's say you want to go for minor variance. One of the tests of minor variance is that it meets the intent and purpose of the official plan and if what you're permitting does not meet prevailing character of built form in the neighbourhood, how do you pass that test?"

Council having the political will to move ahead with implementing any staff recommended changes will also be a significant hurdle to clear in opening the yellowbelt. Comparing it to the laneway housing debate that took nearly three years before council approved implementation policies, Galbraith said he is "cautiously pessimistic" that the staff report will yield any significant changes in *Neighbourhood* designations.

"I think part of it is we have to be honest with ourselves. Toronto really needs a moment of reckoning…Most of Toronto is closed off to development. A lot of our neighbourhoods are actually losing population. I don't know if we're courageous enough collectively to have that conversation because this council does not lead and start courageous conversations. They run from [them], traditionally. They run the other way," noted Hertel.

Snags in the development approvals process is also an inevitable hurdle that will need to be addressed in order for small-scale developers to want to move ahead with missing middle projects. Solutions could include the city instituting an electronic application system where instead of appearing in person at City Hall, developers could submit plans online and check for status updates. Having a dedicated city planning staff team looking at built form requirements, adjacencies, compatibility issues, appropriate design and massing could also expedite missing middle housing approvals.

"This [motion] is very much the first step in what needs to be a fundamental, from the ground up, revisioning of what the city should be and how it should be built and what form it should take. It's step one of 20, but it's important to take this first step," said Galbraith.