



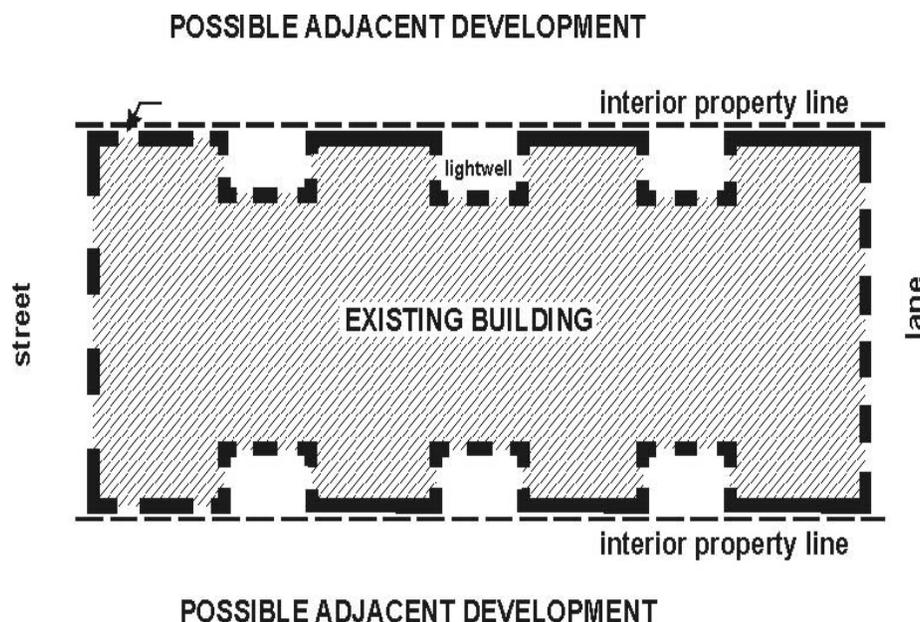
GUIDELINES FOR NEW DEVELOPMENT ADJACENT TO HOTELS AND ROOMING HOUSES (WITH WINDOWS OR LIGHTWELLS NEAR INTERIOR PROPERTY LINES)

*Adopted by City Council on July 27, 1982
Amended March 12, 1991 and July 20, 2022*

1 Application and Intent

These guidelines are to be used in conjunction with the Zoning and Development By-law or an Official Development Plan By-law for new development adjacent to existing hotels, rooming houses and certain other residential buildings with windows or lightwells at or near interior property lines (Figure 1). New development built adjacent to such buildings can seriously affect the liveability of units by blocking off light and air. Measures must be taken to ensure the liveability of these units is maintained. This in turn will contribute to the retention of a sufficient stock of adequate and affordable accommodation.

Figure 1. Typical Hotel or Rooming House With Windows and Lightwells on an Interior Property Line



Most cases covered by these guidelines involve new development adjacent to existing hotels and rooming houses, but there are also cases which involve new development adjacent to multiple dwellings and multiple conversion dwellings. The prime consideration is the amount of air and light which can penetrate windows at or near interior property lines or on three-sided lightwells.

If an existing building has a limited life expectancy, a proposed adjacent development should be considered accordingly. If a building is totally beyond repair (as determined through application of the Standards of Maintenance By-law) and therefore slated for demolition, new development will not be required to respect existing window or lightwell conditions. If, on the other hand, the building is of sound construction or required repairs are imminent, the proposed development should provide appropriate setbacks.

The problem addressed by these guidelines is likely to occur most frequently within the comprehensive development districts DEOD and DD, and within the historic districts of HA-1 and HA-2. In other zoning districts where the same problem arises, these guidelines should be used where the new development requires conditional approval.

2 General Design Considerations

2.1 Light and Ventilation

The following components combine to determine the amount of sunlight and daylight which can penetrate a lightwell or side-yard window:

- (1) The area of the lightwell or side yard;
- (2) The height of the lightwell or side yard;
- (3) The reflectance of the walls;
- (4) The orientation of the lightwell, side yard and windows;
- (5) The size and depth of the windows; and
- (6) The size of the room.

New development can affect components 1 to 4 but components 5 to 6 are outside the direct control of adjacent new development.

The ventilation capabilities of windows are affected by the following:

- (1) The area of the lightwell or side yard;
- (2) The height of the lightwell or side yard; and
- (3) The size and depth of the windows (size in this case refers to the unobstructed area of an open window).

In the evaluation of existing conditions and proposed compatible designs, adjacent development proposals should be measured against the combined effect of all the relevant sunlight and ventilation components listed above.

3 Guidelines

3.1 Vertical Angle of Daylight

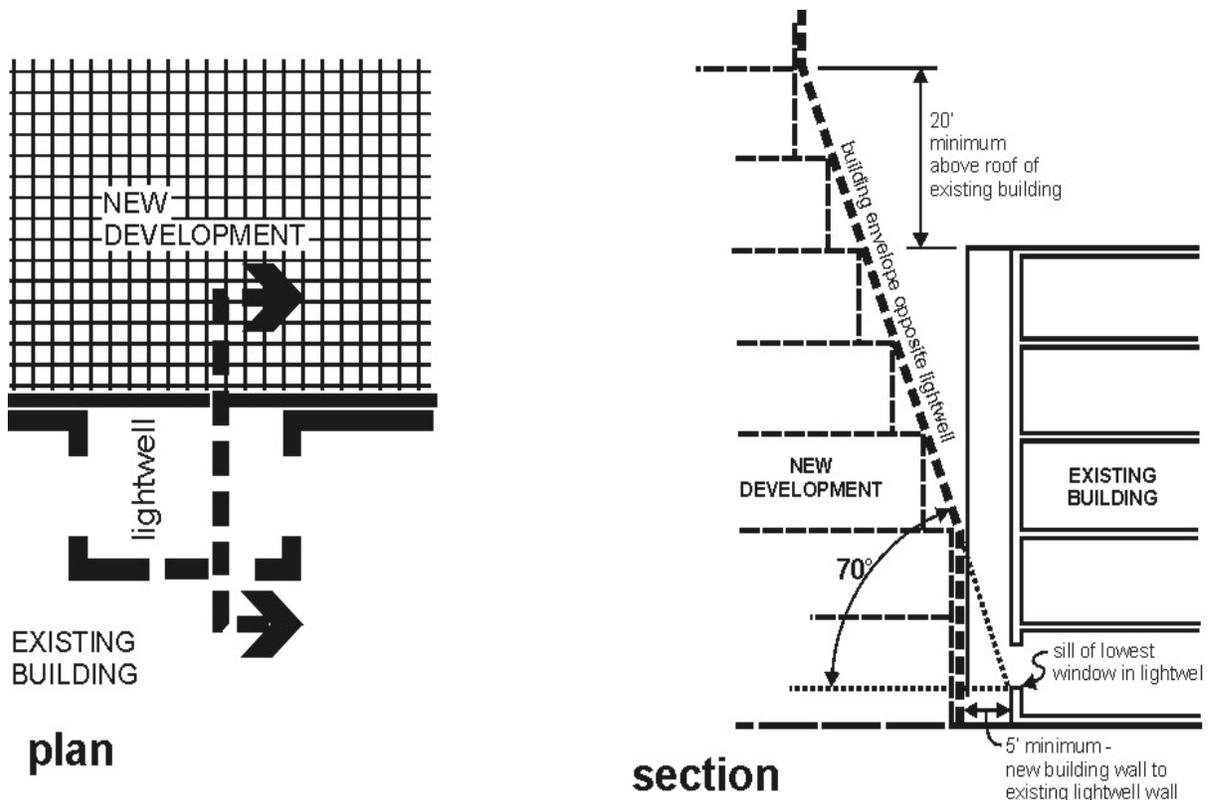
3.1.1 Development Adjacent to Buildings With a Three-Sided Lightwell

It is considered inappropriate to apply a strict minimum required setback due to the diversity of potential circumstances. Therefore, a minimum standard is proposed from which applicants should begin to formulate appropriate solutions.

The minimum standard is based on a 70 degree vertical light angle which is measured from the sill of the lowest window in a lightwell and applies to the portion of the new development which is directly opposite the lightwell. A minimum setback of 5 feet or the depth of the lightwell, whichever is greater, applies at the sill of the lowest window. The 70 degree angle extends to a point 20 feet above the roof of the existing building (Figure 2).

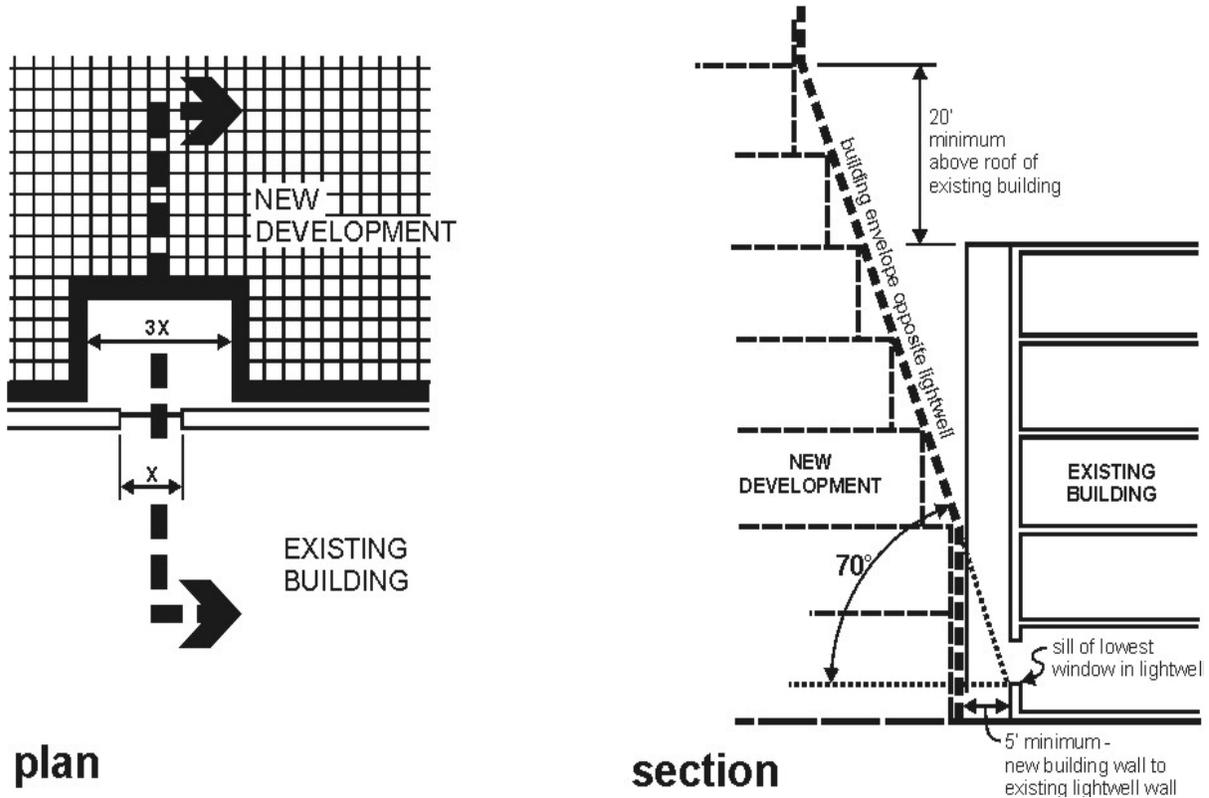
This standard is considered a **minimum** and it is expected that in many cases more than the minimum should be achieved. It is considered a standard rather than a requirement in order to reflect a flexible and negotiable approach. That is, if an applicant can demonstrate that an alternative solution will provide a better air and light situation than would be realized by application of the 70 degree minimum standard, then it should be considered. An example of an alternative solution to the 70 degree vertical light angle is given on page 5 of these guidelines.

Figure 2. Example of How Light Angle and Setback Apply to Development Opposite a Lightwell



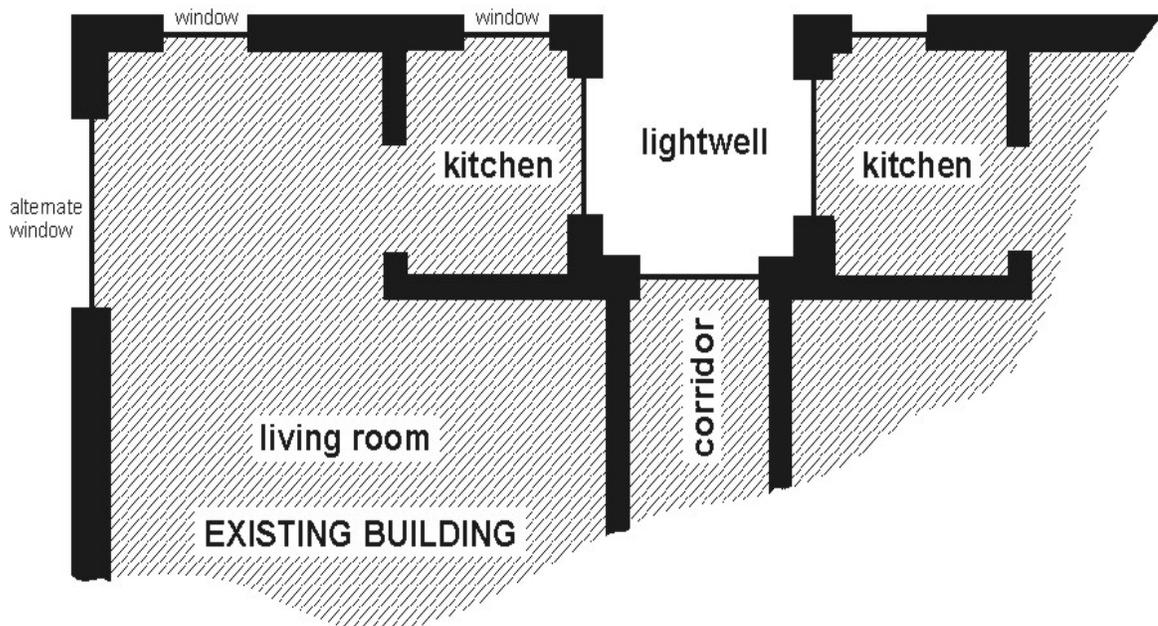
- 3.1.2 Development Adjacent to Buildings With Windows on or Near Property Line
 The 70 degree vertical light angle should be applied in a similar manner to the lightwell example with a minimum standard setback of 5 feet applying at the sill of the lowest window. The setback and vertical light angle applies to a distance measured along the side property line wall approximately three times the width of the window taking into account the numbers and dimensions of windows (Figure 3). The criterion should be interpreted with flexibility.

Figure 3. Example of How Light Angle and Setback Apply to Development Opposite a Window Near a Property Line



- 3.1.3 Use of Rooms and Alternative Sources of Daylight and Ventilation
 If the windows serve rooms such as kitchens, bathrooms and corridors, which are not required to have windows, the windows and lightwells may be given lower priority. Furthermore, when a room has an unobstructed alternative for daylight and ventilation, as illustrated in Figure 4, the necessity to respect the window or lightwell is diminished.

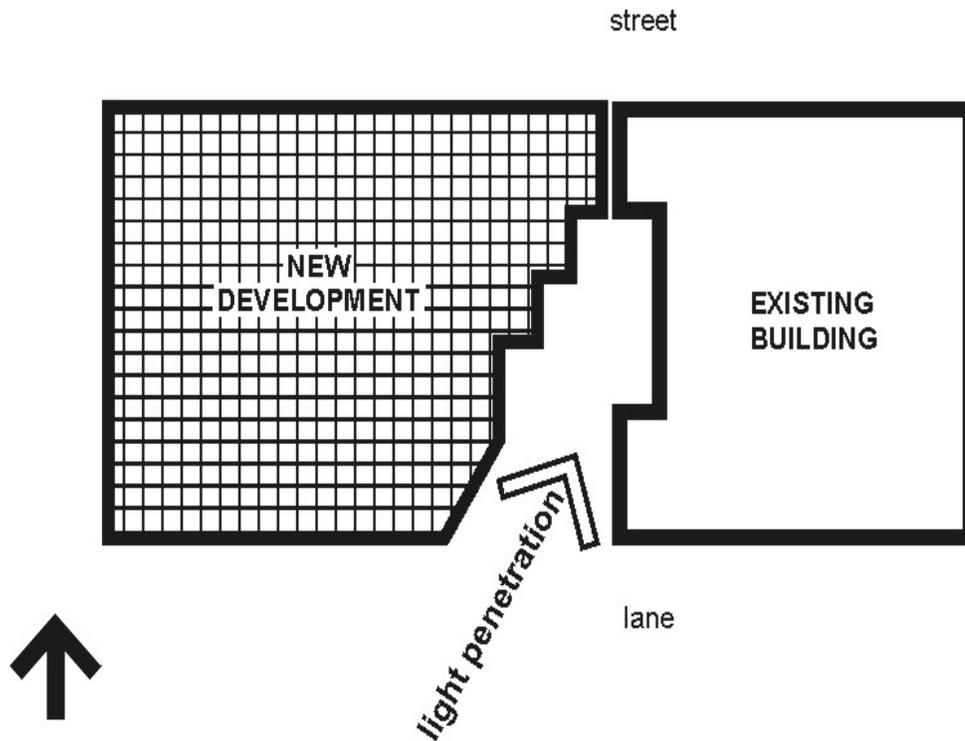
**Figure 4. Situations Where Need to Respect Windows and Lightwells is Diminished
NEW DEVELOPMENT**



3.1.4 Other Solutions

Applicants are encouraged to seek creative solutions. Of the numerous alternatives, the one illustrated in Figure 5 features stepping back to provide adequate light penetration.

Figure 5. Alternative Solution to 70 Degree Light Angle



This type of solution is particularly appropriate when the side yard can be opened to the south (as illustrated) to allow exposure to the prevailing direct sunlight. A further extension of this could be to step back from the lane as well as from the interior property line improving both vertical and horizontal light angles, and creating a corner terrace effect.

Opening a side yard to the street, rather than the lane, may not be an appropriate solution if the result is an undesirable break in the continuity of street facades. To alleviate this problem a false facade could be introduced.