

A by-law to amend By-law Number 0225-2007, as amended.

WHEREAS pursuant to section 34 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, the council of a local municipality may pass a zoning by-law;

NOW THEREFORE the Council of The Corporation of the City of Mississauga ENACTS as follows:

1. By-law Number 0225-2007, as amended, being a City of Mississauga Zoning By-law, is amended by deleting the definition of "**Second Unit**" from Section 1.2.

2. By-law Number 0225-2007, as amended, is further amended by deleting Subsection 4.1.20 from Section 4.1.

3. By-law Number 0225-2007, as amended, is further amended by adding Sentence 1.1.2.3.3 to Article 1.1.2.3 as follows:
 - 1.1.2.3.3 Notwithstanding the regulations contained in an Exception Zone and Exception Zone Schedule, a maximum of two **attached ARUs**, or a maximum of one **attached ARU** and one **detached ARU** are permitted per **lot**, and Subsection 4.1.1 of this By-law shall apply.

4. By-law Number 0225-2007, as amended, is further amended by adding the following Definition to Section 1.2:

Floor Area - Detached ARU	means the sum of the areas of the floor including floor area occupied by interior walls for each storey of a building, structure or part thereof measured from the exterior of outside walls, or from the midpoint of common walls
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5. By-law Number 0225-2007, as amended, is further amended by adding the words "**attached ARU**" and ", but excluding a **detached ARU**" to the definition of "**Gross Floor Area (GFA) - Infill Residential**" in Section 1.2 as follows:

Gross Floor Area (GFA) - Infill Residential	means the sum of the areas of each storey of a building , including the area of void in a floor, above average grade , measured from the exterior of outside walls, including an attached garage, attached ARU and any part of the building , above and below grade, used for motor vehicle parking, but excluding a detached ARU . (0174-2017), (0208-2022)
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6. By-law Number 0225-2007, as amended, is further amended by adding the following Definition to Section 1.2:

Housing Types:	
Attached Additional Residential Unit (Attached ARU)	means a unit with its own kitchen, sanitary facilities, and bedrooms/sleeping area and is contained within a detached dwelling, semi-detached, linked dwelling, or street townhouse .

7. By-law Number 0225-2007, as amended, is further amended by adding the following Definition to Section 1.2:

Housing Types:	
Detached Additional Residential Unit (Detached ARU)	means a unit with its own kitchen, sanitary facilities, and bedrooms/sleeping area and is located within an ancillary structure on the same lot as a detached dwelling, semi-detached, linked dwelling, or street townhouse .

8. By-law Number 0225-2007, as amended, is further amended by deleting Subsection 4.1.1 and substituting the following therefor:

4.1.1 Additional Residential Unit (ARU)

9. By-law Number 0225-2007, as amended, is further amended by adding Article 4.1.1.1 to Subsection 4.1.1 as follows:

4.1.1.1 A maximum of two **attached ARUs**, or a maximum of one **attached ARU** and one **detached ARU**, are permitted per **lot**, and shall comply with the provisions contained in Table 4.1.1.1 - Additional Residential Unit (ARU).

Table 4.1.1.1 - Additional Residential Unit (ARU)

Column A		Column B
Line		
1.0	A maximum of two attached ARUs are permitted only in these zones	R1 to R16, RM1, RM2, RM3, RM5, RM6 and RM7 ⁽¹⁾
2.0	A maximum of one attached ARU and one detached ARU are permitted only in these zones	R1 to R16, RM1, RM2, RM3, RM5 ⁽²⁾ , RM6 ⁽²⁾ and RM7 ⁽¹⁾
3.0	An attached ARU shall comply with the regulations of the zone in which it is located and with the provisions contained in Subsection 4.1.1 of this By-law	✓
4.0	A detached ARU shall comply with the provisions contained in Subsection 4.1.1 and Table 4.1.1.14 of this By-law	✓

NOTES: (1) See Article 4.1.1.12 of this By-law.
 (2) See Article 4.1.1.13 of this By-law.

10. By-law Number 0225-2007, as amended, is further amended by adding Article 4.1.1.2 to Subsection 4.1.1 as follows:

4.1.1.2 Additional **parking spaces** shall not be required for an **attached ARU** or a **detached ARU**.

11. By-law Number 0225-2007, as amended, is further amended by adding Article 4.1.1.3 to Subsection 4.1.1 as follows:

4.1.1.3 A **home occupation** shall not be permitted in an **attached ARU** or **detached ARU**.

12. By-law Number 0225-2007, as amended, is further amended by adding Article 4.1.1.4 to Subsection 4.1.1 as follows:

4.1.1.4 A **lot** with an **attached ARU(s)** and/or a **detached ARU** shall have one and not more than one **driveway**.

13. By-law Number 0225-2007, as amended, is further amended by adding Article 4.1.1.5 to Subsection 4.1.1 as follows:
- 4.1.1.5 An addition to facilitate an **attached ARU(s)** shall not alter the **existing use** of the subject dwelling as defined by this By-law.
14. By-law Number 0225-2007, as amended, is further amended by adding Article 4.1.1.6 to Subsection 4.1.1 as follows:
- 4.1.1.6 Notwithstanding Line 2.0 contained in Table 4.1.1.14 of this By-law, a two **storey detached ARU** shall be permitted on **through lots** and shall be:
- (1) subject to the two **storey detached ARU** provisions contained in Table 4.1.1.14 of this By-law; and
 - (2) permitted up to a maximum of 100 m² in **floor area - detached ARU**.
15. By-law Number 0225-2007, as amended, is further amended by adding Article 4.1.1.7 to Subsection 4.1.1 as follows:
- 4.1.1.7 For the purposes of Subsection 4.1.1, a **building** or **structure** that contains a **garage** and a one **storey detached ARU** shall be subject to:
- (1) lines 2.2 and 2.3 contained in Table 4.1.12.1 of this By-law; and
 - (2) the one **storey detached ARU** provisions contained in Table 4.1.1.14 of this By-law.
16. By-law Number 0225-2007, as amended, is further amended by adding Article 4.1.1.8 to Subsection 4.1.1 as follows:
- 4.1.1.8 For the purposes of Subsection 4.1.1, a **building** or **structure** that contains a **garage** and a two **storey detached ARU** shall be subject to:
- (1) lines 2.2 and 2.3 contained in Table 4.1.12.1 of this By-law; and
 - (2) the two **storey detached ARU** provisions contained in Table 4.1.1.14 of this By-law.
17. By-law Number 0225-2007, as amended, is further amended by adding Article 4.1.1.9 to Subsection 4.1.1 as follows:
- 4.1.1.9 The overall maximum **lot coverage** of a **lot** shall be permitted to increase by up to an additional 10%, of which 10% is solely calculated towards a **detached ARU**.
18. By-law Number 0225-2007, as amended, is further amended by adding Article 4.1.1.10 to Subsection 4.1.1 as follows:
- 4.1.1.10 A **balcony** or **deck** shall not be permitted on the second **storey** of a two **storey detached ARU**.

19. By-law Number 0225-2007, as amended, is further amended by adding Article 4.1.1.11 to Subsection 4.1.1 as follows:
 - 4.1.1.11 Notwithstanding Table 4.1.1.14 of this By-law, a **detached ARU** shall not have a **height - highest ridge** greater than the **height** of the primary dwelling on the **lot** and a **lot coverage** greater than the primary dwelling of the **lot** in which they are located.

20. By-law Number 0225-2007, as amended, is further amended by adding Article 4.1.1.12 to Subsection 4.1.1 as follows:
 - 4.1.1.12 Notwithstanding Article 4.1.1.1 and Lines 1.0 and 2.0 contained in Table 4.1.1.1 of this By-law, only RM7 zones with **lots** containing a **detached dwelling** or **semi-detached** shall permit an **attached ARU** and/or **detached ARU**.

21. By-law Number 0225-2007, as amended, is further amended by adding Article 4.1.1.13 to Subsection 4.1.1 as follows:
 - 4.1.1.13 Notwithstanding Article 4.1.1.1 and Line 2.0 contained in Table 4.1.1.1 of this By-law, only RM5 and RM6 zones with **corner lots** and **through lots** shall permit a **detached ARU**.

22. By-law Number 0225-2007, as amended, is further amended by adding Table 4.1.1.14 to Subsection 4.1.1 as follows:

4.1.1.14 A **detached ARU** shall comply with the provisions contained in Table 4.1.1.14 - Detached Residential Unit (Detached ARU).

Table 4.1.1.14 - Detached Additional Residential Unit (Detached ARU)

Column A		Column B	
Line 1.0	TYPE	One Storey Detached ARU	Two Storey Detached ARU
2.0	MAXIMUM SIZE:		
2.1	Lot area less than or equal to 750 m ²	✓	
2.2	Lot area greater than 750 m ²	✓	✓
3.0	LOCATION	Rear Yard	
		Rear yard and/or exterior side yard for corner lots zoned R1, R2, R3, and R8	
4.0	MAXIMUM FLOOR AREA - DETACHED ARU:		
4.1	Lot area less than or equal to 550 m ²	55 m ²	n/a
4.2	Lot area greater than 550 m ²	10% of the lot area, up to a maximum of 100 m ²	
5.0	MAXIMUM HEIGHT - HIGHEST RIDGE:		
5.1	sloped roof	4.6 m	6.8 m
5.2	flat roof	3.0 m	5.8 m
6.0	SETBACKS:		
6.1	Minimum setback to interior side lot line	0.6 m	1.8 m
6.2	Minimum setback to rear lot line	1.8 m	1.8 m
6.3	Minimum setback to exterior side lot line	2.5 m	4.5 m

23. By-law Number 0225-2007, as amended, is further amended by adding a "s" and the words ", detached ARU," to Article 4.1.2.4 contained in Subsection 4.1.2 as follows:

4.1.2.4 For the purposes of Subsection 4.1.2 of this By-law, a **deck, porch, balcony, detached ARU,** and/or detached **garage** shall not be considered to be an **accessory building or structure.** (0112-2019)

24. By-law Number 0225-2007, as amended, is further amended by deleting the words "shall" and "have a minimum setback of 1.2 m to the **interior side yard lot line**" and adding the words "may encroach a maximum of 0.6 m provided that the **interior side yard** is a minimum of 1.2 m" to Article 4.1.5.3 as follows:

4.1.5.3 A **porch** or **deck**, located at and accessible from the **first storey** or below the **first storey** of the dwelling inclusive of stairs, and is located in an **interior side yard** ~~shall~~ may encroach a maximum of 0.6 m provided that the **interior side yard** is a minimum of 1.2 m ~~have a minimum setback of 1.2 m to the interior side yard lot line.~~ (0144-2016)

25. By-law Number 0225-2007, as amended, is further amended by deleting the words "with a maximum of three risers," and a "1" from Article 4.1.5.5 as follows:

4.1.5.5 A window, **chimney**, pilaster or corbel, window well, and stairs ~~with a maximum of three risers,~~ may encroach a maximum of 0.6~~4~~ m into a required **yard** provided that the **yard** is a minimum of 1.2 m. (0325-2008), (0297-2013)

26. The greyed-out text, identified in Section 5, 23, 24, and 25 of this By-law, is for information purposes only and does not form part of the amendments contained in this By-law.

ENACTED and PASSED this _____ day of _____, 2023.

MAYOR

CLERK

Approved by Legal Services City Solicitor City of Mississauga
MEM
Michal Minkowski
Date: October 27, 2023
File: CD.06-INC (All Wards)

APPENDIX "A" TO BY-LAW NUMBER _____Explanation of the Purpose and Effect of the By-law

The purpose of this By-law is to introduce additional residential units in conjunction with a detached, semi-detached and townhouse.

To align with the requirements of Bill 23 and the recent changes to the *Planning Act*, municipalities are required to update their Zoning By-law to permit the use of three units in conjunction with a single detached, semi-detached or townhouse. The proposed Zoning By-law amendments introduce regulations for additional residential units that are complementary to local context and interests.

Location of Lands Affected

All lands in the City of Mississauga.

Further information regarding this By-law may be obtained from Ameena Khan of the City Planning and Building Department at 905-615-3200 ext. 4473.

[http://teamsites.mississauga.ca/sites/18/bylaws/cd.06-inc \(all wards\).by-law.ak.jmcc.docx](http://teamsites.mississauga.ca/sites/18/bylaws/cd.06-inc%20(all%20wards).by-law.ak.jmcc.docx)