

Proposed Zoning By-law Amendments

#	SECTION NUMBER	PROPOSED REVISION	COMMENT/EXPLANATION
Part 1: Administration, Interpretation, Enforcement and Definitions			
1.	Sentence 1.1.2.3.3 – Exception Zones and Exception Zone Schedules	Introduce ‘Sentence 1.1.2.3.3’ that allows three units as-of-right on residential lots, notwithstanding Exception Zones and Exception Schedules.	Exception Zones and Exception Schedules take precedence in the Zoning By-law in terms of uses and maximum dwelling units permitted. To align with the requirements under the <i>Planning Act</i> , municipalities are required to update their Zoning By-law to permit the use of three units as-of-right on the same lot as a detached, semi-detached, or townhouse dwelling.
Section 1.2: Definitions			
1.	Attached Additional Residential Unit (Attached ARU)	Introduction of a newly defined term, ‘Attached Additional Residential Unit’, within the Zoning By-law. This definition aims to capture the Province’s requirements for municipalities to amend their Zoning By-law to permit the introduction of up to two attached ARUs in conjunction with a detached, semi-detached, or townhouse dwelling.	The intent for introducing a definition for “Attached Additional Residential Unit” is to capture self-contained units that are located within a detached, semi-detached, or townhouse dwelling.
2.	Detached Additional Residential Unit (Detached ARU)	Introduction of a newly defined term, ‘Detached Additional Residential Unit’, within the Zoning By-law. This definition aims to capture the Province’s requirements for	The intent for introducing a definition for “Detached Additional Residential Unit” is to capture self-contained units that are located within an ancillary structure on

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		municipalities to amend their Zoning By-law to permit the introduction of up to one detached ARU in conjunction with a detached, semi-detached, or townhouse dwelling.	the same lot as a detached, semi-detached, or townhouse dwelling.
3.	Floor Area – Detached ARU	Introduction of a newly defined term, ‘Floor Area – Detached ARU’, within the Zoning By-law. This definition is aimed at appropriately calculating the size of detached ARUs.	Existing Zoning By-law definitions do not adequately capture how the area of a detached ARU would be calculated. A new definition is proposed which simplifies that the area of a detached ARU would be calculated by the sum of the floor area of each storey.
4.	Gross Floor Area (GFA) – Infill Residential	Amend the definition of Gross Floor Area (GFA) – Infill Residential to include attached ARUs, and exclude detached ARUs.	To avoid detached ARUs from being included in the Gross Floor Area (GFA) – Infill Residential calculation, the definition will be amended to explicitly exclude detached ARUs.
5.	Second Unit	Delete definition for “Second Unit”.	To avoid redundancies with new definitions that capture secondary and tertiary units, the definition for “second unit” will be deleted.
Part 4: Residential Zones			
1.	Subsection 4.1.1 – Dwelling Unit	Delete Subsection 4.1.1, containing the general provisions for a “Dwelling Unit”.	To ensure the Zoning By-law does not contradict Provincial legislative requirements, Subsection 4.1.1 –

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			Dwelling Unit will be deleted and replaced with the regulations for ARUs.
2.	Subsection 4.1.1 – Additional Residential Units	Introduce ‘Subsection 4.1.1 – Additional Residential Units’, which will include where detached and attached ARUs are permitted and their applicable provisions.	Although the the <i>Planning Act</i> mandates three units as-of-right on the same lot as a detached, semi-detached, or townhouse dwelling, municipalities still have the opportunity to introduce policy or regulatory options. Subsection 4.1.1 contains all provisions applying to ARUs across the City of Mississauga.
3.	Article 4.1.1.1 and Table 4.1.1.1 – Additional Residential Units	Introduce ‘Article 4.1.1.1’ and ‘Table 4.1.1.1 – Additional Residential Units’ in Subsection 4.1.1 – Additional Residential Units, outlining the base zones where detached and attached ARUs will be permitted (including the maximum permitted per lot), and the applicable development standards.	<p>To align with the requirements of the <i>Planning Act</i>, a maximum of two attached ARUs, or alternatively one detached ARU and one attached ARU will be permitted in conjunction with a detached, semi-detached or townhouse dwelling in zones R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14, R15, R16, RM1, RM2, RM3, RM5, RM6, and RM7. Both scenarios would cumulatively allow for three units on a new or existing residential lot.</p> <p>Three unit dwellings (attached ARUs) will be subject to the regulations of the base zone in which they are located and Subsection 4.1.1, while detached ARUs would be subject to Table 4.1.1.14, containing the detached ARU</p>

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			<p>regulations, and Subsection 4.1.1.</p> <p>It is noted that not all lots will be able to accommodate an ARU considering the housing type and lot configuration. Certain housing types in particular present challenges in complying with Ontario Building and Fire Code requirements and introducing an ARU (attached or detached) may not be feasible.</p>
4.	Article 4.1.1.2, Subsection 4.1.1 – Additional Residential Units	Introduce ‘Article 4.1.1.2’ in Subsection 4.1.1 – Additional Residential Units, which states that additional parking spaces are not required for ARUs.	Members of the public expressed the greatest preference for a shared parking arrangement and requiring additional parking spaces could further deteriorate soft landscaping conditions. It is also noted that the Zoning By-law was updated to eliminate parking requirements for second units in 2022. As such, no additional parking spaces will be required for ARUs.
5.	Article 4.1.1.3, Subsection 4.1.1 – Additional Residential Units	Introduce ‘Article 4.1.1.3’ in Subsection 4.1.1 – Additional Residential Units, which does not allow home occupations to locate within ARUs.	At this time, home occupations will continue to be limited to locate within a detached dwelling, as currently permitted in the Zoning By-law.

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6.	Article 4.1.1.4, Subsection 4.1.1 – Additional Residential Units	Introduce ‘Article 4.1.1.4’ in Subsection 4.1.1 – Additional Residential Units, which states that no additional driveways will be permitted for the purposes of an ARU.	To avoid additional driveways and increased hardscaping as a result, the introduction of a secondary driveway is not permitted for the purposes of accommodating an ARU(s). Currently, the Zoning By-law prohibits second units from introducing additional driveways.
7.	Article 4.1.1.5, Subsection 4.1.1 – Additional Residential Units	Introduce ‘Article 4.1.1.5’ in Subsection 4.1.1 – Additional Residential Units, which specifies that the introduction of ARUs will not change the existing use of the dwelling.	The number of dwelling units can often dictate the dwelling type. However, the introduction of up to two ARUs on a residential lot shall not change the use or type of the existing dwelling.
8.	Article 4.1.1.6, Subsection 4.1.1 – Additional Residential Units	Introduce ‘Article 4.1.1.6’ in Subsection 4.1.1 – Additional Residential Units, which allows through lots to have two-storey detached ARUs.	Through lots would be permitted to construct two-storey detached ARUs. Through lots are lots, other than a corner lot, that have frontage on two streets or private roads, each of which could provide access to the lot. As a result of having two property lines abutting a street or private road, impact to adjacent properties would be limited and existing road access can be efficiently utilized, where available. Two-storey detached ARUs on through lots would also be permitted a maximum of 100 m ² in size.

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9.	Article 4.1.1.7 and Article 4.1.1.8, Subsection 4.1.1 – Additional Residential Units	Introduce ‘Article 4.1.1.7’ and ‘Article 4.1.1.8’ in Subsection 4.1.1 – Additional Residential Units, which specifies that a one-storey or two-storey detached ARU that incorporates parking will be subject to the minimum size requirements for garages, and the applicable one-storey or two-storey detached ARU regulations.	To recognize instances where a detached ARU may incorporate parking spaces, certain parking regulations will still be applicable to ensure parking space requirements are met.
10.	Article 4.1.1.9, Subsection 4.1.1 – Additional Residential Units	Introduce ‘Article 4.1.1.9’ in Subsection 4.1.1 – Additional Residential Units, which permits the overall maximum lot coverage of a lot to increase by up to an additional 10%, if up to 10% is solely calculated towards a detached ARU.	The overall lot coverage calculation includes all buildings and structures located on a lot, including in the form of a detached ARU. To avoid becoming non-compliant with the lot coverage requirement, it is proposed that a maximum of up to 10% lot coverage be granted for a lot only for the purposes of constructing a detached ARU.
11.	Article 4.1.1.10, Subsection 4.1.1 – Additional Residential Units	Introduce ‘Article 4.1.1.10’ in Subsection 4.1.1 – Additional Residential Units, which prohibits decks and balconies on the second storey of two-storey detached ARUs.	To limit overlook and privacy issues to adjacent neighbors, decks and balconies for two-storey detached ARUs will not be permitted.
12.	Article 4.1.1.11, Subsection 4.1.1 – Additional Residential Units	Introduce ‘Article 4.1.1.11’ in Subsection 4.1.1 – Additional Residential Units, which limits the size of detached ARUs in	To ensure detached ARUs remain secondary to the primary dwelling, they are required to be smaller in terms of height and size.

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		comparison to the primary dwelling located on the same lot.	
13.	Article 4.1.1.12, Subsection 4.1.1 – Additional Residential Units	Introduce ‘Article 4.1.1.12’ in Subsection 4.1.1 – Additional Residential Units, which specifies that only RM7 lots with a detached or semi-detached dwelling shall be permitted ARUs.	The RM7 zone permits a detached dwelling, semi-detached, duplex, or triplex. However, the legislative changes made under the <i>Planning Act</i> only applies to detached, semi-detached, and townhouse dwellings.
14.	Article 4.1.1.13, Subsection 4.1.1 – Additional Residential Units	Introduce ‘Article 4.1.1.13’ in Subsection 4.1.1 – Additional Residential Units, which specifies that a detached ARU shall only be permitted on corner lots and through lots in the RM5 and RM6 zones.	The Ontario Fire Code requires access for the fire department by means of a street, private roadway, or yard. This type of access, to a detached ARU located in a rear yard, is limited to townhouse dwellings located on a corner lot and through lot.
15.	Article 4.1.1.14 and Table 4.1.1.14 – Detached Additional Residential Units, Subsection 4.1.1 – Additional Residential Units	Introduce ‘Article 4.1.1.14’ and ‘Table 4.1.1.14 – Detached Additional Residential Units’, outlining the development standards that would apply to detached ARUs.	<p>The provisions for detached ARUs addresses the main goal identified through community engagement, namely a balanced approach to intensification, which ensures continued livability for existing and new residents.</p> <p>Detached ARUs will be limited to locate within the rear yard of the primary dwelling, balancing both objectives of minimized streetscape impact and maximized privacy. The exception to this requirement would be corner lots zoned</p>

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			<p>R1, R2, R3, and R8, which have shallow rear yards and increased exterior yards, and would be permitted to introduce a detached ARU within either.</p> <p>A maximum size of 55 m² (592 ft²) is proposed for lots with a lot area less than or equal to 550 m² (5,920 ft²). For lots with a lot area greater than 550 m² (5,920 ft²), a maximum of 10% of the lot area is permitted. A maximum cap of 100 m² (1,076 ft²) is also proposed to limit the size of detached ARUs for lots greater than 1,000 m² (10,076 ft²) in size.</p> <p>For one-storey detached ARUs, a maximum sloped roof height of 4.6 m (15 ft.) is permitted, or a maximum flat roof height of 3.0 m (9.8 ft.). A minimum interior side and rear lot line setback of 0.6 m (2 ft.) would be required, and a minimum exterior side lot line setback of 2.5 m (8.2 ft.) if located on a corner lot.</p> <p>Two-storey detached ARUs will be limited to locate on lots that have a lot area greater than 750 m² (8,073 ft²). For two-storey detached ARUs, a maximum sloped roof height of 6.8 m (22.3 ft.) is permitted, or a maximum flat roof height</p>

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			of 5.8 m (19 ft.). A minimum interior side and rear lot line setback of 1.8 m (5.9 ft.) would be required, and a minimum exterior side lot line setback of 4.5 m (14.8 ft.) if located on a corner lot.
16.	Article 4.1.2.4, Subsection 4.1.2 – Accessory Buildings and Structures	Amend Article 4.1.2.4 to exempt detached ARUs from being considered an accessory building or structure.	To avoid detached ARUs being incorrectly considered as an accessory building or structure, the Article containing the exemptions is amended to include mention of detached ARUs.
17.	Article 4.1.5.3 and Article 4.1.5.5, Subsection 4.1.5 – Encroachments and Projections	Amend Article 4.1.5.3 and Article 4.1.5.5 to allow an encroachment of 0.6 m into a required yard for the purposes of a porch, deck, or stairs.	To provide access to an attached ARU located at, below, or above the first storey, an encroachment of 0.6 m into a required yard in the form of stairs, a porch, or deck is permitted. Ensuring a 0.6 m minimum setback from any structure to the side lot lines will allow for adequate access to the rear yard and proper drainage.
18.	Subsection 4.1.20 – Second Unit	Delete Section 4.1.20, which includes the general provisions for a “Second Unit”.	To avoid redundancies with ARUs, the Subsection containing the second unit provisions will be deleted.

NOTE: Additional minor and technical changes to the Zoning By-law may be required.

Proposed Official Plan Amendments

#	SECTION NUMBER	PROPOSED REVISION	COMMENT/EXPLANATION
Chapter 11: General Land Use Designations			
1.	Section 11.2.5 – Residential	Delete policy 11.2.5.8, which allows second units to be permitted within detached, semi-detached, and townhouse dwellings.	To avoid redundancies with the introduction of ARUs, this policy will be deleted and policy 11.2.5.9 will be renumbered to 11.2.5.8.
2.	Section 11.2.5 – Residential	Introduce policy 11.2.5.9, which introduces the permissions for ARUs.	To align with the requirements of Bill 23, on a lot with a principal dwelling residence (detached, semi-detached or townhouse), a maximum of three units shall be permitted in the form of: a maximum of two additional units in the principal residence; or a maximum of one unit in the principal residence and one unit within a building ancillary to the main structure.
3.	Section 11.2.5 – Residential	Introduce policy 11.2.5.10, which discourages ARUs from becoming severable infill housing.	ARUs are intended to increase the rental housing stock by way of remaining associated with and ancillary to a detached, semi-detached, or townhouse dwelling.