

City of Mississauga
Corporate Report



<p>Date: November 10, 2023</p> <p>To: Chair and Members of Planning and Development Committee</p> <p>From: Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building</p>	<p>Originator's files: CD.06-INC</p>
	<p>Meeting date: November 29, 2023</p>

Subject

PUBLIC MEETING RECOMMENDATION REPORT (ALL WARDS)

Official Plan and Zoning By-law Amendments to Permit Four Units on Low-Rise

Residential Lots

File: CD.06-INC

Recommendation

That the report from the Commissioner of Planning and Building dated November 10, 2023 entitled Official Plan and Zoning By-law Amendments to Permit Four Units on Low-Rise Residential Lots be received and be considered both the public meeting and a combined information and recommendation report.

Executive Summary

- Mayoral Directive MDI-0002-2023 directed staff to prepare an official plan amendment and zoning by-law amendment to permit four units as-of-right city-wide with such provisions as staff deem appropriate.
- Staff have developed recommended regulations for new purpose-built fourplexes that can be accommodated in most zones that permit detached dwellings.
- It is recommended that conversion of existing detached, semi-detached, townhouse, duplex and triplex dwellings to accommodate four units be permitted.
- While the second and third units have development charges (DCs) and cash-in-lieu of parkland (CIL) exemptions for additional residential units (ARUs), neither the legislation, nor the City's by-laws, currently exempt these charges on the fourth unit in a fourplex.

Staff will prepare a future policy that would provide a grant-in-lieu of DCs and CIL on the fourth unit. Staff also intend the policy provide a grant-in-lieu for building permit fees for additional dwelling units (second, third and fourth unit). The federal Housing Accelerator Fund was designed to fund these types of incentives and the grant availability would be tied to the Housing Accelerator fund.

Background

Ontario is facing significant housing challenges and increasing supply is becoming a strategic priority for all levels of government. In response, the City of Mississauga approved Growing Mississauga: An Action Plan for New Housing, a comprehensive action plan designed to increase the supply of housing, streamline development and building approvals, and improve affordability. One of the key actions to increase supply is to reduce exclusionary zoning (e.g. only detached dwellings) and permit “missing middle” housing in residential neighbourhoods, including multiplexes.

As part of the implementation, on November 8, 2023, Council approved a zoning by-law amendment to permit and regulate three units on a lot in detached, semi-detached and townhouse dwellings, as required by Bill 23, *More Homes Built Faster Act*. The Province has established a housing target of 120,000 residential units for Mississauga over the next 10 years.

In addition, to encourage initiatives that increase housing supply, the Federal Government introduced the Housing Accelerator Fund aimed at providing funding for municipalities. In order to be eligible for the funding, through a letter dated October 3, 2023, the Federal Minister of Housing, Infrastructure and Communities indicated that permitting four units as-of-right city-wide would enhance Mississauga’s application for potential approval.

As a response to the Minister’s letter, on October 20, 2023, Mayor Crombie issued Mayoral Directive MDI-0002-2023 directing staff to prepare an official plan amendment and zoning by-law amendment to permit as-of-right development for up to four residential units (hereinafter referred to as fourplexes) on low-rise residential lots in neighbourhoods City-wide with such provisions as staff deem appropriate and for the City Clerk to schedule a Planning and Development Committee meeting in accordance with the requirements of the *Planning Act* (see Appendix 1).

The purpose of this report is to present proposed amendments to Mississauga’s official plan and zoning by-law.

Comments

Fourplexes can be accommodated in a variety of configurations. Factors include lot size restrictions, maximum building height, whether they are purpose-built or retrofit from an existing building, availability of parking, and compliance with the Ontario Building Code (OBC). They are

not a new built form in Mississauga – there are approximately a dozen already in existence in the City (see Appendix 2 for examples).

The need for flexibility, and direction that they shall be permitted City-wide was prioritized, while balancing with impacts to neighbouring properties. Staff have taken into consideration that in some instances, conversions are more feasible, and in others, purpose-built fourplexes may be desirable. Therefore, two separate approaches are being recommended, as outlined below. It is also important to note that on October 23, 2023, staff brought forward an information report to Planning and Development Committee, with considerations for zoning by-law amendments to reduce lot sizes and permit semi-detached homes across the City's neighbourhoods (see Appendix 3). The following approaches to fourplexes would integrate with those considerations.

Proposed Zoning By-law Amendments for Purpose-Built Fourplexes

Staff have developed proposed purpose-built fourplex regulations for the majority of lots that permit detached dwellings in the City. Some zones have unique regulations and resulting lot characteristics that would make them unfeasible, and therefore have been excluded, but they represent less than 1% of detached dwelling lots. As a result, proposed regulations are based on the **R5** zone, which is the smallest standard base zone for detached dwellings, with a minimum lot area and lot frontage of 295 m² (3175 ft.²) and 9.75 m (32 ft.), respectively. Table 1 below outlines the proposed regulations. For further details, see Appendix 4.

Proposed Purpose-Built Fourplex Regulations	
Maximum Height	10.6 m (34.8 ft.) to the peak of a sloped roof; 8.1 m (24.6 ft.) to the top of a flat roof
Minimum Front Yard	6.0 m (19.7 ft.)
Minimum Interior Side Yard	1.2 m (3.9 ft.)
Minimum Rear Yard	7.5 m (24.6 ft.)
Minimum Exterior Side Yard	4.5 m (14.8 ft.)
Maximum Lot Coverage	Additional 10% above the base zone, but only for the purpose of a fourplex
Maximum Dwelling Depth	20.0 m (65.6 ft.)
Required Parking Spaces	2 (No additional requirement)

Table 1: Proposed Purpose-Built Fourplex Regulations

The proposed maximum height for purpose-built fourplexes would facilitate three storey buildings with a sloped roof and two storey buildings with a flat roof, while allowing for flexibility for a partially above-grade basement unit. This added flexibility in height is important as bedrooms and living spaces in basement units require minimum window sizes under the OBC.

In an **R5** zone, the proposed yards outlined above would facilitate a minimum floor area of 105 m² (1130 ft.²) per storey, including any internal stairs. In addition, the proposed side yard

setbacks would facilitate windows on both side walls of the building without major restrictions in the OBC. With a three storey building and a basement unit, each unit would be able to comfortably accommodate a three-bedroom, family-sized unit. For larger lots, introducing a maximum dwelling depth of 20.0 m (65.6 ft.) would limit potentially oversized buildings.

For the recently approved three units per lot, an additional lot coverage of 10% above the base zone requirement was permitted, but only to allow for a detached additional residential unit (ARU). Similarly, staff are of the opinion that the additional fourth unit in a purpose-built fourplex necessitates more flexibility with lot coverage, and therefore, are recommending that an additional 10% be permitted (e.g. 50% whereas the base zone permits 40%).

On larger, wider lots, required parking may be accommodated in the rear yard, with access from the side yard, which is common with many existing fourplexes in the City. This approach would allow the front yard space to be used as amenity area. On the other hand, smaller narrower lots will be required to accommodate the required parking in the front yard or in an attached garage, resulting in the rear yard being used as amenity area.

Regarding the number of required parking spaces, for three units, Council approved those amendments without requiring any additional parking, resulting in a requirement of two spaces. In order to maintain amenity space on the property, and to make fourplexes feasible City-wide, staff recommend that no additional parking spaces be required for four units. On lots that are large enough to have extensive rear yards, and wide enough to accommodate a driveway in an interior side yard, staff recommend that a maximum of four parking spaces be permitted in the rear yard. The zoning by-law is already permissive to allow for hard surface in the rear yard, provided that 0.61 m (2 ft.) is maintained along the lot lines for drainage.

It should also be noted that the City's Traffic Management and Municipal Parking Division is currently undertaking the Parking Matters 2.0 project which will provide recommendations on the City's parking permit system, lower driveway boulevard parking permissions and fees. Staff anticipate that implementation of overnight on-street parking will mitigate parking impacts.

Lastly, it is recommended that the general provisions for residential zones, including permissions for decks, stairs, and air conditioning units also apply to purpose-built fourplexes.

Proposed Zoning By-law Amendments for Conversions

It was previously noted that Council approved three units on a lot within detached, semi-detached and townhouse dwellings, as required by Bill 23. Unlike purpose-built fourplexes, which are intended as standalone buildings, staff recommend that conversions of detached, semi-detached, townhouse, duplex and triplex dwellings, existing on the date of passing of the official plan and zoning amendments, to accommodate four units be permitted.

Considering that existing dwellings have a variety of setbacks, heights and depths, staff recommend that the converted buildings maintain the built form that currently exists without needing to comply with the purpose-built fourplex regulations. This will result in less minor

variances, reduced impact to neighbouring properties, and efficient, adaptive reuse of existing dwellings.

Regarding parking, staff recommend that no additional parking be required for conversions. It is noted that the most feasible scenario to facilitate conversions of existing dwellings are for larger detached homes. In those instances, it is highly likely that those dwellings currently oversupply parking compared to the required amount. For example, a double-car garage and double-car driveway results in four parking spaces compared to the required two spaces.

Proposed Official Plan Amendments

Through the Official Plan Review, staff have proposed a new land use designation that consolidates the current residential low density designations. The proposed new designation would permit all forms of dwellings with frontages on public streets up to three storeys, including plexes. The recommendations contained in this report would align with that proposed policy direction.

Official plan amendments to the current policies are required to permit purpose-built fourplexes and allow for the conversion of detached, semi-detached, townhouse, duplex and triplex dwellings. Permitting fourplexes City-wide in neighbourhoods will assist in creating complete and diverse communities, while promoting gentle density that is complementary to local contexts (see Appendix 4 for more details).

LINK TO OTHER GENTLE DENSITY WORK

The table below shows the status of this project (see Table 2, Line 3) in the context of other gentle density zoning initiatives that are underway by the City.

	Zoning By-law Review	Information Report Timing	Recommendation Report Timing
1.	Three units per lot (ARUs), as per Provincial requirement	April 17, 2023 Council	October 23, 2023 PDC
2.	"R" Zone consolidation	October 23, 2023 PDC	Q1 2024
3.	Fourplexes	November 29, 2023 PDC	November 29, 2023 PDC
4.	Multiplexes (five units or more)	Q2 2024	Q4 2024
5.	Expanded Street Townhouse Permissions	Pending experience with "R" Zone consolidation	---

Table 2: Gentle density zoning initiatives to increase housing choices within neighbourhoods in Mississauga

PLANNING ANALYSIS SUMMARY

The *Provincial Policy Statement (PPS)* establishes the overall policy directions on matters of provincial interest related to land use planning and development within Ontario. It sets out province-wide direction on matters related to the efficient use and management of land and infrastructure; the provision of housing; the protection of the environment, resources and water; and, economic development.

The *Growth Plan for the Greater Golden Horseshoe* (Growth Plan) builds upon the policy framework established by the PPS and provides more specific land use planning policies, which support the achievement of complete communities, a thriving economy, a clean and healthy environment and social equity. The Growth Plan establishes minimum intensification targets and requires municipalities to direct growth to existing built-up areas and strategic growth areas to make efficient use of land, infrastructure and transit.

The *Planning Act* requires that municipalities' decisions regarding planning matters be consistent with the *Provincial Policy Statement* (PPS) and conform with the applicable provincial plans and the Region of Peel Official Plan (ROP). Mississauga Official Plan is generally consistent with the PPS and conforms with the Growth Plan, the *Greenbelt Plan*, the *Parkway Belt West Plan* and the ROP.

The proposed amendments are consistent with the *Provincial Policy Statement* and conforms to the *Growth Plan for the Greater Golden Horseshoe*, the Region of Peel Official Plan and Mississauga Official Plan. A detailed planning policy analysis can be found in Appendix 4 of this report.

Financial Impact

There is no direct financial impact in relation to the approval of the proposed amendments. Unlike second and third units in ARUs, neither the legislation, nor the City's by-laws, currently exempt development charges (DCs) and cash-in-lieu of parkland (CIL) on the fourth unit in a fourplex. Should a building permit application come forward in the future proposing a fourplex, a future policy will provide a grant-in-lieu of development charges and cash-in-lieu of parkland. The grant is intended to be funded using the Housing Accelerator Fund, or such other funding sources Council may identify, until such time that the policies contained in the DC and Parkland Conveyance By-laws are reviewed in the future. Staff also intend the policy provide a grant-in-lieu for building permit fees for additional dwelling units (second, third and fourth unit) using Housing Accelerator funding.

Conclusion

Staff have been directed to prepare official plan and zoning by-law amendments to permit four units across the City on low-rise residential lots. Proposed regulations are intended to broadly permit the use, while balancing with impacts to existing neighbourhoods. Fourplexes will be an additional form of gentle density to implement *Growing Mississauga: An Action Plan for New Housing*. In addition, using federal funding from the Housing Accelerator Fund will further incentivize fourplexes, helping Mississauga to achieve housing targets set by the Province.

In summary, the proposed official plan and zoning by-law amendments to permit and regulate fourplexes are acceptable from a planning standpoint and should be approved.

Attachments

- Appendix 1: City of Mississauga Mayoral Directive MDI-0002-2023
- Appendix 2: Examples of Fourplexes in Mississauga
- Appendix 3: Information Report (All Wards) – Updated Low Density Residential Zones: Gentle Density in Mississauga's Neighbourhoods
- Appendix 4: Detailed Planning Analysis
- Appendix 5: Proposed Official Plan and Zoning By-law Amendments



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