

City of Mississauga Corporate Report



<p>Date: April 9, 2025</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 (All Wards)</p> <hr/> <p>Meeting date: April 28, 2025</p>
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Subject

PUBLIC MEETING INFORMATION / RECOMMENDATION REPORT (ALL WARDS)

Proposed City Initiated Amendments to Zoning By-law 0225-2007 to Update Additional Residential Unit Regulations

File: CD.06-INC (All Wards)

Recommendation

That the proposed amendments to Zoning By-law 0225-2007, as detailed in Appendix 1 of the report dated April 9, 2025, from the Commissioner of Planning and Building, be approved in accordance with the following:

1. That an implementing zoning by-law(s) be enacted at a future City Council meeting.
2. That notwithstanding planning protocol, this report regarding the proposed amendments to Zoning By-law 0225-2007, for additional residential units, be considered both the public meeting and combined information and recommendation report.

Background

Additional residential units (ARU's), which include both attached residential accommodations (e.g. basement apartments) and detached structures (e.g. garden suites), provide an affordable and contemporary housing alternative. Bill 23, the *More Homes Built Faster Act*, 2022, received Royal Assent on November 28, 2022. This provincial legislation was responsible for mandating ARUs across Ontario, allowing up to three units per lot.

On November 10, 2023, Mississauga Council approved ARU zoning regulations to comply with provincial requirements. These amendments established as-of-right permissions for up to three units on a property, as well as the regulatory framework that would govern site development.

PROVINCIAL LEGISLATIVE CHANGES

On November 20, 2024, the Province filed Ontario Regulation 462/24 (O-Reg 462/24), an amendment to Ontario Regulation 299/19 – Additional Residential Units. This provincial direction removed certain municipal regulations hindering ARU construction, specifically identifying province-wide standards for maximum lot coverages, angular planes, floor space indexes, minimum separation distances, and minimum lot sizes.

As the City of Mississauga took a progressive approach in its initial implementation of ARU regulations, few conflicts exist between the city's existing regulatory framework and O-Reg 462/24. Of the above-noted performance standards, staff have determined that amendments are required to address the maximum lot coverage regulation. No other amendments are necessary for compliance.

Appendix 2 details the provincial regulations enacted through O-Reg 462/24.

Comments

INCREASED LOT COVERAGE FOR ARU's

O-Reg 462/24 introduces new ARU performance standards, including a specified threshold for a property's maximum lot coverage.

O-Reg 462/24 regulates that the maximum lot coverage for lands upon which an ARU is located must be no smaller than 45%. As a result, the City of Mississauga is required to increase the permitted maximum lot coverage for certain zones to be in line with this provincial requirement.

OTHER MINOR PROPOSED CHANGES

Other minor zoning changes are proposed to simplify standards, streamline the process and reduce minor variances. They are mostly technical in nature. For example, the permission to allow up to three units per lot makes the definitions of duplex and triplex in the Zoning By-law redundant.

A detailed list explaining the proposed amendments is provided in Appendix 1.

Planning Analysis Summary

LAND USE POLICIES AND REGULATIONS

A detailed Planning Analysis of the applicable land use policies and regulations can be found in Appendix 3.

Financial Impact

There are no financial impacts resulting from the recommendations in this report.

Conclusion

There are many factors influencing housing obtainability; however, lack of housing options and affordability remain at the forefront. ARU's broaden the range of gentle infill-housing options,

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modestly increase ground-related housing supply, and contribute towards complete communities.

The proposed Zoning By-law amendments are acceptable from a planning standpoint and should be approved for the following reasons:

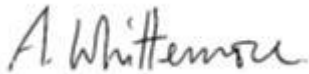
1. Regular updates to definitions and regulations are required to address provincial legislation.
2. Removing red tape and regulatory barriers will serve to reduce the number of minor variance applications, leading to efficiencies when reviewing ARU proposals.

Attachments

Appendix 1: Proposed Zoning By-law Amendments

Appendix 2: Ontario Regulation 462/24 (O-Reg 462/24) Details

Appendix 3: Detailed Planning Analysis



Andrew Whittemore, M.U.R.P., Commissioner of Planning & Building

Prepared by: Rob Vertolli, Planner

Proposed Zoning Regulations

Proposed Amendment	Required Action	Comment / Explanation
Amend ARU regulations to reflect provincial regulations	Increase the maximum permitted lot coverage for properties containing an attached / detached ARU to 45%.	<p>O-Reg 462/24 regulates that the maximum lot coverage for lands with an ARU must be no smaller than 45%.</p> <p>Staff are proposing amendments to provide consistency and align with this legislation.</p>
Amend the setback to a railway regulation	Include the wording "attached ARU and/or detached ARU" to the setback to a railway right-of-way regulation.	Habitable spaces are typically required to be setback a minimum distance of 30.0 m from a railway right-of-way. The proposed amendment would ensure attached and detached ARU's are included in this setback.
Permit below-grade entrances in exterior and front yards	Remove below-grade entrance regulations prohibiting this structure to be located in exterior and front yards.	<p>The Zoning By-law currently prohibits below-grade entrances (typically to a second unit) in an otherwise appropriate location, creating an unnecessary barrier to ARU construction.</p> <p>Of the 60 CofA applications for below-grade entrances located in either an exterior or front yard, all 60 were supported by staff and subsequently all were approved by the CofA.</p> <p>While this regulation has not been a major issue to date, staff note the proposed amendment will nevertheless result in a more streamlined approach and serve to remove time-consuming and costly delays.</p>

Amend garage-related regulations	Remove minimum garage size requirements from the Zoning By-law.	<p>Through conservative minimum size regulations, current zoning standards often prohibit the construction of a below-grade entrance (primarily to a second unit) in an otherwise appropriate location, creating an unnecessary barrier to ARU construction.</p> <p>Of the 10 CofA applications for reduced garage sizes, all 10 were supported by staff and subsequently all were approved by the CofA.</p> <p>While this regulation has not been a major issue to date, staff note the proposed amendment will nevertheless result in a more streamlined approach and serve to remove time-consuming and costly delays.</p> <p>Applicants will still be required to provide on-site parking in compliance with the Zoning By-law.</p>
Remove duplex and triplex	<p>Delete all instances of the defined term “duplex” and “triplex” from the Zoning By-law.</p> <p>This amendment will necessitate changes to multiple sections of the Zoning By-law.</p>	<p>The inclusion of as-of-right ARU's has resulted in the defined terms of duplex and triplex becoming redundant.</p> <p>Removal of these land uses is required to avoid confusion and zoning interpretation issues.</p>

<p>Remove duplex and triplex zoning categories</p>	<p>Rezone the RM7 (Detached, Semi-detached, Duplex and Triplex) and RM7 – Exception zones (RM7-1 to RM7-9) to new RL – Exception zones.</p>	<p>The proposed rezoning re-establishes the historic regulations established through the RM7 and RM7 – Exception zones to a more contemporary zoning category, required as a result of the removal of the duplex and triplex land uses.</p> <p>This rezoning is primarily technical in nature as no fundamental changes to the individual zoning regulations are being proposed.</p> <p>Staff do not anticipate conformity issues with this approach.</p>
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Note: In addition to the regulations listed, other minor and technical variations to the implementing by-law may also apply, including changes that may take place before the by-law is passed by Council.

Appendix 2: Ontario Regulation 462/24 (O-Reg 462/24) Details

Regulation:	Description:
4.1.1	A building containing an Additional Residential Unit may penetrate any angular plane in the Zoning By-law, subject to any maximum height and minimum setback requirements. For the purposes of this regulation, an angular plane is defined as “an imaginary flat surface projecting over a parcel of land at an inclined angle measured up from the horizontal”.
4.1.2	A minimum separation distance of 4.0 metres is required between the principal dwelling and a Detached Additional Residential Unit.
5.1.1	Up to 45% of a lot containing Additional Residential Unit(s) is permitted to be covered by buildings and structures.
5.1.2	There is no limit to the floor space index on a lot containing Additional Residential Unit(s), subject to any maximum height and minimum setback requirements in the Zoning By-law. For the purposes of this regulation, floor space index is defined as “the sum of the total area of each floor of all buildings and structures on a parcel of land divided by the area of the parcel”.
5.1.3	Minimum lot size shall be the same as if there were no Additional Residential Unit(s).

Note: In any instance where the Zoning By-law is more permissive than Ontario Regulation 462/24, the Zoning By-law will take precedence.

Information / Recommendation Report Detailed Planning Analysis

City-Initiated Zoning By-law Amendments for Additional Residential Unit Regulations

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1. Summary of Applicable Policies, Regulations, and Proposed Amendments

The *Planning Act* requires that Mississauga Official Plan be consistent with the Provincial Planning Statement and conform with all other applicable provincial policy documents. The policy and regulatory documents influencing the proposed amendments have been reviewed and summarized in the table below. Only key policies relevant to the proposed amendments have been included. The table should be considered a general

summary of the intent of the policies and should not be considered exhaustive. In the sub-section that follows, the relevant policies of Mississauga Official Plan are summarized.

The proposed Zoning By-law amendments have been evaluated based upon these policies.

Policy Document	Legislative Authority / Applicability	Key Policies
Provincial Planning Statement (PPS) (2024)	<p>The Provincial Planning Statement (PPS), 2024, provides municipalities with the tools and flexibility needed to build more homes. It enables municipalities to:</p> <ul style="list-style-type: none"> plan for and support development, and increase the housing supply across the province; align development with infrastructure to build a strong and competitive economy that is investment-ready; and, protect agricultural lands, the environment, public health and safety. <p>Municipal official plans are the most important vehicle for implementation of the Provincial Planning Statement and for achieving comprehensive, integrated and long-term planning. (PPS Chapter 1)</p> <p>Zoning and development by-laws are also important for implementation of this Provincial Policy Statement. (PPS Chapter 1)</p>	<p>Planning authorities should support the achievement of complete communities by accommodating an appropriate range and mix of land uses, housing options, and other uses to meet long-term needs. (PPS 2.1.6.a)</p> <p>Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:</p> <ul style="list-style-type: none"> permitting and facilitating all housing options required to meet the social, health, economic, and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities. (PPS 2.2.1.b) promoting densities for new housing which efficiently uses land, resources, infrastructure, and public service facilities and support the use of active transportation. (PPS 2.2.1.c) <p>Land use patterns within settlement areas should be based upon densities and a mix of land uses which:</p> <ul style="list-style-type: none"> efficiently use land and resources; optimize existing and planned infrastructure and public service facilities; and, are transit-supportive, as appropriate. (PPS 2.3.1.2)

Policy Document	Legislative Authority / Applicability	Key Policies
	Decisions of the council of a municipality shall be consistent with PPS. (PPS Chapter 1)	Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options. (PPS 2.3.1.3)
Ontario Regulation 462/24 (O-Reg 462/24)	<p>On November 20, 2024, the Province filed Ontario Regulation 462/24, introducing province-wide regulations for additional residential units.</p> <p>These included regulatory criteria for: maximum lot coverage, angular planes, floor space index, minimum separation distances, and minimum lot sizes on parcels with Additional Residential Units.</p> <p>O-Reg 462/24 renders certain ARU zoning standards no longer to be in force and effect.</p>	Up to 45% of a lot containing an Additional Dwelling Unit is permitted to be covered by buildings and structures (O-Reg 462/24, 5.1.1)

Relevant Mississauga Official Plan Policies

The policies of Mississauga Official Plan (MOP) implement provincial directions for growth. MOP is generally consistent with the PPS.

As of July 1, 2024, the Region of Peel's Official Plan (ROP) has been deemed to form part of an official plan of Mississauga.

The below policies are applicable in the review of the proposed Zoning By-law amendments. In some cases, the description of the general intent summarizes multiple policies.

Mississauga Official Plan	General Intent
Chapter 5 Direct Growth	<p>Mississauga will protect and conserve the character of stable residential Neighbourhoods. (Section 5.1.7)</p> <p>Development will be sensitive to the existing and planned context and will include appropriate transition in use, built form, density and scale. (Section 5.3.5.6)</p>
Chapter 7 Complete Communities	<p>Mississauga will ensure that the housing mix can accommodate people with diverse housing preferences and socioeconomic characteristics and needs. (Section 7.1.6)</p> <p>Mississauga will ensure that housing is provided in a manner that maximizes the use of community infrastructure and engineering services, while meeting the housing needs and preferences of Mississauga residents. (Section 7.2.1)</p>

Mississauga Official Plan	General Intent
	Mississauga will provide opportunities for: the development of a range of housing choices in terms of type, tenure, and price. (Section 7.2.2.a)
Chapter 9 Build a Desirable Urban Form	<p>Infill and redevelopment within Neighbourhoods will respect the existing and planned character. (Section 9.1.3)</p> <p>While new development need not mirror existing development, new development in Neighbourhoods will:</p> <ul style="list-style-type: none"> a) respect existing lotting patterns; and, c) respect the scale and character of the surrounding area. (Section 9.2.2.3) <p>Mississauga is committed to the creation of an accessible city. The design of the physical and built environment will have regard for universal design principles. (Section 9.4.3.1)</p>
Chapter 11 General Land Use Designations	<p>On a lot with a principal dwelling residence (detached, semi-detached or townhouse), a maximum of three units will be permitted in the form of:</p> <ul style="list-style-type: none"> a) a maximum of two additional units in the principal residence; or, b) a maximum of one additional unit in the principal residence and one additional unit within a building ancillary to the main structure. (Section 11.2.5.9)
Chapter 19 Implementation	To ensure that the policies of this Plan are being implemented, the following controls will be regularly evaluated: Mississauga Zoning By-law. (Section 19.4.2.b)
Former Region of Peel Official Plan Policies	<p>To provide a diversity of complete healthy communities for those living and working in Peel Region, offering a wide range and mix of housing, employment, and recreational and cultural activities. These communities will be served and connected by a multi-modal transportation system and provide an efficient use of land, public services, finances and infrastructure, while respecting the natural environment, hazards and resources, and the characteristics of existing communities in Peel. (ROP 5.2)</p> <p>It is the policy of Regional Council to: promote the development of compact, complete communities by supporting intensification and higher density forms of housing. (ROP 5.9.1)</p> <p>To make housing available for diverse populations, including the provision of accessible housing and appropriate support services. (ROP 5.9.5)</p> <p>To consider barriers to housing, including social and economic factors. (ROP 5.9.6)</p> <p>Direct the local municipalities to include policies in local municipal official plans that permit additional residential units. (ROP 5.9.14)</p>

The City has undertaken its ten-year review and update of MOP, and Council has adopted MOP 2051 on April 16, 2025. MOP 2051 will be in force and effect after approval by the Minister of Municipal Affairs and Housing. Included in this review are MOP 2051 policies that were evaluated in regards to the proposed Zoning By-law amendments.

Mississauga Official Plan 2051	General Intent
Chapter 3 Directing New Development	Permit a range of housing options within low-rise residential Neighbourhoods. (Section 3.2.5.c.)
Chapter 5 Housing Choices and Affordable Homes	<p>In order to meet its current and projected demands reflecting socio-economic and demographic trends, Mississauga will require an appropriate mix of housing by density, type, and affordability throughout the City. (Section 5.2.2)</p> <p>Mississauga will provide opportunities for the development of a range of housing choices in terms of type, arrangements, tenure, and price. (Section 5.3.1.3)</p> <p>When making planning decisions, Mississauga will ensure that housing is provided in a manner that fully implements the intent of the Provincial housing policies and plans. (Section 5.3.1.4)</p> <p>The provision of housing that meets the needs of young adults, older adults, and families will be encouraged. (Section 5.3.1.8)</p> <p>A diverse range of scale-appropriate housing units will be permitted in all neighbourhoods. These units will be in multiple built forms and accessory dwelling units in accordance with the policies of this Plan, Land Use Designation, and the Zoning Bylaw. (Section 5.3.2.1)</p> <p>On a lot with a principal dwelling residence (detached, semi-detached or townhouse), only one additional unit will be permitted in a building ancillary to the main unit structure. (Section 5.3.2.5)</p> <p>The City will permit secondary dwelling units within the principal residence as well as one additional residential unit in a building ancillary to the main structure, subject to Zoning Bylaw provisions and Building Code requirements. (Section 5.3.2.6)</p>
Chapter 8 Well Designed Healthy Communities	<p>Infill and redevelopment within Neighbourhoods will respect the local planning context. (Section 8.2.3)</p> <p>While new development need not mirror existing development, new development will be designed to respect the existing scale, context, massing, and grades of the surrounding area. (Section 8.3.12)</p> <p>A mix of building types is encouraged on sites that can accommodate more than one building. Where a development includes more than one building, the site will be designed to ensure appropriate site organization and building locations that:</p> <ul style="list-style-type: none"> a. provide parcels of appropriate size and shape for the mix of building types; c. ensure appropriate spacing of buildings; and, d. ensure appropriate transition in scale between buildings of different scales and types and other lower-scaled uses. <p>(Section 8.6.2.17)</p>

Mississauga Official Plan 2051	General Intent
Chapter 10 Land Use Designations	Lands designated Residential Low-Rise I will permit all low-rise street-facing dwellings, up to three storeys. (Section 10.2.5.4)
Chapter 15 Neighbourhoods	<p>The City will support the provision of a full range of housing options, built forms, and compatible uses within neighbourhoods that:</p> <ul style="list-style-type: none"> a. promote a variety of residential built forms and arrangements that respond to the needs of the City's current and future residents and that prioritizes affordable and barrier-free units. c. ensure development provides appropriate transitions in height, built form and density to the surrounding lands. (Section 15.1.1.4)

2. ***Provincial Planning Statement, 2024 (PPS)***

The *Provincial Planning Statement, 2024* (PPS), was released on August 20, 2024, and came into effect on October 20, 2024. This new document replaces both the *Provincial Policy Statement, 2020*, and the *Growth Plan for the Greater Golden Horseshoe*; consolidating the two frameworks into a single, province-wide document.

The update aims to streamline policies and place greater responsibility on municipalities to manage growth locally, with a focus on intensification, housing development, and transit-supportive communities.

The new PPS provides direction on land use planning by ensuring that municipal decisions align with provincial interests, such as promoting efficient land use, encouraging diverse housing options, and supporting sustainable development by coordinating land use with existing and planned public infrastructure.

The PPS includes policies promoting the creation of healthy, liveable, and safe communities.

Sections 2.1.6.a, 2.2.1.b, and 2.3.1.3 of the PPS, as referenced in the chart above, identify the importance of achieving complete communities through the creation of multiple housing options. These sections identify the City's responsibility to support general intensification, as well as a diverse built-form, to ensure that the social, health, economic, and wellbeing requirements of current and future residents are met. The proposed amendments outline new regulatory framework which better facilitate ARU's; thereby, diversifying the housing stock, accommodate a range of affordable and market-based residential types, and efficiently provide a suitable form of housing for all stages of life.

Sections 2.2.1.c and 2.3.1.2 of the PPS identify that land use patterns within settlement areas are to be based upon densities

and a mix of uses which efficiently utilize land, infrastructure, and services. This section identifies the City's responsibility to efficiently use its lotting fabric and infrastructure to manage growth and prevent unnecessary sprawl. The proposed regulatory amendments will better facilitate ARU's; thereby, supporting a built-form which efficiently utilizes existing lotting fabric, municipal infrastructure, and services within the City's neighbourhoods

The proposed Zoning By-law amendments are consistent with the PPS's goal to support a diverse range of housing options that efficiently utilizes existing infrastructure and services, serves residents in all stages of their lives, and fosters complete communities. Overall, the proposed Zoning By-law amendments are consistent with the PPS.

3. Ontario Regulation 462/24 (O-Reg 462/24)

On November 20, 2024, the Province filed Ontario Regulation 462/24 (O-Reg 462/24), an amendment to Ontario Regulation 299/19 – Additional Residential Units. This removed certain municipal regulations which served to hinder ARU construction.

Regulation 5.1.1 of O-Reg 462/24, as referenced in the chart above, identifies a minimum threshold for maximum lot coverage of 45% for lots containing ARU's.

The proposed Zoning By-law amendments conform with O-Reg 462/24 by implementing these provincial regulations.

4. Mississauga Official Plan (MOP)

Mississauga's Official Plan directs growth within the City, as well as outlines the goals and policies intended to be achieved by 2031.

Sections 7.1.6, 7.2.1, and 7.2.2 recognize the significance of creating diverse housing options to address the evolving needs of residents, as well as the importance in maximizing existing municipal infrastructure and services. ARU's allow for gentle intensification within neighbourhoods, make use of existing infrastructure, and allow residents flexible housing options that cater to evolving needs.

Sections 9.1.3 and 9.2.2.3 recognize the potential for diversity in built-forms of new development within neighbourhoods. The proposed amendments are intended to introduce updated development standards for ARU's that contextually fit within the existing built form and scale of neighbourhoods; allowing for visible growth within communities that is gradual, is contextually suitable, and provides appropriate transition.

Section 19.4.2 recognizes the need for Mississauga's Zoning By-law to be regularly evaluated. The proposed amendments implement the Province's legislative requirements for ARU's and facilitate MOP's goal of providing a broader range of gentle infill housing options within low-rise residential neighbourhoods.

Overall, the proposed amendments conform with the above-noted MOP policies by broadening the range of infill housing options in a complementary manner to local context and

interests. ARU's unlock a new form of ground-related rental housing, support multi-generational living and aging in place, and can act as a means of supplemental mortgage income.

The proposed Zoning By-law amendments conform with MOP.

As previously identified, Council has adopted a new Official Plan, Mississauga Official Plan 2051. The proposed Zoning By-law amendments conform to the policies of MOP 2051.

5. Zoning

Please see Appendix 1, in this regard.

6. Conclusions

Staff have evaluated the proposed amendments in relation to the *Provincial Planning Statement, 2024*, Ontario Regulation 462/24, and Mississauga Official Plan.

Based upon the preceding analysis, staff are of the opinion that the proposed Zoning By-law amendments are consistent and conform with these aforementioned documents. Further, the proposed amendments implement mandatory provincial regulations.