



THE CORPORATION OF THE CITY OF MISSISSAUGA

BY-LAW NUMBER 0158-2013

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 adding to Section 1.2 the following Definition:

Second Unit	means an accessory dwelling unit with its own kitchen, sanitary facilities and bedroom(s)/sleeping area.
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2. By-law Number 0225-2007, as amended, is further amended by deleting Article 4.1.5.8 and substituting the following therefor:

4.1.5.8 Notwithstanding the provisions of Article 4.1.5.5, stairs, stairwells or retaining walls to facilitate an entrance below grade at any point shall be permitted in required **rear yards** and **interior side yards** provided that the minimum setback to an **interior side lot line** and **rear lot line** shall be 1.2 m;

4.1.5.8.1 A **porch** or **deck**, located at and accessible from the **first storey** or below the **first storey** of the dwelling inclusive of stairs, shall be permitted in a required **interior side yard** provided that the minimum setback to the **interior side lot line** shall be 1.2 m;

3. By-law Number 0225-2007, as amended, is further amended by adding Article 4.1.5.10 as follows:

4.1.5.10 Stairs, stairwells or retaining walls to facilitate an entrance below grade at any point shall not be permitted in **front yards** or **exterior side yards**;

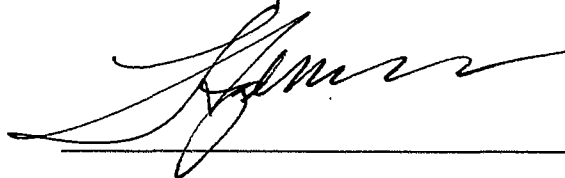
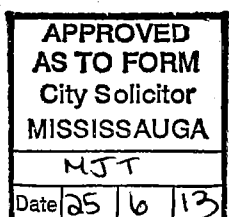
4. By-law Number 0225-2007, as amended, is further amended by adding Subsection 4.1.20 to Section 4.1 as follows:

4.1.20 Second Unit

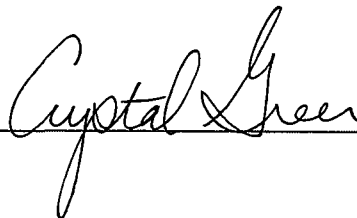
A **second unit** shall be permitted accessory to and located within a **detached dwelling** or a **dwelling unit** located in a **semi-detached dwelling, townhouse dwelling, linked dwelling, street townhouse** and a **townhouse dwelling on a CEC- private road** in a Residential Zone subject to the following:

- 4.1.20.1 The provisions of Article 4.1.1.3 of this By-law shall not apply;
- 4.1.20.2 Notwithstanding the provisions of Article 4.1.1.1 of this By-law, a maximum of one (1) **second unit** shall be permitted;
- 4.1.20.3 A **second unit** shall not be permitted in a **lodging house, a group home or dwelling unit** containing an accessory non-residential use;
- 4.1.20.4 An addition to facilitate a **second unit** shall not alter the **existing use** of the subject dwelling as defined by this By-law;
- 4.1.20.5 Notwithstanding Subsection 4.1.13 of this By-law, the **minimum gross floor area - residential** of a **second unit** shall be 35 m²;
- 4.1.20.6 A **second unit** shall not occupy more than 50% of the **gross floor area - residential** of the dwelling within which it is located;
- 4.1.20.7 A new pedestrian entrance facing a **street, a private road** or a **CEC - private road**, to facilitate a **second unit**, shall not be permitted;
- 4.1.20.8 A **deck** located above the **first storey** to facilitate an entrance to a **second unit** shall not be permitted;
- 4.1.20.9 In addition to the required number of **parking spaces** for the dwelling, one (1) **parking space** shall be required for a **second unit**;
- 4.1.20.10 **Tandem parking spaces** to accommodate a **second unit** shall be permitted;
- 4.1.20.11 A lot with a **second unit** shall have one (1) and not more than one (1) **driveway**;

ENACTED and PASSED this 3 day of July 2013.



MAYOR



CLERK

APPENDIX "A" TO BY-LAW NUMBER _____

Explanation of the Purpose and Effect of the By-law

This By-law amends Mississauga Zoning By-law 0225-2007 to permit second units in detached, semi-detached, townhouse, street townhouse and linked dwelling units thereby implementing recent amendments to the *Planning Act* by *Bill 140: Strong Communities through Affordable Housing Act, 2011*. Amendments include the following:

- add definition for second unit;
- permit one second unit per dwelling;
- permit one second unit within detached, semi-detached, townhouse and linked dwelling units;
- permit a second unit below the first storey;
- establish a maximum and minimum gross floor area for a second unit;
- prohibit an addition for a second unit from changing the existing use of the dwelling;
- prohibit second units in dwellings that have a lodging house, a group home or any accessory non-residential use;
- permit stairs, stairwells and retaining walls for entrances below grade in rear yards and interior side yards provided a minimum setback of 1.2 m is maintained;
- prohibit stairs, stairwells and retaining walls for entrances below grade in front yards and exterior side yards;
- prohibit new entrances facing a street for second units;
- prohibit decks above the first storey to facilitate a second unit;
- establish parking requirements for second units; and,
- limit the number of driveways on properties with second units.

Location of Lands Affected

All Residential Zones in Mississauga where detached, semi-detached, townhouse, linked or street townhouse are permitted.

Further information regarding this By-law may be obtained from Emily Irvine of the City Planning and Building Department at 905-615-3200 ext. 5524.

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