

Proposed Regulatory Changes under the Planning Act Relating to the Cutting Red Tape to Build More Homes Act, 2024 (Bill 185): Removing Barriers for Additional Residential Units

Provincial Comment Period Closes May 10 (ERO:[019-8366](#)) (ORR:[24-MMAH011](#))

| Proposed Changes | Potential City Impacts | Comments to the Province |
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| Schedule 12 – Planning Act | | |
| <p>Additional Residential Unit (ARU) Requirement and Standards</p> <p>The Minister will be given the ability to establish regulations that removes barriers for additional residential units.</p> <p>Subsection 35.1 (2) is re-enacted to authorize the Minister to make regulations establishing requirements and standards with respect to any additional residential units in a detached house, semi-detached house or rowhouse, a residential unit in a building or structure ancillary to such a house, a parcel of land where such residential units are located or a building or structure within which such residential units are located.</p> <p><i>Discussion questions prepared by the Province (on ERO 019-8366):</i></p> <p>1. Are there specific zoning by-law barriers standards or requirements that frustrate the development of ARUs (e.g., maximum building height, minimum lot size, side and rear lot</p> | <ul style="list-style-type: none"> The City of Mississauga (City) has introduced zoning to permit ARUs for up to four units on a lot. With 3 units permitted internal to a building and 1 unit permitted external to the main building. Mississauga has observed an increase in basement second units, but accommodating multiple additional units is complex due to the OBC defining dwellings with three or more units as not being a “house”. Applicants abandon proposals for three units and opt for basement second units instead. | <ul style="list-style-type: none"> The City is supportive of this change, as it complements the City’s work in increasing the mix of housing options in Mississauga. <p>Response to Discussion Question 1:</p> <ul style="list-style-type: none"> The in-force zoning related to ARUs is quite flexible in and takes into consideration our local context. A broad exemption of further standards could have potential impacts for adjacent properties. For internal ARUs, no further changes to the City’s By-Law are necessary. Since most ARU are being accommodated in existing dwelling structures, there is no need to change lot coverage, setbacks, height, etc. For external ARUs, Mississauga has already provided zoning flexibility in the form of additional lot coverage and minimal setbacks, while balancing impacts to neighbouring properties through appropriate height and size permissions. |

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| <p><i>setbacks, lot coverage, maximum number of bedrooms permitted per lot, and angular plane requirements, etc.)?</i></p> <p>2. <i>Are there any other changes that would help support development of ARUs?</i></p> | | <ul style="list-style-type: none"> • It should be at the discretion of municipalities to identify reductions in max lot and setbacks requirements to ensure ARUs comply with drainage and Lot Grading By-laws. • The City request the Province of Ontario (Province) make municipalities whole for lost revenue from statutory DC and parkland ARU exemptions. <p>Response to Discussion Question 2:</p> <ul style="list-style-type: none"> • Through the City's consultation on <i>Increasing Housing Choices in Neighbourhoods</i> the following additional barriers were identified: <ul style="list-style-type: none"> ○ the cost of construction ○ impact of being a landlord on personal income tax ○ how much property taxes would increase after MPAC reassesses the property with an ARU ○ the ability to remove delinquent tenants and LTB backlog • The City has removed many municipal fees associated with ARUs (e.g. DCs and cash-in-lieu of parkland) and is exploring building permit grants and pre-approved plans as a incentive to increase supply. |

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| | | <ul style="list-style-type: none"> The Province should consider a public education program to encourage Ontarians to become small landlords providing them with relevant resources and financial incentives such as tax incentives. |
| <p>Non-Application – Houses & Ancillary Structures A new section of the Act authorizes regulations that provide for the non-application of any provision of Part V or a regulation under section 70.2, or setting out restrictions or limitations with respect to its application, to houses and ancillary structures meeting prescribed criteria.</p> | <ul style="list-style-type: none"> See comments under “Additional Residential Unit Requirement and Standards” | <ul style="list-style-type: none"> See comments under “Additional Residential Unit Requirement and Standards” |