

THE CORPORATION OF THE CITY OF CAMBRIDGE

BY-LAW 23-077

Being a by-law to amend Zoning By-law 150-85, as amended, with respect to permitting Additional Residential Units

WHEREAS Council of the City of Cambridge has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended to pass this by-law.

WHEREAS this by-law conforms to the City of Cambridge Official Plan, as amended.

WHEREAS Council deems that adequate public notice of the public meeting was provided and adequate information regarding this Amendment was presented at the public meeting held June 20, 2023, and that a further public meeting is not considered necessary in order to proceed with this Amendment,

NOW THEREFORE BE IT RESOLVED THAT, the Corporation of the City of Cambridge enacts as follows:

1. **THAT** this by-law applies to all residentially zoned lands within the City of Cambridge, Regional Municipality of Waterloo.
2. **THAT** Section 1.1 of Zoning By-law 150-85, is hereby amended by adding the following definitions:

additional residential unit (ARU) means a self-contained residential dwelling unit, with its own cooking facility, sanitary facility and sleeping area, that either forms part of and is attached to the principal dwelling, or is located within a detached building on the same lot as the principal dwelling, as defined in Section 3.1.1.11.

attached additional residential unit (ARU), means an *additional residential unit (ARU)* that is attached to the principal dwelling as defined in 3.1.1.11.1

detached additional residential unit (ARU), means an *additional residential unit (ARU)* that is located within a detached building on a lot containing a principal dwelling as defined in 3.1.1.11.1

3. **THAT** Section 1.1.11.1(d) is hereby amended by adding the phrase “,including a *detached additional dwelling unit*,” after the words “structures” as follows:

“(d) *accessory uses, buildings and structures, including a detached additional dwelling unit*, shall not occupy a total area greater than 10% of the *area of the lot* upon which such uses, buildings or structures are located;”

4. **THAT** Section 2.1.11.1(f) is hereby amended by adding the phrase “unless otherwise permitted by this By-law after the words “human habitation” as follows:

“Subject to the following regulations, nothing in this by-law shall apply to prevent the use of land or the erection, location or use of a building or structure accessory to a use permitted in a residential use class zone:

- (f) no *accessory building or structure* shall be used for:
- (i) human habitation unless otherwise permitted by this by-law; or,
 - (ii) for the purposes of a *home occupation* as specified in Section 2.1.17”

5. **THAT** Section 2.1.20 is hereby amended by adding a new subsection (8) as follows:

2.1.20.8:

“Notwithstanding the provisions of section 3 of this by-law, a *detached dwelling* which is occupied and continues to be occupied as the principal residence of the proprietor, may be used for the purpose of a *bed-and-breakfast hostel* in accordance with the following regulations:

Notwithstanding any other provision of this by-law, a *bed and breakfast hostel* is not permitted on a lot containing an *additional residential unit*,”

6. **THAT** Section 3.1.1 is hereby amended by adding a new subsection (11) as follows:

3.1.1.11 Additional Residential Units (ARUs):

1. Notwithstanding any provision of Zoning By-law 150-85 to the contrary, additional residential units in a detached house, semi-detached house or rowhouse on a parcel of urban residential land as defined by the Planning

Act is permitted, subject to the requirements and restrictions of this By-law.

2. For the purpose of this section “principal dwelling” shall mean a single detached dwelling, semi-detached dwelling or street townhouse dwelling;
3. An ARU shall only be permitted on the same lot as a principal dwelling.
4. A maximum of two ARUs are permitted per residential lot which may include either:
 - i) Two attached ARUs, or
 - ii) One attached ARU and one detached ARU
5. An ARU shall not be permitted within or on the same lot as a *group home* or *boarding, lodging and rooming house*.
6. Parking:
 - i) One additional parking space per ARU is required, of which parking space may be a *tandem parking space* and located between the *established building line* and the *street line*.
 - ii) No new driveway or vehicular access from a residential lot to a municipal *street* or *highway* shall be permitted in order to provide access or required parking for an ARU.
7. Where municipal services are available, both the principal dwelling and the ARU(s) on the same lot must be connected to municipal water and sewer services of adequate size. Where municipal services are not available, proof must be provided, to the satisfaction of the City, that private water and sewer service is capable of accommodating both the principal dwelling and the ARU(s).
8. An ARU shall not be permitted on *hazard lands*.
9. The maximum distance from the *street* or *highway* to the entrance of an ARU shall be 45 m.

3.1.1.11.1 Provisions for Attached ARUs:

1. Where direct access to the ARU is provided from the *interior side yard*, the entrance to the attached ARU is required to be a minimum of 1.2 m from the *interior side lot line*.

2. Where the entrance to an attached ARU is provided through a door located in the side or rear yard, an unobstructed pedestrian path of travel having a minimum width of 0.9 m and minimum height of 2.1 m shall be provided along any portion of the yard extending from the door used as the entrance to an attached ARU to the *street* or *highway*.
3. Notwithstanding section 2.1.15 of By-law 150-85, no encroachment or appurtenance may project into the required pedestrian path, except for steps or landings with a maximum depth of 1.1 m and height of 0.6 m for the purpose of access to the attached ARU.
 - i) Any required steps or landing for the purpose of access to the attached ARU shall be designed to maintain access to a *rear yard*.
 - ii) The pedestrian path, including any required steps or landing, shall be designed so as to ensure positive drainage of overland storm water to be maintained on the lot in accordance with the City's Site Alteration By-law.

3.1.1.11.2 Provisions for Detached ARUs:

1. A Detached ARU may be located in the *interior side yard*, *exterior side yard*, or *rear yard*, subject to the following:
 - i) A minimum 1.2 m *interior side yard* setback.
 - ii) An *exterior side yard* setback consistent with the zone in which the Detached ARU is located.
 - iii) A minimum 1.2 m from the *rear lot line*, or in the case of an *accessory building* located on a *through lot* and accessed by a laneway, a minimum of 3.0 m from the *lot line* adjacent and parallel to the laneway.
2. Minimum separation distance from the principal dwelling shall be 3 m.
3. Maximum building height is 4.5 m
4. An unobstructed pedestrian path of travel having a minimum width of 0.9 m and minimum height of 2.1 m shall be provided from the municipal *street* or *highway* to the entrance of the detached ARU.
5. Maximum lot coverage of 10%.

7. **THAT** By-law 108-18 is repealed;

8. **THAT** By-law 22-017 is repealed;
9. **AND THAT** this by-law shall come into force and effect on the date it is enacted.

ENACTED AND PASSED this 12th day of September 2023.

MAYOR

CLERK

Purpose and Effect of By-law No. 23-077

The purpose and effect of this by-law is to amend Zoning By-law 150-85 to permit two additional residential units in single detached, semi-detached and street townhouses.