

THE CORPORATION OF THE CITY OF CAMBRIDGE

BY-LAW 23-078

Being a by-law to adopt Amendment No. 68 of the City of Cambridge Official Plan (2012), as amended with respect to additional residential units

**WHEREAS** sections 17 and 22 of the Planning Act R.S.O. 1990 c. P. 13, as amended empower the City of Cambridge to adopt an Official Plan and make amendments thereto,

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

1. **THAT** Amendment No. 68 to the Official Plan (2012) of the City of Cambridge is hereby adopted;
2. **THAT** the Clerk is hereby authorized and directed to make application to the Regional Municipality of Waterloo for approval of Amendment No. 68 to the Official Plan (2012) of the City of Cambridge;
3. **THAT** the Clerk is hereby authorized and directed to proceed with the giving of notice under Section 17(23) of the Planning Act;
4. **AND THAT** this by-law shall come into force and take effect on the day of final passing thereof.

**ENACTED AND PASSED** this 12th day of September 2023

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MAYOR

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CLERK

**PROPOSED AMENDMENT NO. 68 TO THE  
OFFICIAL PLAN OF THE CITY OF CAMBRIDGE:**  
Additional Residential Units Amendment

**INDEX**

**PART A - THE PREAMBLE**

1.0	TITLE AND COMPONENTS .....	2
2.0	PURPOSE .....	2
3.0	BACKGROUND .....	2
4.0	LOCATION .....	3
5.0	BASIS OF THE AMENDMENT .....	3
6.0	SUMMARY OF CHANGES TO THE OFFICIAL PLAN .....	3
7.0	PUBLIC PARTICIPATION .....	3

**PART B - THE AMENDMENT**

1.0	INTRODUCTORY STATEMENT .....	3
2.0	FORMAT OF THE AMENDMENT .....	3
3.0	IMPLEMENTATION AND INTERPRETATION .....	4
4.0	DETAILS OF THE AMENDMENT .....	4

## **PART A – THE PREAMBLE**

### **1.0 TITLE AND COMPONENTS**

This document is entitled Additional Residential Dwelling Units Amendment and will be referred to as Amendment No. 68. “Part A – The Preamble” provides an explanation of the amendment including the purpose and format of the amendment but does not form part of this amendment.

“Part B – The Amendment” forms Amendment No. 68 to the Official Plan of the City of Cambridge and contains a comprehensive expression of the new, deleted and amended text.

### **2.0 PURPOSE**

The purpose of Amendment No. 68 is to update the additional residential unit policies and definitions in the Official Plan in accordance with recent amendments to the Planning Act which require permission for up to two additional dwelling units in a single detached, semi-detached and townhouse dwelling.

### **3.0 BACKGROUND**

The More Homes Built Faster Act, 2023 amended the Planning Act to require the following:

- a) up to three residential units in a detached, semi-detached, or townhouse dwelling if there are no residential units in an accessory building or structure on the same lot;
- b) up to two residential units in a detached, semi-detached, or townhouse dwelling if there is one residential unit in an accessory building or structure on the same lot; and,
- c) one residential unit in an accessory building or structure if there are no more than two residential units in a detached, semi-detached, or townhouse dwelling on the same lot.
- d) prohibit a municipality from requiring more than one parking space per additional residential unit (ARU) or restricting the minimum floor area of a unit.

The Planning Act stipulates that any by-law that has the effect of prohibiting the above permissions is of no effect.

Currently, the City’s Official Plan (OP) permits a maximum of two residential dwelling units subject to policies on parking, access, compatibility, and subordination of the unit to the principal dwelling. While the majority of the existing City OP policies conform to the new Planning Act legislation with respect to ARUs, there are some policies that Planning staff are proposing amendments to, such as elimination of the requirement of subordination of the ARU and updating definitions.

A Statutory Public Meeting of Council was held on June 20, 2023 to introduce the proposed Official Plan and Zoning By-law amendments to Council and the public.

#### **4.0 LOCATION**

Official Plan Amendment No. 68 applies to all lands designated residential in the Official Plan.

#### **5.0 BASIS OF THE AMENDMENT**

Amendment No. 68 sets out revised policies and definitions for additional residential units and principal dwellings under the Planning Act.

It addresses the necessary changes to ensure that the City's policies, related to additional residential units, comply with the Planning Act. The Planning Act requires municipalities to permit additional residential units in detached, semi-detached and row-house units. In addition, municipalities are required to permit an additional residential unit in both a primary dwelling and in an ancillary building or structure, in effect permitting three residential units on one residential property. The basis for the policy amendments are from Planning Act policies and regulations governing additional residential units.

#### **6.0 SUMMARY OF CHANGES TO THE OFFICIAL PLAN**

Amendment No. 68 deletes policy references that require an ARU to be subordinate in size to the principal dwelling unit. Amendment No. 68 also updates the definition of "additional dwelling unit" and replaces the current definition of "primary dwelling unit" with a new definition of "principal dwelling unit".

#### **7.0 PUBLIC PARTICIPATION**

The development of the proposed Official Plan Amendment for Additional Residential Dwelling Units included a statutory public meeting held on June 20, 2023. No public comments were received through the review process. Posting of related reports to the City's website was included as part of the public report process.

### **PART B – THE AMENDMENT**

#### **1.0 INTRODUCTORY STATEMENT**

All of this part of the document entitled "Part B – The Amendment" consisting of the following text, constitutes Amendment No. 68 to the Official Plan of the City of Cambridge.

#### **2.0 FORMAT OF THE AMENDMENT**

This section of Amendment No. 68 sets out additions and changes to the text in the Official Plan.

Text that is proposed to be amended is illustrated by various font types (e.g., ~~struck-out~~ is to be deleted and **bold** text is to be added). Unchanged text represents existing Official Plan policy that is being carried forward that has been included for context and does not constitute part of Amendment No. 68. *Italicized* font indicates defined terms.

### 3.0 IMPLEMENTATION AND INTERPRETATION

The implementation of this amendment shall be in accordance with the provisions of the Planning Act. The further implementation and associated interpretation of this amendment shall be in accordance with the relevant text and mapping schedules of the existing Official Plan of the City of Cambridge and applicable legislation. Amendment No. 68 should be read in conjunction with the current Official Plan (2012) as amended, which is available on the City's website at [cambridge.ca](http://cambridge.ca), or at the Planning Services kiosk located at 50 Dickson Street in the 1<sup>st</sup> Floor lobby.

### 4.0 DETAILS OF THE AMENDMENT

The Official Plan of the City of Cambridge is hereby amended as follows:

1. Section 2.8.2.8 b) regarding Additional Residential Units is revised as follows:

b) The *additional residential unit(s)* must be located on the same lot as the *principal dwelling*. ~~and must be subordinate in scale and function to the primary dwelling unit.~~

2. Chapter 13 (Definitions), "additional residential unit" shall be revised as follows:

**"additional residential unit"** ~~means a dwelling unit that is subordinate to the primary dwelling unit on a lot.~~ 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 same building as the ***principal dwelling***, or is located within a detached building on the same lot as the ***principal dwelling***.

3. Chapter 13 (Definitions) "primary dwelling unit" shall be deleted and replaced with the following definition of "principal dwelling":

**"principal dwelling"** for the purpose of *additional residential units* means a single detached dwelling, semi-detached dwelling or townhouse dwelling;