

**To:** COUNCIL

**Meeting Date:** 08/10/21

**Subject:** Accessory Unit By-law Public Consultation Strategy

**Submitted By:** Deanne Friess, Manager of Policy Planning

**Prepared By:** Deanne Friess, Manager of Policy Planning

**Report No.:** 21-221(CD)

**File No.:** C1101

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## Recommendations

THAT report 21-221(CD) - Accessory Unit By-law Public Consultation Strategy - be received;

AND THAT City of Cambridge Council endorse the public consultation strategy outlined in report 21-221(CD) for the update to by-law 108-18 for accessory dwelling units.

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## Executive Summary

### Purpose

- In 2018 Council passed by-law 108-18 to allow secondary dwelling units on residential single detached, semi-detached and linear row house properties in the City of Cambridge with specific requirements for lot area, frontage and parking.
- In 2019 further changes to the Planning Act through Bill 108 were put in place requiring municipalities to revise accessory dwelling unit regulations and allow for an accessory unit in the principle building and an accessory unit in an ancillary building for a total of three residential dwellings on one property.
- The purpose of this report is to seek endorsement from Council for the proposed public consultation strategy for amendments to accessory dwelling unit regulations.

### Key Findings

- Council passed by-law 108-18 in 2018 to implement regulations for accessory residential units. Since the implementation of the by-law, 115 accessory unit permits have been processed and approximately 50 minor variances. Evaluation

of the accessory unit regulations is needed to assess the effectiveness and appropriateness of the regulations as well as implement the Planning Act changes required.

- Planning staff are recommending Council endorse a public consultation strategy to inform the required by-law amendments updates to accessory unit regulations.

## Financial Implications

- There are no financial implications. Work associated with this review will be accommodated through the operating budget.

## Background

- Recent changes to the Planning Act require municipalities to allow additional dwelling units in single detached, semi-detached and street townhouse dwelling units.
- In 2018 Council passed bylaw 108-18 to allow secondary dwelling units. In 2019 changes to the Planning Act, through Bill 108 were put in place requiring municipalities to permit up to two additional residential units on properties containing a detached, semi-detached or row house residential dwelling.
- The current by-law passed in 2018 only allows one additional unit either within the primary dwelling **or** in an accessory building. The changes to the Planning Act in 2019 would allow two accessory units, one in the primary building **and** one in an accessory structure.

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## Analysis

### Strategic Alignment

PEOPLE To actively engage, inform and create opportunities for people to participate in community building – making Cambridge a better place to live, work, play and learn for all.

Goal #1 - Community Wellbeing

Objective 1.4 Promote, facilitate and participate in the development of affordable, welcoming and vibrant neighbourhoods.

This report recommends Council endorsement of a public consultation strategy that is over and above the requirements of the Planning Act for public notification. Planning staff are recommending a more fulsome consultation strategy to help inform the public of the Planning Act requirements and also assess the impacts of the regulations in order

to ensure residential areas with the City are affordable welcoming and vibrant neighbourhoods.

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## Comments

The provision of accessory residential units is one measure to increase the affordable rental housing stock within the City. This type of housing is recognized in Provincial policy as well as the Regional and City Official Plans. In 2018, in response to Bill 139, Council passed city by-law 108-18 which allowed one second residential unit subject to specific criteria. The Minister of Municipal Affairs and Housing introduced Bill 108, More Homes, More Choice Act, in 2019. The Bill proposed a number of amendments including amendments to the Planning Act. The intention of Bill 108 is to address the housing crisis in Ontario by providing additional residential units. One of the directions to municipalities through Bill 108 was to permit up to two additional residential units on properties. An update to the City by-law is required to accommodate this change and also to assess the effectiveness and impact of the regulations passed in 2018. The City is required to comply with the changes made by Bill 108 to the Planning Act but has some flexibility to include regulations to mitigate planning compatibility concerns.

In order to initiate the review of the current secondary suite by-law the City has retained Meridian Planning to compile a comparison of the regulations in adjacent municipalities. This will be used to initiate a best practices review and Planning staff are proposing to present these findings for discussion through the public consultation process. This information is provided in Attachment 1 to this report.

Since 2018, the City has processed 115 building permits for secondary residential units and approximately 50 minor variances. The number of building permits illustrates community interest in establishing accessory residential units and the number of minor variances indicates that there may be some necessary revisions needed to the regulations in place.

Planning staff are recommending Council endorsement of a public consultation strategy be initiated to provide information and to receive input on amendments to the accessory unit regulations. This public consultation would consist of two virtual public meetings, a public survey, information through the City website followed by a formal statutory public meeting required by the Planning Act for the proposed by-law amendment. The proposed public consultation strategy and timing is provided in attachment 2. Following the public consultation, a formal Zoning By-law amendment will be presented to Council to implement the new regulations.

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## Existing Policy/By-Law

### Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) supports intensification through a range of housing options and an appropriate range and mix of housing types and densities.

### Planning Act

Consistent with the PPS the Planning Act guides planning in the Province of Ontario. Bill 108 to the Planning Act requires that Official Plans have policies to allow additional residential units and permit a maximum of one additional residential unit in a single detached, semi-detached or street fronting townhouse primary dwelling and one additional residential unit in an accessory structure. The Planning Act also provides regulations for accessory residential units for:

- Each unit shall have a parking space except where pre-approved zoning by-law amendment doesn't require parking;
- Any additional required parking may be in tandem;
- Accessory residential units do not need to be owner-occupied;
- Accessory residential units can be located either in new or existing buildings; and,
- Tenants cannot be regulated on the basis of relationship.

Section 34 Subsection 19.1 of the Planning Act indicates that there are no appeal rights in respect of a by-law that gives effect to the policies, requirement or standard for creating secondary residential units.

### Regional Official Plan

The Regional Official Plan encourages area municipalities "to permit, wherever appropriate, individual lot intensification, such as secondary apartments and garden suites in residential neighbourhoods, where health, safety, servicing and other reasonable standards or criteria can be met".

### City of Cambridge 2012 Official Plan

The 2012 Cambridge Official Plan indicates that the City will permit the establishment of a secondary residential unit within or attached to the existing residential buildings in all zones, where residential uses are permitted, without an amendment to the City's Zoning By-law. Secondary residential units would be subject to certain criteria: parking; no separate road access; the secondary unit is subordinate to the main dwelling unit;

adequate servicing; neighbourhood compatibility; and compliance with minimum standards of maintenance and occupancy.

### **Zoning By-law 150-85, as amended**

The City of Cambridge Zoning By-law came into effect on October 27, 1986. Secondary units were not a permitted in the original by-law. In 2018 Council passed by-law 108-18 to allow a second residential unit in single detached, semi-detached and street fronting townhouses subject to specific regulations for lot area, frontage and parking. This by-law is provided in Attachment 3. Since the passing of this by-law new requirements are necessary due to the Provincial direction. In addition, a review of the 2018 regulations is necessary at this time to assess their impact, effectiveness and appropriateness in comparison with other municipalities.

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### **Financial Impact**

The review of the existing accessory unit regulations and the associated by-law amendment to implement the Planning Act requirements will be completed by internal staff with the assistance of a planning consultant funded through existing operating budget. Therefore, there are no additional financial implications.

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### **Public Input**

The recommendation of this report requests Council endorsement of the public consultation strategy included in Attachment 2. The purpose of the public consultation is to provide information to the public on the Planning Act requirements for accessory units and to receive input on regulations for these units.

A statutory public meeting required under the Planning Act will be held following the virtual public consultation.

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### **Internal/External Consultation**

Formal comments from city staff, external agencies and the public are required in order to complete a comprehensive analysis of the amendment to the Zoning By-law. All comments received will be considered as part of a future planning report.

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### **Conclusion**

The City of Cambridge Council passed a by-law in 2018 to allow one accessory residential unit on single-detached, semi-detached and street townhouse residential properties subject to specific criteria.

Recent changes to the Planning Act now require the municipality to amend the by-law to allow for two accessory units, one in the principle building and one in an accessory building. Planning staff are requesting Council endorsement to initiate a public

consultation strategy to provide information to the public related to the Planning Act requirements and also to receive input on proposed changes to the regulations. Following this public consultation, a formal planning process will be initiated to amend the City of Cambridge Zoning By-law.

Should Council decide not to proceed with the recommendation to undertake public consultation as outlined in this report, City staff would proceed with undertaking changes to by-law 108 without public consultation, necessitated by the updates to the Planning Act brought about by Bill 108.

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## Signature

### Division Approval

<Insert scanned signature file>

Reviewed by the CFO

Reviewed by Legal Services

**Name: N/A**

**Title: N/A**

### Departmental Approval



**Name: Hardy Bromberg**

**Title: Deputy City Manager, Community Development**

### City Manager Approval



**Name: David Calder**

**Title: City Manager**

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## Attachments

- Attachment 1 – Comparison Municipal Review
- Attachment 2 – Public Consultation Strategy
- Attachment 3 – By-law 108-18

**City of Cambridge**

**ADDITIONAL RESIDENTIAL UNITS REPORT**

**APPENDIX B**

**CASE STUDY REVIEW**

## 1. TERMINOLOGY

<p><b>Cambridge</b> ZBL 108-18 Passed June 12, 2018 Parent ZBL 150-85</p>	<p><b>Secondary Dwelling Unit (SDU)</b> <b>Secondary Dwelling Unit in an Accessory Structure</b></p> <p>Means a separate dwelling unit containing bathroom and kitchen facilities that is subordinate to a legally existing residential structure.</p>
<p><b>Guelph</b> ZBL (2020) – 20555 Passed December 14, 2020 Parent ZBL (1995)14864</p>	<p><b>Additional Residential Dwelling Unit [within a primary dwelling unit]</b> <b>Additional Residential Dwelling Unit [within a separate building on the same lot]</b></p> <p>Means a dwelling unit that is self-contained, subordinate to and located within the same building or on the same lot of a primary dwelling unit.</p>
<p><b>Kitchener</b> ZBL 2021-040 Passed April 26, 2021</p> <p>ZBL 2019-51 (CRoZBy Stage 1) Passed April 29, 2019 - and – Proposed CRoZBy Stage 2</p> <p>Parent ZBL 85-1 + 2019-51</p>	<p><b>Additional Dwelling Unit, Attached</b></p> <p>Means the use of a single detached dwelling, semi-detached dwelling unit, or street townhouse dwelling unit where a separate self-contained dwelling unit is located with the principal building.</p> <p><b>Additional Dwelling Unit, Detached</b></p> <p>Means the use of a building where a separate self-contained dwelling unit is located in a detached building on the same lot as an associated single detached dwelling, duplex dwelling, semi-detached house, semi-detached duplex house, or street townhouse dwelling unit. An additional dwelling unit (detached) is not an accessory building.</p>
<p><b>Hamilton</b> ZBL 21-071 Passed May 12, 2021 Parent ZBL 05-200</p>	<p><b>Secondary Dwelling Unit</b></p> <p>Shall mean a separate and self-contained Dwelling Unit that is accessory to and located within the principal dwelling and shall not include a Farm Labour Residence.</p> <p><b>Secondary Dwelling Unit – Detached</b></p> <p>Shall mean a separate and self-contained detached Dwelling Unit that is accessory to and located on the same lot as the principal dwelling but shall not include a Farm Labour Residence.</p>

<p><b>London</b> ZBL Z.-1- 212896 Passed December 8, 2020 Parent ZBL Z.-1</p>	<p><b>Additional Residential Unit [In a Primary Dwelling]</b> <b>Additional Residential Unit [Within an Accessory Structure]</b></p> <p>Means a dwelling unit ancillary and subordinate to a primary dwelling unit, in which food preparation, eating, living, sleeping and sanitary facilities are provided for the exclusive use of the occupants thereof.</p>
<p><b>Barrie</b> (Proposed ZBLA) Public Mtg June 15, 2021 Parent ZBL 2009-141</p>	<p><b>Second Suite</b></p> <p>Shall mean an accessory dwelling unit that is located within a single detached dwelling, semi-detached dwelling unit, or street townhouse dwelling unit and is subordinate to the principal unit.</p> <p><b>Detached Accessory Dwelling Unit</b></p> <p>Shall mean an accessory dwelling unit that is located within a detached accessory building on the same property as a single detached dwelling, semi-detached dwelling unit, duplex, or street townhouse dwelling unit, and is subordinate to the principal unit.</p>
<p><b>Kingston</b> ZBL 2019-87 - and - ZBL 2021-063 Parent ZBL 8499 et al.</p>	<p><b>Second Residential Unit</b> <b>Detached Second Residential Unit</b></p> <p>Means a dwelling unit which is ancillary to a Principal Dwelling Unit, and its located on the same lot therewith</p>
<p><b>Richmond Hill</b> ZBL 13-21 Passed March 24, 2021 Parent ZBL - Various</p>	<p><b>Additional Residential Unit [In a Primary Dwelling Unit]</b> <b>Additional Residential Unit [In a Detached Accessory Structure]</b></p> <p>Means a self-contained dwelling unit accessory to the primary dwelling unit.</p>

<p><b>Recommendation</b></p>	<ul style="list-style-type: none"> <li>• Most case study municipalities have adopted the Provincial terminology for an ‘Additional Residential Unit’</li> <li>• The key features of the definitions are that the Additional Residential Unit (1) is a self contained dwelling unit; and (2) is subordinate or ancillary to a primary dwelling</li> <li>• Do not recommend embedding regulations within a definition such as the type of dwelling unit in which an additional residential unit may be permitted</li> </ul>
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	<ul style="list-style-type: none"><li>• Note – the defined terms in O.Reg 299/19 are as follows: additional residential unit, primary residential unit, and tandem parking space</li><li>• <b>Recommend adopting the Provincial terminology and proposed definition as follows:</b>  <i>“Additional Residential Unit means a dwelling unit that is self-contained, subordinate to and located within the same building or on the same lot of a primary dwelling unit.”</i></li></ul>
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## 2. NUMBER OF UNITS

<p><b>Cambridge</b> ZBL 108-18 Passed June 12, 2018 Parent ZBL 150-85</p>	<p>Number of Secondary Units Permitted – 2</p> <ul style="list-style-type: none"> <li>(i) Within a principal dwelling unit;</li> <li>(ii) Within an accessory structure.</li> </ul> <p>However, need clarity between the permissions above and Section 3 of ZBL 108-18 which states that “...no secondary dwelling unit shall be permitted where b) a secondary dwelling unit already exists on the lot;”</p>
<p><b>Guelph</b> ZBL (2020) – 20555 Passed December 14, 2020 Parent ZBL (1995)14864</p>	<p>Number of Additional Residential Units Permitted – 2</p> <ul style="list-style-type: none"> <li>(i) Within a primary dwelling unit;</li> <li>(ii) Within an accessory structure.</li> </ul>
<p><b>Kitchener</b> ZBL 2021-040 Passed April 26, 2021</p> <p>ZBL 2019-51 (CRoZBy Stage 1) Passed April 29, 2019 - and – Proposed CRoZBy Stage 2</p> <p>Parent ZBL 85-1 + 2019-51</p>	<p>ZBL stipulates that no more than 2 Additional Residential Units may be permitted on a single lot.</p> <p>The ZBL provides for 2 scenarios:</p> <ol style="list-style-type: none"> <li>1. May have 2 Additional Residential Units within a single detached primary dwelling unit provided that the primary dwelling unit is an existing building; or,</li> <li>2. May have 1 Additional Residential Unit within a primary dwelling unit and 1 Additional Residential Unit in a detached building on the same lot as the primary dwelling unit.</li> </ol> <p>Regardless, only 1 Detached Additional Residential Unit is permitted per lot.</p>
<p><b>Hamilton</b> ZBL 21-071 Passed May 12, 2021 Parent ZBL 05-200</p>	<p>Number of Secondary Dwelling Units Permitted – 2</p> <ul style="list-style-type: none"> <li>(i) Within a principal dwelling unit;</li> <li>(ii) Within an accessory structure.</li> </ul>
<p><b>London</b> ZBL Z.-1- 212896 Passed December 8, 2020 Parent ZBL Z.-1</p>	<p>Number of Additional Residential Units Permitted – 2</p> <ul style="list-style-type: none"> <li>(i) Within a primary dwelling unit;</li> <li>(ii) Within an accessory structure.</li> </ul>

<p><b>Barrie</b> (Proposed ZBLA) Public Mtg – June 15, 2021 Parent ZBL 2009-141</p>	<p>Existing Permission for Second Suite - 1 per lot (within a principal dwelling unit)</p> <p>Proposed Permission for Detached Accessory Unit – 1 per lot</p>
<p><b>Kingston</b> ZBL 2019-87 - and – ZBL 2021-063</p> <p>Parent ZBL 8499 et al.</p>	<p>Number of Second Residential Units Permitted – 2</p> <ul style="list-style-type: none"> <li>(i) Within a principal dwelling unit;</li> <li>(ii) Within a detached building on the same lot as the principal dwelling.</li> </ul> <p>Note – A Second Residential Unit is not permitted on a lot containing 2 or more dwelling units (ie. triplex), a garden suite, boarding house, or lodging house</p>
<p><b>Richmond Hill</b> ZBL 13-21 Passed March 24, 2021 Parent ZBL - Various</p>	<p>Number of Additional Residential Units Permitted – 2</p> <ul style="list-style-type: none"> <li>(i) No more than 1 Additional Residential Unit within a primary dwelling unit;</li> <li>(ii) No more than 1 Additional Residential Unit within either a detached accessory structure; or, above a detached garage that has a side lot line or rear lot line abutting a lane.</li> </ul>

<p><b>Recommendation</b></p>	<ul style="list-style-type: none"> <li>• Section 16(3) of the Planning Act provides for: <ul style="list-style-type: none"> <li>(a) The use of 2 residential units in a detached house, semi-detached house, or rowhouse; and,</li> <li>(b) The use of a residential unit in a building or structure ancillary to a detached house, semi-detached house, or rowhouse.</li> </ul> </li> <li>• All of the case study municipalities are in compliance with this requirement.</li> <li>• In some cases, municipalities provided added detail to more specifically regulate the combination or location of Additional Residential Units (Kitchener, Richmond Hill) or to prohibit Additional Residential Units in combination with other residential uses (Kingston).</li> <li>• <b>Recommend that Cambridge continue to permit 2 Additional Residential Units per lot both within the primary dwelling unit and in an accessory structure on the lot.</b></li> <li>• <b>Discussion point with staff – is added detail as per the Kitchener, Richmond Hill or Kingston examples an approach to be incorporated within the Cambridge scenario?</b></li> </ul>
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### 3. LOCATION

<p><b>Cambridge</b> ZBL 108-18 Passed June 12, 2018 Parent ZBL 150-85</p>	<p>Permitted within a detached, semi-detached, and row house dwelling</p> <p>Permitted in a variety of residential zones</p> <p>Not permitted in a flood plain</p> <p>Not permitted in an accessory structure intended for required parking</p>
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<p><b>Guelph</b> ZBL (2020) – 20555 Passed December 14, 2020 Parent ZBL (1995)14864</p>	<p>Permitted within a detached, semi-detached, and street townhouse dwelling</p> <p>Permitted in residential zones and in some commercial zones (Office Residential and Downtown Commercial Zones)</p> <p>Permitted only in an interior side yard and rear yard</p>
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<p><b>Kitchener</b> ZBL 2021-040 Passed April 26, 2021</p> <p>ZBL 2019-51 (CRoZBy Stage 1) Passed April 29, 2019 - and – Proposed CRoZBy Stage 2</p> <p>Parent ZBL 85-1 + 2019-51</p>	<p>Permitted within a detached, semi-detached, and street townhouse dwelling</p> <p>Permitted in a variety of residential zones</p> <p>Permitted only in an interior side yard and rear yard</p>
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<p><b>Hamilton</b> ZBL 21-071 Passed May 12, 2021 Parent ZBL 05-200</p>	<p>Permitted within a detached, semi-detached, and street townhouse dwelling</p> <p>Secondary Dwelling Units in a principal dwelling permitted in a variety of zones – Residential, Downtown, Institutional, Commercial and Mixed Use, Transit Corridor, Agricultural, and Rural</p> <p>Detached Secondary Dwelling Units permitted in a slightly more restricted array of zones –Downtown, Institutional, Commercial and Mixed Use, and Transit Corridor</p> <p>Permitted only in an interior side yard and rear yard</p>
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<p><b>London</b> ZBL Z.-1- 212896 Passed December 8, 2020 Parent ZBL Z.-1</p>	<p>Permitted within a detached, semi-detached, and street townhouse dwelling in any zone in which such uses are permitted</p> <p>Permitted only in an interior side yard and rear yard</p> <p>Not permitted on lands identified as being in the flood plain as regulated by the Conservation Authority having jurisdiction in that area</p>
<p><b>Barrie</b> (Proposed ZBLA) Public Mtg June 15, 2021 Parent ZBL 2009-141</p>	<p>Permitted within a detached, semi-detached, duplex, and street townhouse dwelling</p> <p>Permit in a variety of residential zones and in conjunction with institutional uses in the Institutional Zone (ie. place of worship)</p> <p>Permitted in an interior or exterior side yard, or rear yard</p> <p>Principal dwelling must have frontage on a municipal street</p>
<p><b>Kingston</b> ZBL 2019-87 - and – ZBL 2021-063  Parent ZBL 8499 et al.</p>	<p>Permitted within a detached, semi-detached, row, and linked dwelling in any zone in which these uses are permitted</p> <p>Permitted in an interior side yard or rear yard</p> <p>Not permitted in lands identified as ‘Natural Hazard Area’</p>
<p><b>Richmond Hill</b> ZBL 13-21 Passed March 24, 2021 Parent ZBL - Various</p>	<p>Permitted within a detached, semi-detached, and street townhouse dwelling in any zone in which such uses are permitted</p> <p>Permitted in an interior side yard or rear yard</p> <p>Permitted in association with a primary dwelling that is located:</p> <ol style="list-style-type: none"> <li>1. On a lot that has frontage on a street and has direct vehicular access to a street;</li> <li>2. On a parcel of tied land; or</li> <li>3. Within a standard condominium</li> </ol> <p>Not permitted on lands regulated by the Toronto Region Conservation Authority unless approved by the TRCA.</p> <p>Not permitted to located above a detached garage unless the garage abuts a side or rear lane.</p>

<p><b>Recommendation</b></p>	<ul style="list-style-type: none"> <li>• Section 16(3) of the Planning Act permits the use of 2 additional residential units in a detached house, semi-detached house or rowhouse.</li> <li>• All of the case study municipalities have implemented this requirement although the terminology between a 'rowhouse' and a 'street townhouse' is essentially interchangeable.</li> <li>• All municipalities permit Additional Residential Units in residential zones although some municipalities have broadened permissions to specifically include other zone categories (Guelph, Hamilton, Barrie) and others have simply permitted Additional Residential Units in any zone in which the identified dwelling types are permitted (London, Kingston, Richmond Hill)</li> <li>• All municipalities (other than Barrie) only permit Additional Residential Units in an interior side yard or rear yard</li> <li>• Some municipalities (London, Kingston, Richmond Hill) preclude Additional Residential Units in flood plains or other hazard areas</li> <li>• Some municipalities (Barrie, Richmond Hill) place other locational requirements on the establishment of Additional Residential Units (ie. frontage on a municipal road)</li> <li>• <b>Recommend that Cambridge continue to:</b> <ul style="list-style-type: none"> <li>- <b>Permit an Additional Residential Unit accessory to a detached, semi-detached, and row/street townhouse dwelling</b></li> <li>- <b>Preclude Additional Residential Units in the flood plain or other identified hazard areas</b></li> </ul> </li> <li>• <b>Recommend that Cambridge consider:</b> <ul style="list-style-type: none"> <li>- <b>Expanding the permission to permit an Additional Residential Unit in which a detached, semi-detached, and row/street townhouse dwelling is permitted</b></li> <li>- <b>Specify those yards in which the Additional Residential Unit is permitted (interior side yard and rear yard)</b></li> </ul> </li> <li>• <b>Discussion point with staff:</b> <ul style="list-style-type: none"> <li>- <b>Should an Additional Residential Unit in an accessory structure be permitted in the exterior side yard?</b></li> <li>- <b>Should an Additional Residential Unit continue to be precluded in an accessory structure intended for required parking?</b></li> </ul> </li> </ul>
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## 4. SIZE

<p><b>Cambridge</b> ZBL 108-18 Passed June 12, 2018 Parent ZBL 150-85</p>	<p>Max Floor Area - The maximum floor area for a Secondary Dwelling Unit shall be 40% of the total area of the principal dwelling unit including the basement.</p> <p>Max Coverage - An accessory structure with a Secondary Dwelling Unit may not exceed 10% of the lot area.</p>
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<p><b>Guelph</b> ZBL (2020) – 20555 Passed December 14, 2020 Parent ZBL (1995)14864</p>	<p>Max – An Additional Residential Dwelling Unit within a primary dwelling shall not exceed 45% of the total net floor area of the building however, if located in the basement may occupy the entire basement.</p> <p>Max – An Additional Residential Dwelling Unit within a separate building on the same lot, shall not exceed the lesser of 45% of the total net floor area of the primary building or 80 m<sup>2</sup></p> <p>Max Coverage – An Additional Residential Dwelling Unit shall not occupy more than 30% of the yard, including all accessory buildings and structures.</p>
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<p><b>Kitchener</b> ZBL 2021-040 Passed April 26, 2021</p> <p>ZBL 2019-51 (CRoZBy Stage 1) Passed April 29, 2019 - and - Proposed CRoZBy Stage 2</p> <p>Parent ZBL 85-1 + 2019-51</p>	<p>Max – For an Additional Dwelling Unit within a primary dwelling - indeterminate</p> <p>Max – An addition to an existing single detached dwelling to accommodate an Additional Dwelling Unit within the primary dwelling may not exceed 25% of the existing building's GFA.</p> <p>Max – the total building floor area of a Detached Additional Dwelling Unit shall not exceed the lesser of 50% of the building floor area or 80m<sup>2</sup></p> <p>Max Coverage – A maximum combined coverage of all accessory buildings, inclusive of an Additional Dwelling Unit, shall be 15%.</p>
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<p><b>Hamilton</b> ZBL 21-071 Passed May 12, 2021 Parent ZBL 05-200</p>	<p>Max – For a Secondary Dwelling Unit within a principal dwelling - indeterminate</p> <p>Max – The max GFA for Detached Secondary Dwelling Unit shall not exceed the lesser of the GFA of the principal dwelling or 70 m<sup>2</sup></p> <p>Max Coverage – The maximum lot coverage of all accessory buildings including a Detached Secondary Dwelling Unit is 25% of the total lot area.</p>
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<p><b>London</b> ZBL Z.-1- 212896 Passed December 8, 2020 Parent ZBL Z.-1</p>	<p>Min – The minimum dwelling unit area for an Additional Residential Unit is 25 m<sup>2</sup></p> <p>Max - An Additional Residential Unit may not be greater than 40% of the combined total GFA of the primary dwelling unit and the Additional Residential Units. For the purpose of calculating GFA requirements for Additional Residential Units the following shall NOT be included:</p> <ul style="list-style-type: none"> <li>a) Additions to dwelling units completed after the date of passage of the By-law (December 8, 2020); and</li> <li>b) The GFA of accessory structures where an accessory structure does not include an Additional Residential Unit.</li> </ul>
<p><b>Barrie</b> (Proposed ZBLA) Public Mtg June 15, 2021 Parent ZBL 2009-141</p>	<p>Min – No minimum size requirements for Second Suites or Additional Detached Dwellings. Rely on OBC requirements.</p> <p>Second Suite Max – A second suite may not occupy more than 45% GFA of the principal building except where the Second Suite is located in the basement, it may occupy the entire basement.</p> <p>Detached Accessory Dwelling Max – A Detached Accessory Dwelling may not occupy more than 45% GFA of the principal building up to a maximum of 65 m<sup>2</sup></p> <p>Max Lot Coverage – A Detached Accessory Dwelling Unit shall be included when calculating maximum lot coverage for accessory buildings and structures (10%).</p>
<p><b>Kingston</b> ZBL 2019-87 - and – ZBL 2021-063  Parent ZBL 8499 et al.</p>	<p>Max – The maximum GFA for a Second Residential Unit shall be equal to or less than the GFA for the principal dwelling unit.</p> <p>Max – A Second Residential Unit shall comply with the max FSI where such a requirement has been established for the zone in which the Second Residential Unit is located</p> <p>Max - For a Detached Second Residential Unit – indeterminate</p> <p>Max – A Detached Second Residential Unit shall comply with the maximum lot coverage requirements for accessory buildings (10%).</p>
<p><b>Richmond Hill</b> ZBL 13-21 Passed March 24, 2021 Parent ZBL - Various</p>	<p>Max - For an Additional Residential Unit within a primary dwelling – indeterminate</p> <p>Max - Max floor area for an Additional Residential Unit in a detached accessory structure shall not exceed 40 m<sup>2</sup> however in no circumstance</p>

	<p>shall the Additional Residential Unit exceed the max lot coverage requirements for detached accessory structures.</p> <p>Max - For an Additional Residential Unit attached to a detached garage at grade level, the max floor area of the Additional Residential Unit shall not exceed 40 m<sup>2</sup> and the max floor area devoted to the garage portion shall not exceed 40 m<sup>2</sup>, however in no circumstance shall the floor area of the Additional Residential Unit exceed the max lot coverage requirements for detached accessory structures.</p> <p>Max - Max floor area of a detached garage with an Additional Residential Unit above the garage shall not exceed:</p> <ol style="list-style-type: none"> <li>a. 55 m2 where there is an enclosed stair access – or-</li> <li>b. 40 m2 where there is an unenclosed stair access.</li> </ol>
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<p><b>Recommendation</b></p>	<ul style="list-style-type: none"> <li>• Only the London zoning regulations include a required minimum for an Additional Residential Unit</li> <li>• All case study municipalities included a size maximum for Additional Residential Units. This was expressed as a percentage of the GFA of the primary dwelling, as an absolute size maximum (m<sup>2</sup>), and/or a maximum lot coverage requirement for Additional Residential Units in an accessory building. Generally, municipalities relied upon a combination of such zoning requirements.</li> <li>• Maximum size requirements for Additional Residential Units – especially those located in a detached accessory building, varied greatly:       <ul style="list-style-type: none"> <li>- As a % of GFA – generally 45/50% of the primary dwelling unit all the way up to “less than or equal to the GFA of the primary dwelling unit”</li> <li>- As an absolute size maximum – range from 40 m<sup>2</sup> to 80 m<sup>2</sup></li> <li>- As a % of lot coverage for Additional Residential Units located in accessory buildings – maximum coverage requirements ranged from 10% to 30%</li> </ul> </li> <li>• <b>Recommend that Cambridge carry through the zoning standards as they exist within the City’s current zoning requirements unless there is a need to remedy an issue with the current standards or to implement a strategic policy directive.</b></li> <li>• <b>Recommend that Cambridge may consider implementing an upper maximum range for Additional Dwelling Units in detached buildings (ie. the lesser of 40% up to a maximum of ___m<sup>2</sup>)</b></li> </ul>
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## 5. KEY ZONE STANDARDS

	Min Lot Area	Min Frontage	Separation Distance	Min Landscaped Area	Max # Bedrooms
<b>Cambridge</b> ZBL 108-18 Passed June 12, 2018 Parent ZBL 150-85	450 m <sup>2</sup>	11 m 15 m (corner lot)	None specified	None specified	2
<b>Guelph</b> ZBL (2020) – 20555 Passed December 14, 2020 Parent ZBL (1995)14864	None specified	None specified	Min separation distance of 3 m provided between the primary dwelling unit and an Additional Residential Unit on the same lot	None specified	2
<b>Kitchener</b> ZBL 2021-040 Passed April 26, 2021  ZBL 2019-51 (CRoZBy Stage 1) Passed April 29, 2019 - and - Proposed CRoZBy Stage 2  Parent ZBL 85-1 + 2019-51	The greater of either the applicable zone standard or 395 m <sup>2</sup>	The greater of either the applicable zone standard or 13.1 m	None specified	20%	None specified

	<b>Min Lot Area</b>	<b>Min Frontage</b>	<b>Separation Distance</b>	<b>Min Landscaped Area</b>	<b>Max # Bedrooms</b>
<b>Hamilton</b> ZBL 21-071 Passed May 12, 2021 Parent ZBL 05-200	None specified	None specified	Min separation distance of 7.5 m provided between the rear façade of the principal dwelling unit and the Detached Secondary Dwelling on the same lot.  Where the detached secondary dwelling unit is located in an interior side yard, the minimum distance between the principle dwelling and the secondary dwelling unit shall be 4 metres or 5 metres from the front façade of the dwelling unit.	A minimum landscaped area shall be provided and maintained in the rear yard for each Detached Secondary Dwelling Unit on the lot: 1) a landscaped area of 8 m <sup>2</sup> for each dwelling unit that is less than 50 m <sup>2</sup> ; 2) a landscaped area of 12 metres for each dwelling unit that is 50 m <sup>2</sup> or greater. Each of the landscaped areas noted above must be screened on 2 sides by a visual barrier that has a minimum height of 3.0 metres	None specified
<b>London</b> ZBL Z.-1- 212896 Passed December 8, 2020 Parent ZBL Z.-1	An Additional Residential Unit in an accessory structure shall be required to meet the regulations of the zone in which the accessory structure is located  The Additional Residential Units and primary dwelling unit together shall not exceed the total number of bedrooms permitted for the primary dwelling unit when the total number of bedrooms in the primary dwelling and ARU are combined.				
<b>Barrie</b> (Proposed ZBLA) Public Mtg June 15, 2021 Parent ZBL 2009-141	1 Storey – 400 m <sup>2</sup> 2 Storey – 600 m <sup>2</sup>	None specified	None specified	None specified	None specified

	<b>Min Lot Area</b>	<b>Min Frontage</b>	<b>Separation Distance</b>	<b>Min Landscaped Area</b>	<b>Max # Bedrooms</b>
<b>Kingston</b> ZBL 2019-87 - and – ZBL 2021-063  Parent ZBL 8499 et al.	Exempt from any min lot area requirement per dwelling unit on a lot	None specified	None specified	Second Residential Unit shall comply with the required min landscaped open space, where such requirement has been established for the zone which the Second Residential Unit is located	8  Regulations for max aggregate number of bedrooms per lot regardless of number of dwelling units; standard for max bedrooms allocated to specific zone categories
<b>Richmond Hill</b> ZBL 13-21 Passed March 24, 2021 Parent ZBL - Various	None specified	None specified	None specified	None specified	None specified

<b>Recommendation</b>	<b>Discussion point with staff – recommend that the above standards are reviewed with staff in a follow-up meeting to determine if any of the above approaches would be desirable and appropriate within the Cambridge context.</b>
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## 5A. MAXIMUM HEIGHT FOR AN ADDITIONAL RESIDENTIAL UNIT IN AN ACCESSORY BUILDING

Cambridge	4.5 m and does not exceed one storey
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Guelph	5 metres and shall not exceed the overall height of the primary dwelling notwithstanding, when an Accessory Residential Dwelling Unit is located above a detached garage, the maximum height shall be 6.1 metres and shall not exceed the overall building height of the primary dwelling.
Kitchener	Max Height – a. 4.5 m for hip, gable, shed, gambrel roof measured to the mid point between the eaves and the peak of the roof, excluding the eaves of any projections; b. 4.5 m for a mansard roof, measured to the deck line; or c. 3 metres for a flat roof, measured to the peak of the roof.
Hamilton	6 metres for Detached Secondary Dwelling Unit
London	Applicable zone standards
Barrie	One Storey – 4.5 m Two Storey – 6.5 m
Kingston	The lesser of 4.6 m measured to the highest point of the building or one storey above finished grade
Richmond Hill	4.2 m measured from the established grade to the highest point of the roof.  Max height of the detached garage containing an Additional Residential Unit shall not exceed 8.5 m measured from the established grade to the highest point of the roof nor shall it exceed 2 storeys

<b>Recommendation</b>	<ul style="list-style-type: none"> <li>• Most case study municipalities have a maximum height limit for a single storey accessory building that is in keeping with the Cambridge standard</li> <li>• Some case study municipalities (Hamilton, Barrie, Richmond Hill) either provide an enhanced maximum height standard that would</li> </ul>
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	<p>provide for a two storey accessory building or provide a separate maximum height standard for a two storey building</p> <ul style="list-style-type: none"><li>• <b>Recommend that Cambridge carry through the maximum height zone standard for a one storey accessory building</b></li><li>• <b>Recommend that Cambridge may consider whether permission for a two storey accessory building would be appropriate in all or areas of the City. If so, would recommend that an additional maximum height zone standard be provided for a two storey accessory building.</b></li></ul>
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## 6. ACCESS

<p><b>Cambridge</b> ZBL 108-18 Passed June 12, 2018 Parent ZBL 150-85</p>	<p>A direct or shared entrance to the Secondary Dwelling Unit may be provided.</p>
<p><b>Guelph</b> ZBL (2020) – 20555 Passed December 14, 2020 Parent ZBL (1995)14864</p>	<p>A 1.2 metre wide unobstructed pedestrian access to the entrance of an Additional Residential Dwelling Unit in a separate building is required unless access to the unit is provided directly from the street or rear lane</p> <p>Access to an Additional Residential Dwelling Unit in conjunction with a commercial use must have a separate private entrance through a side or rear exterior entrance or an interior common vestibule.</p>
<p><b>Kitchener</b> ZBL 2021-040 Passed April 26, 2021</p> <p>ZBL 2019-51 (CRoZBy Stage 1) Passed April 29, 2019 - and – Proposed CRoZBy Stage 2</p> <p>Parent ZBL 85-1 + 2019-51</p>	<p>An unobstructed walkway with a minimum 1.1 metre width shall be provided from a street or lane to the additional dwelling unit detached. The walkway shall not be located within a required parking space.</p>
<p><b>Hamilton</b> ZBL 21-071 Passed May 12, 2021 Parent ZBL 05-200</p>	<p>An unobstructed path with a minimum 1.0 metre width and minimum 2.1 metre height clearance from a Front Lot Line or a Flankage Lot Line to the entrance of a detached secondary dwelling unit must be provided and maintained.</p>
<p><b>London</b> ZBL Z.-1- 212896 Passed December 8, 2020 Parent ZBL Z.-1</p>	<p>Exterior alterations to provide for entrance(s) to the Additional Residential Unit may be permitted within the interior side or rear yards of the primary dwelling unit.</p>
<p><b>Barrie</b> (Proposed ZBLA) Public Mtg June 15, 2021 Parent ZBL 2009-141</p>	<p>No zoning provision</p>

<p><b>Kingston</b> ZBL 2019-87 - and – ZBL 2021-063  Parent ZBL 8499 et al.</p>	<p>An unobstructed pathway with a minimum 1.2 metre width shall be provided from the front of the principal dwelling to the front lot line.</p> <p>Access to a detached Second Residential Unit shall be in accordance with the Ontario Building Code.</p>
<p><b>Richmond Hill</b> ZBL 13-21 Passed March 24, 2021 Parent ZBL - Various</p>	<p>An Additional Residential Unit shall not be accessed from within a garage whether attached or detached from the primary dwelling.</p>

<p><b>Recommendation</b></p>	<ul style="list-style-type: none"> <li>• Most of the case study municipalities address the issue of access in one form or another. Generally zoning provisions regulate the entrance to the Additional Residential Unit or access across the lot leading to the Additional Residential Unit.</li> <li>• Approximately half of the case study municipalities (Guelph, Kitchener, Hamilton and Kingston) require that an unobstructed pathway/walkway of a prescribed minimum width of 1.0 to 1.2 metres be provided across the lot to access the Additional Residential Unit. This provision is intended to provide for emergency services to access the unit.</li> <li>• Fewer of the case study municipalities (Guelph, Richmond Hill) regulate the entrance to the building containing the Additional Residential Unit.</li> <li>• <b>It is recommended that Cambridge include a zoning provision requiring the unobstructed access across the lot to the Additional Dwelling Unit. Recommend that staff seek comment from the Fire Department as to the appropriate width.</b></li> <li>• <b>It is recommended that Cambridge consider deleting the existing zoning clause as it relates to access to the building containing the Additional Dwelling Unit and instead rely upon the requirements of the Ontario Building Code.</b></li> </ul>
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## 7. PARKING

<p><b>Cambridge</b> ZBL 108-18 Passed June 12, 2018 Parent ZBL 150-85</p>	<p>1 parking space per bachelor or one bedroom Secondary Dwelling Unit – or – 2 parking spaces per 2 bedroom Secondary Dwelling Unit in addition to the parking for the principal dwelling unit. (Essentially 1 parking space per secondary dwelling unit.)</p> <p>Tandem parking permitted.</p> <p>Parking may be provided between the regulatory building line or the established building line and the street line.</p> <p>No separate access to a municipal road is permitted.</p>
<p><b>Guelph</b> ZBL (2020) – 20555 Passed December 14, 2020 Parent ZBL (1995)14864</p>	<p>1 parking space per dwelling unit</p> <p>Tandem parking is permitted</p> <p>If no legal off-street parking space can be provided for the primary dwelling, as of the date of passing of the By-law (December 14, 2020), then no parking spaces are required for the additional residential dwelling units.</p>
<p><b>Kitchener</b> ZBL 2021-040 Passed April 26, 2021</p> <p>ZBL 2019-51 (CRoZBy Stage 1) Passed April 29, 2019 - and – Proposed CRoZBy Stage 2 Parent ZBL 85-1 + 2019-51</p>	<p>1 parking space per dwelling unit or 0 where the lot is located within 800 m of a light rail transit station</p> <p>Tandem parking is permitted</p> <p>1 parking space may be located within 6 metres of the front lot line (required parking otherwise required to be set back from the street line by 6 m); in the case of a street townhouse with an additional dwelling unit, 1 parking space may be in the required front yard or required exterior side yard</p>
<p><b>Hamilton</b> ZBL 21-071 Passed May 12, 2021 Parent ZBL 05-200</p>	<p>1 parking space per dwelling unit</p> <p>Tandem parking is permitted</p> <p>Parking for a secondary dwelling unit may be provided in the front yard</p>

<p><b>London</b> ZBL Z.-1- 212896 Passed December 8, 2020 Parent ZBL Z.-1</p>	<p>The minimum parking requirement shall be in accordance with the primary dwelling unit. No additional parking is required for an Additional Residential Unit.</p> <p>A new additional driveway in association with an Additional Residential Unit is not permitted.</p>
<p><b>Barrie</b> (Proposed ZBLA) Public Mtg June 15, 2021 Parent ZBL 2009-141</p>	<p>1 parking space per dwelling unit</p> <p>Tandem parking is permitted</p> <p>Where Detached Accessory Dwelling is attached to a detached private garage, a minimum driveway length of 6 metres from garage door to lot line is required.</p>
<p><b>Kingston</b> ZBL 2019-87 - and – ZBL 2021-063  Parent ZBL 8499 et al.</p>	<p>1 parking space per Second Residential Unit</p> <p>Tandem parking is permitted</p> <p>Parking space for a Second Residential Unit may be located on a driveway that is within a front yard.</p>
<p><b>Richmond Hill</b> ZBL 13-21 Passed March 24, 2021 Parent ZBL - Various</p>	<p>1 parking space for each Additional Residential Unit</p> <p>In some areas of the City – (see specific ZBLs) – where there are 2 parking spaces provided for the primary dwelling unit, then no additional parking is required where there is only 1 Additional Residential Unit. If there is a second Additional Residential Unit, 1 additional parking space shall be required.</p> <p>In some areas of the City a parking space (1) is only required for the second Additional Residential Unit.</p> <p>Where ZBLs do not require parking spaces for the primary dwelling unit, then no parking spaces are required for the Additional Residential Units.</p> <p>Parking may be arranged in tandem.</p> <p>Parking spaces for Additional Residential Units must be provided on a dedicated driveway or in a garage (whether attached or detached) on the same lot as the primary dwelling. In the case of a condominium, such spaces must be dedicated exclusively to the primary dwelling unit.</p>

	<p>Parking spaces provided by way of a shared parking within the lot or standard condominium, or common element condominium, shall not count towards the min parking spaces required for Additional Residential Units.</p>
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<p><b>Recommendation</b></p>	<ul style="list-style-type: none"> <li>• O.Reg 299/19 provides Provincial direction for parking requirements in association with Additional Residential Units as follows: <ul style="list-style-type: none"> <li>- Each Additional Residential Unit shall have one parking space that is provided and maintained for the sole use of the occupant of the Additional Residential Unit;</li> <li>- Where a by-law passed under Section 34 of the Planning Act does not require a parking space to be provided and maintained for the sole use of the occupant of the primary residential unit, a parking space is not required to be provided and maintain need for the sole use of the occupant of either Additional Residential Unit; and,</li> <li>- A parking space that is provided and maintained for the sole use of the occupant of an Additional Residential Unit may be a tandem parking space.</li> </ul> </li> <li>• Almost all of the case study municipalities (excluding London) require 1 parking space per Additional Residential Unit. Some municipalities (Guelph, Kitchener, and Richmond Hill) have adapted this requirement based on various defined scenarios.</li> <li>• All case study municipalities expressly permit tandem parking.</li> <li>• Most of the case study municipalities (Kitchener, Hamilton, London, Kingston and Richmond Hill) also regulate the location of parking on the lot in providing for an Additional Residential Unit</li> <li>• <b>Recommend that Cambridge carry forward the existing parking standards associated with Additional Residential Units.</b></li> <li>• <b>Recommend that Cambridge consider simplifying the language for required parking to be “1 parking space per Additional Residential Unit” (which is essentially the standard that is in place now.)</b></li> </ul>
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## 8. SERVICING

<p><b>Cambridge</b> ZBL 108-18 Passed June 12, 2018 Parent ZBL 150-85</p>	<p>The principal dwelling and the Secondary Dwelling Unit on the same lot must be connected to municipal water and sewer services of adequate size where municipal services are available.</p> <p>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 the main dwelling unit and the Secondary Dwelling Unit.</p>
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<p><b>Guelph</b> ZBL (2020) – 20555 Passed December 14, 2020 Parent ZBL (1995)14864</p>	<p>No zoning provision</p>
<p><b>Kitchener</b> ZBL 2021-040 Passed April 26, 2021</p> <p>ZBL 2019-51 (CRoZBy Stage 1) Passed April 29, 2019 - and – Proposed CRoZBy Stage 2</p> <p>Parent ZBL 85-1 + 2019-51</p>	<p>Additional Dwelling Unit(s) Attached and/or Detached must be connected to full municipal services.</p>
<p><b>Hamilton</b> ZBL 21-071 Passed May 12, 2021 Parent ZBL 05-200</p>	<p>ZBL includes Adequate Services clause for lands in a rural zone requiring approved waste disposal and water supply systems to the satisfaction of the Chief Building Official and any other regulatory approvals as may be required</p>
<p><b>London</b> ZBL Z.-1- 212896 Passed December 8, 2020 Parent ZBL Z.-1</p>	<p>An Additional Residential Unit or part thereof shall not be permitted in a basement where the finished floor level of such basement is below the level of any sanitary sewer servicing the building or structure in which the basement is located.</p>
<p><b>Barrie</b> (Proposed ZBLA) Public Mtg June 15, 2021 Parent ZBL 2009-141</p>	<p>No zoning provision</p>

<p><b>Kingston</b> ZBL 2019-87 - and – ZBL 2021-063</p> <p>Parent ZBL 8499 et al.</p>	<p>Use of a Constraint Area Overlay and holding zone in areas of servicing constraint (text and schedule). A Second Residential Unit shall not be permitted in a basement or cellar of a principal dwelling in a servicing constraint area.</p> <p>A Second Residential Unit is only permitted if connected to municipal services or private water and sewage systems approved by the authority having jurisdiction.</p> <p>A Second Residential Unit contained within or attached to a principal dwelling requires confirmation of private water supply and septic system approval. A Detached Second Unit requires a Hydro G study and septic system approval.</p>
<p><b>Richmond Hill</b> ZBL 13-21 Passed March 24, 2021 Parent ZBL - Various</p>	<p>Additional Residential Units are exempt from the requirements for water and sanitary sewer allocation.</p>

<p><b>Recommendation</b></p>	<ul style="list-style-type: none"> <li>• <b>Recommend Cambridge carry forward the existing zoning provisions for servicing with regard to Additional Residential Units.</b></li> <li>• <b>Recommend Cambridge consider a zone provision similar to London’s in regards to prohibiting an Additional Residential Unit in a basement where the finished floor level of such basement is below the level of any sanitary sewer servicing the building or structure in which the basement is located.</b></li> </ul>
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## 9. ADDITIONAL ZONE PROVISIONS FOR CONSIDERATION

<b>Home Occupations</b>	
<b>Cambridge</b> ZBL 108-18 Passed June 12, 2018 Parent ZBL 150-85	Secondary Dwelling Unit may not be located in a principal dwelling unit used for a home occupation.
<b>London</b> ZBL Z.-1- 212896 Passed December 8, 2020 Parent ZBL Z.-1	A home occupation shall not be permitted in association with an Additional Residential Unit.
<b>Richmond Hill</b> ZBL 13-21 Passed March 24, 2021 Parent ZBL - Various	A home occupation shall not be permitted within an Additional Residential Unit.
<b>Recommendation</b>	<b>Recommend that Cambridge may want to consider permitting a restricted list of home occupations (ie. home office) in a primary building with an Additional Residential Unit.</b>

<b>Existing Use/Conversion Clause</b>	
<b>Hamilton</b> ZBL 21-071 Passed May 12, 2021 Parent ZBL 05-200	<p>A legally established accessory building existing as of May 12, 2021 in a Downtown (D5) Zone, Institutional Zone, Commercial and Mixed Use (C1) Zone or Transit Oriented Corridor (TOC3) Zone may be converted to a Detached Secondary Dwelling Unit on a lot containing a single detached dwelling, semi-detached dwelling, and street townhouse dwelling subject to the following provisions:</p> <ol style="list-style-type: none"> <li>1. The number of required parking spaces for the principal dwelling shall be provided and maintained on the lot in accordance with the applicable provisions of this by-law.</li> <li>2. Any additions over 10% of the existing gross floor area of the legally established accessory building to create a Detached Secondary Dwelling Unit shall be in accordance with the identified zone provisions for a Detached Secondary Dwelling Unit.</li> </ol>

<p><b>London</b> ZBL Z.-1- 212896 Passed December 8, 2020 Parent ZBL Z.-1</p>	<p>An Additional Residential Unit that existed as of the date of passage of the ZBL (December 8, 2020) may continue to be used for that purpose if a building permit has been issued and if the unit complies with the regulations of the Fire Protection and Prevention Act.</p>
<p><b>Barrie</b> (Proposed ZBLA) Public Mtg June 15, 2021 Parent ZBL 2009-141</p>	<p>Any existing lot or building is exempt from meeting current zoning standards, save and except parking requirements, when adding dwelling units within the existing building, provided the use is permitted in the zone in which it is located.</p> <p>New construction or additions to existing buildings, including the conversion of a detached accessory building into a Detached accessory Dwelling Unit must comply with all applicable development standards.</p>
<p><b>Kingston</b> ZBL 2019-87 - and – ZBL 2021-063  Parent ZBL 8499 et al.</p>	<p>A Second Residential Unit is permitted within in a legal non-complying building/principal dwelling unit; if the principal dwelling is in a legal non-complying building, a Second Residential Unit may be attached to the principal dwelling provided it conforms to the provisions of the ZBL and does not increase the non-compliance; detached SRU may be permitted in association with a principal dwelling in a non-complying building if the detached building complies with the ZBL.</p>
<p><b>Recommendation</b></p>	<p><b>Recommend that Cambridge may want to consider including an existing use clause similar to any of those identified above as applied to existing detached accessory buildings that my be converted into an Detached Additional Dwelling Unit or any existing Detached Additional Dwelling Units.</b></p>

<b>Built Form</b>	
<p><b>Guelph</b> ZBL (2020) – 20555 Passed December 14, 2020 Parent ZBL (1995)14864</p>	<p>An accessory residential dwelling unit in a primary dwelling must have an interior access between floor levels and between the Additional Residential Dwelling Unit and the primary dwelling.</p>
<p><b>Kitchener</b> ZBL 2021-040 Passed April 26, 2021</p> <p>ZBL 2019-51 (CRoZBy Stage 1) Passed April 29, 2019 - and – Proposed CRoZBy Stage 2</p> <p>Parent ZBL 85-1 + 2019-51</p>	<p>A maximum of 1 pedestrian entrance to the principal building shall be located on each street line façade (in the case of an attached additional dwelling(s))</p> <p>Additions to an existing single detached dwelling (for an additional dwelling unit attached) must be attached to the rear of the principal building and shall not extend not any side yard farther than the extent of the existing principal building and provided such addition does not exceed 25 % of the existing building GFA</p> <p>Detached Additional Dwelling Unit– In the case of a shed roof where the peak of the roof is more than 4.5 m from the highest elevation of the finished ground, the highest exterior wall shall not face a rear lot line or side lot line closer than 4.5 m, except where he lot line is a street line or lane.</p>
<p><b>Hamilton</b> ZBL 21-071 Passed May 12, 2021 Parent ZBL 05-200</p>	<p>The exterior appearance and character of the front façade of a single detached, semi-detached or street townhouse shall be preserved.</p> <p>No outside stairs above the first floor other an required exterior exit.</p> <p>Any separate entrance and exit to the Secondary Dwelling Unit shall be oriented towards the flankage lot line, interior side lot line or rear lot line.</p> <p>Balconies and rooftop patios are prohibited above the first storey.</p>
<p><b>Barrie</b> (Proposed ZBLA) Public Mtg June 15, 2021 Parent ZBL 2009-141</p>	<p>A Detached Accessory Dwelling may not have a basement or below grade living area.</p>
<p><b>Recommendation</b></p>	<p><b>Discussion point with staff – recommend that the above standards are reviewed with staff in a follow-up meeting to determine if any of the above zoning provisions would be desirable and appropriate within the Cambridge context.</b></p>

## **Additional Assorted Zoning Clauses for Additional Residential Units**

### **1. Non-Severance Clause**

An accessory residential dwelling unit in a separate building on the same lot may not be severed from the primary dwelling. (Guelph)

An Additional Dwelling Unit Detached may not be severed from the principal dwelling unit on the lot. (Kitchener)

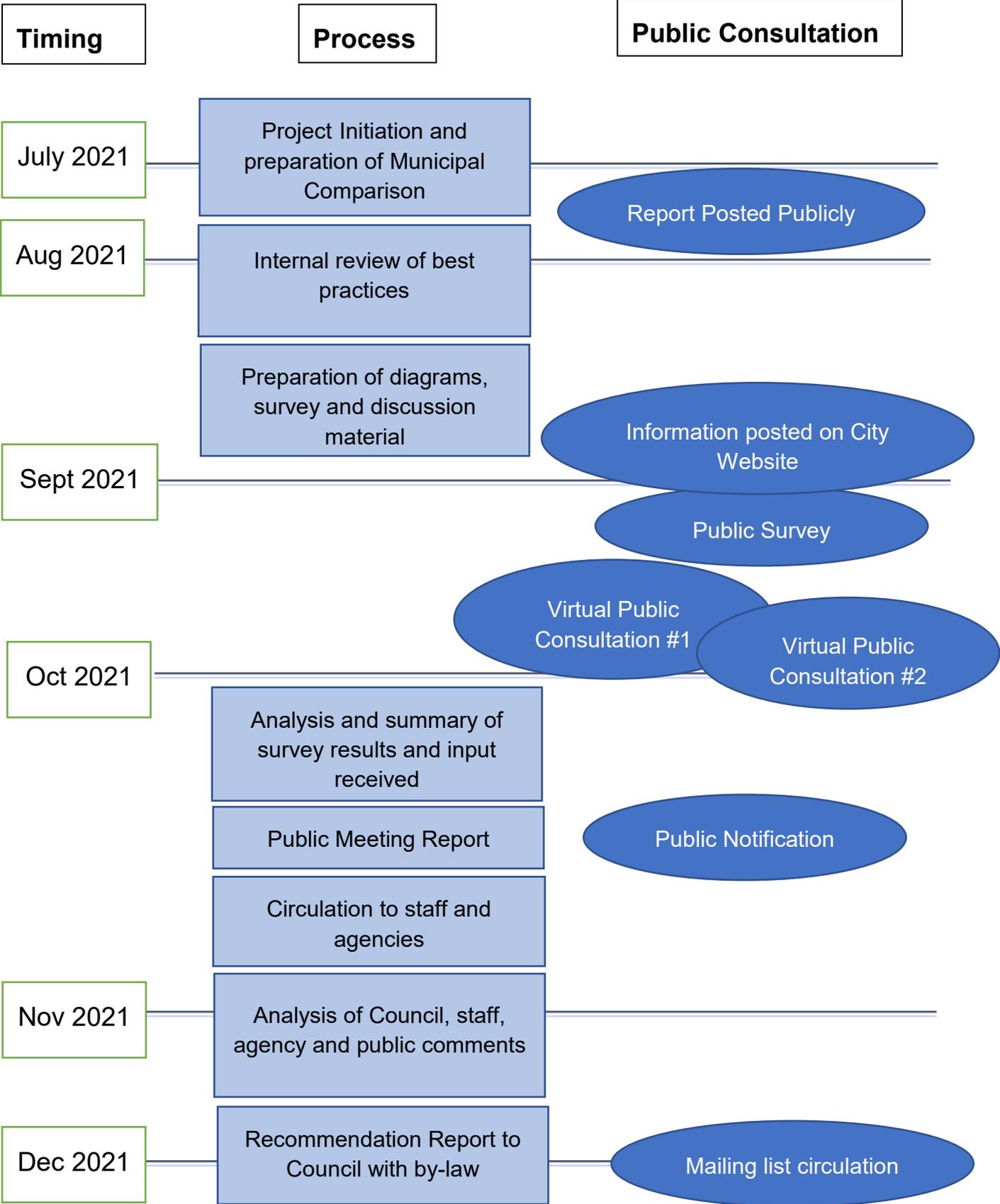
### **2. Various Zone Clauses for Consideration**

- a) A detached, semi-detached, or street townhouse dwelling with one/two secondary units shall not be considered a multiple dwelling. (Hamilton)
- b) Second Residential Units are exempt from density calculations expressed as 'dwelling units per net hectare'. (Kingston)
- c) Requirement for fencing up to a max height of 1.8 m. (Kingston)

A solid privacy fence with a minimum height of 1.8 metres shall be established in accordance with the following provisions:

- A. when the detached Second Residential Unit is situated within a rear yard only, the privacy fence shall be established along the interior side lot lines and rear lot lines adjacent to the rear yard;
- B. when the detached Second Residential Unit is situated within a side yard only, the privacy fence shall be established along the interior side lot line closest to the detached Second Residential Unit extending from the intersection of the interior side lot line with the rear lot line and shall extend to the nearest part of the principal residential unit measured to the front lot line; or
- C. when the detached Second Residential Unit is situated within a rear yard and a side yard, fencing shall be established in accordance with both subsections (A) and (B) above.

**Attachment 2 – Public Consultation Strategy**





**BY-LAW 108 -18**

of the

**CORPORATION OF THE CITY OF CAMBRIDGE**

A By-law of the Corporation of the City of Cambridge to amend Zoning By-law No. 150-85, as amended, with respect to permitting secondary dwelling 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;

**AND WHEREAS** the Council of the City of Cambridge has deemed it advisable to amend Zoning By-law No. 150-85, as amended, and therefore implement the Official Plan of the City of Cambridge;

**AND WHEREAS** this by-law conforms to the Official Plan of the City of Cambridge;

**AND 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 on February 13<sup>th</sup>, 2018, and that a further public meeting is not considered necessary in order to proceed with this Amendment; and,

**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 the City of Cambridge Zoning By-law, being Schedule 'A' to By-law No. 150-85, is hereby amended by adding the following definition to section 1.1.1:

Secondary Dwelling Unit, also known as a secondary suite or secondary residential unit: a separate dwelling unit containing bathroom and kitchen facilities that is subordinate to a legally existing residential structure.

3. THAT the aforesaid City of Cambridge Zoning By-law No. 150-85, as amended, is hereby further amended by adding the following subsection to the required parking chart in section 2.2.2 thereof:

2.2.1.1(i) Secondary Dwelling Unit – 1 parking space per bachelor or one bedroom secondary dwelling unit, and 2 parking spaces per two bedroom secondary dwelling unit (tandem parking may be provided) in addition to prescribed parking.

4. THAT the aforesaid City of Cambridge Zoning By-law No. 150-85, as amended, is hereby further amended by adding the following subsection to the permitted uses chart as a permitted use for the following zones: RR1, RR2, R1, R2, R3, R4, R5, R6, RS1, RD4, RD5, RM1, RM2, RM3 and RM4 in section 3.1.2.1 thereof:

3.1.2.1 (s) – Secondary Dwelling Unit

5. THAT the aforesaid City of Cambridge Zoning By-law No. 150-85, as amended, is hereby further amended by adding the following subsection to subsection 3.1.2:

3.1.2.8 – Site Development Specifications for a secondary dwelling unit in a single detached, semi-detached, or linear row house dwelling;

1. In addition to the site development specifications of 3.1.2.2. for the corresponding zone in which the single detached, semi-detached, or linear row house dwelling is located, the following standards shall also apply:

**8. Site Development Specifications for Secondary Dwelling Units in all Residential Zones**

	<b>Single Detached Dwelling, Semi-Detached, and Linear Row House</b>
a) Minimum Lot Frontage for an addition of a secondary dwelling unit	11m
b) Minimum Corner Lot Frontage for an addition of a secondary dwelling unit	15m
c) Minimum Lot Area	450 m <sup>2</sup>
d) Floor Area Maximum	40% of the total floor area of the principal dwelling including the basement.
e) Entrance	Direct or shared entrance to the secondary dwelling unit may be provided.
f) Access	No separate access to a municipal road is permitted.
g) Connection to City Services	The principal dwelling unit and secondary dwelling unit on the same lot must be connected to municipal sewer and water services of adequate size where municipal services are available. Where municipal services are not available, proof must be provided, to the satisfaction of the City of Cambridge, that a private water and sewer service is capable of accommodating the main dwelling unit and the secondary dwelling unit.

	<b>Single Detached Dwelling, Semi-Detached, and Linear Row House</b>
h) Maximum number of bedrooms in secondary dwelling unit	2
i) Minimum distance from interior side lot line to secondary dwelling unit entrance or staircase	1.2 m
j) Minimum distance from exterior side lot line to secondary dwelling unit entrance or staircase	6.0 m
k) Minimum Parking spaces required for Secondary Dwelling Unit	Bachelor or One bedroom secondary dwelling unit – one (1) space. Two bedroom secondary dwelling unit - two (2) spaces.
l) Front Yard Parking	In addition to the provision of 2.2.2.3(c) and subject to 3.1.1.4(b) and other provisions of this By-law, required parking for a secondary dwelling unit may be permitted between the regulatory building line or the established building line and the street line.

2. Notwithstanding the provisions of section 2.1.11.1(f) an accessory structure may also be used for a secondary dwelling unit in a residential zone ancillary to a single detached, semi-detached, or linear row house use subject to conditions a), b) and c):

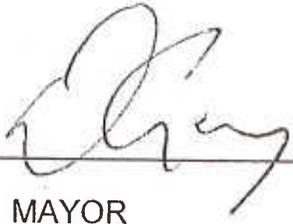
- a) The accessory structure is not intended for required parking;
- b) The accessory structure does not exceed 4.5m in height and does not exceed one storey.
- c) The accessory structure does not exceed 10% of the lot area

3. In addition to any provision of 3.1.2.8.1 or 3.1.2.8.2 above, no secondary dwelling unit shall be permitted where:

- a) A garden suite is located on the same lot;
- b) a secondary dwelling unit already exists on the lot;
- c) The principal dwelling unit is used for a home occupation; and
- d) A secondary dwelling unit is proposed to be located within a floodplain.

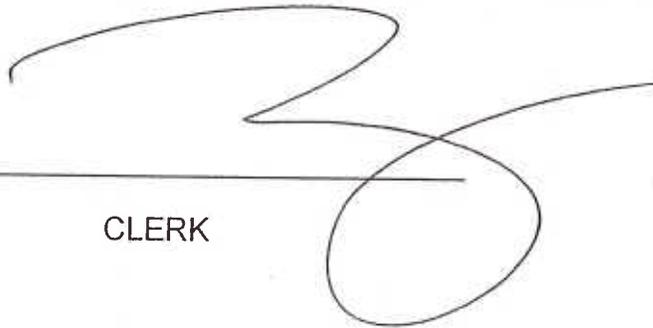
6. THAT this By-law shall come into force and effect on the date it is enacted and passed by the Council of the Corporation of the City of Cambridge, subject to notice hereof being circulated in accordance with the provisions of the Planning Act and Ontario Regulation 545/06.

PASSED AND ENACTED this 12<sup>TH</sup> day of June, 2018.



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MAYOR



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CLERK

## Attachment No. 1

### Purpose and Effect of By-law No. 108-18 Secondary Residential Units

**The Purpose** of this By-law is to amend various residential zoning classifications to permit a secondary residential dwelling unit as part of the primary dwelling or in an accessory building, subject to certain regulations regarding lot size, lot frontage and parking.

**The Effect** of the by-law will allow for the creation of secondary residential dwellings within a wide range of residential zones without the need for site specific amendments to the Zoning By-law.