

Corporation of the Village of Cumberland

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Accessibility and Inclusion Select Committee Agenda

September 12, 2022 at 3 p.m.
Council Chamber, 2675 Dunsmuir Avenue

1. **Approval of Agenda**
2. **Adoption of Minutes:** July 18, 2022 1
3. **Unfinished Business**
 - 3.1 Streamlining Accessory Dwelling Unit Approval Process 3
Prepared by Courtney Simpson, Manager of Development Services
Recommendation to Council:
 - i. That the Accessibility and Inclusion Committee recommend **support/denial** of the proposed bylaws to streamline the accessory dwelling unit approval process.
OR
That the Accessibility and Inclusion Committee recommend support of the proposed bylaws to streamline the accessory dwelling unit approval process with the following suggested changes: _____
 - ii. That the Accessibility and Inclusion Committee recommend the following changes to the Accessory Dwelling Unit How-To Guide:

 - 3.2 Public event to promote social equity and inclusion – November 2022
 - AMSSA *Respect for All* workshops in late November 2022 with three sessions: two for staff and one for Council/A&I Committee and invited community organization representatives
 - Each session 2.5-3 hours, maximum 20 attendees with nine spaces for community representative invitations
 - <https://www.amssa.org/safe-harbour-respect-for-all/>

3.3 BC Building Code Accessibility Working Group

- June 29-30, 2022
- September 21, 2022

Topics	Objectives
Accessibility Features	Identify opportunities to enhance functional accessibility features to improve accessibility for people navigating new buildings.
Adaptable Buildings	Identify opportunities for homes to be designed and built to be more easily and cost-effectively changed to meet peoples’ evolving accessibility needs.
Safe Evacuation	Identify changes to the BC Building Code that could enhance safe evacuation from new buildings.
Visitable Buildings	Identify enhanced standards that would help make new buildings more visitable.

3.4 Committee Work Plan Development for 2023

40

3.5 Budget requests submitted for 2023:

Accessibility Plan	Accessibility Plan and Public Feedback Mechanism (to incorporate community society equity and inclusiveness strategy as phase II)	An accessibility plan should outline how the organization will identify, remove and prevent barriers to people in the organization or interacting with it. The plan must be reviewed and updated at least once every three years. In developing or updating their plan, an organization must consult with its accessibility committee and consider specified principles: -Inclusion -Adaptability -Diversity -Collaboration -Self-determination -Universal design In updating their plan, an organization must also consider comments received through its public feedback mechanism.	\$20,000
Accessibility Committee	Annual training for Committee members		\$1,500

Frequently asked questions about the Accessible B.C. Regulation for organizations

<https://www2.gov.bc.ca/gov/content/governments/about-the-bc-government/accessibility/legislation/faq>

FAQ: What should the accessibility plan contain?

An accessibility plan should outline how the organization will identify, remove and prevent barriers to people in the organization or interacting with it. The plan must be reviewed and updated at least once every three years. In developing or updating their plan, an organization must consult with its accessibility committee and consider specified principles (inclusion, adaptability, diversity, collaboration, self-determination, and universal design). In updating their plan, an organization must also consider comments received through its public feedback mechanism.

4. New Business

4.1 FYI: Small Business BC offers grant funding and free education for Disability Employment Month

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4.2 FYI: Comox Valley Social Planning Society, Everyday Ableism Workshops: Sep 28 and 29 to learn about the concept of Ableism, including how to recognize it and how to re-envision and 'inclusive' society, and to increase your understanding of ableism to bring awareness of the marginalization and exclusion of disabled people and to give you tools to address the realities in life and work.
Sep 28: <https://www.eventbrite.ca/e/everyday-ableism-tickets-399144049597?aff=ebdssbcitybrowse>
Sep 29: <https://www.eventbrite.ca/e/everyday-ableism-workshop-for-the-non-profit-and-social-sector-tickets-399262864977?aff=ebdssbcitybrowse>

4.2 FYI: Lake Park – Accessibility Update:
Staff are currently working on updating the 2014 Lake Park Master Plan
<https://cumberland.ca/wp-content/uploads/2012/05/1406173-Cumberland-Lake-Park-Master-Plan-FINAL-SUBMISSION-2014-11-12.pdf>

Budget requests are being submitted for design work in 2024. At that time, design would be presented to the Accessibility and Inclusion Committee for feedback.

5. Reports from committee members

6. Upcoming meetings: Third Monday every second month.

- November 21, 2022 at 3 p.m.

7. Adjournment

**The Corporation of the Village of Cumberland
Accessibility and Inclusion Select Committee Minutes**



**July 18, 2022 at 3 p.m.
Council Chamber, 2675 Dunsmuir Avenue**

Members Present:

Judy Norbury, chair
Suzanna Wong
Brenda Lenahan (by video)
Vickey Brown, Councillor (by video)

Regrets: Rhianna Walz, Jaye Mathieu

Staff:

Rachel Parker, Corporate Officer
Karin Albert, Senior Planner
Nancy Henderson, Planner, Urban Systems

Ms. Norbury called the meeting to order at 3:08 pm.

1. Approval of Agenda

Norbury/Wong: THAT the agenda be approved with the addition of Anti-Racial Discrimination and Anti-Racism Policy.

Carried

2. New Business

2.1 Streamlining Accessory Dwelling Unit Approval Process

Discussion took place on policy on pathway material, lighting requirements, and that form and character requirements cannot be transferred from the development permit requirement to land use in a zoning bylaw. Discussion further took place on the use of the proposed homeowner guide on accessory dwelling units to strongly encourage accessible and aging in place features, and benefits of barrier free universal design, such as step free access, and the use of the Saferhome standards.

Norbury/Lenahan

That the Accessibility and Inclusion Committee provide the following comments on the proposed changes to the Accessory Dwelling Unit Approvals Process:

- to encourage universal design and incorporate accessible recommendations in the companion guide for ADUs, such as step free access and Saferhome Standards,

and that the draft companion guide for Accessory Dwelling Units be referred to the Accessibility and Inclusion Committee when available.

Carried

2.2 Anti-Racial Discrimination and Anti-Racism Policy

Members provided general support of the policy, and discussion took place on the use of the BC Human Rights Code, brings awareness to everyone and good to show what local government aligned with, and the opportunity to discuss discrimination in all forms by use of equity and inclusion language, and to support the policy and to request that the law company update the policy to address equity for everyone.

Norbury/Wong:

That the Accessibility and Inclusion Committee recommend that Council adopt the Anti-Racial Discrimination and Anti-Racism Policy as presented with reference to the BC Human Rights Code; and recommend that Council request that Lidstone and Company Law Corporation broaden the scope of what is considered discrimination for general equity and anti-discrimination to include all forms of discrimination.

Carried

3. Reports from committee members

- The Social Planning Society has hired and administrative coordinator for the Comox Valley Accessibility Committee
- Comox Valley accessibility event at end of September
- Demonstration beach mat at Westwood Lake in Nanaimo
- Question on Accessibility Plan and parking standards for Cumberland
- Discussion on regular meeting day and time

4. Upcoming meetings: Third Monday every second month.

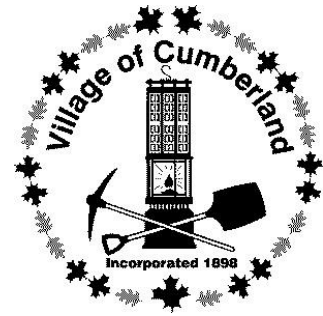
- August 15, 2022 at 3 p.m.

5. Adjournment

The meeting was adjourned at 4:34 p.m.

MEMO

ADVISORY PLANNING COMMISSION HOMELESSNESS AND AFFORDABLE HOUSING COMMITTEE and ACCESSIBILITY AND INCLUSION COMMITTEE



REPORT DATE: 7/4/2022
MEETING DATE: 7/14/2022

File No. 3010

TO: Commission and Committee Members
FROM: Courtney Simpson, Manager of Development Services
SUBJECT: Streamlining Accessory Dwelling Unit Approval Process

Council referred the Streamlining Accessory Dwelling Unit (ADU) Approval Process report, draft amending bylaws, and draft application guide to the Advisory Planning Commission, Accessibility and Inclusion Committee, and the Homelessness and Affordable Housing Committee.

Amendment Bylaws:

Council gave first and second reading to bylaws amending the OCP and Zoning Bylaw at their August 8, 2022 meeting. The purpose of these amendments is to remove the requirement for a development permit for ADUs in all zones. As much as possible, development permit requirements are transferred to the Zoning Bylaw.

Draft Accessory Dwelling Unit How-to Guide:

The attached draft Guide is designed to assist the typical property owner from design through to building permit approval for an ADU. It includes information about bylaw requirements and aims to encourage and inspire thoughtful design related to neighbourhood character, visual interest, and accessibility and sustainability. This draft Guide has not yet been through a close editorial review, so high level comments on organization, content and message will be most helpful at this stage.

The Advisory Planning Commission, Homelessness and Affordable Housing Committee, and Accessibility and Inclusion Committee are requested to provide a recommendation to Council stating the following:

- support, or;
- support with suggested changes, or;
- denial with stated reasons.

Following are possible resolutions for convenience:

- i. That the _____ Commission/Committee recommend *support/denial* of the proposed bylaws to streamline the accessory dwelling unit approval process.

OR

That the _____ *Commission/Committee* recommend support of the proposed bylaws to streamline the accessory dwelling unit approval process with the following suggested changes: _____

- ii. That the _____ *Commission/Committee* recommend the following changes to the Accessory Dwelling Unit How-To Guide: _____

ATTACHMENTS

- 1. August 1, 2022 Council Report
- 2. DRAFT Accessory Dwelling Unit How-to Guide

Respectfully submitted,

Courtney Simpson

Courtney Simpson
Manager of Development Services

COUNCIL REPORT



REPORT DATE: 8/1/2022
MEETING DATE: 8/8/2022

File No. 3010

TO: Mayor and Councillors
FROM: Courtney Simpson, Manager of Development Services
SUBJECT: Streamlining Accessory Dwelling Unit Approval Process

RECOMMENDATION

- i. THAT Council receive the Streamlining Accessory Dwelling Unit Approval Process report;
- ii. THAT Council give first and second reading to Official Community Plan Amendment Bylaw No. 1174, 2022;
- iii. THAT Council give first and second reading to Zoning Amendment Bylaw No. 1175, 2022;
- iv. THAT Council refer the Streamlining Accessory Dwelling Unit Approval Process report, draft amending bylaws, and draft application guide to the Advisory Planning Commission, Accessibility and Inclusion Committee, and the Homelessness and Affordable Housing Committee; and
- v. THAT Council direct staff to schedule a Public Hearing.

PURPOSE

The purpose of this report is to present draft bylaw amendments for first and second reading aimed at streamlining the Accessory Dwelling Unit (ADU) approval process as recommended in the Development Approvals Process Modernization Summary Report, May 25, 2022.

PREVIOUS COUNCIL DIRECTION

Date	Resolution
July 11, 2022	<p>THAT Council refer the Streamlining Accessory Dwelling Unit Approval Process report to the Advisory Planning Commission, the Homelessness and Affordable Housing Committee, and the Accessibility and Inclusion Committee.</p> <p>THAT Council direct staff to draft bylaws to amend development approval procedures to streamline the approval process for Accessory Dwelling Units.</p>
May 22, 2021	<p>THAT Council direct staff to submit an application to the Union of BC Municipalities Local Government Development Approvals Program, for funding to review and update the Village of Cumberland's development approvals processes including information technology to support it, and that the Village of Cumberland provide overall grant management.</p>

BACKGROUND

Project Background

The ADU approval process has been reviewed as a part of the Development Approvals Process Modernization project. Several recommendations were identified to streamline, provide clarity in communication, and reduce the need for amendments and variances in the future. The summary report identified that the Village's approval process for ADUs is more onerous than the recommended best practices by BC Housing and other municipal jurisdictions. This has created in a lengthy development approval process and consumes more staff time that could be better utilized on improving the level of service on more significant development applications, policy development and other priority projects.

The OCP contains a growth management strategy that prioritizes development that makes efficient use of existing infrastructure, increases access to affordable housing, promotes walkable neighbourhoods, and reinforces the Village core. The OCP identifies ADUs as a preferred approach to achieving these goals.

It is expected that continued ADU uptake will contribute to supporting the 415 existing rental households, and especially the 41% of households that spend more than 30% of their income on rental shelter costs.

Following direction from Council, bylaws have been drafted to further streamline the process as follows:

- An Official Community Plan amendment to exempt ADUs from the development permit process (Attachment 1 – Draft OCP Amendment No. 1174).
- A Zoning Bylaw amendment to add specific requirements for ADUs (Attachment 2 – Draft Zoning Bylaw Amendment No. 1175)

ANALYSIS

The draft bylaw amendments convert most development permit area guidelines to regulations in Zoning Bylaw 1027, 2016, that then become requirements before a building permit for an ADU can be issued.

No changes are proposed to the gross floor area, parking requirements, height (other than on uphill sloping lots) or setbacks that are already specified in the Zoning Bylaw. Any proposed changes to these requirements will continue to require a development variance permit.

Below is a discussion of several key elements of ADU approvals and how they are addressed.

Landscaping, Screening and Privacy

Zoning Bylaw requirements are proposed for privacy screening, irrigation, and the inclusion of an outdoor amenity area for the ADU. A requirement for a tree to be planted is also proposed to reflect the Village's Urban Forestry goals.

Based on concerns about maintaining privacy and overlook onto adjacent properties, ADUs may not include any balconies, roof top decks, or above ground patios (over 60 cm above grade) facing the rear or side yard immediately adjacent to a neighbouring property. Additionally, transparent

surfaces on external second storey ADU walls are limited to 20% of the total wall area where the setback from the interior and rear lot lines is less than 2.0 metres.

Lighting

Outdoor lighting for the pathway connection and ADU shall meet current dark skies guidelines and be located and arranged so that no direct rays of light are directed at any adjoining properties.

Stormwater Management

Municipal Stormwater System Regulation and Fees Bylaw No. 1024, 2015 requires infiltration galleries for new development, and must be designed and certified by a Professional Engineer. Further, the Bylaw states that there shall only be one connection per lot. Under the proposed Official Community Plan and Zoning Bylaw amendments, stormwater management will be addressed at the building permit stage pursuant to Bylaw 1024.

Accessibility

A 1.2 metre hard surfaced pathway is required to the front entrance of the ADU to a highway; a highway would include a lane, road, or boulevard, but not a private right of way or a linear parkway.

It is recommended that additional recommendations regarding designing for accessibility and inclusion would be included in the ADU application guide such as barrier-free access and design provisions that would facilitate aging in place and improve accessibility.

Form and Character

Regulation to restrict ADUs from being developed in front yards has been maintained and a provision has been added to ensure that garages do not protrude beyond the front entrance of a unit.

Form and Character Development Permit Area guidelines such as those related to visual interest in design and use of building materials that reflect the character of the principal dwelling unit can not be required by a Zoning Bylaw; however, will be encouraged through the new website and brochure that will include sample images and design recommendations.

Sloped Lots

To reduce situations where ADUs are taller than the principal dwelling on uphill sloping lots, the bylaw amendment proposes that the roof of an ADU shall not be higher than the peak of the roof of the principal dwelling, for lots with slopes greater than 20%.

PUBLIC ENGAGEMENT AND CONSULTATION

The project team presented the proposed amendments to the Advisory Planning Commission, Accessibility and Inclusion Committee, and Homelessness and Affordable Housing Committee. All the respective committees indicated support for the proposed concept of streamlining with some concerns and indicated that they would like the opportunity to review the draft bylaws and associated ADU application guide once drafted.

The Advisory Planning Commission passed the following resolution:

THAT the APC supports the concept of streamlining the Accessory Dwelling Unit Approval Process in alignment with the comments made in these minutes and awaits further information from Council and staff on recommendations sought from the APC.

Accessibility and Inclusion Committee passed the following resolution:

That the Accessibility and Inclusion Committee provide the following comments on the proposed changes to the Accessory Dwelling Unit Approvals Process:

- *to encourage universal design and incorporate accessible recommendations in the companion guide for ADUs, such as step free access and Saferhome Standards*
- *and that the draft companion guide for Accessory Dwelling Units be referred to the Accessibility and Inclusion Committee when available.*

The Homelessness and Affordable Housing Committee provided comments that are included in the minutes but did not make a specific resolution.

One email was received from the public expressing general support for the project and making some specific comments (Attachment 3 – Public Submission). Should Council give the subject bylaws first and second reading and direct staff to prepare the associated application guide, the application guide will be drafted and placed on the Village website along with background information and the amending bylaws for public review. A press release is proposed to be drafted to notify the community of this opportunity to comment on the draft bylaws in advance of the public hearing. The public hearing is anticipated to be held in mid-September.

ALTERNATIVES

1. That Council provide alternate direction.

STRATEGIC OBJECTIVE

- Healthy Community
- Quality Infrastructure Planning and Development
- Comprehensive Community Planning
- Economic Development

FINANCIAL IMPLICATIONS

The cost in staff time of processing ADU development permit applications is not fully recovered by the application fee of \$1,200. Removing the requirement for a development permit will have a positive financial impact.

OPERATIONAL IMPLICATIONS

Staff spend a considerable amount of time on ADU inquiries and applications as many of the applicants are not experienced developers and find the approval requirements onerous. The Village has a very high approval rate associated with ADU Development Permit Applications. As staff resources are limited, the intent of streamlining and improving communications materials is not only to improve the process for the applicant, but also to free up staff time currently utilized

for ADU inquiries and processing ADU development permits for processing other development applications to improve the overall level of service as well as Council priority initiatives.

CLIMATE CHANGE IMPLICATIONS

Current DPA guidelines for ADUs such as requiring that ADUs be solar ready and provide an energized outlet for Level 2 electric vehicle charging are included in the draft Zoning Bylaw amendment. Further building efficiency requirements will be addressed through adoption of the BC Energy Step Code.

ATTACHMENTS

1. Draft OCP Amendment No. 1174
2. Draft Zoning Bylaw Amendment No. 1175
3. Public Submission

Respectfully submitted,

C. Simpson

Courtney Simpson
Manager of Development Services

M. Mason

Michelle Mason
Interim Chief Administrative Officer

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1174

A bylaw to amend the Official Community Plan Bylaw.

The Council of the Corporation of the Village of Cumberland, in open meeting assembled, enacts as follows:

1. This Bylaw shall be cited as “Official Community Plan Amendment Bylaw No. 1174, 2022”.
2. Part D, Section 10.6.1 of the Village of Cumberland Official Community Plan, Bylaw No. 990, 2014 is amended by removing the following:
 ‘Single Family with accessory dwelling unit (garage apartment, coach house, laneway house)’
3. Part D, Section 10.6.3 of the Village of Cumberland Official Community Plan, Bylaw No. 990, 2014 is amended by adding point (q) under subsection (1) which states:
 ‘q. For construction, alteration, renovation, addition, or demolition of an accessory dwelling unit.’
4. Part D, Section 10.6.6 of the Village of Cumberland Official Community Plan Bylaw No. 990, 2014 is repealed in its entirety.
5. At its meeting on August 8, 2022, Council considered and passed a resolution with respect to opportunities for consultation on this Bylaw with persons, organization, and authorities it considered to be affected, as per sections 475 and 476 of the *Local Government Act*.

READ A FIRST & SECOND TIME THIS **XX** **DAY OF** **[month]** **2022.**

PUBLIC HEARING HELD THIS **XX** **DAY OF** **[month]** **2022.**

READ A THIRD TIME THIS **XX** **DAY OF** **[month]** **2022.**

ADOPTED THIS **XX** **DAY OF** **[month]** **2022.**

Mayor

Corporate Officer

THE CORPORATION OF THE VILLAGE OF CUMBERLAND

BYLAW NO. 1175

A Bylaw to amend Zoning Bylaw No. 1027, 2016

The Council of the Corporation of the Village of Cumberland, in open meeting assembled, enacts as follows:

1. This Bylaw shall be cited as “Zoning Amendment Bylaw No. 1175, 2022”.

Zoning Amendments

2. The Zoning Bylaw No. 1027, 2016 is amended in Part 2, Section 2.2 by **inserting** the following definitions:

Accessory Dwelling Unit	means a separated secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit on a fee simple lot.
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3. The Zoning Bylaw No. 1027, 2016 is amended in Part 4, by **repealing** section 4.2 and **substituting** the following:

4.2 Accessory Dwelling Units

- d) Where an *accessory dwelling unit* (ADU) is permitted, the following regulations shall apply:
 - i) an ADU shall not be located in a front *yard*;
 - ii) the ADU must be fully detached from (and with no breezeway to) any *single family dwelling* on the subject *lot*;
 - iii) the gross floor area of the ADU:
 - 1) must not exceed 90.0 square metres (968.8 square feet); and
 - 2) must be less than 75% of the *GFA* of the *single family dwelling*.
- e) The Height of an ADU must not exceed:
 - i) if one *storey*, 6.5 metres (21.3feet); or
 - ii) if two *storeys*, 7.5 metres (24.6feet).
- c) Notwithstanding the *setback* regulations for the Zone:
 - i) *lots* with interior side yards less than 1.5 metres (4.9feet); and
 - ii) with a rear *lane* less than 6.0 metres (19.7feet) wide or a *lane* which is greater than 6.0 metres but is not accessible year-round;must provide no less than 1.5 metres (4.9feet) in width from the entrance of the ADU, past the principal *building* for emergency access from the *frontage*.

If a fence is installed within the 1.5 metres (4.9feet) clearance area, a gate, accessible at all times and no less than 1.5 metres in width, needs to be provided.

- f) An ADU shall not be subdivided from the parent property under the Strata Property Act.
- g) The landscaping and screening for an ADU shall:
 - i) Include one shade tree per ADU.
 - ii) Follow the Village of Cumberland's Urban Forest Management Plan for tree spacing and species type.
 - iii) All required landscaping shall be watered by a fully automatic irrigation system that meets or exceeds IIABC standards. Run-off onto sidewalks, streets, or parking areas shall not be permitted.
 - iv) Notwithstanding Section 4.2 (e) (iii), existing areas of undisturbed native vegetation which have been accepted as a landscape buffer or shade tree are exempt from requiring a fully automatic irrigation system.
 - v) A solid screen shall be provided and maintained where an ADU is located within 4.5 metres of a parcel boundary, consisting of either fencing or a hedge with a minimum height at maturity of 2.0 metres, along rear and interior side parcel boundaries adjacent to the ADU and its outdoor amenity space.
 - vi) Include an unobstructed, hard-surfaced lighted pathway at least 1.2 metres wide from either a street or lane, to the entrance of the ADU.
- h) Outdoor lighting for any development shall meet current dark skies guidelines and be located and arranged so that no direct rays of light are directed at any adjoining properties.
- i) An outside amenity area shall be provided in the form of a deck, dedicated yard, garden, or similar feature. A parking area does not qualify as an outside amenity area.
 - i) The amenity area shall have a minimum width of 2.5 metres and must not be less than 10.0 square metres (107 square feet) in area.
 - ii) Amenity areas shall be provided along the rear property line or internal to the lot.
- j) An ADU shall not include any balconies, roof top decks, or above ground patios facing the rear or side yard immediately adjacent to a neighbouring property.
- k) In the R1-A Zone, transparent surfaces on external second storey ADU walls, adjacent to an interior side or rear lot line, shall be limited to 20% of the total wall area where the setback from the interior and rear lot lines is less than 2.0 metres.
- l) For uphill sloping lots, with slopes greater than 20%, no portion of the roof of an ADU shall be higher than the peak of the roof of the principal detached dwelling on the same parcel.
- m) Garages shall not protrude beyond the front entrance of a unit.
- n) ADU's shall provide energized outlets capable for Level 2 electric vehicle charging.
- o) ADU's shall be designed to be solar ready and include the technical components to facilitate the use of solar panels.

- p) Waste disposal and recycling bins provided for the ADU shall be screened from adjacent properties.

Severability

- 4. If any section or subsection of this Bylaw is found to be invalid by a court of competent jurisdiction, the section or subsection may be severed from the Bylaw without affecting the validity of the remainder of the Bylaw.

READ A FIRST & SECOND TIME THIS	XX	DAY OF	[month]	2022.
PUBLIC HEARING HELD THIS	XX	DAY OF	[month]	2022.
READ A THIRD TIME THIS	XX	DAY OF	[month]	2022.
ADOPTED THIS	XX	DAY OF	[month]	2022.

Mayor

Corporate Officer

From: [REDACTED]
To: [Courtney Simpson](mailto:Courtney.Simpson@Cumberland.ca)
Subject: Re: questions/comments on proposed ADU changes
Date: July 12, 2022 9:18:57 AM

Hi Courtney,

Certainly if you feel it's helpful to share my email then go for it :)

Also thanks for your comments on my comments.

Regarding the roof height. I just feel there should at least be a way in the bylaws that allows for the construction of some form of ADU on a rear sloping lot without requiring a variance. Maybe more restrictive rules but the current idea of not allowing them taller than the existing house would prohibit their construction on some lots all together. It could also result in an undesirable side effect of unsightly additions to homes just to make them taller, and therefore meet the bylaw requirements for the ADU.

I do still think though that in most cases requiring a hard surface pathway from the ADU in the backyard to the street is not needed. Especially when a lot of properties would required stairs in said pathway and wheelchair access isn't possible anyway. I would strongly suggest dropping the need for hard surface and changing the wording to allow permeable surfaces. There is also talk of reducing costs to the developer as a reason to drop the DP process. A 5' wide concrete pathway to an ADU in a backyard could easily run a cost of \$5000-\$10000. That cost could be greatly reduced if gravel paths were allowed for example.

Thanks again for you time.

[REDACTED]

On Tue, Jul 12, 2022 at 8:40 AM Courtney Simpson <CSimpson@cumberland.ca> wrote:

Hi [REDACTED],

Thank you for your email and your words of support. Would you like your email to be shared with Council?

Regarding the height limits for an ADU on sloping properties, someone can always apply for a development variance permit to vary the requirements in the Zoning Bylaw. This what we have in mind for a lot that has such a slope, if it can't practically meet height requirements we are proposing. This means that Council can review the specific proposal in this case, and if they support the height variance the ADU can be built. If we can come up with better Zoning Bylaw language to reduce the number of variance applications and still retain that neighbourhood fit, that is a good thing. We will have a close look at your suggestion.

For the 1.5m hard surface path, this is already required (although it is 1.2m now). Formally, all ADUs must have pedestrian access from the street (not the lane), and if they can also have access from the lane, ideally having parking off the lane also, that is best. Because lanes are in such a variety of condition we could not at this time require access from the lane only. The reason for the hard surface is accessibility. We will have a close look at your suggestion on this one as well.

Step Code, yes, is on our list of projects to tackle.

Thanks again for taking the time to comment.

Courtney

Courtney Simpson, RPP MCIP

Manager of Development Services

Village of Cumberland | Box 340, [2673 Dunsmuir | Cumberland, BC | V0R 1S0](#)

[Office 250.336.3019](#) | Cell 250.897-8031 | e: csimpson@cumberland.ca

I would like to acknowledge that we are on the Unceded traditional territory of the K'ómoks First Nation.

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From: [REDACTED]
Sent: July 11, 2022 3:00 PM

To: Planning <Planning@cumberland.ca>; Karin Albert <kalbert@cumberland.ca>
Subject: questions/comments on proposed ADU changes

Hi there,

First off, kudos for looking at eliminating the development permit process for ADUs. I have long thought that this was a barrier to development that didn't need to be there. Very excited to see how this affects development going forward.

I recently read through the list of proposed changes to the bylaws pertaining to ADUs and had a few questions/comments. See below:

- Urban Design Item (13) talks about properties with an uphill slope of more than 20% being required to have no rooflines rising higher than the principal dwelling. While I see why this is being looked at, I think it would be unfortunate to limit certain properties from having an ADU because their lot backs into a hill. I know that the recently finished ADU on camp road is likely why this is being discussed. I think it was shown that with thoughtful design, even an ADU that is higher than the principal dwelling can fit into the neighborhood. I would suggest rather than limit the roof height to be no higher than the principal dwelling, a different approach like limiting it to a single story or perhaps restricting the ADU to be not higher than "x" above any point on the surrounding grade. This would force the roof design to follow the slope of the grade and create a building that is by nature less obtrusive.

- Access (7) mentions requiring a 1.5M wide, hard surfaced, lighted pathway from the front lot line to the ADU door. Most ADU's are at the back of the property and many are only accessed from the laneway. It doesn't seem practical to require a 1.5M wide sidewalk that runs almost the entire length of the property when an ADU doesn't have any access other than the lane. Concrete and other hard surfaces contribute greatly to climate change and limiting their use seems like a good plan.

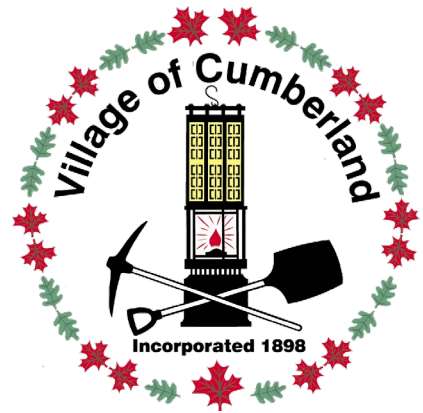
- Then just a comment about requiring solar ready and car charging capabilities. I think this is a great ask, but could the village go further in requiring all new construction adhere to a certain level of the step code? In a village that cares so deeply about climate change, it is odd that we haven't yet made this a requirement. Currently most areas around the Comox Valley are requiring Step 3, I would suggest that Cumberland be bold and require Step 4 while also requiring solar ready and charging stations.

Thanks for your time, I look forward to following along as these changes are developed.

Thanks,



DRAFT for Committee Comment



ACCESSORY DWELLING UNIT

HOW TO GUIDE

September 1, 2022



The Village of Cumberland

2673 Dunsmuir Ave

Box 340 Cumberland, BC V0R 1S0

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Appendix A: Approved Tree Species

OVERVIEW

In the Village of Cumberland, an accessory dwelling unit (ADU) is a small, stand-alone house on an existing lot in conjunction with a main house. An ADU can be one or two stories and may be above a detached garage. ADUs must meet the zoning regulations and building code and receive a building permit prior to construction.

ADUs help to increase the diversity and amount of rental housing in the community. Near the downtown core, they also allow the creation of more homes within a short walk to shops and services while integrating with the established historic neighbourhoods. Design that reflects the existing neighbourhood character and is sustainable and accessible, are all important considerations.

ADUs are permitted in the back yard or side yard of the following zones:

- R-1A Infill Residential Infill
- R-2A Medium Lot Residential
- R-3 Large Lot Residential
- R-4 Carlisle Lane

ADUs are also permitted in the FGS Forest Stewardship Greenway Zone and the following Interchange zones: IMU-3, IHR-1, and ICR-1.

Homeowners can add an ADU while keeping their existing house or can build an ADU along with a new main house.

An ADU is different from a secondary suite, which is contained within the main house and may also be permitted in some zones.

SITE ELIGIBILITY

If you are interested in building an ADU, first check that your site is eligible. Some basic requirements include correct zoning, adequate emergency response access, available site area, and absence of a steep slope.

1. Zoning

Ensure your property is located in a zone where ADUs are permitted. You can find out by accessing the iMap online and searching for your property by address: cumberland.ca/maps/

2. Emergency Response Access

Adequate emergency access must be provided to an ADU. This includes access for firefighting and first responders.

- For lots with a rear lane of 6.0 metres or greater in width and accessible year-round, the lane is considered the emergency access.

For lots with a rear lane of less than 6.0 metres in width or 6.0 metres in width but not accessible year-round or without a lane,

- Clearance of at least 1.5 metres from the street past the main house and within the property boundary, must be provided.

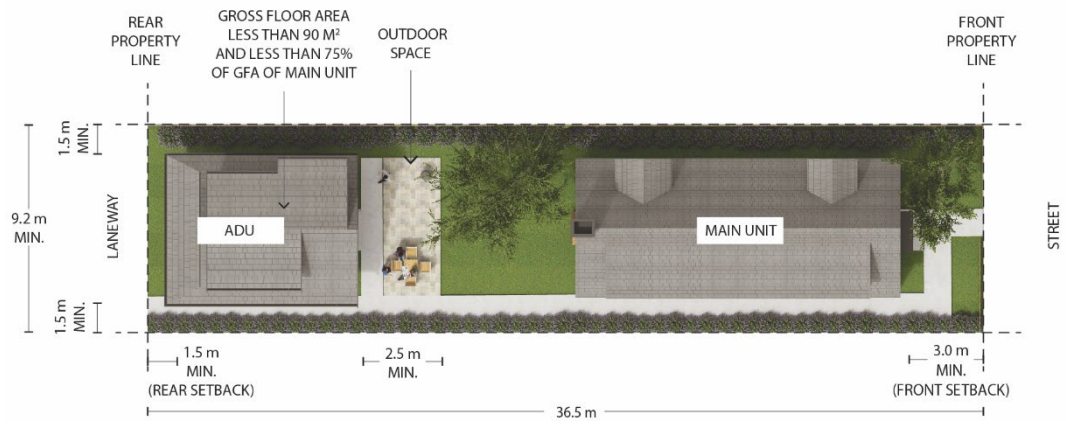
3. Available Site Area

There must be available area on your site for an ADU to meet the required setbacks, an outdoor amenity area, one parking space and a shade tree.

- The ADU must be setback 1.5 metres from the rear and side lot lines, and 3.0 metres from an exterior site lot line.
- The outdoor amenity area must be at least 2.5 metres wide and at least 10.0 square metres in total.

4. Site Slope

- It may be difficult to design an ADU for a lot that slopes uphill from the street. For uphill sloping lots, with slopes greater than 20%, no portion of the roof of the ADU can be higher than the peak of the roof of the principal dwelling on the same lot.



APPLICATION PREPARATION AND SUBMISSION

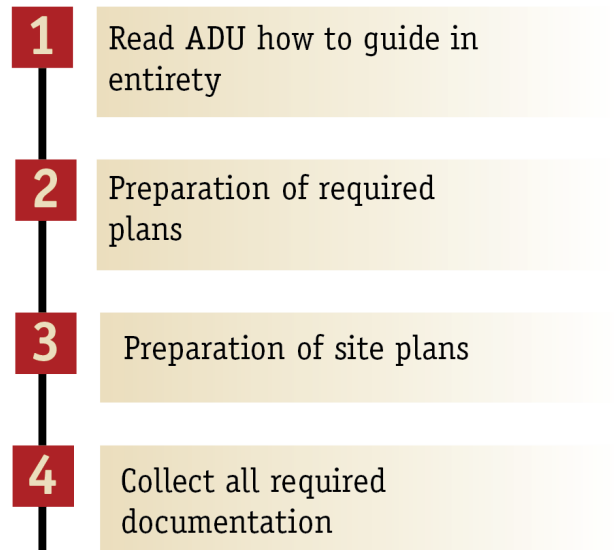
Once you have confirmed your site is eligible for an ADU, you must investigate costs, review Village regulations and prepare the necessary plans and documents for a building permit application.

Key Considerations

When preparing an application for an ADU, there are several key considerations:

- Existing trees and landscaping requirements
- Utilities and service connections (i.e. sewer and water design, electrical servicing, gas line location, stormwater system)
- Any site restrictions (easements, zoning regulations)

A building permit must be obtained prior to starting construction of your ADU. You will need to hire a professional to assist with the preparation of plans and application material. Read through this entire guide and consider consultation with the Village of Cumberland Building and Development staff prior to application to ensure you understand the requirements.



+

DESIGNING AN ACCESSORY DWELLING UNIT

Building Design

Design should aim to maintain existing character and neighbourhood design to ensure newly constructed ADUs fit with the streetscape. ADU design can range from traditional to contemporary while keeping in mind neighbourhood character and overall livability. This includes materials, architectural features, and size and scale. Consider the following:



- Use building materials and architectural features that match and coordinate with the character and feel of the main unit.
 - Consider using materials that are smooth surfaced, wood, concrete board, acrylic stucco, brick, baked enamel finished metal siding, or metal panels.
 - Do not use vinyl siding except high-quality and where it is complimentary to the principal building.
- Building design should avoid overlooking adjacent properties and minimize windows on walls that face adjacent properties to maximize privacy.
- Consider the preservation or enhancement of views of mountains and forests in building design.
- Avoid large blank walls by using windows/dormers/bays and attractive landscaping.

Location and Massing

Considerations for the location and massing of the ADU help to maximize privacy, create opportunities for outdoor amenity space and maintain the attractiveness of the neighbourhood.

Siting on the Lot

- ADUs are not permitted to be located in a front yard of the property. They must be located in the back yard or side yard.
- It must be fully detached from the main unit (no breezeways etc.).
- Utilize location and screening to create privacy between neighbouring properties.
- Ensure the ADU observes the following minimum setbacks:
 - Front - 3.0metres
 - Rear - 1.5metres
 - Side - 1.5metres
 - Side, Exterior - 3.0metres

Size and Height

- Gross floor area must not exceed 90 square metres. Gross floor area is the sum of all floors, as measured to the interior walls.
- Gross floor area must be less than 75% of the gross floor area of the main house.
- The height of an ADU must not exceed 6.5 metres for one storey and 7.5 metres for two storeys.
- Garages shall not protrude beyond the front entrance of a unit.

(Sketch Placeholder)

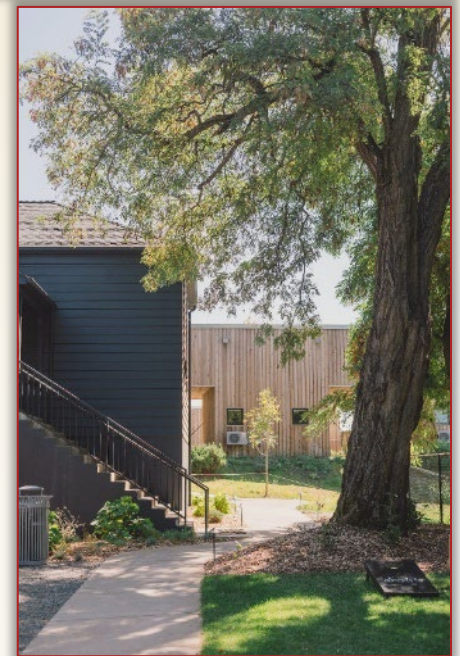
TREE PROTECTION AND LANDSCAPING

Trees are vitally important to ensuring the Village of Cumberland remains a livable and attractive place as we densify our neighbourhoods. During the design and construction of your ADU, prioritize the protection of existing trees. As well, planting additional trees is highly encouraged. The landscaping recommendations listed below should coordinate with the privacy and screening recommendations (page 10 of this guide) to ensure privacy with neighbouring properties where possible. Vegetative screening not only maximizes privacy, but also helps to mitigate noise

The following are required:

- One shade tree per ADU. This can be an existing tree, or a new tree (*see Appendix A for approved list*).
- Required landscaping must be watered by a fully automatic irrigation system that meets or exceeds Irrigation Industry Association of British Columbia standards to reduce any water run-off onto sidewalks, streets, or parking areas.

Consider consulting a landscape professional when choosing the appropriate plants and soils for your property

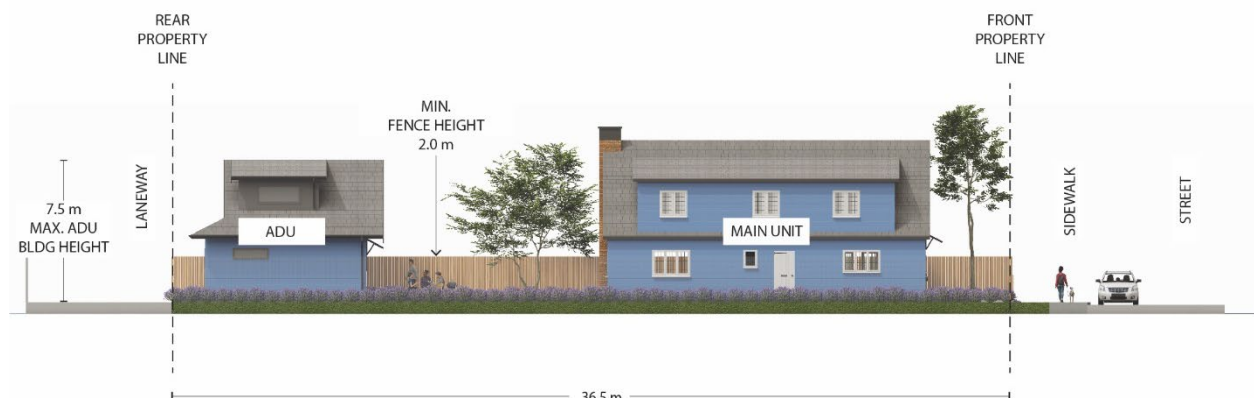
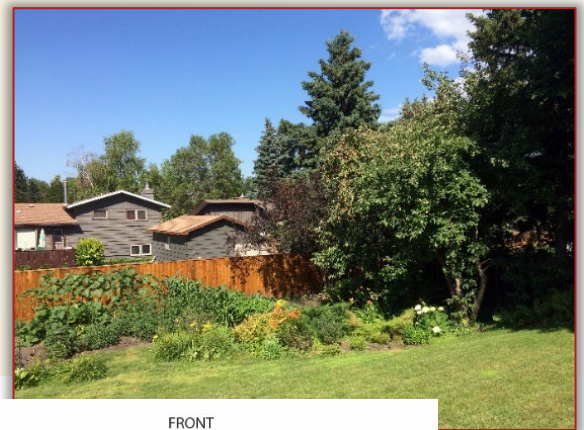


PRIVACY AND SCREENING

Consider privacy for both your existing neighbours and the new residents of your ADU when designing landscaping. Fences or hedges should be used on all side property lines for ADUs. Ensure that materials are attractive, durable, and maintain existing neighbourhood design characteristics. You can use techniques such as siting your outdoor amenity space in a location that helps to maximize privacy and only placing windows on parts of the building that do not overlook neighbouring properties.

The following are required:

- An ADU will not include balconies, roof top decks, or above ground patios that face the rear or side yard immediately adjacent to a neighbouring property.
- Where an ADU is located within 4.5 metres of the property boundary, a solid screen of fencing or a hedge will be provided with a minimum height of 2.0 metres.
- In the R1-A Zone, second story windows of an ADU on the adjacent to an interior side or rear lot line will not take up more than 20% of the wall when there is a setback of less than 2.0 meters.



OUTDOOR SPACE

Considerations for decks and patios, outdoor lighting, and pathways all contribute to livability of the ADU and integration within an existing neighbourhood.

Outdoor Amenity Area

It is important to provide outdoor amenity areas for ADUs to maintain livability as the neighbourhood densifies. An outside amenity area in the form of a deck, dedicated yard, garden or similar feature is required for all ADUs.

The design of open space should balance requirements for privacy with the value of sunlight and of views “out”.

The following are required:

- The amenity area must not be narrower than 2.5 metres and must not be less than 10.0 square metres in area to be able to provide adequate outdoor space for residents.
- Amenity areas must be located along the rear property line or internal to the lot to maximize privacy.
 - Please note that a parking area does not qualify as an outside amenity area.
- Waste disposal and recycling bins that are stored outdoors must be screened from adjacent properties. They could be kept inside a garage, or within an enclosure built for that purpose.



Outdoor Lighting

Outdoor lighting is recommended to encourage safety and create a welcoming environment while minimizing disruption to neighbouring dwelling units and required along the pathway leading to the entrance to the ADU.

The following is required:

- Outdoor lighting for any development must meet current dark skies guidelines.¹
- Outdoor lighting will be located and arranged so that no direct rays of light are directed at any adjoining properties to minimize light pollution and disruption.

These additional considerations will help to minimize the impact of lighting on adjacent properties.

- Consider using lighting that is energy efficient LED and has a warm colour temperature between 2700 and 3000 Kelvins.
- Motion sensor lights are discouraged if possible.
- Light fixtures should complement the architecture and landscape design to complement existing neighbourhood character.
- Low level pedestrian bollard lighting is encouraged for pathway lighting (see pathway section on page 12 of this guide)

Dark sky guidelines aim to minimize the harmful effects of light pollution. These guidelines recommend that lighting:

- Only be used when needed
- Only light the area that needs it
- Be no brighter than necessary
- Minimize blue light emissions
- Eliminate upward-directed light

¹ Find guidelines at the International Dark-Sky Association: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>



Pathways

Providing well constructed pathways will increase overall accessibility to the ADU (see accessibility considerations on page 15 of this guide). Consider using permeable material to support rainwater infiltration, and provide low level pedestrian bollard lighting on pathways

In addition, the following is required:

- An unobstructed, hard-surfaced lighted pathway at least 1.2 metres wide from either a street or lane, to the entrance of the ADU.
- Pathways be adequately lit to dark sky standards as outlined in the outdoor lighting guidelines.
- The street address at the street entrance of the access route to identify the ADU.

Permeable surfaces (also known as porous or pervious surfaces) are hard surfaces designed to allow water to infiltrate through the ground surface, either into underlying layers (soils and aquifers), or be stored below ground and released at a controlled rate to surface water. This may include permeable pavers or porous asphalt. Permeable surfaces reduce rainwater runoff mitigate flood impacts and help to restore groundwater levels



SUSTAINABILITY AND ENERGY EFFICIENCY

The Village of Cumberland has made sustainability and energy efficient key priorities for future development. When designing your ADU, consider use of clean energy and water conservation, and ultimately work towards reducing greenhouse gas emissions. Sustainable design may include passive orientation to minimize heating in the winter months and cooling in the summer months, use of landscaping to encourage natural cooling.

The following is required:

- elective vehicle charging capabilities (see zoning bylaw for more details).
- That ADU's are solar ready and include the technical components to facilitate the use of solar panels.

Note that woodstoves are not permitted in new dwellings.

You may also consider providing and encouraging:

- Safe and secure bicycle parking and storage to encourage the use of active transportation methods.
- Reuse of onsite building materials is encouraged where possible, as permitted within the BC Building Code.
- Incorporation rainfall capture systems for irrigation where possible.

You may consider engaging an energy advisor is throughout the design process to encourage energy efficient building design.



ACCESSIBILITY

Accessible ADUs provide rental housing that allow options for all people including those using wheelchairs or other assisted mobility devices to allow them to age in place. It is required to provide unobstructed, hard-surfaced lighted pathway at least 1.2 metres wide from either a street or lane, to the entrance of the ADU. Accessible travel routes must conform to the requirements of the most current edition of the BC Building Code.

Incorporating accessible design during initial building construction is much more cost-effective than retrofitting later. The following guidelines are recommended to increase accessibility to all tenants and visitors of the ADU.

Consider the following with incorporating accessibility into ADU design:

- Universal design principles are encouraged wherever possible.
- Step free access and [Saferhome Standards](#) are encouraged.
- There should be clear and level covered front door landing areas.
- Minimum door clearance widths of 0.85m (34”).
- Maximum door thresholds height of 13mm (1/2”), including patio doors.
- Accessibility features shall be integrated into the overall design concept and identified on the site plans.
 - Accessible travel routes shall be provided from adjacent roadways and parking areas to the main building entry and shall incorporate barrier-free universal design principles.
 - Accessible travel routes shall be of a hard, slip- resistant surface with a minimum width per requirements of the most current edition of the British Columbia Building Code (BCBC).



Parking Requirements

Number of Parking Spaces

- For all zones, at least one surface parking space for the ADU must be provided on site. For zone R-1A Infill Residential Zone, no more than one parking space is permitted. For the rest of the zones, you may have up to two parking spaces.

Location of Parking

- Locate parking for the ADU off the lane if it is in adequate condition.
- Only one driveway is permitted per street frontage. A corner lot may have a second driveway. Driveways on corner lots must be at least 5.0 metres from the intersection.



Other Considerations/Requirements

- Provide a plan of proposed parking for the ADU showing the spaces and driveway. This will be filed with the Building Inspector prior to issuance of a Building Permit.
- Parking areas for all recreational vehicles, trailers and boats, including commercial or industrial vehicles (if permitted by bylaw), should be located behind the front face of the primary dwelling unit. “Temporary” storage or parking areas are not permitted.
- Parking spaces should be flexibly designed to provide additional outdoor space when not used by cars.
- Permeable parking spaces are recommended to support rainwater infiltration.



STORMWATER MANAGEMENT

To reduce runoff and conserve water, consideration must be made for stormwater management where there is new construction. This includes reducing impermeable surfaces wherever possible and selecting landscape design that incorporates rainwater retention.

- Infiltration galleries are required for new ADUs and must be designed and certified by a Professional Engineer.
- Only one stormwater connection is allowed per lot, so there cannot be a second connection for an ADU.

Consider the following:

- Permeable surfaces are encouraged for driveways and vehicle maneuvering spaces, including permeable unit pavers, gravel, and wheel paths integrated into planted strips.
- Permeable surfaces are highly recommended on pathways and patios, where they do not impede access for persons with a disability.
- Landscape design that incorporates rainwater retention, infiltration and harvesting including rain gardens, permeable surfaces, rain barrels and swales is strongly encouraged.



Utilities

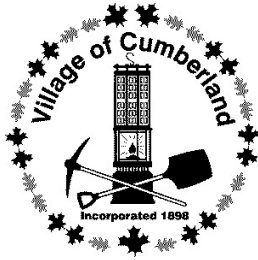
New buildings and new residents impact the existing municipal infrastructure capacity. When building an ADU, you must consider:

- The Village allows one service connection per lot, therefore the ADU must connect into the existing servicing to your property.
- There is a second garbage collection and sewer fee for additional units on your property. Consider this additional charge when calculating costs.

- Consider the impact of a secondary unit on your utility bills (i.e. being charged for additional garbage pickup, energy bills etc.).

APPENDIX A

APPROVED TREE SPECIES



Corporation of the Village of Cumberland

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P.O. Box 340
Cumberland, BC V0R 1S0
Telephone: 250-336-2291
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cumberland.ca

File No. 0540-20
May 11 2022

Accessibility and Inclusion Committee - Work Plan

	Approved Task	Status	Next Steps
1.	To make recommendations to Council on a strategy to encourage and support owners of existing public and commercial buildings in making accessibility improvements to the built environment and to create environments that are inclusive to all community members.	In progress	<ol style="list-style-type: none"> 1. Distribution by mail through business licence data – Completed 2019 2. hand deliver to downtown businesses – completed 2019 3. Recognize accessibility improvements at 2019 June Accessibility Day 4. Liaise with business community through CBA and Ec Dev Coordinator 5. Liaise with CBA on mapping project to identify accessible businesses
2.	Review of community event manual with recommendations to make events more accessible; and outreach with special event coordinators.	In progress	<ol style="list-style-type: none"> 1. Review Community Event Manual - completed 2. Make recommendations for staff review – completed 3. Outreach with event coordinators spring 2020 once new manual available – delayed by COVID restrictions
3.	Consult with emergency planning staff on accessibility and inclusion and provide resources on emergency preparedness.	Complete	<ol style="list-style-type: none"> 1. Met with regional emergency support services: Sep 24 2018 2. April 15 2019 tour of emergency reception centres: CRI & CC 3. Provided communication boards to CVEP ESS in 2019
4.	<p>Explore and investigate accessible tourism, and parks and trails mapping</p> <p><i>The Facility and Infrastructure Accessibility Review</i> recommendations:</p> <p>a) Continue to identify two or three potential pilot sites to help to</p>	In progress	<ul style="list-style-type: none"> • Rick Hansen rating complete for South Colliery Trails and Chinatown Walking tour • Trails Coordinator to undertake adaptive MTB trail assessment and feasibility – 2018: An a-MTB trail requires a specific type of terrain that may not exist on Village property and may impact CCF covenant. For private

	<p>expand the current network of accessible trails</p> <p>b) Consider developing trail profiles similar to the approach adopted by the Capital Regional District and make this information available at the local tourist office.</p>		<p>land, UROC would need capacity to be partner.</p> <p>Committee discussion:</p> <ul style="list-style-type: none"> • \$15,000 budget grant funding in 2020 for general tourism accessibility mapping/web portal? • Committee preliminary assessment/inventory team • Committee input into deliverables for RFP for mapping/web portal project • grant opportunities for Village Park, • updating signage for Village trails, mapping and brochure; • Trail Forks website update, apps and online mapping; • pursue grant funding for words and graphics
5.	Recognize businesses and community members who are engaging in efforts to make Cumberland a more inclusive and accessible place to live and visit.	In Progress	<ul style="list-style-type: none"> • Liaise with CBA to recognize businesses for a fall 2022 target date
6.	Monitor and support recommendations of the 2016 Facility and Infrastructure Review		
7.	To promote social and political equity as follows:		
(a)	Identify barriers to social inclusion and accessibility and make recommendations as to how to remove these barriers;		
(b)	Identify best practices in other communities and make recommendations based on the findings to promote social and political equity;		
(c)	Participate in reviewing the Village of Cumberland's draft plans, policies and procedures to prevent the creation of barriers in the future;		

(d)	Draft a strategy for engaging with the community on issues relating to accessibility and inclusiveness;		
(e)	Work with Council to increase public awareness on issues related to accessibility and inclusion for all citizen		

New recommendations from Committee

		ToR	
	Review of Official Community Plan development permit guidelines related to accessibility – budgeted for 2021		
July 2018	Recommendations for inclusive and accessible playground equipment and grants		
	Presentation to Comox Valley Development and Construction Association	Y	Ec Dev coordinator support
	SAFERhomes program & encouraging developers to build to universal or universal-ready standards; Review of Official Community Plan development permit guidelines related to accessibility		Recommended to 2019 budget Not supported by staff as value for cost Not approved by Council
September 5 2018	Lake Park beach mats (and wheelchair), and reserved parking		Refer to Rec Mgr – check Goose Spit Wait for grant opportunity
	Update 2016 Facility Review /additional Rick Hansen Rating		budget
	Adaptive mountain biking – trail assessment and construction		
	An event like what the original ec dev committee did. It would be for information gathering and we could have stations related to the various things in cumberland... I.e parks, businesses, parking and roads, camping, etc. and people could come and identify accessible goals or feedback for those issues. Then from there we could generate the results. It could help us with our terms of reference too. To make it more fun, we could serve food and beverages, and maybe have a speaker of some sort		

Nov 2018	Access Awareness messages on Facebook		
March 2019	Snow loading in accessible parking spots: include awareness in 2019 Snow and Ice Control message to businesses to clear way from parking spaces for people with disabilities.		Rachel – PW will clear reserved parking spaces as resources and conditions allow
March 2019	Benches in downtown core: Explore bench placement in front of post office and medical clinic, potentially with Rotary.		
April 2019	Identify grant opportunities for accessibility projects, and prepare application wording and budgets		
May 2019	Age-Friendly Community project through summer 2019		

Rachel Parker

Subject: FW: Small Business BC offers grant funding and free education for Disability Employment Month

From: Small Business BC <itadmin@smallbusinessbc.ca>

Sent: September 1, 2022 12:35 PM

To: Village of Cumberland <info@cumberland.ca>

Subject: Small Business BC offers grant funding and free education for Disability Employment Month



Small Business BC offers grant funding and free education for Disability Employment Month

FOR IMMEDIATE RELEASE | September 1, 2022 - Small Business BC

British Columbia – This September, in recognition of Disability Employment Month, Small Business BC is offering free business education and workplace accessibility grants to encourage inclusive work environments for the 20 percent of British Columbians who identify as having a disability.

SBBC's Accessibility Month: It Matters

September is Accessibility Month at Small Business BC, with free education and resources to encourage employers to open their workplaces to thousands of skilled employees with visible and invisible disabilities.

Throughout September, SBBC's webinars on...

[Read more](#)

You have received this email because you are a contact of Small Business BC. If you no longer wish to receive these emails please [unsubscribe](#).