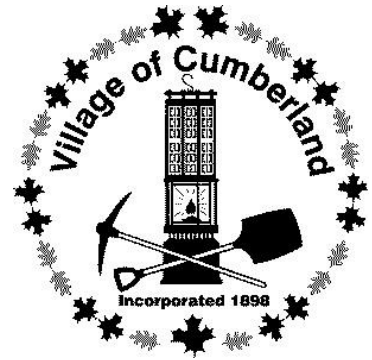


COUNCIL REPORT



REPORT DATE: 6/30/2022
MEETING DATE: 7/11/2022

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 refer the Streamlining Accessory Dwelling Unit Approval Process report to the Advisory Planning Commission and the Homelessness and Affordable Housing Committee.
- iii. THAT Council direct staff to draft bylaws to amend the development approval procedures to streamline the approval process for Accessory Dwelling Units.

PURPOSE

The purpose of this report is to outline steps to streamline the Accessory Dwelling Unit approval process as recommended in the Development Approvals Process Modernization Summary Report, May 25, 2022.

PREVIOUS COUNCIL DIRECTION

Date	Resolution
May 22, 2021	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.

BACKGROUND

Project Background

The Village of Cumberland received funding from the Union of BC Municipalities Local Government Development Approvals Program to undertake the Development Approvals Process Modernization project. This project is intended to streamline the development approval process and lead to positive outcomes related to the provision of affordable housing and other community priorities as outlined within the Official Community Plan (OCP) and other bylaws.

Accessory Dwelling Unit (ADU) approvals were reviewed as a part of this process and several recommendations were identified to streamline and provide clarity in communication. Since they were first permitted in 2017, there have been 55 ADUs either converted from existing accessory buildings or new-builds.

Accessory Dwelling Unit Regulation

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% that spend more than 30% of their household income on rental shelter costs.

Challenges

The current challenges that exist in relation to ADU uptake and the approvals process include:

- The cost of a development permit. The application fee is \$1,200. Additional costs related to development permit requirements are a stormwater management plan and landscape plan, for an estimated additional cost of \$2,000.
- A relatively small planning department with significant portion of the department's staff resources dedicated to development permits associated with ADUs.
- The development permit process is helpful because it allows more fine-grained control over issues such as dwelling unit design, but it adds several months to the approval time.

Recommendations

The following recommendations were developed as a part of this project and a review of best practices specific to ADUs:

- An OCP amendment to exempt ADUs from the development permit process.
- A Zoning Bylaw amendment to add specific requirements for ADUs (Attachment 1 – ADU Zoning Regulation Recommendations).
- Updated application guides and brochures to clearly outline entire application process and components of the process that often lead to staff inquiries for clarification. This includes outlining a requirement for a pre-application meeting.
- Use of guides and communication to encourage the use of certain materials and design elements for ADUs.
- Provide simplified check-lists specific to the ADU process.

ANALYSIS

Removing the requirement for a development permit for an ADU will reduce cost and time to the applicant, and free up a significant amount of staff time. ADUs have been permitted for 5 years, and lessons learned from the development permit process in Cumberland as well as best practices from other jurisdictions lead to this recommendation. If these recommendations are implemented, a building permit would be the only approval from the Village needed for an ADU,

as long as it complies with the Zoning Bylaw.

Many existing requirements for ADUs will be translated from the development permit area to the Zoning Bylaw including screening, pathway and clearance to the street, and the amenity area. A requirement for tree planting is proposed to be added to the Zoning Bylaw. Form and character DPA guidelines such as those related to visual interest in design and use of building materials that reflect the character of the principal dwelling unit will be promoted through the new website and brochure that will include sample images and design suggestions.

No changes are proposed to the gross floor area, parking requirements, height or setbacks that are already specified in the Zoning Bylaw. Any proposed changes to these requirements will continue to require a development variance permit.

PUBLIC NOTIFICATION AND CONSULTATION

Following discussion of these recommendations, the project team will follow up with further engagement and communication about the changes. This includes:

- Meeting with Advisory Planning Commission and the Homelessness and Affordable Housing Committee
- Preparation of a public news release
- Preparation of website information communicating changes
- Bring amending Bylaws to Council for 1st and 2nd readings
- Public Hearing
- 3rd reading and bylaw adoption
- Amend ADU application information
- Create website information, brochures and guides about adopted ADU process

The new ADU application information include website info, brochures and guides will be drafted and ready for release after bylaw amendments are adopted.

ALTERNATIVES

1. That Council provide alternate direction

STRATEGIC OBJECTIVE

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

FINANCIAL IMPLICATIONS

Preparation of new website and brochure materials, and bylaw amendments are funded by the UBCM grant.

OPERATIONAL IMPLICATIONS

Implementation of the changes as recommended will reduce staff time spent on ADU approvals.

CLIMATE CHANGE IMPLICATIONS

Removing barriers to ADU uptake promotes increased density in the Village core. A compact development pattern is one of the most significant ways of reducing greenhouse gas emissions.

ATTACHMENTS

1. ADU Zoning Regulation Recommendations

Respectfully submitted,

C. Simpson

Courtney Simpson
Manager of Development Services

M. Mason

Michelle Mason
Interim Chief Administrative Officer

ATTACHMENT 1 - ADU Zoning Regulation Recommendations

Regulation	Existing DP Guideline	Proposed Zoning / Implementation Options
<i>OCP section 10.6.6 Specific Guidelines for Coach Houses</i>		
Landscaping and Screening	<p>1) A landscape plan should be prepared, with the broad objectives of providing:</p> <ul style="list-style-type: none"> a. Vegetative screening on private lots to protect the privacy and to mitigate noise between occupants of adjacent properties b. Low height vegetation between adjacent driveways on private lots to mitigate the visual impact of paved surfaces 	<p>One tree per 50 m² of ADU floor area</p> <p>Tree spacing and species type shall follow the Village of Cumberland’s Urban Forest Management Plan</p> <p>Where a carriage house or amenity area is located within 4.5m of a parcel boundary, a solid screen, consisting of either fencing or a hedge with a minimum height at maturity of 2.0m, must be provided and maintained along rear and interior side parcel boundaries adjacent to the ADU and its outdoor amenity space only.</p>

Access	7) Each dwelling unit should have a dedicated, unobstructed, hard surfaced path, not be less than 1.2 metres in width that links the unit to a public street or lane.	An unobstructed, hard-surfaced lighted pathway at least 1.5 m wide is required from the front lot line to the entrance of the ADU. (note that the 1.5 m width is to be consistent with the 1.5 m clearance requirement for emergency services)
Non-residential Parking	2) 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.	Required residential parking for the ADU is already addressed in the Zoning Bylaw Specific requirements for location of RV, trailer and boat parking in relation to a new ADU not transferred to Zoning Bylaw.
Amenity Areas	3) An outside amenity area should 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.	Maintain the current regulation.
Amenity Areas	4) The amenity area should not be narrower than 2.5 metres and must not be less than 10.0 square metres in area.	Maintain current regulation.

Decks and Balconies	5) Minimize impacts of decks and balconies on adjacent properties.	An accessory dwelling unit must not include any balconies or above ground patios facing the rear or side yard, , or roof top decks.
Urban Design	8) New Buildings should: <ul style="list-style-type: none"> a. Create visual interest by providing variations in height, rooflines and massing b. Avoid building plans that are repetitive 	Promote new website and guide that includes sample images to encourage desired design elements
Urban Design	9) Large blank walls should not dominate the buildings and where windows/dormers/bays are not possible; landscaping should be used to mitigate the blank walls.	Promote new website and guide that includes sample images to encourage desired design elements.
Urban Design	13) The design and siting of buildings should: <ul style="list-style-type: none"> a. Be sensitive to the scale, mass and form of adjacent buildings b. Use building materials that reflect the character of the principal dwelling unit c. Not overlook and shadow adjacent properties d. Utilize all habitable space opportunities such as building into the truss system of the unit 	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.

Urban Design	10) The garage should not be visually prominent, mitigated through the use of staggered setbacks, and varied orientation, materials, scale, and finishes.	Garages shall not protrude beyond the front entrance of a unit.
Urban Design	11) The use of vinyl siding is discouraged.	Promote new website and guide that includes sample images to encourage desired design
Addressing	6) The civic addressing must be visible from the primary street frontage.	Already required in Zoning Bylaw section 3.12.
Privacy	12) Large windows should not face directly onto adjacent properties.	Screening requirements for ground floor windows. Website and brochure to encourage design that respects privacy related to second storey windows.
<p><i>OCP Section 10.6.5 Guidelines for Ground Oriented Housing</i></p> <p><i>Note: The guidelines in this section have been applied to ADUs with some difficulty as many appear to be better suited for multi-family buildings and where an entire site is being redeveloped.</i></p>		
Site Design	<p>1)</p> <p>a. The Village will work with the principles of Crime Prevention Through Environmental Design (CPTED) in the consideration site design and landscaping</p> <p>b. Site Design should consider the preservation of natural site features</p> <p>c. Site design should consider the preservation and enhancement of view corridors to open areas and viewscales</p>	Promote new website and guide that includes sample images to encourage desired design

	d. The use of rear lane access to garages and surface parking is encouraged	
Landscaping	<p>2)</p> <ul style="list-style-type: none"> a. All landscaping should be irrigated by means of an automated system b. All waste disposal and recycling bins shall be screened on three sides within a solid walled animal-proof enclosure c. walled animal-proof enclosure d. Building footprints should be located to create opportunities for courtyards, or garden patio areas with appropriate site furniture and lighting e. The appearance of the both the buildings and the site landscaping should have a strong emphasis toward public street views, incorporating a concept that emphasizes the public realm f. Landscape plans will be provided at the developer's expense, which have been prepared by landscape professional utilizing plants appropriate to the growing conditions. The plan shall include a complete plant list and cost estimate. A performance security will be required before the Permit is issued g. A landscape plan should be prepared, with the broad objectives of providing: <ul style="list-style-type: none"> i. Vegetative screening on private lots to protect the privacy and to mitigate ii. noise between occupants of adjacent properties iii. ii. Effective vegetation between adjacent driveways on private lots to mitigate the iv. visual impact of paved surfaces 	A landscape plan, automatic irrigation and a landscape security would not be required.

<p>Accessibility</p>	<p>3)</p> <ul style="list-style-type: none"> a. Accessibility features shall be integrated into the overall design concept and identified on the site plans b. 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 c. 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) d. Accessible travel routes shall conform to the requirements of the most current edition of the BCBC 	<p>Requirements of the BC Building Code will continue to apply. Accessible travel routes on the site to be accommodated through 1.5m path requirement. On sloping lots, DPs issued to date have not required wheelchair accessible adaptations to remove stairs or reduce grade of path. Many ADUs will have accessible travel routes due to many lots in the Village being flat.</p>
<p>Building Form and Character</p>	<p>4)</p> <ul style="list-style-type: none"> a. Buildings shall be sited to ensure that any adjacent residential properties have visual privacy, as well as protection from site illumination and noise b. All buildings and expansions thereto, storage, and parking shall be designed to be compatible with surrounding land uses and the major roads fronting the property c. The use of smooth surfaced, wood, concrete board, acrylic stucco, brick, baked enamelfinished metal siding, or metal panels are encouraged d. The use of untreated or unfinished concrete, metal, vinyl siding as a final building finish is prohibited 	<p>Most of these guidelines are better suited for multi-family buildings and where an entire site is being redeveloped.</p> <p>1.2 m path and addressing from the street will be required in the Zoning Bylaw.</p> <p>Other form and character elements related to ADUs will be promoted through website and guide.</p>

	<ul style="list-style-type: none"> e. Rooftop mechanical equipment shall be hidden behind screens or parapets designed as an integral part of a building to conceal such equipment f. Building design should include a variety of architectural design treatments, including articulated building footprints to reduce massing and to promote architectural definition and interest g. Building massing shall consider the preservation or enhancement of view corridors to open areas and mountain vistas h. Building massing should respond to a human scale with materials and details that are proportionate to human height and provide visual interest at the street and sidewalk level i. Minimize impacts of decks and balconies on adjacent properties j. The civic addressing must be visible from the primary street frontage k. Each dwelling unit should have a dedicated, unobstructed, hard surfaced path, not be less than 1.2metres in width that links the unit to a public street or lane l. New Buildings should: <ul style="list-style-type: none"> i. Create visual interest by providing variations in height, rooflines and massing ii. Avoid building plans that are repetitive m. Large blank walls should not dominate the buildings and where windows/dormers/bays are 	
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	<p>not possible; landscaping should be used to mitigate the blank walls</p> <ul style="list-style-type: none"> n. The garage should not be visually prominent, mitigated through the use of staggered setbacks, and varied orientation, materials, scale, and finishes o. Large windows should not face directly onto adjacent properties p. Main entrances for all dwellings shall be located at ground level and should be prominent to the street 	
<p>Lighting</p>	<p>5) Natural cycles of day and night lighting are important for human health, the natural environment, astrophysical endeavors, and the conservation of energy. To minimize these impacts, outdoor lighting should be regulated to control both the quantity and quality of night lighting.</p> <ul style="list-style-type: none"> a. All site lighting installations should be fully shielded (full cutoff) b. Light should be shielded such that the lamp itself or the lamp image is not directly visible outside the property perimeter c. Security and other lighting should be placed so as not to shine directly into residential properties or to reduce the separation effectiveness of any landscaped buffer d. Exterior building lighting should generally be concealed in soffits or other similar architectural features 	<p>Most of these guidelines are better suited for multi-family buildings and where an entire site is being redeveloped.</p>

	<ul style="list-style-type: none"> e. Lamp poles and luminaries used for site area lighting should be complementary to the form and character of adjacent sites and Village streetlighting standards f. There should be sufficient on-site illumination for pedestrian/vehicle safety. g. Illumination should not encroach onto adjacent properties h. Adhering to the principles of Crime Prevention through Environmental Design Principles (CPTED), lighting for pedestrian pathways, building entrances and parking areas should be designed at a human scale (i.e., low level bollards) and address pedestrian safety 	
Access, parking and amenity areas	6)	Guidelines not copied here are they are either clearly for a multi family development or addressed in other guidelines.
Energy Conservation & Reduction of Greenhouse Gas Emissions	<p>7)</p> <ul style="list-style-type: none"> a. Building design should include passive heating, lighting and cooling design features b. Landscaping and building design should consider the incorporation of natural daylight and seasonal shade needs c. Building orientation should, where practical, be designed to optimize the benefits of solar orientation d. Building design should incorporate solar ready features e. Sheltered and secure bicycle parking shall be provided to a level that is consistent with 	Require solar ready and energized outlets capable of Level 2 charging stations.

	<p>the proposed use</p> <p>f. Electric Vehicle Plug-ins should be provided for new developments</p> <p>g. All buildings shall be designed and engineered to be solar ready</p> <p>h. Adaptive reuse of buildings and on-site materials is encouraged, where permitted within the BC Building Code and under relevant legislation</p>	
Water Conservation	8)	Guidelines not copied here are they are either clearly for a multi family development or addressed in other guidelines.
Stormwater	<p>9)</p> <p>A stormwater management plan shall be required as prepared by a registered professional engineer that has as its goal the maintenance of post-development flows equivalent to those of pre-development flow patterns and volumes over the entire wet weather season</p> <p>b. Stormwater management shall follow source control (on-site) principles and practices and minimize the use of conventional pipe and pond techniques, and avoid direct discharges to streams and other water-bodies</p> <p>c. Stormwater management shall take advantage of on-site opportunities to recycle water to absorbent soils, wetlands, and forests</p>	A stormwater management plan would no longer be required for an ADU. ADUs would be required to connect to municipal stormwater system where available.