



DRAFT

ACCESSORY DWELLING UNIT HOW-TO GUIDE

Village of Cumberland | May 2023



THE VILLAGE OF
CUMBERLAND

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OVERVIEW

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

ADUs help increase the diversity and supply of rental housing in the community. Near the downtown core, ADUs create more homes integrated within established historic neighbourhoods, and offer the convenience of being within walking distance to shops and services. Effective ADU planning considers accessibility, sustainability, and neighbourhood character into their designs.

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

- R-1A Infill Residential
- 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. Secondary suites are permitted in all single residential zones in the Village.

SITE ELIGIBILITY

If you're interested in building an ADU, check that your property is eligible first. The basic requirements include correct zoning, adequate emergency response access, available site area, and no steep slopes.

Zoning

Ensure your property is in a zone where ADUs are permitted. You can find out by accessing the [Village of Cumberland iMap viewer online](#) and searching for your property by address and then looking up the regulations for that zone in the [Zoning Bylaw](#).

If you are in a zone where ADUs are permitted, you are allowed to build one ADU or secondary suite on your property.

Emergency Response Access

An ADU needs to have adequate access for emergency response, such as firefighters and first responders.

- There must be at least 1.5 metres of clearance from the street past the main house and within the property boundary.
- If your lot has a rear lane that is at least 6.0 metres wide and accessible year-round, the lane is considered adequate emergency access. Contact the Village to confirm if this rule applies to your lot.

Available Site Area

There must be adequate area for an ADU to include required setbacks, an outdoor amenity area, one parking space and a shade tree.

- The ADU must be set back 1.5 metres from the rear and side lot lines, and 3.0 metres from an exterior side lot line (a lot line adjacent to a street).
- The outdoor amenity area must be at least 2.5 metres wide and at least 10.0 square metres in total. It may be a deck, dedicated yard, garden, or similar feature.

Site Slope

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

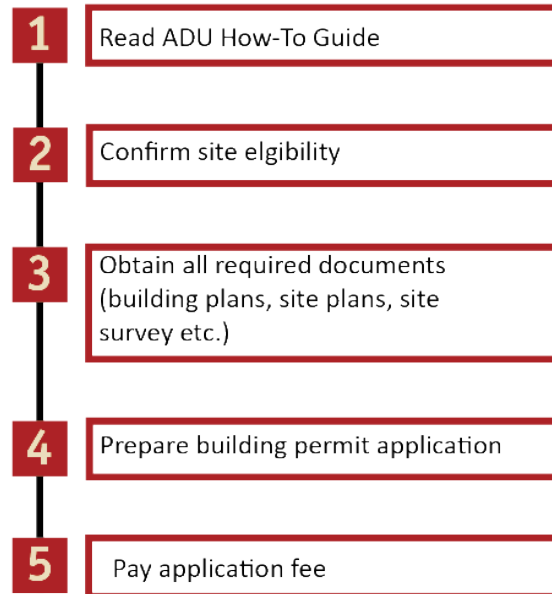
APPLICATION PREPARATION AND SUBMISSION

Once you have confirmed that your site is eligible for an ADU, you will need to estimate your costs, review Village regulations and prepare the necessary plans and documents to apply for a building permit.

Key Considerations

There are several things you'll need to consider when preparing an application for an ADU:

- Existing trees and landscaping requirements
- Utilities and service connections
 - Sewer and water design, electrical servicing, gas line location, stormwater system
- Any site restrictions
 - Easements, zoning regulations



You must obtain a building permit before starting construction on your ADU. You'll likely need to hire a professional to help prepare the building plans and application materials. Read through this entire guide and consider contacting the Village of Cumberland Building and Development staff before applying. Following these steps will help you understand the requirements and make sure the process goes as smoothly and quickly as possible.

DESIGNING AN ACCESSORY DWELLING UNIT

Building Design

The design of your ADU should aim to fit with the character of your neighbourhood. The design can range from traditional to contemporary, while keeping in mind the streetscape and overall livability of the neighbourhood. This includes materials, architectural features, and size and scale.



RECOMMENDATIONS

- Use building materials and architectural features that match the character and feel of the main house.
 - There are a variety of materials you could use, that are already used in Cumberland, including wood, concrete board, acrylic stucco, brick, baked enamel finished metal siding, or metal panels.
 - Avoid using vinyl siding unless it is high-quality and complements the main house.
- Preserve or enhance the views of mountains and forests.
- Avoid large blank walls by using windows, dormers, or bays and attractive landscaping.
- In addition to the items outlined in the Privacy and Screening section, avoid overlooking adjacent properties and minimize windows on walls that face adjacent properties to maximize privacy.

Location and Massing

The location and massing of your ADU should be carefully chosen to maximize privacy, create opportunities for outdoor amenity space and maintain the attractiveness of the neighbourhood.

Location on the Lot

- ADUs are not allowed to be in the front yard of the property. They must be in the back yard or side yard.
- ADUs must be fully detached from the main house, with no breezeways or similar structures.
- Use the location and screening to create privacy between neighbouring properties.
- Ensure the ADU observes the following minimum setbacks:
 - Front: 3.0 metres
 - Rear: 1.5 metres
 - Side: 1.5 metres
 - Side, Exterior: 3.0 metres

Lot Coverage

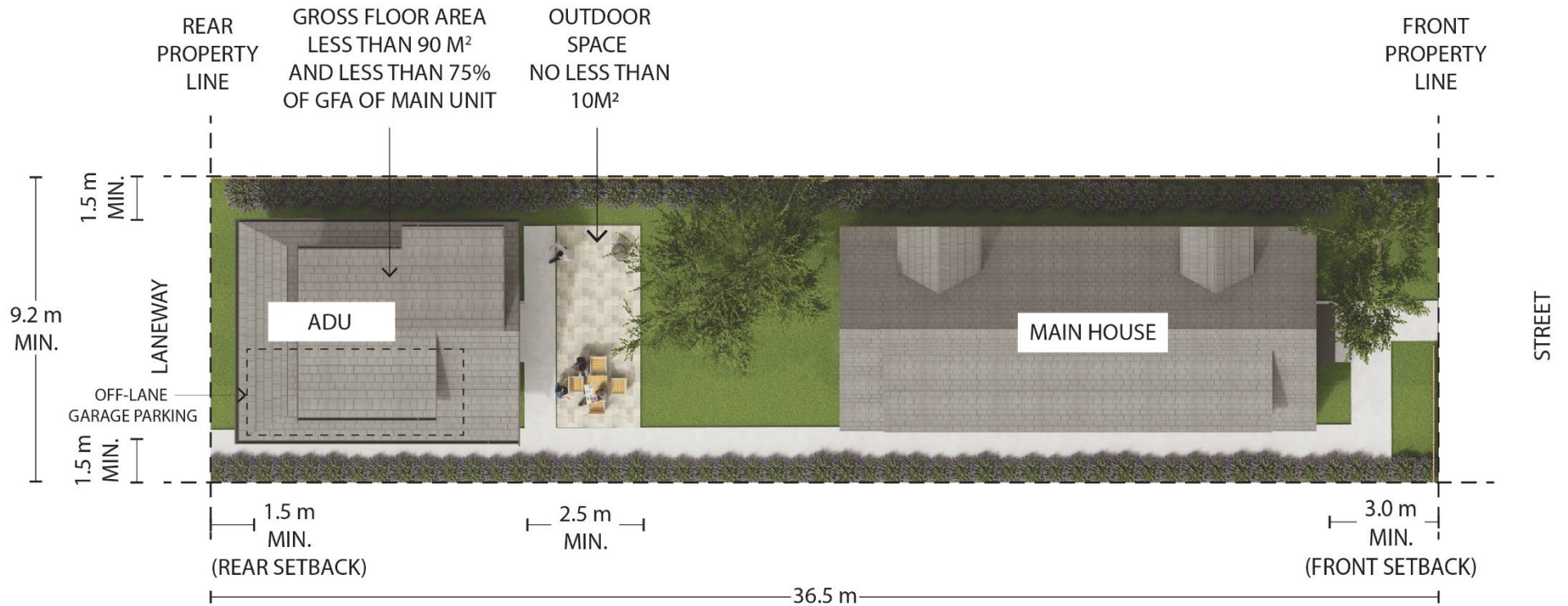
- The maximum horizontal area that the ADU can be built on is called lot coverage.
 - Lot coverage varies depending on the zone. Check the regulation for your property's zoning to confirm.

Size and Height

- Gross floor area must not be greater than 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 are not allowed to extend beyond the front entrance of a unit.

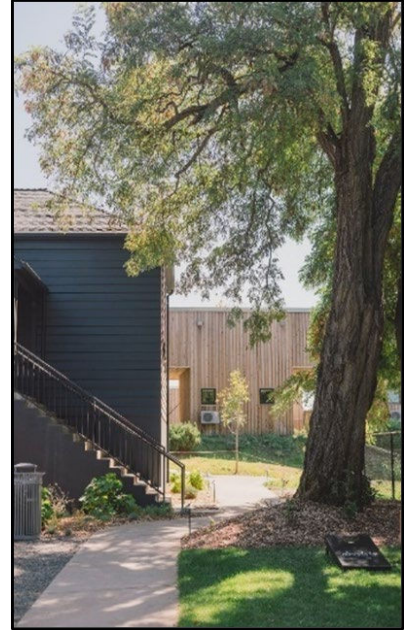


SITE PLAN OVERVIEW



TREE PROTECTION AND LANDSCAPING

Trees are vitally important to keeping the Village of Cumberland a livable and attractive place. During the design and construction of your ADU, protect existing trees as much as possible. Healthy, full-grown trees increase the attractiveness of your home, prevent stormwater runoff and protect water quality, provide shade in hot summer months lowering energy costs to cool your home, and, overall, increase the value of your home. Having a mature tree canopy also keeps your neighbourhood cooler, helping our community adapt to the hotter summers expected with a changing climate.



REQUIREMENTS	RECOMMENDATIONS
<ul style="list-style-type: none"> ▪ One shade tree per ADU. This can be an existing tree, or a new tree (<i>see Appendix A for approved list</i>). ▪ The required landscaping, as per the Zoning Bylaw, 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. See also the Privacy and Screening section for more landscaping guidelines. 	<ul style="list-style-type: none"> ▪ Planting trees beyond the minimum requirement. ▪ Landscaping complements the privacy and screening recommendations on page 10 of this guide. Using trees as a natural screen between properties maximizes the privacy for both residents and provides a buffer for noise ▪ Consult a landscape professional when choosing the appropriate plants and soils for your property.

PRIVACY AND SCREENING

When designing your landscaping, consider how it will impact the privacy for your existing neighbours and the new residents of your ADU. Fences or hedges should be used on all side property lines. Ensure that materials are attractive, durable, and fit with the neighbourhood character. There are a few different ways you can make the ADU visually appealing and functional while protecting everyone's privacy.

REQUIREMENTS	RECOMMENDATIONS
<ul style="list-style-type: none">▪ No balconies, rooftop 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 at maturity of 2.0 metres.▪ In the R1-A Zone, second storey windows of an ADU 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 metres.	<ul style="list-style-type: none">▪ Consult a landscape professional when choosing the appropriate plants and soils for your property.▪ Place the outdoor amenity area in a spot that is further away from neighbouring properties.▪ Don't install windows on parts of the building that overlook your neighbours, or use transom windows that let in natural light but are above eye-level.



Using fences and vegetation and selecting a space for your outdoor amenity area that does not overlook a neighbouring property can help ensure the ADU and your neighbours enjoy privacy.



PRIVACY



OUTDOOR SPACE

Access to outdoor space helps make your ADU more livable. The way you design your deck or patio, outdoor lighting, and pathways are important considerations and help integrate your ADU into the neighbourhood's character.

Outdoor Amenity Area

All ADUs are required to have an outside amenity area in the form of a deck, dedicated yard, garden or similar feature. The design of open space should balance requirements for privacy with the value of sunlight and outside views.



REQUIREMENTS

- 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.
- 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 creates a safer and more welcoming environment. It's important to balance the need for outdoor lighting at your ADU with minimizing disruption to neighbouring properties.

REQUIREMENTS	RECOMMENDATIONS
<ul style="list-style-type: none"> ▪ Lighting is required along the pathway leading to the entrance to the ADU. ▪ Outdoor lighting for any development must meet current dark skies guidelines. ▪ 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. 	<ul style="list-style-type: none"> ▪ Low level pedestrian bollard lighting is encouraged for pathway lighting (<i>see pathway section on page 11 of this guide</i>). ▪ Use lighting that is energy efficient LED and has a warm colour temperature between 2700 and 3000 Kelvins. ▪ Light fixtures should complement the architecture and landscape design and fit in with existing neighbourhood character. ▪ Avoid using motion sensor lighting to minimize any disruption to neighbours.



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

Pathways

Well constructed pathways increase the overall accessibility to the ADU (see *accessibility considerations on page 13 of this guide*).



REQUIREMENTS	RECOMMENDATIONS
<ul style="list-style-type: none"> ▪ Include an unobstructed, lighted pathway at least 1.2 metres wide from either a street or lane to the entrance of the ADU, with a surface that is hard packed and permeable such compacted gravel, permeable pavers, or flagstone. ▪ Accessible travel routes must conform to the requirements of the most current edition of the BC Building Code. ▪ Pathways must be adequately lit to dark sky standards as outlined in the outdoor lighting guidelines. ▪ The ADU must be identified in the street address clearly visible from the front lot line. 	<ul style="list-style-type: none"> ▪ Provide low-level pedestrian bollard lighting on pathways. ▪ As per the Accessibility section on page 13, consider incorporating barrier-free universal design principles into pathway design

Permeable surfaces, also known as porous or pervious surfaces, are hard surfaces that allow water to filter down to the ground, either into the soil and aquifer layers, or be stored belowground 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 restore groundwater levels.

SUSTAINABILITY AND ENERGY EFFICIENCY

Sustainability and energy efficiency are key priorities for future development in the Village of Cumberland. When designing your ADU, consider how you can use clean energy and conserve water, and ultimately work towards reducing greenhouse gas emissions.



REQUIREMENTS	RECOMMENDATIONS
<ul style="list-style-type: none"> ▪ An energized outlet capable of Level 2 electric vehicle charging. ▪ ADUs have to be solar ready and include the technical components to facilitate the use of solar panels such as conduits to allow for future connections. 	<ul style="list-style-type: none"> ▪ Orient the ADU to minimize heating in the winter and cooling in the summer. ▪ Use landscaping for shade and natural cooling. ▪ Engage an energy advisor throughout the design process to use energy efficient design principles. ▪ Add safe and secure bicycle storage and parking ▪ Incorporate rainfall capture systems for irrigation. ▪ Reuse onsite building materials where possible, as permitted within the BC Building Code.

Air quality is a serious health concern in the Comox Valley. Smoke from woodstoves and fireplaces is the most significant source of air pollution. Because of this, woodstoves are not permitted in new dwellings.

The [Comox Valley Regional District](#) offers resources to help you protect the air quality in your community, including rebates to replace 5+ year old wood-burning appliances in your home.

ACCESSIBILITY

Accessible ADUs create rental housing that offer options for all people. This includes people who have mobility challenges or use wheelchairs or other assistive devices. The Village of Cumberland encourages universal design, which refers to designing a building so it can be accessed and used without adaptation or modification by the most people possible.

Incorporating accessible design in the initial building construction is much more cost-effective than retrofitting later. Consider using the [SAFERhome Standards](#) when designing your ADU.

SAFERhome Standards are 15 standards in three categories:

- Structural and design
- Electrical and telecom
- Plumbing

These standards provide developers, builders, municipalities and homeowners with guidelines for universal home design, which helps build homes that work better for everyone.

RECOMMENDATIONS

- Step-free access, meaning exterior thresholds are flush or a maximum height of 13mm (1/2"), including patio doors.
- There should be clear, and level covered front door landing areas.
- Minimum door clearance widths of 0.85m (34").
- Accessibility features should be integrated into the overall design concept and identified on the site plans. In addition to the guidelines in the Pathways section:
 - Accessible travel routes should be provided from adjacent roadways and parking areas to the main building entry and should incorporate barrier-free universal design principles.
 - Accessible travel routes should be of a hard, slip-resistant surface with a minimum width as per requirements of the most current edition of the British Columbia Building Code (BCBC).



Examples of step-free access points

Parking

Providing adequate onsite parking helps prevent laneway congestion. Parking spaces are recommended to be permeable to allow rainwater to filter through to the ground. Number of Parking Spaces

- For all zones, at least one surface parking space for the ADU must be provided on site. The following are the maximum parking spaces permitted:
 - In the R-1A Infill Residential Zone, up to two spaces are permitted: one for residents and one for a visitor.
 - In the rest of the zones, up to three parking spaces are permitted: two for residents and one for a visitor.
 - Cash in lieu of parking may be provided to the Village. Contact the Village for current rates.

Location of Parking

- Locate parking for the ADU off the lane if it is in adequate condition.
- Parking may be inside a garage and/or outside.
- 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.
- For your Building Permit, you must file a site plan illustrating proposed parking for the ADU showing the required spaces and driveway.
- A typical residential parking space must be 2.5 metres wide, 5.4 metres long, and 2.5 metres high. Greater width is required where there is an obstruction on one or both sides, with details found in the Zoning Bylaw.



PARKING



SITE SERVICING

Stormwater Management

To reduce runoff and conserve water, new construction must consider stormwater management.



REQUIREMENTS	RECOMMENDATIONS
<ul style="list-style-type: none"> ▪ Onsite-stormwater management such as an infiltration gallery (rock pit), bioswale or other methods of collecting rainwater as designed and certified by a Professional Engineer.¹ ▪ Only one connection to the Village’s stormwater system is allowed per lot, so there cannot be a second connection for an ADU. ▪ In accordance with requirements in the Pathways section, pathways must have a surface that is hard packed and permeable to allow for stormwater infiltration. 	<ul style="list-style-type: none"> ▪ Incorporate rainwater retention, infiltration and harvesting, including rain gardens, permeable surfaces, rain barrels and swales into your landscape design. ▪ Permeable surfaces are encouraged for driveways and vehicle maneuvering spaces, including permeable unit pavers, gravel, and wheel paths integrated into planted strips.



¹ This is regulated by the Village of Cumberland Municipal Stormwater System Regulation and Fee Bylaw No. 1024, 2015.

Utilities

The addition of new buildings and more residents impact the existing municipal infrastructure capacity. To prevent strain on the utility capacity, the Village allows one service connection per lot. The ADU must connect to the existing servicing to your property.

When planning for your ADU, consider the financial impact of a secondary unit on your utility bills.

- Service fees for water include a fixed charge and a consumption charge. The consumption charge is based on readings of your water meter, so this cost will go up when a new household starts using water in the ADU.
- There is a second garbage collection and sewer fee for additional units on your property.



APPENDIX A

Approved Tree Species

The following is a list of approved species for backyard trees when required for ADU construction.

Tree Name	Scientific Name	Comments
General Tree Suggestions		
Babylon/Weeping Willow	<i>Salix babylonica</i>	Medium size with long drooping leaves. Enjoys moist soil sites. Tolerates heavy pruning.
Chinese Tupelo	<i>Nyssa sinensis</i>	Medium sized tree with bright orange fall colours. Expected to be climate resilient for most sites.
Douglas-fir	<i>Pseudotsuga menziesii</i>	Large native tree at maturity. Somewhat drought tolerant. Can shed branches in windstorms.
Eastern Redbud	<i>Cercis canadensis</i>	Smaller tree with pink flowers in spring. Expected to be climate resilient for most sites.
European Beech	<i>Fagus sylvatica</i>	Medium sized tree. Generally hardy. Bronzy leaves hold on until the following spring. Good by itself or as a hedge.
European Hornbeam	<i>Carpinus betulus</i>	Medium sized tree. Generally hardy. Good for street side planting.
Japanese Zelkova	<i>Zelkova serrata</i>	Medium to large size. Hardy tree for urban landscapes. Good for street side planting.
Red Maple	<i>Acer rubrum</i>	Medium to large size. Roots known to heave pavement if planted too close. Great fall colours.
Scarlet Oak	<i>Quercus coccinea</i>	Medium to large size. Expected to be climate resilient for most sites. Deeply lobed leaves turn bright red in fall.
Shore Pine	<i>Pinus contorta</i>	Medium size native tree. Somewhat drought tolerant. Needles can be messy.
Western White Pine	<i>Pinus monticola</i>	Medium size native tree. Somewhat drought tolerant. Needles can be messy.
Trees with narrow crown spread		
Columnar Norway Maple	<i>Acer platanoides 'columnare'</i>	Grows to 50-60' tall, 15-20' wide. Bright red fall colours.
Fastigate Hornbeam	<i>Carpinus betulus 'fastigata'</i>	Grows to 30-40' tall, 20-30' wide. Generally hardy and low maintenance.
Katsura	<i>Cercidiphyllum japonicum</i>	Grows to 40-50' tall, 25-40' wide. Beautiful heart shaped leaves with good fall colour.
Fastigate Beech - Dawyck Purple	<i>Fagus sylvatica</i>	Grows to 35-45' tall, 15-20' wide. Can come with different coloured leaves, purples, greens, oranges.

Tree Name	Scientific Name	Comments
Trees Under Powerlines		
Japanese Snowbell	<i>Styrax japonica</i>	Smaller tree. Pretty white flowers clusters hang down while in bloom.
Japanese Flowering Dogwood	<i>Cornus kousa</i>	Smaller cousin of native pacific dogwoods. Large flowers can be pink to white.
Paperbark Maple	<i>Acer griseum</i>	Smaller maple, often seen in lollipop shapes.
Trees suitable for limited soil volume		
Hedge Maple	<i>Acer campestre</i>	Smaller tree. Hardy in clay soils.
Raywood Ash	<i>Fraxinus oxycarpa</i>	Smaller tree. Fall foliage turns into a rich red-purple.
Redspire Callery Pear	<i>Pyrus calleryana</i>	Smaller tree. Pretty white flowers in spring and bronze-red leaves in fall.

Other species may be approved, subject to review by the Village. For a further resource, the Village of Cumberland [Urban Forest Management Plan](#) includes a long list of species recommendations. You may refer to this list to help select an alternate tree species. It also includes planting and maintenance recommendations.



APPENDIX B

Resource Guide

For additional information about items in this guide, please use these resources to support your application.

Village of Cumberland Resources

[Village of Cumberland iMap viewer online](#)

[Village of Cumberland Building Permits](#)

[Village of Cumberland Municipal Stormwater System Regulation and Fee Bylaw No. 1024, 2015](#)

[Village of Cumberland Zoning Bylaw No. 1027, 2016](#)

External Resources

[International Dark-Sky Association Dark Sky Guidelines](#)

[Safer Home Society - Safer Home Standards](#)

Village Contact Info

- Village of Cumberland Front Desk:
 - info@cumberland.ca
 - 250-336-2291
- Building and Development:
 - planning@cumberland.ca



APPENDIX C

Application Checklist

Background Information

- Check that your property is eligible for an ADU (page 2):
 - Zoning
 - Access
 - Available site area
 - Site slope
- Identify existing trees and landscaping (page 7).
- Locate utilities and service connections and confirm capacity for ADU (page 18).
- Check your property title for relevant covenants or easements (page 2).
- Have a pre-application meeting with Village staff to confirm that your property is eligible for an ADU, determine site specific requirements, and understand fees and up-front costs.

Building and Site Design:

- Hire a professional to prepare required building plans and landscape drawings for building permit submission.
- Consider using a style and materials that match the character and materials of the main house (page 4).
- Ensure your design meets zoning requirements for ADU locations including lot, size, height, and lot coverage (page 5).
- Provide at least one shade tree (page 7).
- Ensure your design meets Village requirements for privacy and screening (page 8):
 - Location of balconies, rooftop decks and above-ground patios
 - Privacy hedge or fence requirements
 - Overlooking window limitations
- Design an outdoor amenity area for the ADU (page 10).
- Plan a secure area for waste disposal and recycling bin (page 18).
- Locate a lighted path with an accessible and permeable surface to the entrance to the ADU (page 12).
- Include an energized outlet for an electric vehicle charging station (page 13).
- Include rooftop solar panels or the technical components for retrofit later (page 13).
- Familiarize yourself with SAFERhome Standards for accessible design and incorporate as much as possible (page 14).
- Determine how many parking spaces are needed and ensure they are provided (page 15).
- Stormwater management designed by a professional engineer (page 18).

Application Checklist continued

Building Permit Application:

- Review the building permit application requirements and form on the Village website.
- Schedule a pre-application meeting with the Village.
- When your complete application is ready, schedule an appointment with Village staff to confirm application is complete and pay your application fee.
- If required, enter into a works and services agreement with the Village.²
- When your building permit is issued, construction can begin. Contact the Village front desk to schedule required inspections as the work progresses.



² Works and Service Agreements: <https://www2.gov.bc.ca/gov/content/governments/local-governments/finance/municipal-development-works-agreements>

APPENDIX D

Sample Site Plan

