

Date: 14/03/2025

To: Chair and Directors, Committee of the Whole

And To: Murray Daly, Chief Administrative Officer

From: Nigel Whitehead, Manager of Planning Services

Date of Meeting: Committee of the Whole_Mar20_2025

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Short Summary:

Accessory Dwelling Unit Regulations – Proposed Bylaw Changes

Background:

Staff are considering amendments to the Rural Land Use Bylaws and Zoning Bylaws to address challenges and barriers staff and the public face when a detached accessory dwelling unit is proposed.

At the September 22, 2022 Committee of the Whole meeting, planning staff sought direction from the Committee regarding the definitions of dwelling and carriage house. The Committee directed staff to move forward with an option that would define the difference between a carriage house and secondary dwelling more clearly, requiring that a carriage house be located above a garage or integrated within the structure on the main floor of an ancillary structure, with significant floor area dedicated to ancillary space.

Carriage House Regulations

Under current CRD regulations a “Carriage House” is permitted on all Residential and Rural lots (i.e. R 1, R 2, R 3, RL, RL 2, RR 1, RR 2, RR 3, RA 1 zones), regardless of lot size.

Staff regularly face challenges with the requirement that a carriage house be located within an ancillary building. The public regularly misinterpret what “within” means and submit building plans that do not align with the specific provisions of a carriage house. The requirement that a carriage house be located within an ancillary building means that though the applicant may not want additional ancillary space, they must add ancillary floor area (i.e. garage or shop) equivalent to the floor area of the dwelling unit. The additional ancillary floor area may add unwanted cost and may prevent the construction of small additional dwelling units.

The current CRD provisions for carriage houses also prevent a wide variety of designs that are common among available plans. The limiting factors of total height and the dwelling being on a single storey decrease options for applicants. A common example of this is the dwelling space of

a carriage house being separated into two storeys. It would not increase the total floor area of the dwelling but may instead reflect desire for a second bedroom in exchange for decreasing a three-car garage to a two-car garage, or prohibit a boot room and laundry on the main floor.

The proposed bylaw changes would also allow the public to utilize the “pre-reviewed” plans that were made available to the CRD, City of Quesnel, and City of Williams Lake. Though the plans can be utilized within the City of Quesnel and the City of Williams Lake, some specific provisions of the CRD bylaws prevent the plans from being used for a carriage house in the CRD. The plan may help to reduce the cost for applicants who wish to add housing in the form of a secondary suite or detached accessory dwelling unit.

Staff recommend the removal of the specific provision requiring that the carriage house be located within an ancillary building. This is not a requirement seen in other jurisdictions. An increase in permitted height of a carriage house from 7.62 m (25 ft.) to 8.6 m (28.2 ft.) will also permit a wider variety of carriage house types and align with CRD member municipalities. Finally, the provision limiting a carriage house to a single storey be removed. This is a limitation that prevents the use of many available carriage house designs and limits applicants from tailoring the dwelling to meet their specific needs.

Proposed Amendments - Carriage House

1. Remove “within” an ancillary building requirement. A small (90 sq. m.; 968 sq. ft.) stand-alone dwelling would be permitted.
2. Increase allowable height of a carriage house from 7.62 m (25 ft.) to 8.6 m (28.2 ft.) to align with member municipalities.
3. Remove provision requiring carriage house to be limited to a single storey. Boot rooms, downstairs bedroom, etc. permitted.
4. Specify minimum carriage house width of 6.1 m (20 ft.) to ensure desired building form. (See section 1. below for discussion.)

Additional Considerations / Risks – Carriage House

1. A mobile home will be considered a carriage house with the proposed changes. We may see an increase in DVP applications to increase the “carriage house” size to permit a relatively standard 14 x 70 ft. single wide mobile home.
 - a. The Committee may wish to see a minimum dwelling width specified in effort to require a building form that does not lead to a proliferation of single wide mobile homes (i.e. long rectangular shape) as accessory dwellings.
2. Changes may legalize many secondary “cabins” that exist on lots where they are not currently lawful. Staff would expect a Building Permit application to legalize the structure, ensure adequate construction, and include connection to water and sewer systems.
3. May increase density along small lakeshore lots. Health Authority and Provincial SSMUH Guidelines recommend a minimum 1.0 ha. (2.47 ac.) per dwelling unit on unserviced properties.

Secondary Dwelling Regulations

Under current CRD regulations a “Secondary Dwelling” is a stand-alone second dwelling unit on a property, and is generally permitted on lot sizes 4 ha. (9.88 ac.) and larger – i.e. Rural 1 (RR 1) and Resource Agricultural (RA 1) zones. The current maximum floor area of a secondary dwelling is 130 sq. m. (1400 sq. ft.). Any ancillary space (e.g. garage or deck) must be included as part of the 130 sq. m. (1400 sq. ft.) maximum.

Planning staff recognize a desire by the public to increase the permitted total floor area of a secondary dwelling. Recent applicants have expressed concerns around the cost of purchasing vacant land and constructing a house. In some cases it is more economical to construct a house on land that is already owned by family. The increase in size will also align with ALR regulations for secondary dwellings on lots larger than 40 ha. (98.84 ac.). The Board has also recently expressed interest in making changes to the specific provisions of secondary dwellings that prevent ancillary from being attached to secondary dwellings (September 26, 2024 Board meeting). The Board has recently approved Development Variance Permit applications (3090-20/20240025, 3090-20/20230057, and 3090-20/20230025) to increase the size of a secondary dwelling to approximately this size

Staff recommend that the total floor area for secondary dwellings be increased from 130 sq. m. (1400 sq. ft.) to 186 sq. m. (2002.1 sq. ft.). This size would amount to a 0.001% increase to lot coverage on the lots that are 4 ha. (9.88 ac.), the smallest size of lot that permits secondary dwellings. It will also align with what is currently permitted by the Agricultural Land Commission (ALC) on lots greater than 40 ha. (98.84 ac.).

Staff further recommend that the provision preventing secondary dwellings from being connected to ancillary structures be removed. The existing provision encourages ancillary space to be detached and have a greater footprint on the land, or decreases the total floor area of the secondary dwelling in exchange for ancillary space (e.g. attached garage or shop). For example, the most recent DVP application (3090-20/20240025) for a secondary dwelling the applicant was required to remove attached ancillary space to meet the floor area permitted by the DVP. The applicant could then construct the ancillary space detached from the secondary dwelling.

Proposed Amendments – Secondary Dwellings

1. Remove provision preventing secondary dwellings from being connected to ancillary structures. This will reduce the overall footprint of permitted structures, and allow the totality of secondary dwelling floor area to be dedicated to living space.
2. Increase permitted total floor area of a secondary dwelling from 130 sq. m (1400 sq. ft.) to 186 sq. m. (2002.1 sq. ft.).

Other changes

The general provision requiring that the registered owner must live in either the single-family dwelling or the accessory dwelling unit as their principal residence is an unlawful requirement

and should be removed from all Rural Land Use Bylaws and Zoning Bylaws. Zoning Bylaws can only regulate uses and not users.

The specific provision regulating home occupation and home industry is already specified in the “Home Occupation” and “Home Industry” sections of the bylaws and therefore the duplication can be removed.

Proposed Amendments – General

1. Remove provisions requiring that the registered owner lives on the property.
2. Remove the home occupation and home industry provisions from the Secondary Suite and Detached Accessory Dwelling Unit section.

Next steps

1. The proposed bylaw amendments will be brought to a future Board meeting for consideration of first reading and referral to Advisory Planning Commissions (APC's) for comment.
2. A presentation will be made to the APC's regarding the proposed amendments to ADU bylaws.
3. APC responses will be collated and presented to the Board.
4. Future amendment bylaw readings and public hearing.
5. Further consideration by the Board.

Attachments:

ADU Presentation